McLENNAN COMMUNITY COLLEGE

September 14, 2026

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

McLennan Community College is submitting the attached request for an Attorney General ruling regarding information responsive to a recent public information request. The College's legal team has reviewed the responsive records and identified significant concerns regarding the release of information that could compromise security measures associated with United States Supreme Court Justice Brett Kavanaugh.

Given the nature of the responsive information, the College contacted the legal team for the Supreme Court of the United States regarding the potential security implications of disclosure. The Supreme Court's legal team has likewise expressed security concerns regarding the release of this information, including concerns that disclosure of the names and identifying information of Supreme Court staff involved in security, coordination, or related activities could create additional security risks.

Of particular importance, the Supreme Court's legal team has advised the College that information contained within the responsive records presents a potential threat to the security of Justice Kavanaugh. Accordingly, the College is treating these records with heightened sensitivity while seeking guidance from the Office of the Attorney General.

Because of these security concerns, the College will not provide the requester with unredacted copies or examples of the security-sensitive materials while this matter is under review. Providing such information to the requester would disclose the very information for which the College is seeking protection and could create the security risks identified by both the College and the Supreme Court.

The College will, however, provide the Office of the Attorney General with the unredacted information necessary to evaluate the claimed exceptions, including representative samples as appropriate, for confidential review in accordance with the procedures of the Texas Public Information Act. Materials provided to the Attorney General will clearly identify the information the College seeks to withhold and will be submitted in a manner intended to preserve the confidentiality and security of the information during the ruling process.

The College respectfully requests that the Office of the Attorney General give particular consideration to the nature and seriousness of the security concerns presented here. These concerns are not based solely on the College's assessment; they have also been independently raised by the legal team for the Supreme Court of the United States, which has indicated that disclosure of certain responsive

information could present a potential threat to the security of Justice Kavanaugh and others involved in his protection.

The College respectfully requests that the Office of the Attorney General determine that the security-sensitive information may be withheld from public disclosure under the applicable provisions of the Texas Public Information Act and Texas Government Code.

Please contact me if additional information is necessary to evaluate the College's request. The College will work with the Office of the Attorney General to provide any additional information necessary for its review while appropriately safeguarding the security-sensitive information at issue.

Sincerely,

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McLennan Community College (the "College") asserts that portions of the responsive information are confidential under section 552.101 and 552.1175 of the Texas Government Code in conjunction with sections 418.176and 418.177of the Texas Government Code.

The responsive records include communications regarding the planning and coordination associated with the presence of United States Supreme Court Justice Brett Kavanaugh at a College-related event. Certain communications contain information regarding security planning, protective measures, law-enforcement coordination, access and movement, security personnel, restricted areas, and/or procedures implemented to protect individuals and College property.

The College is not asserting that all communications concerning Justice Kavanaugh are confidential. Rather, the College seeks to withhold or redact those portions of the responsive records that would reveal security-sensitive information falling within the protections established by Chapter 418 of the Texas Government Code.

Section 418.176 – Emergency Response and Tactical Information

Section 418.176 protects certain information collected, assembled, or maintained by or for a governmental entity for purposes of preventing, detecting, responding to, or investigating terrorism or related criminal activity when the information relates to, among other things, staffing requirements or tactical plans of an emergency response provider, including a law-enforcement agency.

The College and cooperating law enforcement agencies undertook this staffing, deployment, and tactical planning for the purpose of preventing, detecting, responding to, and investigating acts of terrorism and related criminal activities directed at Justice Kavanaugh, event attendees, and College property, in light of security concerns identified to the College by Justice's Security Detail. The information marked by the College includes details concerning law-enforcement and security planning associated with the event. Disclosure of this information would reveal aspects of the staffing, deployment, coordination, and/or tactical procedures utilized by law-enforcement or security personnel in protecting a high-profile public official and those attending the event, as further described below.

Public disclosure of such information could provide individuals with information regarding how the College and participating law-enforcement agencies plan, staff, and execute protective-security operations. The College therefore asserts that the marked information falling within these categories is confidential pursuant to section 418.176 and must be withheld under section 552.101.

Section 418.177 – Risk and Vulnerability Information

Section 418.177 protects certain information maintained by or for a governmental entity for purposes of preventing, detecting, or investigating terrorism or related criminal activity when the information relates to an assessment of the risk or vulnerability of persons or property.

These communications were collected, assembled, and maintained by the College and cooperating law enforcement agencies for the purpose of preventing, detecting, and investigating acts of terrorism or related criminal activities directed at Justice Kavanaugh, and relate to the College's and law enforcement's assessment of the risk or vulnerability of Justice Kavanaugh, even participants, and College facilities to such acts, as further described below. Certain responsive communications reveal security considerations and assessments made in determining how to protect Justice Kavanaugh, event participants, College personnel, visitors, and College facilities. The information reflects identified security concerns and the measures selected in response to those concerns.

Disclosure would reveal information from which an individual could identify or infer perceived vulnerabilities, security priorities, or protective responses used by the College and cooperating law-enforcement personnel. Accordingly, the College asserts that this information is confidential under section 418.177 and must be withheld pursuant to section 552.101.

Continuing Security Concerns

The College's security concerns are not limited to the particular event addressed in the responsive communications. The information at issue reflects security practices, procedures, facility characteristics, law-enforcement coordination, and protective measures that may be utilized for future events involving public officials, dignitaries, controversial speakers, or other individuals requiring heightened security.

Disclosure could therefore reveal information useful in anticipating the College's protective measures at future events, identifying vulnerabilities, or circumventing security procedures. The College respectfully submits that releasing these specific security-sensitive details would undermine the effectiveness of measures intended to protect College property, students, employees, visitors, law-enforcement personnel, and invited guests.

Supreme Court Staff Identifying and Contact Information

The Supreme Court's legal team has specifically expressed concern regarding disclosure of the names and identifying information of Supreme Court staff contained within the responsive records. The College therefore requests authority to withhold or redact, where applicable, the names, direct telephone numbers, email addresses, and other identifying or contact information of Supreme Court personnel whose identities or roles are connected to security, protective operations, event coordination, or other sensitive activities.

Disclosure of this information could identify individuals who work directly with Justice Kavanaugh, reveal their respective roles in coordinating his movements or activities, identify personnel involved in protective or security-related functions, and potentially provide a means by which those individuals could be targeted, contacted, impersonated, harassed, or otherwise used to obtain information concerning the Justice or his activities.

The College respectfully asks the Attorney General to consider the applicability of Texas Government Code sections 552.101 and 552.1175, together with the applicable provisions of Chapter 418 and any other confidentiality provisions applicable to judicial personnel, to the identifying and contact information contained in the responsive records.

Additionally, to the extent the identity of a particular staff member, when considered in the context of the surrounding communication, would reveal information regarding security staffing, protective responsibilities, operational roles, lines of communication, access procedures, or other security arrangements, the College asserts that disclosure of the individual's identity should be considered as part of the security-sensitive information for purposes of the applicable provisions of Chapter 418.

The College emphasizes that its concern is not based merely on the fact that these individuals are employees of the Supreme Court. Rather, the concern arises from the context in which their identities appear in these communications and the potential for disclosure to reveal information about personnel, responsibilities, communications, and procedures associated with the protection of a sitting Justice of the Supreme Court.

Security-Sensitive Information

Of particular importance, the Supreme Court's legal team has advised the College that information contained within the responsive records presents a potential threat to the security of Justice Kavanaugh. Accordingly, the College is treating these records with heightened sensitivity while seeking guidance from the Office of the Attorney General.

The responsive communications contain information relating to planning, coordination, personnel, access, movement, procedures, and other measures associated with Justice Kavanaugh's presence. The College asserts that disclosure of certain portions of these communications could reveal information that would compromise the effectiveness of those security measures or provide information useful to an individual seeking to circumvent them.

These concerns are particularly significant because the information may reveal not only security measures associated with this particular event but also personnel, practices, procedures, and methods that could be relevant to future appearances or activities involving Justice Kavanaugh or other members of the Supreme Court.

Conclusion

For these reasons, the College respectfully requests that the Office of the Attorney General determine that the information marked by the College is confidential under section 552.101 and 552.1175 of the Texas Government Code in conjunction with the applicable provisions of sections 418.176 and 418.177 and therefore must be withheld from public disclosure.

The College does not seek to withhold routine administrative or event-related communications that do not reveal protected security information and will release responsive information that is not otherwise excepted from disclosure.