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January 25, 1993

Morris Kolbe
SID 5044621
2605 State St.
Salem, OR 97310

Re: Petition for Public Records Disclosure Order: Records of District Attorney of Multnomah County

Dear Mr. Kolbe:

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 January 22, 1993, asks the Attorney General to direct the District Attorney of Multnomah County to make available information regarding your grand jury indictment from October 28, 1988. For the reasons that follow, we deny your petition.

Your petition alleges that the district attorney denied your request for the records. Under the Public Records Law, the district attorney is the official responsible for reviewing public records decisions by local governments. ORS 192.460. Thus, the district attorney is the proper official to whom to direct your petition. If the Multnomah County District Attorney denies your petition, the Attorney General would not review that denial. Public Records Order, January 21, 1988 (Wright) (under ORS 192.480, Attorney General may not order the district attorney, an elected official, to release public records). Rather, ORS 192.480 and 192.490 establish the procedure to obtain judicial review of a district attorney's denial of a records request.

Sincerely,

Amy Veranth
Opinions Coordinator
General Counsel Division

ALV:alv/

c: Michael Schrunk, Multnomah County District Attorney