



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

November 17, 2022

Mr. Michael Guerrero
Assistant General Counsel
Texas Department of Criminal Justice
P.O. Box 4004
Huntsville, Texas 77342-4004

OR2022-35900

Dear Mr. Guerrero:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 985496 (PIA No. 1631-08-2022).

The Texas Department of Criminal Justice (the "department") received a request for certain information pertaining to a named inmate. The department claims the submitted information is excepted from disclosure under sections 552.101 and 552.134 of the Government Code. We have considered the claimed exceptions and reviewed the submitted information.

Section 552.134 of the Government Code relates to inmates of the department and provides, in relevant part, as follows:

- (a) Except as provided by Subsection (b) or section 552.029 [of the Government Code], information obtained or maintained by the [department] is excepted from [required public disclosure] if it is information about an inmate who is confined in a facility operated by or under a contract with the department.

Gov't Code § 552.134(a). The department states the submitted information pertains to an inmate confined in a facility operated by the department. The department further states section 552.029 of the Government Code does not apply to the information at issue. Thus, we agree the information at issue is subject to section 552.134 of the Government Code. Therefore, the department must withhold the submitted information under section 552.134 of the Government Code.¹

¹ As our ruling is dispositive, we need not address the remaining argument against disclosure of this information.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at <https://www.texasattorneygeneral.gov/open-government/members-public/what-expect-after-ruling-issued> or call the OAG's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Public Information Act may be directed to the Cost Rules Administrator of the OAG, toll free, at (888) 672-6787.

Sincerely,

Alexandra C. Burks
Assistant Attorney General
Open Records Division

ACB/jxd

Ref: ID# 985496

Enc. Submitted documents

c: Requestor
(w/o enclosures)