HARDY MYERS
ATTORNEY GENERAL

DAVID SCHUMAN
DEPUTY ATTORNEY GENERAL



DEPARTMENT OF JUSTICE
1162 Court Street NE
Justice Building
Salem, Oregon 97310-0506
Telephone: (503) 378-4400
TDD: (503) 378-5938

18 February, 1997

Paul Stalbert
SID #5116728
Oregon State Penitentiary
2605 State Street
Salem, OR 97310

RE: *Petition for Public Records Disclosure Order: Oregon Youth Authority Records*

Dear Mr. Stalbert:

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 February 10, 1997, asks the Attorney General to direct "Juvenile Corrections" to make available the "juvenile records" of Tony Monfils. For the following reason, we respectfully deny your petition.

There is no state agency called "Juvenile Corrections." Authority to exercise custody and supervision over youth offenders (that is, persons at least 12 years of age and under 18 years of age who have been found to be within the jurisdiction of the juvenile court under ORS 419C.005) is vested in the Oregon Youth Authority (OYA). ORS 419A.004(26), 420A.010.

Your December 21, 1996, request to "Juvenile Corrections" for the "juvenile records" of Tony Monfils was delivered to the MacLaren Youth Correctional Facility, where records of OYA are maintained. In a letter dated January 27, 1997, you were informed by Deena Fulwider, Records Supervisor at MacLaren, that her office was unable to provide the juvenile records of Tony Monfils to you without a signed release from Mr. Monfils. Ms. Fulwider informs us that after sending you that letter, she determined that, in fact, the OYA does not have any records pertaining to Mr. Monfils in its custody.

Because OYA does not have any records pertaining to Tony Monfils, the Attorney General has no authority to order that agency to provide copies of such records to you. *See* ORS 192.430(1), 192.440(1), 192.450(1). Accordingly, we deny your petition.

Sincerely,

Elizabeth S. Harchenko

ELIZABETH S. HARCHENKO
Special Counsel to
the Attorney General

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