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June 15, 2026

VIA E-MAIL ONLY: rweaver306@hotmail.com

Robert Weaver
28290 Gimpl Hill Rd
Eugene, OR 97402

Re: Petition for Public Records Disclosure Order
Oregon State Police
DOJ File No.: 257001-GA0122-26

Dear Mr. Weaver:

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.

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In response to your petition, we contacted Laura Heathcock in OSP's Central Records Section, and we reviewed the records withheld by OSP. OSP received a cross 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.

The records consist of (1) a police report documenting an investigation into alleged child abuse that was cross reported by DHS and (2) body camera interviews with the individuals described 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 and produce any nonexempt materials including the "substance of the allegations and investigative statements, including what allegations were reported to OSP, what factual claims were communicated to investigators, and what information investigators relied on in closing the case as unfounded." OSP, however, lacks discretion to disclose these records to you. Because ORS 419B.035(1) requires OSP to maintain the confidentiality of all "reports and records compiled" as part of a child abuse investigation, the records are 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: Laura Heathcock (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).