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October 9, 2024

VIA E-MAIL ONLY: Pcashman20@gmail.com

Re: Petition for Public Records Disclosure Order
Oregon Secretary of State
DOJ File No.: 165200-GA0100-24

Dear Mr. Cashman:

This letter is the Attorney General's response to your petition seeking disclosure under the Oregon Public Records Law, ORS 192.311 to 192.478. Your petition asks the Attorney General to order the Oregon Secretary of State (SOS) to disclose the return envelopes and ballots of all individuals determined to have illegally voted after having been erroneously registered to vote by the Department of Motor Vehicles.

According to your petition, SOS replied to your request for these materials by informing you that it does not possess any responsive records and that there has not yet been a determination that any of those individuals voted illegally. Your petition followed and it characterizes SOS's response as a denial of your records request.

We discussed your petition with P.K. Runkles-Pearson, SOS Chief Legal and Risk Counsel. She reiterated SOS's position that it does not possess any records responsive to your request and that SOS did not otherwise deny any aspect of your request. Under the circumstances, we have no reason to second-guess Ms. Runkles-Pearson's representation that SOS does not possess responsive records. And because we cannot order SOS to disclose records it does not possess, we must respectfully deny your petition.

Sincerely,

Lisa M. Udland

LISA M. UDLAND
Deputy Attorney General

ACF:pjn
c via e-mail only: P.K. Runkles-Pearson (SOS)