ADDENDUM TO REQUEST FOR FACILITATED DISPUTE RESOLUTION: DEPARTMENT OF STATE LANDS

TO	Todd Albert, Public Records Advocate, Office of the Public Records Advocate
FROM	Robert Samuel White, P.O. Box 334, Reedsport, Oregon 97467
DATE	November 10, 2026
RE	Addendum to my request of November 10, 2026, under ORS 192.464(2)(b); Department of State Lands; my public records requests of October 27 and November 3, 2026

Public Records Advocate Albert:

This addendum adds to my request for facilitated dispute resolution of November 10, 2026, with the Department of State Lands.[1] I sent the request at 12:47 PM. At 2:03 PM the Department of State Lands produced Items 2 and 3 of my request of November 3, 2026: the records of the searches it ran for my request of October 27, 2026, and its communications about that request.[2] [3] They are its own account of what it did with my first request while it was writing to me.

WHAT ITS OWN RECORDS SHOW

October 30, 2026, 12:24 PM. Before it ran any search, the Department of State Lands' public records coordinator sent my request to its Communications Director, Alyssa Rash, under the subject "I need a set of Comms eyes, please." The coordinator wrote: "Though it is not a request from the media, it is a request for DSL correspondence with OSP's media relations. I have not yet been able to perform an eDiscovery search on this, so I don't know how many such emails exist. While I don't think this is anything that comms would need to sign off on, I wanted to be safe instead of sorry."[2]

October 30, 1:26 PM. The coordinator ran a Microsoft Purview search. Its query held four of my five terms and searched after January 1, 2023: "(Date>2023-01-01)". It found 18 Teams chat messages, exported as eight transcripts, and no email.[2]

November 2, 8:24 AM. The Communications Director answered: "given the involvement of OSP with the Sandy River Delta enforcement, I imagine you'll find a handful of emails between us and them around June and fall 2025. I'm happy to review responsive materials if you are concerned, but no, this does not require a comms sign-off."[2]

November 2, 9:14 AM. The coordinator wrote to her: "My eDiscovery search using the parameters outlined in the request only returned a handful of Teams messages from two or three meetings." She wrote: "I will respond to and close the request, since no relevant records exist."[2] It ran no search for the emails the Communications Director named. None is in the records of its searches, which it says are complete.

November 2, 3:33 PM. The Department of State Lands wrote to me that its public records coordinator "performed an eDiscovery search via Microsoft Purview on November 2, 2026," gave the four-term query, and wrote: "No documents matching these criteria were found." It wrote: "We are not the custodian of, and do not possess, the requested records."[4] That query ran on October 30, not November 2, and it matched 18 items.[2]

November 4, 3:59 PM. The Department of State Lands wrote: "The search was performed on November 3, 2026," and "The results were downloaded on November 4, 2026, and contained no records responsive to your request."[5] Item 2 of my request of November 3 asks for the records of "the second query described in your letter of November 3, 2026, and any later search."[3] It did not produce them. In the folder it named for November 3, it put the reports of the search of October 30, file for file.[2] No record of a search run on November 3 is in the production.

November 9, 7:51 AM. The coordinator sent my fee waiver request to Deputy Director Hudson and wrote: "This request has been fulfilled (DSL has no responsive records) and there was no fee associated."[2]

Every search. The Department of State Lands wrote to me that its search covered "Email accounts for all current and former employees."[4] Every search it ran was run under "CustomAttribute12 -eq 'DSL'."[2] [6] Item 2 of my request of November 3 asks for the "accounts and locations searched."[3] It has not produced them.

THE TEAMS MESSAGES IT DENIED THE WAIVER ON

Deputy Director Hudson denied the fee waiver on Item 1 of my request of November 3: the Teams messages, the text messages, and the voicemail with the two Oregon State Police accounts. She wrote that "fulfilling that portion of the request is expected to require a substantial expenditure of agency resources."[7] The 18 Teams messages its search found on October 30 are those messages: each has Captain Kennedy among its participants and one of my terms in it. On November 10 it produced them, inside Item 2, without a fee.[2] It denied the waiver on records it then produced for nothing. In the same letter the Department of State Lands moved its estimate for Item 1 to November 19: "Due to workload, absences, higher priority items, and a holiday, I must adjust my timeline for a cost estimate for Item 1 of your request."[2]

WHAT IT HAS NOT PRODUCED

The Department of State Lands wrote that the production is "to complete our response to Items 2 and 3."[2] It is not complete.

- Item 2 asks for the records of every search for my first request, with "accounts and locations searched."[3] The search it reported as performed on November 3 is not in it. The accounts and locations searched are not in it.
- Item 3 asks for communications "through any channel the agency uses: emails, Microsoft Teams chat and channel messages, text messages, voicemail, and notes," and for "every entry, note, assignment, and status change in any system that tracks the request."[3] The production holds email only. It holds no message with the IT Manager under whose "guidance and watch" the search of November 6 was performed.[6]

A response is complete when the public body "Provides access to or copies of all requested records within the possession or custody of the public body that the public body does not assert are exempt from public disclosure, or explains where the records are already publicly available" [ORS 192.329(2)(a)].

THE RESOLUTION I ASK FOR, ADDED

In addition to the resolution in my request:

1. The Department of State Lands produces the records of the search it reported as performed on November 3, 2026: the search as saved by the system that ran it, its query, the accounts and locations searched, its counts, and every export and report.
2. It produces the records that define "CustomAttribute12 -eq 'DSL'" and the accounts and locations each search covered, as Item 2 asks.
3. It produces the rest of Item 3: the Teams messages, text messages, voicemail, notes, and tracking entries about my request of October 27, 2026, including its communications with its IT Manager.

It has produced the 18 Teams messages named in item 2 of the resolution I asked for. It has not produced the text messages, the voicemail, or the records of every search that answers Item 1. Its decision maker denied the waiver on the Teams messages as "a substantial expenditure of agency resources," and it then produced them without a fee.

Every record named here is published on the Department of State Lands' line at OpenRecordsOregon.org.

Respectfully,

Robert Samuel White
rswfire.com
openrecordsoregon.org
autonomyrealms.com

Sources

1. My request for facilitated dispute resolution, November 10, 2026, 12:47 PM
2. The Department of State Lands' production of Items 2 and 3, November 10, 2026, 2:03 PM
3. My request, November 3, 2026
4. The Department of State Lands' letter, November 2, 2026
5. The Department of State Lands' letter, November 4, 2026, 3:59 PM
6. The Department of State Lands' letter and Microsoft Purview reports, November 6, 2026, 12:50 PM
7. The Department of State Lands' fee waiver decision and its Public Interest Threshold Evaluation Form, November 6, 2026, 12:54 PM