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May 1, 2026

VIA E-MAIL ONLY: haltomliv@gmail.com

Liv Haltom
3400 SE Midvale Dr #C104
Corvallis, OR 97333

Re: Petition for Public Records Disclosure Order
Department of Human Services
DOJ File No.: 100101-GA0049-26

Dear Ms. Haltom:

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 Department of Human Services (ODHS) to disclose certain child welfare records pertaining to you.

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).

Your petition indicates that you have requested "my complete and unredacted case file from my time as a ward of the state * * * including all caseworker notes" and other communications related to your placements. Your petition states that you have requested these records seven times. Your petition explains that ODHS has repeatedly extended its deadline to respond to your request. Your petition also challenges redactions to records previously provided to you by ODHS.

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We contacted Mallory Kenney, ODHS Public Records Unit Manager, regarding your petition. Ms. Kenney provided us with the communications between you and ODHS related to your records requests. Ms. Kenney explained that you have made three records requests to ODHS. ODHS received your first request on January 11, 2024. That request sought records pertaining to yourself and your children. ODHS disclosed records related to your wardship as well as your children's records. On October 30, 2025, you again requested records "from when I was a ward of the state." ODHS re-disclosed responsive records that were provided in response to the January 11, 2024, request. On March 3, 2026, you send a third request to ODHS again seeking records from your time as a ward of the state.

Ms. Kenney explained that some of the records you seek were compiled under Oregon's Child Abuse Reporting Statutes, ORS 419B.010 to 419B.050, and are therefore confidential under ORS 419B.035(1).[1] Although ORS 419B.035(1) contains exceptions that require ODHS to disclose confidential child abuse records in limited circumstances, she explained ODHS' position that none of those exceptions apply to your request.[2] Ms. Kenney also explained that under ORS 419B.035(3), ODHS has discretion to release child abuse records when necessary to promote certain prescribed purposes.[3] Upon receiving your March 2026 request and the information it contained, ODHS decided to reopen your October 2025 request and conduct a new review of the previously-disclosed records to determine if additional disclosures were necessary to promote the limited purposes of the discretionary exception provided by ORS 419B.035(3).

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[1] ORS 419B.035(1) states, in relevant part, that notwithstanding the provisions of the Oregon Public Records Law, "reports and records compiled under the provisions of ORS 419B.010 to 419B.050 are confidential and may not be disclosed except as provided in this section * * * ."

[2] Regarding the exceptions to the general rule of confidentiality, ORS 419B.035(1) generally requires DHS to disclose child abuse records – in limited circumstances and for limited purposes – to: law enforcement agencies; certain medical providers; attorneys or other parties in juvenile court proceedings; certain citizen review boards; court appointed special advocates in certain proceedings; the Office of Child Care; the Office of Children's Advocate; the Teacher Standards and Practices Commission for certain investigations; Disability Rights Oregon, and to any person in cases where a child, as the result of abuse, died or suffered serious physical injury.

[3] ORS 419B.035(3) permits DHS to make records compiled under Oregon's Child Abuse Reporting Statutes available to any person "when the department determines that such disclosure is necessary to administer its child welfare services and is in the best interests of the affected child, or that such disclosure is necessary to investigate, prevent or treat child abuse and neglect, [and] to protect children from abuse * * * ."

Ms. Kenney explained that ODHS has not yet completed that review due to limited agency resources.[4] Given the number of requests ODHS is concurrently processing, we do not find it unreasonable that ODHS extended its response beyond fifteen business days. Your request, however, involves records that were previously requested by you at an earlier date that are now being re-reviewed for additional disclosures. Under these circumstances, we conclude that any further delays would be unreasonable. We grant your petition, and we order ODHS to complete its updated production by May 26, 2026.[5] If ODHS elects not to comply with this order, it has seven days to announce its intention to seek judicial review. *See* ORS 192.407(3) and 192.411(2).

Sincerely,

BENJAMIN GUTMAN
Deputy Attorney General

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

[4] Ms. Kenney said the ODHS Public Records Unit currently has 2,923 active requests in its queue, including a backlog of 2,456.

[5] Your petition also seeks review of the exemptions claimed and related redactions made by ODHS in its prior production. Because ODHS is reconsidering those redactions as part of its current review, we respectfully dismiss this portion of your petition as moot. You are free, of course, to resubmit this petition after ODHS completes its production on May 26.