



Nathan Vasquez, Multnomah County District Attorney

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via email only

Jessica Baron
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Carlos Calandriello
Deputy County Attorney
carlo.calandriello@multco.us

Re: Petition of Jessica Baron for Multnomah County Sheriff's Office records of DNA testing in an unsolved homicide investigation

Dear Ms. Baron and Mr. Calandriello:

Jessica Baron submitted a public records request to the Multnomah County Sheriff's Office (MCSO) seeking "the evidence log and any records showing what testing has been done" on the DNA evidence collected in the 1973 homicide of Alison Cauffman. Specifically she stated she was seeking to know "what testing has been done with the DNA evidence and when testing was done." MCSO denied the request, citing ORS 192.345(3), which conditionally exempts investigatory information compiled for criminal law purposes, on the ground that the homicide remains an open investigation.

Ms. Baron petitioned this office on June 18, 2026, as permitted by ORS 192.422, contending that a homicide that has remained unsolved for more than fifty years should no longer be shielded from disclosure as an active investigation. Given the age of the case, I specifically requested MCSO to address the applicability of ORS 192.390, which requires the release of most public records once they are 25 years old. MCSO submitted its response and the disputed material for review pursuant to ORS 192.422(2).

MCSO argues that although the investigation is old, the particular records it possesses relating to DNA testing are less than 25 years old and remain exempt under ORS 192.345(3). Murder carries no statute of limitations, so a prosecution is always potentially possible.

For the reasons below, the responsive records remain exempt under ORS 192.345(3), and ORS 192.390 does not require their disclosure. I deny the petition.

DISCUSSION

MCSO withheld the records under ORS 192.345(3). That provision exempts from disclosure, unless the public interest requires disclosure in the particular instance:

Investigatory information compiled for criminal law purposes.

The records at issue, a log of the DNA evidence collected in an unsolved homicide, together with records documenting the forensic testing performed on it, are investigatory information compiled for criminal law purposes.

The Cauffman homicide remains unsolved, and because murder carries no statute of limitations, a prosecution remains possible should the investigation develop. The question then is whether the public interest nonetheless requires release in this instance.

Because ORS 192.345(3) is a conditional exemption, it yields where “the public interest requires disclosure in the particular instance.” ORS 192.345. Ms. Baron’s interest is a serious one. She seeks to learn what has been done to identify who assaulted and killed a fourteen-year-old girl. The same interest in solving the crime that drives the request weighs against exposing, while the investigation remains open, the specific forensic steps taken and the tools available to take them. A personal interest, clearly sincere and understandable as described by Ms. Baron, does not equate to a public interest.¹

That does not fully resolve the petition. The question I raised with MCSO at the outset of this review is whether the age of this case defeats the exemption. It does not. ORS 192.390 makes a public record that is “more than 25 years old” available for inspection notwithstanding the exemptions in ORS 192.345, subject to exceptions that do not apply here. The provision measures the age of the record, not the age of the events the record describes. The responsive records MCSO submitted for review were created in 2006 and 2018. Neither is more than 25 years old. That much of the 1973 case file predates the 25-year threshold does not convert a laboratory record generated in 2006 or 2018 into a record old enough to fall within ORS 192.390.

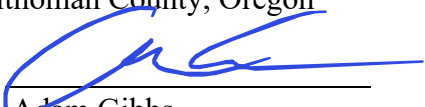
This denial rests on the present status of these records in an open, if old, investigation. It does not foreclose a future request should that status change or should the DNA records themselves cross the 25-year threshold of ORS 192.390.

ORDER

Accordingly, the petition is denied.

Regards,

NATHAN VASQUEZ
District Attorney
Multnomah County, Oregon

By: 

Adam Gibbs
General Counsel

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¹ Separately, the supervisor of this office’s homicide unit connected with Ms. Baron given her personal connection to the case to discuss what he could about the investigative process.