



February 15, 2012

Andrea Vogt
The Freelance Desk

Re: Public Records Request

Dear Ms. Vogt:

Pursuant to your Request to Examine or Copy Records dated February 2, 2012, Boise State University's responses are as follows:

1. "All emails between the dates of Jan. 1, 2010 and Jan. 1 2012 to or from greghampikian@boisestate.edu containing the key words 1) Amanda and/or Knox."
2. "Any emails between Feb. 10 2010 and Oct. 10, 2011 to or from greghampikian@boisestate.edu containing the key words 2) Hellman 3) Zanetti 4) Vecchiotti 5) Conti."
3. "All emails to or from cdv@dallavedova.com."
4. "All consulting services agreements regarding outside employment for BSU employee Greg Hampikian for years 2010, 2011."

I have reviewed your requests 1, 2, 3, and 4 and hereby deny them.

Idaho Code §9-340A(1) states that records exempt from disclosure include "any public record exempt from disclosure by federal or state law" Idaho Courts have determined that the attorney-client privilege and attorney-client work product privileges are both encompassed in this statute. Dr. Hampikian's work on the Amanda Knox case was part of the product of Ms. Knox's criminal defense and was conducted within the bounds of an attorney-client relationship. As such it appears that the records you are requesting are exempt from public records act disclosure.

Further, the product of Dr. Hampikian's work on Ms. Knox's defense constitutes unpublished information that is not readily ascertainable and has been the subject of reasonable efforts to maintain its private nature. Such information is of potential economic value and is thus recognized as a trade secret under Idaho Code §9-340D(1). So the records you are requesting are exempt from public disclosure under that section of the law as well.

Additionally, the records you requested constitute unpublished academic research and contain information provided by outside entities to Dr. Hampikian to further such research. As such, the records are also exempt from disclosure under Idaho Code §9-340D(20) and (21).

Finally, with regard to your request for consulting agreements, pursuant to University Policy 4450, faculty members are allowed to conduct private consulting. The University does not require that the faculty member provide the University with a copy of each consulting service agreement. Each year the faculty are required to submit an independent consulting and outside employment form. However, this form is a personnel record and is therefore exempt from disclosure under Idaho Code §9-340C(1).

Therefore your requests for such documents are denied.