

January 25, 1974

OPINION LETTER NO. 95  
Answer by Letter - Klaffenbach

Harold P. Robb, M.D., Director  
Division of Mental Health  
Post Office Box 687  
Jefferson City, Missouri 65101



Dear Dr. Robb:

In answer to your request for an opinion concerning whether an Equal Employment Opportunity Commission investigator has the authority to make a random sampling review of personnel files of the Division of Mental Health, we note that the question involves specific cases being investigated by the Commission. We therefore are of the view that we must adhere to our rule and not render an opinion on a matter actually in controversy.

We will be pleased to review the matter with Mr. Ashby. We are enclosing a copy of this letter to Mr. Ashby, as well as a copy of a letter and attachments received from the district counsel for the Commission.

Very truly yours,

JOHN C. DANFORTH  
Attorney General

cc: Mr. Richard C. Ashby  
General Counsel  
Division of Mental Health