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July 14, 2026

VIA E-MAIL ONLY: Melissa@jdsnyder.com

Melissa Hopkins
4248 Galewood Street
Lake Oswego, OR 97035

Re: Petition for Public Records Disclosure Order
Department of Administrative Services
DOJ File No.: 107130-GA0133-26

Dear Ms. Hopkins:

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 Administrative Services (DAS) to disclose certain claims data. For the reasons that follow, we respectfully grant 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). The law is a disclosure law and exemptions from disclosure must be express. Any person denied the right to inspect or to receive a copy of a public record of a state agency may petition the Attorney General to review the record and determine if it may be withheld. ORS 192.411(1). The agency carries the burden to sustain its actions. ORS 192.411(1).

Your petition stems from a request for "spreadsheet data that includes (1) the amounts of all financial payments paid to adults in custody for injuries that occurred while they were in custody at the Oregon Department of Corrections South Fork Forest Camp between August 1, 2019, to June 10, 2026; (2) the name of the individual who received the payment; (3) the date the payment was made; and (4) whether or not the individual submitted a tort claim notice to the State of Oregon."

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In response to your request, DAS cited the personal privacy exemption provided by ORS 192.355(2)(a) and stated that it would not release the name, amount paid, payment schedule, or any other information that would identify the claimant. DAS further responded that one adult in custody received benefit payments during the specified period and notified you that a tort claim notice had been filed. Your petition challenges DAS's claim that the personal privacy exemption applies in this instance.

In response to your petition, DAS explained that your request seeks information relating to payments to injured adults in custody ("AICs"), which are issued pursuant to ORS Chapter 655. These statutes provide that an AIC shall receive benefits for an injury sustained in an authorized work or occupational training assignment under certain circumstances. ORS 655.510(1). DAS argues that disclosing the payment recipient's name would necessarily reveal medical information because it would disclose that the person was injured. In addition, because there is only one claim that is responsive to your request, the payment amount and claim information could be used to track who the payment went to. DAS argues that the amount of the payment, tied to a specific AIC, could reveal medical information by providing information about the magnitude and severity of the AIC injury.

ORS 192.355(2)(a), exempts "information of a personal nature such as but not limited to that kept in a personal, medical or similar file, if public disclosure would constitute an unreasonable invasion of privacy * * *." Ordinarily, personal medical information is regarded as highly private.[1] In this instance, however, the information relates to a single AIC who has already filed a complaint in the Circuit Court of Tillamook County. The publicly available complaint identifies the AIC and describes in detail the injuries sustained and the medical treatment received. Because this information is already public, further release of the AIC's name and payment information does not constitute an unreasonable invasion of privacy, and the information is not exempt under ORS 192.335(2)(a).

For the foregoing reasons, we grant the petition, and we order DAS to provide records showing (1) the name of the payment recipient, (2) the date of the payment, and (3) the amount of the payment.[2] If DAS 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: Todd Brown (DAS)

[1] *See Attorney General's Public Records and Meetings Manual* at 81 (2024).
[2] Your request also sought information about "whether or not the individual submitted a tort claim notice to the State of Oregon." DAS has already responded to that portion of the request by explaining that this AIC did submit a tort claim.