



MICHAEL D. SCHRUNK, District Attorney for Multnomah County

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July 25, 1996

Dianna J. Roberts, Director
R.O.A. Providers Association
2320 NE 165th Dr.
Portland, Or 97230

Frank Hudson, Esq.
Deputy City Attorney
City Hall
1220 SW Fifth Ave. Room 315
Portland, OR 97204

Re: Petition of Dianna J. Roberts for R.O.A. Providers Association
Dated June 27, 1996
To disclose certain records of the
Portland/Multnomah Commission on Aging (PMCOA)

Dear Ms. Roberts and Counselor Hudson:

On this public records petition, ORS 192.410 et. seq., petitioner Dianna J. Roberts asks the District Attorney to order the Portland/Multnomah Commission on Aging to disclose the home addresses of the members of its Board of Directors, numbering about 31 at full complement, presently numbering about 26. PMCOA is a joint agency of the City of Portland and of Multnomah County, jointly funded, with an office at 1120 SW Fifth Avenue. Pursuant to the intergovernmental agreement which created it in 1968, PMCOA acts as a consumer advocate advisory group advising city and county policy makers and acting as advocates for the needs of elderly and disabled individuals throughout Multnomah County.

The Commission, by exemption claim letter dated July 5, 1996 from Deputy City Attorney Frank Hudson, claims that these home addresses should not be disclosed to this petitioner, invoking the public records law exemptions for "personal information," ORS 192.502 (2), and the "personal safety exemption" (applicable to home addresses and

telephone numbers), ORS 192.445. Among other things, the city has pointed out that petitioner Roberts is currently involved in active proceedings contesting the revocation of her license to operate an adult care home in Multnomah County.

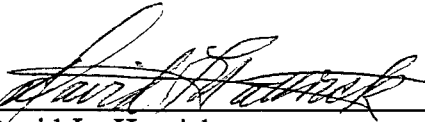
Although not necessarily agreeing with everything asserted in Deputy City Attorney Hudson's exemption claim letter dated July 5, 1996, we do think an invasion of privacy issue exists here, ORS 192.502 (2), and that no countervailing public interest in disclosure has been established. The City's submission shows that the Board may be contacted by mail addressed to its Chair at its office address, 1120 SW Fifth Avenue, Portland, OR 97204. From thence, any communication relevant to the business of the Board can be distributed to it through the Chair.

ORDER

For the reasons explained, it is now ordered that: The petition of Dianna J. Roberts dated June 27, 1996 is denied.¹

Very truly yours

MICHAEL D. SCHRUNK
District Attorney
Multnomah County, Oregon

By 
David L. Hatrick
Senior Deputy District Attorney

DH:ns

96-07

¹ Of course, petitioner has the right to judicial review of this disclosure issue in the Circuit Court, ORS 192.465, 192.490. Given our denial of the petition, the other issue which petitioner raises concerning the propriety of the \$200 pre-paid fee which the Commission staff says would be required if copies of the addresses were to be provided, now becomes moot. However, for the Commission's future reference this office strongly suspects that a \$200 fee for producing merely a couple of dozen addresses must be based upon including elements of cost not properly chargeable to a public records petitioner. See, Attorney General's Public Records and Meetings Manual (1995), at p.10.