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September 15, 2026

Marcos Pico, SID #16671053
Oregon State Penitentiary
2605 State Street
Salem, OR 97310

Re: Petition for Public Records Disclosure Order
Oregon Department of Corrections
DOJ File No.: 291200-GA0174-26

Dear Mr. Pico:

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 stems from a request to the Oregon Department of Corrections (ODOC) for a physical copy of a picture sent to you electronically by your mother and accessible to you through the tablets ODOC makes available to adults in custody (AICs).

We contacted Melissa Nofziger, ODOC's Legal Affairs Administrator, regarding your petition. She explained that ODOC does not maintain a physical copy of the record you seek, and ODOC does not believe the Public Records Law obligates it to provide such a copy.

A public body completes its response when it provides the requester with a "reasonable opportunity to inspect or copy the public record." ORS 192.324(1)(b). Because ODOC has made the record available to you for your inspection on your tablet, it has satisfied its records obligation under the Public Records Law. For this reason, we respectfully deny your petition.

Sincerely,

BENJAMIN GUTMAN
Deputy Attorney General

DEP/pjn
c via email only: Toby Tooley (ODOC); Melissa Nofziger (ODOC)