

Background

The personal information that the Sunshine Committee has discussed consists of:

- Addresses (mostly residential and some professional)
- Telephone numbers (residential, mobile, and some professional)
- Email addresses
- Dates of birth
- Social Security number
- Driver license number

The relevant exemptions do not apply universally – with the exception of a fairly general exemption for email addresses. Instead, most of the exemptions protect this kind of information for certain classes of individuals, or else protect the information in the hands of some public bodies but not others. Affected individuals vary from exemption to exemption, but they include:

- Public employees generally;
- Some private employees whose wages are publicly funded or subsidized;
- Some licensees;
- Donors and potential donors to the Oregon University System;
- University students

Particular public bodies that have broad exemptions include the DMV and 9-1-1 public safety answering system operators.

It appears that the Sunshine Committee is unanimously of the view that personal information should be exempt from disclosure if disclosure would create or exacerbate a specific and significant personal safety risk. The Sunshine Committee may make separate recommendations regarding the existing framework for the personal safety exemption. The following questions pertain to circumstances when disclosure would not create or exacerbate specific personal safety risks.

Decision Points

Should existing exemptions for personal information be combined into a consistent framework?

YES:

NO:

Should public records exemptions continue to treat the personal information of some individuals differently than it treats the same information about others?

YES:

NO:

Should social security numbers generally be exempt from public disclosure?

YES:

NO:

Should driver license numbers generally be exempt from public disclosure?

YES: NO:

Should home addresses generally be exempt from public disclosure?

YES: NO:

Should personal telephone numbers generally be exempt from public disclosure?

YES: NO:

Should email addresses generally be exempt from public disclosure?

YES: NO:

Should dates of birth generally be exempt from public disclosure?

YES: NO:

Should administratively generated tracking numbers (e.g., employee IDs) be explicitly designated as not exempt from disclosure?

YES: NO:

Should a physical address where a licensed person or entity conducts or owns a licensed business be explicitly designated as not exempt from disclosure?

YES: NO:

Should work email addresses and work phone numbers be explicitly designated as not exempt from disclosure?

YES: NO:

Should exemptions for any of these kinds of information distinguish between requests that are specifically seeking that personal information and circumstances where this sort of information happens to be included in records that are requested for other reasons?

YES: NO:

Should exemptions allow for public interest disclosure when providing the requested information to the particular requester would facilitate public understanding of a matter or subject involving or pertaining to state or local government? Examples could include providing meaningful statistical data, facilitating the positive identification of individuals involved in a particular

transaction, or offering individuals the opportunity to publicly discuss a matter that involved or affected them.

YES:

NO:

Should the Address Confidentiality Program of the OR Department of Justice be strengthened?

YES:

NO:

Should data requested in bulk (e.g., entire databases) be treated differently than individualized requests?

YES:

NO:

Should certain data be protected using a data transfer agreement that limits the use of the data to a particular, stated purpose?

YES:

NO:

Should the Legislature require that PII contained in public records be segregated?

YES:

NO:

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