



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

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June 25, 2009

Diane Lane  
Lane Investigations  
4803 SE Woodstock Blvd. #118  
Portland, OR 97206

Sandi Buhemaster-Jelinski  
Portland Police Bureau  
Records Division  
1111 SW 2<sup>nd</sup> Ave Rm 1126  
Portland, OR 97204

Re: Petition of Diane Lane, received May 26, 2009 to disclose certain records of the Portland Police Bureau.

Dear Ms. Lane and Ms. Buhemaster-Jelinski:

On this public records petition, ORS 192.410 et. seq., petitioner Diane Lane requests the District Attorney to order the Portland Police Bureau to disclose an unredacted version of the following record:

**1. PPB police report #08-108857.**

Petitioner made her request on April 1, 2009 and specifically asked in wiring that the dates of birth and addresses not be redacted. On April 30, 2009, petitioner received the one-page report with a redacted date of birth. There was no explanation attached to the report claiming an exemption from disclosure.

I have had communications with the City Attorney's Office asking for clarification of the Police Bureau's action. Apparently, Records Division personnel have sought to apply the Personal Privacy Information Exemption, ORS 192.502(2), in consistently redacting certain "personal" information. It would appear that Records Division personnel are substituting their own judgment of what information is appropriate for the general public to receive for that of the individuals themselves.

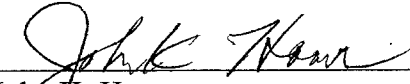
On March 24, 2009, the District Attorney issued Public Records Order 09-02 rejecting such a blanket non-disclosure policy as unenforceable under the Public Records Law. Nothing has changed.

ORDER

Accordingly, it is ordered that the City of Portland promptly disclose an unredacted copy of the record sought in the above petition. Disclosure of the document ordered is subject to payment of the City of Portland's fee, if any, not exceeding the actual cost in making the information available, consistent with ORS 192.440.

Very truly yours,

MICHAEL D. SCHRUNK  
District Attorney  
Multnomah County, Oregon

By:   
John K. Hoover  
Deputy District Attorney

c.c. Deputy City Attorney David Woboril

NOTICE TO PUBLIC AGENCY

Pursuant to ORS 192.450(2), 192.460 and 192.490(3) your agency may become liable to pay petitioner's attorney fees in any court action arising from this public records petition (regardless whether petitioner prevails on the merits of disclosure in court) if you do not comply with this order and also fail to issue within 7 days formal notice of your intent to initiate court action to contest this order, or fail to file such a court action within 7 additional days thereafter.