



Office of Public Information

October 8, 2018

Office of the Attorney General  
Open Records Division  
P.O. Box 12548  
Austin, TX 78711

**Re: Public Information Request 18359\_40\_Dolan**

Dear Open Records Division:

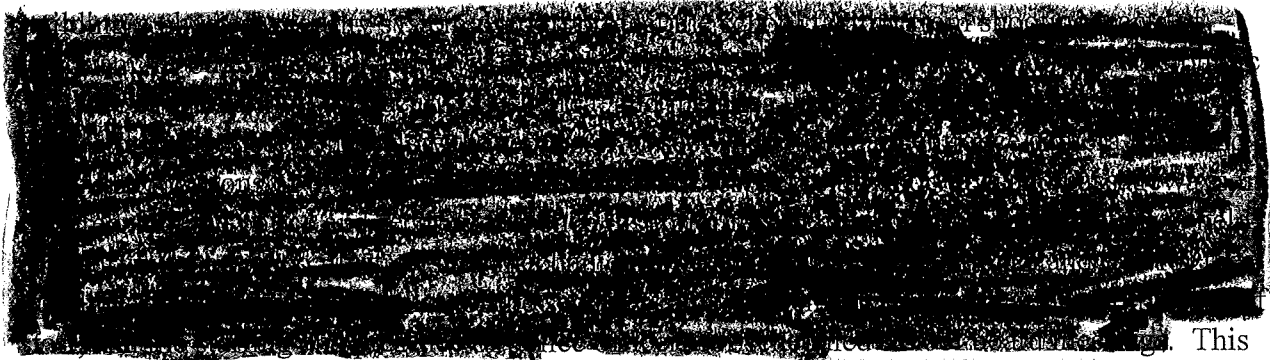
The Katy Independent School District received a written request for information from Mr. Sean Dolan, a copy of which is attached and labeled "A." In general, the request seeks security camera footage of the front door area for the hour prior to the start of the September 17, 2018 school board meeting. The responsive surveillance video is included herewith on memory stick in an envelope marked Exhibit "B." This request is similar to a prior request made by Mr. Dolan in June 2018 asking for the surveillance video made before, during, and after a board meeting and includes the same camera location. Attorney General Decision OR2018-22871 was issued directing that the District withhold that video recording.

The ten business day deadline for this letter, pursuant to Tex. Gov't Code Sec. 552.301(b) is Tuesday, October 16, 2018.

The District believes that the information requested is exempt and privileged from disclosure under Section 552.101 of the Texas Public Information Act in conjunction with sections 418.176 to 418.182 of the Texas Homeland Security Act. The Texas Homeland Security Act has been broadly interpreted to protect information regarding security to protect public property and makes confidential certain information related to terrorism or related criminal activity.

The request by Mr. Dolan is for surveillance video taking place one hour prior to the board meeting





This information should be exempt from disclosure to protect the safety and security of the main administration building and all individuals who work there, visit there, or attend bimonthly school board meetings.

This sort of information is indistinguishable from the requested security camera video discussed by the Third Court of Appeals in *Texas Department of Public Safety v. Abbott*. The appellate court in *Abbott* held that the requested video relates to the specifications of the capitol security system used to protect public property from an act of terrorism or related criminal activity because the legislature's use of "relates to" is a plain legislative choice to broadly protect public information regarding security systems designed to protect public property. *Tex. Dep't of Pub. Safety v. Abbott*, 310 S.W. 3d 670 (Tex. App.-Austin 2010, no pet.); 2018 Public Information Handbook at p. 100. Here, the requested video for the hour prior to the regularly scheduled school board meeting "relates to" the security system of the building itself designed to protect our employees, volunteers and visitors. The District requests a determination that the requested video is exempt and privileged from disclosure.

By my signature below, I certify that the request for information was received on October 2, 2018. If you have any questions, or need additional information or documentation, please contact me at (281) 396-7883.

Sincerely,

Sabrina E. Fernandez  
KATY INDEPENDENT SCHOOL DISTRICT  
PUBLIC INFORMATION SPECIALIST

cc: Sean Dolan, [sean@abetterlegacy.com](mailto:sean@abetterlegacy.com) and [sean@pushfire.com](mailto:sean@pushfire.com) (excluding Exhibit "B" and redacted as required by Government Code Sec. 552.301(e-1).)

**From:** [NoReply@katyisd.org](mailto:NoReply@katyisd.org) [mailto:[NoReply@katyisd.org](mailto:NoReply@katyisd.org)]  
**Sent:** Tuesday, October 2, 2018 11:08 AM  
**To:** PublicRecords <[PublicRecords@KATYISD.ORG](mailto:PublicRecords@KATYISD.ORG)>  
**Subject:** PIR Form #18359 was submitted

A new PIR Form was submitted on 10/2/2018 11:08:05 AM. [Click here to view the new request.](#)

**Senders Name:** sean dolan

**Company Name:**

**Senders Email Address:** [sean@abetterlegacy.com](mailto:sean@abetterlegacy.com)

**Preferred Phone:** (281) 750-6672

**Information Requested:** Any and all footage that contains the speaker sign-up at the school board meeting on September 17th, 2018, from 5:30 PM - 6:00 PM CST. We have evidence that a crime was committed during this time and would like to corroborate with further evidence. Any attempts to prevent my acquisition of this footage or deletion of this footage will be a clear obstruction of justice. If there is an alternative channel I need to go through to acquire the footage detailed above, please provide this asap.