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January 10, 2020

Jonathan Black
SID #12186210
3405 Deer Park Drive, SE
Salem, Oregon 97310

Re: Petition for Public Records Disclosure Order
Washington County Circuit Court
DOJ File No. 198040-GA0001-20

Dear Mr. Black:

This letter is the Attorney General's response to your petition for disclosure under the Oregon Public Records Law, ORS 192.311 to 192.478. Your petition, which we received January 3, 2020, asks the Attorney General to order Washington County Circuit Court to produce various records relating to Case No. C140510CR. Your petition explains that you mailed your request to the court on November 26, 2019, but that you have not received any acknowledgment or response.

The Public Records Law confers the right to inspect public records in Oregon, unless such records are exempt under ORS 192.338, 192.345, or 192.355. ORS 192.314(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 192.411(1). A person may also seek review by the Attorney General if a state agency fails to comply with the requirements of ORS 192.329, which establishes timeframes for acknowledging and responding to public records requests. ORS 192.407(1). The agency carries the burden of sustaining its actions. ORS 192.411.

We spoke with Lori DePaulis, Assistant General Counsel, Office of the State Court Administrator, regarding your petition. She informed us that the Washington County Circuit Court has no record of receiving a records request from you. She also indicated that the court will be in contact with you soon now that it is aware of your request. Under the circumstances, it does not appear the court failed to comply with the processing timelines of ORS 192.329 or that it otherwise denied your request. *See* ORS 192.407(1) and 192.411(1). We therefore respectfully dismiss your petition as premature.

Sincerely,

Frederick M. Boss
Deputy Attorney General

FMB:pjn/DM10036856
c via email only: Lori DePaulis, OJD