



The Office of the Public Records Advocate and the Public Records Advisory Council were created by Senate Bill 106 (2017).

Overview of the Public Records Advisory Council

- The Public Records Advisory Council is a deep bench of public records experts, representing state and local governments, the media and the public.
- Voting members are appointed by the Governor, the Secretary of State and the Attorney General. The Council also has two ex-officio nonvoting members appointed by the President of the Senate and the Speaker of the House of Representatives. Those members are Senator Kim Thatcher and Representative Karin Power.
- The Council works with the Advocate to study and make recommendations concerning the Advocate's role, as well as practices, procedures, exemptions, and fees related to public records.

Overview of the role as the Public Records Advocate

- The Public Records Advocate mediates disputes between public records requestors and public bodies, provides free training on public records laws and best practices to public employees and members of the public, including members of the media, and leads the Public Records Advisory Council.

The major issues impacting transparency and public access to records

- As written, the public records law is one of transparency, access and disclosure. It's every day implementation across state and local public bodies, however, can lead to confusion, delay and high costs.
- Because the costs of providing public records upon request are generally not factored into the creation or updating of governmental systems, the need to provide staff, technology and other resources to do so can lead to high "actual costs". These high costs are translated into production fees which are passed onto requesters, limiting access to records, including by members of the media.
- Exemptions to disclosure are myriad in the law, and were generally added one-by-one over the years (and decades). These exemptions are confusing to navigate for records custodians and requesters alike, and can be over-applied to a request, thus limiting access. It may be appropriate to reappraise the legal or cultural validity of numerous existing exemptions.
- Overall, there needs to be cultural shift among public body leadership and staff members that re-centers the issue of disclosure. The guiding principal should always be providing records in a timely, affordable, fair, and consistent way. Any issues that arise in realizing this principal should be viewed as a problem to be solved by records custodians, not at the expense of requesters.

Questions? Please contact:

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