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July 13, 1993

Douglas P. Larson
SID #769445
E.O.C.I.
2500 Westgate
Pendleton, OR 97801

Re: Petition for Public Records Disclosure Order:
Multnomah County Trial Court Records

Dear Mr. Larson:

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 July 6, 1993, asks the Attorney General to direct the Multnomah County Trial Court Administrator, Douglas M. Bray, to make available the following records:

1. Grand Jury Register for Grand Jury 9 (B), Indictment dated April 8, 1992, for Case #9204-31896,

2. Grand Jury Register for Grand Jury 95 (D), for Case #9201-30131, and

3. Grand Jury Register for Case #88-08-35248.

For the reasons that follow, we respectfully deny your petition.

The Public Records Law confers a right to inspect any public records of a public body in Oregon, subject to certain exemptions and limitations. However, the Attorney General may order a state agency to disclose records only where the agency first has denied a request for public records. ORS 192.450(1).

In this case, the Multnomah County Trial Court Administrator's office received your written request for these records. Your request is one of a large volume of similar requests for grand jury information. Mr. Bray informs us that your request has been put on a list with the other requests (in the order of their receipt) and will be handled as soon as possible, consistent with the necessity to "prevent interference with the regular discharge of duties of the custodian". ORS 192.430(2). The status of your request was acknowledged by letter from Mr. Bray's office on June 29, 1993.

Absent a denial by the Trial Court Administrator, the Attorney General does not have jurisdiction to order disclosure. ORS 192.450. Because the Trial Court Administrator has not denied your request, your petition is premature and is, therefore, denied.

Sincerely,

Amy Vranta for

ELIZABETH S. HARCHENKO
Special Counsel to
the Attorney General

c: Douglas M. Bray
Multnomah County Trial Court Administrator
Multnomah County Courthouse
1021 S.W. Fourth Ave.
Portland, OR 97204

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