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July 10, 2025

VIA E-MAIL ONLY: jose_escobar-sinn@comcast.net

Jose Manuel Escobar Sinn
12725 Kafton Ter
Oregon City, OR 97045

Re: Petition for Public Records Disclosure Order
Department of Human Services
DOJ File No.: 100101-GA0092-25

Dear Mr. Sinn:

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, dated July 3, 2025, seeks assistance from the Attorney General in obtaining records you requested from the Oregon Department of Human Services (DHS) on May 27, 2025. Your petition indicates that DHS has not provided you with the records or a status update. Oregon Public Records Law permits this office to consider claims that a state agency has failed to timely respond to a records request. *See* ORS 192.407(1). For the reasons that follow, we respectfully deny 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). Upon receipt of a written public records request by an individual identified in an agency's published procedures for submitting requests, the agency is obligated to respond to the request "as soon as practicable and without unreasonable delay." ORS 192.329(1). An agency that is unable to complete its response within fifteen business days of receiving a written request is required to provide the requester with a reasonable estimated completion date. ORS 192.329(5). A requester may petition the Attorney General if they believe an agency has failed to comply with the processing timelines contained in ORS 192.329. ORS 192.407(1). The agency carries the burden of sustaining its actions. ORS 192.411(1).

We discussed your petition with Caroline Burnell, Public Records Administrator for DHS. She explained that DHS received your request on May 27, 2025. DHS sent you a letter acknowledging your request on June 3, 2025, and DHS indicated it would provide a further response within 15 business days. Ms. Burnell further explained that the DHS Public Records

Unit works records requests in order of receipt, and the total number of active requests in the queue exceeds 1,200 with a backlog of approximately 500. Because of this request volume, DHS was unable to complete its response to your request by its initial response date. On June 17, 2025, DHS sent you a letter noting that DHS "is currently experiencing a significant backlog of requests" and explaining that your request was being extended to July 23, 2025. Ms. Burnell indicated that DHS is continuing to process your request.

By sending its June 17, 2025, letter to you, DHS complied with its obligation to provide you with a written statement of its new estimated completion date. ORS 192.329(5)(b). DHS has not actually denied your request and any delays appear to be due to the significant volume of record requests DHS is currently processing. Under these circumstances, we cannot conclude that DHS has unreasonably delayed processing your request. We therefore respectfully deny your petition.

Sincerely,

Lisa M. Udland

LISA M. UDLAND
Deputy Attorney General

DEP:pjn
c via e-mail only: Caroline Burnell (DHS)