

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: Sunday, July 19, 2026 2:59 PM UTC-07:00
Subject: RE: PR27478 — final request before AG petition; March 24 recordings, and notice of filing Wednesday

Ms. Hubbard,

This is my final correspondence to Oregon State Police before I file with the Attorney General.

I am adding one category to what remains outstanding under PR27478, and then I am setting a date.

The recorded communications for March 24, 2026.

The CAD you released establishes that event SP26097765 occurred in your dispatch system. The event shows a unit dispatched at 08:41:32, arriving at 09:50:02, and cleared at 10:18:42, after roughly sixty-nine minutes of travel each direction. Three vehicles and multiple officers were involved; two Oregon State Police officers were at my door, and I have the plate of one departing vehicle, 731 QRV, which does not correspond to the single unit named in the CAD.

Communications of the kind this event necessarily generated should reasonably exist: the dispatch audio in which the event was created and the unit assigned; radio traffic among the responding units on March 24; and any mobile data terminal messaging between them. An operation involving three coordinating vehicles over that distance does not occur in silence. Those recordings are responsive to my April 3 request for all communications relating to the planning, authorization, or coordination of the visit, and I am restating that request specifically as to them now.

I served a preservation notice on Oregon State Police on April 2, 2026, contained in the body of my original request. Recorded dispatch communications are subject to a retention schedule. Those recordings are now approaching four months old. I am asking you to state, in writing, whether they still exist, in whole or in part, and if any responsive recording has been destroyed, purged, or allowed to age off a retention schedule since April 2, 2026, to identify what and when.

The date.

If Oregon State Police has not substantively responded by Wednesday, I will file a petition for review with the Oregon Attorney General under ORS 192.411 on that day.

What the petition will state.

For your reference, the petition will set out the following, drawn entirely from your own records and the documented sequence of events:

On April 3, 2026, the Department certified in writing that a search identified no records responsive to my request. On April 13, ten days later, a responsive CAD record for the event was printed inside the Central Records Section. On July 14, that record was released to me in full, reviewed by the Department's own legal compliance specialist for exempt material, with none identified. The Department's initial no-records finding is therefore contradicted by its own subsequent production, and the Department has never described the search that produced the April 3 result or answered the five specific questions I posed about it that same day.

The petition will state that the Department has not provided a complete response under ORS 192.329(2). Of the categories requested on April 3, one record has been produced. For the remainder the identities and unit assignments of all officers present, the communications relating to the coordination of the visit, the recorded dispatch and radio communications, any incident or after-action documentation, communications referencing me or oprdvolunteerabuse.org, and communications with U.S. Forest Service Special Agent Matthew Oliver the Department has produced nothing, cited no exemption, and never stated that any category is empty. A request does not become complete by remaining open for over a hundred days.

The petition will state that the Department never ruled on the fee waiver I requested on April 3 and again on April 13. It conditioned production on a \$12.50 fee and a printed, mailed form, and then, on July 14, released the record with no fee at all establishing that no fee was ever required. A waiver request answered with a paper barrier and never granted or denied is an unreasonable denial under ORS 192.324(6).

The petition will state that the Department has never acknowledged the preservation notice served April 2, despite three requests, and has never stated whether the recorded communications identified above still exist.

And the petition will ask the Attorney General to order the Department to state, for each category, whether responsive records exist; to produce all non-exempt records; to cite the specific exemption for anything withheld; to state whether the March 24 recordings still exist and, if not, when they were destroyed; and to impose the penalty available under ORS 192.407 if the Department is found to have responded with undue delay or failed to respond.

I would still prefer to resolve this at your level, and I remain willing to. But I have been asking since April, and the record now includes a certified no-records finding that the Department's own production disproves. I am not able to leave that unresolved.

If a substantive response is not received by Wednesday, I will file.

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

Thank you.

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