
RESPONSE TO THE FEE WAIVER DENIAL OF OCTOBER 15, 2026

TO	David Pitcher, Oregon Department of Justice
CC	Phyllis Nelson, Oregon Department of Justice; Shevaun M. Gutridge, Public Records Coordinator, Oregon Department of Justice; Todd Albert, Public Records Advocate
FROM	Robert Samuel White, P.O. Box 334, Reedsport, Oregon 97467
DATE	October 15, 2026
RE	Your denial of October 15, 2026; the request of September 23, 2026
TESTIMONY	v1.11
AI DISCLOSURE	How this record is made.

Mr. Pitcher,

You denied a fee waiver without addressing the request for it.

On September 23, 2026, I requested a full waiver under ORS 192.324(5) and addressed each of the five factors your own Public Records and Meetings Manual identifies.¹ The identity of the requester: I am the subject of the records, and I publish a public archive that holds the records of eight state and federal institutions in this matter, document by document, at permanent public addresses. The purpose: publication, in full. The character of the information: how a citizen's correspondence with his government moved from a parks department to a police captain, a fusion center, and a federal task force, what systems hold the resulting documentation, and how far it was distributed. Whether the information is already public: it is not, and what is public in this matter was published by me from agency productions. The ability to disseminate: the September 3, 2026 production of Oregon State Police was published in full the same day it was produced.²

Your letter of October 15 answers one of the five: "the records you seek pertain primarily to you and your private interests."³ It does not mention the other four. It does not name the archive, the publication, or the production published the day it arrived. A denial that weighs one of five facts put before it and is silent on the rest is not a determination under ORS 192.324(5). It is a sentence with a date on it.

ORS 192.324(5) provides for a waiver or a reduction. You considered no reduction. You wrote that the Department of Justice had "already spent more than one hour of staff time searching for responsive records" and that it would not be reasonable "to provide any additional waiver." Searching for the records a citizen requested is the duty ORS 192.329 places on every public body. It is not a waiver, and nothing in your letter was.

You wrote that the records "pertain primarily to you and your private interests." Here is what they pertain to. On February 14, 2026, OPRD Deputy Director J.R. Collier wrote that legal correspondence from me would go to Department of Justice counsel.⁴ On March 11, 2026, Dianne Greenlee, Criminal Intelligence Analyst at the Oregon TITAN Fusion Center, Criminal Justice Division of the Department of Justice, wrote to a detective: "I'm documenting this activity for our internal awareness since Mr. White's actions border on harassment due to the volume of emails that he has forwarded to OPRD staff over the last year."² On March 24, 2026, two state detectives and a Forest Service special agent came through a locked federal gate to the work center where I live and work. On April 15, 2026, the case detective wrote: "there is no evidence White has committed any crimes."² The records I

requested are what the Department of Justice wrote into its files about a volunteer who wrote letters to his government. Whether a state agency may document a citizen's letters to the Governor as harassment is not my private interest. It is every Oregonian's.

You wrote that a preliminary electronic search identified 1,350 potentially responsive records. I served three months as an unpaid park host and wrote letters. That is the whole of what I did. On July 1, 2026, I asked the Department of Administrative Services for every record that mentions me and every communication about me with any other state entity. On July 10 it wrote that it had reviewed its files and located no records.⁵ On July 27 it wrote that there were none.⁶ Ten weeks later the Department of Justice counts 1,350 on the same man, the same letters, and the same year. If the count is real, the Department of Justice built a file of 1,350 records on a volunteer for writing to his government, and the size of that file is the public interest. If the count is not real, the search ran on terms I did not give you, and the number exists to carry the fee. Zero at one agency and 1,350 at the next cannot both be true.

On September 24, 2026, Ms. Gutridge wrote that my request is "very broad in scope" and invited me to narrow it.⁷ The same day I asked which of the nine categories carry the burden and how a request bounded by one person's name, two email addresses, two domains, and a date of birth becomes very broad.⁸ On October 14, Ms. Gutridge wrote that the Department of Justice needed additional time.⁹ On October 15, you wrote the denial. Twenty-one days, three letters from your office, and neither question has been answered. Your letter proposes no narrowing. It prices the request as submitted and tells me where to mail the check.

On October 14, 2026, I asked the Public Records Advocate for facilitated dispute resolution with the Department of Justice under ORS 192.464, because my request had been neither answered nor priced.¹⁰ Your letter of October 15 prices it and denies the waiver. The dispute I brought to the Advocate under ORS 192.464(2)(a) is now one under ORS 192.464(2)(b) as well, and it is already before him.¹¹

FOLLOW THE STATUTE

Decide the fee waiver on the five facts stated in the request of September 23, 2026, in writing, under ORS 192.324(5), and state for each why it does or does not weigh in favor of a waiver.

Decide whether to reduce the fee, as ORS 192.324(5) provides, and state the decision.

Answer the two questions of September 24, 2026: which of the nine categories account for the burden, and how a request bounded by one person became very broad in scope.

State how many of the 1,350 records fall under each of the nine categories and which divisions of the Department of Justice hold them.

Respectfully,

Robert Samuel White

Sources

1. [Public records request to the Oregon Department of Justice, September 23, 2026](#). The fee waiver section addresses the five factors in order.
2. [Production by Oregon State Police under PR27478, September 3, 2026](#). The March 11, 2026 email, the March 24, 2026 contact, and the April 15, 2026 report are in its pages.
3. [Email from David Pitcher, Oregon Department of Justice, October 15, 2026](#).
4. [Email from Deputy Director J.R. Collier, OPRD, February 14, 2026](#).

5. [Partial response to R000879 from the Department of Administrative Services, July 10, 2026.](#)
6. [Closure of R000879 by the Department of Administrative Services, July 27, 2026.](#)
7. [Email from Shevaun M. Gutridge, Oregon Department of Justice, September 24, 2026.](#)
8. [Email to Shevaun M. Gutridge, Oregon Department of Justice, September 24, 2026.](#)
9. [Email from Shevaun M. Gutridge, Oregon Department of Justice, October 14, 2026.](#)
10. [Request for Facilitated Dispute Resolution: State of Oregon, October 14, 2026.](#)
11. [The fee waiver denial, forwarded to the Public Records Advocate, October 15, 2026.](#)