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ATTORNEY GENERAL
STATE OF OREGON

WILLIAM F. GARY
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DEPARTMENT OF JUSTICE

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

December 6, 1988

Marc B. Cohen
Attorney at Law
One North First Street/Suite 450
San Jose, California 95113-5372

Re: Petition for Public Records Disclosure Order: Portland Police Bureau Records

Dear Mr. Cohen:

This letter responds to your November 30, 1988, "appeal" to this office for the following records:

> "1. All medical records pertaining to RONALD KINGSFORD.
>
> "2. Any disability requests designated by or for RONALD KINGSFORD."

You state that records of this description may be in the possession of the "City of Portland, Oregon Bureau of Police," and that Gary L. Schrader, Captain, Personnel Division of the City of Portland, Oregon, denied your request for copies of those records. For the reasons that follow, the Attorney General lacks authority to order the Portland Police Bureau to disclose the requested records.

Oregon's Public Records Law, ORS 192.410 to 192.505, authorizes the Attorney General to review the denial of the right to inspect or to receive a copy of any public record of a state agency. ORS 192.450. The Portland Police Bureau, however, is an agency of the City of Portland, not of the State of Oregon. Accordingly, it is the Multnomah County District

Attorney, not the Attorney General, who has authority to review the Portland Police Bureau's denial of your request for records. ORS 192.460. You are free, of course, to submit your petition under ORS 192.470 to the district attorney.

Sincerely,

JAMES E. MOUNTAIN, JR.
Special Counsel to the
Attorney General

JEM:cm
cc: The Honorable Michael D. Schrunk, Multnomah County District Attorney (with incoming correspondence)
Room 600, Multnomah County Courthouse
1021 SW Fourth Avenue
Portland, Oregon 97204

Gary L. Schrader, Captain, Personnel Division, Bureau of Police, City of Portland
1111 SW Second Avenue
Portland, Oregon 97204

Richard Wasserman, Assistant Attorney General
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