PUBLIC DISCLOSURE OF INFORMATION PROVIDED TO OREGON DOJ

CRIMINAL INVESTIGATION

Information provided pursuant to subpoena in criminal investigation may not be disclosed pursuant to ORS 180.075, unless:

- Disclosure to federal, state or local law enforcement to facilitate a criminal investigation/prosecution
- Disclosure to state or federal grand jury
- A circuit court concludes upon application and affidavit by AG that there is particularized need for disclosure in civil, administrative, disciplinary or personnel investigation or proceeding

CIVIL INVESTIGATION

Information provided pursuant to civil investigative request is a public record pursuant to ORS 192.410(4)(a) and can be inspected pursuant to ORS 192.420.

ORS 192.501 lists public records conditionally exempt from disclosure and ORS 192.502 lists other public records exempt from disclosure

- Trade secrets - ORS 192.501(2)

In practice, DOJ enters confidentiality agreement with individual or entity under investigation

- Documents marked confidential before giving to DOJ
- If public records request, notice to individual or entity that provided documents with timeline to object to disclosure and assert exemption