DAVE FROHNMAYER
ATTORNEY GENERAL
STATE OF OREGON

JAMES E. MOUNTAIN, JR.
DEPUTY ATTORNEY GENERAL

# DEPARTMENT OF JUSTICE

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

August 16, 1990

David Earl Adams
Box 13697-C
3405 Deer Park Dr.
Salem, OR 97310

Re: **Petition for Public Records Disclosure Order; City of Gold Beach Records**

Dear Mr. Adams:

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 August 14, asks the Attorney General to direct the City of Gold Beach Police Department to disclose specified records. The Attorney General lacks authority to do so. Under the Public Records Law, the Attorney General has authority to issue a public records order only where a "person [is] denied the right to inspect or to receive a copy of any public record of a state agency." ORS 192.450(1) (Emphasis added.) The City of Gold Beach Police Department is a public body other than a state agency. Therefore, under the Public Records Law, it is the Curry County District Attorney, not the Attorney General, who has the authority to review that local body's action on your request. You are free to petition the Curry County District Attorney on this matter.

For these reasons, we respectfully deny your petition.

Sincerely,

PAMELA L. ABERNETHY
Special Counsel to the
Attorney General

PLA:RDW/7345G
cc: William Wallace, District Attorney
Curry County Courthouse
450 N. Ellensburg, P.O. Box H
Gold Beach, OR 97444