ELLEN F. ROSENBLUM
ATTORNEY GENERAL

FREDERICK M. BOSS
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE

Justice Building
1162 Court Street NE
Salem, Oregon 97301-4096
Telephone: (503) 378-4400

July 17, 2015

SENT VIA EMAIL ONLY
votenowus@gmail.com

Eddie V. Garcia
UC Oregon TV Channel
1904 Adams Avenue
La Grande OR 97850

Re: Petition for Public Records Disclosure Order
Child Care Development Services, Inc.
DOJ File No. 581060-GA0103-15

Dear Mr. Garcia:

This letter is the Attorney General's order on your petition for public records disclosure under the Oregon Public Records Law, ORS 192.410, *et seq*. Your petition, which we received on July 2, 2015, asks the Attorney General to order Child Care Development Services, Inc. (CCDS) to provide you with a copy of the records listed below. You agreed to extend the deadline for issuance of this order from July 9 to July 17, 2015, and we appreciate your cooperation in that regard. For the following reasons, we respectfully dismiss your petition as moot.

On June 17, 2015, you requested the following records from CCDS: (1) a copy of any supplemental procedures adopted by CCDS for determining a day care home seriously deficient, (2) a copy of CCDS's administrative review procedures, and (3) a copy of CCDS's outside employment policy. CCDS has not responded to your request. You now ask the Attorney General to order CCDS to provide you with those records.

We have contacted Carolyn Morrison, Executive Director of CCDS, and James Ambrose, an attorney who represents CCDS, in connection with your petition. Ms. Morrison advises us that CCDS has not adopted supplemental procedures for determining a day care home seriously deficient, and therefore CCDS cannot provide you with a record responsive to item (1).

Ms. Morrison further advises us that she provided you with a copy of item (2), CCDS's administrative review procedures, on May 6, 2015. Finally, Mr. Ambrose advises us that CCDS is in the process of providing you with item (3), CCDS's outside employment policy. Because the records you seek either do not exist or have been or will be provided to you, we respectfully dismiss your petition as moot.[1]

Sincerely,

FREDERICK M. BOSS
Deputy Attorney General

LEK:tmt/6652895
cc via email only:
Carolyn Morrison, CCDS
James Ambrose, James F. Ambrose PC

[1] We do not address the issue of whether CCDS is the functional equivalent of a public body subject to the Public Records Law. Even if CCDS is subject to the Public Records Law, CCDS has agreed to provide (or has provided) all the records in its possession that are responsive to your request. For that reason, even if we were to determine that CCDS is the functional equivalent of a public body, we would dismiss your petition as moot.