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September 13, 1993

Martha T. Spinhirne
Attorney at Law
116 Oak St., #8
Hood River, OR 97031

Re: Request for Public Records Disclosure Order
Hood River County Multi-Disciplinary Team (MDT)

Dear Ms. Spinhirne:

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 September 10, 1993, asks the Attorney General to direct the Hood River County Multi-Disciplinary Team (MDT) 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 records of a state agency . . . ." (Emphasis supplied.) ORS 192.450(1). The MDT is not a state agency. Therefore, under the Public Records Law, it is the Hood River 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 Douglas County.

Sincerely,

Elizabeth S. Harchenko

ELIZABETH S. HARCHENKO
Special Counsel to the Attorney General

ESH:AV:jpl/JAA0028E.W51
cc: The Honorable John T. Sewell, Hood River County District Attorney