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September 19, 2022

David Raymond Durham
SID#3327475
82911 Beach Access Road
Umatilla, Oregon 97882

Re: Petition for Public Records Disclosure Order
Oregon Department of Corrections
DOJ File No.: 291200-GA0079-22

Dear Mr. Durham:

This letter is the Attorney General's response to your petition for the disclosure of records 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 (DOC) to produce "Chrono's" and "Unit Chrono's." For the reasons that follow, we respectfully deny your petition.

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). The agency carries the burden to sustain its actions. ORS 192.411(1).

Your petition asserts that while you received part of your chronos from DOC, numerous documents were withheld. Chronos appear to be information maintained by DOC in its information system on adults in custody in chronological order. We spoke with Michelle Dodson, a DOC records officer. She explained that DOC has produced to you all the chronos that you requested, with some redactions. She added that DOC has asked for clarifying information on what you mean by "unit chronos," but has not received a response. Ms. Dodson's response shows that you did subsequently request records involving several DOC employees that relate to your transfer and management of your disabilities. But DOC explained that it found no responsive records.

Based on Ms. Dodson's response, we respectfully deny your petition. Public Records Law allows public bodies to seek clarifying information to expedite processing of the request.

ORS 192.329(4)(a). Here, DOC has done so and not received a response. To the extent that your subsequent request for records was intended to clarify what "unit chronos" are, we cannot order DOC to produce records that do not exist.

Sincerely,

Lisa M. Udland

Lisa M. Udland
Deputy Attorney General

NE2:pjn
c via e-mail only: Michelle Dodson (DOC)