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February 3, 2026

VIA E-MAIL ONLY: brcspncr@gmail.com

Bruce Spencer
200 Nehalem Avenue
Astoria, OR 97103

Re: Petition for Public Records Disclosure Order
Oregon Judicial Department
DOJ File No.: 198040-GA0027-26

Dear Mr. Spencer:

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 asks the Attorney General to order the Oregon Judicial Department to waive the fees associated with producing 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). Agencies may establish fees reasonably calculated to recover actual costs in making public records available, but "may furnish copies without charge or at a substantially reduced fee if the custodian determines that the waiver or reduction of fees is in the public interest because making the record available primarily benefits the general public." ORS 192.324(4)–(5). The furnishing of public records primarily benefits the general public when its greatest utility is to the community or society as a whole. *See In Defense of Animals*, 199 Or App 160, 189 (2005). Pertinent factors include the requester's identity, the purpose for which the information will be used, the character of the information, whether the requested information is already in the public domain, and whether the requester can meaningfully disseminate the information to the general public. *Attorney General's Public Records and Meetings Manual* at 19 (2024). And regardless of how interested the public may be in a particular matter, if the requester fails to demonstrate the ability to meaningfully disseminate the requested information, disclosure will not primarily benefit the general public. *Id.* A requester who believes there has been an unreasonable denial of a fee waiver or reduction may petition the Attorney General for review. ORS 192.324(6).

You submitted a multi-part records request to OJD. In connection with that request, you asked OJD to waive any processing fees. OJD denied your fee waiver request. We contacted Sam Dupree, OJD's Senior Assistant General Counsel. Mr. Dupree stated that OJD weighed the pertinent factors at issue and concluded that furnishing the records to you would not primarily benefit the general public. Mr. Dupree observed that your records request was primarily related to your personal interactions with court staff and specific cases involving you. Moreover, he noted that you are not a member of the media and do not have the ability to disseminate information to the public in a meaningful way. Finally, Mr. Dupree stated that producing the records you requested would be burdensome on OJD because of the complexity of the requests.

In your petition, you state that the records you sought "concern the conduct, policies, training and practices of public employees and institutions" and these "are matters of public oversight and accountability." You also declare an "intent to disseminate any records obtained through news organizations, independent journalists, and public platforms for purposes of public awareness and accountability."

We reviewed the correspondence between you and OJD pertaining to your records request. You originally requested seven categories of records. Your request sought records specifically pertaining to two Clatsop County Circuit Court criminal cases in which you were the defendant. You also sought court records mentioning your name. You requested security video footage from the court showing yourself, and you requested various procedures related to Clatsop County court security and case management. Additionally, you sought records related to specific Clatsop County court staff and judges. You later narrowed the scope of your request to only those "records that reference me by name or case number only."

Based on the record before us, we cannot conclude that OJD unreasonably denied your fee waiver request. We do not perceive any public interest in your criminal cases or the categories of records you have sought concerning the Clatsop County Circuit Court. Additionally, the information you have provided does not demonstrate your ability to "meaningfully disseminate information to the general public." *See* Public Records Order, Aug 31, 2020, Ranweiler (finding "no basis to conclude that [record petitioner's] plan to post documents online will reach any significant segment of the public"); *see also Judicial Watch, Inc. v. Rossotti,* 326 F3d 1309 (DC Cir 2003) (contrasting sufficient and insufficient demonstrations of ability to disseminate information to public). We therefore conclude that OJD's decision to deny your fee waiver was reasonable, and we respectfully deny your petition.

Sincerely,

BENJAMIN GUTMAN
Deputy Attorney General

DP:pjn
c via e-mail only: L. Sam Dupree (Oregon Judicial Department)