



Nathan Vasquez, Multnomah County District Attorney

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June 2, 2026

via email only

John DiLorenzo
Davis Wright Tremaine LLP
johndilorenzo@dwt.com

Jonathan P. Strauhull
Assistant County Attorney
jonathan.strauhull@multco.us

Re: Petition of John DiLorenzo challenging the timeliness of Multnomah County's response to a public records request and seeking a fee waiver

Dear Mr. DiLorenzo and Mr. Strauhull:

On April 29, 2026, John DiLorenzo, Jr. submitted a public records request to Multnomah County for records of the Department of Community Justice, “evidencing the provision of financial assistance upon release to persons in custody in the form of cash, debit cards, gift cards, or other means from July 1, 2020 to the present.” The County acknowledged receipt the same day.

On May 5, 2026, the County responded seeking clarification under ORS 192.329(4)(a) regarding time frames, keywords, and specific types of records sought. Between then and May 13, the parties exchanged communications regarding the scope of the request. On May 13, the parties agreed on an amended scope of the request, and Mr. DiLorenzo requested an invoice for the fee estimate that the County had issued May 11. The County confirmed receipt of payment of that invoice on May 27, 2026.

However, the day prior to receiving that payment, the County separately informed Mr. DiLorenzo that its response would be delayed because of limited staff availability, and stated that it could not provide a date of completion. The next day (the same day the check arrived), Mr. DiLorenzo, taking issue with the amorphous statement of delay, petitioned this office under ORS 192.407, alleging that more than 15 business days had elapsed since the request and seeking an order directing the County to apprise its officials of their responsibilities and to waive any fees on account of “inattention to this matter.”

For the reasons below, I deny the petition.

DISCUSSION

A. Undue Delay – ORS 192.329

ORS 192.329(5) requires a public body to complete its response to a public records request no later than 15 business days after the date the public body is required to acknowledge receipt of the request, or as soon as practicable and without unreasonable delay. ORS 192.329(4) suspends that obligation while a request for clarification is outstanding; ORS 192.329(3) likewise suspends the response time between issuance of a fee estimate and payment of the fee estimate. The clock resumes when the requester provides the clarification or pays the fee. The timeline of this request stands as follows:

Bus. Day	Date	Event
0	Wed, Apr 29	Request received
4	Tue, May 5	Clarification requested; clarification toll begins
-	Mon, May 11	Fee estimate issued; fee toll begins
-	Tue, May 12	Tolled
-	Wed, May 13	Clarification resolved (fee toll continues)
-	Tue, May 26	Message reporting delay without estimated completion date
-	Wed, May 27	Petition filed
5	Wed, May 27	Payment received; fee tolling ends
9	Tue, Jun 2	Order issued
12	<i>Fri, Jun 5</i>	<i>County's projected production date</i>
15	<i>Wed, Jun 10</i>	<i>ORS 192.329(5) time limit</i>

Dropping out the time statutorily tolled due to clarifying the scope and terms of the search and the time tolled while the fee estimate was unpaid, nine business days have elapsed between April 29, 2026 and today.

Mr. DiLorenzo's chief grievance is the County's May 26 communication, which he characterizes as conveying that the County is "too busy" to respond. That message stated in relevant part:

Multnomah County requires additional time to respond to your request due to the volume of public records requests that we are processing, the unavailability of necessary staff, or the likely impairment to necessary County services that could result if resources needed to perform those services are retasked with responding to your request. We will complete our response to your request as soon as practicable and without unreasonable delay. Unfortunately I am unable to give you a date of completion. Once I have more information, I will let you know, along with an updated estimate.

Standing alone, that statement would not satisfy the requirement of a written response within 15 business days. ORS 192.329(5)(b) permits a public body that cannot fully complete its response within 15 business days to instead issue a written statement that it is still processing the request. However, such a statement must include an estimated completion date, which this does

not. A statement that the response will be late, without any estimated completion date, does not discharge the public body's obligation to respond within 15 business days.¹

However, any deficiency in the May 26 message is not, presently, grounds for relief. The County has not exceeded the response window in ORS 192.329(5). Nor do I see a basis on this record to find "unreasonable delay" under the more amorphous standard set out in ORS 192.329(1).²

B. Sanctions – ORS 192.407(3)

Because the County has not exceeded the time the statute allows, there is no statutory delay against which to assess Mr. DiLorenzo's punitive fee-waiver request. The remedies in ORS 192.407(3) are only available if I find undue delay and grant a petition. I cannot make that finding on this record for the reasons stated above, and thus am without authority to impose sanctions.

ORDER

Accordingly, the petition is denied.

Regards,

NATHAN VASQUEZ
District Attorney
Multnomah County, Oregon

By: 

Adam Gibbs
General Counsel

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¹ Because the issue is not ripe in this petition, and I have been presented with no argument or records to support it, I do not evaluate whether the requirements of ORS 192.329(6)(a) are met.

² "[W]e are aware of no published opinion from this office or the Attorney General finding that a period of less than 10 business days for a response violated this section under any circumstances. Indeed, the general consensus surrounding 'without unreasonable delay' appears to be in the one- to two-month range depending on the context of a particular request." *Petition of Wright*, 22-88 (2022) (emphasis in original; collecting cases).