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October 24, 2005

Shirley L. Johnson
4222 – 47th Ave. NE
Salem, OR 97305

Re: Petition for Public Records Disclosure Order:
Oregon Department of Corrections Records

Dear Ms. Johnson:

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 October 17, 2005, asks the Attorney General to direct the Oregon Department of Corrections (ODOC) to make available "both employment and other documents." For the reason that follows, we respectfully deny your petition because it is premature.

In your petition, you state that you sent your request to ODOC "[t]he week of 09/26-30/2005." You do not contend that ODOC has expressly denied your request, but state that ODOC has not yet responded to it. Jeanne Davis, ODOC Human Resource Director, has confirmed to us that ODOC has not denied your request, but is in the process of preparing its response. Because you have not been denied access to the records, the Attorney General lacks authority to order disclosure. *See* ORS 192.450(1).

Sincerely,

Peter D. Shepherd
Deputy Attorney General

AGS16373
c: Jeanne Davis, Oregon Department of Corrections