HARDY MYERS
ATTORNEY GENERAL

PETER D. SHEPHERD
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE

1162 Court Street NE
Justice Building
Salem, Oregon 97301-4096
Telephone: (503) 378-4400
TTY: (503) 378-5938

April 17, 2001

Laurie Barringer
5581 SE Jennings Avenue
Milwaukie, OR 97267

Re: *Petition for Public Records Disclosure Order*
Child Care Division, Oregon Employment Department

Dear Ms. Barringer:

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 April 10, 2001, asks the Attorney General to order the Oregon Employment Department Child Care Division (CCD) to make available for inspection: "The name of the person who filed a complaint against me."

Your petition states that you requested the information from CCD and that your request was denied by Kathryn Miller, CCD Family Child Care Specialist, and Linda Stern, CCD Licensing Manager. For the reasons that follow, we respectfully deny your petition.

The Public Records Law confers a right to inspect any public record of a public body in Oregon, subject to certain exemptions and limitations. *See* ORS 192.420. Custodians of public records are required to make those records available for inspection or copying unless the records are exempted from disclosure by statute. ORS 192.430(1). Any person denied the right to inspect or to receive a copy of a public record may petition the Attorney General to determine whether the record may be withheld from inspection. ORS 192.450(1).

Linda Stern, CCD's Licensing Manager, informs us that CCD has provided you with a complete copy of the complaint. That document does not contain the name of the person who filed the complaint. Ms. Stern further informs us that CCD has no records identifying the complainant. This office cannot order an agency to produce records that do not exist. Accordingly, we deny your petition.

Sincerely,

PETER D. SHEPHERD
Deputy Attorney General

AG0S7527