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February 21, 2017

VIA EMAIL ONLY: birhanzl@gmail.com

William Birhanzl
c/o Robert A. Birk
Attorney at Law
PO Box 92126
Portland, OR 97292

Re: Petition for Public Records Disclosure Order
Oregon Department of Corrections
DOJ File No. 291011-291011-14

Dear Mr. Birhanzl:

This letter is the Attorney General's order on your petition for disclosure under the Oregon Public Records Law, ORS 192.410 to 192.505. Your petition, which we received after the close of business on February 13, 2017, asks the Attorney General to order the Department of Corrections (ODOC) to produce various schedules of inmates' calls to their attorneys.

Your petition states that after you submitted this records request to Snake River Correctional Institution, you received a response providing you with the estimated cost to copy, review, and redact the records. You allege that this response's reference to redacting material was a denial of your request. We spoke to Jill Curtis, Supervising Executive Assistant at Snake River. She told us that ODOC has not yet asserted any exemptions over the requested material, and that ODOC has now provided you with an updated, lower fee estimate to address any confusion about the status of your request.

Because ODOC has not denied your records request, we respectfully deny your petition. *See* ORS 192.450(1) (requesters may petition the Attorney General only where the state agency has denied the request). If you pay the ODOC fees associated with fulfilling your records request, and ODOC does in fact redact certain material as being exempt from disclosure, you may submit a new petition to this office appealing those redactions.

Sincerely,

Frederick M. Boss
Deputy Attorney General

FMB:pjn/DM8054098
c via email only: Jill Curtis, ODOC