Legal Records Team

Annual Report

Fiscal Year 2022-23

July 2022 - June 2023

Portland City Attorney's Office

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Legal Records Team Summary

The Legal Records Team was able to achieve several important process improvements and other successes

Summary

Fiscal year 2022-23 saw continued growth in requests for City records (page 26), and expanding complexity in responding to requests (pages 8 and 9). However, despite these challenges, it was also a year the team achieved important successes. The expansion of the Legal Records Team allowed for more effective and efficient use of City resources, improving accountability, transparency, and equitable outcomes (pages 10 and 11). The Team led citywide successes in process improvements which allowed the City to lower pre-paid estimated fees (page 6). PPB and the Legal Records Team eliminated a significant backlog in Police Records requests which means the public is receiving PPB records more quickly (page 4). The expansion also directly resulted in significant advancement in using data analysis in process improvement, policy development, and other types of decision-making, creating new opportunities to improve access to City records (pages 10 and 11). The Team was only able to publish this annual report because of the additional resources. In the next fiscal year, several challenges must still be dealt with, including changes expected from the implementation of the new City government (page 14), continued increases in records requests (page 13), and a growing backlog of BOEC Records requests (pages 14 and 38). The Team will build on the foundation of this year's improvement to tackle next years challenges.

Legal Records Team Overview

The Legal Records Team in the Portland City Attorney's Office oversees the management of the City's records request system, ensuring City records are accessible to the public and partner government agencies, and the City's legal holds system, which ensures that records relevant to new or possible legal cases are retained. While the providing and retention of records are handled by the individual bureaus of the City of Portland, the Legal Records Team:

- Oversees and manages citywide policies and processes to respond to electronic and other records requests.
- Processes E-discovery requests, legal holds, and subpoenas.
- Manages the system which tracks records requests.
- Ensures responses comply with Oregon Revised Statute (ORS) 192 and other applicable laws and regulations.
- Offers legal advice on legal records matters when requested.
- Provides legal representation on matters involving public records including appeals and litigation.
- Performs electronic records searches as needed.
- Manages complex records requests.
- Provides records training for City employees.
- Fulfills records requests made to the City Attorney's Office, Office of the Mayor, and the City Council offices.

Legal Records Team Accomplishments

- Fulfilled 559 records requests (page 11).
- Performed 418 electronic records searches (pages 12 and 36).
- Trained and worked directly with 111 City staff acting as public records responders (page 11).
- Responded to an estimated 868 customer service calls and emails (page 11).
- Applied 340 legal holds (page 9).
- Managed 71 District Attorney appeals, of which 46 were denied or withdrawn (page 8).
- Completed 71 process improvement, analytical, and other types of special projects (page 11).
- Successfully closed 9,807 open Police Records requests via the Police Records Backlog Project (page 4).
- Created over $370,000 in savings for customers via the lowering of pre-paid estimated fees in late FY 2021-22 (page 6).
- Other successes as detailed on page 10 of this report.

Public Records Requests Trends

- The number of public records requests has steadily increased over the past three fiscal years, increasing 43% since FY 2019-20 to 38,066 in FY 2022-23 (pages 13 and 26).
- The number of open public records requests dropped to 4,097 in FY 2022-23, the lowest level in at least five years and down 78% since peaking at 19,047 in December of 2021 (pages 18 and 21). An estimated 66% of this decline was due to the Police Records Backlog Project (page 4).
- The portion of requests closed within 30 work days has improved dramatically after reaching a low of 27% in October of 2022, reaching 87% by the end of the fiscal year, with further improvements expected into FY 2023-24 (page 23). A large part of this improvement is due to the Police Records Backlog Project (page 4).
- The number of Other Records requests involving electronic records searches has increased 69%, rising from 248 in FY 2021-21 to 418 in FY 2022-23 (pages 11, 12, and 36).
- The percentage of media requests receiving fee waivers has increased from 61% in FY 2020-21 to 72% in FY 2022-23, representing an increase in the percentage of fees waived from 68% in FY 2020-21 to 77% in FY 2022-23 (page 7).

Records Requests by Record Type

Summary of different types of records requests handled by City staff and overseen by the Legal Records Team

Description of Record Types

The City handles a large number of record requests including both from the public and government agencies. These requests are handled by individual bureaus via a system overseen by the Legal Records Team in the City Attorney's Office. Types of records requested include:

Police Records, including police reports and other records related to a single individual, address, or incident.

Property Records, including permits, code enforcement actions, and land use records related to a specific address.

BOEC/911 Records, including emergency and non-emergency calls and dispatches related to a specific incident or address.

Fire Records, including fire investigation reports, permits, and inspections related to a specific address or incident.

Other Records, including administrative records such as emails, texts, statistics, personnel records, studies and reports, etc.

Records Requests Summary						
Fiscal Year 2022-23						
	Total		Public Requests		Government	
	Created	Closed	Created	Closed	Created	Closed
Police Records	40,398	57,519	28,696	42,213	11,702	15,306
Property Records	3,885	3,851	3,821	3,787	64	64
BOEC/911 Records	2,832	2,405	1,342	924	1,490	1,481
Fire Records	1,500	1,505	1,470	1,474	30	31
Other Records	2,782	2,814	2,737	2,776	45	38
Total Requests	**51,397**	**68,094**	**38,066**	**51,174**	**13,331**	**16,920**

Further information and data regarding types of records can be found in the Data Appendix and Glossary of this report.

Public Requests Overview

Each year the City of Portland handles tens of thousands of public requests for records under the requirements of ORS 192 and various City policies. In FY 2022-23:

- 38,066 public requests were created and 51,175 were closed, the greater number closed due to efforts to decrease a backlog of open requests (page 2).
- Due to improved staffing and the Police Records Backlog Project, open requests dropped from 21,335 to 4,656 (page 18).
- 9,796 individuals made public records requests.
- 93% of public requests were responded to within the requirements of ORS 192 and 46% were closed within 30 work days (page 5).
- Though a large number of public requests were closed after more than 30 work days, this rate began to dramatically improve by the end of the fiscal year (page 24).
- 91% of public requests were successfully fulfilled either by providing the requested records or informing the customer the City does not have the requested records (page 20).
- 98% of public requests were fulfilled using the online request system (page 20).
- The City waived an estimated $236,110 in potential fees, 22% of the estimated potential fees owed and 54% of the estimated potential fees possibly eligible for a fee waiver (page 28).

Government Requests Overview

In addition to public requests, since the start of 2020 the City's online system has also been used to manage records requests from government agencies. In FY 2022-23:

- 13,331 government requests were created and 16,921 were closed, the greater number closed due to efforts to decrease a backlog of open requests (page 2).
- Thanks to improved staffing and the Police Records Backlog Project, open requests dropped from 4,150 to 560 (page 18).
- More than 410 government agencies made government records requests.
- 52% of government requests were closed within 30 work days (page 23). Government requests are not regulated by ORS 192.
- Though a large number were closed after more than 30 work days, this rate had began to dramatically improve by the end of the fiscal year (page 24).

Records Requests by Assigned Bureau

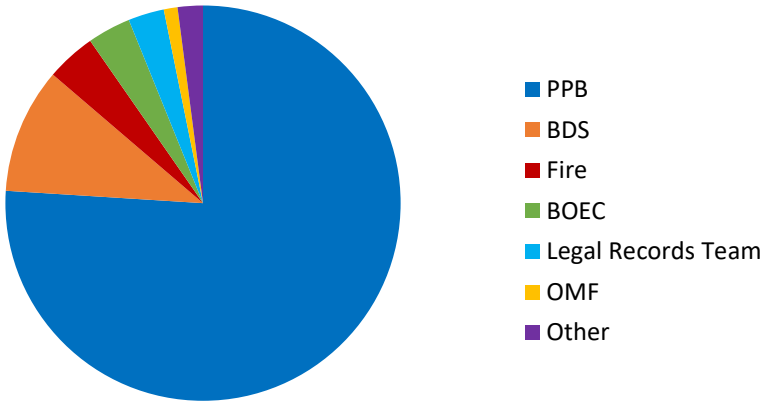
Breakdown of requests by the Bureau assigned to respond to the request

Records Requests Summary by Assigned Bureau						
Fiscal Year 2022-23						
	Total		Public Requests		Government	
	Created	Closed	Created	Closed	Created	Closed
Attorney	856	927	842	912	14	15
City Council	101	104	100	104	1	0
Mayor	177	177	177	177	0	0
Legal Records Team Subtotal	***1,134***	***1,208***	***1,119***	***1,193***	***15***	***15***
Auditor	50	51	48	49	2	2
BDS	3,977	3,941	3,909	3,873	68	68
BES	133	139	132	138	1	1
BOEC	2,841	2,407	1,349	924	1,492	1,483
Budget	12	12	11	11	1	1
Civic Life	80	83	80	83	0	0
Community Safety Division	2	2	2	2	0	0
Equity	6	7	5	6	1	1
Fire	1,576	1,577	1,546	1,546	30	31
FPD&R	6	5	6	5	0	0
Government Relations	7	7	7	7	0	0
Housing	59	60	59	60	0	0
IPR	7	8	7	8	0	0
OMF	441	413	428	405	13	8
Parks	102	74	99	71	3	3
PBEM	4	4	3	3	1	1
PBOT	211	212	204	206	7	6
Planning and Sustainability	52	52	52	52	0	0
Portland Children's Levy	0	0	0	0	0	0
PPB	40,622	57,761	28,930	42,466	11,692	15,295
Water	75	71	70	66	5	5
Non-Legal Team Subtotals	***50,263***	***66,886***	***36,947***	***49,981***	***13,316***	***16,905***
Overall Total Requests	**51,397**	**68,094**	**38,066**	**51,174**	**13,331**	**16,920**

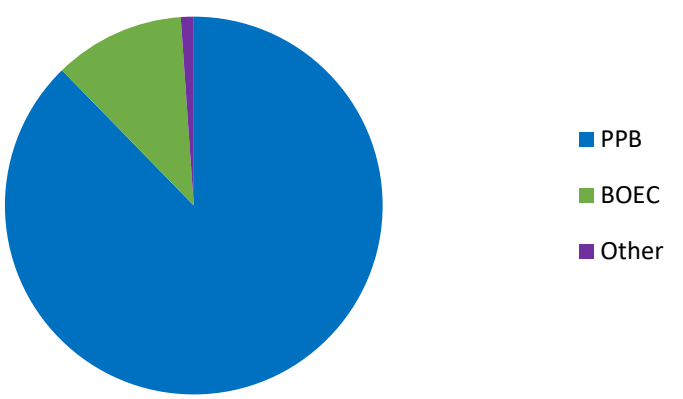
In most cases, the assigned bureau is the one which holds the records, though with some requests this is not the case. For example, in FY 2022-23 the Legal Records Team handled requests made to the City Attorney's Office, the Mayor's Office, the City Council offices, and complex requests initially assigned to other bureaus. Another example would be that many requests to the Community Safety Division are assigned and fulfilled by the Office of Management and Finance (OMF).

The number of requests to the City Attorney's Office appears high but this is due to the Legal Records Team being housed within that office. Most of these requests are not for City Attorney records. Additionally, in FY 2022-23, that total was further inflated by a single individual making a large number of records requests (page 39).

Created Public Records Requests by Assigned Bureau



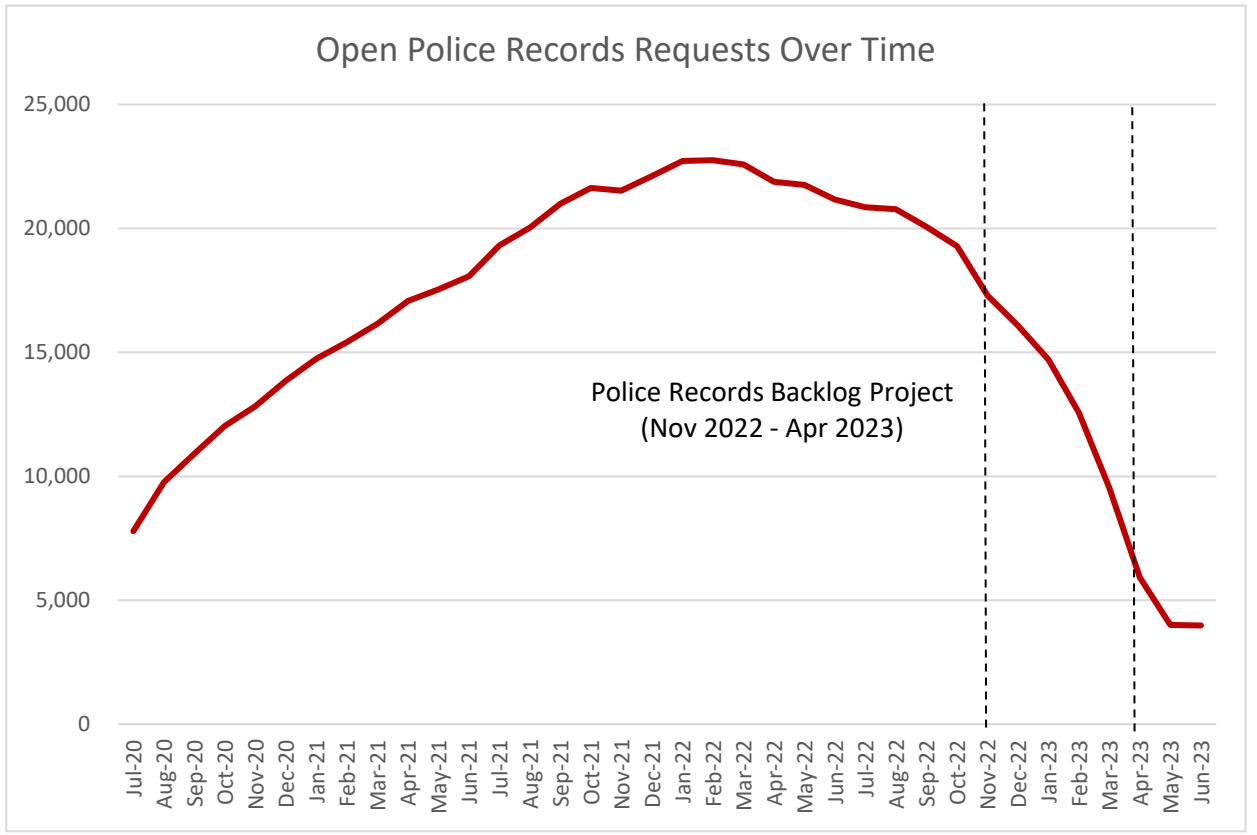
Created Government Requests by Assigned Bureau

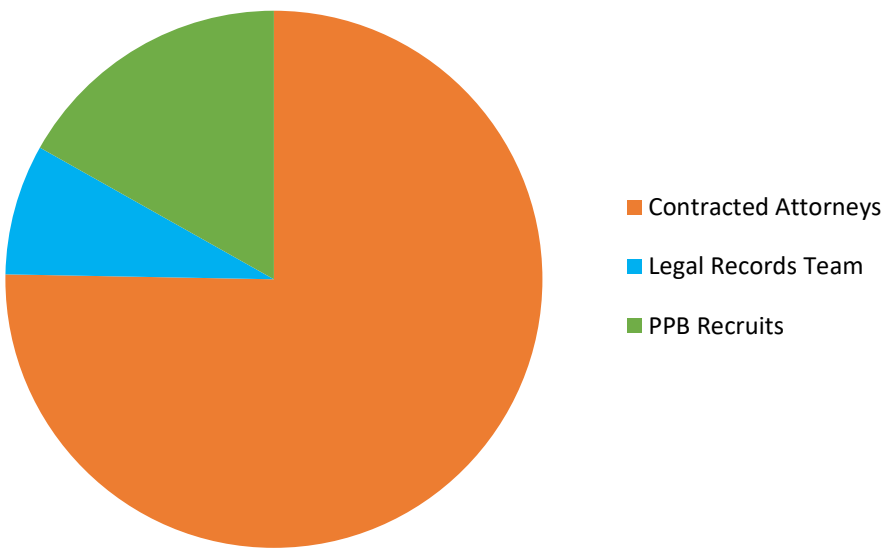


Further information and data regarding assigned bureaus can be found in the Data Appendix and Glossary of this report.

Police Records Backlog Project

Successful results of a special project aimed at reducing the significant backlog of Police Records requests





As early as FY 2018-19, a significant backlog of Police Records requests had been reported, largely consisting of requests made by reporting services, private firms which make records requests on behalf of other entities for a fee. Though a number of process improvements had resulted in measurable progress in reducing this backlog, the COVID pandemic and George Floyd protests in FY 2019-20 and FY 2020-21 resulted in resource shortages and technical challenges (related to work from home orders and law enforcement security requirements), which in turn caused a significant expansion in the backlog over the next several years. While originally the backlog largely only affected requests made by reporting services, it also began to affect both other types of public requests and government requests. Furthermore, as the backlog grew, response times for both public and government requests began to dramatically increase, until less than 20% of requests were being responded to within 30 work days.

Due to process improvements and increased staffing, the number of open requests was stabilized by mid-FY 2021-22. However, by that time the backlog had grown to 22,753 open requests. Though the backlog did begin to shrink after January of FY 2021-22, it was at a rate where it was estimated that it would take nearly three years to get the number of open requests back to manageable levels. To speed up this process, the City Attorney's Office worked with the Portland Police Bureau to craft a solution, culminating in the launch of the Police Records Backlog Project in November of FY 2022-23.

The Police Records Backlog Project involved the use of temporary staff to close 9,807 records requests made by reporting services, 51% of the open requests at the start of the project, over a six month period. Temporary staff included staff from the Legal Records Team in the City Attorney's Office, Portland Police Bureau officer recruits awaiting state-overseen basic police training, and private attorneys via a contract with a local private legal firm. The Legal Records Team provided training and oversight for the project.

Thanks to the efforts by both permanent and temporary staff responding to Police Records, the project concluded sooner than expected and under budget. As a result, by the end of FY 2022-23, the backlog had been reduced to less than 4,000 open requests. This puts PPB records in a better position for the eventual implementation of Body Worn Cameras and the expected increase in workload which will result from requests for the records those cameras create.

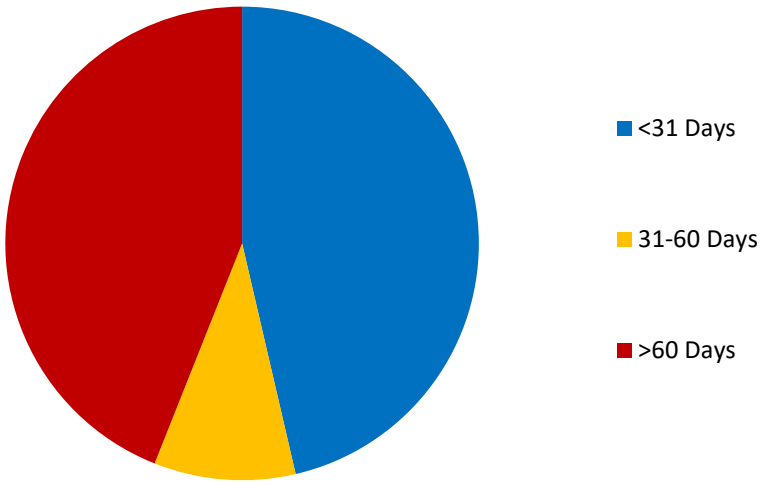
Further information regarding the results of the Police Records Backlog Project can be found on page 30 of this report.

Public Records Requests Business Days and Statutory Days to Close

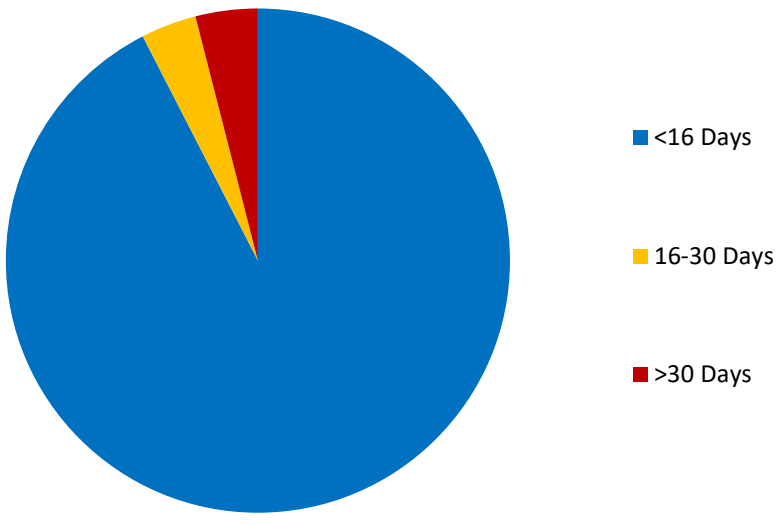
Measuring the time it takes to respond to requests as set by the requirements of state law and City policy

Closed Public Records Requests Time to Respond Fiscal Year 2022-23						
	WDO Days			ORS Days		
	<31	31-60	>60	<16	16-30	>30
Police Records	15,607	4,582	22,024	38,803	1,531	1,879
Property Records	3,743	21	23	3,779	6	2
BOEC/911 Records	652	112	160	900	7	17
Fire Records	1,372	48	54	1,457	14	3
Other Records	2,354	180	242	2,370	266	140
Total Closed Requests	**23,728**	**4,943**	**22,503**	**47,309**	**1,824**	**2,041**

Closed Public Records Requests by WDO Days



Closed Public Records Requests by ORS Days



By Oregon statute, the City of Portland is required to fulfill public records requests within a reasonable amount of time. The City uses two primary measures to calculate the amount of time it takes to respond to individual requests. These are WDO Days and ORS Days.

WDO Days (Work Days Open Days) are the amount of time between the request being created and closed, taking into account pauses for weekends, City holidays, waiting for a requester to pay an invoice, and waiting for a requester to respond to a query for clarifying information.

ORS Days (Oregon Revised Statute Days) are a similar measurement to WDO Days, in that it also takes into account pauses for weekends, City holidays, and waiting for a requester to respond to a query for clarifying information. However, as per ORS 192.329, the count stops once the City has responded by providing either the records requested or an estimate of when they will be provided. The City has a legal requirement to provide an estimate or complete its response within 15 ORS days.

Overall, the City met its ORS Days obligation for 93% of public records requests closed in FY 2022-23, but only 46% of its WDO Days goal. This is due to the significant backlog in Police Records requests. These requests were closed this fiscal year as part of the Police Records Backlog Project. A smaller contributing factor is the growing backlog in BOEC Records requests (page 14). However, this is expected to improve significantly in FY 2023-24. ORS Days were not affected due to most Police Records requests requiring a fee to be paid prior to the request being processed.

In FY 2022-23, the City's ability to meet its ORS Days obligation and WDO Days goal varied depending upon the record type. For public requests:

- Police Records met 92% of its ORS Days obligation and 37% of its WDO Days goal. This is expected to improve in FY 2023-24 as explained above.
- Property Records met nearly 100% of its ORS Days obligation and 99% of its WDO Days goal.
- BOEC/911 Records met 98% of its ORS Days obligation, but only 71% of its WDO Days goal. Further information on this issue can be found on page 14.
- Fire Records met 99% of its ORS Days obligation and 93% of its WDO Days goal.
- Other Records met 87% of its ORS Days obligation and 85% of its WDO Days goal.

Further data on how long it takes to close requests can be found in the Data Appendix section of this report.

Pre-Paid Estimated Fees Decreased

Process improvements lead to lower fees and more equitable access to records

Pre-Paid Estimated Fees Decreased in Late FY 2021-22			
	Old Fee	**New Fee**	**Unit**
Police Fees			
Address Search	16.00	8.50	per location
Audio Visual#	50.00	17.50	per incident
Name Check	16.00	8.50	per individual
Officer Notes	39.00	17.50	per incident & officer
Photographs	24.00	17.50	per incident
Police Reports^	30.00	12.50	per incident
General*	30.00	12.50	first 30 minutes
Fire Fees			
Fire Inspections	12.00	12.00	per location
Fire Permits	15.00	15.00	per location
Fire Reports	30.00	12.50	per incident
BOEC Fees			
CAD Printout	20.00	20.00	per incident
CAD/Telephone	50.00	40.00	per incident
CAD/Telephone/Radio	75.00	60.00	per incident
Property Fees			
Building Records	15.00	15.00	per location

Plus staff time after one hour, lowered to 24 minutes in FY 2023.
^ Plus $2 per page over 10 pages, lowered to $1 per page in FY 2023.
* Plus staff time after 30 minutes.

Customer Savings in FY 2022-23 From Lowering Pre-Paid Estimated Fees						
	Total	**Public Requests**	***Public***	***Media***	***Reporting Service***	**Govern-ment**
New Fees - Actual						
Overall Fees Charged	849,251	848,087	*198,124*	*8,109*	*641,854*	1,165
Pre-Paid Fees Charged	813,222	812,658	*166,406*	*4,109*	*642,144*	564
Original Fees - Estimate						
Overall Fees Charged	1,222,700	1,221,535	*291,262*	*9,510*	*920,762*	1,165
Pre-Paid Fees Charged	1,186,670	1,186,106	*259,544*	*5,510*	*921,053*	564
Customer Savings	373,448	373,448	*93,138*	*1,401*	*278,909*	0
% Decrease Overall	**31%**	**31%**	***32%***	***15%***	***30%***	**0%**
% Decrease Pre-Paid Fees	**31%**	**31%**	***36%***	***25%***	***30%***	**0%**

The City has requesters pre-pay an estimated fee before beginning work for types of records commonly requested, most related to specific individuals, incidents, or properties. Examples include police reports, fire inspections, BOEC call recordings, and building permits. Often these reports are needed for insurance claims, property sales, background checks, court cases, and other similar situations. By using pre-paid estimated fees, the City is able to more quickly respond to these types of requests. The pre-paid estimated fees for these types of records are created via a time study which measures the amount of time it takes to complete a request for each type of record. In FY 2022-23, these types of records accounted for 95% of records requests. In FY 2021-22, the City performed a time study which showed that many of these fees could be lowered due to various process improvements put into place in the preceding years. These new lower pre-paid fees were implemented in late FY 2021-22.

Taking into account requests receiving fee waivers, it is estimated that in FY 2022-23, the reduction in pre-paid estimated fees saved customers an estimated $373,448, a 31% savings in pre-paid fee payments compared to the original higher levels. By lowering fees, the City improved accessibility to these types of records, meeting City goals for improved transparency, accountability, and equity.

The process improvements meant employees were filling requests more efficiently and at at a lower cost to the City. Given that the reduction in pre-paid estimated fees represents the cumulative effect of process improvements, it is estimated that if these improvements had not been put in place then the cost of responding to requests would be 31% higher, representing an estimated annual savings of $854,017 for the City. Furthermore, the actual cost savings are likely higher given the estimate does not include General Records requests not involving a pre-paid estimated fee, which are often the most time consuming types of requests. Further information on fees can be found in the Glossary.

Fee Waivers Over Time for Public and Media Customer Types

Changes in the granting of fee waivers for Public and Media over the past three fiscal years

Fees and Waivers Summary - Public Records Requests - Public						
	Closed Requests			Estimated Dollars		
	2020-21	2021-22	2022-23	2020-21	2021-22	2022-23
Requests Closed	**14,481**	**16,163**	**19,514**	**440,911**	**478,073**	**397,020**
Fee Waiver Requested	1,532	1,598	1,653	52,777	55,377	41,437
Public Interest Waiver	*935*	*884*	*884*	*35,797*	*36,392*	*28,657*
Financial Hardship Waiver	*597*	*714*	*769*	*16,980*	*18,985*	*12,780*
% Requesting Fee Waiver	11%	10%	8%	12%	12%	10%
Requested Waiver Granted	947	917	935	39,268	40,935	29,230
Public Interest Waiver	*249*	*251*	*172*	*13,567*	*15,519*	*5,001*
Financial Hardship Waiver	*374*	*365*	*394*	*11,241*	*11,938*	*7,470*
1-Hour Fee Waiver	*324*	*301*	*369*	*14,460*	*13,479*	*16,760*
% Requested Waivers Granted	62%	57%	57%	74%	74%	71%
Not Requested Waiver Granted	4,762	5,194	6,967	177,267	189,624	177,136
1-Hour Fee Waiver	*1,611*	*1,520*	*1,598*	*71,899*	*68,066*	*72,581*
Crime Victim Fee Waiver	*1,916*	*2,416*	*3,858*	*55,770*	*69,979*	*58,930*
Public Defender Fee Waiver	*0*	*375*	*383*	*0*	*20,335*	*13,325*
Other Fee Waivers	*1,235*	*883*	*1,128*	*49,598*	*31,244*	*32,300*
No Fee Waiver Applied	8,772	10,052	11,612	224,376	247,514	190,654
Total Fee Waivers Applied	**5,709**	**6,111**	**7,902**	**216,535**	**230,559**	**206,366**
% Requests Recieving Waivers	**39%**	**38%**	**40%**	**49%**	**48%**	**52%**

Fees and Waivers Summary - Public Records Requests - Media						
	Closed Requests			Estimated Dollars		
	2020-21	2021-22	2022-23	2020-21	2021-22	2022-23
Requests Closed	**978**	**691**	**832**	**35,184**	**36,723**	**35,590**
Fee Waiver Requested	781	576	589	28,304	31,528	25,885
Public Interest Waiver	*776*	*571*	*589*	*28,199*	*31,378*	*25,885*
Financial Hardship Waiver	*5*	*5*	*0*	*105*	*150*	*0*
% Requesting Fee Waiver	80%	83%	71%	80%	86%	73%
Requested Waiver Granted	500	395	465	19,985	22,006	20,554
Public Interest Waiver	*264*	*185*	*144*	*9,452*	*12,632*	*5,974*
Financial Hardship Waiver	*0*	*2*	*0*	*0*	*60*	*0*
1-Hour Fee Waiver	*236*	*208*	*321*	*10,533*	*9,314*	*14,580*
% Requested Waivers Granted	64%	69%	79%	71%	70%	79%
Not Requested Waiver Granted	96	74	135	3,946	3,486	6,927
1-Hour Fee Waiver	*68*	*46*	*94*	*3,035*	*2,060*	*4,269*
Other Fee Waivers	*28*	*28*	*41*	*911*	*1,426*	*2,657*
No Fee Waiver Applied	382	222	232	11,254	11,231	8,109
Total Fee Waivers Applied	**596**	**469**	**600**	**23,930**	**25,492**	**27,481**
% Requests Recieving Waivers	**61%**	**68%**	**72%**	**68%**	**69%**	**77%**

Under Oregon statute, the City of Portland is allowed to charge a reasonable fee to cover the actual cost of fulfilling a public records request. The City has the ability to fully or partially waive these fees at its discretion. A full description of the different types of fee waivers can be found in the Glossary.

The customer types Public and Media have the greatest variability in the granting of fee waivers (Government customers almost always have their fees waived and Reporting Services rarely do). As such, data for these two customer types is closely tracked to ensure equitable access to public records, ensuring the important role of public records in providing accountability and transparency.

Over the past three fiscal years, the number of closed Public requests has increased, resulting in a similar increase in estimated fees, though with a significant drop in FY 2022-23 due to the lowering of many pre-paid fees (page 6). During this same time, the percentage of requests receiving full or partial waivers has remained steady between 38-40%, representing 48-52% of estimated fees. The most common waivers applied in FY 2022-23 were Crime Victim waivers, 1-Hour waivers, and Other waivers, in line with previous years. Only 8-11% of requests involve the customer asking for a fee waiver, of which 57-62% are granted, representing 71-74% of related estimated fees.

During the same period, the number of closed Media requests has varied between 691 and 978, with estimated fees varying between $35,176 and $36,722. Media requests were less affected by the lowering of pre-paid fees in FY 2022-23 because a lower portion involved those types of records. The percentage of requests receiving fee waivers has steadily increased from 61% in FY 2020-21 to 72% in FY 2022-23, with a similar increase in estimated fees waived from 68% to 77%. The most common waivers applied in FY 2022-23 were 1-Hour and Public Interest, in line with previous years. The percentage of requests involving the customer asking for a fee waiver has declined from 80% in FY 2020-21 to 71% in FY 2022-23, though the percentage granted has increased from 64% in FY 2020-21 to 79% in FY 2022-23, representing a similar increase in the waiver of related estimated fees from 71% in FY 2020-21 to 79% in FY 2022-23. The decrease in customers requesting fee waivers is likely tied to Media entities becoming more adept at making requests which receive the 1-Hour waiver.

Further information and data regarding fee waivers can be found in the Data Appendix and Glossary of this report.

District Attorney Appeals

The City won the majority of appeals made to the Multnomah County District Attorney regarding public records requests

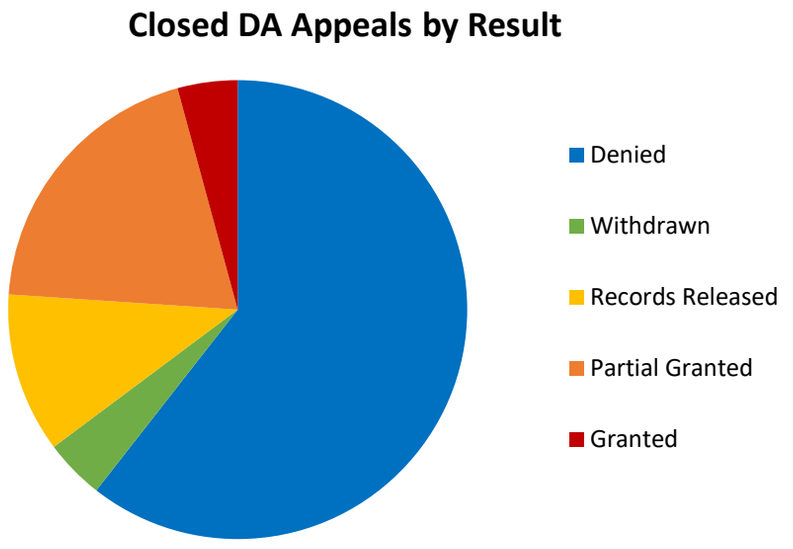
District Attorney Appeals by Assigned Bureau Fiscal Year 2022-23							
	Created Cases	Closed Cases	Appeal Denied	With-Drawn	Appeal Granted	Partial Granted	Record Released
Attorney	35	37	25	1	2	6	3
City Council	1	1	0	0	0	1	0
Mayor	3	3	2	0	0	0	1
Legal Records Team Subtotal	***39***	***41***	***27***	***1***	***2***	***7***	***4***
Auditor	0	0	0	0	0	0	0
BDS	1	1	1	0	0	0	0
BES	0	0	0	0	0	0	0
BOEC	2	2	1	0	0	1	0
Budget	0	0	0	0	0	0	0
Civic Life	8	8	7	0	0	1	0
Community Safety Division	0	0	0	0	0	0	0
Equity	0	0	0	0	0	0	0
Fire	0	0	0	0	0	0	0
FPD&R	0	0	0	0	0	0	0
Government Relations	0	0	0	0	0	0	0
Housing	0	0	0	0	0	0	0
IPR	1	1	0	0	0	1	0
OMF	5	3	2	0	0	1	0
Parks	3	3	1	0	0	1	1
PBEM	0	0	0	0	0	0	0
PBOT	0	0	0	0	0	0	0
Planning and Sustainability	1	1	1	0	0	0	0
Portland Children's Levy	0	0	0	0	0	0	0
PPB	7	10	3	2	1	2	2
Water	1	1	0	0	0	0	1
Other	0	0	0	0	0	0	0
Non-Legal Team Subtotals	***29***	***30***	***16***	***2***	***1***	***7***	***4***
Overall Total Cases	**68**	**71**	**43**	**3**	**3**	**14**	**8**

District Attorney Appeals by Record Type Fiscal Year 2022-23							
	Created Cases	Closed Cases	Appeal Denied	With-Drawn	Appeal Granted	Partial Granted	Record Released
Police Records	6	6	2	1	0	1	2
Property Records	0	0	0	0	0	0	0
BOEC/911 Records	1	1	1	0	0	0	0
Fire Records	0	0	0	0	0	0	0
Other Records	61	64	40	2	3	13	6
Overall Total Cases	**68**	**71**	**43**	**3**	**3**	**14**	**8**

Customers have the right to appeal decisions made by the City regarding public records to the Multnomah County District Attorney. Requesters commonly appeal the City's decisions to assert a statutory exemption to redact or withhold limited information or to not grant a requested fee waiver.

In FY 2022-23, a total of 68 appeals were filed and 71 closed, representing 0.1% of the public records requests closed during the same period. Of the 71 appeals closed, 43 were denied by the District Attorney, 3 were withdrawn by the customer, 14 were partially granted, 3 were fully granted, and 8 resulted in the records being released prior to a decision being rendered.

All appeals to the District Attorney and any litigation in court are handled by the City Attorney's Office. Due to the complexity of the requests usually involved in an appeal, they are often reassigned to the City Attorney's Office during the appeal. When this happens, the City Attorney's Office will assess the involved request and try to resolve the issue. As a result, the data makes it appear that most DA appeals originate in the City Attorney's Office, when in fact the opposite is true, most DA appeals end in the City Attorney's Office for resolution.



Legal Holds

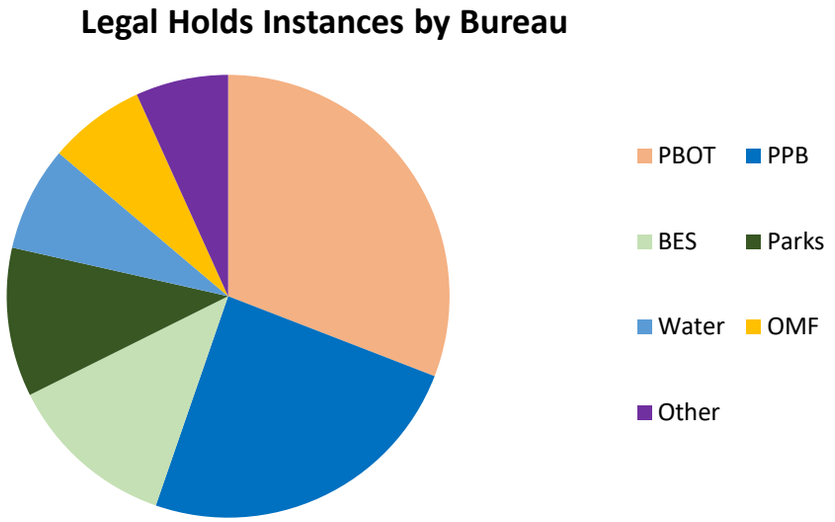
The City of Portland's Legal Holds system ensures records relevent to potential and active litigation are retained

Legal Holds by Bureau Fiscal Year 2022-23		
	Legal Hold Instances	**Percentage of Total**
Attorney	0	0%
Auditor	1	0%
BDS	5	1%
BES	42	12%
BOEC	0	0%
Budget	0	0%
City Council	0	0%
Civic Life	1	0%
Community Safety Division	0	0%
Equity	0	0%
Fire	7	2%
FPD&R	0	0%
Government Relations	0	0%
Housing	4	1%
IPR	0	0%
Mayor	5	1%
OMF	24	7%
Parks	37	11%
PBEM	0	0%
PBOT	105	31%
Planning and Sustainability	0	0%
Portland Children's Levy	0	0%
PPB	83	24%
Water	26	8%
Total Legal Holds	**340**	
Active Litigation	**50**	

The City of Portland's legal holds system ensures that records relevant to new or possible legal cases are retained. When the City receives a claim of loss, tort claims notice, or other notification of actual or possible litigation, notices are sent to all record holders requiring them to certify that all relevant records will be retained. These notifications have an acceptance rate over 99%.

Legal Hold Instances is a measure of the number of instances where legal holds are issued regarding a single event or incident. Each instance may include legal hold notifications to multiple City employees. It is not uncommon for legal holds to be put in place and no active litigation to occur.

In FY 2022-23, the Legal Records Team implemented a number of process improvements to the legal holds system, improving staff effectiveness, legal hold responsiveness, and records retention. This included a switch in management software and the migration of past data from Legal Hold Pro to ZDiscovery, new automated protocols to ensure records created by departed employees are retained, and the migration of Portland Police Bureau legal holds to Office 365.



Investments Lead to Successes

City investments in staffing resources have directly led to a number of successes improving the release of records

Hiring of New Legal Records Team Staff

In the first half of FY 2022-23, the Legal Records Team hired 1.0 Deputy City Attorney, 1.0 Paralegal, and 2.0 Systems Analysts to aid in handling the team's increased workload (pages 11 and 13) and to better focus resources on analysis and process improvement meant to increase and enhance customer service and responsiveness, equitable access to public records, effective advocacy on behalf of the City and its employees, and the transparency of the inner workings of City government. The expansion of the Legal Records Team led to the eight successes highlighted here and many other additional improvements in legal records management.

Assumed Handling of City Council Requests

At the start of FY 2022-23, the Legal Records Team assumed the handling of City Council requests, increasing the number of requests directly responded to by the team by an estimated 46%, but also ensuring the timely and accurate response to said requests and allowing City Council staff focus on their primary work responsibilities (page 11).

Improved Data Archiving, Verification, and Analysis

In the second half of FY 2022-23, the Legal Records Team established new and updated data archiving and verification protocols, automating a significant number of pre-analysis processes. This allowed for the rapid completion of 22 analysis projects which were used to support decisions related to the establishment of policies, the effectiveness of process improvements, and resource allocations. New protocols also led to the removal of 216 inactive staff accounts from the online system, improving access security, and 25,416 inactive customer accounts, ensuring customer personal data was not retained beyond legal requirements.

Monthly Reports to Partner Agencies

In the second half of FY 2022-23, the Legal Records Team developed and began sending out monthly reports for each record type, thereby improving oversight of receiving, processing, and closing requests, aiding in data-driven resource allocation and decision-making, and the early detection and prevention of issues which can lead to requests not being closed in a timely manner and a significant backlog in open requests.

Project Management and Continuous Improvement

The Legal Records Team established new project management protocols aimed at ensuring the timely completion of projects and the establishment of a continuous improvement team strategy. Due to these new protocols, over 49 projects aimed at process improvement, policy establishment, and improved records retention were completed in FY 2022-23.

Upgrades to Records Requests Process

The Legal Records Team completed 37 projects improving the records request process, staff effectiveness, and ease of access for customers. One of the larger projects was the creation of a subrequest system, wherein tasks assigned to City staff who are not responders could be better tracked. Another was the tracking of customer types for all records types, which allowed for identification of customer types for all requests back through FY 2020-21. The significant number of improvements would not have been possible without the expansion of the Legal Records Team, improved project tracking and management, and improved data archiving, verification, and analysis.

Development of Data Transparency

The Legal Records Team began developing several improvements to increase transparency and public knowledge regarding record requests, including an open data Tableau site and the creation of an annual report. These improvements are expected to be fully implemented in FY 2023-24.

Improved Responder Training

The Legal Records Team initiated the development of several much-needed enhancements to keep records responders trained and updated on how to respond to record requests.

Police Records Backlog Project

Though more fully detailed on page 4 of this report, it is worth noting that the successful Police Records Backlog Project, and the continued avoidance of a future backlog, would not have been possible, and most certainly would not have been completed ahead of schedule and under budget, without expanded staffing for both the Legal Records Team in the City Attorney's Office and the Records Division in the Portland Police Bureau.

Legal Records Team Staff at End of Fiscal Year			
	2020-21	2021-22	2022-23
Senior Deputy City Attorney	1.0	1.0	1.0
Deputy City Attorney			1.0
Legal Records Supervisor*			1.0
Paralegal	1.0	1.0	1.0
Legal Assistant	0.4	0.4	0.4
Systems Analyst	1.0	1.0	3.0
Administrative Specialist	1.0	1.0	1.0
*One Paralegal promoted to Legal Records Supervisor in FY 2023.			

Legal Records Team Workload Statistics

Improved tracking of the work done by the Legal Records Team better highlights successes and challenges

Legal Records Team Assigned Closed Requests by Fiscal Year	2020-21	2021-22	2022-23
Total Closed Requests	**268**	**226**	**1,208**
Attorney	*123*	*103*	*927*
Mayor	*145*	*123*	*177*
City Council			*104*
Fulfilled Closed Requests	**199**	**169**	**559**
Attorney	*86*	*71*	*329*
Mayor	*113*	*98*	*153*
City Council			*77*
Fulfilled Closed Minus Police Backlog Project	**199**	**169**	**425**
Attorney	*86*	*71*	*195*
Mayor	*113*	*98*	*153*
City Council			*77*

Other Legal Records Team Statistics by Fiscal Year	2020-21	2021-22	2022-23
District Attorney Appeals			
Number of Appeals Closed	54	23	71
Appeals Denied or Withdrawn	37	11	46
% Denied or Withdrawn	69%	48%	65%
Electronic Records Searches			
Other Records Closed Requests	2,662	2,054	2,814
Electronic Record Searches	248	352	418
% of Closed Other Records Requests	9%	17%	15%
Record Responders Overseen			
City Staff Closing At Least One Request	78	100	111
Customer Service			
Help Line Calls and Emails	N/A	N/A	868
Legal Holds			
Legal Hold Instances	262	262	340
Special Projects and Analysis			
External Process Improvement Projects	N/A	N/A	10
Internal Process Improvement Projects	N/A	N/A	27
Analytical Projects	N/A	N/A	22
Other Types of Projects	N/A	N/A	12

The Legal Records Team handles a wide array of functions related to the release of City records, making it difficult to fully quantitatively measure its effectiveness and workload. However, a number of statistical data points are available to highlight its evolving needs, responsibilities, and successes.

Aside from overseeing the entire records request tracking system, the Legal Records Team handles a number of requests directly, including requests to the City Attorney's Office, Mayor's Office, and the City Council Offices (added in FY 2022-23), as well as requests to other bureaus which are re-assigned to the City Attorney's Office due to their legal complexity. The sharp increase in the total requests closed by the Legal Records Team in FY 2022-23 is due to the team assuming the handling of requests to the City Council offices and two one-time events, including the Police Records Backlog Project as outlined on page 4 of this report and a dramatic increase in requests by a single cutomer outlined on page 39. To highlight the increase caused by each of these factors, two further statistical measures are presented. The first measure, Fulfilled Closed Requests, excludes requests that did not result in the release of records. Almost all of the requests made by the single customer were administratively closed for non-payment of fees. The second measure, Fulfilled Closed Minus Police Records Backlog Project, excludes requests which did not result in the release of records and requests to PPB which the Legal Records Team closed as part of that project. Thus, this final measure best represents a predicted normal workload for the Legal Records Team.

District Attorney Appeals decreased in FY 2021-22, but increased in FY 2022-23, partially due to an increased number of appeals by a single customer as illustrated on page 39. The portion of appeals denied or withdrawn followed a similar pattern. It should be noted that the number of appeals does not measure the complexity of individual appeals.

Electronic Records Searches involve utilizing software to sort and filter large amounts of data based upon requested parameters. They were formerly handled by the Bureau of Technology Services prior to being assumed by the Legal Records Team in FY 2020-21. The number of requests involving these types of searches have increased 68% since FY 2020-21. Further information on Electronic Record Searches can be found on page 12.

The Legal Records Team oversees the training of City staff who respond to records requests, measured by the number of staff each year who oversee the response to at least one request. The number of staff responding to at least one request has increased 42% since FY 2020-21.

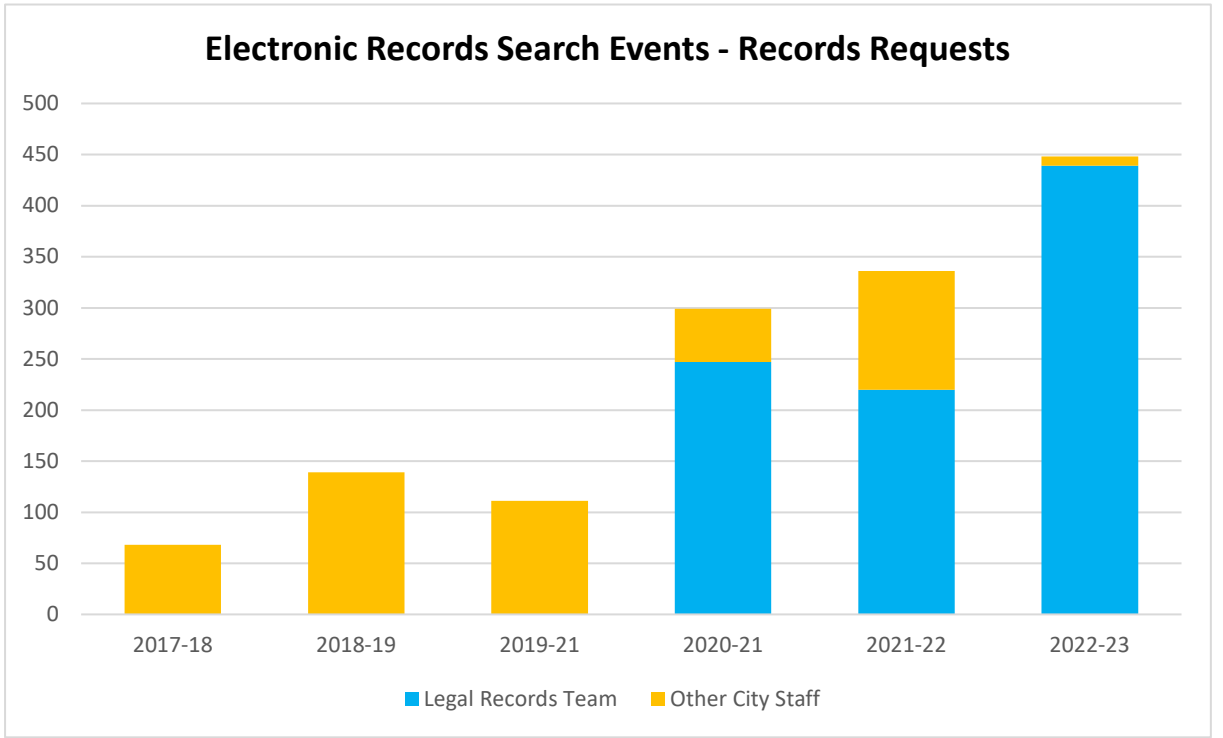
The Legal Records Team manages customer service requests via a help line phone number and email address. While this statistic was not previously measured, in FY 2022-23 it was estimated the team managed 868 customer service contacts based upon 7 months of data.

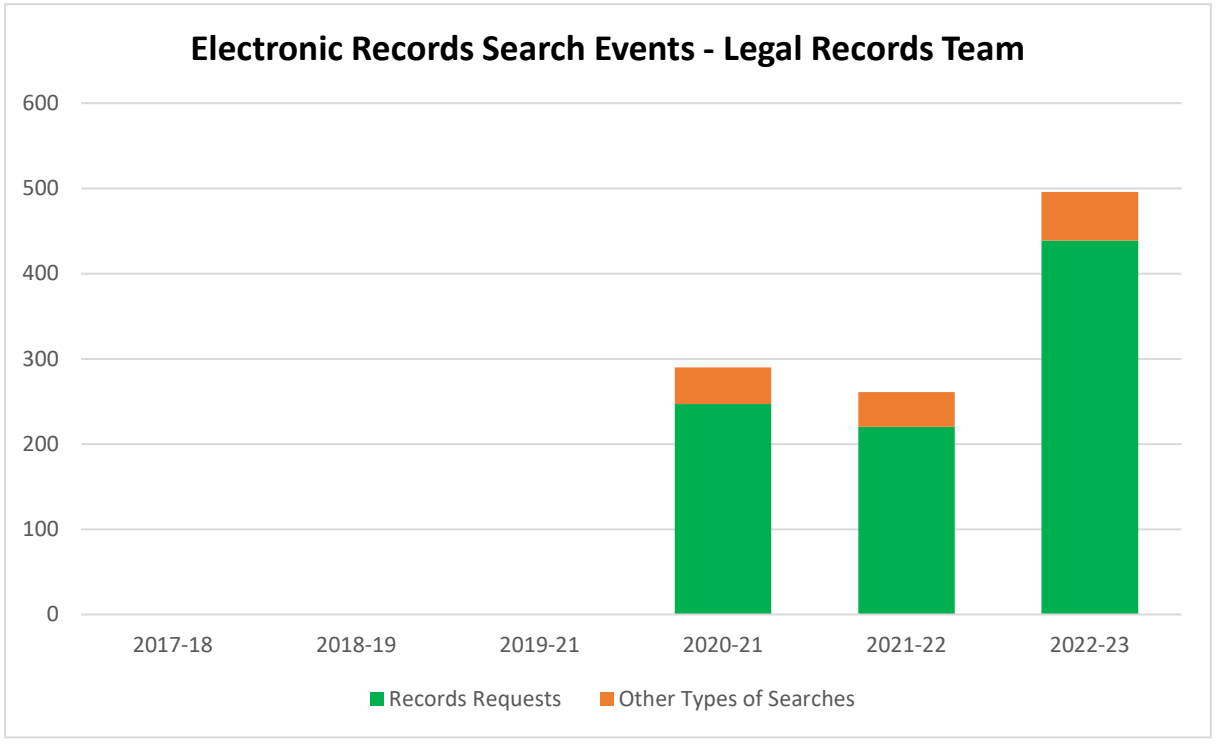
The application of legal holds is overseen by the Legal Records Team. Legal Holds Instances measure incidents requiring a legal hold, which may include one or more staff members being informed of a legal hold. Legal Hold Incidents have increased 30% since FY 2020-21. Further information can be found on page 9.

Beginning in FY 2022-23, the Legal Records Team began efforts to better track external and internal process improvement projects, analytical projects, and other types of projects completed. It should be noted that this does not measure the complexity of said projects, which range from taking a few days to complete to months or even years.

Electronic Records Search Events Over Time

The Legal Records Team taking on Electronic Records Searches has paid dividends





Further information can be found in the Data Appendix of this report.

Electronic records estimates and searches involve utilizing software to sort and filter large amounts of data based upon requested parameters. Much of the City's correspondence is now stored electronically (e.g. emails, text messages, etc.) as are most other types of records. Given the volume of this data and the diffused storage methods, centralized electronic searching for all records related to a topic is more efficient and cost-effective.

Prior to FY 2020-21, most electronic records searches for records requests were handled by the Bureau of Technology Services (BTS). However, the City recognized that the number of public records requests requiring electronic searches was increasing while at the same time statutory changes resulted in shorter time allocated for the searches to take place. Given this, it became imperative to develop specific skill sets and expertise tailored to electronic records searches, as the City aimed to efficiently provide electronic records at the lowest possible cost.

To meet these varied goals, City Council provided funding and at the start of FY 2020-21 the Legal Records Team added a full-time Systems Analyst to focus on electronic records searches. This significantly improved the efficiency of carrying out electronic records searches, allowing for a significant growth in the use of this important tool in locating records in response to records requests by both members of the public and government entities. The implementation of this improvement has resulted in time and resource savings for the City when responding to records requests, improved cost estimation accuracy for records requests, and expedited delivery of records to customers. Furthermore, the City now has the capability to waive the majority of fees linked to electronic searches.

City of Portland responders may ask for an electronic records search estimate to give them an idea of the number of records that will need to be reviewed. This estimated number of records is then used to create an estimate of the expected cost of fulfilling the request. If the customer finds the cost to be too high, often because the number of estimated records to be collected is greater than expected, the responder can then work with the requester to refine the request. A new electronic records search estimate can be requested based upon these discussions. After the customer agrees to the search terms and pays a deposit, the records are then collected and reviewed by the City responder to provide to the requester.

In addition to electronic records searches related to records requests, the Legal Records Team also performs several electronic records searches for other legal records purposes. This includes locating records related to legal holds, subpoenas, and other legal cases.

An Electronic Records Search Event is defined as a set of searches related to a specific records request or other similar event. A single event may include mutliple records searches, estimates, and/or collections.

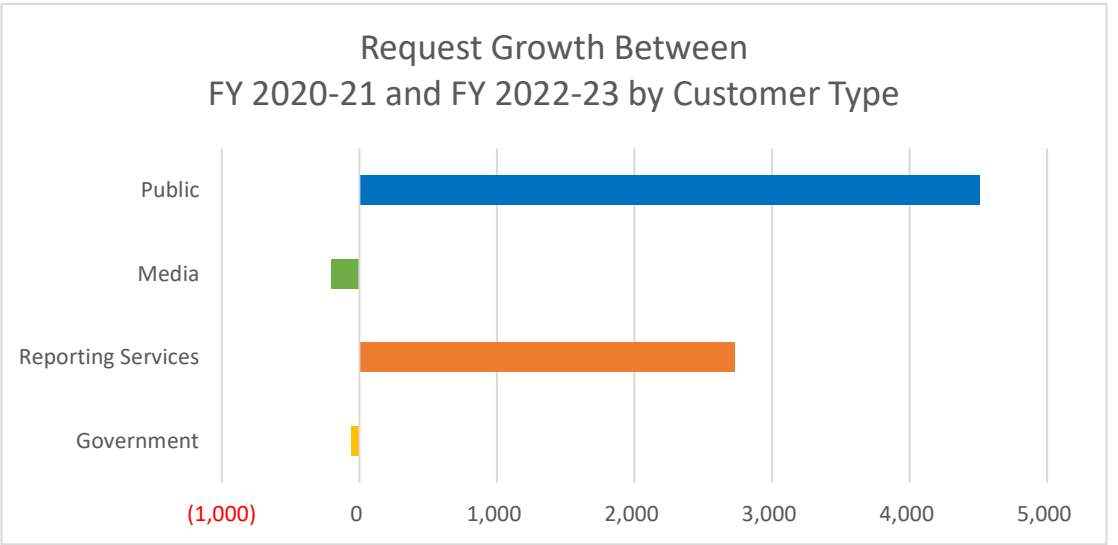
Changes in Created Records Requests Over Time

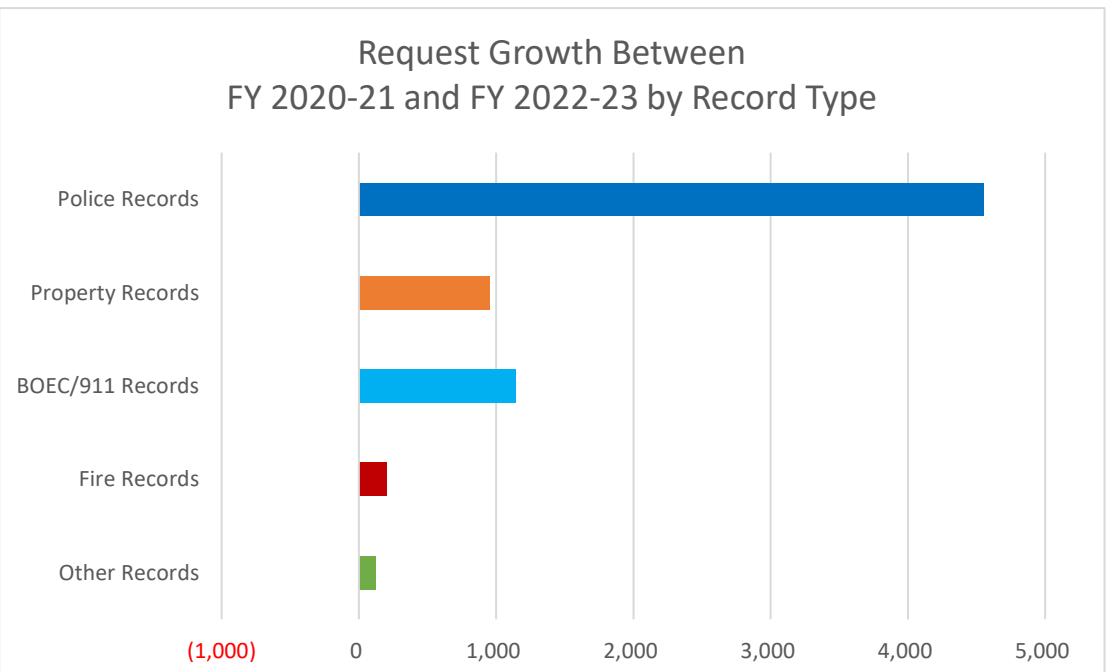
Created records requests have been steadily increasing over the past two fiscal years

Created Requests Over Time by Fiscal Year					
				2022-23 Versus 2020-21	
	2020-21	2021-22	2022-23	Difference	% Growth
Public Records Requests	**31,032**	**34,701**	**38,066**	**7,034**	**23%**
Police Records	23,151	26,239	28,696	5,545	24%
Property Records	2,925	3,734	3,821	896	31%
BOEC/911 Records	1,053	1,211	1,342	289	27%
Fire Records	1,271	1,469	1,470	199	16%
Other Records	2,632	2,048	2,737	105	4%
Public	***14,947***	***16,592***	***19,457***	***4,510***	***30%***
Police Records	*8,190*	*9,010*	*11,128*	*2,938*	*36%*
Property Records	*2,924*	*3,733*	*3,787*	*863*	*30%*
BOEC/911 Records	*949*	*1,139*	*1,281*	*332*	*35%*
Fire Records	*998*	*1,163*	*1,138*	*140*	*14%*
Other Records	*1,886*	*1,547*	*2,123*	*237*	*13%*
Media	***1,012***	***665***	***805***	***(207)***	***-20%***
Police Records	*182*	*116*	*112*	*(70)*	*-38%*
Property Records	*1*	*1*	*34*	*33*	*3300%*
BOEC/911 Records	*93*	*70*	*38*	*(55)*	*-59%*
Fire Records	*3*	*9*	*37*	*34*	*1133%*
Other Records	*733*	*469*	*584*	*(149)*	*-20%*
Reporting Services	***15,073***	***17,444***	***17,804***	***2,731***	***18%***
Police Records	*14,779*	*17,113*	*17,456*	*2,677*	*18%*
Property Records	*0*	*0*	*0*	*0*	*NA*
BOEC/911 Records	*11*	*2*	*23*	*12*	*109%*
Fire Records	*270*	*297*	*295*	*25*	*9%*
Other Records	*13*	*32*	*30*	*17*	*131%*
Government Requests	**13,394**	**14,581**	**13,331**	**(63)**	**0%**
Police Records	12,697	13,473	11,702	(995)	-8%
Property Records	8	17	64	56	700%
BOEC/911 Records	634	1,022	1,490	856	135%
Fire Records	28	42	30	2	7%
Other Records	27	27	45	18	67%
Total Requests	**44,426**	**49,282**	**51,397**	**6,971**	**16%**
Police Records	35,848	39,712	40,398	4,550	13%
Property Records	2,933	3,751	3,885	952	32%
BOEC/911 Records	1,687	2,233	2,832	1,145	68%
Fire Records	1,299	1,511	1,500	201	15%
Other Records	2,659	2,075	2,782	123	5%

Further information and data regarding changes over time can be found in the Data Appendix and Glossary of this report.

Since FY 2020-21, the number of created records requests have increased 16%, reaching a record 51,397 in FY 2022-23. The primary driver of this growth by customer type has been a 30% increase in requests by the Public and a 18% increase in requests by Reporting Services. The primary driver of this growth by record type has been a 15% increase in Police Records requests, a 58% increase in BOEC/911 Records requests, and a 32% increase in Property Records requests. While a 16% increase in Fire Records requests was noted, this only had a minor effect on overall growth due to the relatively smaller number of Fire Records requests. Collectively, this suggests that the growth in requests is related to a greater need for police reports related to insurance claims, though other factors, such as the significant backlog in Police Records requests, likely also play a role.





Future Challenges

The identification of future challenges allows for better resource allocation and the avoidance of potentially significant issues

Growing BOEC/911 Records Requests Backlog

Growth in demand for BOEC/911 Records and limited staff resources has resulted in a significant growth in open BOEC/911 Records requests and increasing response times over the past several fiscal years (page 32). As of the end of FY 2022-23, open BOEC/911 Records requests stood at 505, up 931% compared to the end of FY 2020-21, and more than double the monthly average of requests created in FY 2022-23. The primary driver of this growth is increasing requests by the Public and the Multnomah County District Attorney's Office. Due to the issue being identified and possible solutions formulated by the Legal Records Team, as of the end of FY 2022-23, BOEC hired a limited term staff member to help with the issue. However, this additional staff member is only expected to halt the growth in open requests, not eliminate the backlog. Further information can be found on page 38.

City Council Expansion

In January of 2025, as a result of Charter changes, the number of City Council members will increase from 4 to 12. Initial forecasts suggest that this may result in a significant increase in City Council public records requests. Taking into account current City Council requests related to their roles as elected officials, but not their role as administrators, it's estimated this will result in a 25% to 35% increase in the number of requests handled by the Legal Records Team and a 15% to 25% increase in the number of Electronic Records Searches. This increase would put a significant strain on currently available Legal Records Team resources.

Introduction of Body-Worn Cameras

The Portland Police Bureau (PPB) launched a body-worn camera pilot in early FY 2023-24 with a full roll out to all police officers by early FY 2024-25. Due to the large number of unknown factors, it is difficult to forecast how this will affect PPB records staff resources. However, due to the legal and technical complexity of video redactions, specifically for police body-worn cameras, it will likely have an effect. Furthermore, though additional staff resources have been put in place by PPB, it is unknown if they will be sufficient, especially given continued increases in demand for all types of Police Records. Further information can be found on pages 13, 30, and 37.

Increasing Records Requests and Appeals

Since FY 2020-21, overall records requests have grown 16%, entirely driven by a 23% increase in Public requests, which in turn is driven by a 30% increase in requests made by the subcategory members of the public and a 18% increase in requests made by the subcategory reporting services (page 13). While implemented process improvements and increased staffing resource allocation by the Legal Records Team and individual bureaus has helped meet this growing demand, it is unknown whether or not this growth will continue into the future. Over the same period of time, both the volume and complexity of public records appeals to the Multnomah County District Attorney have increased (pages 8 and 11).

Growing Demand on Legal Records Team Resources

Over the past three fiscal years, the work handled by the Legal Records Team has increased by all statistical measures currently tracked and is likely to continue to do so into the future (page 11). Though the number of staff assigned to the team was increased in FY 2022-23, what the statistics do not show is the increasing complexity of the work done by the Legal Records Team, including the handling of large requests and Electronic Records Searches, implementing legal holds, updating systems to improve equitable accessibility, performing policy analysis, and providing legal advice and overseeing public records appeals cases. Receiving mass requests from a small number of individuals (page 39), the need to maintain resources targeting continuous process improvements, and the centralization of City functions under the new form of government are also factors.

Single High Volume Requester

In FY 2022-23, a single customer made 714 General Records requests, accounting for 26% of the total created, far more than any other customer. Of these, 72% were administratively closed for non-payment of fees. The administering of these requests, largely handled by the Legal Records Team, represented a significant amount of staff time, limiting the ability to respond to requests by other customers in a timely manner. There is no recourse for the City to prevent such issues from reoccuring in the future. Only the State Legislature can make policy on vexatious public records requesters. Further information can be found on page 39.

Glossary

Record Types

Police Records include records involving specific individuals, locations, or incidents related to the Portland Police Bureau carrying out its regular duties; such as police reports, traffic crash reports, citations, name checks, address searches, officer notes, etc.

Property Records include records involving specific properties; such as building permits, code enforcement records, land use records, septic records, noise complaints, City cannabis and liquor licensing, and unreinforced masonry records.

BOEC/911 Records include records detailing specific 911 and non-emergency line calls, radio transmissions, and dispatches handled by the Bureau of Emergency Communications, which include not just the City of Portland, but all of Multnomah County.

Fire Records include records involving specific individuals, locations, or incidents related to Portland Fire and Rescue carrying out its regular duties; such as fire reports and investigations, permits issued by Portland Fire and Rescue, fire code inspections, and emergency medical service records.

Other Records include City of Portland administrative records; such as emails, texts, statistics, personnel records, studies and reports, and any other information that relates to the administrative functions of the City government or do not fit into the other record types.

Customer Types

Public Requests indicates the customer self-identified as a member of the Public, Media, or Reporting service. Public data is limited prior to FY 2019-20.

Public, a sub-category of Public Requests, indicates the customer self-identified as a member of the public, which includes any customer who does not fit into one of the other two Public Request sub-categories.

Media, a sub-category of Public Requests, indicates the customer self-identified as a reporter or other public media professional.

Reporting Services, a sub-category of Public Requests, indicates the customer self-identified or was identified as the representative of a company seeking information on behalf of reporting companies usually for reasons related to insurance premiums and payouts.

Government indicates the customer self-identified as the representative of a local, county, regional, state, federal, or international government agency. This includes some internal records requests between City of Portland bureaus and offices. In cases where the information provided is legally privileged, the City verifies the customer's identity prior to releasing records. Government requests are not legally public records requests. Government data is not available prior to FY 2020-21.

Closed Requests Statuses

Request Fulfilled indicates records were provided to the customer or the customer was notified the City was unable to locate the records described following a reasonable search. This may include the release of partial or redacted records in the case when some information cannot legally be released.

Not Released indicates the requested records were not released due to the City having a legal obligation to not release them or state law allows for the requested records to not be released because the records are statutorily exempt from disclosure.

Withdrawn indicates the request was withdrawn by the customer via direct communication prior to the records being released. It does not include requests where the customer failed to pay an invoice within sixty days of it being issued.

Administratively Closed indicates the request was closed without the release of records due to various factors, including non-payment of an invoice within 60 days of issuance, lack of response from the customer to subsequent communications, the City not being the custodian of the records, the customer utilizing the incorrect portal for the request, or closure for technical reasons.

Types of Fees

Under Oregon statute, the City of Portland is allowed to charge a reasonable fee to cover the actual cost of fulfilling a public records request. The City has two types of estimates depending on whether it estimated the fees before or after receiving the request.

Pre-Paid Estimated Fees are paid when a request is made and are based on time studies to create an estimate for certain types of records requests that the City receives frequently. Pre-paid estimated fees are the estimated minimum amount of time to complete a request for a specific type of record. The processing of a request does not begin until the pre-paid estimated fee is paid.

Estimated Fees are created after a request is received and are based on an estimate of how long it will take City employees to fulfill the specific public records request. The requester is notified of the total estimated fee that will be charged and must pay a deposit prior to the request being processed. Once work has been completed, but prior to the records being released, the requester must then pay the remainder of the cost of fulfilling the request based upon the actual amount of time it took City employees to fulfill the request.

Glossary

Types of Fee Waivers

The City of Portland has the ability to fully or partially waive fees for a variety of reasons. These waivers may be automatically applied or only applied when requested.

Public Interest fee waivers are granted based upon the customer requesting the waiver and answering a set of questions to establish that the release of records is in the public interest and that they have the ability to widely distribute them.

Financial Hardship fee waivers are granted based upon the customer requesting the waiver and answering a set of questions to establish that the records are needed and that paying for them would cause an unnecessary financial hardship.

1-Hour fee waivers are granted in cases when it takes less than one hour of labor to fulfill the request. 1-Hour waivers are automatically granted to many requests not involving a pre-paid estimated fee.

Crime Victim fee waivers are automatically applied, waiving the full fee, when a member of the public requests a police report which involves them as a victim of a crime.

Public Defender fee waivers are applied to BOEC/911 Records requests when the record is related to a legal case being handled by an identified public defender. The waiver reduces such requests to a flat fee of $20.

Government fee waivers are not governed by public records laws. In most cases, the City of Portland does not charge a fee for records requested by government entities.

Other fee waivers are those which are otherwise not categorized. Common applications include the City not having the records requested, records not being released, another type of waiver being applied but not tracked, or other administrative situations.

None signifies that no fee waiver was applied. In some cases, this can be due to the request being administratively closed or withdrawn prior to a decision on whether or not to apply a fee waiver can be made.

Measurements of Time

By Oregon statute, the City of Portland is required to fulfill requests for records within a reasonable amount of time. To aid in meeting this requirement, the City tracks the time it takes to fulfill requests via two related, but distinct, measurements of time.

WDO Days, (Work Days Open Days), are the amount of time between the request being created and closed, taking into account pauses for weekends, City holidays, waiting for a requester to pay an invoice, and waiting for a requester to respond to a query for clarifying information.

ORS Days (Oregon Revised Statute Days) are a similar measurement to WDO Days, in that it also takes into account pauses for weekends, City holidays, and waiting for a requester to respond to a query for clarifying information. However, as per ORS 192.329, the count stops once the City has responded by providing either the records requested or an estimate of when they will be provided. The City has a legal requirement to provide an estimate or complete its response within 15 ORS days.

City of Portland Bureaus

Legal Records Team - Team within the City Attorney's Office which oversees the records request management system and handles complex requests in addition to requests to the City Attorney's Office, Mayor's Office, and the City Council offices.

Attorney - City Attorney's Office
Auditor - City Auditor's Office
BDS - Bureau of Development Services
BES - Bureau of Environmental Services
BOEC - Bureau of Emergency Communications
Budget - City Budget Office
City Council - Offices of City Council members
Civic Life - Office of Community and Civic Life
BDS - Bureau of Development Services
Community Safety Division - City Community Safety Division
Equity - Office of Equity and Human Rights
Fire - Portland Fire and Rescue
FPD&R - Fire and Police Disability and Retirement
Govt Rel - Office of Government Relations
Housing - Portland Housing Bureau
IPR - Independent Police Review
Mayor - Office of the Mayor
OMF - Office of Management and Finance
Parks - Portland Parks and Recreation
PBEM - Portland Bureau of Emergency Management
PBOT - Portland Bureau of Transportation
Planning and Sustainability - Bureau of Planning and Sustainability
Portland Children's Levy - Portland Children's Levy
PPB - Portland Police Bureau
Water - Portland Water Bureau

Data

Appendix

Records Requests by Record Type - Overview

Data regarding the different types of records requests (created, closed, open, and processing times)

Records Requests Summary Fiscal Year 2022-23	Total		Public Requests		Government	
	Created	Closed	Created	Closed	Created	Closed
Police Records	40,398	57,519	28,696	42,213	11,702	15,306
Property Records	3,885	3,851	3,821	3,787	64	64
BOEC/911 Records	2,832	2,405	1,342	924	1,490	1,481
Fire Records	1,500	1,505	1,470	1,474	30	31
Other Records	2,782	2,814	2,737	2,776	45	38
Total Requests	**51,397**	**68,094**	**38,066**	**51,174**	**13,331**	**16,920**

Open Records Requests Summary Fiscal Year 2022-23	Total		Public Requests		Government	
	FY Start	FY End	FY Start	FY End	FY Start	FY End
Police Records	20,854	3,733	16,713	3,196	4,141	537
Property Records	83	117	82	116	1	1
BOEC/911 Records	109	536	103	521	6	15
Fire Records	75	70	73	69	2	1
Other Records	234	202	234	195	0	7
Total Requests	**21,355**	**4,658**	**17,205**	**4,097**	**4,150**	**561**

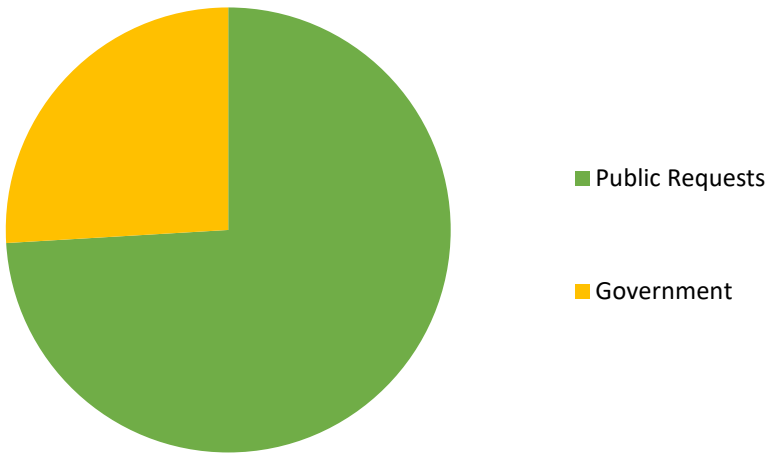
Closed Records Requests WDO and ORS Days Summary Fiscal Year 2022-23	Total	Public Requests		Gov't
	WDO<31	WDO<31	ORS<16	WDO<31
Police Records	40%	37%	92%	47%
Property Records	99%	99%	100%	98%
BOEC/911 Records	89%	71%	97%	100%
Fire Records	93%	93%	99%	84%
Other Records	85%	85%	85%	95%
Total Closed Requests	**48%**	**46%**	**92%**	**52%**

Further information can be found in the Glossary of this report.

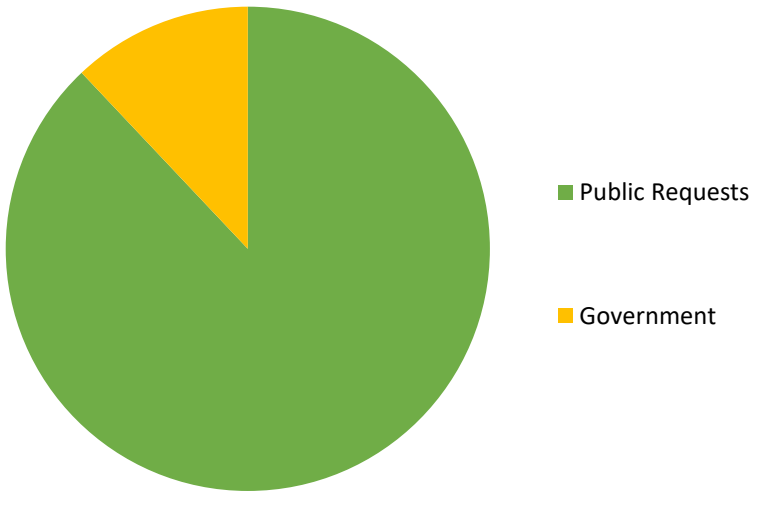
A few things to note regarding this data:

- Police Records show a significantly higher level of closed requests compared to created requests and a significant decline in open requests due to the Police Records Backlog Project (page 4).
- The low percentage of Police Records and BOEC/911 Records closed in less than 30 WDO Days highlights the request backlog issues for both of these records types.

Total Created Requests by Customer Type



Total Fiscal Year End Open Requests by Customer Type



Public Records Requests by Record Type

Data regarding only public records requests (including created, closed, open, and processing times)

Public Records Requests Summary Fiscal Year 2022-23	Public		Media		Reporting Services	
	Created	Closed	Created	Closed	Created	Closed
Police Records	11,128	11,619	112	116	17,456	30,478
Property Records	3,787	3,754	34	33	0	0
BOEC/911 Records	1,281	877	38	42	23	5
Fire Records	1,138	1,145	37	37	295	292
Other Records	2,123	2,119	584	604	30	53
Total Requests	**19,457**	**19,514**	**805**	**832**	**17,804**	**30,828**

Open Public Records Requests Summary Fiscal Year 2022-23	Public		Media		Reporting Services	
	FY Start	FY End	FY Start	FY End	FY Start	FY End
Police Records	1,651	1,160	32	28	15,030	2,008
Property Records	82	115	0	1	0	0
BOEC/911 Records	98	502	5	1	0	18
Fire Records	60	53	3	3	10	13
Other Records	156	160	53	33	25	2
Total Requests	**2,047**	**1,990**	**93**	**66**	**15,065**	**2,041**

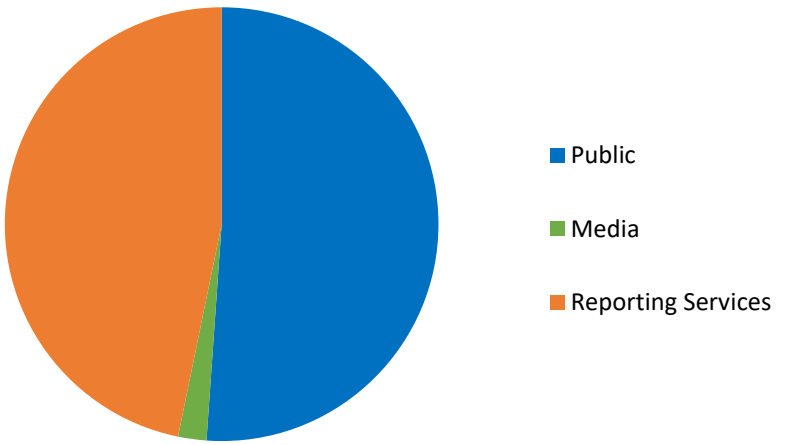
Closed Public Records Requests WDO and ORS Targets Summary Fiscal Year 2022-23	Public		Media		Reporting Services	
	WDO<31	ORS<16	WDO<31	ORS<16	WDO<31	ORS<16
Police Records	61%	71%	43%	85%	28%	100%
Property Records	99%	100%	100%	97%	N/A	N/A
BOEC/911 Records	69%	97%	98%	95%	60%	100%
Fire Records	95%	99%	97%	92%	85%	100%
Other Records	86%	85%	85%	87%	43%	100%
Total Closed Requests	**73%**	**81%**	**81%**	**88%**	**28%**	**100%**

Further information can be found in the Glossary of this report.

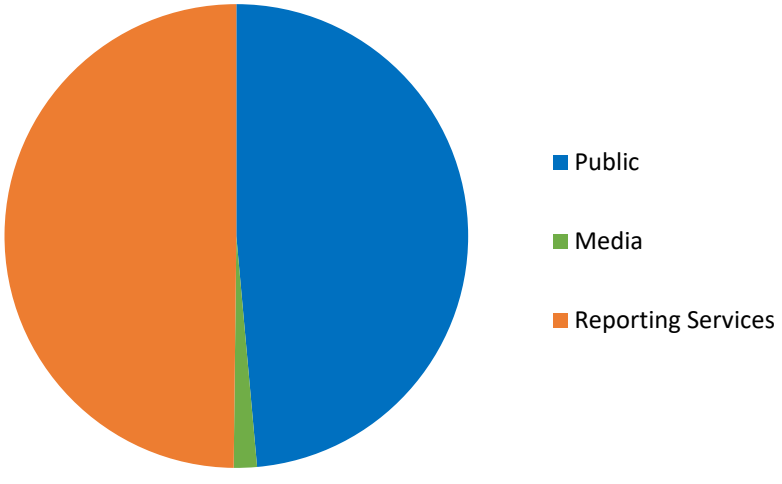
A few things to note regarding this data:

- Police Records show a significantly higher level of closed requests compared to created requests and a significant decline in open requests due to the Police Backlog Records Project (page 4).
- The low percentage of Police Records and BOEC/911 Records closed in less than 31 WDO Days highlights the request backlog issues for both of these records types.

Created Public Records Requests by Customer Type



Open Public Records Requests by Customer Type



Public Records Requests by Record Type - Other Information

Other relevent information regarding public records requests subdivided by record type

Closed Public Records Requests Status Fiscal Year 2022-23					
	Total Closed	Request Fulfilled	Not Released	With-drawn	Admin. Closed
Police Records	42,213	38,682	2,749	89	693
Property Records	3,787	3,450	8	11	318
BOEC/911 Records	924	724	19	69	112
Fire Records	1,474	1,283	2	24	165
Other Records	2,776	1,714	54	36	972
Total Closed Requests	**51,174**	**45,853**	**2,832**	**229**	**2,260**

Created Public Records Requests Source Summary Fiscal Year 2022-23						
	Total Created	Online System	Email	Letter	Other	Unknown
Police Records	28,696	28,451	3	136	91	15
Property Records	3,821	3,817	1	0	1	2
BOEC/911 Records	1,342	1,334	2	6	0	0
Fire Records	1,470	1,451	0	0	19	0
Other Records	2,737	2,679	3	44	4	7
Total Created Requests	**38,066**	**37,732**	**9**	**186**	**115**	**24**

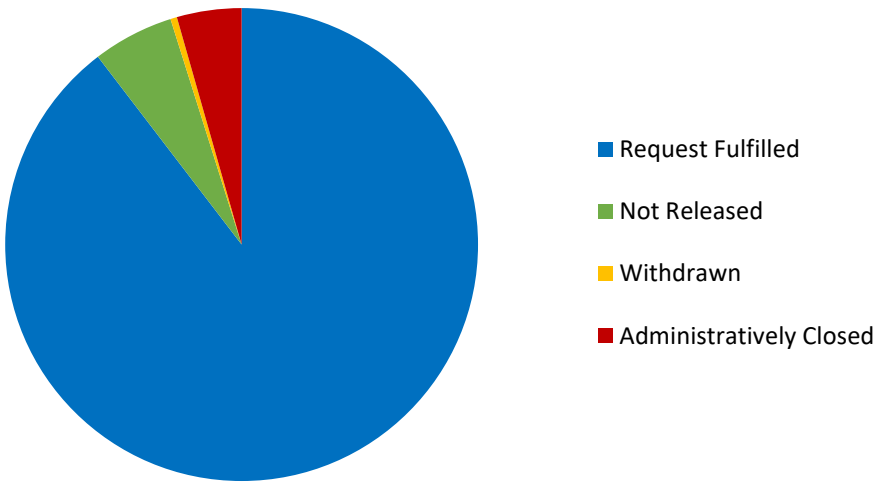
Created Public Records Requests Preferred Delivery Method Fiscal Year 2022-23						
	Total Created	Online System	Regular Mail	Pick-Up Copies	Personal Inspection	Unknown
Police Records	28,696	27,987	524	112	13	60
Property Records	3,821	3,717	66	27	11	0
BOEC/911 Records	1,342	1,283	48	7	0	4
Fire Records	1,470	1,456	12	1	1	0
Other Records	2,737	2,692	26	13	6	0
Total Created Requests	**38,066**	**37,135**	**676**	**160**	**31**	**64**

Further information can be found in the Glossary of this report.

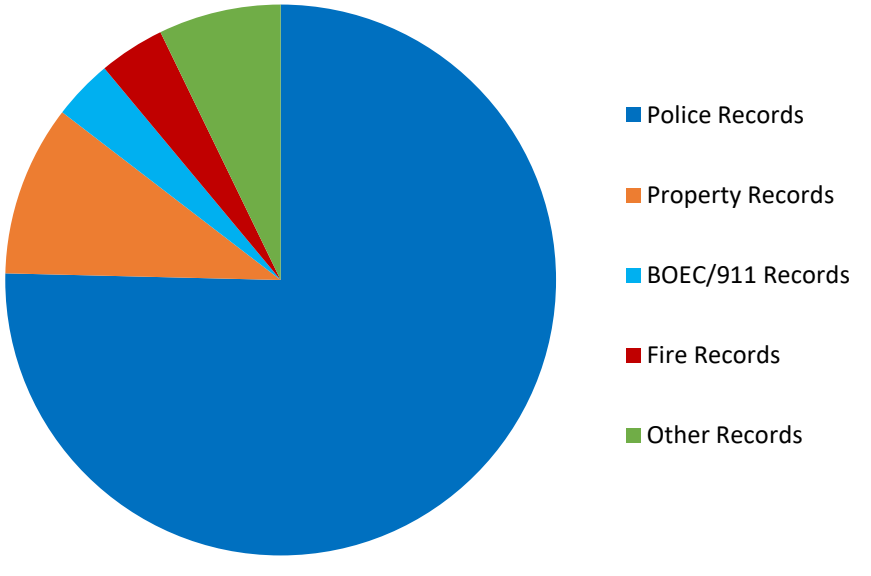
A few things to note regarding this data:

- It is the policy of the City to encourage the use of the online request system whenever possible.
- The category of Other in the request source summary includes fax, phone, walk-in, and other non-defined sources.
- During Fiscal Year 2022-23, BOEC at times mailed out CD's containing call and dispatch audio. However, this option is being phased out due to technological changes.

Total Closed Public Records Requests by Status



Total Created Public Records Requests by Record Type



Records Requests by Assigned Bureau - Open Requests

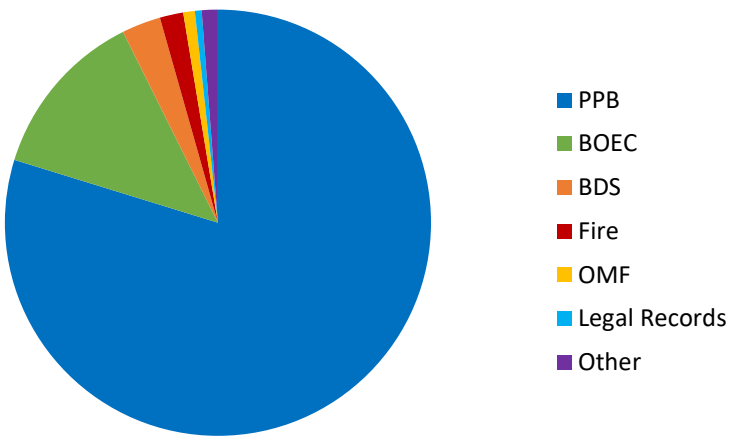
Open requests at the start and end of Fiscal Year 2022-23 for each bureau

Open Records Requests Summary by Assigned Bureau						
Fiscal Year 2022-23						
	Total		Public Requests		Government	
	FY Start	FY End	FY Start	FY End	FY Start	FY End
Attorney	85	14	84	14	1	0
City Council	4	1	4	0	0	1
Mayor	7	7	7	7	0	0
Legal Records Team Subtotal	***96***	***22***	***95***	***21***	***1***	***1***
Auditor	3	2	3	2	0	0
BDS	86	122	85	121	1	1
BES	7	1	7	1	0	0
BOEC	109	543	103	528	6	15
Budget	0	0	0	0	0	0
Civic Life	4	1	4	1	0	0
Community Safety Division	0	0	0	0	0	0
Equity	1	0	1	0	0	0
Fire	75	74	73	73	2	1
FPD&R	0	1	0	1	0	0
Government Relations	0	0	0	0	0	0
Housing	1	0	1	0	0	0
IPR	1	0	1	0	0	0
OMF	13	41	13	36	0	5
Parks	2	30	2	30	0	0
PBEM	0	0	0	0	0	0
PBOT	9	8	9	7	0	1
Planning and Sustainability	4	4	4	4	0	0
Portland Children's Levy	0	0	0	0	0	0
PPB	20,944	3,805	16,804	3,268	4,140	537
Water	0	4	0	4	0	0
Non-Legal Team Subtotals	***21,259***	***4,636***	***17,110***	***4,076***	***4,149***	***560***
Overall Total Requests	**21,355**	**4,658**	**17,205**	**4,097**	**4,150**	**561**

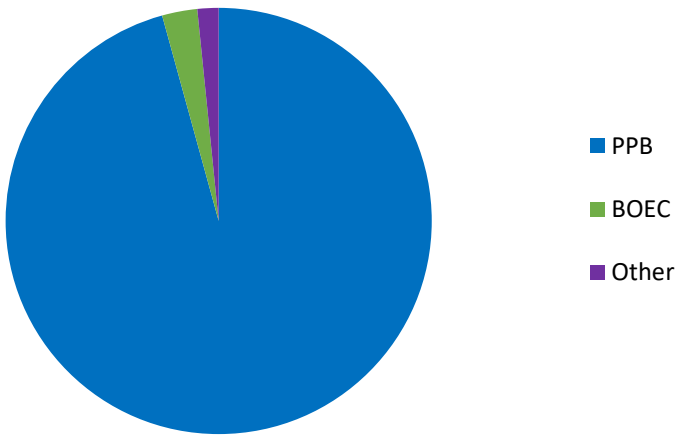
A few things to note regarding this data:

- Complex requests are often re-assigned to the City Attorney's Office.
- The significant drop in PPB open requests in FY 2022-23 is thanks to increased PPB staffing (page 37) and the Police Records Backlog Project (page 4).
- The significant increase in BOEC open requests in FY 2022-23 is due to an increase in demand exceeding available staffing resources (page 38).

Open Public Records Requests by Assigned Bureau



Open Government Requests by Assigned Bureau



Further information can be found in the Glossary of this report.

Records Requests by Assigned Bureau - Time to Close

Requests meeting processing time goals during Fiscal Year 2022-23 for each bureau

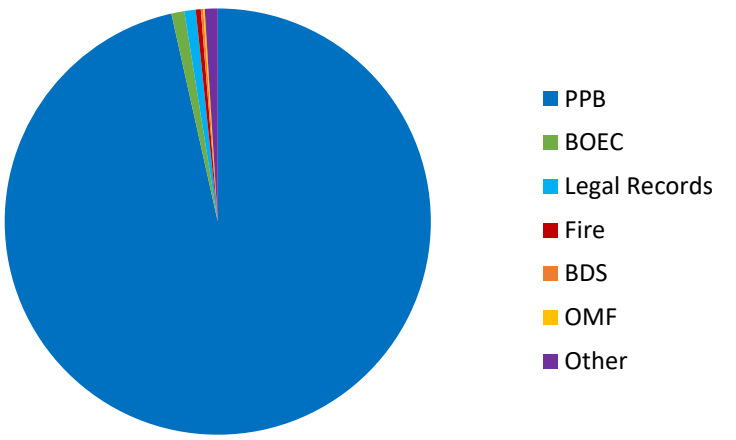
Closed Records Requests Summary by Assigned Bureau							
Fiscal Year 2022-23							
	Total		Public Requests			Government	
	Closed	WDO<31	Closed	WDO<31	ORS<16	Closed	WDO<31
Attorney	927	75%	912	75%	81%	15	40%
City Council	104	88%	104	88%	85%	0	N/A
Mayor	177	99%	177	99%	95%	0	N/A
Legal Records Team Subtotal	***1,208***	***79%***	***1,193***	***80%***	***84%***	***15***	***40%***
Auditor	51	100%	49	100%	98%	2	100%
BDS	3,941	99%	3,873	99%	100%	68	99%
BES	139	93%	138	93%	93%	1	100%
BOEC	2,407	89%	924	71%	97%	1,483	100%
Budget	12	92%	11	100%	91%	1	0%
Civic Life	83	94%	83	94%	84%	0	N/A
Community Safety Division	2	100%	2	100%	100%	0	N/A
Equity	7	100%	6	100%	83%	1	100%
Fire	1,577	93%	1,546	93%	99%	31	84%
FPD&R	5	100%	5	100%	80%	0	N/A
Government Relations	7	100%	7	100%	100%	0	N/A
Housing	60	98%	60	98%	90%	0	N/A
IPR	8	88%	8	88%	88%	0	N/A
OMF	413	92%	405	92%	77%	8	100%
Parks	74	95%	71	94%	87%	3	100%
PBEM	4	75%	3	67%	67%	1	100%
PBOT	212	97%	206	98%	95%	6	83%
Planning and Sustainability	52	92%	52	92%	85%	0	N/A
Portland Children's Levy	0	N/A	0	N/A	N/A	0	N/A
PPB	57,761	40%	42,466	37%	92%	15,295	47%
Water	71	100%	66	100%	97%	5	100%
Non-Legal Team Subtotals	***66,886***	***47%***	***49,981***	***46%***	***93%***	***16,905***	***52%***
Overall Total Requests	**68,094**	**48%**	**51,174**	**46%**	**92%**	**16,920**	**52%**

Further information can be found in the Glossary of this report.

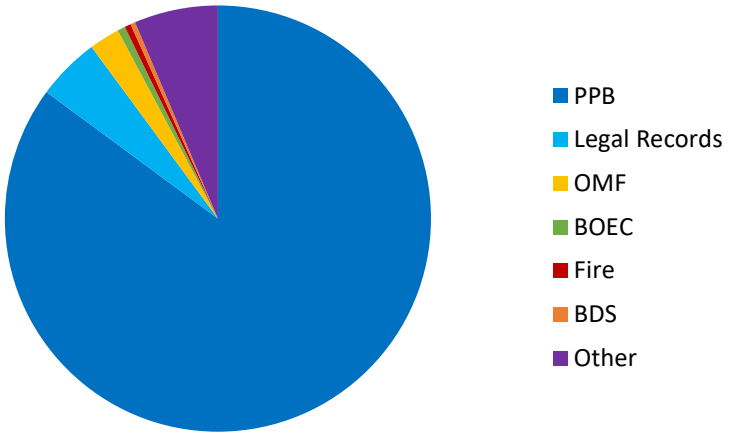
A few things to note regarding this data:

- Often more complicated requests are assigned to the City Attorney's Office. Thus many requests cannot be closed within 30 WDO days.
- Due to the backlog of requests, both PPB and BOEC had a lower rate of closure.
- Since PPB, BOEC, BDS, and Fire use pre-paid estimated fees, they tend to have higher rates of closures within 15 ORS days.

Public Records Requests Closed Past 30 WDO Days



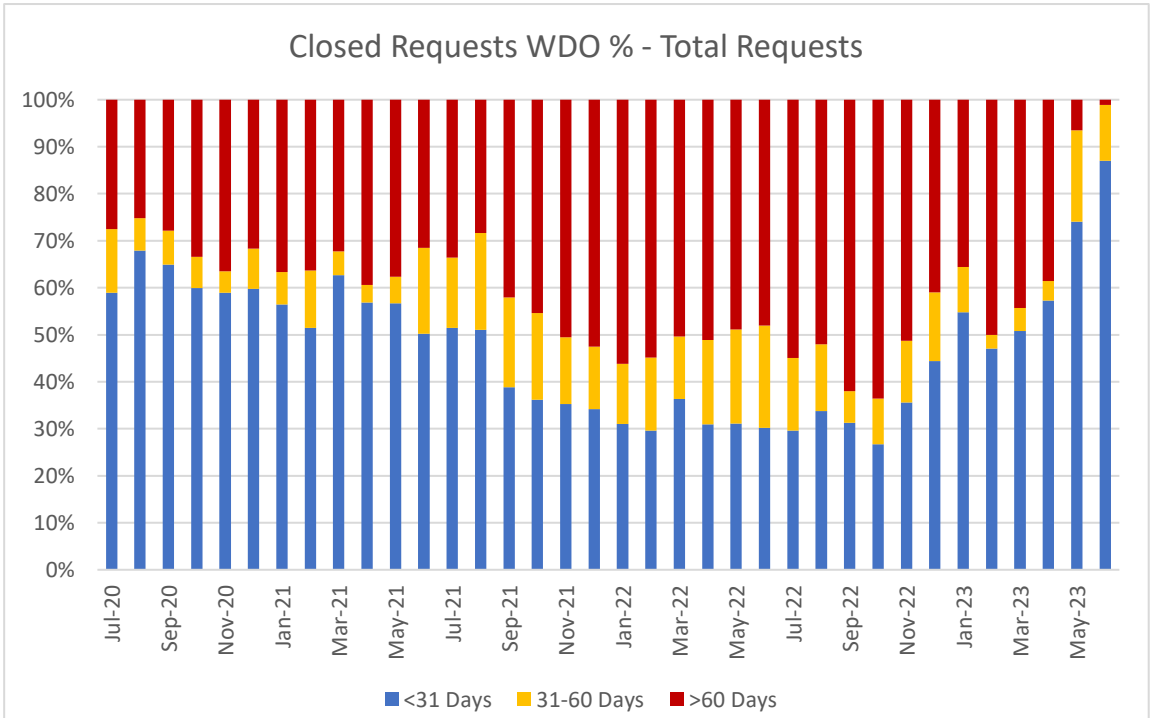
Public Records Requests Closed Past 15 ORS Days

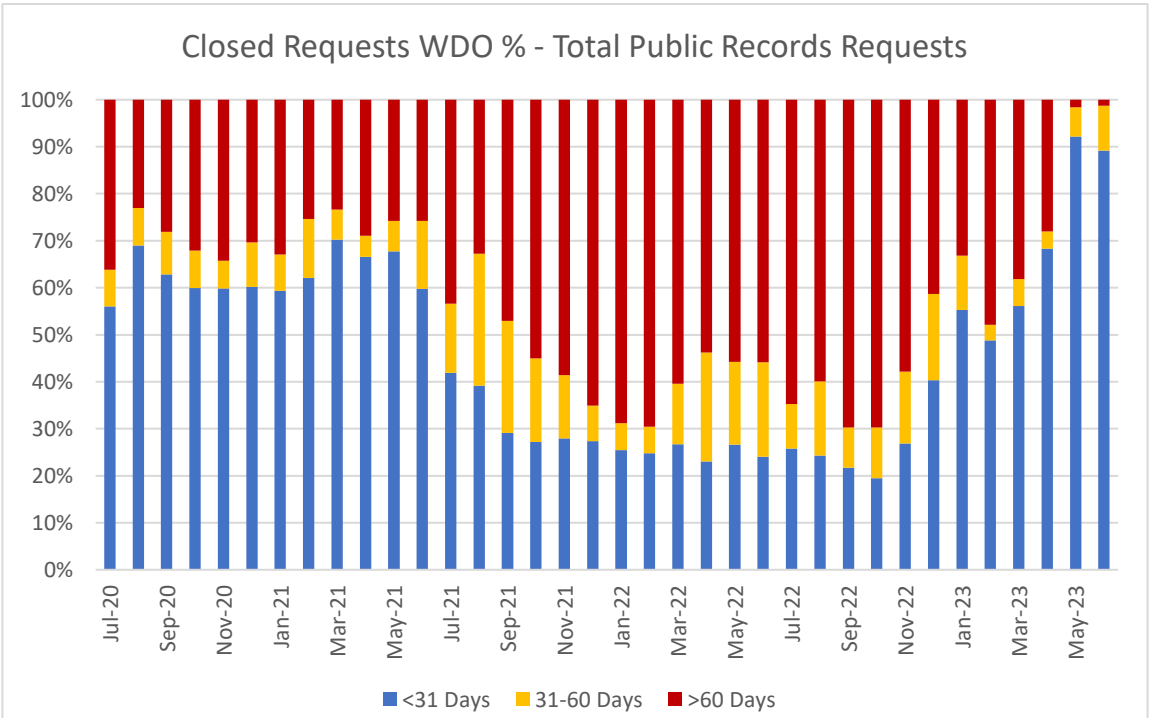


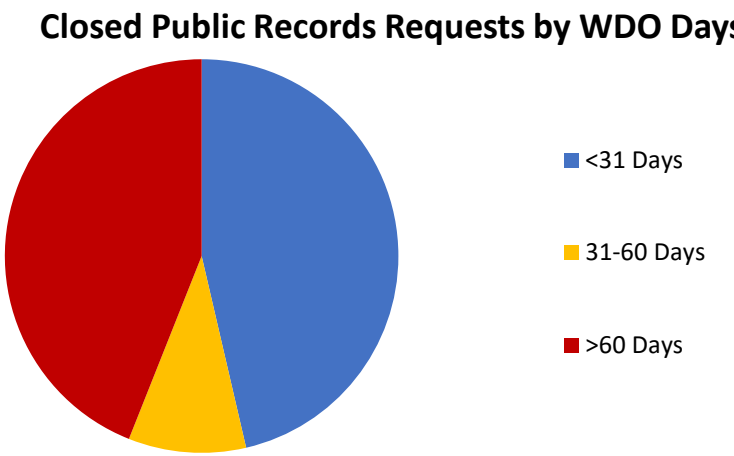
Closed Records Requests Business Days and Statutory Days to Close

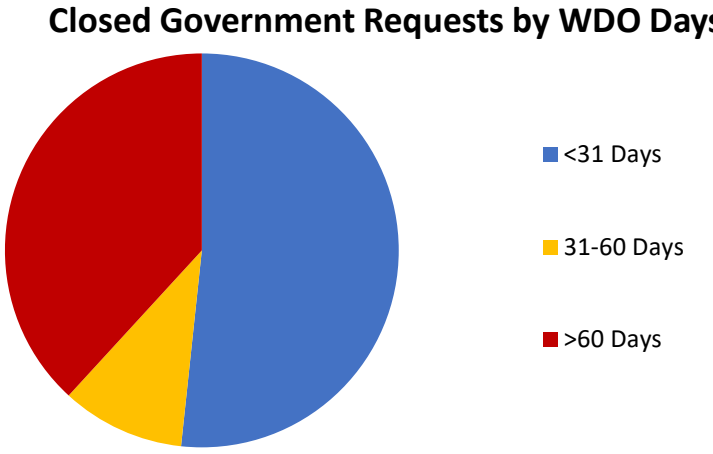
Measuring the time it takes to respond to records requests as set by the requirements of state law and City policy

Closed Requests WDO Days and ORS Days to Close Summary												
Fiscal Year 2022-23												
	WDO Days Total			WDO Days Public Requests			ORS Days Public Requests			WDO Days Gov't Requests		
	<31	31-60	>60	<31	31-60	>60	<31	31-60	>60	<31	31-60	>60
Police Records	22,746	6,291	28,482	15,607	4,582	22,024	38,803	1,531	1,879	7,139	1,709	6,458
Property Records	3,806	21	24	3,743	21	23	3,779	6	2	63	0	1
BOEC/911 Records	2,133	112	160	652	112	160	900	7	17	1,481	0	0
Fire Records	1,398	52	55	1,372	48	54	1,457	14	3	26	4	1
Other Records	2,390	182	242	2,354	180	242	2,370	266	140	36	2	0
Total Closed Requests	**32,473**	**6,658**	**28,963**	**23,728**	**4,943**	**22,503**	**47,309**	**1,824**	**2,041**	**8,745**	**1,715**	**6,460**



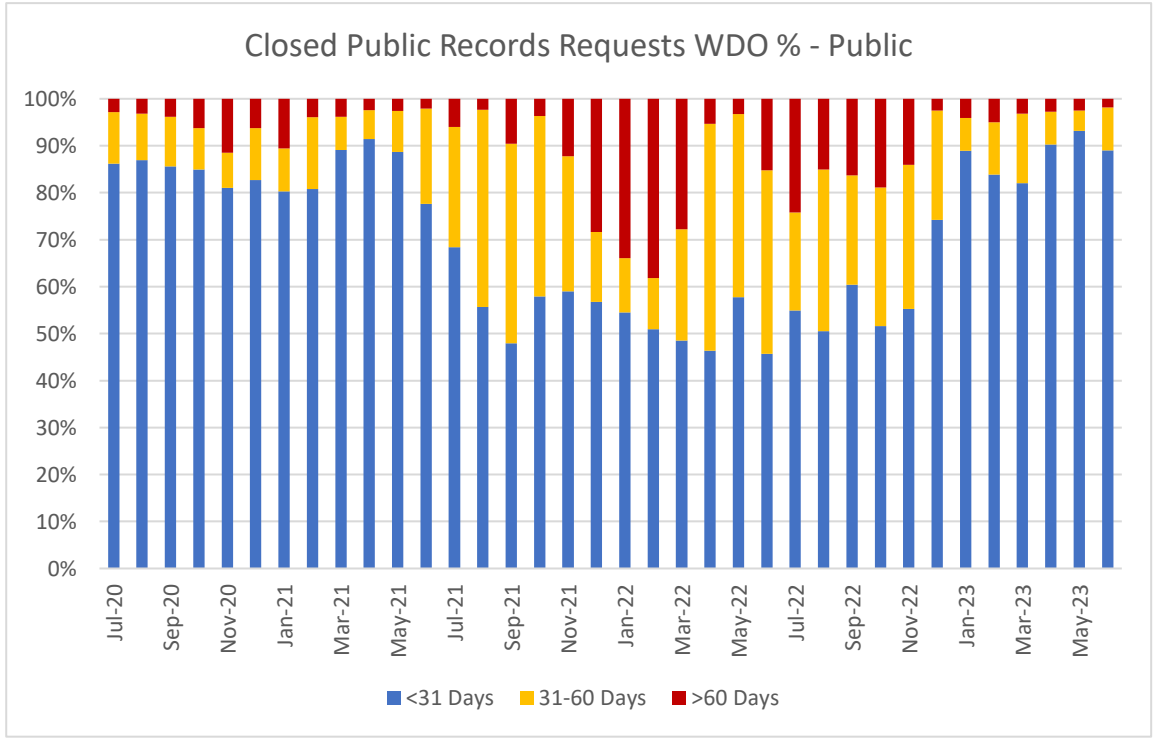


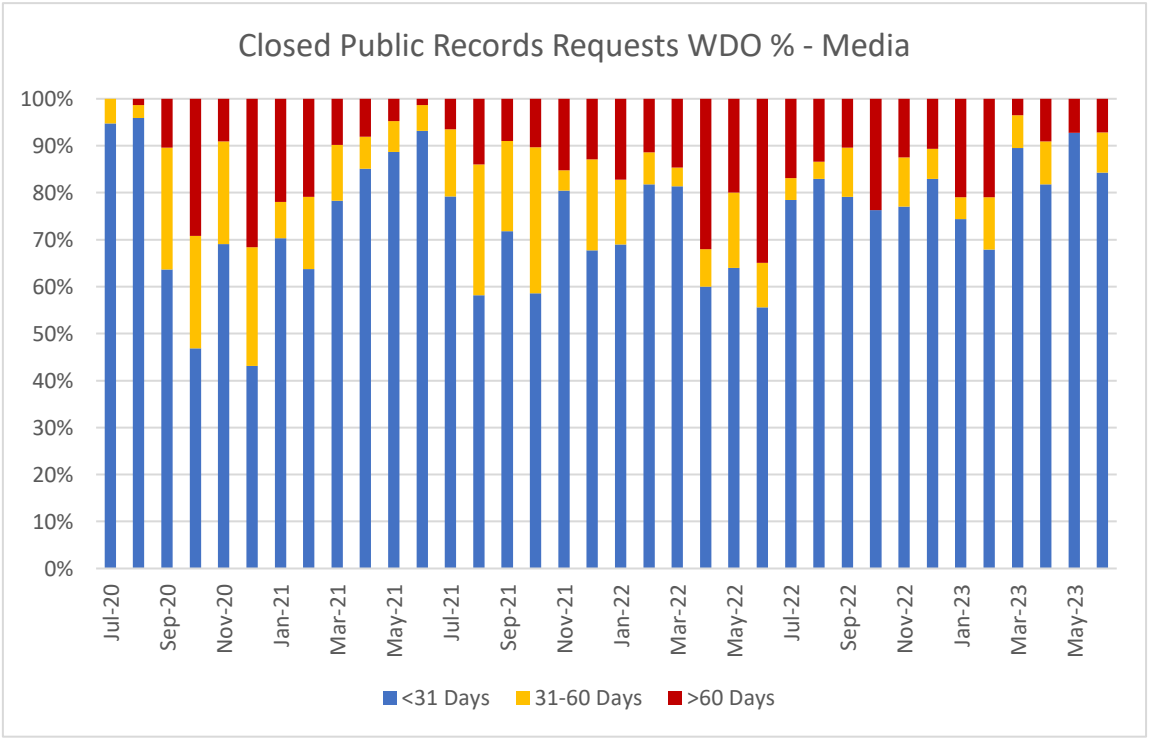


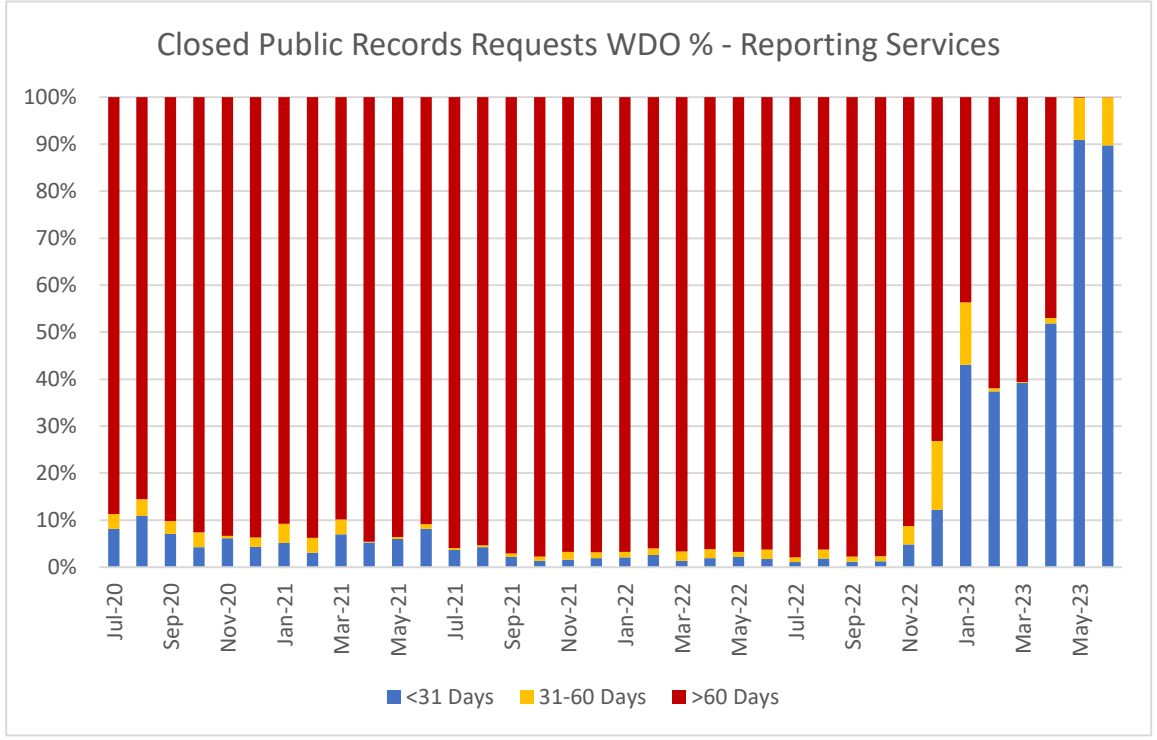


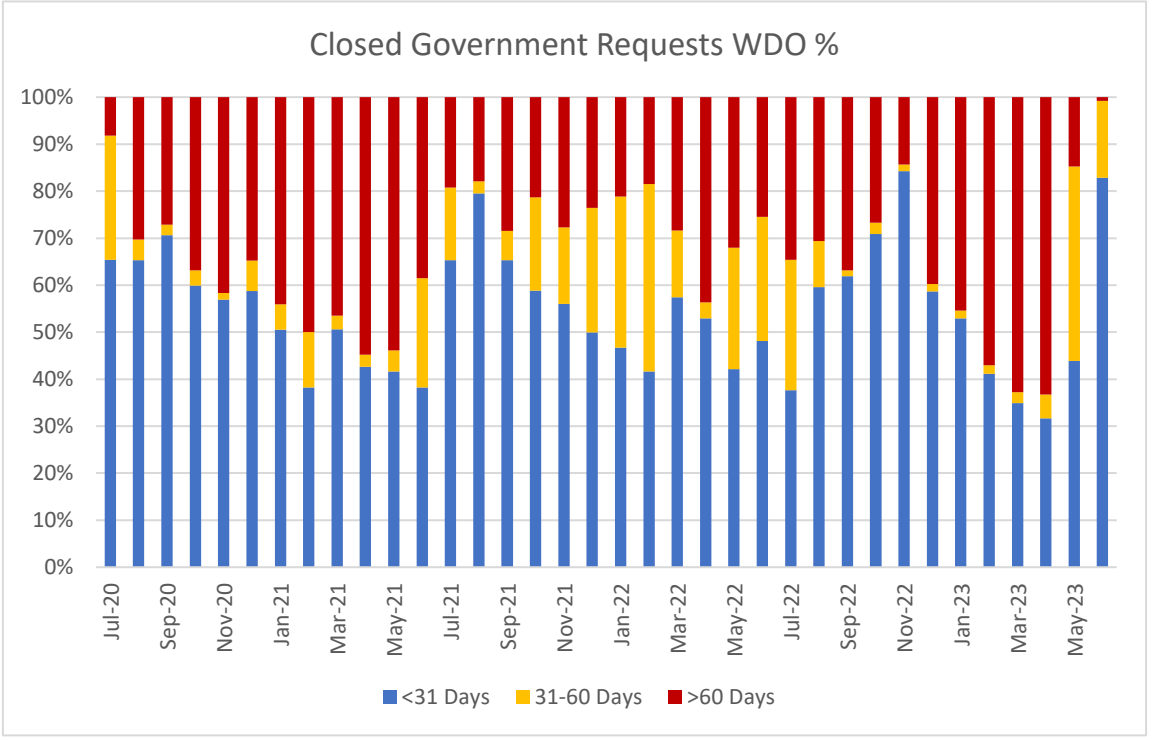
Closed Records Requests Business Days and Statutory Days to Close

Measuring the time it takes to respond to records requests as set by the requirements of state law and City policy





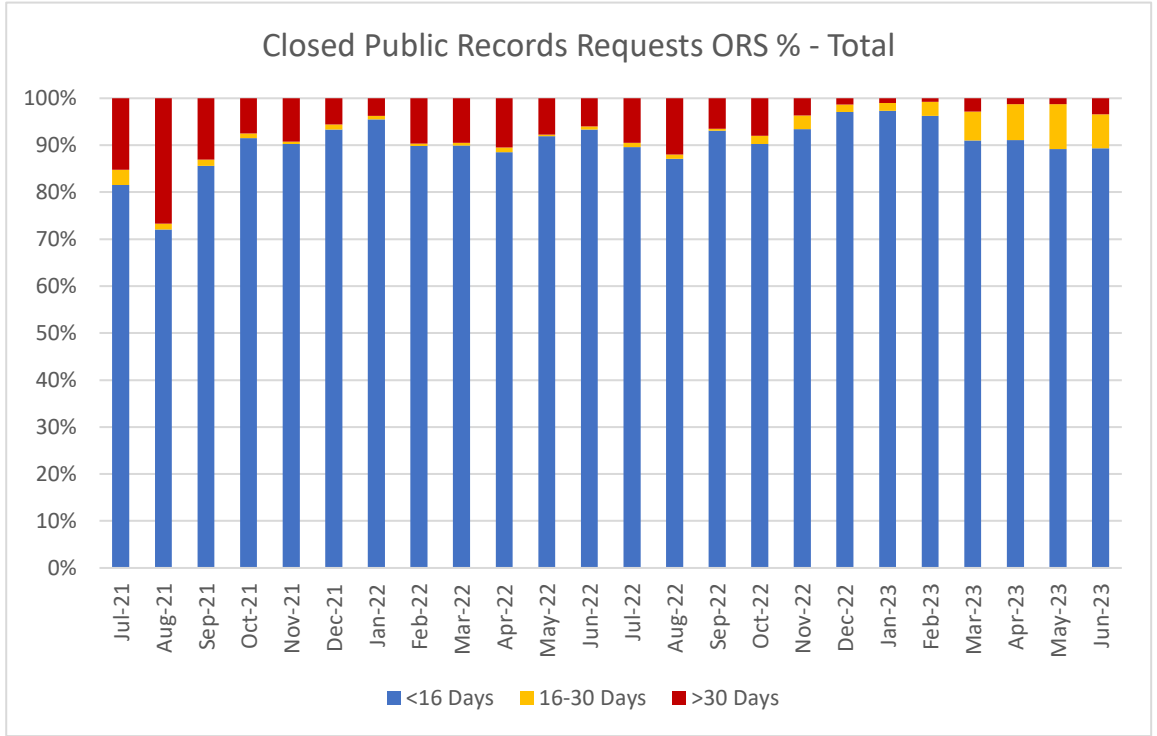


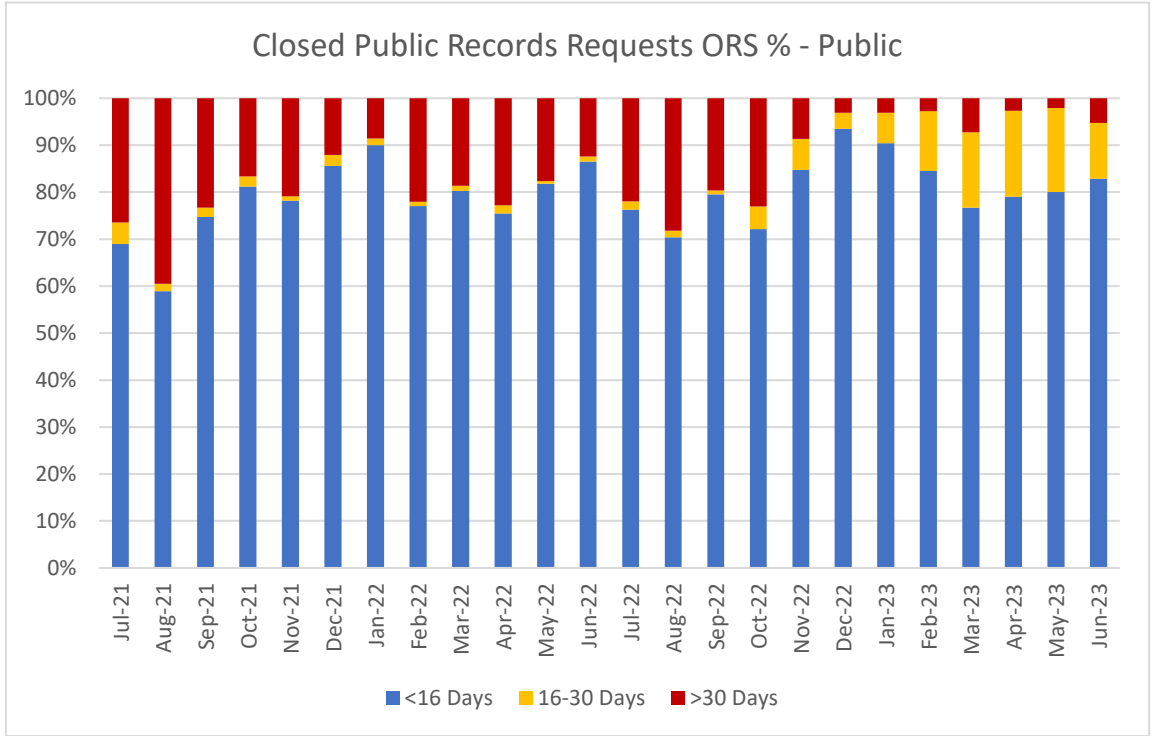


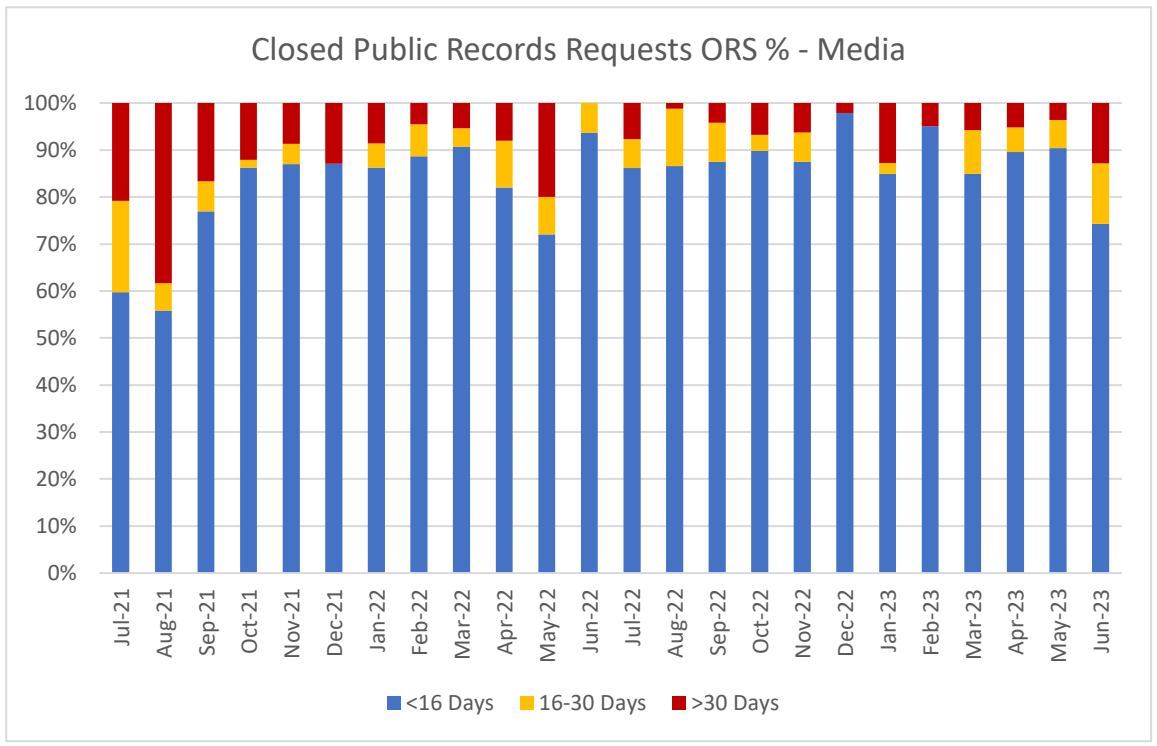
Further information can be found in the Glossary of this report.

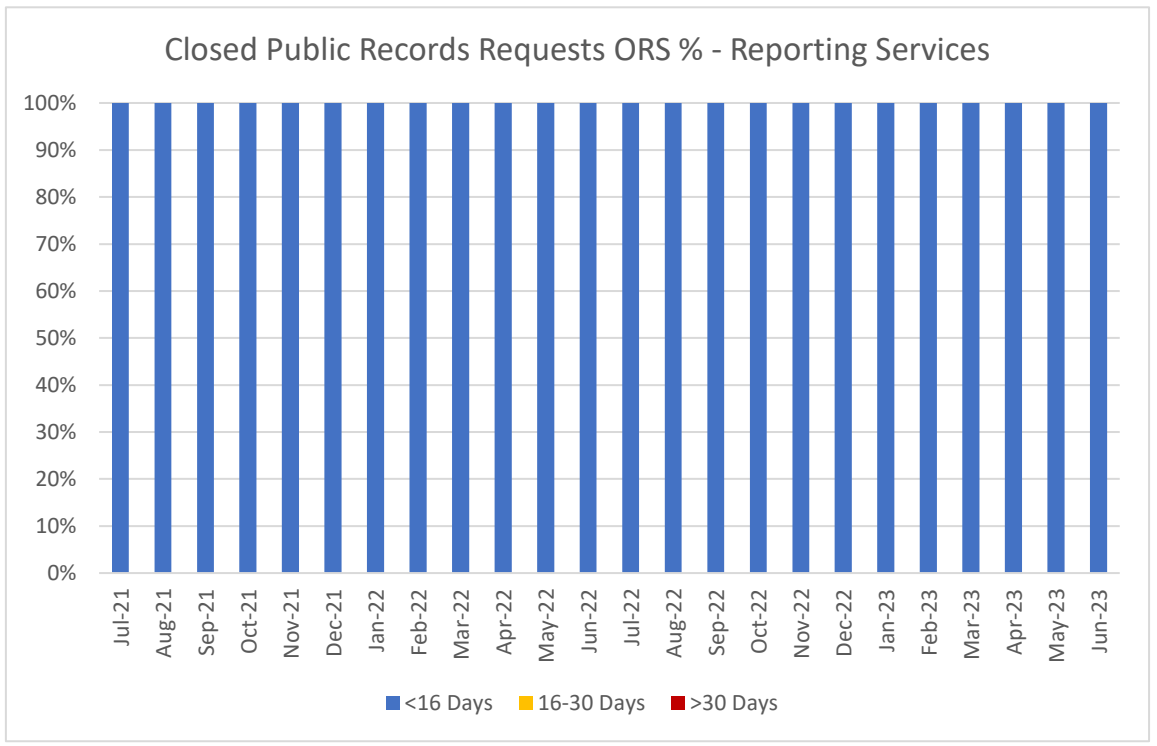
Closed Public Records Requests Business Days and Statutory Days to Close

Measuring the time it takes to respond to public records requests as set by the requirements of state law and City policy







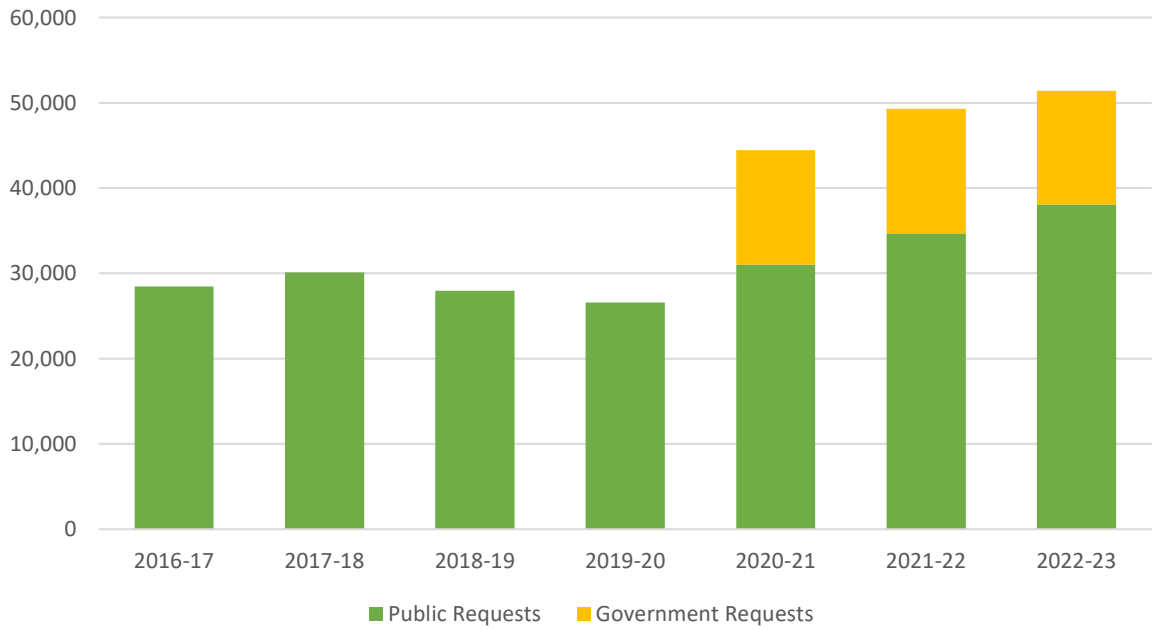


Further information can be found in the Glossary of this report.

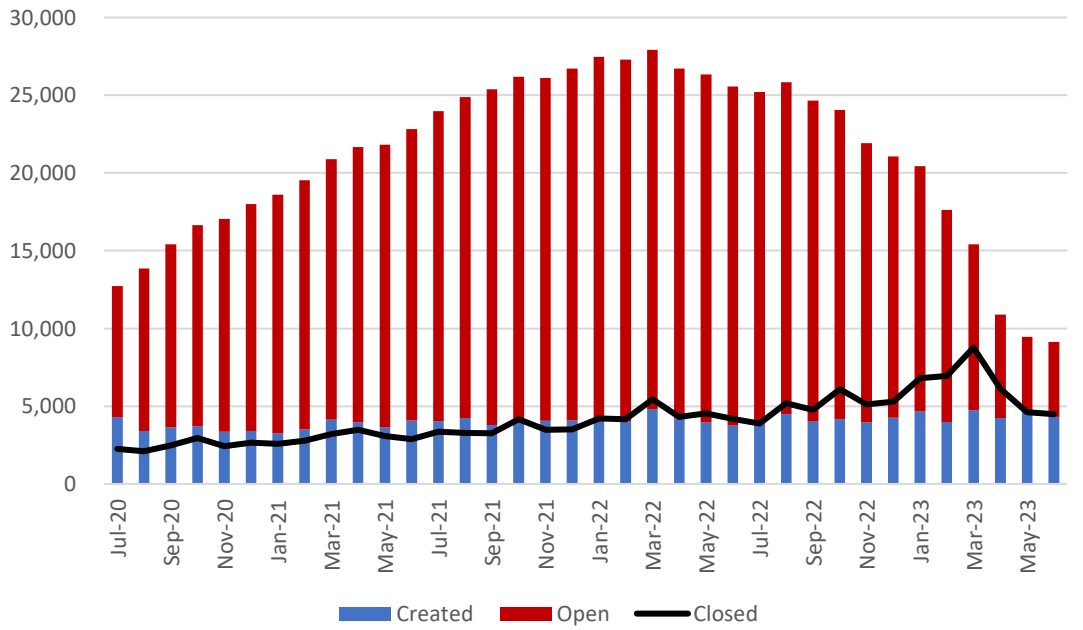
Records Requests Over Time

Shifts in the number of created, closed, and open requests over time

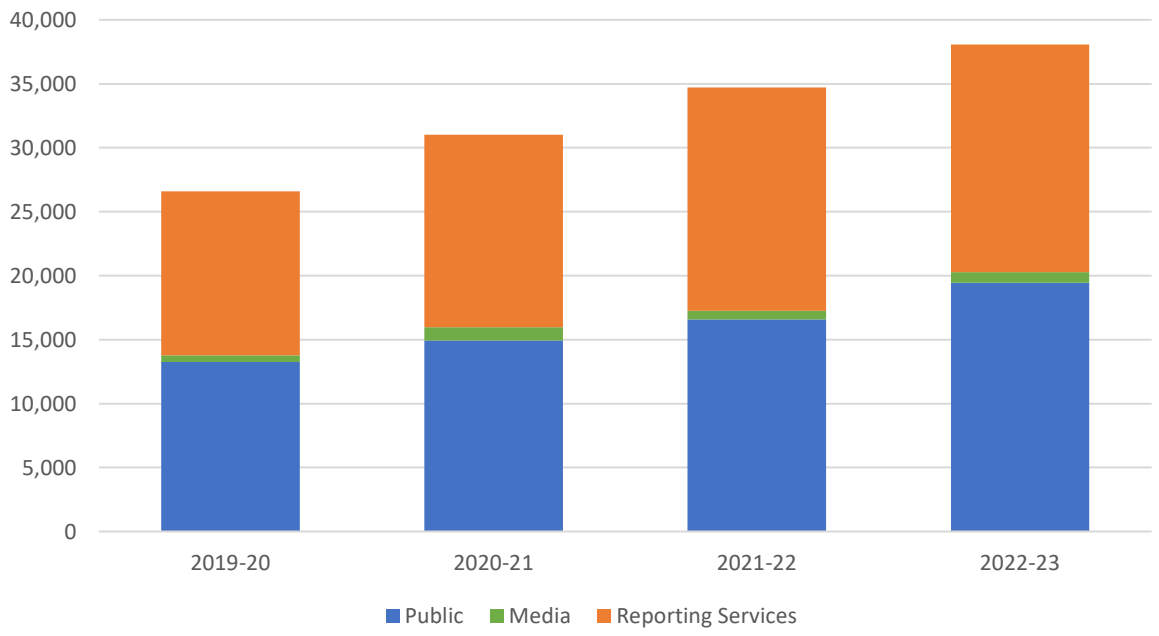
Records Requests Created by Fiscal Year



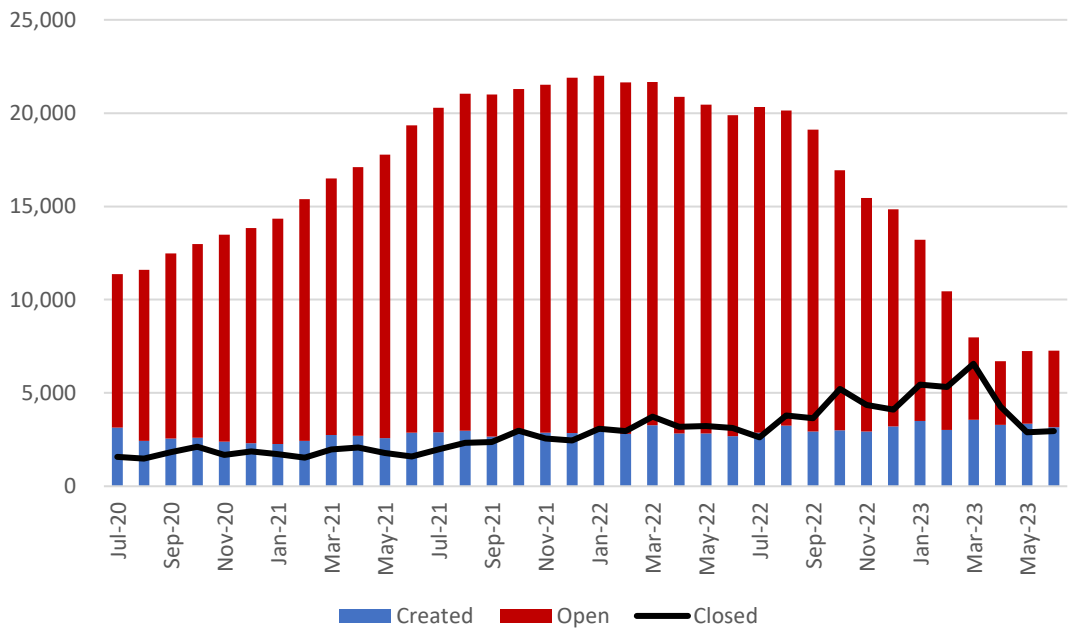
Total Records Requests



Public Records Requests Created by Fiscal Year



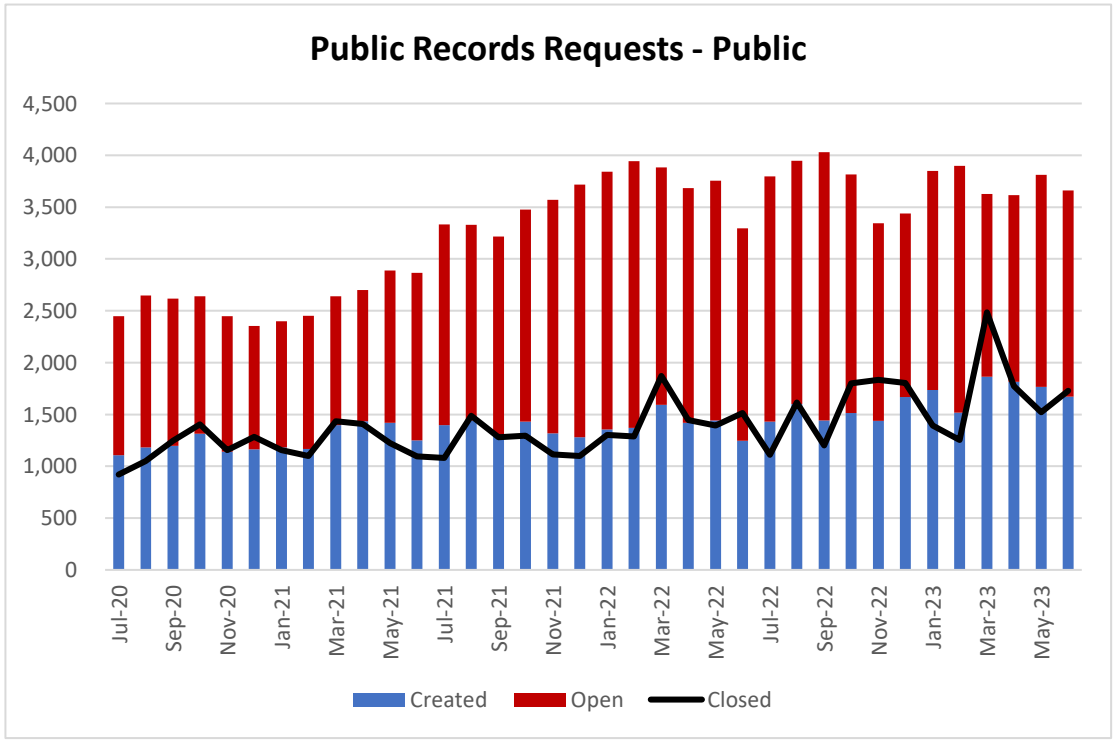
Total Public Records Requests

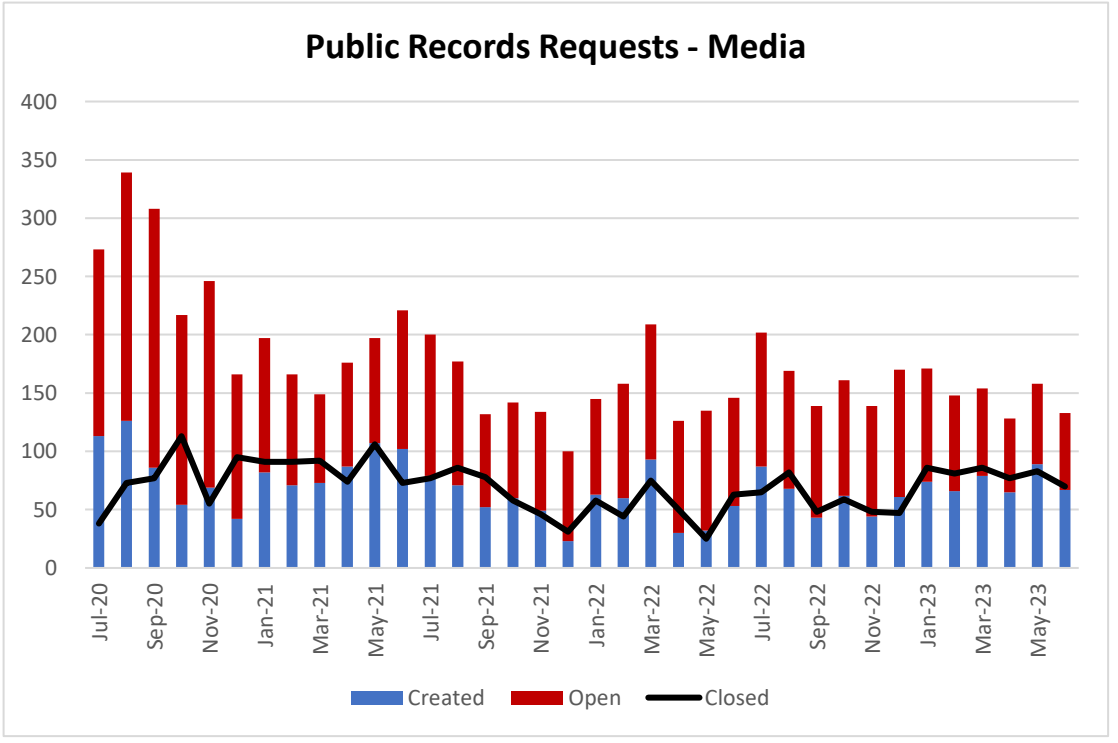


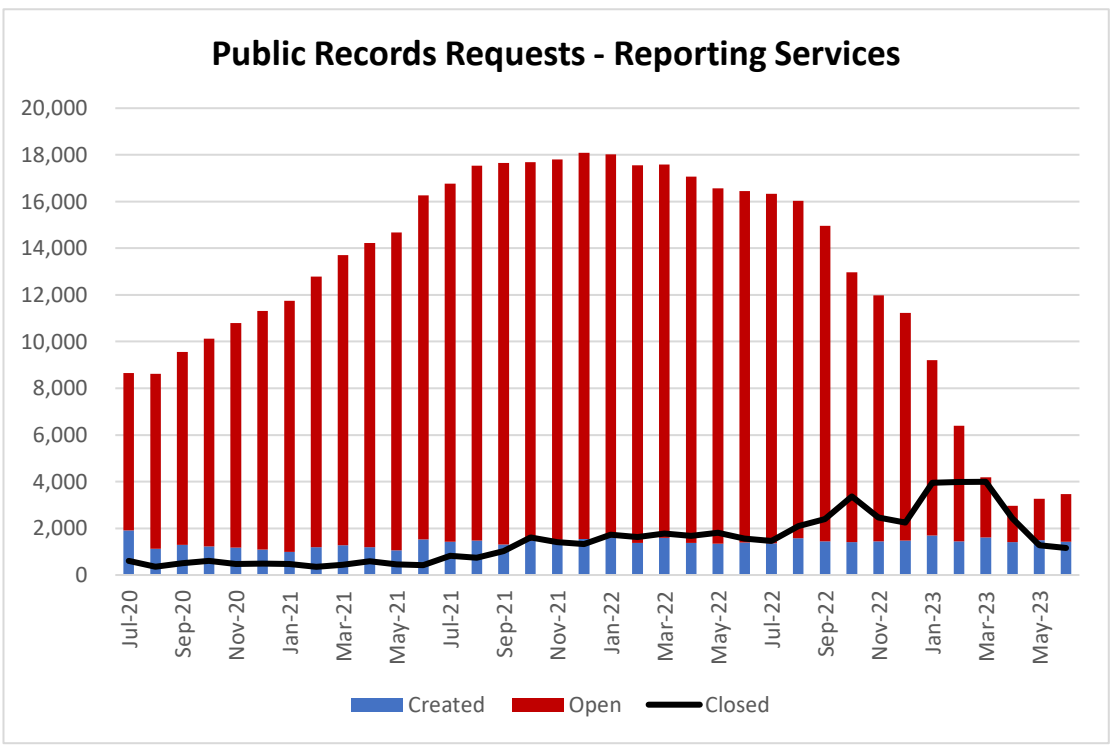
Further information can be found in the Glossary of this report.

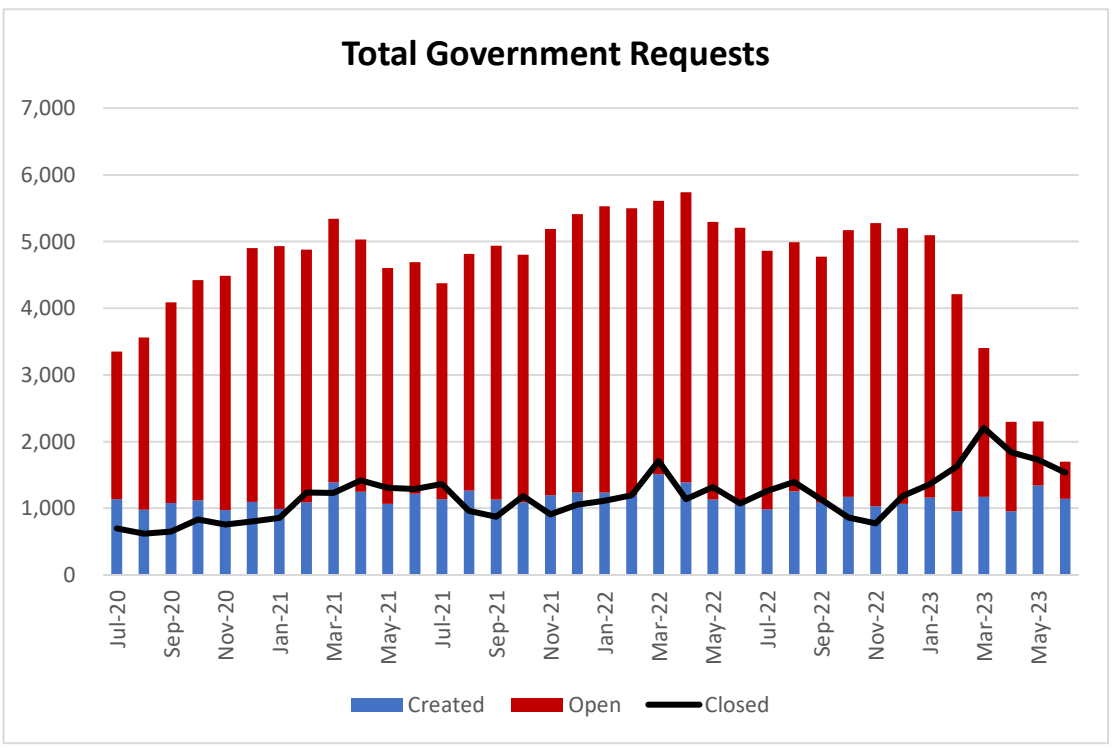
Records Requests Over Time

Shifts in the number of created, closed, and open requests over time









Records Requests Fee Waivers

Estimated fees and fee waivers for Fiscal Year 2022-23 by customer type

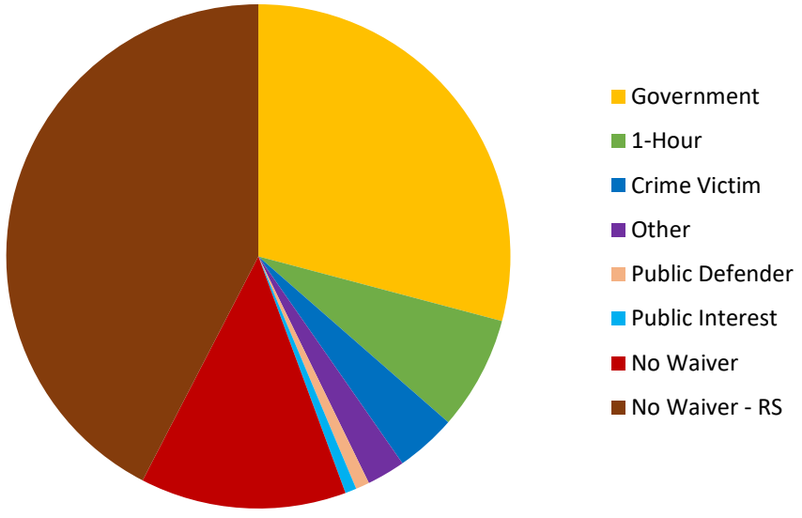
Fees and Waivers Summary by Customer Type						
Fiscal Year 2022-23						
	Total		Public Requests		Government	
	Requests	Est. $	Requests	Est. $	Requests	Est. $
Requests Closed	**68,094**	**1,521,019**	**51,174**	**1,076,753**	**16,920**	**444,267**
Fee Waiver Requested	2,299	69,386	2,245	67,364	54	2,022
Public Interest Waiver	*1,521*	*56,483*	*1,476*	*54,584*	*45*	*1,899*
Financial Hardship Waiver	*778*	*12,903*	*769*	*12,780*	*9*	*123*
% Requesting Fee Waiver	3%	5%	3%	5%	0%	0%
Requested Waiver Granted	1,425	50,854	1,402	49,809	23	1,045
Public Interest Waiver	*318*	*11,000*	*318*	*11,000*	*0*	*0*
Financial Hardship Waiver	*394*	*7,470*	*394*	*7,470*	*0*	*0*
1-Hour Fee Waiver	*713*	*32,384*	*690*	*31,340*	*23*	*1,045*
% Requested Waivers Granted	62%	73%	62%	74%	43%	52%
Not Requested Waiver Granted	24,143	628,384	7,282	186,326	16,861	442,057
1-Hour Fee Waiver	*1,717*	*77,986*	*1,692*	*76,851*	*25*	*1,136*
Crime Victim Fee Waiver	*3,858*	*58,930*	*3,858*	*58,930*	*0*	*0*
Public Defender Fee Waiver	*383*	*13,325*	*383*	*13,325*	*0*	*0*
Government Fee Waiver	*16,836*	*440,922*	*0*	*0*	*16,836*	*440,922*
Other Fee Waivers	*1,349*	*37,221*	*1,349*	*37,221*	*0*	*0*
No Fee Waiver Applied	42,526	841,782	42,490	840,617	36	1,165
Total Fee Waivers Applied	**25,568**	**679,238**	**8,684**	**236,136**	**16,884**	**443,102**
% Requests Recieving Waivers	**38%**	**45%**	**17%**	**22%**	**100%**	**100%**

A few things to note regarding this data:

- Further information regarding fee waivers and relative definitions can be found in the Glossary section of this report.
- Estimated dollar amounts for fees charged, waived, and paid are based upon best available data and estimates, but should still be considered estimates.
- Many types of requests involve the payment of pre-paid estimated fees. Many of these pre-paid fees were lowered at the start of FY 2022-23 resulting in a noted decline in total estimated dollar amounts compared to previous fiscal years. Further information can be found on page 6 of this report.
- Public and Media customer types are able to request either a public interest fee waiver or a financial hardship fee waiver. Some requests may also receive a fee waiver even if not requested dependent upon a number of factors.
- Due to user error in some cases there may be data points which may appear inconsistent.

Public Requests Fees and Waivers Summary by Customer Type						
Fiscal Year 2022-23						
	Public		Media		Reporting Services	
	Requests	Est. $	Requests	Est. $	Requests	Est. $
Requests Closed	**19,514**	**397,020**	**832**	**35,590**	**30,828**	**644,143**
Fee Waiver Requested	1,653	41,437	589	25,885	3	43
Public Interest Waiver	884	28,657	589	25,885	3	43
Financial Hardship Waiver	769	12,780	0	0	0	0
% Requesting Fee Waiver	5%	7%	71%	73%	0%	0%
Requested Waiver Granted	935	29,230	465	20,554	2	25
Public Interest Waiver	*172*	*5,001*	*144*	*5,974*	*2*	*25*
Financial Hardship Waiver	*394*	*7,470*	*0*	*0*	*0*	*0*
1-Hour Fee Waiver	*369*	*16,760*	*321*	*14,580*	*0*	*0*
% Requested Waivers Granted	57%	71%	79%	79%	67%	59%
Not Requested Waiver Granted	6,967	177,136	135	6,927	180	2,264
1-Hour Fee Waiver	*1,598*	*72,581*	*94*	*4,269*	*0*	*0*
Crime Victim Fee Waiver	*3,858*	*58,930*	*0*	*0*	*0*	*0*
Public Defender Fee Waiver	*383*	*13,325*	*0*	*0*	*0*	*0*
Other Fee Waivers	*1,128*	*32,300*	*41*	*2,657*	*180*	*2,264*
No Fee Waiver Applied	11,612	190,654	232	8,109	30,646	641,854
Total Fee Waivers Applied	**7,902**	**206,366**	**600**	**27,481**	**182**	**2,289**
% Requests Recieving Waivers	**40%**	**52%**	**72%**	**77%**	**1%**	**0%**

Estimated Potential Charges and Waived Fees



No Waiver - RS represents waivers not granted to the customer type Reporting Services because in most cases they are ineligible for fee waivers.

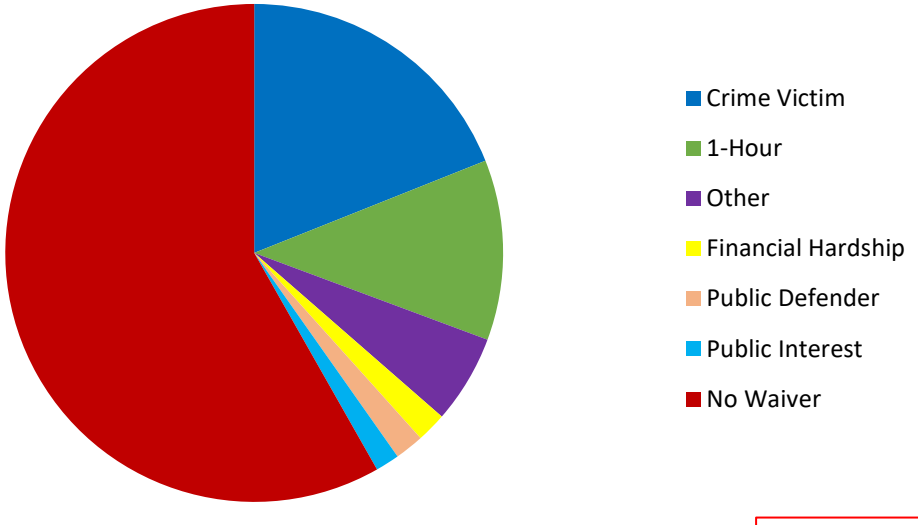
Further information can be found in the Glossary of this report.

Public Records Requests Fee Waivers

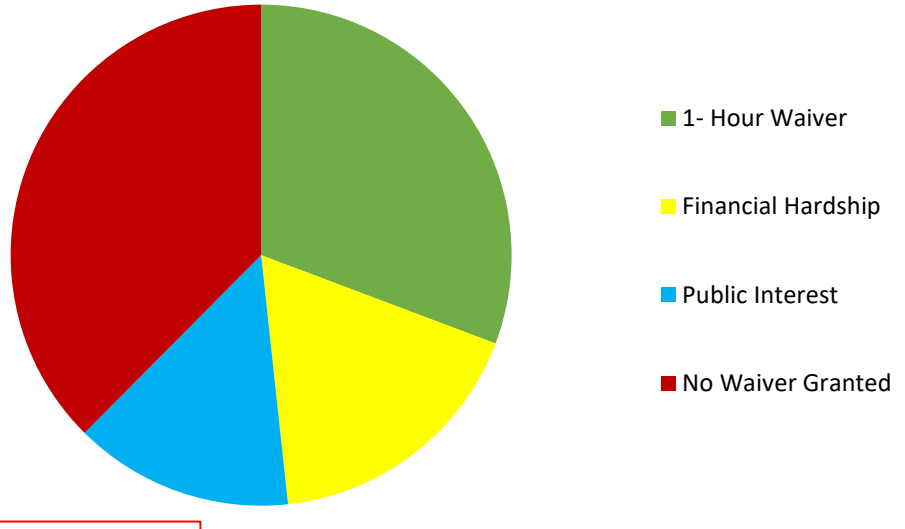
Estimated public records requests fees and fee waivers for Fiscal Year 2022-23 by records type

Public Records Requests Fees and Waivers Summary by Records Type Fiscal Year 2022-23	Police Records		Property Records		BOEC/911 Records		Fire Records		Other Records	
	Requests	Est. $	Requests	Est. $	Requests	Est. $	Requests	Est. $	Requests	Est. $
Requests Closed	**42,213**	**813,543**	**3,787**	**84,759**	**924**	**38,889**	**1,474**	**20,695**	**2,776**	**118,867**
Fee Waiver Requested	873	12,368	200	6,614	123	3,556	157	2,642	892	42,184
Public Interest Waiver	*335*	*4,794*	*153*	*5,511*	*42*	*1,210*	*73*	*1,173*	*873*	*41,896*
Financial Hardship Waiver	*538*	*7,574*	*47*	*1,102*	*81*	*2,346*	*84*	*1,469*	*19*	*288*
% Requesting Fee Waiver	2%	2%	5%	8%	13%	9%	11%	13%	32%	35%
Requested Waiver Granted	393	6,533	122	5,192	86	3,076	126	2,387	675	32,621
Public Interest Waiver	*131*	*2,161*	*14*	*500*	*31*	*984*	*46*	*851*	*96*	*6,503*
Financial Hardship Waiver	*262*	*4,372*	*7*	*105*	*54*	*2,046*	*65*	*855*	*6*	*93*
1-Hour Fee Waiver	*0*	*0*	*101*	*4,587*	*1*	*45*	*15*	*681*	*573*	*26,026*
% Requested Waivers Granted	45%	53%	61%	79%	70%	87%	80%	90%	76%	77%
Not Requested Waiver Granted	4,776	73,030	890	39,487	454	16,436	352	6,560	810	50,813
1-Hour Fee Waiver	*29*	*1,317*	*859*	*39,016*	*1*	*45*	*63*	*2,861*	*740*	*33,611*
Crime Victim Fee Waiver	*3,858*	*58,930*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*
Public Defender Fee Waiver	*0*	*0*	*0*	*0*	*383*	*13,325*	*0*	*0*	*0*	*0*
Government Fee Waiver	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*
Other Fee Waiver	*889*	*12,783*	*31*	*471*	*70*	*3,065*	*289*	*3,699*	*70*	*17,202*
No Fee Waiver Applied	37,044	733,980	2,775	40,080	384	19,377	996	11,747	1,291	35,433
Total Fee Waivers Applied	**5,169**	**79,563**	**1,012**	**44,679**	**540**	**19,512**	**478**	**8,948**	**1,485**	**83,434**
% Requests Recieving Waivers	**12%**	**10%**	**27%**	**53%**	**58%**	**50%**	**32%**	**43%**	**53%**	**70%**

Public Records Requests - All Waivers - Public & Media



Public Records Requests - Requested Fee Waivers



Further information can be found in the Glossary of this report.

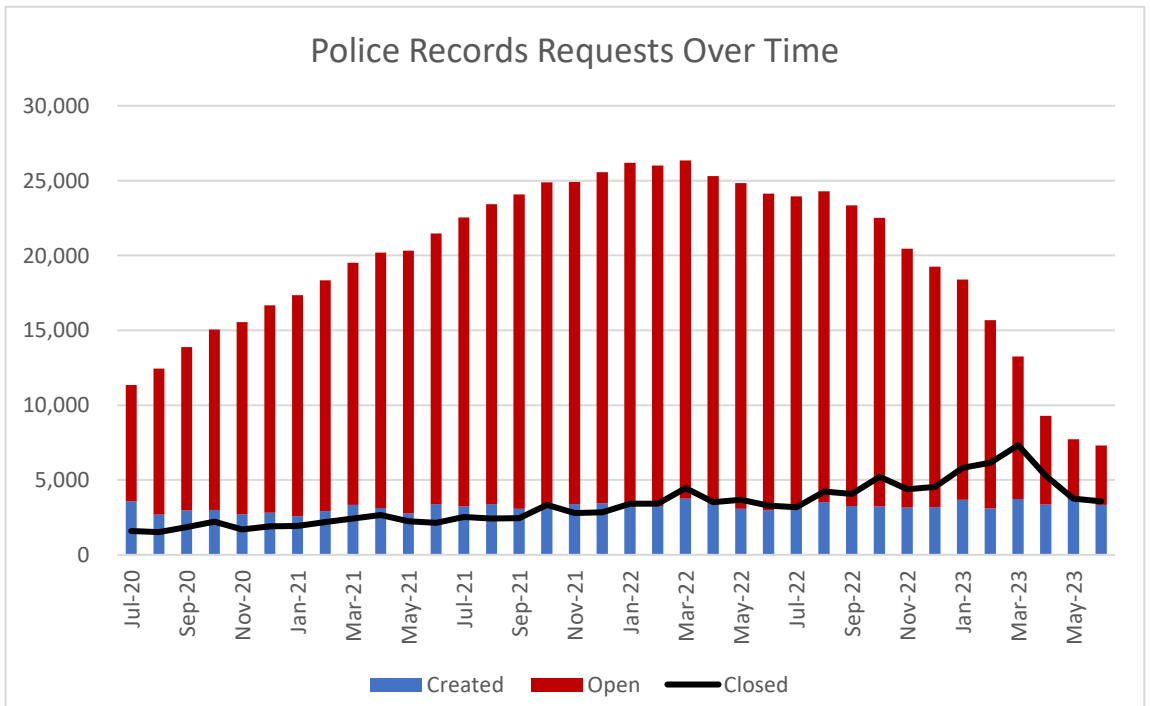
Police Records Requests

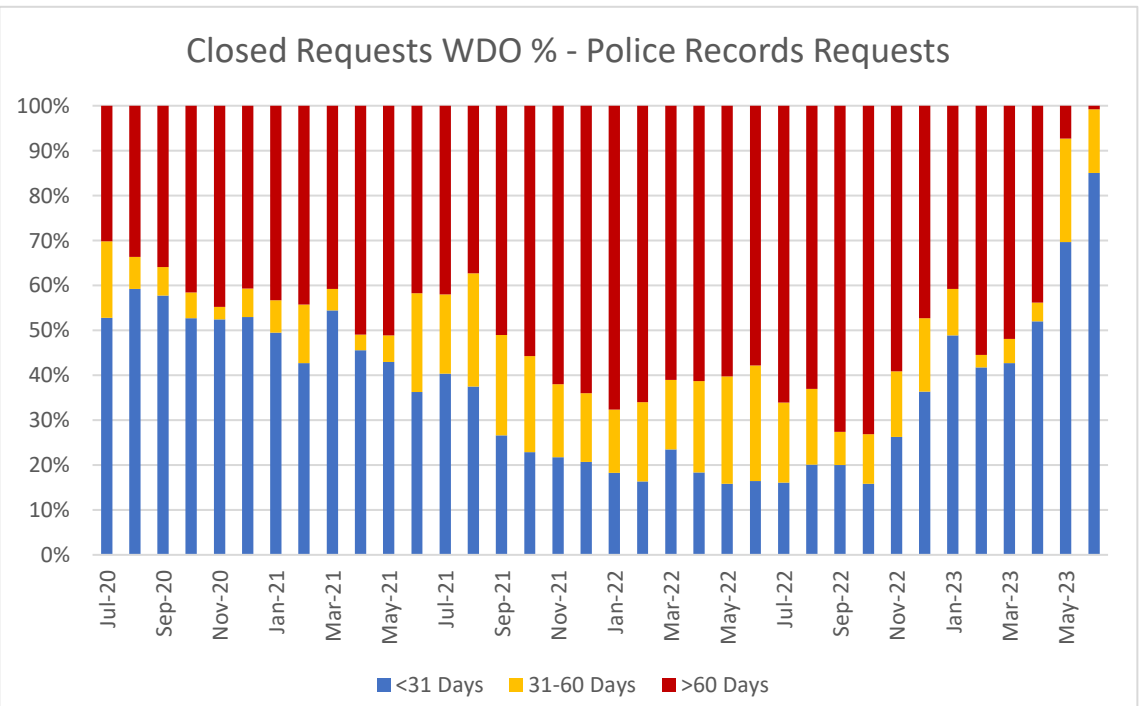
Data related specifically to the requests for the record type Police Records

Types of Police Records Requested by Customer Type Fiscal Year 2022-23						
	Created Requests	**Public Requests**	***Public***	***Media***	***Reporting Service***	**Govern-ment**
Address Search Requests	404	202	*192*	*6*	*4*	202
Audio Visual Records	424	151	*117*	*20*	*14*	273
Body-Worn Cameras	0	0	*0*	*0*	*0*	0
Name Check Requests	3,658	782	*765*	*9*	*8*	2,876
Officer Notes	573	185	*174*	*4*	*7*	388
Photographs	1,028	360	*263*	*7*	*90*	668
Police Reports	36,519	26,956	*9,557*	*66*	*17,333*	9,563
Traffic Citation Records	60	60	*60*	*0*	*0*	0
Total Created Requests	**40,398**	**28,696**	***11,128***	***112***	***17,456***	**11,702**

A few things to note regarding this data:

- The sum of individual request types do not equal the total created requests due to some Government requests involving multiple types.
- Data shows created requests including type, not total number of each type of record requested.
- The type of record Body-Worn Cameras was added in FY 2023-24 with a pilot program occurring that year.
- The dramatic improvement in open requests and WDO percentages occurred due to improved PPB staffing (page 36) and the Police Backlog Project (page 4).
- Further information can be found in the Glossary of this report.





Address Search Requests is a search for a list of police reports related to a specific address. In FY 2022-23, these records were provided for a standard fee of $8.50.

Audio Visual Records. In FY 2022-23, these records were provided for a fee based upon estimated staff time, with $17.50 for the first 24 minutes.

Body-Worn Cameras. In FY 2022-23, these records were provided for a fee based upon estimated staff time, with $17.50 for the first 24 minutes.

Name Check Requests is a search for a list of police reports related to a specific name. In FY 2022-23, these records were provided for a standard fee of $8.50.

Officer Notes. In FY 2022-23, were provided for a fee of $17.50 per incident per officer.

Photographs. In FY 2022-23, these records were provided for a standard fee of $17.50 per incident.

Police Reports. In FY 2022-23, these records were provided for a standard fee of $12.50 for the first 10 pages and $1 for each additional page.

Traffic Citation Records includes any type of records associated with traffic citations. Standard fees for these records are variable based upon the exact nature of the records requested.

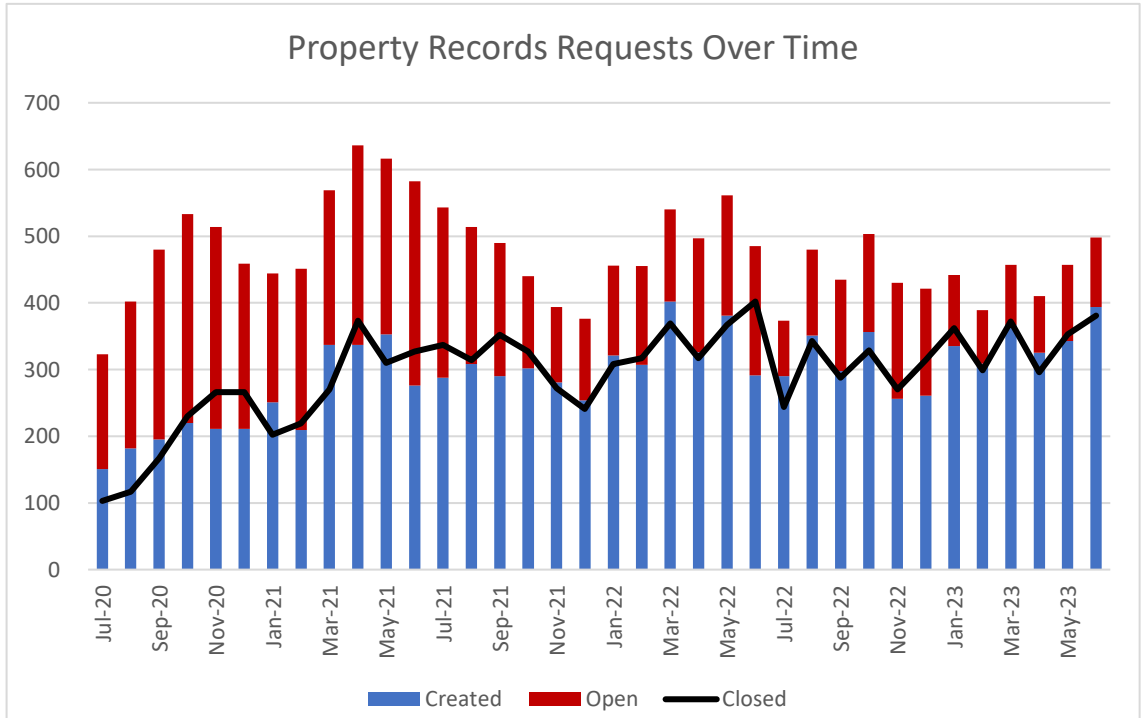
Property Records Requests Made to the Bureau of Development Services

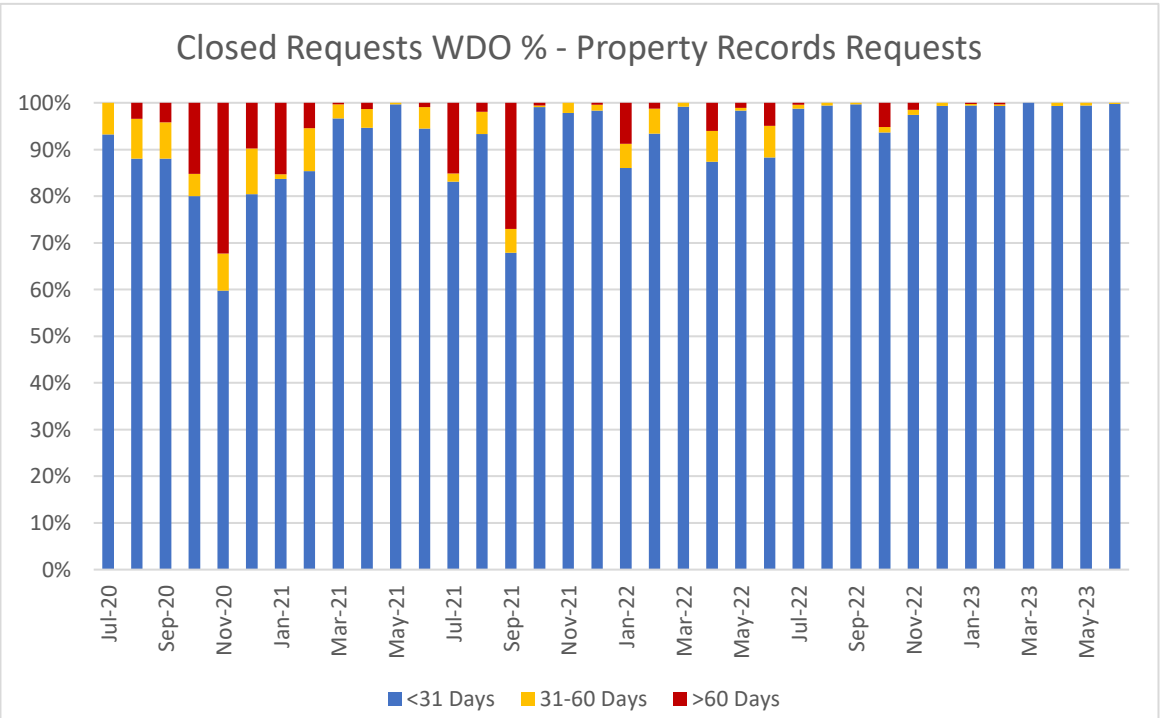
Data related specifically to the requests for the records type Property Records

Types of Property Records Requested by Customer Type						
Fiscal Year 2022-23						
	Created Requests	**Public Requests**	***Public***	***Media***	***Reporting Service***	**Govern-ment**
Building Permits & Records	2,789	2,747	*2,729*	*18*	*0*	42
Code Enforcement Records	511	504	*493*	*11*	*0*	7
Land Use Records	387	386	*382*	*4*	*0*	1
Septic Records	168	157	*157*	*0*	*0*	11
Unreinforced Masonry List	29	26	*25*	*1*	*0*	3
Cannabis & Liquor Licenses	1	1	*1*	*0*	*0*	0
Total Created Requests	**3,885**	**3,821**	***3,787***	***34***	***0***	**64**

A few things to note regarding this data:

- Data shows created requests including type, not total number of each type of record requested.
- The types Septic Records was added in the first half of FY 2022-23 and Unreinforced Masonry List and Cannabis & Liquor Licenses were added in the second half of FY 2022-23. Prior to this, Cannabis & Liquor Licenses were handled by Civic Life and were considered General Records requests.
- Further information can be found in the Glossary of this report.





Building Permits & Records include records such as permits, site plans, and certificates of occupancy for a specific property. In FY 2022-23, these records were provided for a minimum standard fee of $15.

Code Enforcement Records include records related to code violations related to building, noise, zoning, home occupation, and short-term rental codes and permits**.** In FY 2022-23, these records were provided for a fee based on estimated staff time.

Land Use Records include records related to lot adjustment, land use pre-applications, and land use public registry. In FY 2022-23, these records were provided for a fee based upon estimated staff time.

Septic Records include records related to cesspool decommissioning and other septic/onsite wastewater records. This was not a separate type of record until October of 2022.

Unreinforced Masonry List include records related to the list of buildings which are known to have unreinforced masonry. This was not a separate type of record until April of 2023.

Cannabis & Liquor Licenses include records related to cannabis and liquor licenses issued by the City of Portland. Until April of 2023, these were kept by Civic Life.

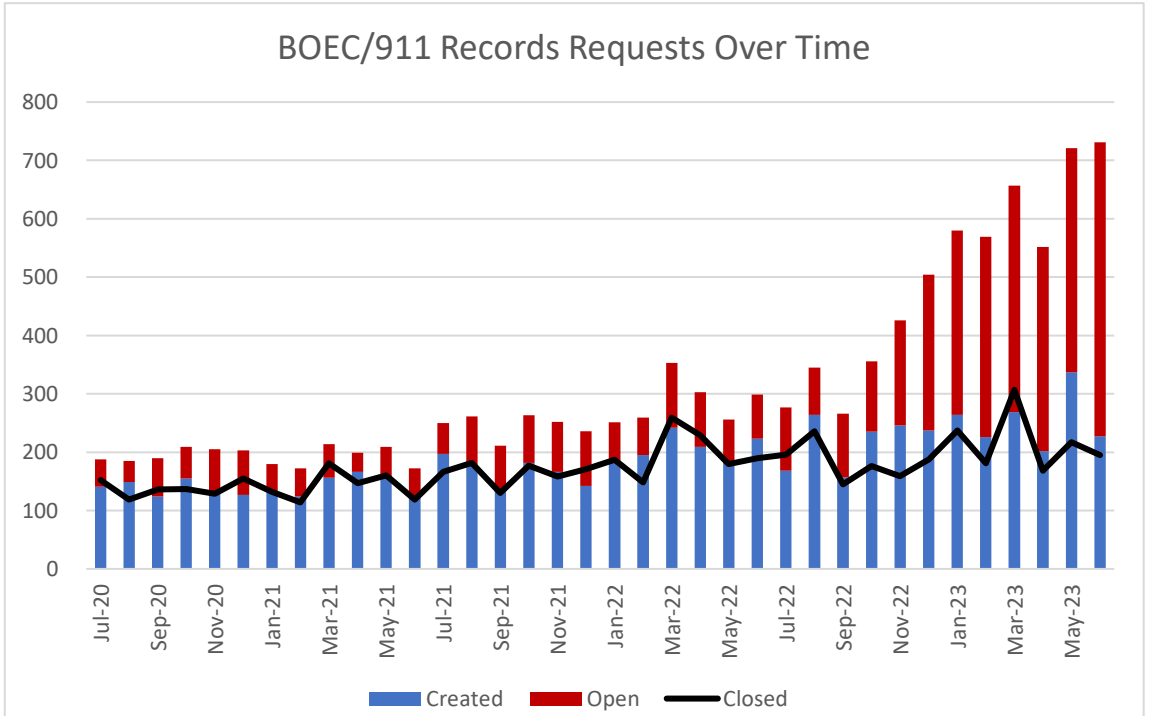
BOEC/911 Records Requests

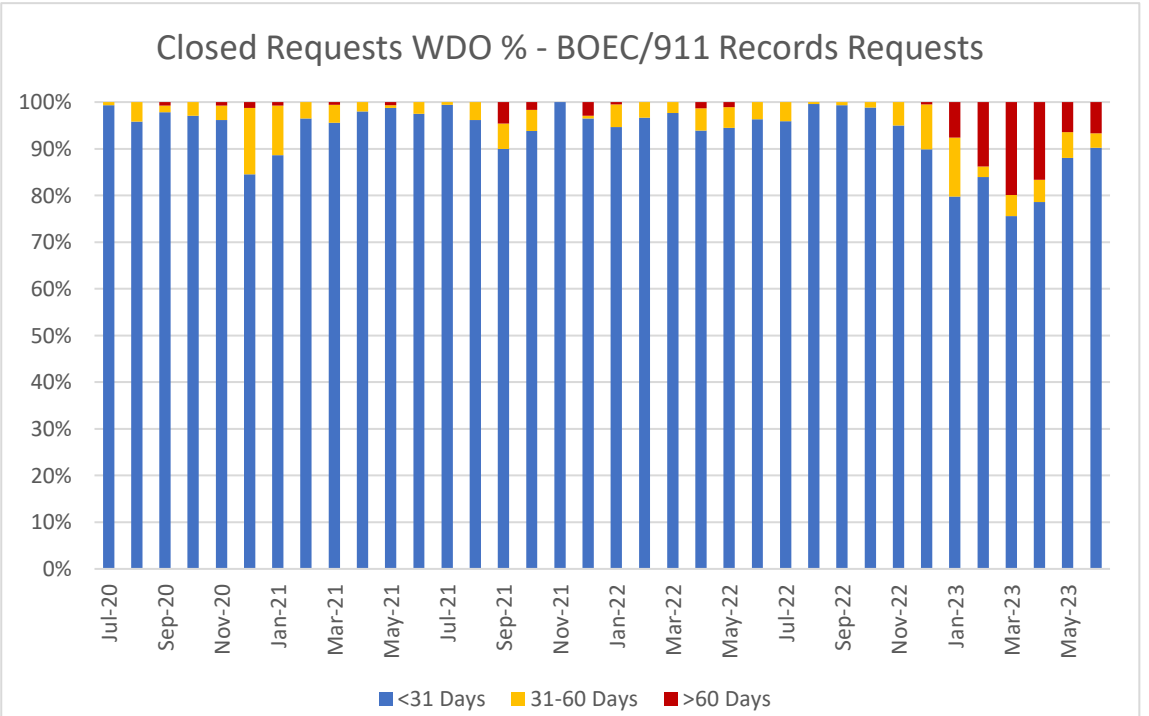
Data related specifically to the requests for the records type BOEC Records

Types of BOEC/911 Records Requested by Customer Type						
Fiscal Year 2022-23						
	Created Requests	**Public Requests**	***Public***	***Media***	***Reporting Service***	**Govern-ment**
CAD Printout	184	138	*117*	*20*	*1*	46
CAD/Telephone	1,460	480	*453*	*13*	*14*	980
CAD/Telephone/Radio	1,188	724	*711*	*5*	*8*	464
Total Created Requests	**2,832**	**1,342**	***1,281***	***38***	***23***	**1,490**

A few things to note regarding this data:

- Data shows created requests including type, not total number of each type of record requested.
- Review of BOEC records prior to release takes a significant amount of time due to staff having to listen to recordings. Redaction of audio files is also technically difficult and time consuming.
- Further information can be found in the Glossary of this report.





CAD Printout, short for Computer Aided Dispatch report, is a document that states which units were dispatched, where they were dispatched, when they were dispatched, and why. In FY 2022-23 these records were provided for a standard fee of $20.

CAD/Telephone includes both the CAD Printout and a transcript of the 911 or non-emergency line telephone call that initiated the dispatch. In FY 2022-23, these records were provided for a standard fee of $40.

CAD/Telephone/Radio includes the CAD Printout, a transcript of the 911 or non-emergency line telephone call that initiated the dispatch, and a transcript of all radio communication regarding the dispatch. In FY 2022-23, these records were provided for a standard fee of $60.

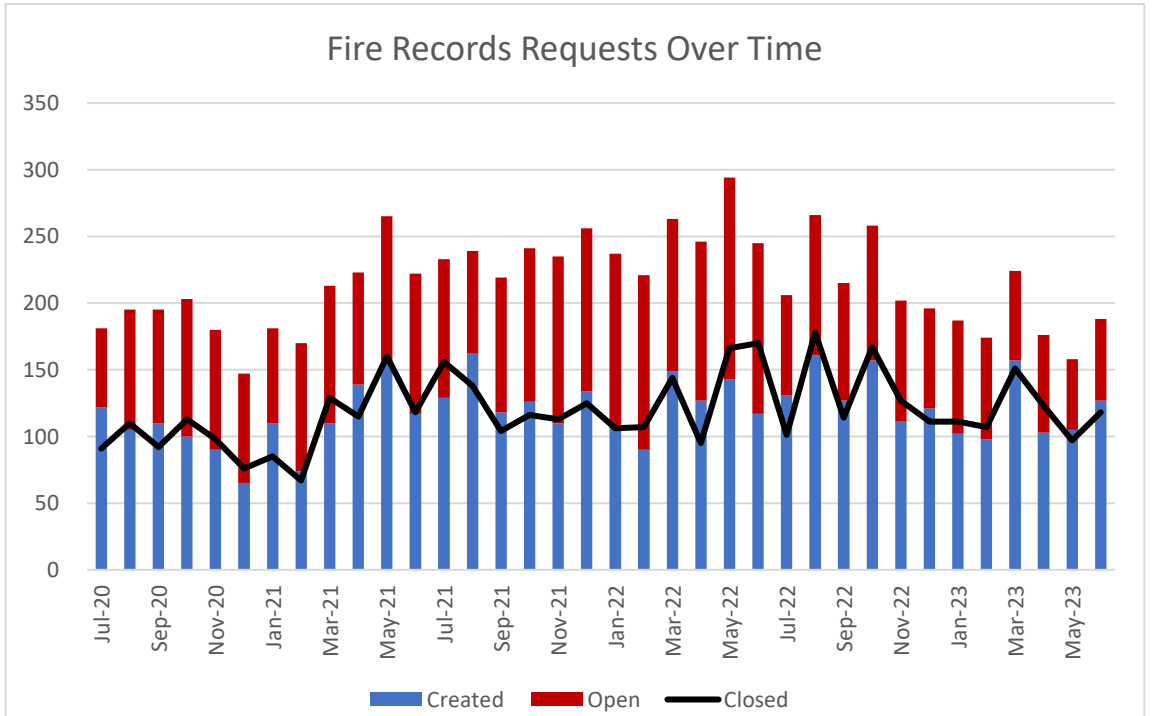
Fire Records Requests

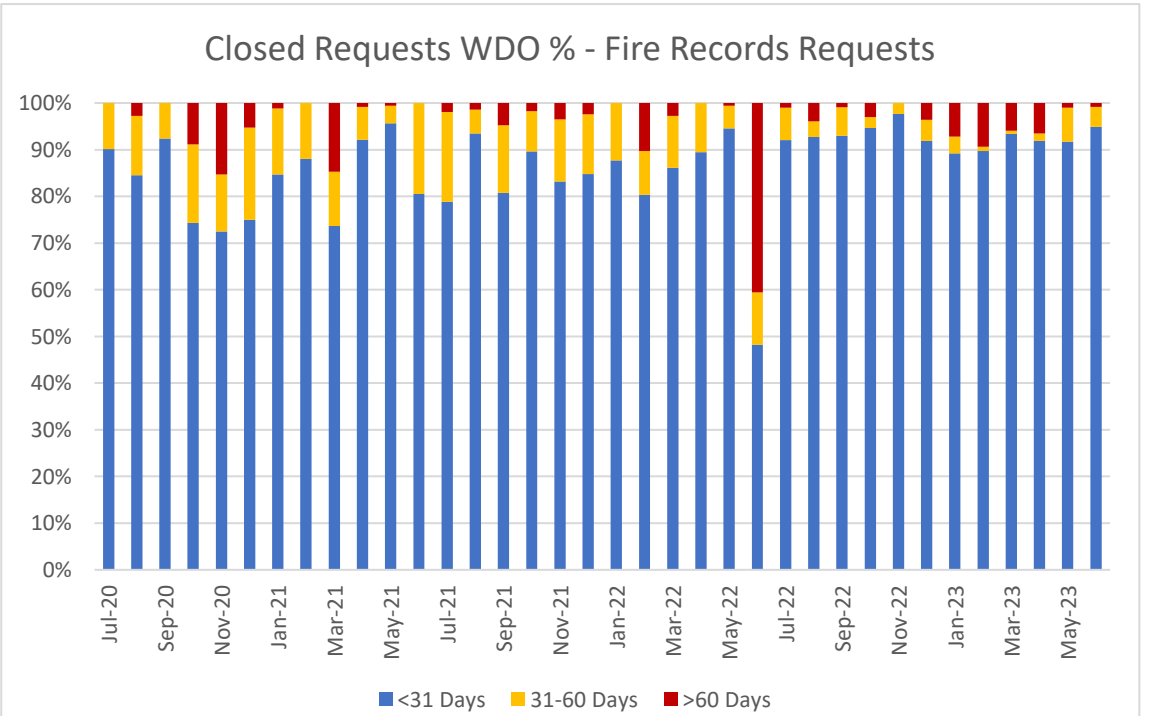
Data related specifically to the requests for the records type Fire Records

Types of Fire Records Requested by Customer Type						
Fiscal Year 2022-23						
	Created Requests	Public Requests	*Public*	*Media*	*Reporting Service*	Govern-ment
Emergency Medical Services	103	99	*95*	*3*	*1*	4
Fire Inspections	373	367	*353*	*11*	*3*	6
Fire Bureau Issued Permits	217	217	*216*	*1*	*0*	0
Fire Reports/Investigations	807	787	*474*	*22*	*291*	20
Total Created Requests	**1,500**	**1,470**	***1,138***	***37***	***295***	**30**

A few things to note regarding this data:

- Data shows created requests including type, not total number of each type of record requested.
- Further information can be found in the Glossary of this report.





Emergency Medical Services are any records related to the providing of medical services by Fire Bureau staff when acting as paramedics. In FY 2022-23, these records were provided for a fee based upon estimated staff time to retrieve them.

Fire Bureau Issued Permits include records regarding permits for fire sprinklers, fire alarms, and underground storage tanks. In FY 2022-23, these records were provided for a standard fee of $15.

Fire Inspections include records related to fire code inspections and/or any outstanding fire code violations. In FY 2022-23, these records were provided for a standard fee of $12.

Fire Reports/Investigations include records regarding reports and investigations related to a fire. In FY 2022-23, these were provided for a standard fee of $12.50.

Other Records Requests

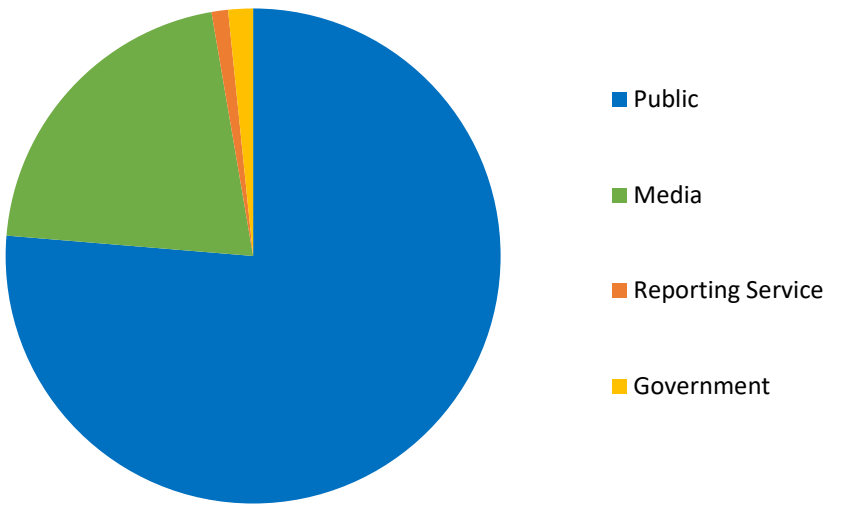
Total Other Records requests by assigned bureau

Other Records Requested by Customer Type						
Fiscal Year 2022-23						
	Created Requests	Public Requests	*Public*	*Media*	*Reporting Service*	Govern-ment
Attorney	730	726	*663*	*62*	*1*	4
City Council	101	100	*38*	*62*	*0*	1
Mayor	177	177	*43*	*134*	*0*	0
Legal Records Team Subtotal	***1,008***	***1,003***	***744***	***258***	***1***	***5***
Auditor	50	48	*45*	*3*	*0*	2
BDS	94	90	*81*	*9*	*0*	4
BES	133	132	*129*	*3*	*0*	1
BOEC	10	8	*5*	*3*	*0*	2
Budget	12	11	*9*	*2*	*0*	1
Civic Life	80	80	*63*	*17*	*0*	0
Community Safety Division	2	2	*2*	*0*	*0*	0
Equity	6	5	*3*	*2*	*0*	1
Fire	76	76	*35*	*41*	*0*	0
FPD&R	6	6	*2*	*4*	*0*	0
Government Relations	7	7	*4*	*3*	*0*	0
Housing	59	59	*36*	*23*	*0*	0
IPR	7	7	*7*	*0*	*0*	0
OMF	441	428	*314*	*114*	*0*	13
Parks	101	98	*83*	*15*	*0*	3
PBEM	3	2	*2*	*0*	*0*	1
PBOT	210	203	*184*	*19*	*0*	7
Planning and Sustainability	52	52	*44*	*8*	*0*	0
Portland Children's Levy	0	0	*0*	*0*	*0*	0
PPB	350	350	*264*	*57*	*29*	0
Water	75	70	*67*	*3*	*0*	5
Non-Legal Team Subtotals	***1,774***	***1,734***	***1,379***	***326***	***29***	***40***
Overall Created Requests	**2,782**	**2,737**	***2,123***	***584***	***30***	**45**

A few things to note regarding this data:

- Other Records requests tend to have a high variability in size, scope, and complexity compared to other record types, resulting in a higher variability in related fees and the amount of time it takes to close them.
- Complex requests are often re-assigned to the Legal Records Team in the City Attorney's Office even though they do not involve City Attorney's Office records.
- The spike in Other Records requests noted in FY 2022-23, both overall and for Attorney, is due to a single customer making a large number of records requests, the vast majority of which were administratively closed due to lack of payment (page 39).
- Many requests for records held by the Community Safety Division are assigned and fulfilled by the Office of Management and Finance (OMF).
- Further information can be found in the Glossary of this report.

Other Records Requests by Customer Type

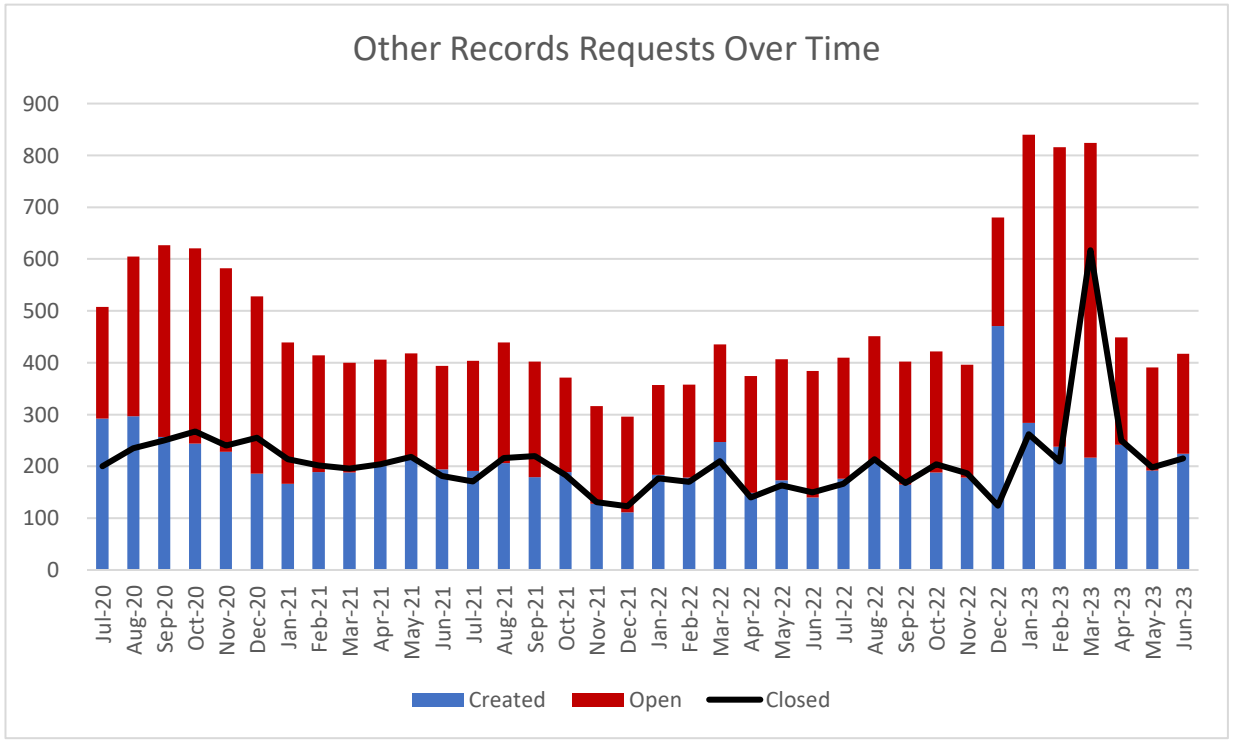


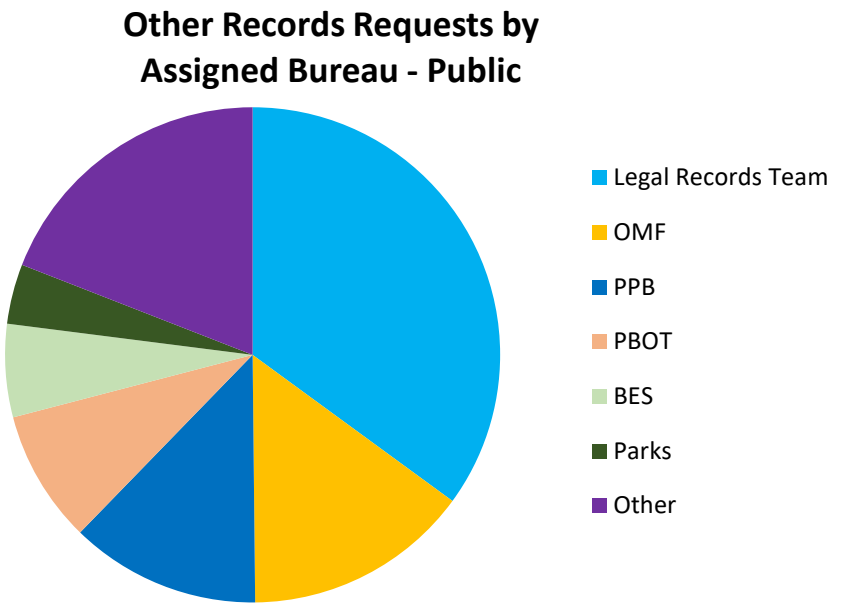
In most cases, all fees charged for Other Records are based upon an estimated fee rather than a pre-paid estimated fee. The one exception to this is Other Records requests assigned to PPB wherein a pre-paid estimated fee must be paid prior to work beginning. In FY 2022-23, this pre-paid estimated fee was $12.50 for the first thirty minutes of employee staff time responding to the request.

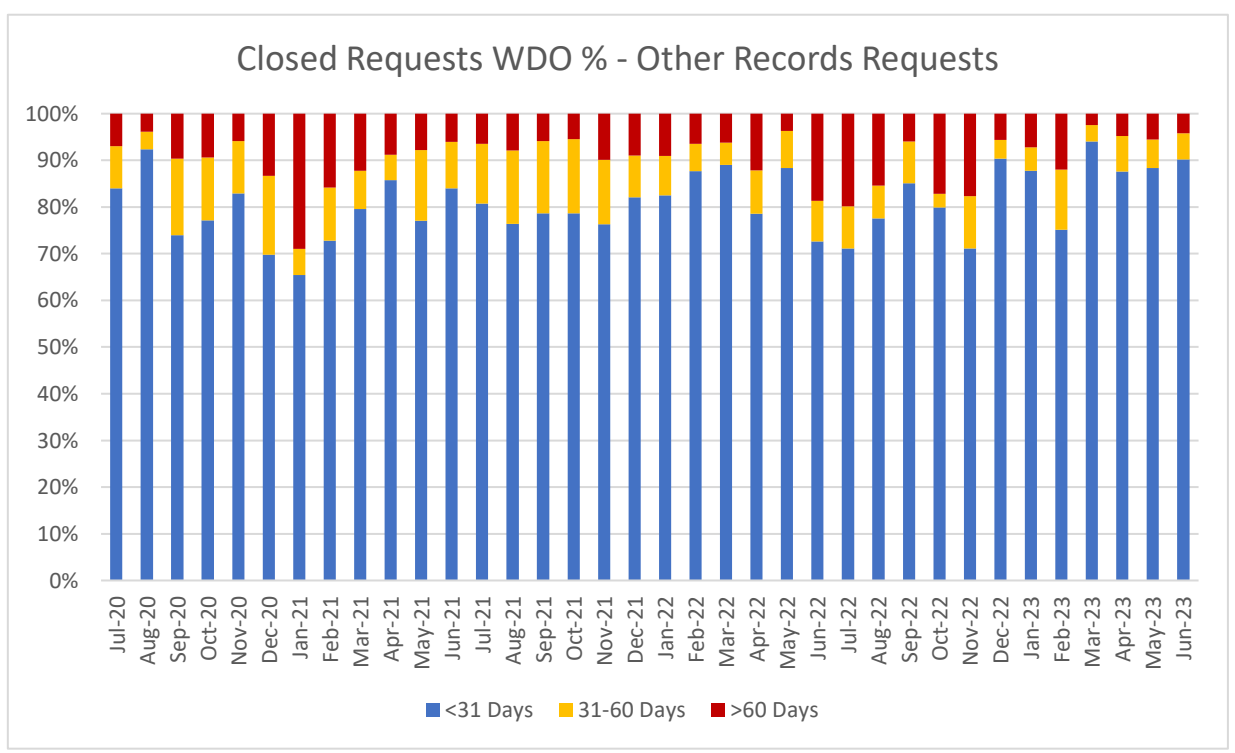
Further information regarding types of fees can be found in the Glossary.

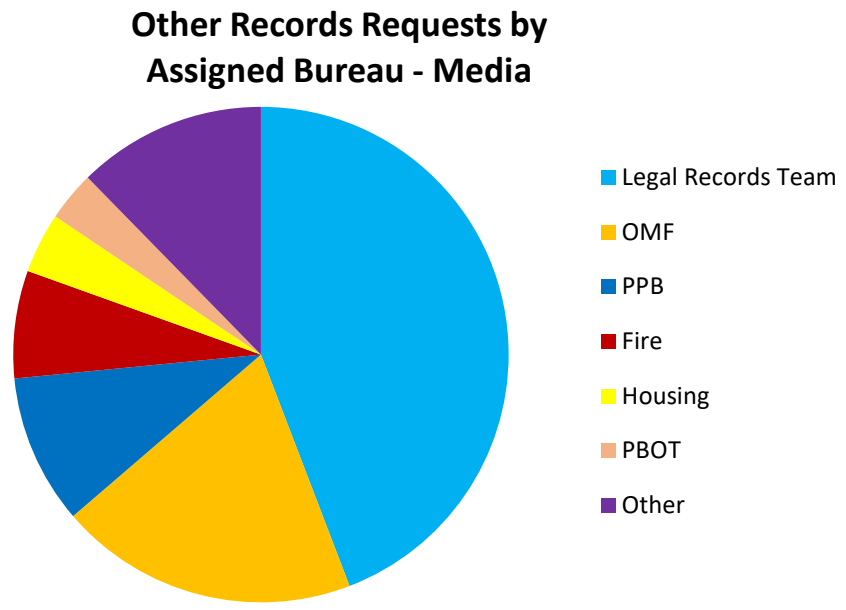
Other Records Requests

Aside from a spike in the winter of FY 2022-23, Other Records requests have remained steady









Further information can be found in the Glossary of this report.

Electronic Records Searches

Details pertaining to the use of Electronic Records Searches to locate records for complex requests

Electronic Records (ER) Searches of Other Records Requests Fiscal Year 2022-23										
	Closed Requests	ER Searches	% Closed Requests	Desktops	Emails	City Network	Cloud Drives	Texts	Teams Chats	Undes-ignated
Attorney	728	88	12%	1	71	1	0	29	4	3
Mayor	177	115	65%	0	98	1	2	44	12	0
City Council	104	66	63%	0	53	0	0	32	4	3
Legal Records Team Subtotal	***1,009***	***269***	***27%***	***1***	***222***	***2***	***2***	***105***	***20***	***6***
Auditor	51	0	0%	0	0	0	0	0	0	0
BDS	92	32	35%	0	32	12	0	1	0	0
BES	139	1	1%	0	1	0	0	0	0	0
BOEC	3	1	33%	0	1	0	0	0	0	0
Budget	12	0	0%	0	0	0	0	0	0	0
Civic Life	83	24	29%	0	19	0	0	15	7	0
Community Safety Division	2	0	0%	0	0	0	0	0	0	0
Equity	7	0	0%	0	0	0	0	0	0	0
Fire	72	11	15%	0	7	0	0	0	0	4
FPD&R	5	0	0%	0	0	0	0	0	0	0
Government Relations	7	3	43%	0	3	0	0	0	0	0
Housing	60	10	17%	0	10	0	0	2	0	0
IPR	8	0	0%	0	0	0	0	0	0	0
OMF	413	28	7%	0	22	2	0	6	3	2
Parks	73	7	10%	1	6	1	0	1	0	1
PBEM	3	0	0%	0	0	0	0	0	0	0
PBOT	211	9	4%	0	7	0	0	3	2	0
Planning and Sustainability	52	3	6%	0	3	0	0	2	0	0
Portland Children's Levy	0	0	N/A	0	0	0	0	0	0	0
PPB	441	18	4%	0	16	0	0	7	1	0
Water	71	2	3%	0	0	0	0	2	0	0
Non-Legal Team Subtotals	***1,805***	***149***	***8%***	***1***	***127***	***15***	***0***	***39***	***13***	***7***
Total Closed Requests	**2,814**	**418**	**15%**	**2**	**349**	**17**	**2**	**144**	**33**	**13**

Electronic Records (ER) searches involve utilizing software to sort and filter large amounts of data based upon requested parameters. Much of the City's correspondence is now stored electronically (e.g. emails, text messages, etc.) as are most other types of records. Given the volume of this data and the diffused storage methods, centralized electronic searching for all records related to a topic is more efficient and cost-effective.

Desktops
Searching files saved on staff computer desktops.

Emails
Searching staff emails.

City Networks
Searching files saved on City servers.

Cloud Drives
Searching files saved on cloud-based drives.

Texts
Searching staff text messages.

Teams Chats
Searching staff chats on business communication platforms.

Undesignated
Searches not cataloged by type.

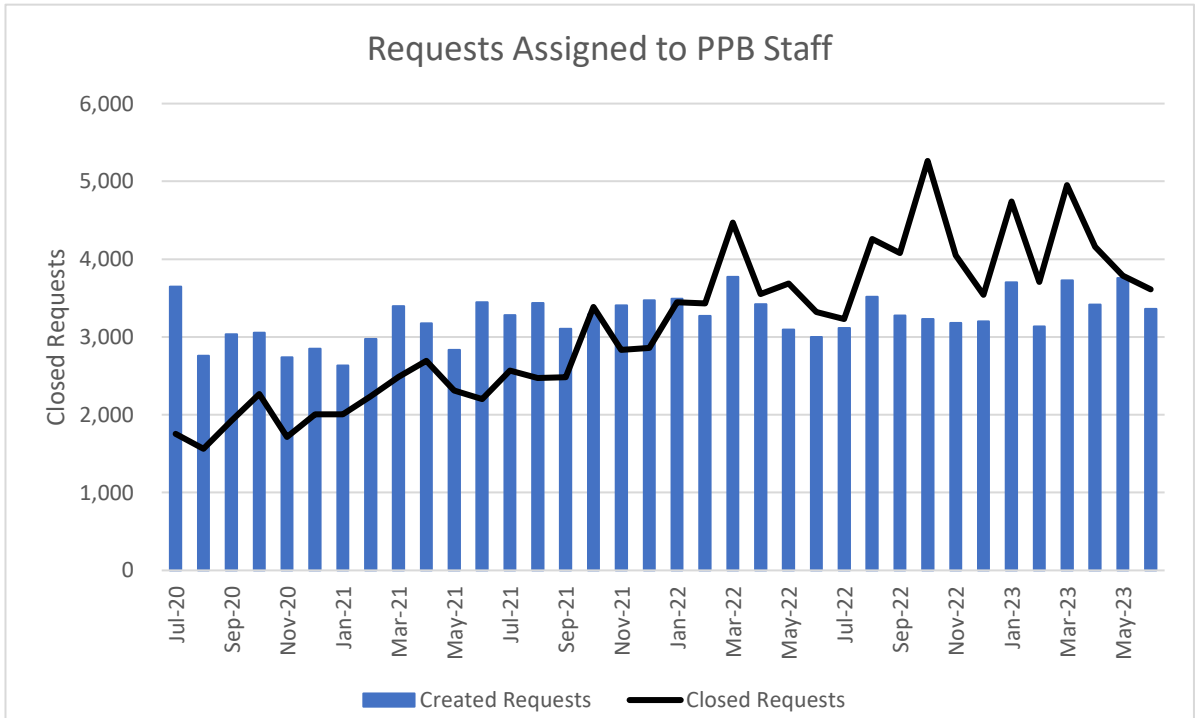
A few things to note regarding this data:

- Electronic Records Searches are carried out by the Legal Records Team upon the request of the bureau holding the records.
- A request involving an Electronic Records Search may require a records search for multiple staff members and/or devices.
- A request involving an Electronic Records Search may require multiple types of searches.
- A request involving an Electronic Records Search may involve multiple and more refined searches based upon communication with the customer.

Further information regarding Other Records requests can be found in the Data Appendix and the Glossary of this report.

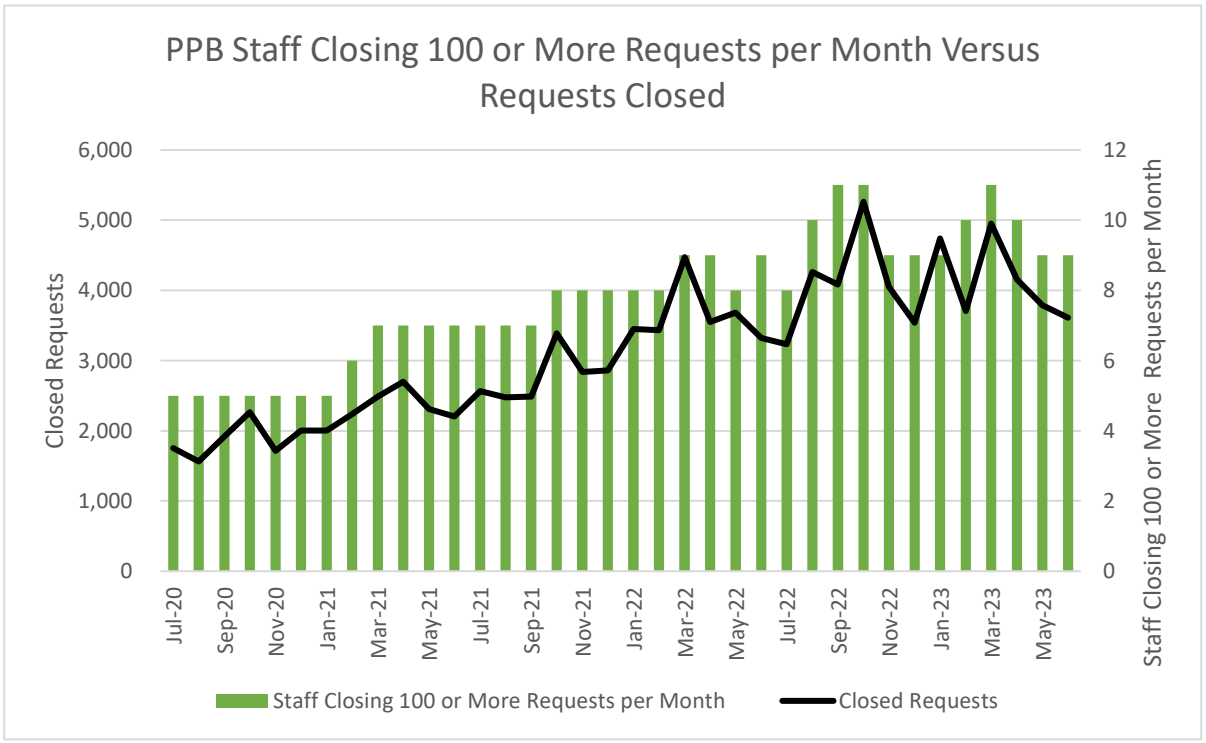
Special Analysis - PPB Records Staffing

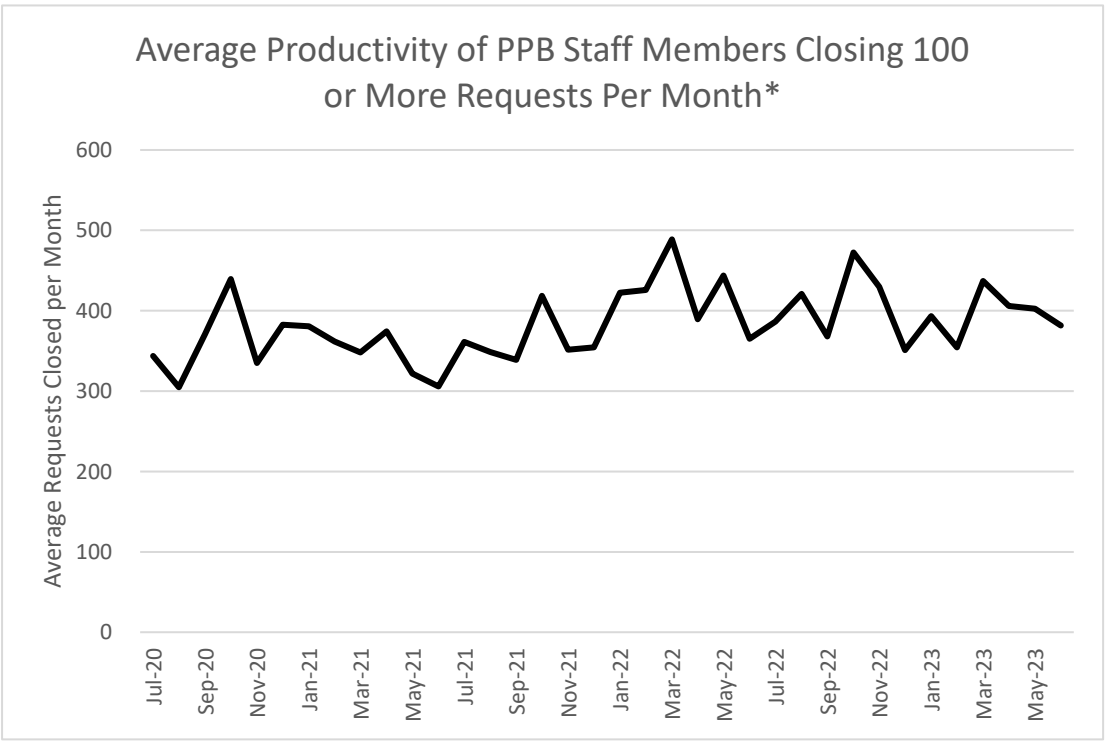
In FY 2021-22 and FY 2022-23, the Portland Police Bureau hired additional staff, allowing it to meet records request demand



Throughout FY 2022-23, the number of Portland Police Bureau (PPB) staff closing 100 or more requests per month remained relatively steady at between 9 to 11 employees. During the same period, the average requests closed by each of these employees also remained steady at 400 requests per employee per month. Due to this, PPB staff were not only able to close as many requests as were created each month, they were increasingly able to do so within 30 WDO Days. Due to increased PPB staffing, they were able to reduce the backlog of open Police Records requests, accounting for half of the reduction in the backlog during FY 2022-23, the other half being closed by the Police Records Backlog Project (page 4).

Looking forward, it is currently unknown if PPB staffing levels will be sufficient to handle an expected increase in record requests when police body-worn cameras are introduced in a pilot project in FY 2023-24, and bureau-wide in FY 2024-25. Releasing video, such as body-worn camera footage, is a time consuming process due to the complexity of redacting videos and the legal requirements for specific types of redactions. At this time, it is difficult to projecting staff needs as a result of the introduction of body-worn cameras.

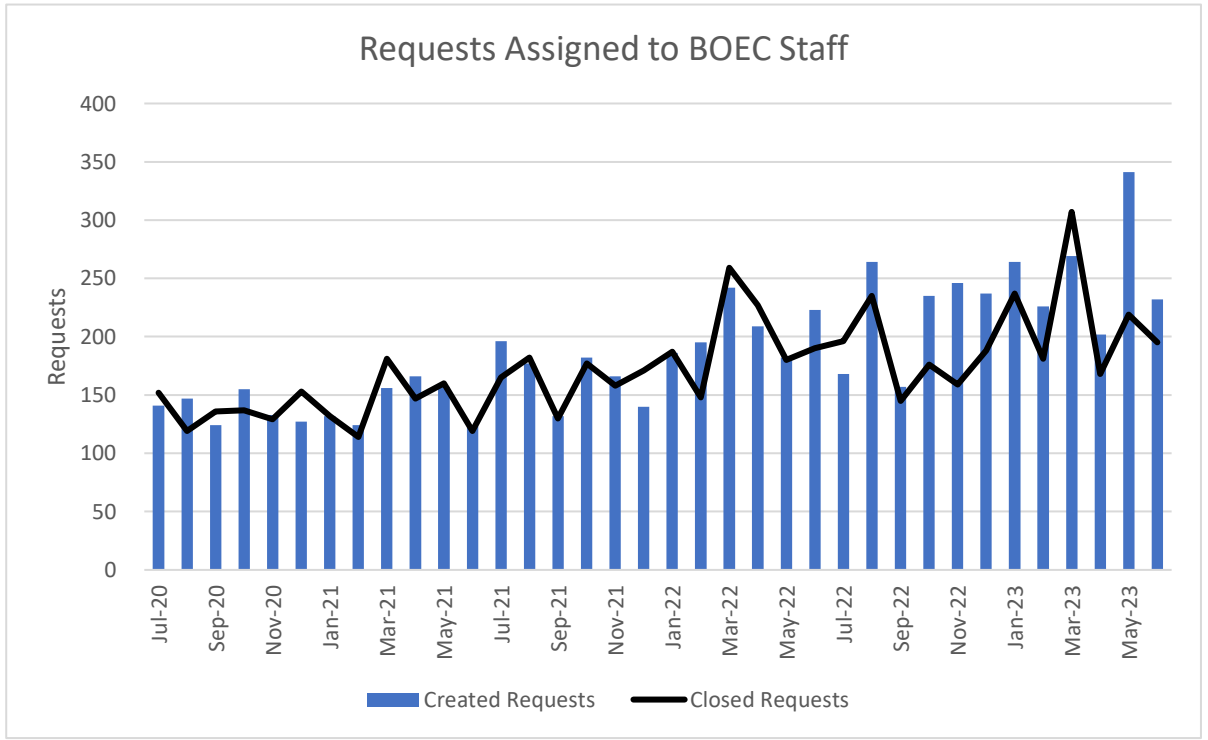




*Staff members closing 100 or more requests per month is a statistical resource measurement and is not related to actual FTE.

Special Analysis - BOEC/911 Records Staffing

Since FY 2021-22, BOEC has been unable to meet a growing demand for records from both Public and Government customers

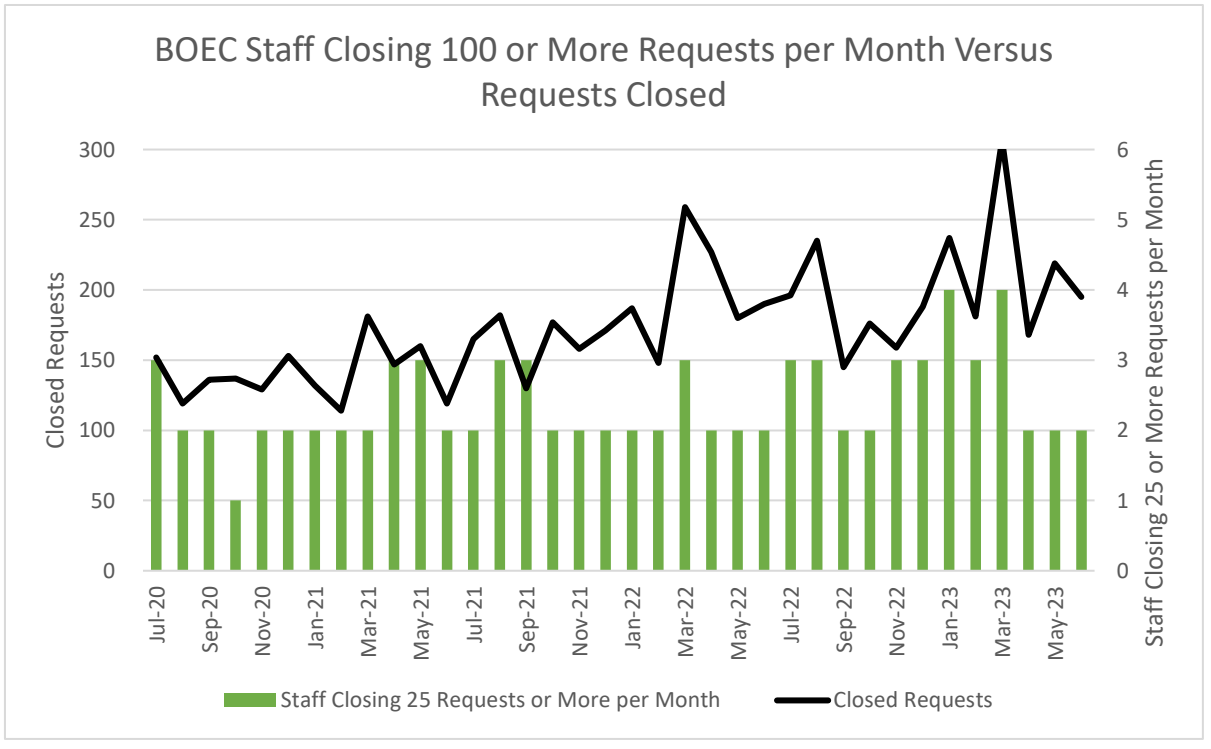


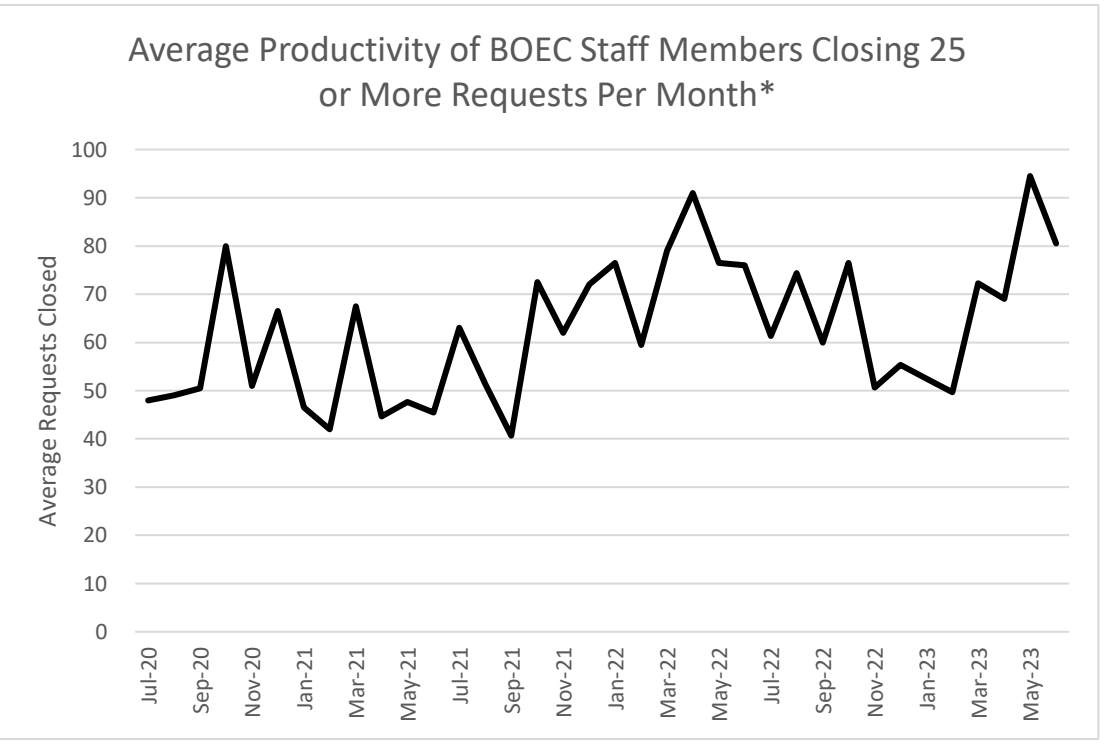
Since the beginning of FY 2021-22, BOEC staff have been facing an increasing number of records requests, with the three month average rising from 124 created requests at the end of FY 2020-21 to 208 by the end of FY 2022-23, an increase of 68%. It's estimated that 80% of this growth is from increased requests from the Multnomah County District Attorney's Office, which is also making more complex requests than prior years.

Thanks to process improvements and the temporary re-assignment of staff, BOEC has been able to significantly increase the number of requests closed per month, with the three month average rising from 117 at the end of FY 2020-21 to 195 by the end of FY 2022-23, a 67% increase. However, it has not been enough to slow the growing backlog, with open requests rising from 47 at the end of FY 2020-21 to 505 at the end of FY 2022-23. As a result, the percentage of requests not being closed within 30 WDO Days has also risen, especially for Public customers.

While BOEC has hired a limited term employee, who started in FY 2023-24, to aid in closing requests, the additional staff is only expected to stabilize the number of open requests. The elimination of the backlog of requests will require further resources or other process improvements.

Further data regarding BOEC Records requests can be found on page 32.





*Staff members closing 25 or more requests per month is a statistical resource measurement and is not related to actual FTE.

Special Analysis - Single High Volume Requester Share of Records Requests

In FY 2022-23 a single customer accounted for 26% of all Other Records requests

Created Requests and Status as of end of Fiscal Year 2022-23							
	Overall Created Total	Single High Volume Requester					
		Created Total	Request Fulfilled	Not Released	Request Withdrawn	Admin. Closed	Open
Jul-23	176	23	22	1	0	0	0
Aug-23	207	7	6	0	0	1	0
Sep-23	165	12	9	0	0	3	0
Oct-23	188	4	3	0	0	1	0
Nov-23	178	16	13	1	0	2	0
Dec-23	471	326	39	0	0	287	0
Jan-23	284	131	8	0	0	123	0
Feb-23	238	65	12	0	0	52	1
Mar-23	217	22	9	1	0	12	0
Apr-23	242	35	5	0	0	29	1
May-23	192	13	9	0	0	2	2
Jun-23	224	60	6	0	0	2	52
Total	2,782	714	141	3	0	514	56

In FY 2022-23, a total of 1,043 individuals and organizations created 2,777 General Records requests. This includes 881 members of the public making 2,119 requests, 117 members of the media making 584 requests, and 45 other individuals and organizations making 74 requests. During this same period, a single member of the public, called the Single High Volume Requester in this analysis, accounted for 714 requests, equivalent to 26% of all General Records requests created, far more than any other individual or organization. The next highest single requester during the same period was a member of the media who made 65 requests, equivalent to 2% of all General Records requests. In total, only 28 individuals made more than 10 requests in FY 2022-23, of which 14 were members of the media.

Of the 714 requests created by the Single High Volume Requester, only 137 (19%) were fulfilled, with 7 (1%) not released, 514 (72%) administratively closed for non-payment of fees, and 56 (8%) still open at the end of FY 2022-23. The Single High Volume Requester was also responsible for 35 (51%) of the public records appeals to the Multnomah County District Attorney's Office in FY 2022-23, of which 9% were granted, 14% were partially granted, and 86% were denied.