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) 378-6002

November 19, 2020

Joshua Willis
SID #16107658
Three Rivers Correctional Institution
82911 Beach Access Road
Umatilla, OR 97882

Re: Petition for Public Records Disclosure Order
Oregon Department of Corrections
DOJ File No.: 291011-GA00109-20

Dear Mr. Willis:

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 Department of Corrections (ODOC) to disclose records relating to a physical altercation involving you that, you claim, occurred on October 30, 2019. For the reasons that follow, we respectfully deny your petition.

In response to your petition, we contacted Michelle Dodson, ODOC's Records Officer. She explained that you have submitted requests for the same information on three occasions. In response to your first request, dated March 12, 2020, ODOC provided you with records relating to an altercation involving you that occurred on October 31, 2019. You resubmitted your request on April 9, 2020, noting that you are seeking records about an incident that occurred on October 30, 2019, not October 31, 2019. ODOC responded to that request by informing you that it does not possess any responsive records. ODOC also provided you with a copy of your misconduct history, which does not reflect an altercation taking place on October 30, 2019. You resubmitted your request a third time on September 30, 2020. Again, ODOC informed you that it does not possess any responsive records. Your appeal followed.

///

///

According to Ms. Dodson, ODOC has reviewed its records and has been unable to locate any reports of a physical altercation taking place on October 30, 2019 that involved you. Under the circumstances, we have no reason to doubt her representation. And because we cannot order ODOC to disclose records that do not exist, we must respectfully deny your petition.

Sincerely,

Frederick M. Boss
Deputy Attorney General

FMB:pjn
c via e-mail only: Michelle Dodson (ODOC)