

IMPACT STATEMENT

Legislation title: Authorize the City Attorney to institute proceedings challenging the Multnomah County District Attorney’s ordering the release of public records disclosing the personal cellular phone numbers of City employees when in text message records (Resolution)

Contact name: Fallon Niedrist
Contact phone: (503) 823-6418
Presenter name: Fallon Niedrist

Purpose of proposed legislation and background information:
 In response to an appeal by Alan Kessler, the Multnomah County District Attorney’s Office ordered the City to release the personal cell phone numbers of City employees located in Smarsh metadata records. The purpose of this Resolution is to authorize the City to file a petition in Circuit Court to challenge the District Attorney’s order of the release of this information.

Financial and budgetary impacts:
 There will be minor out-of-pocket expenses for the appeal, primarily the docketing fee. Attorney time will be provided by in-house lawyers in the City Attorney’s Office, for whom there is no incremental expense.

Community impacts and community involvement:
 This Resolution involves the protection of private employee information, specifically personal cell phone numbers. The Resolution seeks a judicial clarification of the application of the personal information exemptions under Public Records Laws.

- 100% Renewable Goal:**
- Not applicable

Budgetary Impact Worksheet

Does this action change appropriations?
 YES: Please complete the information below.
 NO: Skip this section

| Fund | Fund Center | Commitment Item | Functional Area | Funded Program | Grant | Sponsored Program | Amount |
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Impact Statement for Requested Council Action

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