



Nathan Vasquez, Multnomah County District Attorney

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July 1, 2026

via email only

Shawn McMurtrey
shawnmcmurtrey@gmail.com

Re: Petition of Shawn McMurtrey seeking body-worn camera footage from the City of Portland

Dear Mr. McMurtrey,

You submitted a petition to this office on June 4, 2026 in which you ask that we order the City of Portland to release body-worn camera (BWC) footage recorded by Sgt. Mawdsley in connection with a traffic stop that occurred on February 25, 2026.¹ The City denied the BWC portion of your request, citing ORS 192.345(40), the public records exemption for police body-worn camera recordings. 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 record you seek fits 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).

You state that the public has an interest in verifying whether Sgt. Mawdsley:

1. Initiated the stop solely at the behest of ICE or based on an ICE-provided tip;
2. Detained the driver longer than necessary for a routine traffic violation to allow ICE to arrive;
3. Communicated the driver's immigration status, location, or personal data to ICE; or
4. Otherwise actively assisted federal immigration enforcement in violation of state law.

In its response to this office the City describes the encounter as follows:

This incident is a traffic stop involving an unidentified vehicle closely following a DHS agent. The agent called PPB and was directed to drive by East Precinct, where

¹ The portion of your request at issue here sought “body camera footage and dash camera footage from Officer Mawdsley related to this incident.” Your request also sought other records related to this incident. As of the time the City responded to this petition on June 10, 2026, that portion of your request remained open and is not at issue here.

the agent was observed being followed “very closely” by an unidentified vehicle. A traffic stop was initiated for the following-vehicle, and an investigation occurred. The parties separated before the end of the less-then-ten-minute encounter. The BWC videos are approximately 3-5 minutes.

I have reviewed Sgt. Mawdsley’s BWC footage, provided by the City pursuant to ORS 192.422(2), and it is consistent with this description. There is nothing in it even remotely suggesting that police were investigating the immigration status of the stopped driver or detaining the driver to allow federal authorities to arrive. To the contrary, as the City’s description relates, the driver was following federal agents, not the other way around.

ORS 192.345 requires disclosure only where the public interest requires it “in the particular instance.” I certainly appreciate your argument of “how can we know unless we see” and your statements to the City that transparency is the cornerstone of democracy. The difficulty with this position is that in any situation a person could allege or suspect misconduct on the part of the government and then argue that there’s a public interest in proving or disproving that allegation.

To accept your premise would mean that *any* interaction where police are accused of misconduct would establish a public interest in releasing the footage of it. That is a legitimate policy position, but is not the state of the law.

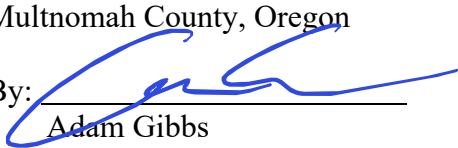
I can imagine, and you have proposed, multiple hypothetical situations in which there would be a public interest in the particular footage from a case. All I can say is that this is not that case. *Petition of Scholten*, MCDA PRO 25-82 (2025) (“A generalized interest in transparency is insufficient to override a legislatively created exception to the public records law.”)

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