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September 1, 1994

Daniel Stotter
Bahr & Stotter Law Office
259 East Fifth St., Suite 200
Eugene, OR 97401

Re: ***Petition for Public Records Disclosure Order***
Oregon Department of Fish and Wildlife

Dear Mr. Stotter:

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 August 25, 1994, asks the Attorney General to direct the Oregon Department of Fish and Wildlife (department) to make available all documents, records or other information pertaining to road kills, poaching or illegal harvest of black bears in Oregon.

Steve Williams, Assistant Chief of the Wildlife Division of the department, informs us that the department now has provided you with a copy of all of its records and statistics related to black bears in Oregon, including annual damage assessment reports, the Black Bear Management Plan and all big game statistics. The bear loss figures reported in these documents are primarily the number of bears legally killed on private land. The reported figures may occasionally include a bear that was killed by some other means (such as poaching or road kill) if a district biologist incidentally discovers such an occurrence. However, neither the department nor the district biologists routinely collect information or compile reports on the number of bears killed illegally or accidentally.

We are assured by Mr. Williams that the department has no other records pertaining to road kills, poaching or illegal harvest of black bears in Oregon. Since the department has complied with your request, we respectfully deny your petition as moot.

Sincerely,

Elizabeth S. Harchenko

ELIZABETH S. HARCHENKO
Special Counsel to the Attorney General

ESH:AV:JA:jpl/JAA01390.W51
cc: Randy Fischer, Director, ODFW
Steve Williams, Assistant Chief, Wildlife Division, ODFW