

OFFICE OF THE GOVERNOR
Public Records Request Policy & Procedures

POLICY The Office of the Governor will fully comply with the Oregon Public Records Law and will respond to public record requests as soon as practicable and without unreasonable delay, in the manner described below. ORS 192.440(7) requires every public body to make available to the public a written procedure for making public record requests.

PROCEDURES

- 1. Public records request procedure.** The Governor’s General Counsel is responsible for coordinating public records requests made to the Office of the Governor. The General Counsel’s office will work with the Governor’s staff as appropriate in fulfilling the public records requests. All formal public records requests must be submitted in writing and directed to:

Office of the Governor
Public Records Request
Attn: Mary Hamilton
160 State Capitol
900 Court Street NE
Salem, OR 97301-4047

- 2. Initial response to public records requests.** General Counsel will respond to public records requests as soon as practicable and without unreasonable delay. We will respond with one of the following:
- a. A statement that the Office of the Governor does not possess, and is not the custodian of, the requested public records;
 - b. Copies of all requested public records for which the Office of the Governor does not claim an exemption from disclosure under ORS 192.410 to 192.505;
 - c. A statement that the Office of the Governor is the custodian of some responsive records, an estimate of time in which copies will be provided or inspection will be available, and an estimate of the fees the requestor must pay;
 - d. A statement that the Office of the Governor is the custodian of at least some of the requested public records, an estimate of time in which copies will be provided or inspection will be available, and an estimate of the fees the requestor must pay;
 - e. A statement that the Office of the Governor is uncertain whether it possesses any requested records and that it will search for the requested records and respond as soon as practicable; or
 - f. A statement that state or federal law prohibits the Office of the Governor from acknowledging whether the record exists and a citation to the relevant state or federal law.

3. **Clarification of public records requests.** If the Office of the Governor receives an unusual request or the scope of the request is unclear, the public records request coordinator may request additional clarification before responding to the request.
4. **Charging for public records requests.** The Oregon Public Records Law allows agencies to recover their actual costs in fulfilling a public records request. Usually, the General Counsel's office will request payment prior to fulfilling a public records request to ensure that costs are properly reimbursed.

If the estimated fee is *greater than* \$25, the General Counsel's office will provide the requestor with written notice of the estimated amount of the fee. In such instances, the public records request coordinator will not fulfill the request until the requestor *confirms in writing* that the requestor wants to proceed with the request despite the estimated cost.

Office of the Governor fee schedule is as follows:

Standard copies:	20 cents per page
Certified copies:	1 dollar per page
Copy center charges:	Actual cost or best estimate of cost
Other applicable cost:	Actual cost or best estimate of cost

Labor charges:

Staff:	Actual hourly cost or best estimate of cost
Attorney Review:	Hourly cost based on DOJ fee schedule (\$137/hr as of 7/1/2009)

All time for public record requests will be recorded in ten-minute increments. The Governor's office will generate an invoice for completing the public records request.

5. **Fee waivers for public records requests.** Requests for fee waivers or reduced fees must be made in writing to the above address. The General Counsel's office may furnish copies without charge or at a substantially reduced fee if it is determined that the waiver or reduction of fees is in the public interest because making the record available primarily benefits the general public. The General Counsel's office will determine the appropriateness of fee waivers or adjustments based on the guidance of the relevant statutes and the Attorney General's Public Records and Meetings Manual.

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