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DEPARTMENT OF JUSTICE

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July 14, 2011

Marcia Hoffman, SID # 17770244
24499 SW Grahams Ferry Rd.
Wilsonville, OR 97070

Re: Petition for Public Records Disclosure Order:
Department of Corrections Records

Dear Ms. Hoffman,

On July 7, 2011, our office received your undated correspondence. Although styled as a "Motion for subpoena to compel records/Duces Tecum," your correspondence asks the Attorney General to order the Oregon Department of Corrections (ODOC) to disclose certain of your medical records to you under the Oregon Public Records Law. As a result, we treat your submission as a petition under ORS 192.450. We respectfully deny your petition, for the reason that follows.

In your correspondence, you state that you have "followed all other procedures under the Department of Corrections" and your request has "repeatedly been denied." However, when we spoke to ODOC, they informed us that you have not submitted the form necessary to authorize payment of ODOC's $24.25 copying fee. ODOC provided us with a copy of correspondence between you and ODOC in which ODOC explained that you must submit a particular form authorizing deduction of that amount from your inmate trust account.[1] A copy of that correspondence is attached for your convenience. Under the circumstances, we cannot find that ODOC has denied your request for records. As a consequence, we cannot order ODOC to provide you with the records you seek. ORS 192.450. Your petition is respectfully denied.

Sincerely,

MARY H. WILLIAMS
Deputy Attorney General

DM2906898
c: Mary Raines, Health Services Manager, CCCF
Claudia Fischer-Rodriguez, Clinical Director, BHS, ODOC

[1] To the extent you are seeking an order requiring ODOC to waive its fees, you have provided no basis on which we could conclude that disclosing that waiver is available because disclosing these records to you "primarily benefits the general public." ORS 192.450(5). If you are seeking such an order, that aspect of your petition is also denied.