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October 11, 2019

VIA EMAIL ONLY: dsupham58@gmail.com

Donald Scott Upham
3906 SW Altadena Ave
Portland, OR 97239

Re: Petition for Public Records Disclosure Order
Oregon State Police
DOJ File No. 257001-GA0130-19

Dear Mr. Upham:

This letter is the Attorney General's response to your petition, submitted on behalf of your client, for disclosure under the Oregon Public Records Law, ORS 192.311 to 192.478. Your petition asks the Attorney General to order the Oregon State Police (OSP) to disclose certain records to your client. Most of the records you seek are the same records that we considered as part of four petitions previously submitted by you.[1] We denied each of those petitions. Your current petition does not offer any new arguments in support of your belief that the public records law requires OSP to disclose those records to you. We therefore decline your request to reconsider those matters and respectfully deny those aspects of your petition.

There is one aspect of your petition that we have not previously considered. Specifically, you requested "police reports describing the seizure of each category of records, evidence receipts, internal investigation reports, written or electronic notes and every other record" concerning images, videos, text and email messages relating to you client. We previously denied two petitions submitted by you seeking the disclosure of the images, videos and messages themselves and we decline to reconsider those matters here.[2] Regarding your broader request for

[1] Public Records Order, Sep 12, 2018, Upham; Public Records Order, Apr 1, 2019, Upham; Public Records Order, Aug 28, 2019, Upham; and Public Records Order, Sep 23, 2019.

[2] *See* Public Records Order, Sep 12, 2018, Upham; and Public Records Order, Aug 28, 2019, Upham.

any reports, receipts, notes or other records relating to those particular images, videos or messages, OSP informs us that it does not have any responsive records. We therefore respectfully deny this part of your petition because we cannot order OSP to disclose records that do not exist.

Sincerely,

Frederick M. Boss
Deputy Attorney General

FMB:pjn/DM9881323
c: via email only: Laura Heathcock, OSP