



Nathan Vasquez, Multnomah County District Attorney

1200 SW 1st Avenue, Suite 5200, Portland, OR 97204-1193
P: (503) 988-3162 | F: (503) 988-3643 | www.mcda.us

October 2, 2026

via email only

Freddy Mauricio Suárez Contreras
fremauco@gmail.com

Re: Petition of Freddy Mauricio Suárez Contreras seeking body camera footage from the City of Gresham

Dear Mr. Suárez Contreras:

On September 22, 2026, a Gresham police officer stopped you and cited you for failure to obey a traffic control device. The next day you submitted a public records request to the City of Gresham for the officer's body camera footage of the stop, Gresham Police Department case 26-44097. You explained that you were "the individual who was stopped and cited during this traffic stop" and had "a direct interest in reviewing an objective record of the circumstances surrounding the stop and the issuance of the citation." In response to the City's prompt to identify a public interest in release of this footage you cited "transparency and accountability in the enforcement of traffic laws." On September 29, 2026, the City denied your request under ORS 192.345(40), the public records exemption for police body camera recordings.

You petitioned this office the same day, as permitted by ORS 192.415 and ORS 192.422. In your petition you state that you want the recording "to accurately understand and document the circumstances surrounding that interaction and the citation, including the officer's observations and statements," and that the citation requires you to appear in court on October 20, 2026. The City made the recording available for my review and maintains that it is exempt.

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." The record you seek is precisely that. As a result, the exemption 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).

You were the driver who was stopped and cited, and you seek the recording to prepare for the court appearance the citation requires. That is a private interest. As this office has previously stated, "[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." *Petition of Capone*, MCDA PRO 25-53 (2025). See also, *Petition of Shore*, MCDA PRO 17-53 (2017) (request relating to a "discrete incident involving [requestor] and the public agency" was a "quintessential personal interest request"); *Petition of Jacoby*, MCDA PRO 26-05 (2026) (body camera footage sought for use as evidence in a court challenge to restraining orders served on the requestor); *Petition of DeMartino*, Att'y Gen. PRO (12/5/2016) (noting records relating to

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an individual's court case was a private interest, as opposed to a public interest). That the court proceeding on your citation is itself public does not make your interest in preparing for it a public one.

Your stated interest in "transparency and accountability in the enforcement of traffic laws" does not change the analysis. That interest is present in every traffic stop an officer records. "A generalized interest in transparency is insufficient to override a legislatively created exception to the public records law." *Petition of Scholten*, MCDA PRO 25-82 (2025).

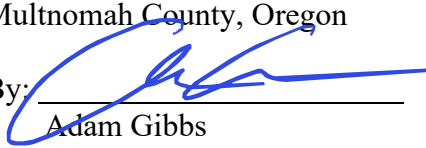
I have reviewed the recording. It is an approximately ten-minute recording of a routine traffic stop. Nothing in the recording illuminates any interest beyond those present in any recorded traffic stop. I understand why this recording would be useful and relevant to your preparation for court. That personal interest, however, does not weigh in the evaluation of whether Gresham correctly applied the Oregon Public Records Law in this case. For the reasons discussed above, I conclude that they did.

ORDER

Accordingly, the petition is denied.

Regards,

NATHAN VASQUEZ
District Attorney
Multnomah County, Oregon

By: 

Adam Gibbs
General Counsel

Cc: Helen Toloza, City Attorney's Office, City of Gresham

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