



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

November 19, 2020

Ms. Susan M. Howe
Associate University Counsel
Southern Methodist University
P.O. Box 750132
Dallas, Texas 75275

OR2020-29003

Dear Ms. Howe:

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# 854439.

The Southern Methodist University Police Department (the "department") received a request for report number 190951 and any reports involving a specified type of incident in a specified time period. The department claims the submitted information does not consist of public information subject to the Act. We have considered the submitted argument and reviewed the submitted information.

Section 51.212(f) of the Education Code reads as follows:

(f) A campus police department of a private institution of higher education is a law enforcement agency and a governmental body for purposes of [the Act], only with respect to information relating solely to law enforcement activities.

Educ. Code § 51.212(f). We understand the department is a campus police department of a private institution of higher education. *See id.* § 51.212(e), 61.003. Thus, the department is a governmental body for purposes of the Act, and information maintained by the department is subject to disclosure under the Act, to the extent such information relates solely to law enforcement activities. The department represents the submitted information, which consists of a Campus Safety Authority ("CSA") report, does not relate "solely to law enforcement activities." The department explains a CSA report is an administrative record that the department receives from a civilian department, and the department keeps these

reports separate from its criminal investigation files. Upon review, we agree the submitted information is administrative in nature and does not relate solely to law enforcement activities. *See id.* § 51.212(f). Accordingly, we find the submitted information is not subject to disclosure pursuant to section 51.212(f) of the Education Code and the department is not required to release this information in response to a request for the information under the Act.

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,

Claire V. Morris Sloan
Assistant Attorney General
Open Records Division

CVMS/mo

Ref: ID# 854439

Enc. Submitted documents

c: Requestor
(w/o enclosures)