ELLEN F. ROSENBLUM
ATTORNEY GENERAL

FREDERICK M. BOSS
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE

Justice Building
1162 Court Street NE
Salem, Oregon 97301-4096
Telephone: (503) 378-4400

April 6, 2015

Robert Amburgey
4849 State Street #8
Salem, OR 97301

Re: Petition for Public Records Order
Oregon Department of Corrections
DOJ File No. 291011- GA0072-15

Dear Mr. Amburgey,

This letter is the Attorney General's order on your petition for public records order under the Oregon Public Records Law, ORS 192.410 *et seq*. Your petition, which we received on March 30, 2015, requests that the Attorney General order the Oregon Department of Corrections (ODOC) to provide you with a copy of investigation materials related to a complaint that you filed with ODOC in December 2014. For the reasons that follow, we respectfully deny your petition.

The Public Records Law confers a right to access any public record of a public body in Oregon, subject to certain exemptions and limitations. 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. A 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 requested a copy of the records identified in your petition from ODOC on January 27, 2015, and that ODOC denied your request on February 2, 2015. Based on documentation attached to your petition, you contend that ODOC denied your request on February 2, 2015, because ODOC did not correspond with you regarding your request after that date. We have spoken with Andrea Paola, ODOC's Acting Labor Relations Administrator, regarding your petition. Ms. Paola informs us that ODOC has agreed to provide you with

records responsive to your records request upon payment of applicable fees in accordance with ODOC rules. OAR 291-037-0020(3)(b). ODOC will provide you with a fee estimate for your request by April 10, 2015.

Because ODOC has agreed to provide you with the records that you seek in your petition, we respectfully deny your petition as moot.

Sincerely,

FREDERICK M. BOSS
Deputy Attorney General

6402291-v1
cc via email only:
Andrea Paola, DOC
Christine Popoff, DOC