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February 27, 2024

VIA E-MAIL ONLY: sllvolin@gmail.com

Stephanie Volin
29 South Valley Road
West Orange, NJ 07052

Re: Petition for Public Records Disclosure Order
Oregon Judicial Department
DOJ File No.: 198040-GA0019-24

Dear Ms. Volin:

This letter is the Attorney General's response to your petition under the Oregon Public Records Law, ORS 192.311 to 192.478. Your petition asks the Attorney General to order the Oregon Judicial Department (OJD) to disclose the video recording of a March 15, 2021, court hearing that was conducted remotely using the Webex videoconferencing platform. Your petition explains that OJD provided you with an audio recording of the hearing, but OJD informed you that it does not possess a video recording. Your petition asserts that as the official record of the hearing, the video "should not have been destroyed outside of usual retention policies."

We contacted Tim Lewis, OJD Senior Assistant General Counsel, regarding your petition. He explained that the video you seek does not exist because the hearing was not video recorded. He informed us that the hearing audio was recorded using OJD's official recording system, For the Record (FTR), and that OJD's version of FTR does not record video.

Under the circumstances, we have no reason to second-guess Mr. Lewis' representation that a video recording of the hearing does not exist. And because we cannot order OJD to disclose a record that does not exist, we must respectfully deny your petition.

Sincerely,

Lisa M. Udland

LISA M. UDLAND
Deputy Attorney General

ACF:pjn
c via e-mail only: Tim Lewis (OJD)