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July 24, 2018

Rich Hursey  
Hursey Investigations  
66 Club Road Suite 360  
Eugene, OR 97401

Dear Mr. Hursey:

Although your letter does not specifically state this, for purposes of this request, I will assume that you represent one of the parties involved in a traffic accident, and the information is requested for the purposes of aiding in litigation.

Your request is for an event report, with the phone numbers of witnesses being un-redacted.

The City has denied your request, claiming exemption pursuant to ORS 192.355(2)(a), the personal privacy exemption.

ORS 192.355(2)(a) states that the burden of proof is on the party seeking disclosure show by clear and convincing evidence, that public disclosure would not constitute an unreasonable invasion of privacy.

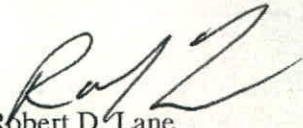
It is reasonable to believe that persons who call 911, or who contact police or fire personnel at the scene of a traffic accident, are not by reason of that cooperation, consenting to the public disclosure of their cell phone numbers. Once the City discloses the information, there is no restriction on the use or further dissemination of the information. Therefore, disclosure would constitute an unreasonable invasion of privacy.

Although there may be some situations where disclosure of this information would be in the public interest, in this case, the requestor has shown no public interest that would justify disclosure.

Therefore, your request is denied.

Sincerely,

PATRICIA W. PERLOW, District Attorney

  
Robert D. Lane  
Assistant District Attorney