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June 5, 2026

VIA E-MAIL ONLY: amanda@nwaudits.com

Amanda Van Arcken
23936 SW Old Highway 99W
Sherwood, OR 97140

Re: Petition for Public Records Disclosure Order
Oregon Corrections Enterprise
DOJ File No.: 291200-GA0113-26

Dear Ms. Van Arcken:

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 challenges the timeliness of Oregon Department of Corrections' (ODOC) response to your records request.

Upon receipt of a written public records request by an individual identified in an agency's published procedures for submitting requests, the agency is obligated to respond to the request "as soon as practicable and without unreasonable delay." ORS 192.329(1). An agency that is unable to complete its response within fifteen business days of receiving a written request is required to provide the requester with a reasonable estimated completion date. ORS 192.329(5). A requester may petition the Attorney General if they believe an agency has failed to comply with the processing timelines contained in ORS 192.329. ORS 192.407(1). The agency carries the burden of sustaining its actions. ORS 192.411(1).

Your petition explains that you submitted a records request to ODOC on May 14, 2026, that ODOC had not responded to your request as of May 29, 2026. We contacted ODOC regarding your petition and reviewed the correspondence related to your request. The correspondence shows that ODOC acknowledged your request on May 29, 2026, and provided you with a fee estimate on June 2, 2026.

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Your petition challenges ODOC's failure to acknowledge your request. Although public bodies are required to acknowledge a request within five business days, there is no provision in the Public Records Law that authorizes a person to petition the Attorney General to review a state agency's failure to comply with the acknowledgment and notice provisions of ORS 192.324(2).[1] Therefore, we must respectfully dismiss this portion of your petition. ODOC responded to your petition within fifteen business days,[2] and its fee estimate suspended its obligation to provide a further a response. Under the circumstances, we cannot conclude that ODOC failed to timely respond, and we respectfully deny your petition.

Sincerely,

BENJAMIN GUTMAN
Deputy Attorney General

DEP:pjn
c via e-mail only: Toby Tooley (ODOC)

[1] *See* ORS 192.407(1) and 192.411(1); *see also Attorney General's Public Records and Meeting Manual* at 10 (2024) ("A public body's failure to acknowledge a records request cannot be the grounds for a petition to the Attorney General.").
[2] *See* ORS 192.329(5). Business days do not include weekends or state holidays.