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 17, 2025

VIA E-MAIL ONLY: timnsippel@gmail.com

Tim Sippel
53 Spinner Place
Silverthorne CO 80498

Re: Petition for Public Records Disclosure Order
Oregon Secretary of State
DOJ File No.: 165200 GA0139-25

Dear Mr. Sippel:

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 Elections Division of the Office of the Oregon Secretary of State (SOS) to disclose certain records using an automated method to process any redactions for exempt material.

Ordinarily, any person who believes a state agency has failed to comply with the disclosure requirements of the Public Records Law may petition the Attorney General for appropriate relief. *See* ORS 192.407(1). However, if the public records at issue are in the custody of an elected official, then "no petition to require disclosure may be filed with the Attorney General," and if a petition is filed, "it shall not be considered by the Attorney General * * *." ORS 192.427.

In this instance, we spoke to Shayna Rodgers, SOS General Counsel, who informed us that the records you seek are in the custody of the Office of the Secretary of State, an elective office. We therefore lack jurisdiction in this matter and must respectfully dismiss your petition. ORS 192.427

Sincerely,

BENJAMIN GUTMAN
Interim Deputy Attorney General

DP/pjn
c via e-mail only: Shayna Rogers (SOS General Counsel)