



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 9, 2016

Ms. Vanessa A. Gonzalez
Counsel for Baylor University
Bickerstaff Heath Delgado Acosta, L.L.P.
3711 South MoPac Expressway, Building One, Suite 300
Austin, Texas 78746

OR2016-13209

Dear Ms. Gonzalez:

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# 617221.

The Baylor University Police Department (the "department"), which you represent, received a request for a blank copy of a standard department police report. You assert the submitted information is not subject to the Act. We have considered your arguments and reviewed the submitted information.

The 84th Legislature added section 51.212(f) of the Education Code, which reads:

(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. You assert the submitted information does not relate solely to law enforcement activities. Rather, you claim this information is administrative in

nature, and thus, is not subject to release under the Act pursuant to section 51.212(f). However, we find this information was created by the department for the purpose of law enforcement and you do not demonstrate it is related to any other non-law enforcement activity. Therefore, we find the submitted information relates solely to law enforcement activities for purposes of section 51.212(f) of the Education Code, and thus, is subject to the Act. Accordingly, this information must be released, unless it falls within an exception to public disclosure under the Act. *See* Gov't Code §§ 552.006, .021, .301, .302. As you raise no exceptions to disclosure for the submitted information, it must be released.

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,



Brian E. Berger
Assistant Attorney General
Open Records Division

BB/akg

Ref: ID# 617221

Enc. Submitted documents

c: Requestor
(w/o enclosures)