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December 28, 2022

VIA E-MAIL ONLY: marszinmotion@yahoo.com

Re: Petition for Public Records Disclosure Order
Oregon Governor's Office
DOJ File No.: 121010-GA0120-22

Dear Ms. Bong:

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 asserts that the Governor's Office has not responded to your November 23, 2022, and December 17, 2022, public records requests for "all communications with search terms ('mask' or 'vaccine') and ('school' or K-12') between the Governor's office to any and all of the following emails hpercell@osba.org, jgreen@osba.org, mgoffosba.org, from time period July 1, 2021 – Oct 31, 2021."

Any person who has submitted a public records request to a state agency may petition the Attorney General if they believe an agency has failed to comply with the processing timelines and other provisions contained in ORS 192.329. ORS 192.407(1). However, if the public records at issue are in the custody of an elected official, then "no petition to require disclosure may be filed with the Attorney General," and if a petition is filed, "it shall not be considered by the Attorney General * * *." ORS 192.427. Because your petition seeks records in the custody of the Office of the Governor, an elected official, we lack jurisdiction to consider your appeal and must respectfully dismiss your petition.

Sincerely,

Lisa M. Udland

Lisa M. Udland
Deputy Attorney General

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c via e-mail only: Kevin Gleim, Kevin.GLEIM@oregon.gov