



Nathan Vasquez, Multnomah County District Attorney

1200 SW 1st Avenue, Suite 5200, Portland, OR 97204-1193
P: (503) 988-3162 | F: (503) 988-3643 | www.mcda.us

August 29, 2025

via email only

Yaiza Rivera
foia@defensora.com

Re: Petition of Yaiza Rivera seeking a police report from the Portland Police Bureau

Dear Ms. Rivera,

In August 2024 you submitted a public records request to the Portland Police Bureau (PPB) on behalf of a client seeking the police reports from a 2011 assault case. PPB denied your request, citing ORS 192.398(2), which exempts from disclosure records sealed by court order, as it incorporates ORS 137.225. A year later you petitioned the district attorney, as allowed by ORS 192.422, for an order requiring PPB to release the record.

ORS 192.398(2) provides that “[t]he following public records are exempt from disclosure [...] Records less than 75 years old which were sealed in compliance with statute or by court order. Such records may be disclosed upon order of a court of competent jurisdiction or as otherwise provided by law.”

As required by ORS 192.422(2) PPB has made the report available for my review along with the court order controlling its use of that record. From my review it is apparent that the report is both “sealed ... by court order” and “less than 75 years old.” ORS 192.398(2) does not permit either PPB or this office to evaluate the strength of your client’s need for the record. The rule of exemption is absolute absent an “order of a court of competent jurisdiction.”¹ In this case that would be the Multnomah County Circuit Court.

PPB has no authority to release the requested record due to the prior court order. I lack the authority under ORS 192.415 to override that court order. Accordingly, your petition is denied.

Regards,

NATHAN VASQUEZ
District Attorney
Multnomah County, Oregon

By: 

Adam Gibbs
General Counsel

Cc: Trevor Byrd, City of Portland

25-52

¹ ORS 137.225 does not “otherwise provide[.]” for release of sealed records without a court order.