

Public Body Computer Program exemptions

<u>56.100</u>	<p>Electronic materials not subject to public records law. Except as the Secretary of State provides by rule, the following are not public records for the purposes of ORS 192.410 to 192.505: (1) Electronic data processing programs of the office; and (2) Electronic media used to record, process or store documents filed with the office under the business registry functions of the office.</p>	Administration	SOS electronic media and electronic data processing programs		
<u>190.050</u>	<p>Fees for geographic data; uses. (1) An intergovernmental group may impose and collect reasonable fees based on market prices or competitive bids for geographic data that have commercial value and are an entire formula, pattern, compilation, program, device, method, technique, process, database or system developed with a significant expenditure of public funds. An intergovernmental group may enter into agreements with private persons or entities to assist with marketing such products. Notwithstanding any other provision of law, intergovernmental group software product programming source codes, object codes and geographic databases or systems are confidential and exempt from public disclosure under ORS 192.502. Nothing in this section authorizes an intergovernmental group to restrict access to public records through inclusion of such records in a geographic database or system. (2) Fees collected under subsection (1) of this section shall be used: (a) For maintenance of the formula, pattern, compilation, program, device, method, technique, process, database or system; and (b) To provide services through the formula, pattern, compilation, program, device, method, technique, process, database or system to public bodies paying a service charge to the intergovernmental group. (3) As used in this section, "intergovernmental group" means two or more units of local government that have entered into a written agreement under ORS 190.010.</p>	Administration	Geographic data, software		

<u>268.357</u>	<p>Authority to sell certain information; marketing agreements; confidentiality. Subject to the provisions of a district charter, a district may impose and collect reasonable fees based on market prices or competitive bids for geographic data that have commercial value and are an entire formula, pattern, compilation, program, device, method, technique, process, database or system developed with a significant expenditure of public funds. A district may enter into agreements with private persons or entities to assist with marketing such products. Notwithstanding any other provision of law, district software product programming source codes, object codes and geographic databases or systems are confidential and exempt from public disclosure under ORS 192.502. Nothing in this section authorizes a district to restrict access to public records through inclusion of such records in a geographic database or system.</p>	Administration	GIS software, object codes, databases	
<u>192.501(15)</u>	<p>Computer programs developed or purchased by or for any public body for its own use. As used in this subsection, "computer program" means a series of instructions or statements which permit the functioning of a computer system in a manner designed to provide storage, retrieval and manipulation of data from such computer system, and any associated documentation and source material that explain how to operate the computer program. "Computer program" does not include: (a) The original data, including but not limited to numbers, text, voice, graphics and images; (b) Analyses, compilations and other manipulated forms of the original data produced by use of the program; or (c) The mathematical and statistical formulas which would be used if the manipulated forms of the original data were to be produced manually.</p>	Administration	Public body computer programs (purchased or developed)	public interest
Prosecuting Attorney Notice exemptions				

	<p>Enjoining security seal violations; notice to defendant; voluntary compliance; temporary order; attorney fees and costs. (2) Before filing a suit under subsection (1) of this section, the prosecuting attorney shall in writing notify the person charged of the alleged security seal violation and the relief to be sought. Such notice shall be served in the manner set forth in ORS 618.526 for the service of investigative demands. The person charged thereupon shall have 10 days within which to execute and deliver to the prosecuting attorney an assurance of voluntary compliance. Such assurance shall set forth what actions, if any, the person charged intends to take with respect to the alleged violation. The assurance of voluntary compliance shall not be considered an admission of a violation for any purpose. If the prosecuting attorney is satisfied with the assurance of voluntary compliance, it may be submitted to an appropriate court for approval and if approved shall thereafter be filed with the clerk of the court. Violation of an assurance of voluntary compliance which has been approved by and filed with the court constitutes a contempt of court. The notice of the prosecuting attorney under this subsection is not a public record until the expiration of 10 days from the service of the notice.</p>	Administration	Notice of prosecuting attorney regarding seal violation	temporary	
<u>618.506</u>					

<u>646.632</u>	<p>Enjoining unlawful trade practices; assurance of voluntary compliance; attorney fees. (2) Except as provided in subsections (5) and (6) of this section, before filing a suit under subsection (1) of this section, the prosecuting attorney shall in writing notify the person charged of the alleged unlawful trade practice and the relief to be sought. Such notice shall be served in the manner set forth in ORS 646.622 for the service of investigative demands. The person charged thereupon shall have 10 days within which to execute and deliver to the prosecuting attorney an assurance of voluntary compliance. Such assurance shall set forth what actions, if any, the person charged intends to take with respect to the alleged unlawful trade practice. The assurance of voluntary compliance shall not be considered an admission of a violation for any purpose. If the prosecuting attorney is satisfied with the assurance of voluntary compliance, it may be submitted to an appropriate court for approval and if approved shall thereafter be filed with the clerk of the court. If an approved assurance of voluntary compliance provides for the payment of an amount of money, as restitution or otherwise, and if the amount is not paid within 90 days of the date the court approves the assurance, or, if the assurance of voluntary compliance requires periodic payments and if any periodic payment is not paid within 30 days of the date specified in the assurance of voluntary compliance for any periodic payment, then the prosecuting attorney may submit that portion of the assurance of voluntary compliance which provides for the payment of money to the court with a certificate stating the unpaid balance in a form which fully complies with the requirements of ORS 18.038 and 18.042. Upon submission of an assurance of</p>	Administration	Notice of prosecuting attorney regarding trade practice violation	temporary
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Competetive Procurement Exemptions

<u>279B.055</u>	<p>Competitive sealed bidding. (5)(a) The contracting agency shall open bids publicly at the time, date and place designated in the invitation to bid. When authorized by, and in accordance with, rules adopted under ORS 279A.065, bids may be submitted, received and opened through electronic means. (b) The contracting agency shall record the amount of a bid, the name of the bidder and other relevant information specified by rule adopted under ORS 279A.065. The record shall be open to public inspection. (c) Notwithstanding a requirement to make bids open to public inspection after the contracting agency issues notice of intent to award a contract, a contracting agency may withhold from disclosure to the public trade secrets, as defined in ORS 192.501, and information submitted to a public body in confidence, as described in ORS 192.502, that are contained in a bid.</p>	Administration	Competetive bidding documents	temporary
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279B.060	<p>Competitive sealed proposals. (6)(a) Notwithstanding ORS 192.410 to 192.505, proposals may be opened in a manner to avoid disclosing contents to competing proposers during, when applicable, the process of negotiation, but the contracting agency shall record and make available the identity of all proposers as part of the contracting agency's public records after the proposals are opened.</p> <p>Notwithstanding ORS 192.410 to 192.505, proposals are not required to be open for public inspection until after the notice of intent to award a contract is issued. The fact that proposals are opened at a meeting, as defined in ORS 192.610, does not make the contents of the proposals subject to disclosure, regardless of whether the public body opening the proposals fails to give notice of or provide for an executive session for the purpose of opening proposals. (b) Notwithstanding a requirement to make proposals open to public inspection after the contracting agency issues notice of intent to award a contract, a contracting agency may withhold from disclosure to the public materials included in a proposal that are exempt or conditionally exempt from disclosure under ORS 192.501 or 192.502.</p>	Administration	Competitive bidding documents	temporary	
279C.107	<p>Public disclosure of contents of proposals for architectural, engineering, photogrammetric mapping, transportation planning or land surveying services; treatment of trade secrets and confidential information. (1) Notwithstanding the public records law, ORS 192.410 to 192.505, if a contracting agency solicits a contract for architectural, engineering, photogrammetric mapping, transportation planning or land surveying services or related services by a competitive proposal:</p> <p>(a) The contracting agency may open proposals so as to avoid disclosing contents to competing proposers during, when applicable, the process of negotiation.</p> <p>(b) The contracting agency need not open proposals for public inspection until after the contracting agency executes a contract.</p>	Administration	Ensure competitive procurement - Competitive bidding documents	temporary	
279C.365	<p>Requirements for solicitation documents and bids and proposals. (3) A bid made to the contracting agency under ORS 279C.335 or 279C.400 must be:(a) In writing;(b) Filed with the person the contracting agency designates to receive bids; and (c) Opened publicly by the contracting agency immediately after the deadline for submitting bids. (4) After the contracting agency opens the bids, the contracting agency shall make the bids available for public inspection.</p>	Administration	Competitive bidding documents	temporary	

<u>279C.410</u>	Receipt of proposals; evaluation and award. (1) Notwithstanding the public records law, ORS 192.410 to 192.505: (a) Proposals may be opened so as to avoid disclosure of contents to competing proposers during, when applicable, the process of negotiation.(b) Proposals are not required to be open for public inspection until after the notice of intent to award a contract is issued.	Administration	Competetive bidding documents	temporary	
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Submitted in Confidence exemptions

<u>192.502(4)</u>	Information submitted to a public body in confidence and not otherwise required by law to be submitted, where such information should reasonably be considered confidential, the public body has obliged itself in good faith not to disclose the information, and when the public interest would suffer by the disclosure.	Administration	Information submttited on condition of confidentiality		public interest
<u>192.502(31)</u>	Documents, materials or other information submitted to the Director of the Department of Consumer and Business Services in confidence by a state, federal, foreign or international regulatory or law enforcement agency or by the National Association of Insurance Commissioners, its affiliates or subsidiaries under ORS 86A.095 to 86A.198, 86A.990, 86A.992, 697.005 to 697.095, 697.602 to 697.842, 705.137, 717.200 to 717.320, 717.900 or 717.905, ORS chapter 59, 723, 725 or 726, the Bank Act or the Insurance Code when: (a) The document, material or other information is received upon notice or with an understanding that it is confidential or privileged under the laws of the jurisdiction that is the source of the document, material or other information; and (b) The director has obligated the Department of Consumer and Business Services not to disclose the document, material or other information.	Administration	Information submitted to DCBS on understanding of confidentiality		

Exemptions for reports to public bodies

<u>124.075</u>	Immunity of person making report in good faith; identity confidential. (1) Anyone participating in good faith in the making of a report of elder abuse and who has reasonable grounds for making the report shall have immunity from any civil liability that might otherwise be incurred or imposed with respect to the making or content of such report. Any such participant shall have the same immunity with respect to participating in any judicial proceeding resulting from such report. (2) The identity of the person making the report shall be treated as confidential information and shall be disclosed only with the consent of that person or by judicial process, or as required to perform the functions under ORS 124.070.	Administration	Elder abuse reporters		
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	Confidentiality of records; exceptions. Notwithstanding the provisions of ORS 192.410 to 192.505, the names of the public or private official who made the complaint, witnesses and the elderly persons compiled under the provisions of ORS 124.050 to 124.095 are confidential and are not accessible for public inspection. However, the Department of Human Services shall make the information and any investigative report available to any law enforcement agency, to any public agency that licenses or certifies residential facilities or licenses or certifies the persons practicing therein, to any public agency providing protective services for the elderly person and to the Long Term Care Ombudsman, if appropriate. The department shall also make the information and any investigative report available to any private nonprofit agency providing protective services for the elderly person. When this information and any investigative report is made available to the private agency, ORS 124.050 to 124.095 relating to confidentiality apply to the private agency.	Administration	Elder abuse reporters, witnesses, victims	
<u>441.057</u>	Rules concerning complaints about care; reporting by employee . (1) Rules adopted pursuant to ORS 441.025 shall include procedures for the filing of complaints as to the standard of care in any health care facility and provide for the confidentiality of the identity of any complainant .	Administration	Identity of complainant about heath care facility	
<u>441.113</u>	Procedures to maintain confidentiality. The Long Term Care Ombudsman shall establish procedures to maintain the confidentiality of the records and files of residents of long term care facilities. These procedures must meet the following requirements: (2) The identity of any complainant or resident on whose behalf a complaint is made, or individual providing information on behalf of the resident or complainant, shall be confidential . If the complaint becomes the subject of judicial proceedings, the investigative information held by the ombudsman or designee shall be disclosed for the purpose of the proceedings if requested by the court.	Administration	Identity of complainant, individual providing information re long term care complaint	
<u>676.150</u>	Duty to report prohibited or unprofessional conduct, arrests and convictions; investigation; confidentiality; immunity from liability. (7) Notwithstanding any other provision of law, a report under subsection (2) or (3) of this section is confidential under ORS 676.175. A board may disclose a report as provided in ORS 676.177.	Administration	Reports by health profession licensees of other licensee misconduct	

<u>802.240</u>	Driver and vehicle records as evidence. (7) A report filed by a physician or health care provider under ORS 807.710 is confidential and may not be admitted as evidence in any civil or criminal action. A report described in this subsection may be used in an administrative hearing or an appeal from an administrative hearing in which an issue is the qualification of a person to operate a motor vehicle.	Administration	Report filed by physician or health care worker regarding fitness to drive		
<u>807.710</u>	Reports of persons with cognitive or functional impairment; rules; forms. (5) Except as provided in ORS 802.240, the reports required by the department under this section are confidential and shall be used by the department only to determine the qualifications of persons to operate motor vehicles upon the highways.	Administration	Reports of cognitive or functional impairment to DMV		
<u>646A.164</u>	Complaints and investigations confidential; exceptions. (1) Except as provided in subsection (3) of this section, a complaint made to the director against any person regulated by ORS 646A.150 to 646A.172, 742.390 and 742.392, and the record thereof, shall be confidential, and shall not be disclosed or available for public inspection or review. No such complaint, or the record thereof, shall be used in any action, suit or proceeding except to the extent it is essential to the prosecution of apparent violations of ORS 646A.150 to 646A.172, 742.390 and 742.392.	Administration	Complaints about service contracts		

Test Material exemptions

<u>192.501(4)</u>	Test questions, scoring keys, and other data used to administer a licensing examination, employment, academic or other examination or testing procedure before the examination is given and if the examination is to be used again. Records establishing procedures for and instructing persons administering, grading or evaluating an examination or testing procedure are included in this exemption, to the extent that disclosure would create a risk that the result might be affected.	Administration	Test questions, scoring keys etc.		public interest
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<u>242.722</u>	<p>Preservation of records and examinations; public records. (1) The commission shall keep on file all examination papers and their markings, records in commission hearings and all other papers, documents and communications received by it. Except for examination papers all such reports and files of the commission shall be public records and accessible at reasonable and convenient times. Examination papers shall be accessible only to the commissioners and members of the governing body; provided, that a person who takes an examination under the provisions of ORS 242.702 to 242.824 shall have access to the examination papers of the person. (2) The commission shall retain and may destroy the public records described in subsection (1) of this section as follows: (a) Original examination papers and their markings and original records in commission hearings shall be retained for at least four years and thereafter may be destroyed if microfilmed copies are retained. (b) Original or microfilmed copies of all other papers, documents and communications shall be retained for at least four years and thereafter may be destroyed.</p>	Administration	Civil Service Examination Papers	
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Regulatory Investigation exemptions

	<p>Complaint and adjudicatory process; confidentiality; Preliminary Review Phase; Investigatory Phase; possible actions by order; report of findings; contested case procedure; limitation on commission action. (1)(a) Any person may file with the Oregon Government Ethics Commission a signed written complaint alleging that there has been a violation of any provision of ORS 171.725 to 171.785 or of any rule adopted by the commission under ORS 171.725 to 171.785. The complaint shall state the person's reason for believing that a violation occurred and include any evidence relating to the alleged violation. (b) If at any time the commission has reason to believe that there has been a violation of a provision of ORS 171.725 to 171.785 or of a rule adopted by the commission under ORS 171.725 to 171.785, the commission may proceed under this section on its own motion as if the commission had received a complaint. (2)(d) Information that the commission considers before approving a motion to proceed on its own motion under this section and any correspondence regarding the motion or potential violation is confidential. Commission members and staff may not make any public comment or publicly disclose any materials relating to the motion pending the commission's approval to proceed. A person who intentionally violates this paragraph is subject to a civil penalty in an amount not to exceed \$1,000. Any person aggrieved as a result of a violation of this paragraph by a member of the commission or its staff may file a petition in a court of competent jurisdiction in the county in which the petitioner resides in order to enforce the civil penalty provided in this paragraph. (4)(c) The Preliminary Review Phase is confidential. Commission members and staff may acknowledge receipt of a complaint but may not make any public comment or publicly disclose any materials relating to a case during the Preliminary Review Phase. A person who intentionally violates this paragraph is subject to a civil penalty in an amount not to exceed \$1,000. Any person aggrieved as a result of a violation of this paragraph by a member of the commission or its staff may file a petition in a court of competent jurisdiction in the county in which the petitioner resides in order to enforce the civil penalty provided in this paragraph. (d) At the conclusion of the Preliminary Review Phase, the commission shall conduct its deliberations in executive session. All case related materials and proceedings shall be open to the public after the commission makes a finding of</p>	Administration	Ethics Commission complaint and investigation information	temporary
171.778				

<p><u>177.180</u></p>	<p>Reports received through Government Waste Hotline or by other method; confidentiality; investigation; written determination; annual report to Legislative Assembly. (1) The Secretary of State shall designate one person employed by the Division of Audits of the Office of the Secretary of State to be responsible for reports of waste, inefficiency or abuse received through the Government Waste Hotline or received by the secretary through any other method. The person designated under this section shall log all reports received. (2) Notwithstanding any other provision of law, the identity of any person making a report under ORS 177.170 is confidential. A report of waste, inefficiency or abuse received under ORS 177.170 and any resulting investigation are confidential unless the Secretary of State finds that waste, inefficiency or abuse has occurred and reports these findings as provided under subsection (4) of this section. If the Secretary of State finds that waste, inefficiency or abuse has occurred, a report of waste, inefficiency or abuse and any resulting investigation are confidential until the investigation described in subsection (3) of this section is complete. (4) Subject to the confidentiality requirements of subsection (2) of this section, upon completion of an investigation under this section: (a) The secretary shall determine in writing whether officers or employees of a state agency, or persons under contract with a state agency, are engaging in activities that constitute waste, inefficiency or abuse. The written determination may include other information about the nature of the investigation or the secretary's determination. (b) If the secretary finds that waste, inefficiency or abuse has occurred, upon request of the person who made the report under ORS 177.170, the secretary shall provide the person with a copy of the determination and any other information included by the secretary. (c) If the secretary determines that officers or employees of another state agency or public body, or persons under contract with a state agency or public body, are involved in activities that constitute waste, inefficiency or</p>	<p>Administration</p>	<p>Waste/inefficiency/abuse reports, investigative information, findings</p>	<p>temporary except as to identity of reporter</p>
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	<p>Complaint and adjudicatory process; confidentiality; Preliminary Review Phase; Investigatory Phase; possible actions by order; report of findings; contested case procedure; limitation on commission action. (2)(a) Not later than two business days after receiving a complaint under this section, the commission shall notify the person who is the subject of the complaint. (b) Before approving a motion to proceed under this section without a complaint, the commission shall provide notice to the person believed to have committed the violation of the time and place of the meeting at which the motion will be discussed. If the commission decides to proceed on its own motion, the commission shall give notice to the person not later than two business days after the motion is approved. (c) The commission shall give notice of the complaint or motion under paragraph (a) or (b) of this subsection by mail and by telephone if the person can be reached by telephone. The notice must describe the nature of the alleged violation. The mailed notice must include copies of all materials submitted with a complaint. If the commission will consider a motion to proceed without a complaint, the notice must provide copies of all materials that the commission will consider at the hearing on the motion. (d) Information that the commission considers before approving a motion to proceed on its own motion under this section and any correspondence regarding the motion or potential violation is confidential. Commission members and staff may not make any public comment or publicly disclose any materials relating to the motion pending the commission's approval to proceed. A person who intentionally violates this paragraph is subject to a civil penalty in an amount not to exceed \$1,000. Any person aggrieved as a result of a</p>	Administration	Facilitate investigations - Ethics Commission materials during investigation	temporary
244.260				

	<p>Complaint and adjudicatory process; confidentiality; Preliminary Review Phase; Investigatory Phase; possible actions by order; report of findings; contested case procedure; limitation on commission action. (4) (c) The Preliminary Review Phase is confidential. Commission members and staff may acknowledge receipt of a complaint but may not make any public comment or publicly disclose any materials relating to a case during the Preliminary Review Phase. A person who intentionally violates this paragraph is subject to a civil penalty in an amount not to exceed \$1,000. Any person aggrieved as a result of a violation of this paragraph by a member of the commission or its staff may file a petition in a court of competent jurisdiction in the county in which the petitioner resides in order to enforce the civil penalty provided in this paragraph. (d) At the conclusion of the Preliminary Review Phase, the commission shall conduct its deliberations in executive session. All case related materials and proceedings shall be open to the public after the commission makes a finding of cause to undertake an investigation, dismisses a complaint or rescinds a motion. Prior to the end of the Preliminary Review Phase, the executive director of the commission shall prepare a statement of the facts determined during the phase, including appropriate legal citations and relevant authorities. Before presentation to the commission, the executive director's statement shall be reviewed by legal counsel to the commission.</p>	Administration	Facilitate investigations - Ethics Commission materials during investigation	temporary	
244.260	<p>Confidentiality of application, examination and investigatory information. (1) Notwithstanding ORS 192.420:</p> <p>(b) Investigatory information developed or obtained by the board is confidential and not subject to disclosure by the board unless a notice is issued for a contested case hearing or the matter investigated is finally resolved by board action or a consent order. The board shall notify the registrant of the investigation. The public may obtain information confirming that an investigation is being conducted and describing the general nature of the matter being investigated.</p>	Administration	Landscape Architect Board investigation materials	temporary	
673.170	<p>Disciplinary actions; grounds; investigations; costs. (3)(a) The board may investigate any alleged violation that may subject a person to discipline under this section.</p> <p>(b) Investigatory information developed or obtained by the board is confidential and not subject to disclosure by the board unless a notice is issued for a contested case hearing or the matter investigated is finally resolved by board action or a consent order.</p>	Administration	Accountancy Board investigation information	temporary	

<u>679.320</u>	Confidentiality of information provided to board; limitation of liability. (1) Any information provided to the Oregon Board of Dentistry as the basis of a complaint or in the investigation thereof shall not be subject to public disclosure during the period of investigation. (2) Any person who reports or provides information to the board and who does so in good faith shall not be subject to an action for civil damages as a result thereof.	Administration	Board of Dentistry complaints, investigatory information	temporary	
<u>192.501(17)</u>	Investigatory information relating to any complaint or charge filed under ORS chapter 654, until a final administrative determination is made or, if a citation is issued, until an employer receives notice of any citation.	Administration	Safety and Health investigations	temporary	public interest
<u>192.501(35)</u>	Records of the Department of Public Safety Standards and Training relating to investigations conducted under ORS 181.662 or 181.878 (6), until the department issues the report described in ORS 181.662 or 181.878.	Administration	DPSST investigations	temporary	public interest
<u>192.501(37)</u>	Any document or other information related to an audit of a public body, as defined in ORS 174.109, that is in the custody of an auditor or audit organization operating under nationally recognized government auditing standards, until the auditor or audit organization issues a final audit report in accordance with those standards or the audit is abandoned. This exemption does not prohibit disclosure of a draft audit report that is provided to the audited entity for the entity's response to the audit findings.	Administration	Audit documents while audit ongoing	temporary	public interest
<u>192.501(8)</u>	Investigatory information relating to any complaint filed under ORS 659A.820 or 659A.825, until such time as the complaint is resolved under ORS 659A.835, or a final order is issued under ORS 659A.850.	Administration	Civil rights complaint investigations	temporary	public interest
<u>651.110</u>	Assistance and cooperation in enforcement of Fair Labor Standards Act of 1938. The Bureau of Labor and Industries may assist and cooperate with the United States Department of Labor in the enforcement within this state of the Fair Labor Standards Act of 1938. Subject to the regulations of the United States Department of Labor and the laws of this state applicable to the receipt and expenditure of moneys, the bureau may be reimbursed by the United States Department of Labor for the reasonable cost of such assistance and cooperation. Records of the bureau acquired under this section shall be kept in confidence to the same extent the records of the United States Department of Labor are confidential, except that the records shall at all times be available to the proper agencies of the United States Government.	Administration	Fair Labor Standards Act enforcement records		
<u>192.501(9)</u>	Investigatory information relating to any complaint or charge filed under ORS 243.676 and 663.180.	Administration	Unfair labor practice investigations		public interest

Legislative Process exemptions

<u>173.230</u>	Confidential nature of matters handled by committee's staff. (1) The Legislative Counsel or any employee of the Legislative Counsel Committee may not reveal to any person not an employee of the committee the contents or nature of any matter before the Legislative Counsel in the official capacity of the Legislative Counsel, if the person bringing the matter before the Legislative Counsel or employee designates the matter as confidential. Matters not designated as confidential may be revealed only as prescribed by the rules of the committee. (2) Notwithstanding subsection (1) of this section, the Legislative Counsel may provide a copy of a draft measure to the Legislative Fiscal Officer and the Legislative Revenue Officer. (3) The provision by the Legislative Counsel of a copy of a draft measure under subsection (2) of this section is not a waiver of privilege under ORS 40.225.	Administration	Legislative Counsel information		
<u>173.455</u>	Maintaining confidentiality of draft measures. The Legislative Fiscal Officer or any employee of the Legislative Fiscal Officer may not reveal to any person not an employee of the Legislative Fiscal Officer the contents or nature of any confidential draft measure provided to the Legislative Fiscal Officer by the Legislative Counsel.	Administration	Legislative Fiscal Officer information		
<u>173.640</u>	Confidential nature of matters handled by administrator and staff; administrator and staff prohibited from influencing legislation. (1) Neither the Natural Resources Policy Administrator nor an employee of the administrator may reveal to a person not an employee of the administrator the contents or nature of a matter before the administrator in the official capacity of the administrator, if the person who brings the matter before the administrator designates the matter as confidential.	Administration	Legislative Natural Resources Policy Administrator information		
<u>173.855</u>	Maintaining confidentiality of draft measures. The Legislative Revenue Officer or any employee of the Legislative Revenue Officer may not reveal to any person not an employee of the Legislative Revenue Officer the contents or nature of any confidential draft measure provided to the Legislative Revenue Officer by the Legislative Counsel.	Administration	Legislative Revenue Officer information		

<u>291.223</u>	Furnishing agency budget estimates to Legislative Fiscal Officer and Legislative Revenue Officer; confidentiality of estimates. (1) Not later than November 10 of each even-numbered year the Governor shall cause the agency budget estimates and requests as described in ORS 291.206 to be made available to the Legislative Fiscal Officer and to the Legislative Revenue Officer. (2) Before December 1 of the year in which they were made available under subsection (1) of this section, the Legislative Fiscal Officer or staff and the Legislative Revenue Officer or staff shall not reveal to any other person the contents or nature of the budget reports and other materials , except with the written consent of the Governor.	Administration	LFO/LRO budget reports	temporary
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Mediation Exemptions

<u>36.220</u>	Confidentiality of mediation communications and agreements; exceptions. (1) Except as provided in ORS 36.220 to 36.238: (a) Mediation communications are confidential and may not be disclosed to any other person. (b) The parties to a mediation may agree in writing that all or part of the mediation communications are not confidential. (2) Except as provided in ORS 36.220 to 36.238: (a) The terms of any mediation agreement are not confidential. (b) The parties to a mediation may agree that all or part of the terms of a mediation agreement are confidential. (3) Statements, memoranda, work products, documents and other materials, otherwise subject to discovery, that were not prepared specifically for use in a mediation, are not confidential. (4) Any document that, before its use in a mediation, was a public record as defined in ORS 192.410 remains subject to disclosure to the extent provided by ORS 192.410 to 192.505. (5) Any mediation communication relating to child abuse that is made to a person who is required to report child abuse under the provisions of ORS 419B.010 is not confidential to the extent that the person is required to report the communication under the provisions of ORS 419B.010. Any mediation communication relating to elder abuse that is made to a person who is required to report elder abuse under the provisions of ORS 124.050 to 124.095 is not confidential to the extent that the person is required to report the communication under the provisions of ORS 124.050 to 124.095. (6) A mediation communication is not confidential if the mediator or a party to the mediation reasonably believes that disclosing the communication is necessary to prevent a party from committing a crime that is likely to result in death or substantial bodily injury to a specific person. (7) A party to a mediation may disclose confidential mediation communications to a person if the party's communication with that person is privileged under ORS 40.010 to 40.585 or other provision of law. A party may disclose confidential mediation communications to any other person for the purpose of obtaining advice concerning the subject matter of the	Administration	Mediation communications	
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36.224	<p>State agencies; confidentiality of mediation communications; rules. (2) The Attorney General shall develop rules that provide for the confidentiality of mediation communications in mediations described in subsection (1) of this section. The rules shall also provide for limitations on admissibility and disclosure in subsequent adjudicatory proceedings, as described in ORS 36.222 (7). The rules shall contain provisions governing mediations of workplace interpersonal disputes. (4) A state agency may adopt any or all of the rules developed by the Attorney General under this section. The agency shall provide the Governor with a copy of the rules that the agency proposes to adopt at the time that the agency gives notice of intended action under ORS 183.335. The Governor may notify the agency that the Governor disapproves of the proposed rules at any time before the agency files the rules with the Secretary of State under ORS 183.355. (5) Except as provided in ORS 36.222, mediation communications in any mediation regarding a claim for workers' compensation benefits conducted pursuant to rules adopted by the Workers' Compensation Board are confidential, are not subject to disclosure under ORS 192.410 to 192.505 and may not be disclosed or admitted as evidence in subsequent adjudicatory proceedings, as described in ORS 36.222 (7), without regard to whether a state agency or other public body is a party to the mediation or is the mediator in the mediation.</p>	Administration	Mediation communications involving state agency, worker compensation.		
36.226	<p>Public bodies other than state agencies; confidentiality of mediation communications. (1) Except as provided in subsection (2) of this section, mediation communications in mediations in which a public body other than a state agency is a party are confidential and may not be disclosed or admitted as evidence in subsequent adjudicatory proceedings, as described in ORS 36.222 (7).(2) A public body other than a state agency may adopt a policy that provides that all or part of mediation communications in mediations in which the public body is a party will not be confidential. If a public body adopts a policy under this subsection, notice of the policy must be provided to all other parties in mediations that are subject to the policy.</p>	Administration	Mediation communications involving public body other than state agency		
36.262	<p>Confidentiality of mediation materials. (1) All memoranda, work products and other materials contained in the case files of a mediator or mediation service are confidential. Any communication made in, or in connection with, the mediation which relates to the controversy being mediated, whether made to the mediator or a party, or to any other person if made at a mediation session, is confidential. However, a mediated agreement shall not be confidential unless the parties otherwise agree in writing.</p>	Administration	Communications in mediation of agricultural property foreclosure		

	<p>Confidentiality of information regarding disputes. (1) In order to foster the role of the Office of Manufactured Dwelling Park Community Relations in mediating and resolving disputes between landlords and tenants of manufactured dwelling and floating home facilities, the Housing and Community Services Department shall establish procedures to maintain the confidentiality of information received by the office pertaining to individual landlords and tenants of facilities and to landlord-tenant disputes. The procedures must comply with the provisions of this section. (2) Except as provided in subsection (3) of this section, the department shall treat as confidential and not disclose: (a) The identity of a landlord, tenant or complainant involved in a dispute or of a person who provides information to the department in response to a department investigation of a dispute; (b) Information provided to the department by a landlord, tenant, complainant or other person relating to a dispute; or (c) Information discovered by the department in investigating a dispute. (3) The department may disclose: (a) Information described in subsection (2) of this section to a state agency; and (b) Information described in subsection (2) of this section if the landlord, tenant, complainant or other person who provided the information being disclosed, or the legal representative thereof, consents orally or in writing to the disclosure and specifies to whom the disclosure may be made. Only the landlord, tenant, complainant or other person who provided the information to the department may authorize or deny the disclosure of the information. (4) This section does not prohibit the department from compiling and disclosing examples and statistics that demonstrate information such as the type of dispute, frequency of occurrence</p>	Administration	housing mediation information	
<u>423.430</u>	<p>Investigative priority; confidentiality of matters; charging fees prohibited. The Corrections Ombudsman shall: (1) Give priority to investigating administrative actions that are not otherwise reviewable by either administrative or judicial action; (2) Treat confidentially all matters and the identities of the complainants or witnesses coming before the ombudsman; and (3) Not levy any fees for the submission or investigation of complaints.</p>	Administration	Correction ombudsman matters and complainants	
<u>192.501(16)</u>	<p>Data and information provided by participants to mediation under ORS 36.256.</p>	Administration	Mediation communications regarding agricultural matters	public interest

659A.840	<p>Settlement. (6) Nothing said or done in the course of settlement discussions concerning a complaint alleging an unlawful practice under ORS 659A.145 or 659A.421 or discrimination under federal housing law may be disclosed in any manner, including but not limited to disclosure under ORS 192.410 to 192.505, or be used as evidence in a subsequent proceeding under this chapter or under federal housing law, without the written consent of the persons concerned.</p>	Administration	Statements or actions in settlement discussions regarding housing discrimination case	
Security-related exemptions				
1.177	(3) Except as provided in this subsection, a plan adopted under this section and all documents related to development of the plan are confidential and need not be disclosed under the provisions of ORS 192.410 to 192.505. The Chief Justice may authorize the disclosure of all or part of a plan prepared under this section if the Chief Justice determines that the interest of the public would be served by the disclosure and that the disclosure will not impair the integrity of the plan. Records of expenditures for a plan adopted under this section and records of equipment purchased under the plan are not confidential under the provisions of this subsection, and are subject to disclosure as public records under the provisions of ORS 192.410 to 192.505.	Public Safety	Court/OJD security plans	
1.180	Advisory committees on court security and emergency preparedness; plans. (9) Except as provided in this subsection, plans prepared under this section are confidential and need not be disclosed under the provisions of ORS 192.410 to 192.505. The presiding judge of a judicial district, with the concurrence of all sheriffs for the counties of the district, may authorize the disclosure of all or part of a plan prepared under this section if the judge determines that the interest of the public would be served by the disclosure and that the disclosure will not impair the integrity of the plan. Records of expenditures for a court security plan and records of equipment purchased under the plan are not confidential under the provisions of this subsection, and are subject to disclosure as public records under the provisions of ORS 192.410 to 192.505.	Public Safety	Court security plans	
453.332	When disclosure of identity may be withheld. (4) Site specific information regarding the exact amount and location of a hazardous substance provided to or obtained by the State Fire Marshal or by an agency identified in ORS 453.322 shall be treated by the State Fire Marshal or the agency as confidential.	Public Safety	Hazardous substance information	

	<p>Studies; accountability; audits; delegation. (6) After the first nine months of sales of tickets or shares to the public, the commission shall engage an independent firm experienced in security procedures, including but not limited to computer security and systems security, to conduct a comprehensive study and evaluation of all aspects of security in the operation of the state lottery. Such study shall include, but not be limited to, personnel security, lottery game retailer security, lottery contractor security, security of manufacturing operations of lottery contractors, security against ticket counterfeiting and alteration and other means of fraudulently winning, security of drawings among entries or finalists, computer security, data communications security, database security, security in distribution, security involving validation and payment procedures, security involving unclaimed prizes, security aspects applicable to each particular lottery game, security of drawings in lottery games where winners are determined by drawings of numbers, the completeness of security against locating winners in lottery games with preprinted winners by persons involved in their production, storage, distribution or sale and any other aspects of security applicable to any particular lottery game and to the state lottery and its operations. The portion of the report containing the overall evaluation of the state lottery in terms of each aspect of security shall be presented to the commission, the Governor, the Attorney General, the Secretary of State, the State Treasurer and the Legislative Assembly. Notwithstanding other provisions of state law, the portion of the report containing specific recommendations shall be confidential and shall be presented only to the commission, the Governor and the director Similar studies</p>	Public Safety	Specific security recommendations regarding the lottery		
<u>461.180</u>	<p>Notice of movement of hazardous materials; confidentiality of notice information. (2) Except to the extent that the Department of Transportation determines is necessary to provide for the safe transportation of the hazardous materials, the department, an employee of the department and any person receiving information pursuant to this section shall not divulge or make known the information contained in the notification at any time before or during the transportation of the hazardous materials for which the notification is provided.</p>	Public Safety	Hazardous material transit information	temporary	
<u>192.501(18)</u>	<p>Specific operational plans in connection with an anticipated threat to individual or public safety for deployment and use of personnel and equipment, prepared or used by a public body, if public disclosure of the plans would endanger an individual's life or physical safety or jeopardize a law enforcement activity.</p>	Public Safety	Operational plans		public interest

192.501(22)	Records or information that, if disclosed, would allow a person to: (a) Gain unauthorized access to buildings or other property; (b) Identify those areas of structural or operational vulnerability that would permit unlawful disruption to, or interference with, services; or (c) Disrupt, interfere with or gain unauthorized access to public funds or to information processing, communication or telecommunication systems, including the information contained in the systems, that are used or operated by a public body.	Public Safety	Security information		public interest
192.501(23)	Records or information that would reveal or otherwise identify security measures, or weaknesses or potential weaknesses in security measures, taken or recommended to be taken to protect: (a) An individual; (b) Buildings or other property; (c) Information processing, communication or telecommunication systems, including the information contained in the systems; or (d) Those operations of the Oregon State Lottery the security of which are subject to study and evaluation under ORS 461.180 (6).	Public Safety	Security plans		public interest
192.502(11)	Records of the Energy Facility Siting Council concerning the review or approval of security programs pursuant to ORS 469.530.	Public Safety	Security plans		
192.502(32)	A county elections security plan developed and filed under ORS 254.074.	Public Safety	Security plans		
192.502(33)	Information about review or approval of programs relating to the security of: (a) Generation, storage or conveyance of: (A) Electricity; (B) Gas in liquefied or gaseous form; (C) Hazardous substances as defined in ORS 453.005 (7)(a), (b) and (d); (D) Petroleum products; (E) Sewage; or (F) Water. (b) Telecommunication systems, including cellular, wireless or radio systems. (c) Data transmissions by whatever means provided.	Public Safety	Security plans		
Accident report exemptions					
801.040	Authority to adopt special provisions. (5) Any incorporated city may by ordinance require that the driver of a vehicle involved in an accident file with a designated city department a copy of any report required to be filed under ORS 811.725. All such reports shall be for the confidential use of the city department but subject to the same requirements for release of such reports as provided for the release of such reports by the department under ORS 802.220 and 802.240.	Administration	Accident reports filed with cities pursuant to city ordinance		

<p><u>802.220</u></p> <p>Availability of records; fees authorized. (5) Except as otherwise provided in this subsection, accident reports filed with the department under ORS 811.725, 811.730 or 811.735 shall be without prejudice to the individual filing the report and shall be for the confidential use of state administrative and enforcement agencies. The department may use the confidential accident reports to provide the following information to the persons described:</p> <p>(a) Upon request, the department shall disclose the following information to any party involved in the accident or to their personal representative or any member of the family of a party involved in the accident: (A) The identity of the owner, driver, occupants and the registration number of a vehicle involved in the accident; (B) The names of any companies insuring the owner or driver of a vehicle involved in the accident; and (C) The names of any witnesses to the accident.</p> <p>(b) The department shall furnish a certificate showing that a specified accident report has or has not been made to the department upon demand of any person who has or claims to have made such a report or upon demand of a court.</p>	<p>Administration</p>	<p>Accident reports</p>		
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	<p>Confidential nature of report. (1) All accident reports made to the State Marine Board shall be without prejudice to the individual reporting and shall be for the confidential use of administrative and enforcement agencies only. (2) The board upon written request, shall, if available, disclose the following information to any party involved in the accident, or, in the event of the party's death, to any member of the party's family, or to the party's personal representatives: (a) The identity of the owner, operator, occupants and the identifying number of a boat involved in an accident; (b) The names of any companies insuring the owner or operator; and (c) The identity of any witnesses to the accident. (3) No such report shall be used as evidence in any trial, civil or criminal, arising out of the accident.</p> <p><u>830.490</u></p> <p>The board shall furnish, upon demand of any person who has or claims to have made such a report or upon demand of any court, a certificate showing that a specified accident report has or has not been made to the board, solely to prove a compliance or a failure to comply with the requirement that such a report be made to the board. (4) The board shall compile and may analyze all accident reports and shall publish annually, or at more frequent intervals, statistical information relating to boat accidents. (5) In response to any request duly made by an authorized official or agency of the United States, or in compliance with any federal requirement, the board shall transmit any information compiled or otherwise available to the board from the accident reports required by ORS 830.480 and 830.485.</p>	Administration	Boat accident reports	
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Exemptions to facilitate public bodies business transactions

<u>367.804</u>	Goals of Oregon Innovative Partnerships Program; authority of Department of Transportation; confidentiality; expenses. (5) Except as provided in subsection (6) of this section: (a) Information related to a transportation project proposed under ORS 367.800 to 367.824 , including but not limited to the project's design, management, financing and other details, is exempt from disclosure under ORS 192.410 to 192.505 until: (A) The department shares the information with a local government, metropolitan planning organization or area commission on transportation under subsection (3)(c) of this section; or (B) The department completes its evaluation of the proposed project and has selected the proposal for negotiation of an agreement. (b) After the department has either shared the information described in paragraph (a) of this subsection with a local government, metropolitan planning organization or area commission on transportation, or has completed its evaluation of the proposed project, the information is subject to disclosure under ORS 192.410 to 192.505.	Administration	"Innovative" public-private partnership information	temporary	
<u>192.501(6)</u>	Information relating to the appraisal of real estate prior to its acquisition.	Administration	Real estate appraisals	temporary	public interest
<u>192.501(34)</u>	Sensitive business records or financial or commercial information of the State Accident Insurance Fund Corporation that is not customarily provided to business competitors. This exemption does not: (a) Apply to the formulas for determining dividends to be paid to employers insured by the State Accident Insurance Fund Corporation; (b) Apply to contracts for advertising, public relations or lobbying services or to documents related to the formation of such contracts; (c) Apply to group insurance contracts or to documents relating to the formation of such contracts, except that employer account records shall remain exempt from disclosure as provided in ORS 192.502 (35); or (d) Provide the basis for opposing the discovery of documents in litigation pursuant to the applicable rules of civil procedure.	Administration	SAIF business records and commercial information		public interest

<u>192.502(13)</u>	Records of or submitted to the State Treasurer, the Oregon Investment Council or the agents of the treasurer or the council relating to active or proposed publicly traded investments under ORS chapter 293, including but not limited to records regarding the acquisition, exchange or liquidation of the investments. For the purposes of this subsection: (a) The exemption does not apply to: (A) Information in investment records solely related to the amount paid directly into an investment by, or returned from the investment directly to, the treasurer or council; or (B) The identity of the entity to which the amount was paid directly or from which the amount was received directly. (b) An investment in a publicly traded investment is no longer active when acquisition, exchange or liquidation of the investment has been concluded.	Administration	OST records relating to active or proposed investments		
<u>192.502(21)</u>	Sensitive business records or financial or commercial information of the Oregon Health and Science University that is not customarily provided to business competitors.	Administration	Business records, financial or commercial information of OHSU		
<u>192.502(26)</u>	Sensitive business, commercial or financial information furnished to or developed by a public body engaged in the business of providing electricity or electricity services, if the information is directly related to a transaction described in ORS 261.348, or if the information is directly related to a bid, proposal or negotiations for the sale or purchase of electricity or electricity services, and disclosure of the information would cause a competitive disadvantage for the public body or its retail electricity customers. This subsection does not apply to cost-of-service studies used in the development or review of generally applicable rate schedules.	Administration	Business records, financial or commercial information of public electricity producers		
<u>192.502(27)</u>	Sensitive business, commercial or financial information furnished to or developed by the City of Klamath Falls, acting solely in connection with the ownership and operation of the Klamath Cogeneration Project, if the information is directly related to a transaction described in ORS 225.085 and disclosure of the information would cause a competitive disadvantage for the Klamath Cogeneration Project. This subsection does not apply to cost-of-service studies used in the development or review of generally applicable rate schedules.	Administration	Business records, financial or commercial information of Klamath Falls related to Klamath Cogeneration Project		
<u>192.502(30)</u>	Sensitive business records, capital development plans or financial or commercial information of Oregon Corrections Enterprises that is not customarily provided to business competitors.	Administration	Business records, financial or commercial information of Corrections Enterprises		

Undercover law enforcement exemptions

<u>181.852</u>	Disclosure of information about certain employees of law enforcement agencies. (1) As used in this section: (a) "Designated agency" has the meaning given that term in ORS 181.010. (b) "Information" includes, but is not limited to, an address, telephone number, date of birth and photograph. (c) "Law enforcement agency" has the meaning given that term in ORS 181.010. (2) Unless a law other than ORS 192.410 to 192.505 requires disclosure or the employee consents in writing to the disclosure, a law enforcement agency may not disclose information about an employee of the agency while the employee is assigned duties the agency considers undercover investigative duties and for a period of six months after the conclusion of those duties. (3) Subsection (2) of this section does not apply to disclosure of information to: (a) A district attorney. (b) The Attorney General. (c) A law enforcement agency. (d) A court. (e) The Department of Public Safety Standards and Training. (f) A designated agency. (g) A citizen review body designated by a law enforcement agency. (4) A person injured by a violation of subsection (2) of this section may bring a civil action for damages against the law enforcement agency.	Public Safety	Undercover officer information	
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<u>802.220</u>	Availability of records; fees authorized. (1) Except as otherwise provided in this subsection and ORS 802.177, the records the Department of Transportation maintains under ORS 802.200 on vehicles are public records. The records of vehicles registered under ORS 805.060 are not public records and are exempt from public inspection as provided under ORS 181.548 and are for the confidential use of criminal justice agencies described under ORS 181.010. The department may charge the fee established under ORS 802.230 for furnishing information under this section concerning a vehicle or its owner.	Public Safety	Undercover law enforcement vehicle registrations	
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<u>807.725</u>	Issuance of fictitious driver licenses and identification cards; rules; fees. (5) All information submitted to and maintained by the department regarding the true identity of a law enforcement official under this section is confidential. The department may only disclose information regarding the true identity of a law enforcement official to a law enforcement agency upon request.	Public Safety	Information about fictitious identities issued to law enforcement	
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Voter Pamphlet exemptions

<u>251.145</u>	Exemption from public records law. Notwithstanding ORS 192.410 to 192.505 relating to public records, materials filed by a political party, assembly of electors or candidate for inclusion in a voters' pamphlet and arguments supporting or opposing a measure filed by any person for inclusion in a voters' pamphlet are exempt from public inspection until the fourth business day after the final date for filing the materials.	Administration	Voter pamphlet material	temporary	
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<u>251.430</u>	Exemption from public records law. Notwithstanding ORS 192.410 to 192.505 relating to public records, materials filed by a candidate for inclusion in a county voters' pamphlet and arguments supporting or opposing a measure filed by any person for inclusion in a county voters' pamphlet are exempt from public inspection until the fourth business day after the final date for filing the materials.	Administration	Voter pamphlet material	temporary	
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Species protection exemptions

<u>564.130</u>	Confidentiality of information regarding threatened or endangered species; circumstances. (1) Notwithstanding ORS 192.410 to 192.505, the director of the appropriate agency may hold confidential, and refuse to disclose, information concerning the location of a threatened or endangered wildlife or plant species upon a determination that, based on prior experience, unlawful taking is likely to occur if the location is disclosed.	Administration	Threatened/endangered species information		requires likelihood of unlawful taking
<u>192.501(13)</u>	Information developed pursuant to ORS 496.004, 496.172 and 498.026 or ORS 496.192 and 564.100, regarding the habitat, location or population of any threatened species or endangered species.	Administration	threatened/endangered species information		public interest
<u>192.501(33)</u>	The following voluntary conservation agreements and reports: (a) Land management plans required for voluntary stewardship agreements entered into under ORS 541.423; and (b) Written agreements relating to the conservation of greater sage grouse entered into voluntarily by owners or occupiers of land with a soil and water conservation district under ORS 568.550.	Administration	Voluntary habitat stewardship management plans		public interest

Law enforcement intercepted communications exemptions

<u>133.723</u>	Records confidential. The application for any order under ORS 133.724 and any supporting documents and testimony in connection therewith shall remain confidential in the custody of the court, and these materials shall not be released or information concerning them in any manner disclosed except upon written order of the court and as required under ORS 135.805 to 135.873. No person having custody of any records maintained under ORS 133.721 to 133.739 shall disclose or release any materials or information contained therein except upon written order of the court and as required under ORS 135.805 to 135.873.	Public Safety	Investigatory information - orders concerning law enforcement interception of communications		
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<u>133.729</u>	<p>Recording intercepted communications; method; delivery to court; custody. The contents of any wire, electronic or oral communication intercepted in accordance with the provisions of ORS 133.724 shall, if possible, be recorded on tape or wire or other comparable device. The recording of the contents of any wire, electronic or oral communication under this section shall be done in such way as will protect the recording from editing or other alterations. Immediately upon the expiration of the period of the order issued under ORS 133.724, or extensions thereof, such recordings shall be made available to the judge issuing such order and sealed under the direction of the judge. Custody of the recordings shall be wherever the judge orders. They shall not be destroyed before the expiration of the minimum retention period established by the State Court Administrator under ORS 8.125. Duplicate recordings may be made for use or disclosure pursuant to the provisions of ORS 133.737 (1) and (2) for investigations. The presence of the seal provided for by this section, or a satisfactory explanation for the absence thereof, shall be a prerequisite for the use or disclosure of the contents of any wire, electronic or oral communication or evidence derived therefrom under ORS 133.737 (3).</p>	Public Safety	Investigatory information - contents of wiretap		
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Patient safety data information

<u>442.820</u>	<p>442.820 Oregon Patient Safety Commission.</p> <p>(2) The mission of the commission is to improve patient safety by reducing the risk of serious adverse events occurring in Oregon's health care system and by encouraging a culture of patient safety in Oregon. To accomplish this mission, the commission shall:</p> <ul style="list-style-type: none"> (a) Establish a confidential, voluntary serious adverse event reporting system to identify serious adverse events; (b) Establish quality improvement techniques to reduce systems' errors contributing to serious adverse events; and (c) Disseminate evidence-based prevention practices to improve patient outcomes. <p>(3) ORS 192.410 to 192.505 do not apply to public records created or maintained by the commission that contain patient safety data or to reports obtained by the program.</p>	Administration	Encourage provision of information - Patient safety data, adverse event reports		
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442.846	<p>Patient safety data not admissible in civil actions. (1) Patient safety data and reports obtained by a patient safety reporting program from participants are confidential and privileged and are not admissible in evidence in any civil action, including but not limited to a judicial, administrative, arbitration or mediation proceeding. Patient safety data, patient safety activities and reports are not subject to: (a) Civil or administrative subpoena; (b) Discovery in connection with a civil action, including but not limited to a judicial, administrative, arbitration or mediation proceeding; or (c) Disclosure under state public records law pursuant to ORS 442.820 (3) and, if permissible, federal public records laws.</p>	Administration	Encourage provision of information - Patient safety data, activities, reports		
Criminal investigatory information exemptions					
132.410	An indictment, when found and indorsed, as provided in ORS 132.400 and 132.580, shall be filed with the clerk of the court, in whose office it shall remain as a public record. Upon being designated by the district attorney as confidential and until after the arrest of a defendant who has not been held to answer the charge, the indictment or any order or process in relation thereto shall not be inspected by any person other than the judge, the clerk of the court, the district attorney or a peace officer in the discharge of a duty concerning the indictment, order or process.	Public Safety	Investigatory information - indictment information prior to arrest	temporary	
132.420	Disclosure relative to indictment not subject to inspection. No grand juror, reporter or other person except the district attorney or a peace officer in the exercise of duties in effecting an arrest shall disclose any fact concerning any indictment while it is not subject to public inspection.	Public Safety	Investigatory information - indictment information prior to arrest	temporary	
476.090	Records of fires. (1) The State Fire Marshal shall keep a record of all fires occurring in this state and of all facts concerning the same, including statistics as to the extent of such fires and the damage caused, whether such losses were covered by insurance, and if so, in what amount. All such records shall be public, except any testimony, information or other evidence taken in an investigation under ORS 476.010 to 476.090, 476.155 to 476.170, 476.210 to 476.270 and 479.180 , which shall be considered investigatory information as described in ORS 192.501. (2) This section shall not apply to forestlands under the jurisdiction of the State Forester.	Public Safety	Fire investigation records	temporary	public interest

	<p><u>192.501(3)</u></p> <p>Investigatory information compiled for criminal law purposes. The record of an arrest or the report of a crime shall be disclosed unless and only for so long as there is a clear need to delay disclosure in the course of a specific investigation, including the need to protect the complaining party or the victim. Nothing in this subsection shall limit any right constitutionally guaranteed, or granted by statute, to disclosure or discovery in criminal cases. For purposes of this subsection, the record of an arrest or the report of a crime includes, but is not limited to: (a) The arrested person's name, age, residence, employment, marital status and similar biographical information; (b) The offense with which the arrested person is charged; (c) The conditions of release pursuant to ORS 135.230 to 135.290; (d) The identity of and biographical information concerning both complaining party and victim; (e) The identity of the investigating and arresting agency and the length of the investigation; (f) The circumstances of arrest, including time, place, resistance, pursuit and weapons used; and (g) Such information as may be necessary to enlist public assistance in apprehending fugitives from justice.</p>	Public Safety	Criminal investigatory information	public interest
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