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June 22, 2026

VIA E-MAIL ONLY: ak@alankessler.com

Alan Kessler
2725 SE 36th Ave
Portland, OR 97202

Re: Petition for Public Records Disclosure Order
Department of Public Safety Standards and Training
DOJ File No.: 259001-GA0123-26

Dear Mr. Kessler:

This letter is the Attorney General's response to your petition for the disclosure of records under the Oregon Public Records Law, ORS 192.311 to 192.478. Your petition asks the Attorney General to order the Department of Public Safety Standards and Training (DPSST) to disclose certain records in response to a request made by you. For the reasons discussed below, we respectfully deny your petition.

Your petition stems from a request to DPSST for records concerning Administrative Hearing No. 2025-ABC-06870. After receiving your request, DPSST sought further clarification from you explaining that it cannot look up cases by administrative hearing number. DPSST asked you to provide the name of the "public safety officer who is the subject of the hearing." You responded by indicating that the hearing related to Joshua Rains. Believing that the records you sought related to the licensure of a public safety officer, DPSST searched its public safety officer database.[1] DPSST located records concerning Mr. Rains and provided you with a fee estimate of $77.50.

After receiving the fee, DPSST produced the records it located. The records you sought, however, pertain to Mr. Rains' licensure as a private investigator, not as a public safety officer. Because DPSST searched a different database, it did not locate those records. Your petition seeks an order compelling DPSST to produce the correct records and refund your fee.

[1] We contacted Rebecca Hannon, DPSST's File Maintenance and Control Specialist, to discuss your petition, and we reviewed the relevant correspondence between you and DPSST.

DPSST has now located the records you are seeking and will be providing them to you. DPSST states that the actual cost of producing these records exceeds the $77.50 that you paid, but that it has elected not to charge you any additional fees. Because the actual costs associated with the production of the records exceed the amount paid by you, we have no reason to order a refund of the fee. And because DPSST has agreed to produce the records, there is no further relief we can order. For these reasons, we respectfully deny your petition.

Sincerely,

BENJAMIN GUTMAN
Deputy Attorney General

DEP:pjn
c via e-mail only: Marie Atwood (DPSST)