

REGARDING THE ORDER OF JULY 29, 2026

TO Benjamin Gutman, Deputy Attorney General, Oregon Department of Justice
VIA PublicRecordsOrder@doj.oregon.gov
COPY Holly Bolton, Legal Compliance Specialist, Oregon State Police
RE DOJ File No. 257001-GA0140-26 -- Oregon State Police, PR27478
FROM Robert Samuel White, P.O. Box 334, Reedsport, Oregon 97467
DATE July 30, 2026

The order of July 29, 2026 decides my petition on two grounds that did not come from my petition. I am writing to identify both and to state what I intend to do next.

I. AN EXEMPTION THAT WAS NEVER CITED TO ME

The order states, on page 1:

“OSP responded by producing a CAD report and citing the exemption for body camera video provided by ORS 192.345(40).”

Oregon State Police has never cited ORS 192.345(40) to me. It has never cited any exemption to me, under any provision, at any point in this matter. The words “body camera” appear nowhere in any communication I have received from the Department, and ORS 192.345(40) appears nowhere in my petition or in any of its exhibits.

The Department’s production letter of July 14, 2026 states the opposite of what the order describes:

“The document we are releasing has been reviewed for exempt material, with none being identified.”

Under ORS 192.411(1), the burden is on the agency to sustain its action. If Oregon State Police asserted that exemption to this office in the course of this proceeding, it made that assertion in a submission I was never served with, concerning a category of record whose existence I had not been told of, and I had no opportunity to answer it. ORS 192.329(2)(b) required the Department to assert any exemption to me. It did not. ORS 192.329(2)(f) required a statement of my review rights with that assertion. I received none.

I ask this office to identify the document the sentence rests on.

That sentence is the first indication I have received from any source that a recording of the March 24, 2026 contact exists. On July 29, 2026 I wrote to the Department asking whether such recordings exist, how many, whether any exemption is asserted over them, and what retention schedule applies. That letter is enclosed.

II. A FINDING ON AN ISSUE I NEVER RAISED

The order finds:

“We find that OSP acted in good faith by requesting clarification from you concerning the basis for the fee waiver.”

I did not allege bad faith. I did not ask for a finding on good faith in either direction. Nothing in my petition put the Department’s state of mind at issue, and I was not on notice that it would be decided.

That finding is not incidental to the disposition. Good faith is the statutory predicate ORS 192.329(4)(a) requires before an agency’s obligation is suspended, and the suspension is what carried the denial of my timeliness claim. An element I never contested, and had no occasion to address, resolved the question I did bring.

Footnote 2 of the order sets out this office’s authority under the Public Records Law: to review an agency’s decision to withhold records, to consider whether a fee waiver was unreasonably denied, and to review compliance with the deadlines and procedures in ORS 192.329. On that basis the order declines relief I did request. That footnote identifies no authority to make findings about an agency’s state of mind.

III. WHAT I INTEND TO DO

On July 27, 2026 the Department reopened my request, stated that it had located “additional records, not in our system at the time of the original request,” and gave an estimated completion date of three weeks. That date falls on or about August 17, 2026.

I will wait for that response. I am not asking this office to revisit the order in the meantime.

If the supplemental response does not resolve the categories that remain outstanding – the recorded dispatch communications for event SP26097765, the CAD audit trail, the identity of the second officer who created the event under DPSST #48454, the identity and assignment of the second Oregon State Police vehicle present, any incident report or case file, and any video or

audio recording of the March 24, 2026 contact – I will file a new petition, as the order contemplates.

If that petition is denied in whole or in part, I will institute proceedings in circuit court under ORS 192.411.

The litigation preservation notice served on April 2, 2026 remains in effect and applies to every record identified in the reopened request.

Enclosure: Request for recorded video of the March 24, 2026 contact, sent to Oregon State Police July 29, 2026.

Respectfully,

Robert Samuel White
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REQUEST FOR RECORDED VIDEO OF THE MARCH 24, 2026 CONTACT

TO Micah Hubbard, Records Request Unit, Central Records Section, Oregon State Police
COPY Holly Bolton, Legal Compliance Specialist, Oregon State Police
RE PR27478 -- reopened July 27, 2026; and the exemption identified in DOJ File No. 257001-
GA0140-26
FROM Robert Samuel White, P.O. Box 334, Reedsport, Oregon 97467
DATE July 29, 2026

I. WHAT THIS LETTER IS

On July 29, 2026, the Attorney General issued its order on my petition concerning PR27478. The order states, on page 1:

“OSP responded by producing a CAD report and citing the exemption for body camera video provided by ORS 192.345(40).”

Oregon State Police has never cited that exemption to me. It has never cited any exemption to me, under any provision, at any point in this matter. That sentence is therefore the first indication I have received from any source that a recording of the March 24, 2026 contact exists.

If body camera or in-car video of that event exists – of the contact itself, of the travel to and from it, or made by any officer or vehicle associated with it – I request it, and it is within the scope of PR27478 as submitted on April 3, 2026 and as reopened by the Department on July 27, 2026.

The remainder of this letter states why the public interest requires its disclosure, and corrects two matters of fact for the record.

II. THE EXEMPTION, AND WHAT I ASK THE DEPARTMENT TO STATE

The Department’s own production letter of July 14, 2026 states:

“The document we are releasing has been reviewed for exempt material, with none being identified.”

That is the only statement the Department has ever made to me about exemptions in this matter, and it is inconsistent with the sentence in the order.

I ask the Department to state, in writing:

1. Whether body camera, in-car, or other video or audio recordings associated with event SP26097765 on March 24, 2026 exist, and how many – including recordings made during the travel to and from the Siltcoos Work Center, and recordings made by the occupants of either vehicle.
2. Whether the Department has asserted ORS 192.345(40), or any other exemption, over any such recording – and if so, to assert it to me, as ORS 192.329(2)(b) requires, identifying the record withheld and the specific provision claimed, together with the statement of review rights that ORS 192.329(2)(f) requires whenever an exemption is asserted. I have received no such statement in this matter.
3. What retention schedule applies to any such recording, and the date on which it is scheduled to be purged.

I am not asking the Department to characterize anything or to explain how that sentence came to appear in the order. I am asking whether the record exists and, if it is being withheld, on what basis.

ORS 192.345(40) requires that a request for such recordings identify the approximate date and time of the incident and be reasonably tailored. This request concerns one event on one day: CAD event SP26097765, March 24, 2026. Within that event I request every recording made by every officer and every vehicle associated with it, whether or not that officer came to my door, and specifically:

1. Any recording made in connection with the event before unit 9452 was dispatched at 08:41:32, including any briefing.
2. The travel to the Siltcoos Work Center, from dispatch at 08:41:32 to arrival at 09:50:02 – approximately sixty-nine minutes.
3. The contact itself, from arrival at 09:50:02 until the officers departed my gate.
4. The travel away from my gate until both vehicles returned to service. The event was closed at 10:18:42, which is before either vehicle could have completed a return of that distance, so I request the return travel expressly, whether or not it falls within the event's closing time.
5. Any recording made by the occupants of the second vehicle at any point in the foregoing.

What officers said to one another in transit, in both directions, bears on why the trip was made and who directed it. Those are the questions the dispatch record does not answer, and they are the reason the public interest requires the recordings themselves rather than a summary of them.

The provision also requires that faces be rendered unidentifiable before disclosure. I do not object to that condition. The only member of the public in the recording is me, and I consent to the disclosure of my own image.

ORS 192.345(40) is a conditional exemption. Recordings within it are exempt “unless the public interest requires disclosure in the particular instance.” If the Department is claiming it, the public interest is the operative question, and the next two sections are my statement on it. I provide them now rather than later so that the Department has them before it completes the supplemental response it estimated on July 27.

III. WHAT HAS BEEN STATED TO ME SO FAR

I was never told PR27478 had been closed. There was no notice of closure and no statement that the response was complete. I learned it had been closed only from the July 27, 2026 message reopening it.

That is the entire acknowledgment history of this matter, in full:

- **April 3, 2026, 10:12 a.m.** – “A search will be conducted to determine if OSP is the custodian of the requested record(s).”
- **April 3, 2026, later the same day** – “The Department has conducted a search which identified no records responsive to your request.”
- **April 13, 2026** – one record identified, \$12.50, check or money order only.
- **July 14, 2026** – that one record released in full, no fee, no exempt material identified.
- **July 27, 2026** – “additional records, not in our system at the time of the original request,” reopened, three weeks estimated.

The Department has not yet stated whether any of the following exists: recorded radio or telephone traffic for event SP26097765; the communication by which my name, my date of birth, the facility location, and the stated purpose were conveyed to the dispatcher who created the event at 08:41:32; the CAD audit trail; the identity or assignment of the second Oregon State Police vehicle present at my gate; or any incident report, case file, or after-action documentation. I understand the supplemental response now underway may address these, and I will wait for it. I raise them here only to note that recorded video would be one more category never stated, and I would rather ask now than discover it later.

IV. WHAT OCCURRED ON MARCH 24, 2026

The public interest in any recording of this contact cannot be weighed without the circumstances, so I state them plainly. Every fact in this section is drawn from Oregon State Police's own released record, from a United States Forest Service line officer's written statement, or from my own contemporaneous documentation, all of which is published.

The date. On March 24, 2025, I was dismissed by telephone from my volunteer position at Jessie M. Honeyman Memorial State Park, six days before my term ended. On March 26, 2025, the Oregon Parks and Recreation Department permanently excluded me from all volunteer service statewide, on agency letterhead, citing "the public comments made about staff." That letter has never been withdrawn. The officers came on March 24, 2026 – one year to the day.

The location. I live and serve as the volunteer caretaker at the Siltcoos Work Center, a locked United States Forest Service facility on restricted federal land. It has no public street address. There are no neighbors and no witnesses. One road reaches it, through a gate only the Forest Service can open. OSP's own record reflects this: the only locator in the dispatch address field is the internal facility name, "SILTCOOS WORK CENTER, OR," with the county, cross street, common name, beat, region, and coordinate fields all blank.

The entry. A United States Forest Service Special Agent unlocked the gate. On July 24, 2026, the District Ranger for the Central Coast Ranger District, Siuslaw National Forest, stated in writing that the Forest Service did not initiate the interview and that its involvement "was limited to assisting OSP by providing access and guiding them to the Siltcoos Work Center." Her letter was filed as a supplemental exhibit the same day.

The stated reason in the record. The dispatcher created the event and authored its comment at 08:41:32, before any unit departed: "FOR THE FOREST SERVICE // FOLLOWUP INTERVIEW W/ ROBERT WHITE 04-11-1977." The first clause is contradicted by the federal officer who commands that ground. The second describes a follow-up to a prior contact that does not exist; OSP had no case, no report, and no prior contact with me of any kind.

The absence of any predicate. OSP's own record shows the event as officer-initiated with no call type selected, low priority, no reporting party, unit type Criminal, and a final disposition of **No Action Taken**. No crime was alleged before, during, or after. No citation was issued. Nothing was investigated. My name appears in the "Caller" field of an event simultaneously logged as officer-initiated.

My date of birth. It appears inside the March 24 dispatch comment. I first provided my date of birth to Oregon State Police on the form I submitted on April 3, 2026 – ten days later. Whatever the source of that information was, it was not me.

The vehicles. Two Oregon State Police vehicles were present. Both were unmarked. Neither carried government plates. I recorded their departure on video and captured one plate, Oregon 731 QRV, which I entered in the U.S. Forest Service Host/Caretaker Incident Report I filed on March 27, 2026. The CAD names a single unit, 9452. Two vehicles were present. The second vehicle and its occupants appear nowhere in the only record produced.

What was said. The officers stated their concern was what I was posting online. They did not identify themselves. I declined to speak without an attorney. The conversation did not end there. Approximately twenty minutes after they left, the Special Agent telephoned me to apply further pressure, stating that this was not going away.

The travel. The event was created, dispatched, and en route at 08:41:32, arrived at 09:50:02, and closed at 10:18:42. Approximately sixty-nine minutes of travel each way, for a low-priority contact with no call type, ending in no action taken.

That is the event. Three armed officers, two unmarked vehicles without government plates, and a federal key, at the home of a man with no criminal allegation against him, on the anniversary of his removal, over what he had written about a state agency.

V. THE PUBLIC INTEREST IN DISCLOSURE

ORS 192.345(40) is a **conditional** exemption. Audio or video from an officer's body-worn camera is exempt "unless the public interest requires disclosure in the particular instance." The question is therefore not whether the exemption applies in the abstract; it is whether this instance requires disclosure. It does, for the following reasons.

1. The subject is whether state police power was used against protected speech. The stated concern at my door was what I was posting online. The state agency that excluded me did so in writing, citing my public comments about staff. That letter stands unwithdrawn. Whether Oregon's police power was deployed as an instrument of retaliation against a citizen's speech about his government is the paradigm case of a matter the Public Records Law exists to illuminate. If it did not happen, disclosure resolves the question. If it did, the public has an overwhelming interest in knowing.

2. The dispatch record cannot answer the question, and only the footage can. A CAD log records what dispatch was told before the unit left. It cannot record what officers said when they arrived. What was said at that gate – what reason was given, what pressure was applied, what was asserted about my speech, whether the officers identified themselves – exists in no other record, from either party, except any recording made by the officers themselves. There is no incident

report. There is no case file. The disposition is No Action Taken. Nothing has been disclosed that summarizes what was said, because nothing was written down.

3. The privacy interest the exemption protects is mine, and I am the one asking. ORS 192.345(40) exists to protect members of the public captured on camera in their interactions with police. The only member of the public in this recording is me. I am the requester. I consent to its disclosure and I intend to publish it. There is no third party whose privacy the exemption would shield here, which distinguishes this request from nearly every request the exemption was written to address.

4. The state's own explanation of the event is documented to be false. The single stated reason in the record – “FOR THE FOREST SERVICE” – has been contradicted in writing by the federal line officer with authority over the land, in a document already before the Attorney General. When the only recorded justification for a government act is shown to be untrue, the public interest in the remaining primary evidence of that act is at its maximum, not its minimum.

5. This is not sought for private litigation. The Attorney General has consistently held that the public interest does not turn on a requester's private interests, and that discovery is the proper tool for litigants. I have released every claim I hold except one. I released the federal civil rights claim against the Oregon Parks and Recreation Department's program manager unconditionally and in writing on July 8, 2026. I have removed the names of four local employees from my public archive and will not restore them. I have declined to pursue the United States Forest Service. I have asked for no money from anyone and I am not asking for any. What I seek is the accuracy of a public record.

6. The material will be published, in full, to a public-interest documentation project. The archive at oprdivolunteerabuse.org publishes the complete correspondence record of this matter – 389 documents across four agencies as of today – with each item posted both as a rendering and as the unmodified original email file with its cryptographic signature intact, so that any reader may verify authenticity independently and without reliance on me. Every exhibit filed with the Attorney General appears there in the form in which it was filed. This includes documents unfavorable to me and documents in which I correct my own errors. Disclosure here does not benefit a private party. It enters the public record permanently, in verifiable form, on an open-source platform.

7. The matter is not confined to me. The archive documents a sequence I have set out as a framework so that others who encounter it have a name for it while it is happening. On July 26, 2026 I asked the Department of Administrative Services how many behavioral threat assessments or workplace violence assessments executive branch agencies have initiated since January 1, 2023, and under what standard. That is a question about a statewide authority, not about my case. I anticipate that the conduct documented here will be of interest in legislative and professional

settings concerned with public records practice, with the treatment of volunteers by state agencies, and with the use of law enforcement contacts in response to protected speech. I say that as a statement of where this record is likely to be read, not as a demand.

8. What a denial would have to hold. To deny disclosure in this instance, the state would have to conclude that the public has no interest in seeing the primary recording of three armed officers, two of them in unmarked vehicles without government plates, arriving at the home of a citizen behind a locked federal gate, on the anniversary of his removal from state service, with no crime alleged, no complaint filed, no call type, no action taken, over what he had published about a state agency – with the only stated reason in the record documented to be false, with no incident report or case file in existence to summarize what was said, and with the sole subject of the recording requesting it and consenting to its publication. I do not believe that conclusion is available on this record, and I am placing my reasons in writing so that whatever is decided is decided against them.

VI. TWO MATTERS OF ACCURACY

I raise these only so the record is correct.

I did not return the form. The order states that I did not send a further response until July 9. I never completed or returned the fee waiver form the Department sent on April 14, 2026. My July 9 letter was not a completed form. It set out the sequence, asked that my April 13 written request be accepted as the waiver request already made, and asked in the alternative for the specific authority requiring a printed and mailed form. The Department waived the fee and produced the record without ever receiving the form.

Two dates. The order dates the production to July 17. Ms. Hubbard released the record on July 14, 2026 at 11:24 a.m. by secure download link. And the Department's letter of April 3, 2026 – "The Department has conducted a search which identified no records responsive to your request" – was issued ten days before the form was sent to me, and eleven days before a responsive record printed inside the Central Records Section bearing the stamp "Printed: 04/13/2026 13:07 by A89920."

VII. WHAT I ASK

1. That the Department state whether video or audio recordings associated with event SP26097765 exist, and how many, covering the travel in both directions, the contact itself, and both vehicles.
2. That if any exemption is claimed over them, the Department assert it to me, identify the record withheld and the specific provision claimed, and provide the statement of review rights required by ORS 192.329(2)(f).

3. That the Department state the retention schedule applicable to any such recording and the date it is scheduled to be purged.
4. That the reasons in Section V be considered in determining whether the public interest requires disclosure, if a conditional exemption is asserted.

The litigation preservation notice served on April 2, 2026, in the body of my original request, applies to any such recording.

I have asked one thing of the Department since April: that it state what it has. I am asking it again.

Respectfully,

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