



PUBLIC RECORDS LAW

AT WHAT PRICE TRANSPARENCY?

GESTATION AND BIRTH OF THE OREGON PUBLIC RECORDS LAW

56th Legislative Assembly adjourns (June 10, 1971)

New York Times Co. v. The United States (June 30, 1971)

Branzburg v. Hayes (February, 1972)

Watergate Burglary (June, 1972). Washington Post articles
begin the next day

**57th Oregon Legislative Assembly Convenes
(January, 1973)**

Watergate hearings begin (May, 1973)

**Oregon Legislature passes “open governance”
bills**



EVERY RECORD

ANY PERSON/ANY PURPOSE

UPON REQUEST



PUBLIC INTERESTS IN *DISCLOSURE*



PUBLIC INTERESTS IN *NON-DISCLOSURE*

Aka

“EXEMPTIONS”

SOME PUBLIC INTERESTS ARE FINANCIAL

In *disclosure*: *The Oregonian* investigation of public-private solar energy fraud.

In *non-disclosure*: Negotiating a public land purchase.

SOME PUBLIC INTERESTS ARE NOT EASILY QUANTIFIED



PROTECT PERSONAL PRIVACY

PROTECT PUBLIC SAFETY

ENCOURAGE BUSINESSES TO PARTNER WITH GOVERNMENTS

ENCOURAGE TAX COLLECTION

ENCOURAGE GOVERNMENTS TO ADHERE TO LAW

**ENCOURAGE PUBLIC OFFICERS TO CONSIDER MANY ALTERNATIVES
BEFORE DECIDING**

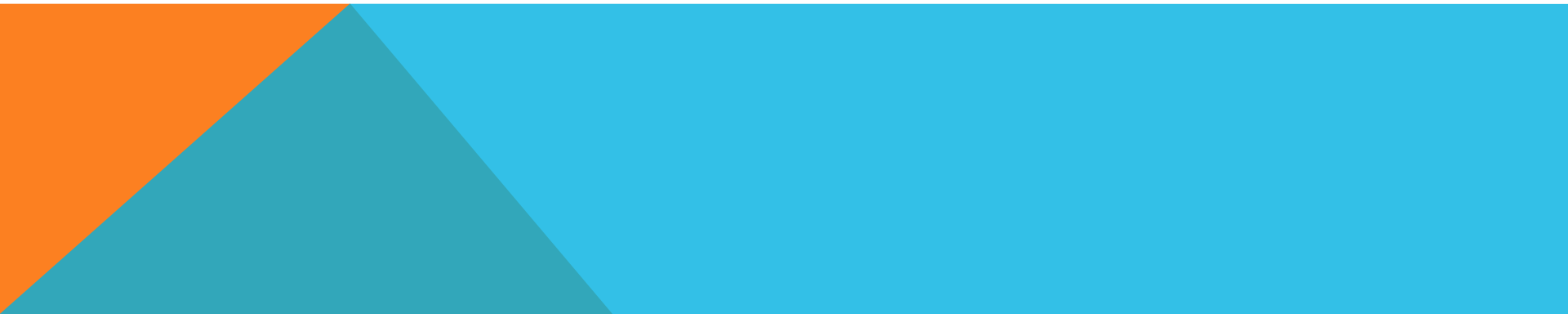
IMPROVE MEDICAL CARE OUTCOMES



INHERENTLY COMPLEX

INEVITABLY FRACTIONOUS

EVER-CHANGING



RECENT REFORMS

PENDING LEGISLATION



MAKING A REQUEST

APPEALS



QUESTIONS?



RESOURCES

Office of the Public Records Advocate

<https://sos.oregon.gov/public-records/Pages/about.aspx>

Society of Professional Journalists, Oregon Territory Chapter

- Blog <https://www.spjoregon.com/blog-1>
- Excellent 5-minute video on the monetary value in a particular case of public disclosure facilitated by the Public Records Law

https://www.youtube.com/watch?v=5ezzbjFWpQo&feature=youtu.be&fbclid=IwAR2x8abFnAHB-PV46tcHRRvoHYdqFtXvKSaLs-h4TtmcAlx30y4_Q85tH7Q

RESOURCES

Oregon Sunshine Committee

<https://www.doj.state.or.us/oregon-department-of-justice/public-records/public-records-reform/>

Oregon Attorney General's Public Records and Open Meetings Manual (2014)

<https://www.doj.state.or.us/oregon-department-of-justice/public-records/attorney-generals-public-records-and-meetings-manual-2014/attorney-generals-public-records-and-meetings-manual-2014-i-public-records/>

Pete Shepherd's 2017 Commentary & Prescription for Public Records Law Reform

<https://olis.leg.state.or.us/liz/2017R1/Downloads/CommitteeMeetingDocument/99415>

RESOURCES

Sorted list of bills introduced in Oregon Legislature with potential open governance impacts.

<https://olis.leg.state.or.us/liz/2019R1/OGIS/Overview?SortOrder=Impact&Paged=False>

Reporters' Committee for Freedom of the Press

- Summary of Oregon open governance laws
<https://www.rcfp.org/open-government-guide/oregon/>