February 26, 1981

Mr. Steven M. Johnson
1786 Columbia Street
Eugene, Oregon 97401

Re: Petition to Inspect Public Records

Dear Mr. Johnson:

This letter will serve as an order of the Attorney General in response to your petition received by this office on February 19, 1981, requesting that the Attorney General order the Oregon Health Division and its employes to make available for inspection or to produce a copy of certain records.

Your petition states that the request was made in a phone conversation. Although ORS ch 192 is silent as to the method a request or demand for inspection of public records must be made, we believe a telephone call will not suffice. A letter specifying the precise material or contact with the proper persons at the agency will eliminate charges of misunderstanding. We believe this procedure should be followed to avoid unnecessary disputes and argument. More precisely what public record, if any were demanded, and what public record, if any, were refused. Further, all concerned are entitled to know with more specificity than through a mere telephone call to an agency person who may or may not have authority to grant or deny inspection or reproduction of a public record.

Therefore, your petition is denied.

However, the Health Division has informed this office that some of the material which they believe you have requested is available for inspection or reproduction. It is suggested that you write a letter to the Health Division requesting the specific material, or make personal contact with their office.

Sincerely,

Clarence Krueger
Assistant Attorney General
and Counsel

CRK/dm
cc: Marshall W. Parrott, Sc.D