

OFFICE OF THE SECRETARY OF STATE

BARBARA ROBERTS
SECRETARY OF STATE



ARCHIVES DIVISION
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25 August 1987

AUG 27 1987
Governor Atiyeh

Hon. Victor Atiyeh
7690 S.W. Fairmoor
Portland, Oregon 97225

Dear Governor Atiyeh:

This letter is a follow-up to our telephone conversation of August 21. You indicated that you no longer believe that it is necessary to restrict access to the constituent mail which is part of the records the Archives holds from your terms as Governor.

With your consent we will now make these records available to researchers under the same rules and policies that govern the use of other records in the Archives.

I am enclosing a copy of the letter your Executive Assistant sent to the Secretary of State with your original request for this restriction. If upon reviewing this correspondence you have any questions, please feel free to call me. Thank you for your cooperation in this matter.

Sincerely,

Layne G. Sawyer
Deputy State Archivist

LGS:ph

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OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM, OREGON 97310

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June 26, 1985

The Honorable Barbara Roberts
Secretary of State
State Capitol
Salem, Oregon 97310

Dear Mrs. Roberts,

It has been brought to the attention of this office that various individuals are seeking access to files of this office which have been transferred to the State Archives.

The Governor has instructed me to assert his executive privilege with respect to letters from private citizens, and his responses to these private citizens so far as such responses identify the recipient by name and address.

This privilege is asserted under ORS 192.500 (2)(c), which exempts from disclosure "information submitted to a public body in confidence and not otherwise required by law to be submitted, where such information should reasonably be considered confidential, the public body has obliged itself in good faith not to disclose the information, and when the public interest would suffer by the disclosure."

This correspondence, which might be described as "constituent mail," was not required by law to be submitted to the Governor. He believes the opinions of citizens expressed to their chief executive ought reasonably to be considered confidential. He has obliged himself in good faith not to disclose this information. Additionally, the public interest would suffer by the disclosure because it would have a chilling effect on citizens who wish to write the governor and express their views on public issues, without having their neighbors and the world at large share the views they are expressing. It would deny the chief executive an invaluable means of understanding the views of those who cannot, for one reason or another, meet with him personally.

Hon. Barbara Roberts
June 26, 1985
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The Governor is firmly of the position that he would make this "constituent mail" available for inspection only upon the order of a court. However, he is confident the courts will concur with his interpretation of the statute cited above, and his estimation of the importance of maintaining the right of citizens to express grievances, concerns and opinions privately to their chief executive.

Sincerely,

A handwritten signature in cursive script that reads "Gerry Thompson". The signature is written in dark ink and is positioned above the typed name.

Gerry Thompson
Executive Assistant
to the Governor