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November 16, 2026

VIA E-MAIL ONLY: steve@cear-oregon.com

Steven Miller-Hart
steve@cear-oregon.com

Re: Petition for Public Records Disclosure Order
Department of Human Services
DOJ File No.: 100101-GA0232-26

Dear Mr. Miller-Hart:

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 challenges the timeliness of the Oregon Department of Human Services' (ODHS) response to your public records request. For the reasons set forth below, your petition is denied.

Your petition stems from a records request that you submitted to ODHS on September 10, 2026. On October 13, 2026, ODHS notified you that it estimated its completion date to be November 4, 2026. On that date, ODHS again notified you that it estimated its new completion date to be November 30, 2026. Your petition followed on November 9, 2026, and specifically related to certain property records for three addresses identified in 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). 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).

After contacting 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 on records requests in order of receipt. Ms. Kenney stated that the total number of active requests in the queue is 4,279 with a backlog of 3,820. In addition, due to the type of records requested, ODHS was required to obtain these records from the Department of Administrative Services in order to complete your request.

Given the number of requests ODHS is concurrently processing and the type of records requested, we do not find it unreasonable that ODHS extended its response beyond fifteen business days. Ms. Kenney stated that ODHS is processing this request and will be producing the remainder of the responsive records to you by November 30, 2026. Although your requests have now been pending for approximately two months, the date appears reasonable based on the type of records requested and the volume of other records requests that the agency is simultaneously processing in addition to the approaching holiday that further limits staffing capacity. *See* ORS 192.329(6)(c). Under these circumstances, we cannot conclude that ODHS has unreasonably delayed processing your request. We therefore respectfully deny your petition.

Sincerely,

BENJAMIN GUTMAN
Deputy Attorney General

KG9:pjn
c via e-mail only: Mallory Kenney (DHS)