



MIKE SCHMIDT, District Attorney for Multnomah County

1200 SW First Ave, Suite 5200 • Portland, Oregon 97204 • 503 988-3162 • FAX 503 988-3643
www.mcda.us

March 16, 2021

Dan Handelman
Portland Copwatch
P.O. Box 42456
Portland, Oregon 97242

Re: Petition of Dan Handelman seeking an unredacted roster of Portland Police Bureau officers

Dear Mr. Handelman:

This letter is in response to a public records petition you filed with this office on March 15, 2021. The petitioner related to a public records request you had made of the Portland Police Bureau (PPB) for a roster of all current employees. PPB partially fulfilled your request, but redacted all information about officers in, or who have recently been in, undercover assignments.

You point out that PPB has provided much of this information in response to similar requests in past years. Whatever the policy merits of the underlying law, PPB's current interpretation of ORS 181A.825(2) is sound. With qualifications not relevant to this petition, ORS 181A.825(2) provides that:

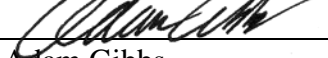
a law enforcement agency may not disclose information about an employee of the agency while the employee is assigned duties the agency considers undercover investigative duties and for a period of six months after the conclusion of those duties.

The statute is clearly worded, and prohibits PPB from releasing any information about officers meeting this description. The redacted portions are indisputably "information" about the officers in question. See, *Petition of Bernstein*, MCDA PRO 20-46 (2020) (finding names and salaries of police officers were within the scope of ORS 181A.825(2)).

Accordingly, I must deny your petition.

Regards,

MIKE SCHMIDT
District Attorney
Multnomah County, Oregon

By: 
Adam Gibbs
Senior Deputy District Attorney

Cc: Jenifer Johnston, City of Portland