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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF DOUGLAS

STATE OF OREGON)	
)	Case No. 17CR74545
Plaintiff,)	
)	NOTICE OF INTENT TO ASSERT DEFENDANT
)	ADAM'S STATUTORY AND CONSTITUTIONAL
v.)	RIGHTS TO PRIVACY IN HIS SCHOOL, JUVENILE
)	COURT, MEDICAL AND MENTAL HEALTH
)	RECORDS
KEVIN WAYNE ADAMS)	
)	
Defendant.)	

Kevin Adams, by and through his attorney, Katherine O. Berger, hereby asserts his state and federal statutory and constitutional rights to privacy in his prior and present school, medical and mental health records and any juvenile records that may exist. Defendant believes and asserts that the HIPPA (Health Insurance Portability and Accountability Act of 1996) Standards for Privacy of Individually Identifiable Health Information establishes national standards for the protection of certain health information from governmental intrusion absent compliance with strict rules and procedures.

Further Kevin Adams asserts that state and federal statutory regulations prevent prosecution from the invasion of his protected privacy interests absent significant demonstration of need by the government and after first providing notice to the individual

1 and an opportunity to appear before an independent magistrate and object to such
2 invasion of privacy. Defendant also asserts the Oregon and United States Constitutions
3 provide even greater protections of an individual's protected privacy interests.

4 Kevin Adams demands that his privacy interests be maintained and that he is
5 afforded adequate opportunities to object to any governmental intrusions. He objects to
6 any prosecution use or attempted use of the Grand Jury subpoena power to "discover"
7 protected records, particularly since the Grand Jury has already returned its indictment in
8 the case.

9 Dated this 31st day of January, 2018.

10 /s/ Katherine O. Berger

11 _____
12 Katherine O. Berger, Of Attorneys for Kevin Adams,
13 Defendant