DAN RAYFIELD
ATTORNEY GENERAL

BENJAMIN GUTMAN
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE

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

March 30, 2026

VIA E-MAIL ONLY: owens.tyler.d@gmail.com

Tyler Owens
2835 N Arlington Pl
Portland, OR 97217

Re: Petition for Public Records Disclosure Order
Department of Human Services
DOJ File No.: 100101-GA0064-26

Dear Mr. Owens:

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 March 23, 2026, seeks assistance from the Attorney General in obtaining records you requested from the Oregon Department of Human Services (ODHS) on November 7, 2025. Your petition indicates that ODHS has not yet provided you with any records. Your petition states that ODHS has extended the estimated completion date of your request multiple times, most recently to March 20, 2026. You state that ODHS did not provide the records on March 20 and did not provide a new estimated completion date. 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 reviewed the correspondence between you and ODHS. ODHS received your request on November 7, 2025. On multiple occasions, ODHS emailed and told you that your request was being extended due to a "significant backlog." On February 17, 2026, ODHS communicated to you that it expected to complete its response to your request by March 20, 2026. ODHS missed this deadline. On March 25, 2026, ODHS completed its response and provided records to you. We discussed your petition with Mallory Kenney, Public Records Unit Manager for DHS, and she explained that delays occurred because of constraints on agency resources. Specifically, Ms. Kenney stated that the ODHS Public Records Unit works records requests in order of receipt, and the total number of active requests in the queue is 2,677 with a backlog of 2,178.

From the available record, it appears ODHS did not provide you with an update of when ODHS expected to complete its response to you after missing its March 20, 2026, deadline. Under the circumstances, we are required to treat this failure as a denial of your request. ORS 192.407(1)(a). But ODHS did complete its response a few days later, and the delays in processing your request appear to be due to the significant volume of records requests ODHS is currently processing. Under these circumstances, we decline to exercise our discretion to penalize ODHS, 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 ODHS's subsequent handling of your records request.

Sincerely,

BENJAMIN GUTMAN
Deputy Attorney General

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