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February 3, 2005

Lemuel Hentz, SID #6750414
Snake River Correctional Institution
777 Stanton Blvd.
Ontario, OR 97914-0595

Re: *Petition for Public Records Disclosure Order:*
Oregon Department of Corrections Records

Dear Mr. Hentz:

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 January 31, 2005, asks the Attorney General to direct the Department of Corrections "to allow Mr. Hentz to have copies of records from Access Catalog Company located at 10880 Lin Page Place St. Louis, Mo 63132." For the reasons that follow, 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. Under ORS 192.450, the Attorney General may order a state agency to disclose public records when the agency has denied any person the right to inspect or receive a copy of the records.

Your petition states that you sent a request for copies of records "directly to Access Catalog Company," and that a Department of Corrections employee told a company representative to not send the requested records to you. The records of Access Catalog Company do not constitute "public records" under ORS 192.410(4).[1] Because

[1] ORS 192.410(4) defines "public record" to include "any writing containing information relating to the conduct of the public's business, including but not limited to court records, mortgages, and deed records,

you are seeking non-public records from a private entity, the Attorney General does not have authority to order the Department of Corrections to disclose the records to you. For this reason, we deny your petition.

Sincerely,

PETER D. SHEPHERD
Deputy Attorney General

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prepared, owned, used or retained by a public body regardless of physical form or characteristics" (emphasis added).