DAN RAYFIELD
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

February 5, 2025

VIA E-MAIL ONLY: jacksonkedric@gmail.com

Kedrick Jackson
25104 Pacific Hwy S.
Kent, WA 98032

Re: Petition for Public Records Disclosure Order
Division of Financial Regulation, Department of Consumer and Business Services
DOJ File No.: 440030-GA0013-25

Dear Mr. Jackson:

This letter is the Attorney General's response to your petition under the Oregon Public Records Law, ORS 192.311 to 192.431. Your petition asks the Attorney General to order the Division of Financial Regulation (DFR) of the Oregon Department of Consumer and Business Services (DCBS) to disclose various records related to Government Employees Insurance Company (GEICO). For the reasons discussed below, we respectfully dismiss 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). The law is a disclosure law, and exemptions from disclosure must be express. 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. *Id*.

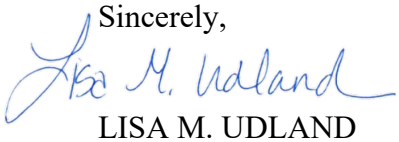
Your records request, dated January 28, 2025, sought DCBS records related to complaints and regulatory actions involving GEICO.[1] DCBS denied your request claiming that the records you requested are exempt from disclosure under ORS 731.264 because they relate to consumer complaints. Your petition followed.

[1] Specifically, your January 28, 2025, records request sought documents related to (1) "claims handling complaints involving personal injury settlements," (2) "allegations of bad faith or unfair claims practices, including violations of ORS 746.230," and "regulatory investigations, fines, or enforcement actions against GEICO" by DFR.

In response to your petition, we contacted Gail Gage, a compliance specialist in DFR. She explained that DCBS had initially interpreted your request as seeking materials that were either received or created in response to a consumer complaint, which DCBS contends are exempt from public records law pursuant to ORS 731.264. After reading your petition, however, Ms. Gage now believes your request may have been broader, and, in an email to you dated February 4, 2025, she indicated that she is reopening your request to clarify the records being sought.

Because DCBS has reopened your request, we respectfully dismiss your petition as moot. If, after reengaging with DCBS in the records request process, you continue to disagree with DCBS' decision, you may again petition this office for review.

Sincerely,



LISA M. UDLAND
Deputy Attorney General

DEP:pjn
c via e-mail only: Gail Gage (DCBS)