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May 11, 2016

VIA EMAIL AND REGULAR MAIL: office@hostetterlawgroup.com

Benjamin Boyd
Hostetter Law Group, LLP
PO Box 400
Enterprise, OR 97828

Re: Petition for Public Records Disclosure Order:
Oregon State Police Records
DOJ File No.: 257001-GA0070-16

Dear Mr. Boyd:

This letter is the Attorney General's order responding to your petition for disclosure under the Oregon Public Records Law, ORS 192.410 to 192.505. Your May 4, 2016, petition asks the Attorney General to order the Oregon State Police (OSP) to produce all records "related to Grant County Sheriff Glenn Palmer, the Grant County Sheriff's Office, and the incidents which transpired in and around Harney County and the Malheur Wildlife Refuge, from December 1, 2015 to the present."

We deny your petition as premature because OSP is preparing to send you an estimated cost to gather, review, and produce the requested records.

The Public Records Law confers a right to inspect any public record of a public body in Oregon, subject to certain exemptions and limitations. *See* ORS 192.420(1). Any person denied the right to inspect or to receive a copy of a public record of a state agency may petition the Attorney General to review the record and determine if it may be withheld. ORS 192.450(1). The agency may charge the requester for the fees incurred in making the records available. ORS 192.440(4)(a). The Attorney General may order a state agency to disclose records only when the agency has denied a request for records. *See* ORS 192.450(1).

Your petition includes letters from OSP denying your two records requests. We have spoken with Erin Redding, OSP's Central Records Supervisor, who told us that although OSP initially denied your requests, it is now preparing to send you an estimated cost to gather and review the requested records, and to produce any nonexempt records.

Therefore, we respectfully deny your petition as premature.

Sincerely,

Frederick M. Boss
Deputy Attorney General

FMB:pjn/DM7373193
c: via email only:
Erin Redding, OSP