



Nathan Vasquez, Multnomah County District Attorney

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August 20, 2026

via email only

Daniel Hagan
danhaganlycos@gmail.com

Re: Petition of Daniel Hagan seeking body camera footage from the City of Portland

Dear Mr. Hagan:

On June 23, 2026, you submitted a public records request to the City of Portland for body camera video of the Portland Police Bureau's response to a reported assault at 290 SW 5th Avenue on June 18, 2026. The City denied the request on July 27, 2026, citing ORS 192.345(40)(b) and prior decisions of this office and the Attorney General. You then petitioned this office, as permitted by ORS 192.415 and ORS 192.422, and the City provided the recordings for my review as required by ORS 192.422(2).

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 you seek fit within this description. The exemption therefore applies unless the public interest requires disclosure in this particular instance.

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).

The footage consists of two recordings: in one, an officer obtains your statement about the reported assault; in the other, an officer obtains statements from the involved security guards. The public interest you gave the City when you made the request was to "[c]heck security at Public buildings." Neither recording captures the incident or any security response. Both capture officers interviewing witnesses after the fact.

Your petition identifies two further interests: comparing the full recording of the statements against the officer's summary of the statements, and examining "the officer's conduct, observations, interactions, and documentation during an official law-enforcement response." Every police report of a recorded encounter can be compared against the underlying footage, and every recording within the exemption documents an officer's conduct and observations. Had the legislature intended body camera footage to always be available to individuals recorded during police contact, it could have written that exception. It did not. It established an objective standard, which asks what disclosure of the particular recording would do for the public rather than what it would do for the requester.

While a cogent argument could be made that the public interest always requires releasing body camera footage when there is a dispute about or challenge to the conduct of the officers, such a reading would swallow the exemption entirely.

You are right that a personal interest in the records does not automatically foreclose the existence of a public interest. But that the only person who has asked for this footage is not a member of the media or an advocacy organization with a track record of disseminating information to the public is one indication that may not benefit the public in the way contemplated by the legislature. So too does the fact that the requestor is directly involved in the recorded investigation. *Petition of Capone*, MCDA PRO 25-53 (2025) (“[t]hat a requestor seeks records pertaining to themselves, their family, or their business is strong, and usually dispositive, evidence that the interest advanced by release is primarily a private interest.”). Nothing in these two recordings leads me to conclude otherwise on the facts of this case.

You further question the City’s statement that “the District Attorney has ruled” on requests of this kind. I cannot speak for the City, but this office seeks to reach predictable and consistent outcomes by reference to prior situations in which similar issues have been addressed. The City correctly quoted prior orders this office has issued. Each case, however, has its own facts, and each petitioner is entitled to a review of where their case falls on the spectrum of prior decisions. I have done that here and conclude that the City’s decision to withhold the footage in this case was consistent with our prior decisions under ORS 192.345(40).¹

ORDER

Accordingly, the petition is denied.

Regards,

NATHAN VASQUEZ
District Attorney
Multnomah County, Oregon

By: 
Adam Gibbs
General Counsel

cc: Trevor Byrd, Deputy City Attorney, City of Portland

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¹ You also requested review under ORS 192.338, which requires segregation of exempt and non-exempt portions. There is no portion of the footage the release of which in this context would primarily benefit the general public.