ELLEN F. ROSENBLUM
ATTORNEY GENERAL

FREDERICK M. BOSS
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE

Justice Building
1162 Court Street NE
Salem, Oregon 97301-4096
Telephone: (503) 378-4400

January 12, 2017

VIA EMAIL ONLY: alanlinhares@gmail.com

Alan Linhares
10818 SE Harold
Portland, OR 97266

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

Dear Mr. Linhares:

This letter is the Attorney General's order responding to your January 5, 2017, petition for disclosure under the Oregon Public Records Law, ORS 192.410 to 192.505. Your petition asks the Attorney General to order the Oregon Department of Human Services (DHS) to produce records related to your time in foster care.

We respectfully deny your petition as DHS no longer possesses your file. Your petition shows that Darin Mancuso, the foster care ombudsman with DHS's governor's advocacy office told you that your file had been prematurely destroyed. We spoke with Mr. Mancuso and with Caroline Burnell, manager of the legal unit at DHS's public affairs office. They confirmed that your file was destroyed in 2009, that this appears to be an isolated incident, and that DHS has produced to you the few records it still has. They added that DHS has been unable to determine why your file was not retained. While the Attorney General has authority under Oregon's Public Records Law to order the disclosure of public records, ORS 192.450(1), we cannot order DHS to provide you with records that it no longer has.

Sincerely,

Frederick M. Boss
Deputy Attorney General

FMB:nog/DM7977772
c via email only: Darin Mancuso, DHS
Caroline Burnell, DHS