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 1, 2016

SENT VIA EMAIL ONLY: jryan@oregonian.com

Jim Ryan
The Oregonian
1500 SW 1st Ave, Ste 400
Portland, OR 97201

Re: Petition for Public Records Disclosure Order
Oregon State Police
DOJ File No.: 257001-GA0090-16

Dear Mr. Ryan:

This letter is the Attorney General's order responding to your June 24, 2016, petition for disclosure under the Oregon Public Records Law, ORS 192.410 to 192.505. Your petition asks the Attorney General to order the Oregon State Police (OSP) to provide you with records showing "[t]he names of three passengers killed May 17, 2016, in a wreck involving a vehicle driven by Anita J. Bemrose on U.S. 97 south of Madras."

The Public Records Law confers a right to inspect any public record of a public body in Oregon, subject to certain express exemptions and limitations. *See* ORS 192.420(1). Any person denied the right to inspect or to receive a copy of a public record of a state agency may petition the Attorney General to review the record to determine if it may be withheld. ORS 192.450(1). The Attorney General may order a state agency to disclose records only when the agency has denied a request for records. *See id.*

We have spoken with Captain Bill Fugate at OSP; he told us that OSP is preparing to disclose the requested records to you. Therefore, we respectfully deny your petition as moot.

We recently had another petition from an Oregonian reporter raising almost the same issue. However, OSP understands the personal privacy exemption of ORS 192.502(2) does not generally provide a basis for withholding this information for more than a short time.

Sincerely,

Frederick M. Boss
Deputy Attorney General

FMB:nog/DM7501413
c via email only: Capt. Fugate, OSP