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July 30, 2026

VIA E-MAIL ONLY: capsaicinkid@gmail.com

Liam Johnston
capsaicinkid@gmail.com

Re: Petition for Public Records Disclosure Order
Bureau of Labor and Industries
DOJ File No.: 839107-GA0143-26

Dear Mr. Johnston:

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 indicates that you did not receive a response to a public records request submitted to the Oregon Bureau of Labor and Industries (BOLI). Your petition therefore asks the Attorney General to order BOLI to respond to the request, waive fees, and pay a $200 fine.

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).

Your petition states that you submitted a request to BOLI on June 22, 2026. You explain that BOLI acknowledged receipt of your request but then failed to provide any further response.

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We contacted BOLI about your petition. BOLI acknowledged that it failed to respond to your request within fifteen business days. BOLI indicated that it had timely responded to five other requests sent by you but missed the response date on this specific request due to an oversight. BOLI explained that it has now conducted preliminary searches and sought clarification from you as to how to proceed.

From the available record, it appears BOLI failed to respond to your request within statutorily prescribed timeframes, and we are required to treat this failure as a denial of your request. ORS 192.407(1)(a). However, BOLI has now responded by seeking clarification,[1] and it has not actually denied any portion of your request. Under these circumstances, we decline to exercise our discretion to order BOLI to waive fees, pay a $200 fine, or immediately produce nonexempt records. *See* ORS 192.407(3). You are free, of course, to file a new petition with this office in the future if you wish to contest BOLI's subsequent handling of your records request.

Sincerely,

BENJAMIN GUTMAN
Deputy Attorney General

DEP:pjn
c via e-mail only: Kelsey Dietrick (BOLI)

[1] A public body may, in good faith, request additional information or clarification from a requester. This suspends the public body's obligation to complete the request until the requester responds. ORS 192.329(4)(a).