Oregon Public Records Advisory Council

Draft 2026 Report to the Governor and Legislature

Findings, Legislative Recommendations, and Priorities for Future Consideration

Oct. 26, 2026 review draft for subcommittee consideration
Reporting period: January–October 2026, with outstanding matters identified for the remainder of 2026
Prepared with AI assistance from publicly available transcripts and documents

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Executive Summary

Oregon has a longstanding tradition of government transparency and public participation. The state's direct-democracy reforms of 1902 helped establish a culture of public involvement, and Oregon's Public Records and Public Meetings Laws, enacted in 1973, established a statutory framework for public access to government information. These traditions reflect a fundamental principle: people should be able to understand what their government is doing and hold it accountable.

The Oregon Public Records Advisory Council (PRAC) works to strengthen that principle by identifying barriers to access and recommending improvements to public records law, policy, and practice.

In 2026, the Council built on its **2025 Oregon Public Records Transparency Survey**, which found that public bodies frequently struggle with limited staffing, time-consuming records searches and redactions, inconsistent technology, and misunderstandings between agencies and requesters. These challenges can delay disclosure, increase administrative costs, and undermine public confidence.

The Council's legislative subcommittee developed proposals to address these problems. At its September 2, 2026, meeting, the Council considered concepts for potential 2027 legislative action, including improved communication about fees and public records procedures, a Public Records Capacity Grant Program, a Public Records Mutual Aid and Surge Support Program, and a Statewide Public Records Technology Collaborative.

These proposals pursue three complementary goals:

- **Make the process clearer:** Improve explanations of fee estimates, fee-waiver denials, and public records procedures.
- **Give public bodies the capacity to comply:** Explore grants, training, and temporary assistance for agencies facing staffing shortages or unusually large workloads.
- **Make better use of technology:** Investigate shared purchasing, existing state systems, and tools that could make records easier to find, review, and disclose.

Important questions remain about funding, implementation, and the relationship between proposed technology improvements and existing state systems. Artificial intelligence (AI) is also an increasingly important issue. It may help public bodies search and review records more efficiently, but it raises questions about accuracy, accountability, retention, and improper redaction. The Council should examine AI as a major future policy topic, with a focus on improving access rather than automating decisions to withhold information.

The Council also oversees the independent Public Records Advocate. That office's requests for assistance have grown substantially, reaching 149 in the first three and a half months of 2026—more than 2.6 times the number during the same period in 2019. New reporting on frequently involved agencies and a survey question measuring whether requesters ultimately obtained the records they sought will help the Legislature identify recurring barriers to access and evaluate whether assistance is producing meaningful results.

The Council's central mission is to make Oregon's transparency commitments workable in practice. Effective access requires not only clear legal rights, but also adequate resources, reliable systems, informed staff, and understandable communication with the public.

1. Identified Problems

The Council's 2025 survey of public bodies provided the foundation for its 2026 work. The survey identified several recurring challenges.

- **Limited staffing and time.** Many public bodies rely on a single records coordinator who also performs other duties. Extensive email searches, legal review, and redaction can consume substantial staff time, particularly for small agencies and complex requests.
- **Confusion about the process.** Agencies reported misunderstandings about what qualifies as a public record, why some information must be redacted, how fees are calculated, and why some requests take longer than others. Public bodies also have a responsibility to explain their procedures and decisions clearly.
- **Uneven technology and systems.** Some agencies use modern request-tracking, search, and redaction tools; others rely on fragmented, outdated, or manual processes. Smaller jurisdictions may not have the resources to purchase and maintain specialized software independently.

- **Complex legal and administrative requirements.** Staff must navigate exemptions, fee estimates, retention rules, and statutory deadlines. Inconsistent practices and limited training can increase the likelihood of delays and disputes.
- **Limited surge capacity.** An unusually large request or sudden increase in public interest can overwhelm an agency that normally manages its workload. Many public bodies lack a ready mechanism for obtaining temporary expert assistance.
- **Gaps in statewide information.** Survey respondents identified difficulties tracking requests and gathering comparable data. Future surveys need to provide useful information without imposing unnecessary burdens on participating agencies.

These problems are related. Better technology cannot fully address a shortage of trained staff; additional staffing cannot solve every problem caused by fragmented systems; and neither of these will eliminate disputes if agencies and requesters lack clear information about the process.

The Council's recommendations therefore focus on combining practical resources with clearer procedures and greater coordination.

Source: Findings and Recommendations from the 2025 Oregon Public Records Transparency Survey.

2. Proposed Solutions and Council Actions

During 2026, the legislative subcommittee developed concepts intended to address the survey findings. The following proposals were approved by the full Council on September 2 for potential 2027 legislative consideration. They remain subject to further legislative development.

A. Clearer communication about fees and procedures

The communication concepts address three issues:

- **Fee estimates:** Allow requesters to ask for an explanation of the basis for an estimated fee, with a proposed deadline for the public body to respond.
- **Public-interest fee waivers:** Require a written explanation when a public body denies a request for a fee waiver or substantial reduction.
- **Public records procedures:** Require public bodies to make their written request procedures publicly available, with proposed limits on charging fees before complying with that requirement.

These proposals seek to make decisions easier to understand and challenge when appropriate. During the September discussion, members raised questions about implementation deadlines and the burden on small public bodies. Final legislative language should address those concerns while preserving meaningful requester protections.

B. Public Records Capacity Grant Program

The proposed grant program would help public bodies address staffing shortages, backlogs, training needs, and technology gaps. Potential uses include temporary or dedicated records staff, improved tracking and redaction tools, and shared regional projects.

The concept identifies a General Fund appropriation as the preferred primary funding source, while also raising alternatives that would require further analysis. Eligibility, administration, recurring costs, and performance measures remain to be resolved.

The goal is to help agencies meet their obligations and improve access—not to reward poor performance. Funding criteria should encourage demonstrable improvements in timely and lawful disclosure.

C. Public Records Mutual Aid and Surge Support Program

This proposal would create a way for public bodies to obtain temporary assistance when request volume or complexity exceeds their capacity. A roster of trained personnel or specialists could help with records processing, search, redaction, and related technical work.

A pilot involving willing public bodies could test the concept before broader implementation. Important details include staff supervision, liability, reimbursement, confidentiality, access to sensitive systems, and responsibility for final disclosure decisions.

D. Statewide Public Records Technology Collaborative

The technology concept seeks to improve access to shared tools, coordinated purchasing, and technical assistance across the public records lifecycle.

Further investigation is needed before recommending new infrastructure. Oregon already has records-management and request-processing systems, including the Oregon Records Management Solution (ORMS) and GovQA arrangements. These systems have different functions, and the Council should determine what existing services are available, which public bodies can use them, and what gaps remain.

The goal should be to build on existing capabilities where practical, rather than create a costly new platform without a clear demonstration of need.

What these proposals have in common

Together, the concepts address the practical conditions necessary for transparency: understandable procedures, adequate staffing, access to appropriate tools, and the ability to

respond when workloads increase. Their effectiveness will depend on sound implementation, sustainable funding, and measurable improvements in public access.

Sources: PRAC meeting materials, transcripts, and legislative concepts, including the February, April, May, June, August, and September 2026 materials.

3. Outstanding Concerns and Future Priorities

Sustainable funding and implementation

The Council has not resolved how all proposed programs would be funded or administered. Grants, shared technology, and surge support may require ongoing resources. The Council should assess costs, identify feasible funding sources, and define measurable outcomes before advancing implementation plans.

New requirements should also be workable for small public bodies. Templates, training, technical assistance, and existing statutory safeguards may help reduce unnecessary burdens without weakening transparency.

The Public Records Advocate: Growing Demand and Better Accountability

The Office of the Public Records Advocate provides assistance to members of the public, journalists, and public bodies seeking to resolve disputes and navigate Oregon's public records law. Demand for this service has grown substantially.

In its April 2026 report, the office recorded **149 requests for assistance from January 1 through April 16, 2026**—compared with 57 during the same period in 2019 and 105 in 2025. The 2026 figure was already more than 2.6 times the 2019 level and approximately 42% higher than the same period in 2025. The Advocate has reported that requests for assistance constitute a significant part of the office's workload, limiting the capacity available for other long-term projects even as the office continues to serve requesters.

The Advocate is also improving the usefulness of these data by reporting which public bodies are most frequently involved in requests for assistance. Identifying agencies that repeatedly appear in these reports can help the Legislature and public bodies distinguish isolated disputes from recurring administrative problems that may warrant training, technical assistance, additional capacity, or policy changes. High numbers should prompt inquiry into the underlying causes. They are not, by themselves, a conclusion that an agency has acted improperly — but could indicate a high degree of public interest in transparency.

The office has also taken an important step toward measuring outcomes, not just activity: its requester-satisfaction survey now asks whether the requester ultimately obtained the records they were seeking. This question can help PRAC assess whether assistance is making a

practical difference for the people the office serves, and can inform future performance measures and legislative oversight.

Considerations for the Legislature: Continued growth in requests for assistance supports examining whether the Advocate has sufficient staffing to meet demand while maintaining capacity for training, policy development, and systemic improvements. Legislators should also consider how to use agency-level and outcome data to identify recurring barriers to disclosure, target support where it is most needed, and assess whether the state's public-records system is delivering meaningful access to records.

Artificial intelligence: a major emerging issue

AI deserves sustained Council attention because it affects both the creation of government records and the way existing records are searched, reviewed, and disclosed.

AI may help identify responsive records, organize large document collections, and flag information that needs legal review. Used carefully, it could also help reviewers identify information that should be disclosed. But AI can make errors, miss responsive material, and recommend improper redactions. Automated tools should not replace accountable human judgment about disclosure.

Future Council work should examine:

- **AI-generated records:** How existing public records and retention requirements apply to AI-generated documents, summaries, and related materials.
- **AI-assisted searches and review:** How public bodies can evaluate completeness, accuracy, and the risk of missing responsive records.
- **Transparency-first redaction:** How tools can identify potential exemptions while also supporting maximum lawful disclosure.
- **Human oversight and auditability:** How agencies document AI use, review errors, and remain accountable for disclosure decisions.
- **Privacy, security, and retention:** How sensitive information and AI-generated prompts or outputs should be handled under applicable law.

The Council should consider a dedicated future workstream with participation from public bodies, records professionals, journalists, technologists, and the public. AI should be evaluated not merely as a way to reduce processing time, but as a tool whose design and use can either strengthen or weaken public access.

Better data and public education

Future public-body surveys should collect comparable information on request volumes, staffing, backlogs, fees, training, and technology without imposing excessive reporting burdens. The

Council should also continue supporting public education and agency training so that requesters understand their rights and public bodies understand their obligations.

Finally, the Council should continue examining the causes of records disputes and delays, including whether existing fee practices and review processes create unnecessary barriers to access.

Conclusion

Oregon's public records tradition depends on more than the existence of a legal right to inspect government records. It depends on public bodies having the capacity, systems, and guidance to fulfill that right.

The Council's 2026 work connected evidence from the 2025 survey to concrete proposals for improving communication, building capacity, sharing expertise, and coordinating technology. These proposals offer a foundation for further legislative consideration, but important questions about funding, implementation, and accountability remain.

In 2027, the Council should continue refining these concepts, evaluate how existing state systems can support them, and make AI a major future policy priority. Throughout that work, the guiding objective should remain clear: **help public bodies provide timely, accurate, and lawful access to public records, while preserving the public's ability to hold government accountable.**

Explore the source materials

The following official resources provide the underlying evidence and additional detail:

1. **PRAC 2026 meeting agendas, transcripts, reports, and legislative concepts** — the primary source for the Council's 2026 discussions and actions.
2. **2025 Oregon Public Records Transparency Survey: Findings and Recommendations** — evidence of the problems reported by public bodies.
3. **Oregon Department of Justice: Public Records and Meetings Law** — an overview of Oregon's legal framework and public access rights.
4. **Oregon Public Records Advocate: Public Records Resources** — prior Council reports, public records guidance, and related resources.
5. **Reporters Committee for Freedom of the Press: Oregon Open Government Guide** — background on Oregon's history of public participation and open-government laws.

Prepared with AI assistance for review by the report subcommittee and the Public Records Advisory Council. This draft is not an adopted Council report.