

# TEXAS DEPARTMENT OF PUBLIC SAFETY

5805 N LAMAR BLVD • BOX 4087 • AUSTIN, TEXAS 78773-0001  
512/424-2000

[www.dps.texas.gov](http://www.dps.texas.gov)



05/08/2024

## Via EFile

Attorney General of Texas  
Open Records Division  
PO Box 12548  
Austin, Texas 78711-2548

RE: Public Information Request for requests for communications, operational plans and intelligence related to the protests on the University of Texas – Austin campus on April 24, 2024. (DPS P000624-042524; P000610-042524; P000616-042524; P000673-042524; P000679-042524; P000720-042624 and P000754-042624)

DATE REQUEST FOR INFORMATION P000624-042524 RECEIVED:	4/25/2024
DATE REQUEST FOR INFORMATION P000610-042524 RECEIVED:	4/25/2024
DATE REQUEST FOR INFORMATION P000616-042524 RECEIVED:	4/25/2024
DATE REQUEST FOR INFORMATION P000673-042524 RECEIVED:	4/25/2024
DATE REQUEST FOR INFORMATION P000679-042524 RECEIVED:	4/25/2024
DATE REQUEST FOR INFORMATION P000720-042524 RECEIVED:	4/26/2024
DATE REQUEST FOR INFORMATION P000754-042524 RECEIVED:	4/26/2024

DATE REQUEST FOR RULING SUBMITTED TO ATTORNEY GENERAL:	5/8/2024
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Dear Open Records Division:

The Department of Public Safety (DPS) received the above-referenced requests for information from Justin Miller, Adam Steinbaugh, Lee Fang and Tanvi Misra on April 25, 2024; Taylor Goldenstein and Nate Jones on April 26, 2024. We believe some or all of the requested information is excepted from required public disclosure pursuant to section 552.101, 552.111, 552.107 and 552.108 of the Government Code. Accordingly, we are requesting a ruling regarding the release of these records.

## Law Enforcement Sensitive

Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. As part of the Texas Homeland Security Act, sections 418.176 through 418.182 were added to chapter 418 of the Government Code. These provisions make confidential certain information related to terrorism and related criminal activity.

Section 552.101 encompasses section 418.176 of the Government Code, which states, in relevant part:

(a) Information is confidential if the information is collected, assembled, or maintained by or for a governmental entity for the purpose of preventing, detecting, responding to, or investigating an act of terrorism or related criminal activity and:

- (1) relates to the staffing requirements of an emergency response provider, including a law enforcement agency, a fire-fighting agency, or an emergency services agency;
- (2) relates to a tactical plan of the provider; or
- (3) consists of a list or compilation of pager or telephone numbers, including mobile and cellular telephone numbers, of the provider.

Section 552.101 also encompasses section 418.177 of the Government Code, which states:

Information is confidential if the information:

- (1) is collected, assembled, or maintained by or for a governmental entity for the purpose of preventing, detecting, or investigating an act of terrorism or related criminal activity; and
- (2) relates to an assessment by or for a governmental entity, or an assessment that is maintained by a governmental entity, of the risk or vulnerability of persons or property, including critical infrastructure, to an act of terrorism or related criminal activity.

Critical infrastructure is defined as “all public or private assets, systems, and functions vital to the security, governance, public health and safety, economy, or morale of the state or the nation.” Gov’t Code § 421.001(2).

DPS also believes the information is excepted from required public disclosure pursuant to section 552.108(b)(1) of the Government Code, which states:

(b) An internal record or notation of a law enforcement agency or prosecutor that is maintained for internal use in matters relating to law enforcement or prosecution is excepted from the requirements of Section 552.021 if:

- (1) release of the internal record or notation would interfere with law enforcement or prosecution.

Section 552.108(b)(1) is intended to protect “information which, if released, would permit private citizens to anticipate weaknesses in [a law enforcement agency], avoid detection, jeopardize officer safety, and generally undermine [law enforcement] efforts to effectuate the laws of this State.” *City of Ft. Worth v. Cornyn*, 86 S.W.3d 320 (Tex. App.—Austin 2002, no pet.). Your office has stated that under the statutory predecessor to section 552.108(b), a governmental body may withhold information that would reveal law enforcement techniques or procedures. See, e.g., Open Records Decision Nos. 531 (1989) (release of detailed use of force guidelines would unduly interfere with law enforcement), 456 (1987) (release of forms containing information regarding location of off-duty police officers in advance would unduly interfere with law enforcement), 413 (1984) (release of sketch showing security measures to be used at next execution would unduly interfere with law enforcement), 409 (1984) (if information regarding certain burglaries exhibit a pattern that reveals investigative techniques, information is excepted under predecessor to section 552.108), 341 (1982)

(release of certain information from Department of Public Safety would unduly interfere with law enforcement because release would hamper departmental efforts to detect forgeries of drivers' licenses), 252 (1980) (predecessor to section 552.108 is designed to protect investigative techniques and procedures used in law enforcement), 143 (1976) (disclosure of specific operations or specialized equipment directly related to investigation or detection of crime maybe excepted).

DPS believes a portion of the responsive records relate to staffing requirements, tactical plans and assessments of the risk of the vulnerability of critical infrastructure related to the provision of security for the campus of the University of Texas - Austin and detail where enhanced security is necessary for events like the protest on April 24, 2024. The records contain specific directions and recommendations for tactical solutions used to provide security to property and individuals on and surrounding the campus. Releasing the records to the public would provide potential criminal actors with information concerning law enforcement procedures and intelligence regarding security, putting students, professors, and visitors at the University of Texas – Austin at risk and interfering with the ability of law enforcement to prevent, detect, respond to and investigate criminal activity. Knowing key details about staffing levels and tactical plans of DPS and its law enforcement partners will compromise law enforcement purposes by enabling potential criminal actors anticipate weakness in staffing and alter their methods of operation in order to avoid detection and apprehension. Therefore, DPS believes the responsive information should be excepted from required public disclosure under section 552.101 of the Government Code in conjunction with sections 418.176 and 418.177 of the Government Code and section 552.108(b) of the Government Code.

### **Deliberative Process**

Section 552.111 states that “[a]n interagency or intraagency memorandum or letter that would not be available by law to a party in litigation with the agency is excepted from the requirements of Section 552.021.” Section 552.111 encompasses the deliberative process privilege. *See* Open Records Decision No. 615 at 2 (1993). The purpose of this exception is to protect advice, opinion, and recommendation in the decisional process and to encourage open and frank discussion in the deliberative process. *See Austin v. City of San Antonio*, 630 S. W.2d 391, 394 (Tex. App.-San Antonio 1982, orig. proceeding); Open Records Decision No. 538 at 1-2 (1990).

In Open Records Decision No. 615, your office re-examined the statutory predecessor to section 552.111 in light of the decision in *Texas Department of Public Safety v. Gilbreath*, 842 S.W.2d 408 (Tex. App.-Austin 1992, orig. proceeding). Your office determined section 552.111 excepts from disclosure only those internal communications that consist of advice, opinions, recommendations, and other material reflecting the policymaking processes of the governmental body. *See* ORD 615 at 5. Further, section 552.111 does not protect facts and written observations of facts and events that are severable from advice, opinions, and recommendations. *Arlington Indep. Sch. Dist. v. Tex. Attorney Gen.*, 37 S.W.3d 152 (Tex. App.-Austin 2001, no pet); *see* ORD 615 at 4-5. But if factual information is so inextricably intertwined with material involving advice, opinion, or recommendation as to make severance of the factual data impractical, the factual information also may be withheld under section 552.111. *See* Open Records Decision No. 313 at 3 (1982).

Your office has also concluded a preliminary draft of a document intended for public release in its final form necessarily represents the drafter's advice, opinion, and recommendation with regard to the form and content of the final document, so as to be excepted from disclosure under section 552.111. *See* Open Records Decision No. 559 at 2 (1990) (applying statutory predecessor). Section 552.111 protects factual information in the draft that also will be included in the final version of the document. *See id.* at 2-3. Thus, section 552.111 encompasses the entire contents, including comments, underlining, deletions, and proofreading marks, of a preliminary draft of a policymaking document that will be released to the public in its final form. *See id.* at 2.

DPS believes a portion of the responsive records consist of advice, recommendations, and opinions regarding policymaking decisions. The information at issue includes draft documents that were released in their final form, as well as communications among DPS staff regarding these drafts and the content of those documents or communications between and among DPS employees communicating in their policy-making capacities. These records reflect the discussions and thought processes by and among DPS personnel in developing these documents and policies. The release of these records could have a chilling effect on policy decisions. Therefore, DPS believes the marked records are exempt from disclosure under section 552.111 of the Government Code.

#### **Attorney-Client Privilege**

Section 552.101 of the Government Code states that “[i]nformation is excepted from the requirements of Section 552.021 if it is information considered to be confidential by law, either constitutional, statutory, or by judicial decision.” Rule 503(b)(1) of the Texas Rules of Evidence provides as follows:

A client has a privilege to refuse to disclose and to prevent any other person from disclosing confidential communications made for the purpose of facilitating the rendition of professional legal services to the client:

- (A) between the client or a representative of the client and the client’s lawyer or a representative of the lawyer;
- (B) between the lawyer and the lawyer’s representative;
- (C) by the client or a representative of the client, or the client’s lawyer or a representative of the lawyer, to a lawyer or a representative of a lawyer representing another party in a pending action and concerning a matter of common interest therein;
- (D) between representatives of the client or between the client and a representative of the client; or
- (E) among lawyers and their representatives representing the same client.

Tex. R. Evid. 503(b)(1). A communication is “confidential” if not intended to be disclosed to third persons other than those to whom disclosure is made in furtherance of the rendition of professional legal services to the client or those reasonably necessary for the transmission of the communication. *Id.* 503(a)(5). Thus, to withhold attorney-client privileged information from disclosure under rule 503, a governmental body must:

- (1) show that the document is a communication transmitted between privileged parties or reveals a confidential communication;
- (2) identify the parties involved in the communication; and
- (3) show that the communication is confidential by explaining that it was not intended to be disclosed to third persons and that it was made in furtherance of the rendition of professional legal services to the client.

Upon a demonstration of all three factors, the information is privileged and confidential under rule 503, provided the client has not waived the privilege or the document does not fall within the purview of the exceptions to the privilege enumerated in rule 503(d). *See Pittsburgh Corning Corp. v. Caldwell*, 861 S.W.2d 423, 427 (Tex. App.—Houston [14th Dist.] 1993, no writ).

Information coming within the attorney-client privilege is also protected by section 552.107(1) of the Government Code. In Attorney General Decision ORD No. 676, your office held that a governmental entity asserting attorney-client privilege has the burden of demonstrating the elements of the privilege. First, the governmental body must demonstrate that the information constitutes or documents a communication. *Id.* at 7. Second, the communication must have been made “for the purpose of facilitating the rendition of professional legal services” to the client governmental body. Tex. R. Evid. 503(b)(1). Third, the privilege applies only to communications between or among clients, client representatives, lawyers, and lawyer representatives. Tex. R. Evid. 503(b)(1)(A)-(E). Finally, the attorney-client privilege applies only to a confidential communication. *Id.* 503(b)(1).

A portion of the responsive records include communications between attorneys or attorney representatives for DPS and employees of DPS. The communications were made for the purpose of facilitating the rendition of professional legal services to DPS, and all of the marked entries were discussed and communicated between the attorneys and their clients. The communications were not intended to be disclosed, nor have they been disclosed, to third parties. Accordingly, the marked portions of the submitted records must be withheld under Rule 503 of the Texas Rules of Evidence and section 552.107 of the Government Code.

### **Third Party**

We believe that the records requested implicate the interests of a third party – the University of Texas - Austin. We are withholding the responsive records at this time to afford the third party an opportunity to assert that these records are excepted from disclosure pursuant to sections 552.101, 552.108, or other exceptions to disclosure set forth in chapter 552 of the Government Code and other applicable law.

Please find enclosed the received requests, the notice of our request for a ruling sent the requestors, 3<sup>rd</sup> party notice and a representative sample of the responsive records we wish to except from required disclosure. Please feel free to contact me at 512-424-5332 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Christina M. Lee".

Christina M. Lee  
Assistant General Counsel

Enclosure(s)

cc: Justin Miller  
VIA Email

Adam Steinbaugh  
VIA Email

Lee Fang  
VIA Email

Tanvi Misra  
VIA Email

Taylor Goldenstein  
VIA Email

Nate Jones  
VIA Email

Mr. Bob Bonner-Davis  
Chief Public Information Coordinator Office  
of the Vice President for Legal Affairs  
[vpla@austin.utexas.edu](mailto:vpla@austin.utexas.edu)

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05/08/2024

Justin Miller  
VIA Email

Adam Steinbaugh  
VIA Email

Lee Fang  
VIA Email

Tanvi Misra  
VIA Email

Taylor Goldenstein  
VIA Email

Nate Jones  
VIA Email

RE: Public Information Request for requests for communications, operational plans and intelligence related to the protests on the University of Texas – Austin campus on April 24, 2024. (DPS P000624-042524; P000610-042524; P000616-042524; P000673-042524; P000679-042524; P000720-042624 and P000754-042624)

Dear Requestor:

The Texas Department of Public Safety (DPS) received your above-referenced request on April 25, 2024 and April 26, 2024. We have located records responsive to your request; however, we believe these records may be excepted from required public disclosure at this time. We are seeking a ruling from the Office of the Attorney General (OAG) with respect to disclosure of these records, and a copy of our request letter is enclosed. You will be notified directly by OAG when a ruling is issued.

All releasable communications have been uploaded to GovQA..

If you have any questions regarding this request, please submit them in writing via email to [publicrecords@dps.texas.gov](mailto:publicrecords@dps.texas.gov). Thank you.

Cordially,

A handwritten signature in cursive script that reads "Christina M. Lee". The signature is written in dark ink and is positioned above a horizontal line.

Christina M. Lee  
Assistant General Counsel



# TEXAS DEPARTMENT OF PUBLIC SAFETY

5805 N LAMAR BLVD • BOX 4087 • AUSTIN, TEXAS 78773-0001  
512/424-2000

[www.dps.texas.gov](http://www.dps.texas.gov)



May 8, 2024

## Via Email

Mr. Bob Bonner-Davis  
Chief Public Information Coordinator  
Office of the Vice President for Legal Affairs  
[vpia@austin.utexas.edu](mailto:vpia@austin.utexas.edu)

RE: Public Information Request for requests for communications, operational plans and intelligence related to the protests on the University of Texas – Austin campus on April 24, 2024. (DPS P000624-042524; P000610-042524; P000616-042524; P000673-042524; P000679-042524; P000720-042624 and P000754-042624)

Mr. Davis:

We have received a formal request to inspect or copy some of our files. A copy of the request for information is enclosed. The requested files include records we received from you or from your entity. The Office of the Attorney General is reviewing this matter, and they will issue a decision on whether Texas law requires us to release your records. Generally, the Public Information Act (the “Act”) requires the release of requested information, but there are exceptions. As described below, you have the right to object to the release of your records by submitting written arguments to the attorney general that one or more exceptions apply to your records. You are not required to submit arguments to the attorney general, but if you decide not to submit arguments, the Office of the Attorney General will presume that you have no interest in withholding your records from disclosure. In other words, if you fail to take timely action, the attorney general will more than likely rule that your records must be released to the public. If you decide to submit arguments, **you must do so not later than the tenth business day after the date you receive this notice.**

If you submit arguments to the attorney general, you must:

- a) identify the legal exceptions that apply,
- b) identify the specific parts of each document that are covered by each exception, and
- c) explain why each exception applies. Gov’t Code §552.305(d).

A claim that an exception applies without further explanation will not suffice. (Attorney General Opinion H-436). You may contact this office to review the information at issue in order to make your arguments. We will provide the attorney general with a copy of the request for information and a copy

of the requested information, along with other material required by the Act. The attorney general is generally required to issue a decision within 45 working days.

Please send your written comments to the Office of the Attorney General at the following address:

Office of the Attorney General  
Open Records Division  
P.O. Box 12548  
Austin, Texas 78711-2548

**In addition, you are required to provide the requestor with a copy of your communication to the Office of the Attorney General.** Gov't Code §552.305(e). You may redact the requestor's copy of your communication to the extent it contains the substance of the requested information. Gov't Code §552.305(e).

### **Commonly Raised Exceptions**

In order for a governmental body to withhold requested information, specific tests or factors for the applicability of a claimed exception must be met. Failure to meet these tests may result in the release of requested information. We have listed the most commonly claimed exceptions in the Government Code concerning proprietary information and the leading cases or decisions discussing them. This listing is not intended to limit any exceptions or statutes you may raise.

#### **Section 552.101: Information Made Confidential by Law**

Open Records Decision No. 652 (1997).

#### **Section 552.108: Information held by a law enforcement agency or prosecutor that deals with the detection, investigation or prosecution of crime**

#### **Section 552.110: Confidentiality of Trade Secrets and Commercial or Financial Information**

##### Trade Secrets:

*In re Bass*, 113 S.W.3d 735 (Tex. 2003).

*Hyde Corp. v. Huffines*, 314 S.W.2d 763, 776 (Tex.), *cert. denied*, 358 U.S. 898 (1958).

Open Records Decision No. 552 (1990).

##### Commercial or Financial Information:

*Birnbaum v. Alliance of Am. Insurers*, 994 S.W.2d 766 (Tex. App.—Austin 1999, pet. filed) (construing previous version of section 552.110), *abrogated by In re Bass*, 113 S.W.3d 735 (Tex. 2003).

*Nat'l Parks & Conservation Ass'n v. Morton*, 498 F.2d 765 (D.C. Cir. 1974).

Open Records Decision No. 639 (1996).

Open Records Decision No. 661

#### **Section 552.113: Confidentiality of Geological or Geophysical Information**

Open Records Decision No. 627 (1994).

**Section 552.131: Confidentiality of Certain Economic Development Negotiation Information**

If you have questions about this notice or release of information under the Act, please refer to the Public Information Handbook published by the Office of the Attorney General, or contact the Attorney General's Open Government Hotline at (512) 478-OPEN (6736) or toll-free at (877) 673-6839 (877-OPEN TEX). To obtain copies of the Public Information Handbook or Attorney General Opinions, including those listed above, please visit the attorney general's website at <http://www.texasattorneygeneral.gov> or call the attorney general's Opinions Library at (512) 936-1730.

Sincerely,

A handwritten signature in cursive script that reads "Christina M. Lee". The ink is dark and the signature is fluid.

Christina M. Lee  
Assistant General Counsel

Enclosure: Copy of requests for information and requested records

**CAUTION:** This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.  
If you believe this to be a malicious and/or phishing email, please send this email as an attachment to [SPAM@dps.texas.gov](mailto:SPAM@dps.texas.gov).

**From:** 162613-75949155@requests.muckrock.com  
**Sent:** Thu, 25 Apr 2024 03:59:45 +0000  
**To:** OGC Webmaster  
**Subject:** Texas Public Information Act Request: Texas Department of Public Safety - April 24, 2024 Demonstrations at UT Austin

Texas Department of Public Safety  
Texas Public Information Act Office  
PO Box 4087  
Austin, TX 78773-0140

April 24, 2024

To Whom It May Concern:

Pursuant to the Texas Public Information Act, I hereby request the following records:

1. Any communications to or from the Governor or the Office of the Governor concerning the events at the University of Texas, Austin on April 24, 2024.
2. A copy of the "request of the University" referenced in the statement issued by Sheridan Nolen, Press Secretary of the Texas Department of Public Safety, on April 24, 2024.
3. A copy of any records reflecting or concerning the "direction of Texas Governor Greg Abbott" referenced in the statement issued by Sheridan Nolen, Press Secretary of the Texas Department of Public Safety, on April 24, 2024.
4. Any communications to or from the Media and Communications Office (including any person employed by the Media and Communications Office) concerning the April 24, 2024 demonstrations at Texas universities, including UT Austin and UT San Antonio.
5. Any statements provided to media by DPS or DPS officials concerning the demonstrations on April 24, 2024, and any draft versions of those statements.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 10 business days, as the statute requires.

Sincerely,

Adam Steinbaugh

View request history, upload responsive documents, and report problems here:  
[https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency\\_login%252Ftexas-department-public-safety-621%252Ftexas-department-of-public-safety-april-24-2024-demonstrations-at-ut-austin-162613%252F%253Femail%253DOGC.Webmaster%252540dps.texas.gov&url\\_auth\\_token=AAeESOFbhsaWRZJHm-neP00CEU%3A1rzqGv%3Ag4qX3UtTZkh-5gW694hlX0fdrbE6XW01cKPtf90K3hA](https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Ftexas-department-public-safety-621%252Ftexas-department-of-public-safety-april-24-2024-demonstrations-at-ut-austin-162613%252F%253Femail%253DOGC.Webmaster%252540dps.texas.gov&url_auth_token=AAeESOFbhsaWRZJHm-neP00CEU%3A1rzqGv%3Ag4qX3UtTZkh-5gW694hlX0fdrbE6XW01cKPtf90K3hA)

If prompted for a passcode, please enter:  
XVMRRXNR

Filed via MuckRock.com  
E-mail (Preferred): 162613-75949155@requests.muckrock.com

**PLEASE NOTE OUR NEW ADDRESS**

For mailed responses, please address (see note):

MuckRock News  
DEPT MR 162613  
263 Huntington Ave  
Boston, MA 02115

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

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**From:** Lee Fang  
**Sent:** Wed, 24 Apr 2024 17:47:23 -0700  
**To:** PublicRecords  
**Subject:** DPS Public Records request re Texas Fusion Center

Dear DPS Public Information Center Officer,

I am an independent journalist. Pursuant to the Texas Public Information Act, Texas Government Code, Chapter 552, I hereby request the following records relating to the Texas Fusion Center:

Threat assessments, field reports, and intelligence updates, which have discussed or focused on the following groups:

Jewish Voice for Peace  
Council on American Islamic Relations  
National Students for Justice in Palestine  
Palestine Solidarity Committee  
Turning Point USA (also d/b/a TPUSA)  
Secure Community Network

I am also seeking communications related to student protests about Israel-Palestine. For the purposes of this request, please limit the search of records to April 1, 2024 through April 24, 2024. Please search for the aforementioned groups in email subject, email body, and email attachments.

I am a member of the media. I have been published by the New York Times, Boston Globe, NPR, San Francisco Chronicle and other major publications. I am requesting these records as part of a public interest reporting process.

As a member of the media, I request a fee waiver.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled

electronically, by e-mail attachment or document hosting website if available or CD-ROM if not.

Please contact me if you have any questions or concerns about my request.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request.

Sincerely,

Lee Fang

**CAUTION:** This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.  
If you believe this to be a malicious and/or phishing email, please send this email as an attachment to [SPAM@dps.texas.gov](mailto:SPAM@dps.texas.gov).

**From:** Justin Miller  
**Sent:** Thu, 25 Apr 2024 09:30:47 -0500  
**To:** PublicRecords  
**Subject:** TPIA request

Hello,

Under the TPIA, I request the following:

-All emails sent and received regarding the deployment and/or dispatch of Texas DPS Highway Patrol troopers to the protest on the University of Texas at Austin campus on Wednesday April 24th 2024 to and/or from the following DPS officials: director; Deputy Director of Law Enforcement Operations; Deputy Director of Homeland Security Operations; all regional directors; chief of media/communications; chief of government relations.

This request is limited to all such email correspondence *between* DPS officials, on the dates of April 24th and 25th, 2024.

Any responsive records with exempted/confidential material, as defined by the TPIA law, may be redacted or withheld.

Please contact me with any questions about this request at [miller@texasobserver.org](mailto:miller@texasobserver.org).

Thank you,

--

Justin Miller  
Reporter - [Texas Observer](https://www.texasobserver.org)  
Cell: 651-357-7749  
Signal: 682-422-7686  
Email: [miller@texasobserver.org](mailto:miller@texasobserver.org)  
Secure: [byjmillier@protonmail.com](mailto:byjmillier@protonmail.com)



# Public Information (#P000673-042524)

## Public Information Details

Media Request

Purpose for Requesting Records:

I am requesting records on behalf of a media organization

Type of Request:OTHER

Date From:4/1/2024

Date To:

First Name:

Last Name:

Please provide a brief description of the records being requested:

To Whom It May Concern:  
Pursuant to the Texas Public Information Act, I hereby request the following records:  
Any and all records and communications related to the deployment of Texas DPS personnel at the University of Texas, Austin, on April 24, 2024, in response to pro-Palestine protesters on campus. (See: <https://www.statesman.com/story/news/local/2024/04/24/ut-austin-campus-student-protest-arrest-pro-palestine-protests-walk-out/73425149007/>)  
  
Please search specifically for the below document categories and respond to each of the categories and items:  
  
Communications (including emails, official letters, and telephone call transcripts) from the agency heads and leadership officials to University of Texas President Jay Hartzell regarding response to pro-Palestinian protests on April 24, 2024.  
Any and all internal communications from agency heads to agency personnel regarding the deployment, including interoffice memorandums, emails, training logs and manuals, and procedural guides relating to the planned response to pro-Palestinian protests on April 24, 2024.  
  
I request this information in the public interest in my capacity as an investigative journalist working with the media nonprofit TYPE INVESTIGATIONS, with previous articles published in The Guardian, NBC News, The Atlantic, Bloomberg News, The New Republic and other major national and international publications.  
  
I attest that the requested documents will be made available to the general public, and this request is not being made for commercial purposes. In case the volume of records in response is significant, I kindly request that you release them on a rolling basis. In my capacity as a journalist, I request all fees waived. In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request.  
  
Please provide the responsive documents to me electronically by e-mail attachment to this email (misra.tanvi@gmail.com). If that is not possible, please mail a CD-ROM or hard copy to the following address: 28-10 46th St, #2, Astoria, New York, 11103. Should any questions arise, I am available at 2243079030.  
  
Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 10 business days, as the statute requires  
  
Best,  
  
Tanvi Misra

Preferred Method to Receive Records:

Electronic via Records Center

## > Clarifications

✓ Message History

Date

On 4/25/2024 3:59:59 PM, System Generated Message:

**Subject:** Public Information :: P000673-042524

**Body:**



## Texas Department of Public Safety

Dear Tanvi Misra:

Your request has been received and is being processed within state law. Your request was received in this office and given the reference number P000673-042524 for tracking purposes.

**Records Requested:** To Whom It May Concern: Pursuant to the Texas Public Information Act, I hereby request the following records: Any and all records and communications related to the deployment of Texas DPS personnel at the University of Texas, Austin, on April 24, 2024, in response to pro-Palestine protesters on campus. (See: <https://www.statesman.com/story/news/local/2024/04/24/ut-austin-campus-student-protest-arrest-pro-palestine-protests-walk-out/73425149007/>) Please search specifically for the below document categories and respond to each of the categories and items: Communications (including emails, official letters, and telephone call transcripts) from the agency heads and leadership officials to University of Texas President Jay Hartzell regarding response to pro-Palestinian protests on April 24, 2024. Any and all internal communications from agency heads to agency personnel regarding the deployment, including interoffice memorandums, emails, training logs and manuals, and procedural guides relating to the planned response to pro-Palestinian protests on April 24, 2024. I request this information in the public interest in my capacity as an investigative journalist working with the media nonprofit TYPE INVESTIGATIONS, with previous articles published in The Guardian, NBC News, The Atlantic, Bloomberg News, The New Republic and other major national and international publications. I attest that the requested documents will be made available to the general public, and this request is not being made for commercial purposes. In case the volume of records in response is significant, I kindly request that you release them on a rolling basis. In my capacity as a journalist, I request all fees waived. In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. Please provide the responsive documents to me electronically by e-mail attachment to this email ([misra.tanvi@gmail.com](mailto:misra.tanvi@gmail.com)). If that is not possible, please mail a CD-ROM or hard copy to the following address: 28-10 46th St, #2, Astoria, New York, 11103. Should any questions arise, I am available at 2243079030. Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 10 business days, as the statute requires Best, Tanvi Misra

Your request will be forwarded to the relevant division(s) to locate the requested information and to determine any costs associated with producing the requested records. You will receive a response as soon as the requested records are available, no later than the tenth business day after your request was received.

You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed.

Texas Department of Public Safety

To monitor the progress or update this request please log into the [Public Information Center](#)



On 4/25/2024 3:59:58 PM, Tanvi Misra wrote:

Request Created on Public Portal

## ▼ Request Details

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Reference No: P000673-042524  
Create Date: 4/25/2024 3:59 PM  
Update Date: 5/1/2024 12:36 PM  
Completed/Closed: No  
Required Completion Date: 5/6/2024

Status: Assigned  
Priority: Low  
Assigned Dept: OGC  
Assigned Staff: Christina Lee

Customer Name: Tanvi Misra  
Email Address: misra.tanvi@gmail.com  
Phone: 2243079030

Source: Web

# Public Information (#P000679-042524)

## Public Information Details

Media Request

### Purpose for Requesting Records:

	I am requesting records on behalf of a media organization
Type of Request:	OTHER
Date From:	4/1/2024
Date To:	
First Name:	TANVI
Last Name:	MISRA
Please provide a brief description of the records being requested:	<p>To Whom It May Concern:</p> <p>Pursuant to the Public Information Act, I hereby request the following records from the Texas Fusion Center and its components such as, not not restricted to, the State Intelligence Team:</p> <p>1) Any situational awareness reports or field analysis reports and 2) all correspondence, including emails, memorandums, and guidance between Texas Fusion Center personnels and officials at the Department of Homeland Security (or any of its components) regarding the protests held at University of Texas in Austin between April 20-30, 2024.</p> <p>I request this information in the public interest in my capacity as an investigative journalist working with the media nonprofit TYPE INVESTIGATIONS, with previous articles published in The Guardian, NBC News, The Atlantic, Bloomberg News, The New Republic and other major national and international publications. I attest that the requested documents will be made available to the general public, and this request is not being made for commercial purposes. In case the volume of records in response is significant, I kindly request that you release them on a rolling basis as they turn up in your search. In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. Please provide the responsive documents to me by e-mail attachment to this email (misra.tanvi@gmail.com). If that is not possible, please mail a CD-ROM or hard copy to the following address: 28-10 46th St, #2, Astoria, New York, 11103. Should any questions arise, I am available at 2243079030. Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 10 business days as the statute requires. Sincerely, Tanvi Misra</p>
Preferred Method to Receive Records:	Electronic via Records Center

## > Clarifications

## > Internal Search Terms

## > Public Records Archive

## > Notes

## Message History

Date

On 4/25/2024 8:25:04 PM, System Generated Message:

**Subject:** Public Information :: P000679-042524

**Body:**



## Texas Department of Public Safety

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**Records Requested:** To Whom It May Concern: Pursuant to the Public Information Act, I hereby request the following records from the Texas Fusion Center and its components such as, not not restricted to, the State Intelligence Team: 1) Any situational awareness reports or field analysis reports and 2) all correspondence, including emails, memorandums, and guidance between Texas Fusion Center personnels and officials at the Department of Homeland Security (or any of its components) regarding the protests held at University of Texas in Austin between April 20-30, 2024. I request this information in the public interest in my capacity as an investigative journalist working with the media nonprofit TYPE INVESTIGATIONS, with previous articles published in The Guardian, NBC News, The Atlantic, Bloomberg News, The New Republic and other major national and international publications. I attest that the requested documents will be made available to the general public, and this request is not being made for commercial purposes. In case the volume of records in response is significant, I kindly request that you release them on a rolling basis as they turn up in your search. In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. Please provide the responsive documents to me by e-mail attachment to this email (misra.tanvi@gmail.com). If that is not possible, please mail a CD-ROM or hard copy to the following address: 28-10 46th St, #2, Astoria, New York, 11103. Should any questions arise, I am available at 2243079030. Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 10 business days as the statute requires. Sincerely, Tanvi Misra

Your request will be forwarded to the relevant division(s) to locate the requested information and to determine any costs associated with producing the requested records. You will receive a response as soon as the requested records are available, no later than the tenth business day after your request was received.

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Texas Department of Public Safety

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On 4/25/2024 8:25:02 PM, Tanvi Misra wrote:

Request Created on Public Portal

### ▼ Request Details

Reference No:	P000679-042524
Create Date:	4/25/2024 8:25 PM
Update Date:	5/1/2024 12:37 PM
Completed/Closed:	No

Required Completion Date: 5/9/2024

Status: Assigned  
Priority: Low  
Assigned Dept: OGC  
Assigned Staff: Christina Lee

Customer Name: Tanvi Misra  
Email Address: misra.tanvi@gmail.com  
Phone: 2243079030

Source: Web

**From:** Goldenstein, Taylor  
**Sent:** Fri, 26 Apr 2024 17:36:33 +0000  
**To:** PublicRecords  
**Subject:** UT Austin protest TPIA

**CAUTION:** This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.  
If you believe this to be a malicious and/or phishing email, please send this email as an attachment to [SPAM@dps.texas.gov](mailto:SPAM@dps.texas.gov).

Hi there,

My name is Taylor Goldenstein, and I'm a reporter with the Houston Chronicle. I'm reaching out to request the following information under the Texas Public Information Act:

- all arrest affidavits/charging documents for anyone arrested or detained in connection with the April 24 and April 25 pro-Palestinian protests at UT Austin
- all records of dropped charges related to those cases. I understand those originate from Travis County, but I am requesting copies in your possession.
- all communications to/from DPS employees as it relates to planning security response for this event or any other discussion about the event as well as all communications to/from DPS employees about the event on the day-of. This should also include any emails with the following keywords: "Palestine Solidarity Committee," "Students for Justice in Palestine," "Palestine," "Palestinian," "Jewish," "Pro-Palestine," "Pro-Palestinian," anti-Israel," "Israel," "Israeli," "Zionist(s)." This should include any internal memos or other communications
- Any reports of officer injuries filed internally

I am requesting the information be sent in an electronic format. Please let me know if I can answer any questions/refine this request in any way that will expedite the records' release.

Thanks for your time,  
Taylor

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Taylor Goldenstein  
Austin bureau reporter | Houston Chronicle/Hearst Newspapers

o 512-439-2891 m 512-200-2910

e taylor.goldenstein@chron.com

Twitter: @taygoldenstein



**From:** Jones, Nate  
**Sent:** Fri, 26 Apr 2024 21:08:35 +0000  
**To:** PublicRecords  
**Subject:** Public Records Request

**CAUTION:** This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.  
If you believe this to be a malicious and/or phishing email, please send this email as an attachment to [SPAM@dps.texas.gov](mailto:SPAM@dps.texas.gov).

Hello,

Under public records laws I am requesting:

All emails sent to or from the email account of Director Steven McCraw mentioning the terms: encampment and/or protest and/or protesters. The date range is from Aprils 23, 2024 until today.

Thank you,

Nate

Nate Jones  
FOIA Director  
The Washington Post  
@FOIANate