



MIKE SCHMIDT, District Attorney for Multnomah County

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April 8, 2023

VIA EMAIL ONLY

Patrick Cashman
pcashman20@gmail.com

Re: Petition of Patrick Cashman seeking minutes of a Hillsdale Neighborhood Association meeting from the City of Portland's Bureau of Civic Life

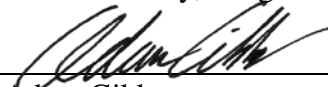
Dear Mr. Cashman:

On April 6, 2023 you made a public records request to the City of for “the minutes, draft or approved, from the last six meetings of the Hillsdale Neighborhood Association board or general membership. The minutes are not posted on the Hillsdale Neighborhood Association page at <https://pdxhna.org/calendar/#meetings> or on the Google drive that page points to (and we the public pay for!)” The City responded on April 7, 2023 that it was not the custodian of any records responsive to your request. You petitioned this office the same day for an order compelling the City to provide you with records responsive to your request.

If a public body is not the custodian of a responsive record, its obligations under the public records law are satisfied once it provides a written statement to that effect. ATTORNEY GENERAL’S PUBLIC RECORDS MANUAL (2019) at 14; ORS 192.329(2)(d). The City of Portland has done so in this instance. The Hillsdale Neighborhood Association is not a part of the City of Portland nor, as the district attorney has previously determined, are local neighborhood associations “public bodies” subject to the public records law.¹ *Petition of Kerensa*, MCDA PRO 18-05 (2018). Accordingly, your petition is denied.

Regards,

MIKE SCHMIDT
District Attorney
Multnomah County, Oregon

By: 
Adam Gibbs
Sr. Deputy District Attorney

Cc: Trevor Byrd, Deputy City Attorney
Tony Garcia, Chief Deputy City Attorney

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¹ You correctly note that as part of the requirements to maintain official recognition a neighborhood association, such as the MNA, is required by the City to make certain of its records available for public inspection. However the remedy, if any, for it failing to do so does not lie in the public records law, which applies only to “public bodies.”