THEODORE R. KULONGOSKI
ATTORNEY GENERAL

THOMAS A. BALMER
DEPUTY ATTORNEY GENERAL

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

September 8, 1995

Li Fellers
ABC News
147 Columbus Avenue
New York, NY 10023

Re: ***Petition for Public Records Disclosure Order: Mental Health and Developmental Disability Services Division Records***

Dear Ms. Fellers:

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 September 1, 1995, asks the Attorney General to direct the Mental Health and Developmental Disability Services Division (Division) to make available "abuse investigation reports prior to March 4, 1994." As a result of your telephone conversation with David Elott on September 7, 1995, we understand your request to encompass certain abuse investigation reports prepared before March 4, 1994, excluding medical records information made confidential by ORS 179.505 and the names of abuse victims, reporters and witnesses and the photographs of abuse victims made confidential by ORS 430.763. For the reason that follows, we respectfully deny your petition.

Eva Kutas, Manager of the Office of Client Rights of the Division, informs us that she is in the process of removing the confidential information

from the records and will furnish the reports to you as soon as reasonably possible. Therefore, your petition to order disclosure of the records is moot. Accordingly, we deny your petition.

Sincerely,

Elizabeth S. Harchenko

ELIZABETH S. HARCHENKO
Special Counsel to the
Attorney General

ESH:DJE:aml/DJE0101.LET
c: Eva Kutas, Manager
Office of Client Rights
Mental Health & Developmental
Disability Services Division
2575 Bittern St NE
Salem, OR 97310