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January 14, 2004

Larry G. Jacobson
17893 Peter Skene Way
Oregon City, OR 97045-2847

Re: Petition for Public Records Disclosure Order:
Oregon Department of Revenue Records

Dear Mr. Jacobson:

This letter is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law, ORS 192.410 to 192.505. Your petition, which we received on January 8, 2004,[1] asks the Attorney General to order the Department of Revenue (Department) to produce a certified copy of the "[c]urrent organization charts of the Oregon Department of Revenue, including all programs, sections, and units." For the reason that follows, we respectfully deny your petition.

The Public Records Law confers a right to inspect any public records of a public body in Oregon, subject to certain exemptions and limitations. *See* ORS 192.420. If a state agency denies a request for disclosure of records, the requestor may petition the Attorney General for review of the denial. However, the Attorney General may order a state agency to disclose records only when the agency has denied a request for the records. *See* ORS 192.450(1).

Your petition states that the Department constructively denied your request, dated October 15, 2003. We spoke with Lois Williams, the Department's Disclosure Officer, about your petition. She told us that the Department is mailing you a certified copy of the requested

[1] Due to inclement weather, state government offices closed at 3pm on Tuesday, January 6, and did not re-open until Thursday, January 8, 2004.

records. Because the Department has agreed to disclose the requested records, we deny your petition as moot.

Sincerely,

PETER D. SHEPHERD
Deputy Attorney General

AGS13456
c: Lois Williams, Disclosure Officer, Oregon Dept. of Revenue