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June 19, 2015

Stephen Lee Brown
SRCI #6484527
777 Stanton Blvd
Ontario OR 97914

Re: Petition for Public Records Disclosure Order
Oregon Department of Corrections
DOJ File No. 291020-GA0095-15

Dear Mr. Brown:

On June 15, 2015, we received your "petition for an order that a public record be made available for inspection," which appears to request that the Attorney General order the Department of Corrections (ODOC) to return legal property ("active legal case files") confiscated by Jeff Morford of the Special Investigations Unit of the Snake River Correctional Institution. You indicate that the material was confiscated on December 9, 2014. You also indicate that on December 29, 2014, you asked Mr. Morford to return the material to you and that on January 13, 2015, you asked Leonard Williamson, Inspector General of ODOC, to have Mr. Morford return the material to you. You advise us that the material has not been returned to you.

Under the Oregon Public Records law, after a state agency has denied a person the right to inspect or receive a copy of a public record, the person may petition the Attorney General to determine whether the record may be withheld from public inspection. ORS 192.450(1). If the Attorney General determines that the record may not be withheld from inspection, the Attorney General will order the agency to disclose the record. *Id.* Thus, although the Attorney General has jurisdiction to order a state agency to disclose an improperly withheld record, the Attorney General does not possess jurisdiction to review ODOC actions on requests for return of legal

property or to order that improperly confiscated material be returned.[1] Accordingly, we respectfully take no action on your petition.

Sincerely,

FREDERICK M. BOSS
Deputy Attorney General

LEK:tmt/6584927
cc via email only:
Jason Bell, SRCI
Jill Curtis, SRCI
Leonard Williamson, ODOC

[1] To the extent that you assert a violation of your constitutional rights, we observe that, under Oregon law, the Attorney General and the Oregon Department of Justice may provide legal advice only to state officers and agencies. ORS 180.060(3). Accordingly, we are unable to be of assistance to you in the assertion of any such claims. You may want to consult with an attorney of your choosing regarding your concerns. If you do not presently have an attorney, you may want to contact the Oregon State Bar's Lawyer Referral Service for a referral. That service can be reached between the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday at 503-864-3763 or toll-free in Oregon at 1-800-452-7636. You may also write to the Bar at P.O. Box 231935, Tigard, OR 97281.