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February 24, 2015

Kenneth Thunderbird
SID #3525722
Oregon State Penitentiary
3405 Deer Park Dr.
Salem, OR 97301

Re: Petition for Public Records Disclosure Order and waiver of fees
Oregon Medical Board
DOJ File No. 257001-GA0054-15

Dear Mr. Thunderbird:

This letter is the Attorney General's order in response to your letter of DATE, which we interpret as a petition asking our office to direct the Oregon Medical Board (OMB) to waive fees associated with your request for public records from OMB.

ORS 192.440(5) and (6) allow a waiver or reduction of fees and provide a process for petitioning from unreasonable denials of fee waivers or reductions, as follows:

> (5) The custodian of any public record may furnish copies without charge or at a substantially reduced fee if the custodian determines that the waiver or reduction of fees is in the public interest because making the record available primarily benefits the general public.
>
> (6) A person who believes that there has been an unreasonable denial of a fee waiver or fee reduction may petition the Attorney General or the district attorney in the same manner as a person petitions when inspection of a public record is denied under ORS 192.410 to 192.505. The Attorney General, the district attorney and the court have the

same authority in instances when a fee waiver or reduction is denied as it has when inspection of a public record is denied.

In your request, you have stated that you are an indigent inmate, but you do not explain why disclosure to you would "primarily benefit the general public." Your petition is respectfully denied.

Sincerely,

FREDERICK M. BOSS
Deputy Attorney General

cc via email only: Michelle Provinsal, OMB