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October 17, 2025

VIA E-MAIL ONLY: glingglo19@msn.com

Christopher Wilkins
4338 SE Lone Oak Street
Hillsboro, OR 97123

Re: Petition for Public Records Disclosure Order
Department of Human Services
DOJ File No.: 100101-GA0138-25

Dear Mr. Wilkins:

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 October 10, 2025, seeks, among other things, assistance from the Attorney General in obtaining records you requested from the Oregon Department of Human Services (DHS). Your petition indicates that DHS has not yet provided you with any records and that you believe that DHS has failed to meet statutory deadlines. For the reasons discussed below, we respectfully deny the 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).

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We discussed your petition with Mallory Kenney, Public Records Unit Manager for DHS. She explained that DHS received your request on August 25, 2025. DHS acknowledged the request on September 4, 2025. DHS provided you with its initial response on September 16, 2025, explaining that your request was being extended due to a "significant backlog." On October 8, 2025, DHS made a partial production of records to you and sent another letter extending your request to October 27, 2025. Ms. Kenney explained that these extensions were needed because of constraints on agency resources. Specifically, Ms. Kenney stated that the DHS Public Records Unit works records requests in order of receipt, and the total number of active requests in the queue is 1,735 with a backlog of 1,346. On October 16, 2025, DHS sent you a letter noting that DHS "expects to complete its response to this request by October 27, 2025."

From the available record, it appears DHS did not provide you with an estimated completion date until DHS sent its letter on October 16. Under the circumstances, we are required to treat this failure as a denial of your request. ORS 192.407(1)(a). But DHS did provide you with regular updates concerning the status of your requests. And by sending its October 16, 2025, letter to you, DHS has now complied with its obligation to provide you with a written statement of its new estimated completion date. ORS 192.329(5)(b). The delays in processing your request appear to be due to the significant volume of records requests DHS is currently processing. Under these circumstances, we cannot conclude that DHS has unreasonably delayed processing your request. We therefore decline to exercise our discretion to penalize DHS, and we respectfully deny your petition. *See* ORS 192.407(3). You are free, of course, to file a new petition with this office if you wish to contest DHS's subsequent handling of your records request.

Sincerely,

BENJAMIN GUTMAN
Interim Deputy Attorney General

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