THEODORE R. KULONGOSKI
ATTORNEY GENERAL

THOMAS A. BALMER
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
1162 Court Street NE
Justice Building
Salem, Oregon 97310
Telephone: (503) 378-4400
TDD: (503) 378-5938

December 12, 1994

Grant M. Pickrell
6304 N. Delaware Ave.
Portland, OR 97217

Re: *Request for Public Records Disclosure Order*
City of Portland, Bureau of Buildings, Code Enforcement, and its Employees

Dear Mr. Pickrell:

This letter is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law for City of Portland, Bureau of Buildings, Code Enforcement, and its employees. We respectfully must deny your petition.

Your petition, which we received on December 12, 1994, asks the Attorney General to direct the City of Portland, Bureau of Buildings, Code Enforcement, and its employees to produce copies of certain records in their 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 City of Portland, Bureau of Buildings, Code Enforcement, and its employees are not a state agency. Therefore, under the Public Records Law, it is the Multnomah County District Attorney's Office, 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 Multnomah County.

Sincerely,

Elizabeth S. Harchenko

ELIZABETH S. HARCHENKO
Special Counsel to the Attorney General

ESH:AV:jpl/JAA0028E.W51
cc: The Honorable Michael Schrunk
Washington County District Attorney (w/encl)