

# Frequently Asked Questions (FAQ)

## **What is a public record?**

With a few exceptions, all government records of any kind are considered public records. This includes, but is not limited to, paper, electronic, microfilm and film. A public record is any writing with information about the conduct of public business that is prepared, owned, used or retained by a public body.

## **Who can make a request for records?**

Under Oregon's Public Records Law ([ORS 192.311 – 192.478](#)) the public has the right to inspect and copy certain public records. The law also states that certain records are confidential and therefore exempt from public disclosure (ORS 192.501).

## **Can I get my own records from ODHS?**

Yes. Personal records requests can be made here:

<https://www.oregon.gov/DHS/Pages/RecordRequests.aspx>

## **How do I request a record?**

Our current methods for requesting a record are online or by mail. The preferred method to submit a request is through an ODHS's online form. If a request comes in any other channels besides the online form, the request information will be entered in the online form through the Public Records Unit for processing and managing the request.

## **What types of records are there?**

The types of records requests are:

- Personal records requests
- Public records request
- Media records requests

## **Can a government agency charge citizens for copies of public records?**

Public agencies may charge a fee to recover the costs of fulfilling a records request. You may be required to cover the cost of compiling records up front. Fees are sometimes waived or reduced if doing so is in the public interest. You can appeal a public agency's refusal to waive the fee.

## **Are all public records subject to disclosure?**

Most public records are subject to disclosure, but there are exemptions. Records related to an active criminal investigation are exempt from disclosure until the case is resolved. Confidential communications between government officials and government lawyers are also exempt from disclosure. Public agencies that deny public records requests must show that their denials are consistent with the law. For a list of exemptions and a discussion of their application, visit the [Attorney General's Public Records and Meetings Manual](#).

## **What can I do if a government agency denies my request for public records?**

If a state agency had denied your request for public records, you may file an appeal to the Oregon Attorney General using the [Petition For Public Records Order \(PDF\)](#).

Denial by a local government must be appealed to the county District Attorney. If your appeal is denied, you may file a lawsuit challenging the ruling in Circuit Court.

## **Will my document have redactions?**

Depending on the type of request or who is requesting the record, the results may have redaction in accordance with laws and limitations.

## **Resources and Links**

### **Where can I go to request records from another state agency?**

Here is a listing of state agencies with links for requesting records: <https://www.oregon.gov/transparency/Pages/Public-Records-Requests.aspx>

### **Oregon Public Records Statute**

You can find Oregon Public Records Statute online at: [https://www.oregonlegislature.gov/bills\\_laws/ors/ors192.html](https://www.oregonlegislature.gov/bills_laws/ors/ors192.html)