



## Nathan Vasquez, Multnomah County District Attorney

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February 9, 2026

*via email only*

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Re: Petition of Chris Thomas seeking body worn camera footage related to Portland Police Bureau case 42 2025-278186.

Dear Mr. Thomas:

On January 28, 2026, you requested that this office overturn the decision of the City of Portland to deny your request for body worn camera footage in Portland Police Bureau case number 42 2025-278186. The report, of which you have a redacted copy, documents an investigation of your client having been struck by an automobile driven by John Lipnicki, while your client was seated on a bench near the parking garage of Providence Hospital on October 9, 2025. Mr. Lipnicki reportedly has physical limitations.

You requested the footage on November 21, 2025, in order to gain more information regarding the incident. The City denied your request, citing ORS 192.345(40), on December 22, 2025.

ORS 192.345(40) conditionally exempts from disclosure “[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.”

The records you seek are explicitly covered by this section. As a result, the exemption applies, unless a public interest exists that outweighs the legislatively expressed interest in confidentiality. 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).

You currently represent Susan Pigott for injuries she sustained as a result of the incident. The prior decisions of this office and the Attorney General are in agreement that a person seeking records to advance their claims in court is advancing a private, rather than the public, interest. See, *Petition of DeMartino*, Att’y Gen. PRO (2/5/2016) (noting records relating to an individual’s court case was a private interest, as opposed to a public interest); *Petition of Mazharovskiy*, MCDA PRO 21-66 (2021) (body camera footage sought by insurance company constituted a private interest); and *Petition of Clement*, MCDA PRO 24-58 (2024) (noting that interest in pursuing litigation on

the behalf of two homicide victims was an *important* interest, but was a private interest).

However, you additionally argue that there is a public interest in the release of the body camera footage for the following reasons. Mr. Lipnicki was advised by law enforcement “that the crash was his fault and that he should stop driving.” According to your investigation, you report that, “Mr. Lipnicki’s license remains in effect, that he has not voluntarily relinquished it, and that the Oregon DMV has not suspended or terminated it.” You then assert that Mr. Lipnicki is a threat to public safety as he continues to operate a motor vehicle on Oregon’s roadways and that the release of the body camera footage will “further [your] pursuit of ensuring safe roadways.”

Assessing the public interest in the release of body camera footage is an inherently fact-specific exercise, but we must begin from the premise that by enacting ORS 192.345(40) the legislature has indicated that these recordings will usually not be subject to release under the Oregon Public Records law.

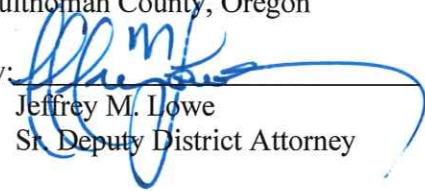
Police interactions with people cover a broad range of subjects and circumstances. Although there is clearly an interest to you and your client in this footage, the surrounding circumstances and documented conduct do not suggest a broader public interest that would override the countervailing concerns implicit in the enactment of this exemption. See *Petition of Gutierrez*, MCDA PRO 19-26 (2019) (release of camera footage, capturing interaction between PSU police officer and a PSU student that led to bias complaint lodged by student, was not in the public interest).

We have reviewed the body camera footage. The footage did not capture the crash itself, but rather, it captures law enforcement’s interactions with witnesses. The encounter that law enforcement had with Mr. Lipnicki did not result in his arrest or in a citation for any traffic infractions. The only countervailing factor is your concern that the public may be at risk because Mr. Lipnicki has retained his license.<sup>1</sup> Based upon those factors, we do not find that the public interest requires release of these records.

Accordingly, the petition is denied.

Regards,

NATHAN VASQUEZ  
District Attorney  
Multnomah County, Oregon

By:   
Jeffrey M. Lowe  
Sr. Deputy District Attorney

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<sup>1</sup> The Oregon Department of Vehicles provides information on how to report an unsafe/at-risk driver on their website: [https://www.oregon.gov/odot/dmv/pages/at-risk\\_voluntary\\_reporting.aspx](https://www.oregon.gov/odot/dmv/pages/at-risk_voluntary_reporting.aspx)