DAN RAYFIELD
ATTORNEY GENERAL

BENJAMIN GUTMAN
INTERIM DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE

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

October 13, 2025

VIA E-MAIL ONLY: godasmywitness247@gmail.com

Samuel Graziano
godasmywitness247@gmail.com

Re: Petition for Public Records Disclosure Order
Oregon Public Defense Commission
DOJ File No.: 404001 GA0136-25

Dear Mr. Graziano:

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 Public Defense Commission (OPDC) to disclose certain records to you. For the reasons discussed below, 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). 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. ORS 192.411(1).

Your petition stems from a September 4, 2025, request to OPDC for "records, notes, documents, [and] case management records involving case number 21DR00208 and 19JU04768 [and] all records ever recorded in any way all contracts, all appointments, all filings which involved Samuel Jebediah Graziano and attorney Ronnee Kliewer and PRCP[1] case manager David Barrett." Your request also sought OPDC's contract with David Barrett and all records "regarding myself and my family."

In response to this request, OPDC provided you with a contract between OPDC and David Barrett. OPDC further indicated to you that it "does not have case notes related to your family or your cases as those are not required to be provided by contracted PRCP Case Managers." Your petition followed.

[1] Parent Child Representation Program

Your petition argues that OPDC has additional records responsive to your records request that relate to cases 21DR00208 and 19JU04678. You explain that OPDC's trial attorney told you that OPDC "will be providing documents to you through the litigation discovery witness." You believe this means that OPDC must have additional records. In connection with your petition, we contacted Jennifer Bell, OPDC's Records Coordinator. She stated that OPDC has provided all responsive records and that the statement of OPDC's litigation counsel was not in reference to additional records responsive to your public records request. Under the circumstances, we have no reason to second-guess OPDC's representation that it has provided you with all responsive records. Therefore, we respectfully deny this portion of your petition.

Your petition also asks the Attorney General to order OPDC to disclose two specific documents.[2] Ms. Bell stated that these records were requested by you as part of a separate records request made to OPDC on September 13, 2025. Ms. Bell said OPDC provided you with records responsive to this request on October 9, 2025. Because OPDC has provided you with the records you requested, we respectfully dismiss this portion of your petition as moot.

Finally, your petition requests disclosure of communications and correspondence between "OPDC, attorney Ronnee Kliewer, and case manager David Barrett from 2019-2025." Ms. Bell indicated that OPDC believes this is a new records request that you have not previously submitted. Ms. Bell explained that searching for all communications and correspondence (including communications and correspondence unrelated to you and the matters cited in your original request) would entail significant costs to OPDC. Had you made this request, OPDC would have provided you with a fee estimate for the costs associated with this search. A public body has no obligation to provide records until it receives a written request submitted in accordance with the public body's published procedure. ORS 192.329(1). Because you did not submit a records request, OPDC was not obligated to provide you with records, and we respectfully deny this portion of your petition.

Sincerely,

BENJAMIN GUTMAN
Interim Deputy Attorney General

DEP/pjn
c via email only: Jennifer Bell (OPDC)

[2] You seek disclosure of The Parent Child Representation Program Case Manager Practice Principles and The Attorney-Case Manager Practice Routines.