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June 3, 2026

VIA E-MAIL ONLY: b_pearson@yahoo.com

Brian Pearson
208 E. Washington St
Norton, KS 67654

Re: Petition for Public Records Disclosure Order
Oregon Corrections Enterprise
DOJ File No.: 971001-GA0111-26

Dear Mr. Pearson:

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 Correction Enterprise's (OCE) 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 originally attempted to submit a records request to OCE via email. When OCE did not respond to your email, you submitted a request via certified mail. Your petition states that OCE received your written request on May 12, 2026. Your petition indicates that OCE did not acknowledge or respond to your request.

We contacted OCE concerning your petition. After receiving your petition, OCE searched for the email request you referenced. OCE indicated that the email had been flagged as spam because the subject line had extraneous text, the body of the email had no text, and the attached PDF had a miscellaneous scan name. OCE explained that it did not receive your mailed public records request until May 26 because you addressed and mailed it to the Oregon Department of Corrections. On May 27, OCE responded to your mailed request by providing a fee estimate. Under the circumstances, we cannot conclude that OCE failed to timely respond.[1] And because OCE has not otherwise denied your request, we respectfully deny your petition.

Sincerely,

BENJAMIN GUTMAN
Deputy Attorney General

DEP:pjn
c via e-mail only: Melanie Doolin (OCE)

[1] Even if your mailed request had come directly to OCE on May 12, OCE's May 27 response was still within the 15 business days specified by statute. *See* ORS 192.329(5). Your petition argues that OCE did not acknowledge your request with five business days. 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). *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."). Therefore, we must respectfully dismiss this portion of your petition.