



Nathan Vasquez, Multnomah County District Attorney

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August 25, 2025

via email only

Gregg Lavender
gregglavender@gmail.com

Re: Petition of Gregg Lavender seeking body camera footage from the Portland Police Bureau

Dear Mr. Lavender,

Your public records petitions, received by this office on August 18 and 19, 2025, request that this office order the Portland Police Bureau (PPB) to release body worn camera footage relating to two incidents where police responded to your home. In your public records request to PPB you relate that you and your wife are going through a divorce, that she would keep calling the police even though you were not doing anything wrong, and that you would “like the body cam footage to use in our case [...] when she will be challenging the restraining order.” PPB denied your request, citing ORS 192.345(4), the exemption for police body camera recordings.

In your petition to my office, you describe how the video will provide better, more complete, evidence of the statements your wife made and will be relevant to your pending domestic relations matters. You additionally argue that the “body-worn camera footage is relevant not only to [your] private defense, but essential to public oversight of domestic violence response and police accountability.”

In response PPB continues to assert that the body camera footage is exempt from disclosure by ORS 192.345(40).

ORS 192.345(40) conditionally exempts from disclosure under the public records law, “[a]udio or video recordings, whether digital or analog, 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.”

It is not in reasonable dispute that the records at issue fit within this description. As a result, the exemption applies unless a public interest exists that outweighs the legislatively expressed interest in confidentiality for body camera footage. A public interest is present when “the furnishing of the record has utility—indeed, its greatest utility—to the community or society as a whole.” *In Defense of Animals v. OHSU*, 199 Or App 160, 189 (2005).

My office’s previous public records orders on this topic uniformly conclude that police body camera footage requested by an individual relevant to their court case or claim of violation of their rights does not primarily advance a public interest. *Petition of Clement*, MCDA PRO 24-58 (2024) (body camera footage sought to further a private insurance claim not a public interest); *Petition of Covington*, MCDA PRO 24-60 (2024) (allegation that police officer violated requestor’s First Amendment rights does not establish public interest to overcome ORS

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192.345(40)); *Petition of Hacker*, MCDA PRO 25-46 (2025) (body-camera footage of police interacting with records requestor in relation to a disputed trespass notice properly withheld); *Petition of Alkhatib*, MCDA PRO 25-48 (2025) (agency correctly denied request for body camera footage of officer conducting traffic stop of petitioner; intended purpose of use in traffic court was a private interest).

The generalized interests you identify of ensuring public oversight of domestic violence response and police accountability are important, but they are present in every case involving a reported domestic disturbance. For the public interest to override a public records exemption contained in ORS 192.345 it must apply “in the particular instance,” that is to the specific contents of the record and specific context of the request. The enactment of a public records exemption is the legislature’s statement that the generalized interests in disclosure that would otherwise prevail do not as to the type of record described. I must defer to the legislature’s balancing of the generalized interests in this case. As to the specifics of this case, which I may balance, I do not see anything in this particular instance the release of which would have its greatest utility to the community as a whole.

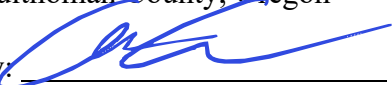
While I do not doubt the importance you feel these videos have to your pending domestic matters, PPB did not err in its application of the law to your public records requests.

ORDER

Accordingly, the petition is denied.

Regards,

NATHAN VASQUEZ
District Attorney
Multnomah County, Oregon

By: 
Adam Gibbs
General Counsel

Cc: Trevor Byrd, City of Portland

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