



**MIKE SCHMIDT**, District Attorney for Multnomah County

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May 20, 2022

VIA EMAIL ONLY

Philip Brazina  
BrazinaP@TriMet.org

Re: Petition of Philip Brazina seeking additional information about promotion test results from TriMet

Dear Mr. Brazina:

You appealed to the district attorney after TriMet declined to provide you with additional information relating to the test results from the dispatcher promotional process. Specifically, you asked TriMet for “the name of the person who scored 45/50 Criteria Cognitive Aptitude Test.”

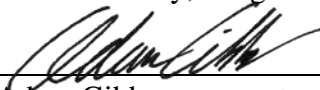
In your previous appeal to this office although the district attorney required TriMet to release to you the underlying test scores, which it did, the district attorney wrote “the names of the other applicants for this position may be redacted pursuant to ORS 192.355(2).” *Petition of Brazina*, MCDA PRO 22-12 (April 18, 2022). Your current appeal presents a question that this office has already answered, so I must reach the same conclusion.

In the second portion of the underlying request you asked TriMet: “I would like to know if there were any special accommodations for that person.” Public bodies are not required by the public records law to answer questions posed to them. They may choose to do so if they wish, but the district attorney lacks any authority under the public records law to order them to answer a question. *Petition of Cashman*, MCDA PRO 19-17 (2019) (“[T]he public records law requires only that public bodies produce existing records. It does not require that they answer questions about their processes or reduce to writing information that is, or may be, known to city officials.”)

Accordingly, the petition is denied.

Regards,

MIKE SCHMIDT  
District Attorney  
Multnomah County, Oregon

By:   
Adam Gibbs  
Sr. Deputy District Attorney

Cc: Erik Van Hagen, TriMet

22-21