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December 19, 2016

VIA EMAIL ONLY: kiboshi@kgw.com

Kyle Iboshi
KGW
1501 SW Jefferson Street
Portland, OR 97201

Re: Petition for Public Records Disclosure Order
Oregon State Police
DOJ File No.: 257001-GA0145-16

Dear Mr. Iboshi:

This letter is the Attorney General's order responding to your December 12, 2016, petition for disclosure under the Oregon Public Records Law, ORS 192.410 to 192.505. Your petition asks the Attorney General to order the Oregon State Police (OSP) to produce the "audio or video recordings and/or written transcripts of interviews with Detective Sergeant Joe Kaney and Detective Todd Spingath from the Roseburg Police related to their response to the active shooter on the Umpqua Community College Campus."

We previously denied your petition for these records because they related to an ongoing criminal investigation into the Umpqua shooting. Public Records Order, July 8, 2016, Iboshi. In that order, we explained that although there is a strong public interest in these records, there is also a strong public interest in protecting a fair and thorough criminal investigation and avoiding disclosures that could compromise that process. We emphasized that the ORS 192.501(3) exemption that applies to criminal investigatory information lasts only until the criminal proceedings end; this allows the public interest in fair and thorough criminal investigations to be satisfied, while also eventually allowing disclosure of the investigatory records to the public.

We spoke with Terri Davie, OSP's Deputy Superintendent; she confirmed that the criminal investigation at the state level is ongoing. Therefore, because the criminal proceedings continue, our reasoning from the prior order stands, and we respectfully deny your petition.

Sincerely,

Frederick M. Boss
Deputy Attorney General

FMB:nog/DM7930406
c via email only: Holly Bolton, OSP