



DEPARTMENT OF JUSTICE

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

October 18, 1984

The Honorable Dell Isham
State Senator
3231 W. Devils Lake Road
Lincoln City, Oregon 97367

Dear Senator Isham:

Thank you for your letter of October 11, 1984, regarding the state's potential role in protecting the rights and interests of the homeless participating in the "Share-A-Home" program sponsored by the Rajneesh Humanity Trust.

As you may have expected, our office has been monitoring the program and conducting extensive research relative to the state's powers and duties. Legally and morally, responsibility for the plight of the homeless and for the added burden they may impose on state and local government in Oregon rests squarely with the Rajneesh Humanity Trust. I assure you that we will take all necessary and appropriate legal action to ensure that the state's interests are protected.

As to your specific suggestion that the state initiate breach of contract actions on behalf of the homeless, the Department of Justice Act specifically prevents us from undertaking such legal proceedings on behalf of individuals. Absent specific legislative authorization, we have no power to initiate the actions which you suggest.

Sincerely,

WILLIAM F. GARY
Deputy Attorney General

WFG/js

bcc: ✓Gerry Thompson
Marla Rae