

# A-Engrossed Senate Bill 1516

Ordered by the Senate February 18  
Including Senate Amendments dated February 18

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## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure. The statement includes a measure digest written in compliance with applicable readability standards.

**Digest: The Act puts limits on law enforcement's use of ALPRs. The Act allows a person to sue an ALPR vendor for misuse or improper release of the person's data. The Act says that a standing order on pretrial release does not affect how the court makes the release decision. The Act also makes changes to the Justice Equity Reinvestment Program. The Act goes into effect when the Governor signs it. (Flesch Readability Score: 64.9).**

*[Digest: The Act changes a crime to include subjecting a public official to alarm by conveying a threat. The Act also says that a standing order on pretrial release does not affect how the court makes the release decision. The Act goes into effect when the Governor signs it. (Flesch Readability Score: 63.6).]*

*[Expands the crime of aggravated harassment to include threats concerning public officials in specified circumstances. Punishes by a maximum of five years' imprisonment, a fine of up to \$125,000, or both.]*

Provides that standing pretrial release orders do not affect the authority of a magistrate to consider the primary and secondary release criteria when making a release decision.

**Restricts law enforcement agencies' use of automated license plate recognition systems except for specified authorized uses. Limits retention of captured license plate data to no more than 30 days unless the captured license plate data is related to an ongoing criminal investigation or court proceeding. Requires law enforcement agencies to adopt policies for ALPR vendor contracts and the use of ALPRs and captured license plate data. Limits sharing of captured license plate data with non-Oregon law enforcement agencies.**

**Prohibits ALPR vendors from accessing, selling or disclosing captured license plate data. Provides exemptions. Authorizes the imposition of civil penalties for intentional or grossly negligent violations. Authorizes civil actions for violations.**

**Removes the named administrator of and technical assistance provider for the Justice Reinvestment Equity Program and requires the Oregon Criminal Justice Commission to select a technical assistance provider according to specified criteria.**

Declares an emergency, effective on passage.

## A BILL FOR AN ACT

Relating to public safety; creating new provisions; amending ORS 135.230, 135.233, 137.865 and 192.345 and section 15, chapter 78, Oregon Laws 2022; and declaring an emergency.

**Be It Enacted by the People of the State of Oregon:**

## PRETRIAL RELEASE

**SECTION 1.** ORS 135.233 is amended to read:

135.233. (1) The presiding judge of a judicial district shall enter a standing pretrial release order specifying to the sheriff of the county, or to the entity supervising the local correctional facility responsible for pretrial incarceration within the judicial district, those persons and offenses:

(a) Subject to release on recognizance;

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (b) Subject to release with special conditions as specified in the order; and

2 (c) That are not eligible for release until arraignment.

3 (2) The Chief Justice of the Supreme Court, with input from a criminal justice advisory com-  
4 mittee appointed by the Chief Justice, shall establish release guidelines for the pretrial release or-  
5 ders described in this section to:

6 (a) Provide consistent release decision-making structure across the state;

7 (b) Reduce reliance on the use of security;

8 (c) Include provisions for victim notification and input; and

9 (d) Balance the rights of the defendant and presumption of pretrial release against community  
10 and victim safety and the risk of failure to appear.

11 **(3) Any standing pretrial release order entered under subsection (1) of this section does**  
12 **not affect the authority of a magistrate to make a release decision under ORS 135.245 and**  
13 **to consider, when making the release decision, the primary and secondary release criteria,**  
14 **including community safety and the risk of failure to appear by the defendant.**

15 **SECTION 2.** ORS 135.230 is amended to read:

16 135.230. As used in ORS 135.230 to 135.290, unless the context requires otherwise:

17 (1) "Abuse" means:

18 (a) Attempting to cause or intentionally, knowingly or recklessly causing physical injury;

19 (b) Intentionally, knowingly or recklessly placing another in fear of imminent serious physical  
20 injury; or

21 (c) Committing sexual abuse in any degree as defined in ORS 163.415, 163.425 and 163.427.

22 (2) "Conditional release" means a nonsecurity release which imposes regulations on the activ-  
23 ities and associations of the defendant.

24 (3) "Domestic violence" means abuse between family or household members.

25 (4) "Family or household members" means any of the following:

26 (a) Spouses.

27 (b) Former spouses.

28 (c) Adult persons related by blood or marriage.

29 (d) Persons cohabiting with each other.

30 (e) Persons who have cohabited with each other or who have been involved in a sexually inti-  
31 mate relationship.

32 (f) Unmarried parents of a minor child.

33 (5) "Magistrate" has the meaning provided for this term in ORS 133.030.

34 (6) "Personal recognizance" means the release of a defendant upon the promise of the defendant  
35 to appear in court at all appropriate times.

36 (7) "Primary release criteria" includes the following:

37 (a) The reasonable protection of the victim or public;

38 (b) The nature of the current charge;

39 (c) The defendant's prior criminal record, if any, and, if the defendant previously has been re-  
40 leased pending trial, whether the defendant appeared as required;

41 (d) Any facts indicating the possibility of violations of law if the defendant is released without  
42 regulations; and

43 (e) Any other facts tending to indicate [*that*] **whether** the defendant is likely to appear **as re-**  
44 **quired.**

45 (8) "Release" means temporary or partial freedom of a defendant from lawful custody before

1 judgment of conviction or after judgment of conviction if defendant has appealed.

2 (9) "Release agreement" means a sworn writing by the defendant stating the terms of the release  
3 and, if applicable, the amount of security.

4 (10) "Release decision" means a determination by a magistrate, using primary and secondary  
5 release criteria, which establishes the form of the release most likely to ensure the safety of the  
6 public and the victim, the defendant's court appearance and that the defendant does not engage in  
7 domestic violence while on release.

8 (11) "Secondary release criteria" includes the following:

9 (a) The defendant's employment status and history and financial condition;

10 (b) The nature and extent of the family relationships of the defendant;

11 (c) The past and present residences of the defendant;

12 (d) Names of persons who agree to assist the defendant in attending court at the proper time;  
13 and

14 (e) Any facts tending to indicate that the defendant has strong ties to the community.

15 (12) "Security release" means a release conditioned on a promise to appear in court at all ap-  
16 propriate times which is secured by cash, stocks, bonds or real property.

17 (13) "Surety" is one who executes a security release and binds oneself to pay the security  
18 amount if the defendant fails to comply with the release agreement.

19  
20 **AUTOMATED LICENSE PLATE RECOGNITION SYSTEMS**

21  
22 **SECTION 3. Definitions. As used in sections 3 to 9 of this 2026 Act:**

23 (1) "Alert" means a notification generated by an automated license plate recognition  
24 system indicating that a vehicle's license plate number or other vehicle characteristics  
25 match information contained in a hot list or database described in section 4 of this 2026 Act.

26 (2) "Authorized user" means a law enforcement officer or other employee of a law  
27 enforcement agency who is authorized to deploy or use an automated license plate recogni-  
28 tion system or captured license plate data in accordance with the provisions of sections 3 to  
29 9 of this 2026 Act.

30 (3)(a) "Automated license plate recognition system" means one or more high-speed cam-  
31 eras combined with computer algorithms used to convert images of license plates or other  
32 vehicle characteristics into computer-readable data.

33 (b) "Automated license plate recognition system" does not include a photo red light  
34 camera described in ORS 810.434 when used for enforcement of ORS 811.265 or a photo radar  
35 unit when used for enforcement of ORS 811.111.

36 (4) "Captured license plate data" means the global positioning system coordinates, date  
37 and time, video, photograph, license plate number, vehicle characteristics or any other re-  
38 lated data or information collected by an automated license plate recognition system.

39 (5) "Hot list" means a database created or maintained by a law enforcement agency that  
40 identifies vehicles used to facilitate the commission of a crime or violation or to avoid ap-  
41 prehension for commission of a crime, or that are associated with a missing or endangered  
42 person.

43 (6) "Law enforcement agency" has the meaning given that term in ORS 181A.775.

44 (7) "Law enforcement purpose" means an authorized use of an automated license plate  
45 recognition system or captured license plate data under section 4 of this 2026 Act.

1 (8) "Secured area" means an area, enclosed by clear boundaries, to which access is lim-  
2 ited or not open to the public and entry is obtainable only through specific access control  
3 points.

4 **SECTION 4. Authorized uses of ALPR systems by law enforcement; requirements for use.**

5 (1) Except as provided under sections 3 to 9 of this 2026 Act, a law enforcement agency may  
6 not use an automated license plate recognition system or captured license plate data.

7 (2) A law enforcement agency may use an automated license plate recognition system or  
8 captured license plate data for the purpose of:

9 (a) Identifying a vehicle that was used to facilitate the commission of a crime or used  
10 to avoid apprehension for commission of a crime, if the crime:

11 (A) Constitutes a crime under the laws of this state;

12 (B) If committed in another state or jurisdiction, constitutes a crime that is substantially  
13 equivalent to a crime under the laws of this state; or

14 (C) Constitutes a federal crime and the use is not contrary to the public policies set forth  
15 in ORS 24.500 or any law of this state restricting the use of public resources for prohibited  
16 enforcement activities, including ORS 181A.250, 181A.820 and 181A.826;

17 (b) Identifying a vehicle that was used to facilitate the commission of a violation as de-  
18 scribed in ORS 153.008, excluding a traffic violation as defined in ORS 801.557;

19 (c) Identifying a vehicle that is registered to a person for whom there is an outstanding  
20 criminal warrant for arrest, if the warrant is:

21 (A) For a crime that constitutes a crime under the laws of this state;

22 (B) For a crime that, if committed in another state or jurisdiction, constitutes a crime  
23 that is substantially equivalent to a crime under the laws of this state; or

24 (C) A federal judicial warrant for arrest and the use is not contrary to the public policies  
25 set forth in ORS 24.500 or any law of this state restricting the use of public resources for  
26 prohibited enforcement activities, including ORS 181A.250, 181A.820 and 181A.826;

27 (d) Identifying a vehicle that is associated with a missing or endangered person, including  
28 a person who is the subject of an Amber Alert or Silver Alert;

29 (e) Identifying an uninsured vehicle, as that term is defined in ORS 742.504;

30 (f) Identifying a vehicle that is not registered as required under the Oregon Vehicle Code;

31 (g) Regulating the use of parking facilities; or

32 (h) Controlling access to secured areas.

33 (3)(a) For captured license plate data not related to a court proceeding or ongoing crim-  
34 inal investigation, the captured license plate data may be retained for no more than 30 days  
35 after the captured license plate data is collected.

36 (b) For captured license plate data related to a court proceeding or ongoing criminal in-  
37 vestigation, the captured license plate data may be retained for the same period of time that  
38 evidence is retained in the normal course of the court's business.

39 (c) Paragraphs (a) and (b) of this subsection do not apply to the audit information de-  
40 scribed in section 6 of this 2026 Act.

41 (4)(a) A law enforcement agency may compare captured license plate data with informa-  
42 tion contained in:

43 (A) Records held by the Department of Transportation;

44 (B) The databases of the National Crime Information Center maintained by the Federal  
45 Bureau of Investigation;

1 (C) The Law Enforcement Data System maintained by the Department of State Police  
2 or an equivalent system maintained by another state;

3 (D) The records of the Federal Bureau of Investigation related to kidnappings and miss-  
4 ing persons;

5 (E) The missing children and adults clearinghouse established under ORS 181A.300; or

6 (F) Hot lists created or maintained by the law enforcement agency using the automated  
7 license plate recognition system or equivalent databases created or maintained by an agency  
8 of another state that enforces criminal laws.

9 (b) A law enforcement agency may compare captured license plate data only with infor-  
10 mation contained in a system, hot list or database described in paragraph (a)(C) or (F) of this  
11 subsection if the system, hot list or database is updated frequently enough to ensure the  
12 information contained therein is accurate, relevant, timely and complete.

13 (c) A law enforcement officer or other employee of a law enforcement agency who adds  
14 a license plate number, vehicle description or other entry to a hot list must include in the  
15 entry:

16 (A) The specific law enforcement purpose for the entry;

17 (B) The name of the officer or other employee who adds the entry; and

18 (C) If the officer or other employee adds the entry on behalf of another employee of the  
19 law enforcement agency, the name of that other employee.

20 (5) A law enforcement officer or other employee of a law enforcement agency who  
21 searches captured license plate data collected by an automated license plate recognition  
22 system under this section shall include the following information in the search entry log for  
23 the automated license plate recognition system:

24 (a) The authorized user identifier of the person who conducts the search;

25 (b) The law enforcement agency that employs the person who conducts the search;

26 (c) The search inputs used;

27 (d) The date and time of the search;

28 (e) Any applicable case or reference number;

29 (f) The law enforcement purpose for the search; and

30 (g) If the search is related to an investigation of a crime or violation, the specific type  
31 of crime or violation being investigated.

32 (6) Before a law enforcement officer conducts a traffic stop of a driver of a motor vehicle  
33 based on an alert, the law enforcement officer or other authorized user shall visually confirm  
34 that the vehicle's license plate number, issuing state and other vehicle characteristics match  
35 the alert and that the traffic stop complies with agency policy and applicable law.

36 (7) A law enforcement agency may request access to captured license plate data collected  
37 by a private person or entity or non-law enforcement agency, provided that the law  
38 enforcement agency accesses or otherwise uses the data for a law enforcement purpose.

39 **SECTION 5. Data sharing limitations for law enforcement agencies.** (1) A law enforce-  
40 ment agency may allow queries of the agency's captured license plate data by another law  
41 enforcement agency.

42 (2)(a) Except as provided in paragraph (b) of this subsection, a law enforcement agency  
43 may not provide access to captured license plate data to any government entity or agency  
44 not created pursuant to the Oregon Constitution, or the laws or regulations of this state.

45 (b) A law enforcement agency may provide captured license plate data to a government

1 entity or agency not created pursuant to the Oregon Constitution, or the laws or regulations  
2 of this state for a law enforcement purpose in accordance with sections 3 to 9 of this 2026  
3 Act. Captured license plate data provided under this subsection must be limited to data rel-  
4 evant to the law enforcement purpose and may not include unrestricted or ongoing access  
5 to captured license plate data. A law enforcement agency that provides captured license plate  
6 data under this subsection must include the following information in the search entry log for  
7 the automated license plate recognition system:

8 (A) The information required under section 4 (5) of this 2026 Act;

9 (B) The government agency or entity on whose behalf the search is conducted by the law  
10 enforcement agency; and

11 (C) The number of cameras or devices that were accessed or used as part of the search.

12 (3) Nothing in this section prohibits a law enforcement agency from providing access to  
13 captured license plate data as may be required by a judicial subpoena issued as part of a  
14 court proceeding or by another compulsory court-issued legal process.

15 **SECTION 6. ALPR system audits provided by vendor.** (1) A vendor that contracts with  
16 a law enforcement agency to provide the agency with an automated license plate recognition  
17 system or related services shall provide to the agency a monthly audit of the system that is  
18 searchable and includes the following information for the preceding 30-day period:

19 (a) The number of automated license plate recognition systems installed, including cam-  
20 eras and devices;

21 (b) The location of any fixed or permanent automated license plate recognition system,  
22 including cameras and devices;

23 (c) The number of searches of captured license plate data collected by the automated li-  
24 cense plate recognition system;

25 (d) A list of any law enforcement agency that has access to the automated license plate  
26 recognition system;

27 (e) The number of authorized users for the automated license plate recognition system;

28 (f) The number of unique vehicles captured by the automated license plate recognition  
29 system;

30 (g) The number of alerts generated by the automated license plate recognition system;

31 (h) The number of cameras or devices that were accessed or used by the law enforcement  
32 agency; and

33 (i) For any search of captured license plate data collected by the automated license plate  
34 recognition system:

35 (A) The authorized user identifier of the person who conducts the search;

36 (B) The date and time of the search; and

37 (C) The law enforcement purpose entered for the search.

38 (2) A vendor that contracts with a law enforcement agency to provide the agency with  
39 an automated license plate recognition system or related services shall provide to the agency  
40 a quarterly audit of the system that is searchable and includes the following information for  
41 any search of captured license plate data collected by the automated license plate recognition  
42 system that is conducted during the preceding quarter on behalf of any government agency  
43 or entity that is not the law enforcement agency:

44 (a) The authorized user identifier of the person who conducts the search;

45 (b) The law enforcement agency that employs the person who conducts the search;

1 (c) The government agency or entity on whose behalf the search is conducted by the law  
2 enforcement agency;

3 (d) The date and time of the search;

4 (e) The law enforcement purpose entered for the search; and

5 (f) The number of cameras or devices that were accessed or used as part of the search.

6 (3)(a) A law enforcement agency that receives an audit from a vendor under subsection  
7 (1) or (2) of this section shall publish the results of the audit on the agency's website within  
8 two days of receiving the audit or, in the alternative, may require the vendor to provide di-  
9 rect public access to the results of the audit within two days of receiving the audit.

10 (b) Audit results published by a law enforcement agency or provided to the public by a  
11 vendor under paragraph (a) of this subsection must be in accordance with the provisions of  
12 ORS 192.345 (44)(a).

13 **SECTION 7. Law enforcement agency policies and procedures regarding ALPR systems;**  
14 **requirements.** (1) Before deploying or using an automated license plate recognition system  
15 or captured license plate data, a law enforcement agency shall establish and publish policies  
16 and procedures for the use of an automated license plate recognition system and the use,  
17 storage and retention of captured license plate data in accordance with sections 3 to 9 of this  
18 2026 Act.

19 (2) The policies and procedures described in subsection (1) of this section must include:

20 (a) Requirements to ensure the security of the automated license plate recognition sys-  
21 tem and resulting captured license plate data, including rules governing access to the system  
22 and data;

23 (b) Requirements to ensure that information contained in any hot list created or main-  
24 tained by the law enforcement agency is accurate, relevant, timely and complete;

25 (c) Training requirements for any authorized users regarding the deployment, use and  
26 security of the automated license plate recognition system and captured license plate data;

27 (d) Requirements for the retention and destruction of captured license plate data;

28 (e) A requirement that any contract with a third party vendor for an automated license  
29 plate recognition system or related services must include terms providing that:

30 (A) Captured license plate data collected by the automated license plate recognition sys-  
31 tem is the property of the law enforcement agency, is not owned by the vendor and may not  
32 be used by or licensed to the vendor for any purpose inconsistent with the policies and pro-  
33 cedures of the law enforcement agency or the provisions of sections 3 to 9 of this 2026 Act;

34 (B) Any request received by the vendor for access to captured license plate data collected  
35 by the automated license plate recognition system, including through a judicial warrant, ju-  
36 dicial subpoena or administrative subpoena, must be directed exclusively to the law enforce-  
37 ment agency that owns the captured license plate data;

38 (C) Captured license plate data must be encrypted using, at a minimum, end-to-end en-  
39 cryption;

40 (D) The vendor must be in compliance with the most current version of the Federal Bu-  
41 reau of Investigation Criminal Justice Information Services Security Policy, including, as  
42 applicable, execution of the Federal Bureau of Investigation Criminal Justice Information  
43 Services Security Addendum, audit rights and prompt notification of security incidents; and

44 (E) The vendor may be held liable for the vendor's misuse or improper release of cap-  
45 tured license plate data collected by the automated license plate recognition system, includ-

1 ing damages for the misuse or improper release;

2 (f) Requirements for audit processes under section 6 of this 2026 Act; and

3 (g) A prohibition on the use of any captured license plate data collected by the automated  
4 license plate recognition system for any purpose not in accordance with sections 3 to 9 of  
5 this 2026 Act.

6 **SECTION 8. Exception for existing ALPR contracts.** (1) Notwithstanding section 7 of this  
7 2026 Act, if a law enforcement agency has deployed or is using an automated license plate  
8 recognition system on or after the effective date of this 2026 Act pursuant to a contract with  
9 a third party vendor for an automated license plate recognition system or related services  
10 that was entered into prior to the effective date of this 2026 Act, the law enforcement agency  
11 may use the automated license plate recognition system in accordance with the terms of the  
12 existing contract for the duration of the contract. The law enforcement agency may not ex-  
13 tend or renew the contract or enter into a new contract with a third party vendor for an  
14 automated license plate recognition system unless the law enforcement agency and any ex-  
15 tended, renewed or new contract will be in compliance with the requirements of sections 3  
16 to 9 of this 2026 Act on and after the date on which the contract is extended, renewed or  
17 entered into.

18 (2) Notwithstanding subsection (1) of this section, a law enforcement agency that uses  
19 an automated license plate recognition system on or after the effective date of this 2026 Act  
20 shall comply with the provisions of section 4 of this 2026 Act regardless of the date on which  
21 the agency enters, renews or extends a contract with a third party vendor for an automated  
22 license plate recognition system or related services.

23 **SECTION 9. Action for improper access or disclosure of captured license plate data; ex-**  
24 **ceptions; attorney fees.** (1)(a) A vendor that contracts with a law enforcement agency to  
25 provide an automated license plate recognition system or related services may not access,  
26 disclose, sell, share or otherwise use captured license plate data collected by the automated  
27 license plate recognition system.

28 (b) It is not a violation of paragraph (a) of this subsection for a vendor to:

29 (A) Access captured license plate data collected by an automated license plate recognition  
30 system for the limited duration and purpose of providing technical support to the law  
31 enforcement agency for the system or data if the agency grants express consent for that  
32 duration and purpose; or

33 (B) Provide the audit information described under section 6 of this 2026 Act to a law  
34 enforcement agency.

35 (2) If a vendor intentionally or with gross negligence accesses, discloses, sells, shares or  
36 otherwise uses captured license plate data related to an individual in violation of subsection  
37 (1)(a) of this section, the individual may bring a civil action against the vendor for economic  
38 and noneconomic damages and equitable relief. If a court awards damages or equitable relief  
39 to the individual, the court may award reasonable attorney fees to the individual.

40 (3) Any person may bring a civil action against a vendor that violates subsection (1)(a)  
41 of this section to enjoin the violation.

42 (4) The causes of action provided in this section are the exclusive remedies in law or  
43 equity for violation of subsection (1)(a) of this section.

44 **SECTION 10.** ORS 137.865 is amended to read:

45 137.865. (1) The Organized Retail Theft Grant Program is established to assist:

1 (a) Cities and counties with the costs incurred by local law enforcement agencies in addressing  
2 organized retail theft; and

3 (b) The Department of Justice with costs incurred by the department in addressing organized  
4 retail theft.

5 (2) The Oregon Criminal Justice Commission shall administer the grant program described in  
6 subsection (1) of this section and shall award the grants described in this section.

7 (3) The commission may adopt rules to administer the grant program, including:

8 (a) A methodology for reviewing and approving grant applications and awarding grants;

9 (b) A process for distributing any unallocated funds;

10 (c) A process for evaluating the efficacy of programs and services funded by the grant program;

11 (d) Provisions related to requests by grant recipients to adjust their grant awards; and

12 (e) Provisions related to partnerships or collaborations between applicants.

13 (4)(a) Moneys distributed to grant recipients under this section must be spent on costs associ-  
14 ated with addressing and prosecuting organized retail theft and may be used for the purchase of  
15 equipment.

16 **(b) The use of any automated license plate recognition system, as defined in section 3 of**  
17 **this 2026 Act, purchased under this section must comply with the provisions of sections 3 to**  
18 **9 of this 2026 Act.**

19 (5) As used in this section, “equipment” means any item used by peace officers, deputy district  
20 attorneys or retail asset protection investigators in detecting, investigating, documenting or adjudi-  
21 cating organized retail theft activities.

22 **SECTION 11.** ORS 192.345 is amended to read:

23 192.345. The following public records are exempt from disclosure under ORS 192.311 to 192.478  
24 unless the public interest requires disclosure in the particular instance:

25 (1) Records of a public body pertaining to litigation to which the public body is a party if the  
26 complaint has been filed, or if the complaint has not been filed, if the public body shows that such  
27 litigation is reasonably likely to occur. This exemption does not apply to litigation which has been  
28 concluded, and nothing in this subsection shall limit any right or opportunity granted by discovery  
29 or deposition statutes to a party to litigation or potential litigation.

30 (2) Trade secrets. “Trade secrets,” as used in this section, may include, but are not limited to,  
31 any formula, plan, pattern, process, tool, mechanism, compound, procedure, production data, or  
32 compilation of information which is not patented, which is known only to certain individuals within  
33 an organization and which is used in a business it conducts, having actual or potential commercial  
34 value, and which gives its user an opportunity to obtain a business advantage over competitors who  
35 do not know or use it.

36 (3) Investigatory information compiled for criminal law purposes. The record of an arrest or the  
37 report of a crime shall be disclosed unless and only for so long as there is a clear need to delay  
38 disclosure in the course of a specific investigation, including the need to protect the complaining  
39 party or the victim. Nothing in this subsection shall limit any right constitutionally guaranteed, or  
40 granted by statute, to disclosure or discovery in criminal cases. For purposes of this subsection, the  
41 record of an arrest or the report of a crime includes, but is not limited to:

42 (a) The arrested person’s name, age, residence, employment, marital status and similar bi-  
43 ographical information;

44 (b) The offense with which the arrested person is charged;

45 (c) The conditions of release pursuant to ORS 135.230 to 135.290;

1 (d) The identity of and biographical information concerning both complaining party and victim;  
2 (e) The identity of the investigating and arresting agency and the length of the investigation;  
3 (f) The circumstances of arrest, including time, place, resistance, pursuit and weapons used; and  
4 (g) Such information as may be necessary to enlist public assistance in apprehending fugitives  
5 from justice.

6 (4) Test questions, scoring keys, and other data used to administer a licensing examination,  
7 employment, academic or other examination or testing procedure before the examination is given  
8 and if the examination is to be used again. Records establishing procedures for and instructing  
9 persons administering, grading or evaluating an examination or testing procedure are included in  
10 this exemption, to the extent that disclosure would create a risk that the result might be affected.

11 (5) Information consisting of production records, sale or purchase records or catch records, or  
12 similar business records of a private concern or enterprise, required by law to be submitted to or  
13 inspected by a governmental body to allow it to determine fees or assessments payable or to estab-  
14 lish production quotas, and the amounts of such fees or assessments payable or paid, to the extent  
15 that such information is in a form that would permit identification of the individual concern or en-  
16 terprise. This exemption does not include records submitted by long term care facilities as defined  
17 in ORS 442.015 to the state for purposes of reimbursement of expenses or determining fees for pa-  
18 tient care. Nothing in this subsection shall limit the use that can be made of such information for  
19 regulatory purposes or its admissibility in any enforcement proceeding.

20 (6) Information relating to the appraisal of real estate prior to its acquisition.

21 (7) The names and signatures of employees who sign authorization cards or petitions for the  
22 purpose of requesting representation or decertification elections.

23 (8) Investigatory information relating to any complaint filed under ORS 659A.820 or 659A.825,  
24 until such time as the complaint is resolved under ORS 659A.835, or a final order is issued under  
25 ORS 659A.850.

26 (9) Investigatory information relating to any complaint or charge filed under ORS 243.676 and  
27 663.180.

28 (10) Records, reports and other information received or compiled by the Director of the De-  
29 partment of Consumer and Business Services under ORS 697.732.

30 (11) Information concerning the location of archaeological sites or objects as those terms are  
31 defined in ORS 358.905, except if the governing body of an Indian tribe requests the information and  
32 the need for the information is related to that Indian tribe's cultural or religious activities. This  
33 exemption does not include information relating to a site that is all or part of an existing, commonly  
34 known and publicized tourist facility or attraction.

35 (12) A personnel discipline action, or materials or documents supporting that action.

36 (13) Fish and wildlife information developed pursuant to ORS 496.004, 496.172 and 498.026 or  
37 ORS 496.192 and 564.100, regarding the habitat, location or population of any threatened species or  
38 endangered species.

39 (14) Writings prepared by or under the direction of faculty of public educational institutions, in  
40 connection with research, until publicly released, copyrighted or patented.

41 (15) Computer programs developed or purchased by or for any public body for its own use. As  
42 used in this subsection, "computer program" means a series of instructions or statements which  
43 permit the functioning of a computer system in a manner designed to provide storage, retrieval and  
44 manipulation of data from such computer system, and any associated documentation and source  
45 material that explain how to operate the computer program. "Computer program" does not include:

- 1 (a) The original data, including but not limited to numbers, text, voice, graphics and images;  
2 (b) Analyses, compilations and other manipulated forms of the original data produced by use of  
3 the program; or  
4 (c) The mathematical and statistical formulas which would be used if the manipulated forms of  
5 the original data were to be produced manually.
- 6 (16) Data and information provided by participants to mediation under ORS 36.256.
- 7 (17) Investigatory information relating to any complaint or charge filed under ORS chapter 654,  
8 until a final administrative determination is made or, if a citation is issued, until an employer re-  
9 ceives notice of any citation.
- 10 (18) Specific operational plans in connection with an anticipated threat to individual or public  
11 safety for deployment and use of personnel and equipment, prepared or used by a public body, if  
12 public disclosure of the plans would endanger an individual's life or physical safety or jeopardize a  
13 law enforcement activity.
- 14 (19)(a) Audits or audit reports required of a telecommunications carrier. As used in this para-  
15 graph, "audit or audit report" means any external or internal audit or audit report pertaining to a  
16 telecommunications carrier, as defined in ORS 133.721, or pertaining to a corporation having an af-  
17 filiated interest, as defined in ORS 759.390, with a telecommunications carrier that is intended to  
18 make the operations of the entity more efficient, accurate or compliant with applicable rules, pro-  
19 cedures or standards, that may include self-criticism and that has been filed by the telecommuni-  
20 cations carrier or affiliate under compulsion of state law. "Audit or audit report" does not mean an  
21 audit of a cost study that would be discoverable in a contested case proceeding and that is not  
22 subject to a protective order; and
- 23 (b) Financial statements. As used in this paragraph, "financial statement" means a financial  
24 statement of a nonregulated corporation having an affiliated interest, as defined in ORS 759.390,  
25 with a telecommunications carrier, as defined in ORS 133.721.
- 26 (20) The residence address of an elector if authorized under ORS 247.965 and subject to ORS  
27 247.967.
- 28 (21) The following records, communications and information submitted to a housing authority  
29 as defined in ORS 456.005, or to an urban renewal agency as defined in ORS 457.010, by applicants  
30 for and recipients of loans, grants and tax credits:
- 31 (a) Personal and corporate financial statements and information, including tax returns;  
32 (b) Credit reports;  
33 (c) Project appraisals, excluding appraisals obtained in the course of transactions involving an  
34 interest in real estate that is acquired, leased, rented, exchanged, transferred or otherwise disposed  
35 of as part of the project, but only after the transactions have closed and are concluded;  
36 (d) Market studies and analyses;  
37 (e) Articles of incorporation, partnership agreements and operating agreements;  
38 (f) Commitment letters;  
39 (g) Project pro forma statements;  
40 (h) Project cost certifications and cost data;  
41 (i) Audits;  
42 (j) Project tenant correspondence requested to be confidential;  
43 (k) Tenant files relating to certification; and  
44 (L) Housing assistance payment requests.
- 45 (22) Records or information that, if disclosed, would allow a person to:

- 1 (a) Gain unauthorized access to buildings or other property;
- 2 (b) Identify those areas of structural or operational vulnerability that would permit unlawful  
3 disruption to, or interference with, services; or
- 4 (c) Disrupt, interfere with or gain unauthorized access to public funds or to information pro-  
5 cessing, communication or telecommunication systems, including the information contained in the  
6 systems, that are used or operated by a public body.
- 7 (23) Records or information that would reveal or otherwise identify security measures, or  
8 weaknesses or potential weaknesses in security measures, taken or recommended to be taken to  
9 protect:
- 10 (a) An individual;
- 11 (b) Buildings or other property;
- 12 (c) Information processing, communication or telecommunication systems, including the infor-  
13 mation contained in the systems; or
- 14 (d) Those operations of the Oregon State Lottery the security of which are subject to study and  
15 evaluation under ORS 461.180 (6).
- 16 (24) Personal information held by or under the direction of officials of the Oregon Health and  
17 Science University or a public university listed in ORS 352.002 about a person who has or who is  
18 interested in donating money or property to the Oregon Health and Science University or a public  
19 university, if the information is related to the family of the person, personal assets of the person or  
20 is incidental information not related to the donation.
- 21 (25) The home address, professional address and telephone number of a person who has or who  
22 is interested in donating money or property to a public university listed in ORS 352.002.
- 23 (26) Records of the name and address of a person who files a report with or pays an assessment  
24 to a commodity commission established under ORS 576.051 to 576.455, the Oregon Beef Council  
25 created under ORS 577.210 or the Oregon Wheat Commission created under ORS 578.030.
- 26 (27) Information provided to, obtained by or used by a public body to authorize, originate, re-  
27 ceive or authenticate a transfer of funds, including but not limited to a credit card number, payment  
28 card expiration date, password, financial institution account number and financial institution routing  
29 number.
- 30 (28) Social Security numbers as provided in ORS 107.840.
- 31 (29) The electronic mail address of a student who attends a public university listed in ORS  
32 352.002 or Oregon Health and Science University.
- 33 (30) The name, home address, professional address or location of a person that is engaged in,  
34 or that provides goods or services for, medical research at Oregon Health and Science University  
35 that is conducted using animals other than rodents. This subsection does not apply to Oregon Health  
36 and Science University press releases, websites or other publications circulated to the general pub-  
37 lic.
- 38 (31) If requested by a public safety officer, as defined in ORS 181A.355, or a county juvenile  
39 department employee who is charged with and primarily performs duties related to the custody,  
40 control or supervision of adjudicated youths confined in a detention facility, as defined in ORS  
41 419A.004:
- 42 (a) The home address and home telephone number of the public safety officer or county juvenile  
43 department employee contained in the voter registration records for the officer or employee.
- 44 (b) The home address and home telephone number of the public safety officer or county juvenile  
45 department employee contained in records of the Department of Public Safety Standards and Train-

1 ing.

2 (c) The name of the public safety officer or county juvenile department employee contained in  
3 county real property assessment or taxation records. This exemption:

4 (A) Applies only to the name of the officer or employee and any other owner of the property in  
5 connection with a specific property identified by the officer or employee in a request for exemption  
6 from disclosure;

7 (B) Applies only to records that may be made immediately available to the public upon request  
8 in person, by telephone or using the Internet;

9 (C) Applies until the officer or employee requests termination of the exemption;

10 (D) Does not apply to disclosure of records among public bodies as defined in ORS 174.109 for  
11 governmental purposes; and

12 (E) May not result in liability for the county if the name of the officer or employee is disclosed  
13 after a request for exemption from disclosure is made under this subsection.

14 (32) Unless the public records request is made by a financial institution, as defined in ORS  
15 706.008, consumer finance company licensed under ORS chapter 725, mortgage banker or mortgage  
16 broker licensed under ORS 86A.095 to 86A.198, or title company for business purposes, records de-  
17 scribed in paragraph (a) of this subsection, if the exemption from disclosure of the records is sought  
18 by an individual described in paragraph (b) of this subsection using the procedure described in par-  
19 agraph (c) of this subsection:

20 (a) The home address, home or cellular telephone number or personal electronic mail address  
21 contained in the records of any public body that has received the request that is set forth in:

22 (A) A warranty deed, deed of trust, mortgage, lien, deed of reconveyance, release, satisfaction,  
23 substitution of trustee, easement, dog license, marriage license or military discharge record that is  
24 in the possession of the county clerk; or

25 (B) Any public record of a public body other than the county clerk.

26 (b) The individual claiming the exemption from disclosure must be a district attorney, a deputy  
27 district attorney, the Attorney General or an assistant attorney general, the United States Attorney  
28 for the District of Oregon or an assistant United States attorney for the District of Oregon, a city  
29 attorney who engages in the prosecution of criminal matters or a deputy city attorney who engages  
30 in the prosecution of criminal matters.

31 (c) The individual claiming the exemption from disclosure must do so by filing the claim in  
32 writing with the public body for which the exemption from disclosure is being claimed on a form  
33 prescribed by the public body. Unless the claim is filed with the county clerk, the claim form shall  
34 list the public records in the possession of the public body to which the exemption applies. The ex-  
35 emption applies until the individual claiming the exemption requests termination of the exemption  
36 or ceases to qualify for the exemption.

37 (33) The following voluntary conservation agreements and reports:

38 (a) Land management plans required for voluntary stewardship agreements entered into under  
39 ORS 541.973; and

40 (b) Written agreements relating to the conservation of greater sage grouse entered into volun-  
41 tarily by owners or occupiers of land with a soil and water conservation district under ORS 568.550.

42 (34) Sensitive business records or financial or commercial information of the State Accident In-  
43 surance Fund Corporation that is not customarily provided to business competitors. This exemption  
44 does not:

45 (a) Apply to the formulas for determining dividends to be paid to employers insured by the State

1 Accident Insurance Fund Corporation;

2 (b) Apply to contracts for advertising, public relations or lobbying services or to documents re-  
3 lated to the formation of such contracts;

4 (c) Apply to group insurance contracts or to documents relating to the formation of such con-  
5 tracts, except that employer account records shall remain exempt from disclosure as provided in  
6 ORS 192.355 (35); or

7 (d) Provide the basis for opposing the discovery of documents in litigation pursuant to the ap-  
8 plicable rules of civil procedure.

9 (35) Records of the Department of Public Safety Standards and Training relating to investi-  
10 gations conducted under ORS 181A.640 or 181A.870 (6), until the department issues the report de-  
11 scribed in ORS 181A.640 or 181A.870.

12 (36) A medical examiner's report, autopsy report or laboratory test report ordered by a medical  
13 examiner under ORS 146.117.

14 (37) Any document or other information related to an audit of a public body, as defined in ORS  
15 174.109, that is in the custody of an auditor or audit organization operating under nationally re-  
16 cognized government auditing standards, until the auditor or audit organization issues a final audit  
17 report in accordance with those standards or the audit is abandoned. This exemption does not pro-  
18 hibit disclosure of a draft audit report that is provided to the audited entity for the entity's response  
19 to the audit findings.

20 (38)(a) Personally identifiable information collected as part of an electronic fare collection sys-  
21 tem of a mass transit system.

22 (b) The exemption from disclosure in paragraph (a) of this subsection does not apply to public  
23 records that have attributes of anonymity that are sufficient, or that are aggregated into groupings  
24 that are broad enough, to ensure that persons cannot be identified by disclosure of the public re-  
25 cords.

26 (c) As used in this subsection:

27 (A) "Electronic fare collection system" means the software and hardware used for, associated  
28 with or relating to the collection of transit fares for a mass transit system, including but not limited  
29 to computers, radio communication systems, personal mobile devices, wearable technology, fare in-  
30 struments, information technology, data storage or collection equipment, or other equipment or im-  
31 provements.

32 (B) "Mass transit system" has the meaning given that term in ORS 267.010.

33 (C) "Personally identifiable information" means all information relating to a person that ac-  
34 quires or uses a transit pass or other fare payment medium in connection with an electronic fare  
35 collection system, including but not limited to:

36 (i) Customer account information, date of birth, telephone number, physical address, electronic  
37 mail address, credit or debit card information, bank account information, Social Security or taxpayer  
38 identification number or other identification number, transit pass or fare payment medium balances  
39 or history, or similar personal information; or

40 (ii) Travel dates, travel times, frequency of use, travel locations, service types or vehicle use,  
41 or similar travel information.

42 (39)(a) If requested by a civil code enforcement officer:

43 (A) The home address and home telephone number of the civil code enforcement officer con-  
44 tained in the voter registration records for the officer.

45 (B) The name of the civil code enforcement officer contained in county real property assessment

1 or taxation records. This exemption:

2 (i) Applies only to the name of the civil code enforcement officer and any other owner of the  
3 property in connection with a specific property identified by the officer in a request for exemption  
4 from disclosure;

5 (ii) Applies only to records that may be made immediately available to the public upon request  
6 in person, by telephone or using the Internet;

7 (iii) Applies until the civil code enforcement officer requests termination of the exemption;

8 (iv) Does not apply to disclosure of records among public bodies as defined in ORS 174.109 for  
9 governmental purposes; and

10 (v) May not result in liability for the county if the name of the civil code enforcement officer  
11 is disclosed after a request for exemption from disclosure is made under this subsection.

12 (b) As used in this subsection, “civil code enforcement officer” means an employee of a public  
13 body, as defined in ORS 174.109, who is charged with enforcing laws or ordinances relating to land  
14 use, zoning, use of rights-of-way, solid waste, hazardous waste, sewage treatment and disposal or the  
15 state building code.

16 (40) Audio or video recordings, whether digital or analog, resulting from a law enforcement  
17 officer’s operation of a video camera worn upon the officer’s person that records the officer’s inter-  
18 actions with members of the public while the officer is on duty. When a recording described in this  
19 subsection is subject to disclosure, the following apply:

20 (a) Recordings that have been sealed in a court’s record of a court proceeding or otherwise or-  
21 dered by a court not to be disclosed may not be disclosed.

22 (b) A request for disclosure under this subsection must identify the approximate date and time  
23 of an incident for which the recordings are requested and be reasonably tailored to include only that  
24 material for which a public interest requires disclosure.

25 (c) A video recording disclosed under this subsection must, prior to disclosure, be edited in a  
26 manner as to render the faces of all persons within the recording unidentifiable.

27 (41) The contents of tips reported to a tip line, as defined in ORS 339.329. However, personally  
28 identifiable information, as defined in ORS 339.329, is not subject to public interest balancing under  
29 this section and remains exempt from disclosure except as provided in ORS 339.329.

30 (42) Residential addresses of individuals with intellectual or developmental disabilities residing  
31 in adult foster homes as defined in ORS 443.705 or residential training facilities or residential  
32 training homes as those terms are defined in ORS 443.400.

33 (43) The name, home address, professional address or location of an individual who is authorized  
34 to provide physical and behavioral health care services in this state and who provides reproductive  
35 and gender-affirming health care services.

36 **(44)(a) Captured license plate data, as that term is defined in section 3 of this 2026 Act,**  
37 **collected by an automated license plate recognition system, as that term is defined in section**  
38 **3 of this 2026 Act, if the automated license plate recognition system is deployed or used by**  
39 **a law enforcement agency. Except that the contents of an audit described in section 6 of this**  
40 **2026 Act shall be disclosed provided that the contents are, prior to disclosure, edited in a**  
41 **manner as to remove all personally identifiable information, including any license plate**  
42 **number or vehicle characteristics relating to a person whose captured license plate data is**  
43 **collected by an automated license plate recognition system.**

44 **(b) When captured license plate data is subject to conditional disclosure, the following**  
45 **apply:**

1 (A) A request for disclosure under this subsection must identify the approximate date  
2 and time of the collection of captured license plate data for which the captured license plate  
3 data is requested and be reasonably tailored to include only that material for which a public  
4 interest requires disclosure.

5 (B) A video recording or image disclosed under this subsection must, prior to disclosure,  
6 be edited in a manner as to render the faces of all persons within the recording or image  
7 unidentifiable.

8 (C) Captured license plate data that has been sealed in a court's record of a court pro-  
9 ceeding or otherwise ordered by a court not to be disclosed may not be disclosed, unless  
10 otherwise contained in an audit described in section 6 of this 2026 Act.

11 (c) Nothing in this subsection shall limit any right constitutionally guaranteed, or  
12 granted by statute, to disclosure or discovery in criminal cases.

13  
14 **JUSTICE REINVESTMENT EQUITY PROGRAM**

15  
16 **SECTION 12.** Section 15, chapter 78, Oregon Laws 2022, is amended to read:

17 **Sec. 15.** (1) The Oregon Criminal Justice Commission shall distribute [*the*] **any** moneys [*received*  
18 *pursuant to section 14 of this 2022 Act to the Northwest Health Foundation Fund II to fund*] **appro-**  
19 **priated to the commission for** the Justice Reinvestment Equity Program **as described in this**  
20 **section.** The program shall consist of the provision of subgrants and technical assistance [*by the*  
21 *Northwest Health Foundation Fund II*], **by an intermediary technical assistance provider**, to  
22 culturally specific organizations and culturally responsive service providers for the following pur-  
23 poses:

24 (a) Mental health and substance use disorder treatment;

25 (b) Maternal health services;

26 (c) Trauma-informed restorative justice services;

27 (d) Violence reduction programs, including but not limited to violence interruption mentors or  
28 after-school programs focused on art, music, theater or dance;

29 (e) Crisis intervention without police involvement;

30 (f) Reentry programs that are connected to education, workforce development and transitional  
31 supports;

32 (g) Long-term supportive housing;

33 (h) Support for setting aside conviction records;

34 (i) Pretrial release support;

35 (j) Services for victims, including incarcerated victims or victims on pretrial release;

36 (k) Programs for persons, and families of persons, who are currently or were formerly  
37 incarcerated;

38 (L) Programs designed to reduce recidivism and reduce contact with the criminal justice system;

39 (m) Programs for persons who have been impacted by police violence, either directly or through  
40 a family member; or

41 (n) Planning [*grants*] **subgrants** and technical assistance to support the development of new  
42 culturally specific services, or to strengthen existing services, that are aligned with the other pur-  
43 poses described in this subsection.

44 (2) Recognizing that systemic racism exists within this state and within the criminal justice  
45 system, and that culturally specific organizations and culturally responsive services must be ex-

1 panded to address those disparities, the purpose of the Justice Reinvestment Equity Program is to  
2 promote racial equity, reduce racial disparities, reduce recidivism and decrease a county's utiliza-  
3 tion of imprisonment in a Department of Corrections institution, all while protecting public safety  
4 and holding offenders accountable.

5 **(3)(a) As part of the program, the commission shall select a culturally responsive tech-**  
6 **anical assistance provider that has experience working with prior Justice Reinvestment Eq-**  
7 **uity Program subgrantees to serve as an intermediary between the commission and program**  
8 **subgrantees. The commission shall distribute to the technical assistance provider, as a grant,**  
9 **the moneys appropriated to the commission for the program.**

10 **(b) The technical assistance provider shall develop selection criteria and recommen-**  
11 **dations for subgrants provided as part of the program. The commission has approval au-**  
12 **thority for final subgrant awards based on the selection criteria and recommendations.**

13 **(c) In consultation with the commission, the technical assistance provider is responsible**  
14 **for:**

15 **(A) Oversight and compilation of fiscal and data reporting that incorporate measures of**  
16 **success as defined by the technical assistance provider;**

17 **(B) Administering the application and subgrant management processes for program**  
18 **funding and making recommendations to the commission on final subgrant awards;**

19 **(C) Assisting subgrantees with the effective implementation and management of program**  
20 **subgrant funds;**

21 **(D) Organizational capacity-building, with a focus on effective subgrant management and**  
22 **performance of subgrant deliverables; and**

23 **(E) Developing working relationships between program subgrantees and other organiza-**  
24 **tions funded by the commission to the benefit of individuals and the community.**

25 [(3)] **(4) Notwithstanding subsection (1) of this section, up to three percent of funds distributed**  
26 **under this section may be used by the [Northwest Health Foundation Fund II] technical assistance**  
27 **provider selected by the commission under subsection (3) of this section for administrative**  
28 **costs.**

29 [(4)] **(5) The Oregon Criminal Justice Commission may adopt rules to carry out the provisions**  
30 **of this section.**

31 [(5)] **(6) As used in this section:**

32 (a) "Administrative costs" means all costs incurred throughout the administration of the Justice  
33 Reinvestment Equity Program that are not directly related to the delivery of program services or  
34 projects.

35 (b) "Culturally responsive service" means a service that is respectful of, and relevant to, the  
36 beliefs, practices, cultures and linguistic needs of diverse consumer or client populations and com-  
37 munities whose members identify as having particular cultural or linguistic affiliations by virtue of  
38 their place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at  
39 home. A culturally responsive service has the capacity to respond to the issues of diverse commu-  
40 nities and require knowledge and capacity at systemic, organizational, professional and individual  
41 levels of intervention.

42 (c) "Culturally specific organization" means an organization, or a program within an organiza-  
43 tion, that serves a particular cultural community, that is primarily staffed and led by members of  
44 that community and that demonstrates self-advocacy, positive cultural identity and intimate knowl-  
45 edge of the lived experience of the community, including but not limited to:

- 1 (A) The impact of structural and individual racism or discrimination on the community;
- 2 (B) Specific disparities in access to services and resources experienced by the community; and
- 3 (C) Community strengths, cultural practices, beliefs and traditions.

4  
5 **CAPTIONS**

6  
7 **SECTION 13. The unit and section captions used in this 2026 Act are provided only for**  
8 **the convenience of the reader and do not become part of the statutory law of this state or**  
9 **express any legislative intent in the enactment of this 2026 Act.**

10  
11 **EMERGENCY CLAUSE**

12  
13 **SECTION 14. This 2026 Act being necessary for the immediate preservation of the public**  
14 **peace, health and safety, an emergency is declared to exist, and this 2026 Act takes effect**  
15 **on its passage.**

16 \_\_\_\_\_