



**MICHAEL D. SCHRUNK**, District Attorney for Multnomah County

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August 06, 2002

Robin Franzen  
Staff Reporter, The Oregonian  
1320 SW Broadway  
Portland OR 97201

Debra Haugen  
Manager, Records Division  
Portland Police Bureau  
1111 SW 2d Ave  
Portland, OR 97201

Re: Public records petition received August 2, 2002


Dear Ms. Franzen and Ms. Haugen:

On August 2, 2002 Oregonian staff reporter Robin Franzen submitted a petition for this office to make a determination, pursuant to the statutory authority of the Oregon Public Records Laws, ORS 192.401, et seq., on the release of public records maintained by the Portland Police Bureau, a public agency. Ms. Franzen's request for a 2001 Portland Police Bureau report (01-75745) had been denied on July 25, 2002 by PPB Records Division Manager Debra Haugen.

ORS 192.501(3) conditionally exempts from disclosure criminal investigatory material when "there is a clear need to delay disclosure in the course of a specific investigation." The report requested by Ms. Franzen concerns background information which our office intends to use in the felony prosecution of a domestic violence case involving a Portland police officer. The investigating detective believes that release of the reports could affect the ongoing investigation in the case. It is the determination of this office that the premature release of that information might jeopardize that investigation and prosecution of the case.

Under the circumstances described above our office has determined, and so orders, that the exemption of 191.501(3) applies to the documents requested. At the conclusion of the criminal investigations and prosecutions we believe that the public interest would favor the release of these reports.

Very truly yours,

  
MICHAEL D. SCHRUNK  
District Attorney  
Multnomah County, Oregon