PETITION FOR A PUBLIC RECORDS ORDER: PACIFIC STATES MARINE FISHERIES COMMISSION

TO	Oregon Department of Justice, Public Records Orders
FROM	Robert Samuel White, P.O. Box 334, Reedsport, Oregon 97467
DATE	November 25, 2026
RE	Petition under ORS 192.411 and ORS 192.407; Pacific States Marine Fisheries Commission; my public records request of October 31, 2026

To the Attorney General:

I petition for a Public Records Order under ORS 192.411 and ORS 192.407 against the Pacific States Marine Fisheries Commission on my public records request of October 31, 2026.[1]

The Pacific States Marine Fisheries Commission has not responded to my request. In the 25 days since I made it, the Pacific States Marine Fisheries Commission has sent me no acknowledgment, no record, no exemption, and no date by which it expects to complete its response. The ten business days ORS 192.329(5) gives the Pacific States Marine Fisheries Commission ended no later than November 24, 2026. "A failure of the public body to timely respond shall be treated as a denial of the request" [ORS 192.407(1)(a)]. Under ORS 192.411(1), "the burden is on the agency to sustain its action."

THE PETITION

- **Petitioner:** Robert Samuel White, P.O. Box 334, Reedsport, Oregon 97467, rsw@rswfire.com.
- **Public body:** Pacific States Marine Fisheries Commission.
- **Records:** All communications sent to or received from kyle.kennedy@osp.oregon.gov or osppio@osp.oregon.gov, through any channel the agency uses: emails, Microsoft Teams chat and channel messages, text messages, and voicemail, including attachments and replies, that contain any of the terms "threat assessment", "situational awareness", "welfare check", "knock and talk", or "grievance", from January 1, 2023, to the date of search, with the records of the search conducted to answer it. The request excludes any record concerning me.[1]
- **Requested:** October 31, 2026, at 10:12 PM, by email.[1]
- **Fee waiver request:** in my request of October 31, 2026, under "Fee waiver." The request is part of this petition, attached after the last page.[1]
- **Response under ORS 192.329:** none.

THE PACIFIC STATES MARINE FISHERIES COMMISSION SENT NO RESPONSE UNDER ORS 192.329

I made my request on October 31, 2026.[1] Today is November 25, 2026. The Pacific States Marine Fisheries Commission has not acknowledged my request, has not completed its response, and has sent me no estimated date by which the Pacific States Marine Fisheries Commission expects to complete it.

A public body "shall within five business days after receiving the request acknowledge receipt of the request or complete the public body's response to the request" [ORS 192.324(2)]. Then, "[a]s soon as reasonably possible but not later than 10 business days after the date by which a public body is required to acknowledge receipt of the request under ORS 192.324, a public body shall" either "Complete its response to the public records request" or "Provide a written statement that the public body is still processing the request and a reasonable estimated date by which the public body expects to complete its response based on the information currently available" [ORS 192.329(5)].

COMMUNICATION BETWEEN THE PARTIES

Copy me on every communication between this office and the Pacific States Marine Fisheries Commission about this petition, and copy the Pacific States Marine Fisheries Commission on mine. Send me every statement the Pacific States Marine Fisheries Commission makes to this office on my request of October 31, 2026, when it makes it, and give me a day to answer it. Set the day of the order within the seven days the statute gives [ORS 192.411(1)]. Rest no order on a statement I have not seen.

RELIEF REQUESTED

I ask the Attorney General to issue an order granting or denying this petition on each question it puts [ORS 192.411(1)]. I ask the Attorney General to:

1. Find that the Pacific States Marine Fisheries Commission failed "to provide the response required by ORS 192.329 within the prescribed period" [ORS 192.407(1)(a)].
2. Order the Pacific States Marine Fisheries Commission to run the search my request describes and to disclose the nonexempt records within seven days, in their native electronic format, with the records of the search [ORS 192.407(3)(a); ORS 192.324(3)].
3. Order the Pacific States Marine Fisheries Commission to waive all fees on this request, as my request asked [ORS 192.324(5); ORS 192.407(3)(c)].
4. Order the Pacific States Marine Fisheries Commission to pay me the penalty of $200 [ORS 192.407(3)(b)]. I made my request on October 31, 2026.[1] In the 25 days since, the Pacific States Marine Fisheries Commission has sent me no acknowledgment, no record, no exemption, and no estimated date.

Every record of this request, and this petition, is published at OpenRecordsOregon.org. The order will be published beside them.

Respectfully,

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

Sources

1. My request, October 31, 2026

PUBLIC RECORDS REQUEST — COMMUNICATIONS WITH OSP GOVERNMENT AND MEDIA RELATIONS

TO	Public Records Officer, Pacific States Marine Fisheries Commission
FROM	Robert Samuel White, P.O. Box 334, Reedsport, Oregon 97467
DATE	October 31, 2026
RE	Public records request under ORS 192.314

To the Public Records Officer, Pacific States Marine Fisheries Commission:

Under ORS 192.314, I request the following public records of the Pacific States Marine Fisheries Commission. It concerns how the Pacific States Marine Fisheries Commission communicates with the Oregon State Police about other members of the public.

Records requested. All communications sent to or received from either of these Oregon State Police accounts, through any channel the agency uses: emails, Microsoft Teams chat and channel messages, text messages, and voicemail, including attachments and replies:

- Captain Kyle Kennedy, Government and Media Relations (kyle.kennedy@osp.oregon.gov)
- OSP Public Information Officer (osppio@osp.oregon.gov)

that contain any of these terms:

- “threat assessment”
- “situational awareness”
- “welfare check”
- “knock and talk”
- “grievance”

Date range: January 1, 2023, to the date of search. This request excludes any record concerning me.

Custody. Records sent from or received by Pacific States Marine Fisheries Commission accounts are records of the Pacific States Marine Fisheries Commission, wherever they are stored, including systems maintained by DAS Enterprise Information Services, including the records of any search that office conducts. If you believe another public body is the custodian of any responsive record, please identify that custodian and the basis for the determination in writing, rather than closing the request (ORS 192.311).

The search. This request also includes the records of the search conducted to answer it: each search as saved by the system that ran it (for example, a Microsoft Purview Content Search or eDiscovery search), with its query, terms, date range, accounts and locations searched, and result counts, and any export or search report it produced. Those records exist once the search is run, and they are public records of the Pacific States Marine Fisheries Commission like any other. A response is complete only when it provides all requested records in your possession (ORS 192.329(2)(a)). That includes these. If there are no responsive records, the search records show it.

Format and correspondence. Under ORS 192.324(3), please provide records in the form requested, native electronic format with metadata intact: emails as .eml or .msg with headers and attachments, Teams and text messages as exported by the system that holds them, voicemail as the audio file, and search records as saved or exported by the system that ran them, by email or secure link. Please conduct all correspondence about this request by email, including acknowledgments, estimates, waiver decisions, and payment instructions. Under ORS 192.324(1), this letter is a complete written request, and it includes a complete fee waiver request. It does not need to be resubmitted on a form.

Redaction. Please redact the names, home addresses, personal phone numbers, and personal email addresses of private individuals. No other redaction is requested for privacy. In any fee estimate, please list redaction time separately from search and production time, with the hours and the hourly rate of the employee performing it. Under ORS 192.324(4)(b), a fee may not include attorney time spent determining the application of the public records law.

Exemptions. For any record or portion withheld, please identify the record (date, sender, recipients, and general subject), the specific exemption claimed, and how it applies to that record (ORS 192.329, 192.338). Please segregate and release nonexempt portions. A fee estimate is not an exemption assertion.

- *Criminal investigatory information (ORS 192.345(3)):* This exemption is conditional, applies only to information compiled for criminal law purposes, and yields where the public interest requires disclosure. A state agency's correspondence with OSP about a member of the public is not, in that agency's hands, information compiled for criminal law purposes. If you claim it, please state which criminal investigation each record was compiled for, and why the public interest does not require disclosure.
- *Attorney-client privilege:* A communication between the Pacific States Marine Fisheries Commission and OSP is not privileged because a DOJ attorney is copied. If you claim privilege, please identify the attorney and the legal advice sought for each record.

Fee waiver. I request a waiver of all fees under ORS 192.324(5). Disclosure primarily benefits the general public:

1. *Requester's identity.* I study how Oregon's public records law is applied, and I publish what I find at openrecordsoregon.org. The site publishes every records request I make to a state agency, every reply, and every record produced, in full, beside the text of the law, so the public can see how each agency applies it.
2. *Purpose.* To educate the public about the public records law and to make its practice legible: what an agency is asked, how it searches, what it produces, what it withholds and on what ground, and what it charges. The records from this request will be published beside the request and every reply to it, so any reader can see how the law was applied to it. They will also show the public whether and how state agencies refer members of the public to the state police through its Government and Media Relations section.
3. *Character of the information.* The records show whether state agencies use the Government and Media Relations section of the state police to handle members of the public who contact them. A member of the public who writes to a state agency is speaking and petitioning the government, under Article I, sections 8 and 26 of the Oregon Constitution and the First Amendment. A referral of that person to the police concerns the use of police power against that speech and petition. It also concerns compliance with ORS 181A.250, which bars police from collecting information about a person's political or social views or activities without reasonable suspicion of criminal involvement.
4. *Public domain.* No public record shows how often state agencies write to the state police public relations office about a member of the public, or how often that office orders detectives to investigate the person they wrote about. On March 3, 2026, the Oregon Parks and Recreation Department forwarded a citizen's public archive to the captain of Government and Media Relations. It alleged no crime and no threat. On March 4, the captain ordered detectives to conduct a "threat assessment." The detectives investigated for three weeks. Then three

men drove sixty-eight minutes to conduct a “knock and talk” at the citizen’s door, behind a locked gate, at a restricted federal facility, posted against public access, to tell him he was “not in trouble.” Those records were produced under PR27478.

5. *Ability to disseminate.* As of the date of this letter, openrecordsoregon.org has published every request, reply, and production in its three public questions: 369 filings and 571 documents. They include public records productions from the Oregon State Police, the Department of Administrative Services, the Oregon Parks and Recreation Department, and the Office of the Public Records Advocate, each with its original files and email headers, free to read and download. Records from this request will be published the same way. I have no commercial interest in them.

I request a waiver of all fees under ORS 192.324(5). If a full waiver is denied, I request a reduction of fees under the same provision. If the waiver is denied or a reduction is granted in part, please give the reasons in writing for each factor, state the amount or percentage of any reduction and its basis, and provide an itemized estimate before any work begins, showing the tasks, the hours for each, and the hourly rate of the employee performing each.

Timeline. Please acknowledge this request within five business days and give an estimated completion date as required by ORS 192.324 and 192.329.

Preservation. Please preserve all records responsive to this request while it and any petition for review are pending.

Thank you for your public service.

Respectfully,

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