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January 28, 2026

Clark Rust, SID # 19892073
Deer Ridge Correctional Institution
3920 E. Ashwood Road
Madras, OR 97741

Re: Petition for Public Records Disclosure Order
Department of Administrative Services
DOJ File No.: 291200-GA0025-26

Dear Mr. Rust:

This letter is the Attorney General's response to your petition under the Oregon Public Records Law, ORS 192.311 to 192.431. Your petition seeks assistance from the Attorney General in obtaining records from the Oregon Department of Corrections (ODOC). The Public Records Law confers the right to inspect public records in Oregon, unless such records are exempt under ORS 192.338, 192.345, or 192.355. ORS 192.314(1). Any person denied the right to inspect or to receive a copy of a public record of a state agency may petition the Attorney General to review the record and determine if it may be withheld. ORS 192.411(1).

Your petition stems from a records request to ODOC for a copy of the "Community Case Management Manual" referenced in OAR 291-078-0015(3). On January 7, 2026, ODOC responded to your request by stating that ODOC did not have any responsive records. Your petition explains your belief that ODOC should have a copy of the manual you requested because it is referenced in the administrative rules applicable to ODOC.

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We contacted Kaylee Hofman, ODOC's Public and Legal Information Officer, concerning your petition. She explained that ODOC never created the manual referenced in OAR 291-078-0015(3), which is why that rule was repealed effective May 1, 2024. Under the circumstances, we have no reason to second-guess ODOC's explanation that the records you seek do not exist. And because we cannot order ODOC to disclose records that do not exist, we must respectfully deny your petition.

Sincerely,

BENJAMIN GUTMAN
Deputy Attorney General

DEP:pjn
c via e-mail only: Toby Tooley (Oregon Department of Corrections)