



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

May 3, 2016

Mr. Rodrigo J. Figueroa
Counsel for the Trinity University Police Department
Dykema Cox Smith
112 East Pecan Street, Suite 1800
San Antonio, Texas 78205

OR2016-09979

Dear Mr. Figueroa:

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# 608327.

The Trinity University Police Department (the "department"), which you represent, received a request for the personnel file, employment file, and records of previous employment for a named officer. You claim the submitted information is not subject to the Act. In the alternative, you claim the submitted information is excepted from disclosure under sections 552.101 and 552.102 of the Government Code. We have considered your arguments and reviewed the submitted information.

We note the 84th Legislature added section 51.212(f) of the Education Code, which 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). You inform us the department is a campus police department of a private institution of higher education. *See id.* §§ 51.212(e), 61.003. Thus, you acknowledge 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. You indicate the submitted information is maintained by the department. However, you argue the submitted information is administrative information and does not relate “solely to law enforcement activities.” Upon review, we agree the submitted information is administrative in nature and does not relate solely to law enforcement. *See id.* § 51.212(f). Accordingly, we find the submitted information is not subject to disclosure pursuant to section 51.212(f), and need not be released to the requestor.¹

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 http://www.texasattorneygeneral.gov/open/orl_ruling_info.shtml, or call the Office of the Attorney General’s Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Ian Lancaster
Assistant Attorney General
Open Records Division

IML/akg

Ref: ID# 608327

Enc. Submitted documents

c: Requestor
(w/o enclosures)

¹As we are able to make this determination, we need not address your arguments against disclosure.