ELLEN F. ROSENBLUM
ATTORNEY GENERAL

LISA M. UDLAND
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE

Justice Building
1162 Court Street NE
Salem, Oregon 97301-4096
Telephone: (503) 378-6002

June 6, 2024

VIA E-MAIL ONLY: smberlant@yahoo.com

Shannon Berlant
8290 SW Peters Road
Portland, OR 97224

Re: Petition for Public Records Disclosure Order
Oregon Department of Justice
DOJ File No.: 137048-GA0001-24

Dear Ms. Berlant:

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 Justice (DOJ) to disclose certain records that DOJ has asserted are exempt from disclosure. Your petition also asserts that the processing fees you paid were excessive in light of the limited number of records you received.

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). However, if the public record at issue is in the custody of an elected official, then "no petition to require disclosure may be filed with the Attorney General." ORS 192.427. Because your petition seeks records in the custody of the Attorney General, an elected official, we must respectfully dismiss your petition. *See* ORS 180.020 (Attorney General is an elected official); ORS 180.210 (Attorney General is the head of DOJ); and ORS 180.140 (Attorney General is responsible for the acts of assistants).

Sincerely,

Lisa M. Udland

LISA M. UDLAND
Deputy Attorney General

ACF:pjn