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November 4, 2026

VIA E-MAIL ONLY: prhj@mit.edu

Preston Johnston
prhj@mit.edu

Re: Petition for Public Records Disclosure Order
Oregon Department of Forestry
DOJ File No.: 629400-GA0215-26

Dear Mr. Johnston:

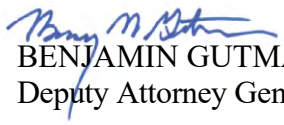
This letter is the Attorney General's response to your petition for disclosure under the Oregon Public Records Law, ORS 192.311 to 192.478. Your petition indicates that you did not receive a timely response to a public records request submitted to the Oregon Department of Forestry (ODF). Your petition therefore asks the Attorney General to order ODF to complete its response, 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).

You submitted a request to ODF on December 9, 2025. ODF acknowledged receipt of your request but has not completed its response and has not been responsive to your requests for updated information concerning the request. We contacted ODF concerning your petition, and the agency acknowledged that it failed to respond to your request in a timely fashion as a result of personnel issues and administrative oversight. ODF stated that it will be producing several responsive records to you today, and that it is expediting an IT search for the remaining records, which it believes will be completed before the end of the month. ODF agreed to waive the fees associated with the IT search and related record review.

ODF did not respond within the statutorily prescribed timeframe, and we are required to treat that failure as a denial under ORS 192.407(1)(a). Because ODF has now waived its fees and is actively working to remedy the delay, we decline to exercise our discretion to impose a $200 fine. We do, however, order ODHS to complete its response by November 27, 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: Derek Gasperini (ODF)