# **City of Portland Uniform Public Records Request Form**

# Requesting Records from the City of Portland Frequently Asked Questions

## 1. Q: What is a public record?

A: According to ORS 192.410(4) and the policy statement in ORS 192.420, a public record includes:

Any writing that contains information relating to the conduct of the public's business...used or retained by a public body regardless of physical form or characteristics.

It is important to note that the Public Records Law does not require the City to create a public record where none exists. This is especially true when it comes to data found in computer systems.

#### 2. Q: Why do I need to fill out this form?

A: To streamline the public records request process, the City of Portland has created a standard form. Using this form will guide your request and make sure City bureaus receive your contact information and a clear, written request.

In some cases, an office may choose to have you use a more specific form that is suitable to their internal processes; or, if you have a straightforward request, an office may forgo requiring a form.

### 3. Q: How much will a public records request cost?

A: The cost of your request is dependent upon several factors: the types of records you are requesting, the complexity of your request, and the amount of research/staff time required to procure the information. Costs could range anywhere from no charge for a single page document up to thousands of dollars for an extensive network email search. Please see the City of Portland's *Standard Fees For Public Records Requests* for a list of common charges. If fees are expected to exceed \$25.00, you will be given a cost estimate soon after you make your request.

# 4. Q: Why do I have to pay a fee?

A: The Public Records Law expressly authorizes public agencies like the City to establish reasonable fees to be reimbursed for the actual costs of making the records available. Actual costs include paper or other media and mailing expenses, as well as time spent locating, reviewing, redacting, copying, and supervising a person's inspection

Public Records Requests – FAQ Rev. 12/11/2007 of original records in order to protect them. Actual costs also may include time spent by an attorney to review, redact or segregate records for possible exemptions.

5. Q: One of the choices is to "inspect the records." What does this mean?

A: All citizens have the right to look at public records and it is not always necessary to make copies. The City is committed to using sustainable practices and tries to make copies only when necessary. Inspecting records first may also reduce your costs if by reviewing you are able to better pinpoint what you need or are able to satisfy your need by simply reading the records. Please note that the law does exempt some records or information from being shared; if you request information that is in this category, you will be notified.

6. Q: The form says that the City will respond to my request "as soon as practicable." What does this mean? What if I want the records today?

A: In many cases, an office will be able to accommodate your request the same day. However, some requests are more complicated and require research, additional staff time or may take time to gather and copy. The office may need time to review your request to determine what is needed to get you the information you seek. If this is the case, the office will assess your request and provide you a time and cost estimate. You can assist this process by being as specific as possible when you make your request.

7. Q: What happens if you can't find all of the records I want? Do I still need to pay?

A: Depending on the complexity of your request and the time spent by the office searching for your records, the bureau may choose to charge you for the time they spent searching. You can assist this process by being as specific as possible when you make your request.

8. Q: I made my request but the office is saying that I need to go to another office to make the same request. Why do I have to make my request in more than one place?

A: There are many bureaus in the City and sometimes they share aspects of responsibility, but maintain separate records. In these cases, it may be necessary to request information from more than one office or bureau in order to fulfill your request.

If you are referred to another office, consult the City's Public Records Contact List for the name of the records coordinator within that bureau. Additionally, ask for a copy of your request form so you won't need to fill out the same form twice.

9. Q: The office said that the records I wanted weren't available or that some of the information is exempt. What do I do now?

A: The State of Oregon requires all government agencies to provide an index to the type

Public Records Requests – FAQ Rev. 12/11/2007 of records they create or manage and this index also includes how long the records need to be legally maintained; this index is called a Records Retention Schedule and can be found online at: <a href="http://www.portlandonline.com/auditor/index.cfm?c=27173">http://www.portlandonline.com/auditor/index.cfm?c=27173</a>. It is always helpful to review this list before making your request because it may assist you in making the request to the right office and may indicate whether the records you seek are still available.

If the office tells you that your requested records are exempt and they cannot share the information with you, they also need to tell you why and provide you with a citation to the relevant law exempting the disclosure. In some cases, it is possible to provide you with the records with protected information removed.

10. Q: I have an ongoing interest in a particular set of records. May I submit one request and be notified whenever there is an update or new records are available?

A: No. A new request must be made each time.

If you would like additional information about public records, the *Attorney General's public records and meetings manual / State of Oregon, Department of Justice* is available in public libraries or may be ordered from the Attorney General's Office.

An additional resource is *A Quick Reference Guide to Oregon's Public Records Law*, which can be found on Open Oregon's website: <a href="http://www.open-oregon.com/">http://www.open-oregon.com/</a>