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June 5, 1996

Richard J. Sterling, SID #8970821
Eastern Oregon Correctional Institution
2500 Westgate
Pendleton, OR 97801

Re: *Petition for Public Records Disclosure Order - Oregon Department of Corrections Records*

Dear Mr. Sterling:

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 May 22, 1996,[1/] asks the Attorney General to direct the Oregon Department of Corrections (ODOC) to make available to you for inspection or produce copies of the following records:

1. Any and all medical records received from Florida's D.O.C. Lake Butler Medical Reception Center that are in the name of Richard J. Brooks * * * ."

For the reasons that follow, we respectfully deny your petition.

The Public Records Law confers a right to access any public record of a public body in Oregon, subject to certain exemptions and limitations. *See* ORS 192.420. The law requires generally that the custodian of public records furnish proper and reasonable opportunities for inspection and/or copying of the record in the office of the custodian. ORS 192.430. Any person denied the right to inspect or to receive a copy of any public record of a state agency may petition the Attorney General to review the public record to determine if it may be withheld from public inspection. ORS 192.450(1).

[1/] We appreciate your courtesy in extending the time for our issuance of the order in this matter.

Your petition states that you asked to inspect and/or copy the public records listed in your petition above on a number of occasions with various ODOC employees, but that your request was ultimately denied by Catherine Knox, ODOC's Administrator for Health Services.

We have discussed your petition with Ms. Knox. She advises us that since the filing of your petition, ODOC Health Services Division staff have determined that the Florida Department of Corrections has expressly authorized redisclosure of the requested records to others with your written consent. Ms. Knox informs us that because the Florida Department of Corrections has authorized ODOC to redisclose the requested records to you, ODOC Health Services Division staff at EOCI have now provided you with copies of those records.

Because we understand from Ms. Knox that you have now been provided with copies of the requested records, we deny your petition as moot.

Sincerely,

Elizabeth S. Harchenko

ELIZABETH S. HARCHENKO
Special Counsel to the Attorney General

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c: Catherine Knox, Administrator
Health Services, Oregon Department of Corrections

Lynda Bronson, Health Services Manager
Eastern Oregon Correctional Institution