



**MICHAEL D. SCHRUNK**, District Attorney for Multnomah County  
600 County Courthouse • Portland, Oregon 97204 • (503) 988-3162 • FAX (503) 988-3643

August 8, 2005

Melvin Oden-Orr  
Portland Development Commission  
222 NW 5th Ave  
Portland OR 97209

Re: Petition of Christopher Frankonis - Portland Communique, August 8, 2005 to disclose certain records of the Portland Development Commission.

Dear Mr. Oden-Orr:

PLEASE TAKE NOTICE that this office has received the attached petition for disclosure of certain public records of your agency pursuant to INSPECTION OF PUBLIC RECORDS, ORS 192.410 et seq.

Please review the attached District Attorney Policy Manual statement on "Public Records Requests." Pursuant to this policy, this office intends to issue a decision by **August 17, 2005**. If your agency claims that the requested records are exempt from disclosure in whole or in part, you must state the basis of your exemption claim by fax, letter, telephone call or personal interview with a representative of your agency as soon as possible and no later than 4 business days from the date of this letter. If you fail to respond timely a DEFAULT ORDER OF DISCLOSURE may issue.

Pursuant to ORS 192.460, 192.470(2), it is our duty to inspect the requested records in order to determine whether disclosure is required by law. We hereby request that you transmit copies of all of the records described in the attached petition upon receipt of this letter, or provide forthwith a succinct summary of the nature and substance of the records. You may be assured that no records or information concerning their contents will be released to the petitioner by this office. Our use of the material provided to us is solely for the purpose of the statutory review required by Oregon Revised Statutes, Chapter 192. In light of the applicable statutory deadline, failure to promptly provide copies of the requested documents (or summary statement) also may be treated as ground for a DEFAULT ORDER OF DISCLOSURE.<sup>1</sup>

In the unanticipated event that the District Attorney grants any extension of time for a more thorough analysis of the disclosure issue (only done with the express written consent of the petitioner), you will be notified of that fact -- but you should presume that no extension of time will occur.

If you desire to discuss the procedures we will follow in processing this petition, or if you have any other question, please do not hesitate to contact me.

Very truly yours,

MICHAEL D. SCHRUNK  
District Attorney  
Multnomah County, Oregon

By   
John K. Hoover  
Deputy District Attorney

cc: Petitioner  
Attachments: Excerpt, D.A. Policy Manual  
Copy of Petition

<sup>1</sup> For ORS 192.450(1), 192.460, this office should act upon this petition within seven business days; and the burden is upon the records custodian agency to sustain any denial of disclosure, ORS 192.450(1), 192.490(1). (Either party may thereafter take the disclosure issue to the Circuit Court for judicial review, ORS 192.450(2), 192.460, 192.465, 192.490).