

From: Robert Samuel White <rsw@rswfire.com>
To: "Hubbard, Micah E" <micah.hubbard@osp.oregon.gov>
Cc: Governor Kotek * GOV <governor.kotek@oregon.gov>
Date: Friday, July 17, 2026 1:16 PM UTC-07:00
Subject: PR27478 -- preservation status of records subject to the April 2, 2026 notice

Ms. Hubbard,

I am writing again regarding PR27478, on one subject: whether the records subject to my preservation notice still exist.

I served a litigation preservation notice on Oregon State Police on April 2, 2026. I referenced it in two places in the request I submitted on April 3 and asked for acknowledgment. I restated it on July 15. I have never received acknowledgment that it was received, or any indication that it was distributed to the custodians of the records it covers.

That notice is now three and a half months old. The recorded dispatch communications it covers are subject to a retention schedule. I am asking, plainly, whether they are still there.

Specifically, I ask Oregon State Police to state the following in writing.

1. Was the preservation notice of April 2, 2026 received? On what date, and by whom? Was it distributed to the custodians of the covered records, and if so, to which units?
2. Do the recorded dispatch communications for March 24, 2026 relating to event SP26097765 still exist, in whole or in part? This includes radio traffic and any telephone traffic to or from dispatch relating to that event.
3. What retention schedule applies to those recordings, and what is the scheduled destruction date? If that date has passed, state whether the records were destroyed and on what date.
4. Does the CAD audit trail data for event SP26097765 -- entry, modification, and access logs -- still exist?
5. Since April 2, 2026, has any record responsive to my April 3 request been destroyed, purged, overwritten, or allowed to age off a retention schedule? If so, identify what and when.

If the answer to any of these is that the record no longer exists, I am asking to be told that. A statement that a record is gone is a complete and adequate answer to this letter. What I cannot work with is not knowing.

I want to be clear about how I understand the record so far. On April 3, 2026, Marni Carlson wrote that a search identified no responsive records. On April 13, 2026, a CAD record for the event was printed inside the Central Records Section. On July 14, 2026, you released that record to me in full, having found no exempt material in it. I do not attribute any of that to you. You produced the only record that has been produced, and you did it promptly and completely. My concern is not with your conduct.

My concern is that a search which found nothing on April 3 did not find a record that existed on April 3, and that the notice which should have frozen everything around that record has never been acknowledged. Those two facts sit next to each other, and together they raise a question about whether anything covered by the notice was preserved at all.

The five categories I requested on April 3 remain unproduced, and no exemption has been cited for any of it. My questions of July 14 regarding the origin of the event are outstanding, and I understand those may need to be routed to someone other than you.

I renew my request for a fee waiver on public interest grounds. I am not seeking these records for any commercial purpose.

I would ask for an acknowledgement and response on the preservation questions above.

Thank you.

Robert Samuel White