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August 1, 2024

Joshua Friar
SID #16879423
3920 East Ashwood Rd.
Madras, OR 97741

Re: Petition for Public Records Disclosure Order
Oregon Department of Corrections
DOJ File No.: 291200-GA0073-24

Dear Mr. Friar:

This letter is the Attorney General's response to your petition for disclosure under the Oregon Public Records Law, ORS 192.311 to 192.478. Your petition asks the Attorney General to order the Oregon Department of Corrections (ODOC) to disclose the names of individuals you believe have remotely accessed your data on a removable electronic storage device, the name of the program used to access the device, and the location where copies of your data are being stored. We understand that ODOC informed you that it does not possess any responsive records.

In response to your petition, ODOC informed us that your storage device was not remotely accessed by any ODOC employees and that ODOC does not possess copies of your data. Accordingly, ODOC explained, it does not possess any responsive records.[1] And because we cannot order ODOC to disclose records that do not exist, we must respectfully deny your petition.

Sincerely,

Lisa M. Udland

LISA M. UDLAND
Deputy Attorney General

AF1/pjn
c via e-mail only: Michelle Dodson (ODOC)

[1] We also observe that your request is styled as a request for information and not a request for records. Please note that we have no authority to order state agencies to respond to questions or requests for information. *See Attorney General's Public Records and Meetings Manual* at 7 (2019) (the law does not require agencies to create new public records, disclose the reasoning behind their actions, answer questions about their records, or analyze their records).