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DEPARTMENT OF JUSTICE

GENERAL COUNSEL DIVISION
Justice Building
Salem, Oregon 97310
Telephone: (503) 378-6986

August 18, 1987

Howard A. Quandt
20520 SW Vienna Drive
Aloha, OR 97005

Re: Quandt Children - Children's Services Division File

Dear Mr. Quandt:

Your request for a copy of Children's Services Division's file in a case involving possible child abuse by your former wife was received by this office on July 6, 1987. You have previously been informed by the CSD Washington County Branch Manager, Garrold Shurtz, that your report involving the alleged child abuse was found to be invalid following an investigation by law enforcement and Children's Services Division. You have also been informed that all the information was gathered under the Child Abuse Reporting Law (CARL), ORS 418.750 to 418.765, and that the case is presently closed.

You have previously requested from CSD a copy of the CSD file in this case. That was denied in a letter dated June 24, 1987, signed by Garrold Shurtz. This office also denied your request in a telephone conversation with Deborah Wilson, Assistant Attorney General, Family Law Section, on August 6, 1987.

As discussed in the telephone conversation, reports and records compiled under the Child Abuse Reporting Law are confidential and not accessible for inspection. ORS 418.770, 192.500(2)(b), (c) and (h). Furthermore, the discretionary sections of ORS 418.770(2) do not apply in this case, as there is no further investigation for child abuse, and the allegations were deemed invalid. It is our opinion that there has not been an abuse of discretion in CSD's decision to maintain the confidentiality of these records. While ORS

418.770 authorizes disclosure of confidential child abuse information in limited cases, the facts of the Quandt case do not fit the disclosure criteria.

Very truly yours,

James E. Mountain Jr

James E. Mountain, Jr.
Special Counsel to the
Attorney General

JEM:DAKW
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