DAVE FROHNMAYER
ATTORNEY GENERAL
STATE OF OREGON

JAMES E. MOUNTAIN, JR.
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE

Justice Building
Salem, Oregon 97310
Telephone: (503) 378-4400

April 26, 1989

Carl Michael Brown #52039
4005 Aumsville Hwy SE
Salem, OR 97310

Re: **Petition for Public Records Disclosure Order; Oregon State Penitentiary Records**

Dear Mr. Brown:

This letter is the Attorney General's order on your April 18, 1989, letter to this office, which we treat as a petition for disclosure of records under the Oregon Public Records Law, ORS 192.410 to 192.505. Your petition, which we received on April 20, appears to allege that Oregon State Penitentiary (OSP) officials, including Superintendent Manfred Maass, have refused to disclose requested documents. You ask that we take appropriate action under the Public Records Law. For the reasons that follow we deny your petition.

In response to your petition, we spoke with several OSP officials. None has any record that you have requested any records since January 30, 1989, the date of the public records order to which you refer in your petition. Absent a request for and denial of public records, we have no authority to order OSP to make documents available for inspection. See ORS 192.450(1).

We understand that on April 18, you were transferred to the Department of Corrections Release Center (DCRC). If you wish to obtain records held at DCRC, you should submit your request to Betty Ruiz, DCRC Records Supervisor.

Very truly yours,

James E. Mountain Jr.

JAMES E. MOUNTAIN, JR.
Deputy Attorney General

JEM:RDW/1335Y
cc: Betty Ruiz, DCRC Records Supervisor