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July 20, 2006

David Isaac Maimon
SID # 6211527
Oregon State Penitentiary – Minimum
2605 State Street
Salem, OR 97310

Re: Petition for Public Records Disclosure Order:
Public Employees Retirement System Records

Dear Mr. Maimon:

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 July 14, 2006,[1] asks the Attorney General to order the Public Employees Retirement System (PERS)[2] "to make available the current addresses of [seven] retired correctional officials who are receiving public retirement benefits checks mailed to them each month." 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. 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).

ORS 192.502(12) exempts from disclosure "[e]mployee and retiree address, telephone number and other non-financial membership records and employee financial records maintained by the Public Employees Retirement System pursuant to ORS chapters 238 and 238A." Paul Cleary, Executive Director of PERS, denied your request for the addresses of retired correctional

[1] The Trial Division received your petition, which is not directed to the Attorney General but rather to Assistant Attorney General Lester Huntsinger, on July 12, 2006. Because the appropriate officials did not receive your petition for processing until July 14, we are treating it as received on the later date.

[2] Your request to PERS was addressed to James Voytko, and you ask the Attorney General to direct Mr. Voytko to disclose the requested records. Mr. Voytko is a former Executive Director of PERS who is no longer employed by that agency.

officials by letter dated July 6, 2006. Mr. Cleary cited ORS 192.502(12) as the basis for PERS' denial.

The addresses that you requested from PERS fall squarely within the cited exemption. For this reason we deny your petition.

Sincerely,

PETER D. SHEPHERD
Deputy Attorney General

AGS17955
c: Paul Cleary, PERS Executive Director