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February 3, 2004

Waylon Holderman, SID #12341718
Snake River Correctional Institution
777 Stanton Blvd.
Ontario, OR 97314

Re: *Petition for Public Records Disclosure Order:*
Oregon Department of Correction Records

Dear Mr. Holderman:

This letter is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law, ORS 192.410 to 192.505. Your petition, which we received on January 30, 2004, asks the Attorney General to direct the Superintendent of the Snake River Correctional Institution (SRCI) to make available to you a copy of the following records:

1. Any and all entries made in the "Post Information Log" in Housing Unit 1C3 on 12-21-03; Only where my name is mentioned or appears, and where the 3rd Shift Officer called Medical with regards to me;
2. Any and all entries made in the "Post Information Log" at Central Medical on 12/21/03 where my name appears, or where the 3rd Shift Officer called to Medical in regards to me.

For the reasons that follow, we respectfully deny your petition.

The Public Records Law confers a right to inspect any public records of a public body in Oregon, subject to certain exemptions and limitations. *See* ORS 192.420. The law requires generally that the custodian of public records furnish proper and reasonable opportunities for inspection and copying of the record in the office of the custodian. ORS 192.430. Any person denied the right to inspect or to receive a copy of any public record

of a state agency may petition the Attorney General to review the public record to determine if it may be withheld from public inspection. ORS 192.450(1).

Your petition states that you asked for copies of the requested records on December 22, 2003, but that your request was denied by Bill Doman, Supervising Executive Assistant to SRCI's Superintendent, Jean Hill. We have spoken with Mr. Doman regarding your petition. Mr. Doman told us that, upon further review of your request for copies of the post log entries, SRCI will make available to you a copy of the single 12-21-03 Housing Unit post log entry that SRCI has that pertains to you, upon receipt from you of a properly completed and signed CD28 withdrawal request form authorizing payment from your inmate funds for the copy.[1] Mr. Doman told us that SRCI has no record of a Central Medical post information log entry pertaining to you on 12-21-03.

Because SRCI officials are willing to make a copy of the requested Housing Unit post log entry available to you upon receiving authorization from you for payment from your inmate account, we respectfully deny your petition as moot.

Sincerely,

PETER D. SHEPHERD
Deputy Attorney General

AGS13533
c: Jean Hill, Superintendent, SRCI
Bill Doman, Supervising Executive Assistant to Superintendent Hill, SRCI

[1] An agency may charge a fee to reimburse the agency for its actual cost in making records available, including its photocopy costs and the time spent by agency personnel. ORS 192.440(3).