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February 5, 2007

Mr. Hasso Hering, Editor
Albany Democrat-Herald
P.O. Box 130
Albany, OR 97321

Re: Petition for Public Records Disclosure Order
Oregon State Police Records

Dear Mr. Hering,

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. On January 18, 2007, we received your petition.[1] The petition requests that the Attorney General direct the Oregon Department of State Police (OSP) to make available:

> The video recording made by the Oregon State Police during an officer-involved shooting on Interstate 5 near Millersburg on Aug. 25, 2006.

Your petition indicates that you requested this record in a fax dated January 10, 2007, and OSP Risk Manager Loree Fogleman denied this request on the basis of ORS 192.501(23) in a letter dated January 10, 2007.

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

Ms. Fogleman has informed us that OSP is prepared to provide you an opportunity to view the videotape at OSP's facility, and will contact you to arrange that opportunity. Accordingly, because OSP has agreed to make the videotape available for your inspection, we deny our petition as moot.

Sincerely,

PETER D. SHEPHERD
Deputy Attorney General

AGS19246

cc: Loree Fogleman, Risk Manager

[1] We appreciate your extending the time in which the law would otherwise have obligated us to respond to your petition.