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March 25, 2016

George Natwick, SID #8497584
Oregon State Correctional Institution (OSCI)
3405 Deer Park Drive SE
Salem, OR 97310

Re Petition for Public Records Disclosure Order
Oregon Department of Human Services
DOJ File No. 100101-GA0038-16

Dear Mr. Natwick:

This letter is the Attorney General's order in response to your petition seeking an order requiring DHS to disclose certain records to you pursuant to the Oregon Public Records Law, ORS 192.410 to 192.505. For the reasons that follow, your petition is respectfully denied. For the most part, DHS has agreed to provide the records to you.

Your petition seeks three categories of records related to a certain DHS file:

1. Mail from DHS to you during a specified timeframe;
2. Color copies of photos provided by you, or by an attorney or investigator on your behalf;
3. Letters of reference provided by you, or by an attorney or investigator on your behalf;
4. What you describe as the "social file" provided by an investigator on your behalf.

With regard to the first of these categories, DHS agrees that you are entitled to those documents and states that it has provided you those documents. We cannot order DHS to provide you with what it has already provided to you.

With regard to the second category, DHS states that it provided you with black & white copies of the documents. To the extent that DHS has color photographs, however, it has agreed to provide you with color copies of them. To the extent DHS does not have color photos, it

cannot provide you with color copies and we could not order it to do so. To the extent DHS does have color photos, DHS's willingness to provide the photos means that your petition is moot and must be denied on that basis.

With regard to the third category, DHS has agreed to provide the letters of reference that it determines were provided by you. Your petition is moot in this respect too. However, to the extent that DHS omits letters that believe were provided by you, you may resubmit your petition following DHS's supplemental response.

With regard to the fourth category, we and DHS both understand your request to seek reports compiled by an investigator on your behalf, and submitted on your behalf, for possible inclusion in what is now known as the "confidential supplemental file" maintained by the juvenile court. That file was formerly known as the "social file." But the actual file has always been maintained by the juvenile court. From other parts of your request, however, it appears that you are requesting only information submitted by an investigator on your behalf, not the entire file. Based on that understanding of your request, DHS has agreed to provide you with responsive records that are in its possession. Consequently, this aspect of your petition is also moot.

For the foregoing reasons, your petition is respectfully denied. Please note that we express no view with respect to whether you are permitted by ODOC rules to possess any of this information while incarcerated.

Sincerely,

Frederick M. Boss
Deputy Attorney General

FMB:nog/DM7264653
c via email: Jef Van Valkenburgh, AAG, DOJ
Shawna Phillip, DHS