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

January 26, 2005

Charles Sheketoff, Executive Director
Oregon Center for Public Policy
204 N. First, Suite C
P.O. Box 7
Silverton, OR 97381-0007

Re: Petition for Public Records Disclosure Order:
DHS Records

Dear Mr. Sheketoff:

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 19, 2005, asks the Attorney General to order the Department of Human Services (DHS) to provide you with a copy of the materials that DHS sent to the Legislative Fiscal Office (LFO) on Friday, January 14th, in response to the LFO October 2004 request for program priorities.

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. If a state agency denies a request for disclosure of records, the requestor may petition the Attorney General for review of the denial. ORS 192.450. On the other hand, if an agency agrees to disclose the records requested, there is no issue to be decided.

We have been advised by Ms. Becker that DHS intends to comply with your request. Accordingly, we deny your petition as moot.

Sincerely,

PETER D. SHEPHERD
Deputy Attorney General

PDS:lry/AGS15023