February 18, 1981

Mr. Leslie L. Zaitz
The Oregonian
1320 S.W. Broadway
Portland, Oregon 97201

Dear Mr. Zaitz:

This letter will serve as an order of the Attorney General in response to your petition of February 12, 1981, asking that the Attorney General order the Oregon Government Ethics Commission and its employes to make available for inspection the following records:

"1. Credit report - Richard E. Groener.

"2. Individual financial statement - Richard E. Groener.

"3. Credit check worksheet - Richard E. Groener."

Your petition is denied because the information you have requested is exempt from disclosure under ORS 192.500(2)(b), which provides that:

"The following public records are exempt from disclosure . . . .

". . . .

"(b) Information of a personal nature such as that kept in a personal, medical or similar file, if the public disclosure thereof would constitute an unreasonable invasion of privacy, unless the public interest, by clear and convincing evidence requires disclosure in the particular instance. The party seeking disclosure shall have the burden of showing that public disclosure would not constitute an unreasonable invasion of privacy;

". . . ."

The records you request are of a personal nature; their disclosure would constitute an invasion of privacy. Your request fails to demonstrate, at this particular time, an overriding public interest to support disclosure of pending official investigation or action on records. (The attached details the reasoning supporting this order.)

Sincerely,

DAVE FROHNMAYER
Attorney General

DF:dm
Enclosure
cc: Betty Reynolds, Ethics Commission
(w/ enc.)