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May 21, 2002

A. Charles Sheketoff, Executive Director
Oregon Center for Public Policy
204 N. First Street, Suite C
P.O. Box 7
Silverton, OR 97381

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

Dear Mr. Sheketoff:

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 May 14, 2002, asks the Attorney General to order the Department of Human Services (DHS) to produce copies of "the surveys that DHS home visiting staff completed as part of their 'debriefing' of the home visitation initiative project," and to waive any fees for doing so. For the reasons that follow, we respectfully deny your petition.

You requested the subject records from DHS on March 18, 2002. DHS denied your request by letter dated April 4, 2002. We have spoken with Lisa Joyce, DHS Legislative and Intergovernmental Relations Manager, regarding your petition. Ms. Joyce told us that DHS will disclose the requested records to you. Ms. Joyce will be sending you the records. DHS also has agreed to waive any fees involved in the production of those records. Because DHS has agreed to disclose the requested records without charge, we deny your petition as moot.

In your petition, you also allege a violation of ORS 162.305, a statute defining the criminal offense of Tampering With Public Records. That statute has no bearing on the agency's obligations under the Public Records Law. Accordingly, we do not address that allegation in this order.

Sincerely,

PETER D. SHEPHERD
Deputy Attorney General

AGS10216
c: Lisa Joyce, Department of Human Services