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DEPARTMENT OF JUSTICE

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December 6, 2011

Alan Gustafson
Statesman Journal Reporter
280 Church Street NE
Salem, OR 97301

GA0116-11

Re: Public Records Request
Governor's Office Records

Dear Mr. Gustafson:

On December 5, 2011, we received your petition seeking an order from the Attorney General directing Governor John Kitzhaber to disclose certain records to you. The records in question pertain to Governor Kitzhaber's decision to grant a reprieve to death row inmate Gary Haugen. You state that your request was denied by Liani Reeves, the Governor's General Counsel.

> We respectfully dismiss your petition on the basis of ORS 192.480:
> In any case in which a person is denied the right to inspect or to receive a copy of a public record in the custody of an elected official * * * no petition to require disclosure may be filed with the Attorney General or district attorney, or if a petition is filed it shall not be considered by the Attorney General * * *.

Your petition establishes that you sought records of the elected governor, and that your request was denied by the governor through his General Counsel. Under the circumstances, ORS 192.480 compels us to dismiss your petition.

Sincerely,

MARY H. WILLIAMS
Deputy Attorney General

MHW:smg/3121203-v1

c: Liani Reeves, Governor's General Counsel