



## Open Government Impact Statement

80th Oregon Legislative Assembly  
2019 Regular Session

## Measure: HB 3249

Only impacts on Original or Engrossed  
Versions are Considered Official

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Prepared by: Cameron D. Miles  
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### SUMMARY

Provides that client has right to privately communicate with lawyer and representative of lawyer. Provides that evidence derived from confidential communication is inadmissible in certain proceedings if confidential communication was obtained or disclosed without consent of client.

Requires local correctional facilities and prisons to maintain one log for lawyers and representatives of lawyers visiting inmates and one log for all other persons visiting inmates. Requires all visitors to sign appropriate log. Provides that, unless exception applies, log for lawyers and representatives of lawyers is confidential, not subject to disclosure as public record and not subject to subpoena. Requires suppression of evidence derived from unlawful disclosure of log for lawyers and representatives of lawyers.

### OPEN GOVERNMENT IMPACT

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure exempts from public disclosure correctional facility visitor logs for lawyers and representatives of lawyers for inmates.

If the public records were instead subject to mandatory disclosure under public records law, the public could learn when and how often lawyers and representatives of lawyers visit a client who is an inmate in a correctional facility.