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December 14, 1992

Keith L. Walker
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Suite E, Hudson Plaza
12900 SW Pacific Highway
Tigard, OR 97223

Re: Request for Public Records Disclosure Order
Baker County Sheriff's Office

Dear Mr. Walker:

This letter is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law. We respectfully deny your petition.

Your petition, which we received on December 11 asks the Attorney General to direct the Baker County Sheriff's Office 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 record of a state agency. . . ." (Emphasis supplied.) ORS 192.450(1). The Baker County Sheriff's Office is not a state agency.

Moreover, where a public record is in the custody of an elected official, a petition may not be filed with the Attorney General. ORS 192.480. In such a case, a person denied the right to receive a copy of the public record may institute proceedings for injunctive or declaratory relief in the appropriate circuit court. Id.

Yours very truly,

Amy L. Veranth
Opinions Coordinator
General Counsel Division

ALV:jpl/jaa0028e
Enclosures