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July 20, 2020

VIA EMAIL ONLY: johncaptain@hotmail.com

John S. Captain III
8028 SE Stark Street
Portland, OR 97125

Re: Petition for Public Records Disclosure Order
Oregon State Police
DOJ File No.: 257001-GA0065-20

Dear Mr. Captain:

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 asks the Attorney General to order the Oregon State Police (OSP) to disclose certain audio and video recordings relating to the 2013 murder of Tiffany Jenks.

We contacted Holly Bolton, OSP Legal Compliance Specialist, regarding your petition. She indicated that OSP does not possess and is not the custodian of the records you seek. Specifically, she explained that OSP transferred the responsive video recordings to the Troutdale Police Department in 2013 and transferred the audio recording you requested to the Fairview Police Department[1] in 2014-2015. Because we cannot order OSP to disclose records that it does not possess, we respectfully deny your petition.

Sincerely,

Frederick M. Boss
Deputy Attorney General

FMB:pjn/DM10337632
c via email only: Holly Bolton (OSP)

[1] The Fairview Police Department became part of the Multnomah County Sheriff's Office in 2017.