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October 31, 1996

Richard K. Arnold
2480 Woodland Dr.
Coos Bay, OR 97420

Re: ***Petition for Public Records Disclosure Order: Charleston Rural Fire District***

Dear Mr. Arnold:

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

Your petition, which we received on October 31, 1996, requests the Attorney General to order the Charleston Rural Fire District and its employees to make available copies of certain records. 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 Charleston Rural Fire District is not a state agency. Therefore, under the Public Records Law, it is the Coos County District Attorney, not the Attorney General, who has the authority to review your request.

Should the district attorney deny your petition, your recourse is then to file a lawsuit in Coos County.

Sincerely,

Elizabeth S. Harchenko

ELIZABETH S. HARCHENKO
Special Counsel to the Attorney General

ESH:AV:jpl/JAA0028E.W51
c: The Honorable Paul Burgett
Coos County District Attorney (w/encl)