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March 20, 2026

VIA E-MAIL ONLY: collin@collinledford.com

Collin Ledford
collin@collinledford.com

Re: Petition for Public Records Disclosure Order
Oregon State Police
DOJ File No.: 257001-GA0054-26

Dear Mr. Ledford:

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 records related to an investigation. 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*.

You requested records related to a specific OSP investigation. Your petition explains that OSP denied your request based on ORS 419B.035, indicating that it does not have authority to release reports pertaining to a child abuse investigation. You contend that OSP has failed to segregate records unrelated to the child abuse investigation that should be disclosable to you.

In response to your petition, we contacted Holly Bolton in OSP's Central Records Section. She explained that OSP received a report of child abuse and conducted an investigation pursuant to ORS 419B.020. Therefore, 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 records at issue. They consist of (1) an investigative report authored by an OSP detective concerning alleged child sexual abuse, (2) interviews with the witnesses described in the report, and (3) records gathered by OSP in connection with the investigation documented in the report. These records show that OSP received a report of conduct which, if proven, would constitute child abuse as defined by ORS 419B.005(1). OSP then conducted an investigation "to determine the nature and cause of the abuse of the child" as required by ORS 419B.020. Because these records were compiled under Oregon's Child Abuse Reporting Statutes, OSP must keep them 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]

You argue that OSP should segregate records pertaining to its criminal investigation that are distinct from the child abuse investigation. In this instance, however, those records are entirely overlapping. OSP investigated potential criminal acts which, if proven, would constitute child abuse under ORS 419B.005(1).[2] Because ORS 419B.035(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,

BENJAMIN GUTMAN
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).

[2] We inquired of OSP as to whether there was any separate arrest report or other administrative closure report, and OSP indicated that those records do not exist. OSP stated that the investigative report we reviewed was routed to the Marion County District Attorney's Office (MCDAO). After receiving your records petition, OSP did locate an email between OSP and the MCDAO inquiring about the disposition of that report. The MCDAO responded that "[t]his case has been reviewed by our office and has been closed." OSP does not claim this record is exempt and has now provided it to you.