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July 28, 2025

VIA E-MAIL ONLY: ian@jacobstuartlaw.com

Ian Tudor
1601 E. Amelia Street
Orlando, FL 32803

Re: Petition for Public Records Disclosure Order
Oregon State Police
DOJ File No.: 257001-GA0100-25

Dear Mr. Tudor:

This letter is the Attorney General's response to your petition under the Oregon Public Records Law, ORS 192.311 to 192.431. Your petition asks the Attorney General to order the Oregon State Police (OSP) to disclose an investigative report. For the reasons discussed below, we respectfully deny your petition.

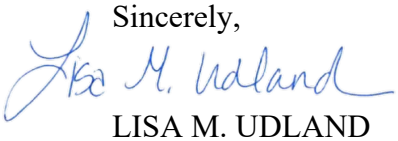
The Public Records Law confers the right to inspect public records in Oregon, unless such records are exempt under ORS 192.338, 192.345, or 192.355. ORS 192.314(1). The law is a disclosure law, and exemptions from disclosure must be express. Any person denied the right to inspect or to receive a copy of a public record of a state agency may petition the Attorney General to review the record and determine if it may be withheld. ORS 192.411(1). The agency carries the burden to sustain its actions. *Id*.

Your petition indicates that you requested records related to certain individuals from OSP. Your petition states that OSP denied this request because the records involve a juvenile victim. You indicate that you need the records because they are relevant discovery in a felony criminal prosecution.

In response to your petition, we spoke with the Attorney General's contact counsel for OSP. He explained that OSP asserts the reports are confidential under ORS 419B.035(1). That statute makes confidential records compiled under Oregon's Child Abuse Reporting Statutes, ORS 419B.010 to 419B.050. And under ORS 192.355(9)(a), records made confidential under state law are expressly exempt from disclosure.

We have reviewed the record at issue. It is an investigative report concerning child sexual abuse authored by an OSP detective. According to the report, OSP began its investigation after DHS cross reported the incident. As a result, this report was compiled under Oregon's Child Abuse Reporting Statutes, and OSP must keep it confidential. ORS 419B.035(1). Although ORS 419B.035(4) contains exceptions that permit law enforcement agencies to disclose confidential records to specified parties in limited circumstances, none of those exceptions apply in this instance.[1] Because ORS 419B.010(1) requires OSP to maintain its confidentiality, the report is exempt from public records disclosure pursuant to ORS 192.355(9)(a). For this reason, we respectfully deny your petition.

Sincerely,



LISA M. UDLAND
Deputy Attorney General

DEP:pjn
c via e-mail only: Holly Bolton (Oregon State Police)

[1] A law enforcement agency may make child abuse reports available to "other law enforcement agencies, district attorneys, city attorneys with criminal prosecutorial functions and the Attorney General when the law enforcement agency determines that disclosure is necessary for the investigation or enforcement of laws relating to child abuse and neglect or necessary to determine a claim for crime victim compensation." ORS 419B.035(4).