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TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION
DOC 12-2025
CHAPTER 291
DEPARTMENT OF CORRECTIONS

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ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Release of Public Records - Requests for Department Public Records

EFFECTIVE DATE: 07/07/2025 THROUGH 01/02/2026

AGENCY APPROVED DATE: 07/03/2025

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NEED FOR THE RULE(S):

The Department of Corrections' Division 037 rules establish department policy and procedures governing the submission and processing of requests of the department for public records. The proposed amendments to OAR 291-037-0015 are needed to establish and guide requesters, other than adults in custody, to a new online public records portal linked on the existing DOC website for making and communicating with the Department of Corrections regarding requests of the department for public records, receiving statutorily-required responses and communications from the department, and for receiving copies of public records – all from one web-based location using the internet.

JUSTIFICATION OF TEMPORARY FILING:

The Department of Corrections finds that following the permanent rulemaking process, rather than taking this temporary rulemaking action will result in serious prejudice to the public interest because the department's failure to promptly amend OAR 291-037-0015 will prevent the department from immediately: (1) Adopting and making available to the public a new streamlined and modern web-based process for making and communicating with the Department of Corrections regarding requests of the department for public records, receiving statutorily-required responses and communications from the department, and for receiving copies of public records – all from one web-based location using the internet; (2) Providing the public with improved response times to their requests of the department for public records; and (3) Benefiting from improved capabilities and efficiencies, including improved identification of redundancies and program analytics, that the new online public records portal and associated vendor software and services will provide for the department and the public.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

None.

AMEND: 291-037-0015

RULE TITLE: Requests for Department Public Records

RULE SUMMARY: Amends rule to update process for non-AICs requesting public records from the department to include a new online public records portal linked on the existing DOC website, and for submitting written requests in

person; update process for AICs to submit requests for public records from the department; provide requirements and guidance on information to include in a request for public records; and clarify what the process is when a request for public records is submitted to the wrong unit.

RULE TEXT:

- (1) Any person may request public records from the department.
- (2) Persons requesting public records from the department must submit their request in writing to the department's functional unit where the record(s) is located. Additional information on submitting a record request is located on the department's web site at www.oregon.gov/doc/research-and-requests. The written request must specify the following:
 - (a) Name and mailing address of the person requesting the public record;
 - (b) Requester's email address and telephone number;
 - (c) The requested records, describing in as much detail as possible the following information, as may be applicable:
 - (A) Subject matter;
 - (B) Approximate dates the records were created;
 - (C) Names of the persons involved (if an AIC, include the AIC's state identification (SID) number);
 - (d) Instruction to the department to certify copies as true copies, if necessary;
- (3) Where applicable, the request for records must be accompanied by a signed written disclosure authorization (e.g., medical records, education records, alcohol and drug treatment records, trust account records).
- (4) If the requested record(s) is not located in the functional unit where the request is received, the request will be forwarded to the appropriate Department of Corrections functional unit where the record is located.

STATUTORY/OTHER AUTHORITY: ORS 179.040, 423.020, 423.030, 423.075, 192.318, 192.324

STATUTES/OTHER IMPLEMENTED: ORS 179.040, 423.020, 423.030, 423.075, 192.318, 192.324