

SUPPLEMENTAL FILING IN SUPPORT OF PETITION

Submitted to: Attorney General of the State of Oregon

Petition: PR27478 — Petition for Review of Denial of Public Records Request, filed July 22, 2026

Petitioner: Robert Samuel White, P.O. Box 334, Reedsport, Oregon 97467 — rsw@rswfire.com — 458-230-1869

Public body: Oregon State Police, Central Records Section

Date of this filing: July 27, 2026

I. PURPOSE OF THIS FILING

On July 27, 2026, five days after this petition was filed, Oregon State Police notified me that it has identified additional responsive records and is reopening PR27478. I file the notice as Exhibit 27 and my response as Exhibit 28.

I do not withdraw the petition. The Department's message does not resolve any count in it. I file this supplement for three reasons: to place the Department's own admission in the record; to identify the one factual assertion in it that cannot be correct as written; and to renew, with urgency, the single request in this matter that is time-sensitive.

II. THE DEPARTMENT'S NOTICE

The full text of the operative paragraph, received July 27, 2026 at 1:27 p.m. from Micah Hubbard, Records Request Unit Senior Admin and Legal Compliance Specialist, Central Records Section:

"A thorough review of your request has resulted in the finding of additional records, not in our system at the time of the original request. We are reopening your request for records, and will provide the records, once collected, and reviewed. We estimate this process to take 3 weeks."

III. WHAT THE NOTICE ESTABLISHES

1. Responsive records exist that were not produced. On April 3, 2026, the Department stated in writing: "The Department has conducted a search which identified no records responsive to your request." On July 14, 2026 it produced one record. On July 27, 2026 it states there are more. The

Department has now, by its own account, identified responsive records on three separate occasions following a written finding that none existed.

2. The reopening is the Department's own act, taken after the petition. The petition was filed July 22. The notice issued July 27. The Department was not ordered to reopen; it reopened.

3. Count 1 is conceded in substance. The petition's first count is that the response was incomplete under ORS 192.329(2). The Department's notice concedes that additional responsive records exist and have not been produced. What remains at issue is when they will be produced, whether the categories will be fully addressed, and whether any exemption will be claimed.

IV. THE ASSERTION THAT CANNOT BE CORRECT AS WRITTEN

The Department characterizes the additional records as "not in our system at the time of the original request."

This request concerns one event. OSP CAD event SP26097765 was created at 08:41:32, arrived at 09:50:02, and closed at 10:18:42 on March 24, 2026. The event was concluded and closed:

- **10 days** before I submitted the request on April 3, 2026;
- **10 days** before the Department's "no records" finding of April 3, 2026;
- **125 days** before the Department's notice of July 27, 2026.

Every category I requested consists of records generated on or before March 24, 2026:

Category requested	When it necessarily came into existence
Names, badge numbers, unit assignments of officers present	On or before March 24, 2026
Communications relating to planning, authorization, or coordination of the visit	On or before March 24, 2026 — necessarily before 08:41:32, when the dispatcher entered the event
Recorded radio and telephone traffic for the event	March 24, 2026
Communications referencing my name, my online activity, or oprdvolunteerabuse.org	On or before the date of the request
Incident reports, case files, after-action documentation	On or about March 24, 2026
	On or before March 24, 2026

Category requested	When it necessarily came into existence
Communications with USFS Special Agent Matthew Oliver or any OPRD employee regarding the visit	
CAD audit trail for SP26097765	Generated contemporaneously with the event

A record of a closed event does not enter an agency's systems four months later. The Department's own production demonstrates this: the CAD record it released bears the generation stamp "Printed: 04/13/2026 13:07 by A89920," and it documents an event that concluded on March 24.

There are two possible readings of the Department's sentence, and they are not equivalent:

(a) The records existed in the Department's systems on April 3, 2026 and the search conducted that day did not locate them. That is a statement about the adequacy of the search — the subject of Count 2 — and not about the contents of the Department's systems.

(b) The records did not exist on April 3, 2026 and were created afterward. If that is the Department's position, then records concerning a March 24 event were generated after April 3, and the Department should identify each such record, state the date it was created, and state the basis for its creation.

I do not ask the Attorney General to determine which is true. I ask that the Department be required to state which it means. Under either reading, the Department's response to date fails ORS 192.329(2), and under reading (a) the April 3 search was inadequate as a matter of the Department's own admission.

V. THE TIME-SENSITIVE REQUEST — RENEWED

Count 6 of the petition asks for an order requiring the Department to state whether the recorded dispatch communications for March 24, 2026 still exist, what retention schedule applies, and whether any responsive record has been destroyed, purged, overwritten, or allowed to age off a schedule since April 2, 2026.

That question has now been outstanding since July 15, 2026 and has never been answered. The recordings are 125 days old. Recorded dispatch communications are subject to retention schedules measured in months, and every day of non-response carries the risk that the answer changes.

A three-week collection and review period does not answer it. Whether a recording still exists is a fact the Department can state in one sentence today, independent of any collection, review, or exemption analysis. I asked the Department for that sentence again on July 27, 2026 (Exhibit 28).

I renew the request that the Attorney General order the Department to state, in writing and without awaiting the completion of its reopened review:

1. Whether the recorded dispatch communications for March 24, 2026 relating to event SP26097765 exist;
2. What retention schedule applies to them and when they are scheduled to be purged;
3. Whether any record responsive to PR27478 has been destroyed, purged, overwritten, or allowed to age off a schedule since April 2, 2026, and if so, what record and on what date.

The litigation preservation notice was served on April 2, 2026, in the body of the request itself. It has never been acknowledged. I have asked the Department to confirm that it has been distributed to the custodians of the newly identified records, including the custodians of recorded dispatch communications and CAD audit trail data.

VI. WHAT REMAINS UNRESOLVED

The Department's notice addresses none of the following, each of which remains before the Attorney General:

- **Count 2** — the adequacy of the April 3, 2026 search. No description of that search has ever been provided. The five questions I put to the Department on April 3, 2026 remain unanswered on day 115.
- **Count 3** — no statutory exemption has been cited for any record at any time in this matter. (I correct one citation in the petition on my own initiative: Count 3 cited ORS 192.329(2)(c) for the requirement that a withholding identify the specific exemption claimed. That requirement is properly ORS 192.329(2)(b); ORS 192.329(2)(c) concerns the separation of exempt and nonexempt material under ORS 192.338. The correction does not change the count, as the Department has asserted no exemption under any provision.)
- **Count 4** — the fee waiver requested April 3 and again April 13, 2026 has never been granted and never been denied.
- **Count 5** — undue delay. The Department's acknowledgment stated two to three weeks; its form stated thirty days. One hundred fifteen days have elapsed, and the Department now proposes an additional three.
- **Count 6** — preservation and the status of the dispatch recordings, addressed above.

A commitment to produce records at a future date is not a disposition under ORS 192.329(2). The statute permits three responses: production, a claimed exemption, or a statement that the body is not the custodian. A promise is none of them.

VII. RELIEF

The relief requested in the petition is unchanged. I additionally ask that any order directing the Department to respond include:

1. A requirement that the Department state which of the two readings in Section IV describes what occurred, and if the latter, identify each record created after April 3, 2026 and the date of its creation.
 2. A date certain for production, rather than an estimate.
 3. Immediate written response to the retention and preservation questions in Section V, separate from and prior to the completion of the Department's reopened review.
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VIII. EXHIBITS ADDED

#	Document	Date
26	Letter from District Ranger, Central Coast Ranger District, Siuslaw National Forest — <i>previously filed with the July 24, 2026 supplemental; included here for reference</i>	July 24, 2026
27	OSP notice reopening PR27478 ("additional records, not in our system at the time of the original request")	July 27, 2026
28	Petitioner's response to the reopening notice	July 27, 2026

Respectfully submitted,

Robert Samuel White

P.O. Box 334

Reedsport, Oregon 97467

rsw@rswfire.com

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