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September 30, 2003

Michelle Roberts
Reporter
The Oregonian
1320 S.W. Broadway
Portland, Oregon 97201-3489

Re: *Petition for Public Records Disclosure Order*:
Oregon Department of Human Services Records

Dear Ms. Roberts:

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 September 16, 2003,[1] asks the Attorney General to direct the Oregon Department of Human Services (DHS) to make available non-redacted copies of 2002 employee performance evaluations for physicians employed at the Oregon State Hospital and identified in your request to the agency. Yesterday, in a telephone call with Assistant Attorney General Kelly Carlson, you excluded from your request any social security numbers contained in the evaluations. For the reasons that follow, 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. Any person who is 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 from disclosure. ORS 192.450(1).

DHS responded to your request by providing partially redacted copies of performance evaluations. We talked with Lydia Lissman, Administrator of the DHS Office of Human Resources, about your petition. Ms. Lissman told us that DHS has agreed to send you

[1] We appreciate your extending the time within which the law would otherwise have obligated us to respond.

unredacted copies of the 2002 evaluations that you requested. Because the agency has agreed to disclose the requested records, we deny your petition as moot.

Sincerely,

PHILIP SCHRADLE
Special Counsel to the Attorney General

AGS13041
c: Lydia Lissman, Administrator, DHS Office of Human Resources