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

December 9, 1992

Pat Haight
114 E. Hancock Street
Newberg, Oregon 97132

Re: Request for Public Records Disclosure Order
City of Newberg

Dear Mr. Haight:

This letter is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law. We respectfully must deny your petition.

Your petition, which we received on December 7 asks the Attorney General to direct the City of Newberg to produce copies of certain records in its possession.

Under the Public Records Law, the Attorney General has authority to issue a public records order only to ". . . any person denied the right to inspect or to receive a copy of any public record of a state agency. . . ." (Emphasis supplied.) ORS 192.450(1). The City of Newberg is not a state agency. Therefore, under the Public Records Law, it is the Yamhill County District Attorney, not the Attorney General, who has the authority to review the denial of your request for the information in question.

Should the district attorney deny your petition, your recourse is then to file a lawsuit in the Yamhill County Circuit Court.

Yours very truly,

Amy L. Veranth
Opinions Coordinator
General Counsel Division

ALV:cm/jaa0028e
Enclosures
c: (w/incoming correspondence):
The Honorable John T. Mercer
Yamhill County District Attorney
Yamhill County Courthouse
McMinnville, Oregon 97128