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September 18, 2026

VIA E-MAIL ONLY: kris.turner.316@gmail.com

Kris Turner
Kris.turner.316@gmail.com

Re: Petition for Public Records Disclosure Order
Department of Human Services
DOJ File No.: 100101-GA0178-26

Dear Mr. Turner:

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 seeks assistance from the Attorney General in obtaining records you requested from the Oregon Department of Human Services (ODHS). For the reasons discussed below, we respectfully grant your petition in part and dismiss it in part.

Your petition explains that you originally requested ODHS records concerning several named individuals. On April 22, 2026, ODHS responded to you by releasing 238 pages of records. ODHS's response cited the confidentiality provision for child welfare investigations, and your petition challenges the withholding of any records under that or any other statute. We discussed your petition with Mallory Kenney, the Public Records Unit Manager for ODHS. She explained that ODHS did not withhold any records as exempt from its April 22, 2026, production. Because ODHS has not withheld records as exempt at this time, we respectfully dismiss this portion of your petition as moot.

After receiving the April 22 production, you made a follow-up request for several specific categories of records. ODHS responded to the April 22 request by sending a series of letters extending its estimated date of completion, most recently on September 8, 2026. After receiving your petition, ODHS sought further clarification from you concerning the scope of the electronic searches you are requesting. On September 17, you responded by seeking an electronic search on ten different topics for eight different ODHS employees.

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We discussed ODHS's delay in responding to your supplemental requests with Ms. Kenney. She explained that the extensions on your request were necessary due to limited agency resources. She said that the ODHS Public Records Unit works records requests in order of receipt. Ms. Kenney stated that the total number of active requests in the queue is 3,938 with a backlog of 3,388. Ms. Kenney also explained that ODHS had identified an additional 170 records responsive to your supplemental request. Because these are primarily confidential child welfare records, they require careful review prior to release. Given the current backlog and complexity of your request, Ms. Kenney stated that ODHS intends to begin a rolling production of the 170 identified records to you on September 30. She also indicated that ODHS will run the electronic search you requested and, if necessary, provide you with a fee estimate for review and production of those electronic records.

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).

Given the number of requests ODHS is concurrently processing, we do not find it unreasonable that ODHS extended its response beyond fifteen business days. Although your request is complex, it has now been pending for approximately five months. Under these circumstances, we grant your petition, and we order ODHS to begin its rolling production on September 30, 2026, and complete its response by December 4, 2026. 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 (ODHS)