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August 10, 2026

VIA E-MAIL ONLY: blaneysebastianz@gmail.com

Sebastian Blaney
blaneysebastianz@gmail.com

Re: Petition for Public Records Disclosure Order
Oregon State Police
DOJ File No.: 257001-GA0147-26

Dear Mr. Blaney:

This letter is the Attorney General's response to your petition for disclosure under the Oregon Public Records Law, ORS 192.311 to 192.478. Your petition asks the Attorney General to order the Oregon State Police (OSP) to disclose records pertaining to a crash 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. ORS 192.411(1).

You were involved in a crash that occurred on August 12, 2024. Your petition stems from a request for records concerning OSP's investigation of that incident. You contend that OSP has withheld responsive records and failed to conduct a thorough search. You also challenge the exemptions claimed by OSP.

We contacted OSP regarding your petition. OSP states that it produced all responsive records in its custody, with the exception of the body camera footage, which was withheld as exempt. Specifically, OSP produced dash cam video, officer notes, reports and attachments, photos, dispatch audio, and computer-aided dispatch notes associated with its investigation. Under the circumstances, we have no reason to doubt OSP's representation that it made a complete production.

OSP withheld the body camera footage as exempt from disclosure under ORS 192.345(40). That provision conditionally exempts from disclosure "[a]udio or video recordings * * * resulting from a law enforcement officer's operation of a video camera worn upon the officer's person that records the officer's interactions with members of the public while the officer is on duty," unless the public interest requires disclosure in the particular instance. *Id*. The body camera footage associated with OSP's August 12, 2024, crash investigation fits within this provision and is therefore exempt from disclosure unless the public interest requires disclosure in this instance.

In evaluating whether the public interest requires disclosure, we must determine whether the public interest in disclosure outweighs the competing interests in confidentiality, with the presumption favoring disclosure when the parties' interests are of equal value. *See ACLU v. City of Eugene*, 360 Or 269, 280 (2016). The Oregon Court of Appeals has described the public interest in disclosure as the right of the public at large to monitor how public business is conducted and how public officials are performing their jobs. *See Guard Publishing Co. v. Lane County School Dist.*, 96 Or App 463, 469 (1989); and *Jensen v. Schiffman*, 24 Or App 11, 17 (1976).

Your petition indicates that "disclosure of these records will contribute significantly to public understanding of law enforcement conduct, investigative procedures, and the accuracy of official reporting." We reviewed the records that were produced to you as well as the body camera video withheld by OSP. The withheld video shows OSP troopers responding to the scene and conducting a routine crash investigation. Although these records may be of personal interest to you, we do not find that their release would inform the broader public in a meaningful way. Under the circumstances, we conclude that the public interest does not require the disclosure of the body camera footage and that OSP was permitted to withhold it from you.[1] We therefore respectfully deny your petition.

Sincerely,

BENJAMIN GUTMAN
Deputy Attorney General

DP:pjn
c via e-mail only: Holly Bolton (OSP)

[1] We note that this decision is not a determination whether such footage might be available in court proceedings. We have consistently observed that the ordinary tools of discovery generally negate any need to use the Public Records Law to gain access to records for purposes of litigation. *Manual* at 53.