

**RESOLUTION No. 37358**

Authorize the City Attorney to institute legal proceedings against Clark County, Washington, to seek an injunction prohibiting the release of City records without further redaction. (Resolution)

WHEREAS, The City of Portland is committed to protecting the confidentiality of records involving child abuse victims in conjunction with the applicable laws of the State of Oregon, and

WHEREAS, The City of Portland has been notified by Clark County, through the Clark County Sheriff's Office, located in the State of Washington, that a Portland Police Bureau report is the subject of a pending public records request in the State of Washington, and

WHEREAS, The Portland Police Bureau report documents a sensitive police investigation involving allegations of child abuse, and

WHEREAS, The City of Portland does not have control over the manner in which Clark County Sheriff's Office discloses the City's record, and

WHEREAS, Clark County, Washington's proposed redactions to the City's record are not consistent with the City's practice to redact records to protect the victim's privacy when the records involve child abuse victims, and

WHEREAS, Clark County, Washington, believes it is obliged to disclose the City's record in the proposed manner under Washington law, and

WHEREAS, The City has confirmed that the victim asserts an interest in maintaining the confidentiality of the City's record, and

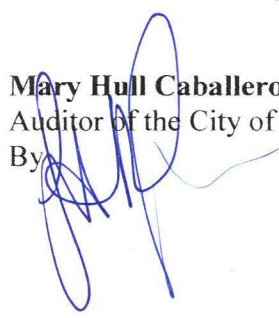
WHEREAS, The City of Portland's only remedy is to seek an injunction to prohibit the release of the record without further redaction pursuant to RCW 42.56.540, and

WHEREAS, Without such an order from a Washington Court, the City's record will be released by Clark County Sheriff's Office on June 13, 2018.

NOW, THEREFORE, BE IT RESOLVED, the City Attorney is authorized to institute proceedings in the State of Washington against Clark County, Washington, to seek an injunction to prohibit the release of the City of Portland's record without further redaction, and to pursue to conclusion those proceedings in any higher court, and, in furtherance or resolution of such proceedings, is authorized to make any stipulation, agreement, or admission as in her judgment may be in the best interest of the City.

Adopted by the Council: MAY 30 2018

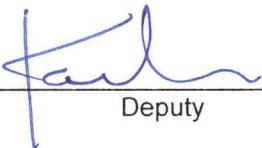
Commissioner: Mayor Wheeler  
Prepared by: R. Plaza  
Date Prepared: 5.22.18

Mary Hull Caballero  
Auditor of the City of Portland  
By: 

Deputy

Agenda No.  
**RESOLUTION NO. 37358**  
 Title

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<p style="text-align: center;"><b>INTRODUCED BY</b>                  Commissioner/Auditor:  <b>Mayor Wheeler</b></p>	<p style="text-align: right;">CLERK USE: DATE FILED <u>MAY 22 2018</u></p>
<p style="text-align: center;"><b>COMMISSIONER APPROVAL</b></p>	<p>Mary Hull Caballero                  Auditor of the City of Portland</p> <p>By:                   Deputy</p> <p><b>ACTION TAKEN:</b></p>
Mayor—Finance and Administration - Wheeler <i>M.A.H. 5/22/18</i>	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Eudaly	
<p style="text-align: center;"><b>BUREAU APPROVAL</b></p>	
Bureau: City Attorney's Office Bureau Head: Tracy Reeve	
Prepared by: R. Plaza Date Prepared: 5.22.18	
Financial Impact Statement & Public Involvement Statement  Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
City Attorney Approval: required for contract, code, easement, franchise, charter, Comp Plan	
Council Meeting Date <b>5.30.18</b>	

**AGENDA**

**TIME CERTAIN**   
 Start time: \_\_\_\_\_

Total amount of time needed: \_\_\_\_\_  
 (for presentation, testimony and discussion)

**CONSENT**

**REGULAR**   
 Total amount of time needed: \_\_\_\_\_  
 (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Eudaly	4. Eudaly	✓	
Wheeler	Wheeler	✓	