



MICHAEL D. SCHRUNK, District Attorney for Multnomah County

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June 25, 2009

Damon Woodcock
Woodcock Investigations
4803 SE Woodstock Blvd. #107
Portland, OR 97206

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

Re: Petition of Damon Woodcock, received June 15, 2009 to disclose certain records of the Portland Police Bureau.

Dear Mr. Woodcock and Ms. Buhemaster-Jelinski:

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

1. PPB Case #03-46965.

Petitioner made his request on May 11, specifically asking for all dates of birth and phone numbers. On June 9, 2009, petitioner received a copy of the report with all dates of birth and phone numbers redacted. 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.

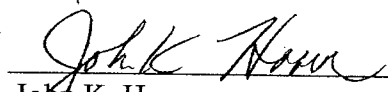
Page 2
June 25, 2009
Petition of Damon Woodcock

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.

09-06