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October 20, 2026

via email only

Jeffrey Martin Dornfeld
jeffreydornfeld5@gmail.com

Re: Petition of Jeffrey Martin Dornfeld seeking body camera footage from the City of Gresham

Dear Mr. Dornfeld:

On June 6, 2026, a Gresham police officer cited you for theft in the second degree. On October 8, 2026, you made a public records request of the City of Gresham for the police reports, the citation, and all body camera footage of the encounter. On October 13, 2026, the City denied the footage portion of your request, citing 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 the officers unlawfully seized and detained you and deprived you of property in bad faith, and that you are pursuing civil rights litigation against the City and the officers, including claims under 42 USC § 1983. The City maintains that the recording is exempt and that your interest in it is a private one.

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 Gresham withheld is exactly 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).

The prior decisions of this office and the Attorney General are in agreement that a person seeking records of their own interaction with a public body is advancing a private, not public, interest. *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”); *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 Riddell*, MCDA PRO 23-40 (2023) (Gresham body camera footage of a traffic collision sought as evidence in a citizen-initiated prosecution the requestor brought against the other driver under ORS 153.058; “records requests in furtherance of private litigation do not involve a public interest for purposes of the public records law”).

An allegation that the public body mistreated the requestor does not change that conclusion. ATTORNEY GENERAL'S PUBLIC RECORDS AND MEETINGS MANUAL (2024) at 19 ("If a requester seeks records relating to the requester, a mere allegation that the public body has treated the individual oppressively, absent a broader public interest, does not satisfy the public interest standard.") See also *Petition of Covington*, MCDA PRO 24-60 (2024) (allegation that a Gresham police sergeant violated the requestor's First Amendment rights did not establish a public interest in the body camera footage of the encounter); *Petition of Katz*, MCDA PRO 25-13 (2025) (requestor handcuffed and excluded from the airport by a Port of Portland officer sought the footage for "[p]olice misconduct, abuse of power, constitutional rights violation," adding that it was "needed for my attorney"; the allegation of oppressive treatment did not establish a public interest); *Petition of Crawford*, MCDA PRO 25-57 (2025) (assault victim who was suing the police and alleged serious investigative deficiencies argued that release would promote police accountability and transparency; that interest was a generalized one, and the footage was properly withheld).

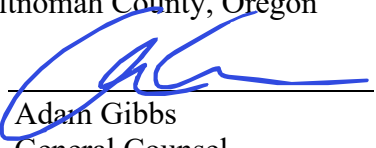
You seek footage of your own encounter with Gresham police to support litigation you intend to bring against the City and its officers. That is a private interest. Your allegations that the officers seized you unlawfully and took your property in bad faith are allegations of a personal grievance against the public body indistinguishable from the cases cited above.

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