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August 20, 2015

SENT VIA EMAIL ONLY
nacloregon@gmail.com

Joseph W. Kofoed
6005 N Minnesota Avenue
Portland OR 97217

Re: Petition for Public Records Disclosure Order
Oregon Department of Administrative Services
DOJ File No. 107130-GA0121-15

Dear Mr. Kofoed:

This letter is the Attorney General's order on your petition for public records disclosure under the Oregon Public Records Law, ORS 192.410, *et seq*. Your petition, which we received August 13, 2015, asks the Attorney General to order the Oregon Department of Administrative Services (DAS) to provide you with a copy of "the entire file of Michael Baker's investigation, notes, documents, every scrap of paper of Claim Number L154158-01."

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

The Public Records Law confers a right to access any public record 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/or copying of the record in the office of the custodian. ORS 192.430. Any person denied the right to inspect or 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 requested a copy of the records identified in your petition by a certified letter sent to Penny Evans of DAS on April 8, 2014. Your petition further states that you received no response to your petition.

We spoke with Ms. Evans, Risk Manager for DAS, about your petition. Ms. Evans informs us that DAS is reviewing the file that you have requested and will promptly provide you with all records in the file that are not subject to exemption from disclosure under the Public Records Law. If DAS withholds any records, it will cite the applicable Public Records Law exemption.

The Attorney General may order a state agency to disclose records only when the agency has denied a request for records. *See* ORS 192.450(1). In light of DAS's ongoing efforts to respond to your request, we conclude that DAS is not denying your request, and so we respectfully deny your petition as premature.

Sincerely,

FREDERICK M. BOSS
Deputy Attorney General

6735909
cc via email only:
Penny Evans, DAS