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April 2, 2001

Kevin E. Lucey
1412 American Bank Building
621 SW Morrison Street
Portland, OR 97205

Re: *Public Records Request; Multnomah County*
Willie Stewart Records

Dear Mr. Lucey:

This letter is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law for records from Clackamas County. We respectfully must deny your petition.

Your amended petition, which we received on March 30, 2001, asks the Attorney General to direct Clackamas County to produce copies of certain records related to Willie Stewart which are in its possession. Under the Public Records Law, the Attorney General has authority to issue a public records order only to " . . . any person denied the right to inspect or to receive a copy of any public records of a state agency . . . ." (Emphasis supplied.) ORS 192.450(1). Clackamas County is not a state agency. Therefore, under the Public Records Law, it is the Clackamas County District Attorney's Office, not the Attorney General, who has the authority to review your request.

Should the district attorney deny your petition, your recourse then is to file a lawsuit in Clackamas County.

Sincerely,

PETER D. SHEPHERD
Deputy Attorney General

AGS07410
cc: John Foote
Clackamas Co. District Attorney