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September 2, 2025

VIA E-MAIL ONLY: tymarie003@gmail.com

Tylisha Page
5995 Gordon Street
Frisco, Texas 75034

Re: Petition for Public Records Disclosure Order
Department of Human Services
DOJ File No.: 100101-GA0118-25

Dear Ms. Page:

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 August 26, 2025, seeks assistance from the Attorney General in obtaining records you requested from the Oregon Department of Human Services (DHS). 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).

Your petition stems from a records request made by you to DHS on July 2, 2025, seeking several categories of records. Your petition indicates that you have not yet received the full file from DHS or further clarification about the legal basis for any records DHS may be withholding.

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We discussed your petition with Mallory Kenney, Public Records Unit Manager for DHS. Ms. Kenney explained to us that you have requested numerous records which are potentially confidential under various federal and/or state laws. Therefore, DHS must review and analyze each record prior to disclosure. She also indicated that the DHS Public Records Unit works records requests in order of receipt, and the total number of active requests in the queue exceeds 1,478 with a backlog of approximately 988. Because of this request volume, DHS was unable to complete its response to your request by its initial response date. On August 22, 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 September 12, 2025. Ms. Kenney indicated that DHS is continuing to process your request and expects to begin producing records to you on a rolling basis starting on September 12, 2025.

By sending its August 22, 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 complexity of the request and 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. After DHS completes its response, you may, of course, file a new petition if you believe DHS has improperly withheld records from you.

Sincerely,

BENJAMIN GUTMAN
Interim Deputy Attorney General

DEP:pjn
c via e-mail only: Mallory Kenney (DHS)