



ROD UNDERHILL, District Attorney for Multnomah County

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March 22, 2018

Lars Larson
Alpha Media
1211 S.W. Fifth Avenue, Suite 750
Portland, Oregon 97204

David Blankfeld
Assistant County Attorney
Multnomah County Attorney's Office
501 S.E. Hawthorne, Suite 500
Portland, Oregon 97214

Re: Petition of Lars Larson seeking the identity of a youth arrested by the Portland Police Bureau

Dear Mr. Larson and Mr. Blankfeld:

In his public records petition, dated March 20, 2018, petitioner Lars Larson asks this office to order the Multnomah County Juvenile Department to release the name of a student arrested for possessing a firearm at Franklin High School. Petitioner first sought the name from the Portland Police Bureau, which denied his request.¹ Petitioner then asked the Juvenile Department for the youth's identity. The Juvenile Department acknowledges that ORS 419A.255(7) permits it to release the youth's identity, however it asserts that there is a clear need at this time to delay the release of his name to protect the integrity of the ongoing investigation into this youth's conduct.

For the reasons discussed below, we agree with the Juvenile Department and deny the petition.

DISCUSSION

A. Juvenile Court Offender Information – ORS 419A.255

ORS 419A.255 provides in relevant part:

(6) Notwithstanding any other provision of law, and subject to subsection (8) of this section, the following are not confidential and not exempt from disclosure: (a) The name and date of birth of the youth or youth offender [...]

(7) Notwithstanding any other provision of law, and subject to subsection (8) of this section, when a youth has been taken into custody under ORS 419C.080, the

¹ See, *Petition of Larson*, MCDA PRO 18-10 (March 22, 2018)

following information shall be disclosed unless, and only for so long as, there is a clear need to delay disclosure in the course of a specific investigation, including the need to protect the complaining party or the victim: (a) The youth's name and age and whether the youth is employed or in school [...]

(8) Except as provided in ORS 419A.300 and unless otherwise directed by the court, only the juvenile court, the county juvenile department and the Oregon Youth Authority may disclose the information under subsections (6) and (7) of this section if the information is subject to disclosure.

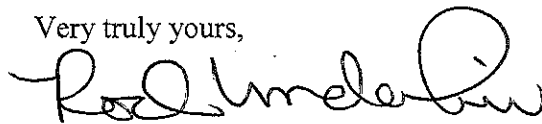
The Juvenile Code provides that, despite the otherwise strict confidentiality rules surrounding juvenile court proceedings, basic information about delinquent conduct by a youth is subject to public disclosure. As relevant here, that information includes "the youth's name and age." ORS 419A.255 (7).

However, ORS 419A.255(7) also provides that this disclosure may be delayed if "there is a clear need to delay disclosure in the course of a specific investigation."² The deputy district attorney managing this investigation and prosecution has outlined for us the particular investigative steps that are ongoing and we agree that premature release of this youth's identity could impair that process. We are not able in a public order to disclose or discuss the factual underpinnings of this determination in further detail.

ORDER

Accordingly, the petition is denied at this time.

Very truly yours,



ROD UNDERHILL
District Attorney
Multnomah County, Oregon

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² This same language is found in ORS 192.345(3), also cited by petitioner. Our analysis is the same under either section.