



OREGON YOUTH AUTHORITY



Policy Statement

I-E-2.3 - Requests for Offender Records, Reports, and Other Materials

Approved

Effective: June 8, 2006

Supersedes: I-E-2.3 (Information Letter 1/1/06 and Policy 12/4/03)

Interpretation: Directors Office

Robert S. Jester, Director

REFERENCES

ORS 40.270 Rule 509 (Public officer privilege)

ORS 419A.253 (Records)

ORS 419A.255 (Maintenance; disclosure; providing transcripts; exceptions to confidentiality)

ORS 419A.256 through ORS 419A.257 (Disclosure)

OAR Chapter 416, Division 105 (Disclosure of Offender Case Record Information)

American Correctional Association, *Standards for Juvenile Correctional Facilities*

3-JTS-1A-26 (Public Information)

3-JTS-1E-01 (Juvenile Records)

3-JTS-1E-04 (Transfer of Records)

3-JTS-5I-13 (Final Release)

OYA policy: I-E-1.0 (Sensitive Issue Reporting to the Director's Office)

I-E-1.2 (Response to Subpoenas)

I-E-2.1 (Public Information Requests)

I-E-2.2 (Offender Case File Transfer)

I-E-2.5 (Activities Related to Crime Victims)

II-A-1.3 (Identification Photographs [Offenders])

II-F-2.0 (Procedure for Requesting "Second Look" Hearings)

JJIS policies: Granting Access to JJIS and JJIS Data

User Security

OYA forms: YA 0054 (Confidentiality Agreement)

YA 0055 (Authorization for Release of Information)

YA 0023 (Court Order for Production of Youth Records)

DEFINITIONS

History and prognosis: The Oregon Court of Appeals defines the words "history" and "prognosis", as used in ORS 419A.255, as follows:

History: A narrative of events connected with a person and an account of a person's family and personal background, his past, and present.

Prognosis: The prospect of survival and recovery from a disease and forecast or estimate or prediction of a future happening or condition.

These definitions are broad enough to include almost every piece of information in a youth offender's case file. As explained by the Oregon Court of Appeals, "records relating to a child's medical, psychological, and social - that is, personal and family – background and predicted future condition or status" are part of that youth's history and prognosis.

Records/information: Any writing, including handwriting, typewriting, printing, photographing and every means of recording, including letters, words, pictures, sounds, or symbols or combination thereof, and all papers, maps, files, facsimiles, electronic recordings containing any information relating to the conduct of OYA duties as a public agency (i.e., JJIS notes, e-mails, handwritten notes, etc.), and interstate compact records held by the OYA.

Redact: To delete or obscure information that is exempt from disclosure in public records prior to disclosure of the records. The deletion can be accomplished by the use of white tape, black ink marker such as a Sharpie, etc. Redacted records should be copied after the redaction, with the copies provided to the requester, because redacted material is sometimes readable through the initial redaction but is typically not readable on the copy.

POLICY

This policy provides specific information concerning the request and release of offender case file records. Requests for agency records by members of the public that are not specific to an offender's case file record are addressed in Policy I-E-2.1 (Public Information Requests) under Oregon Public Records Law.

It is the policy of the OYA that offender case file information will be available to appropriate persons consistent with all laws governing the disclosure of such records and consistent with the need to protect the confidential and privileged information within offender records. State and federal laws provide that certain information is privileged and /or confidential and, therefore, cannot be disclosed without a valid release from the offender or a court order. Of particular concern to the OYA are the provisions covering medical information and information relating to the history and prognosis of any offender.

This policy defines the types of information that staff may release from offender case files for both youth offenders in the legal and physical custody of the OYA and adult offenders in the physical custody of the OYA, but in the legal custody of the Department of Corrections (DOC). The policy covers requests for records, reports and other materials from an offender's OYA case file, whether the request be from any member of the public, a Citizen Review Board, service and treatment providers, a victim of the offender, a school district, the offender's parent or guardian, the attorney of record for the offender or the offender's parent or guardian, law enforcement, DOC, DHS, juvenile departments, District Attorneys (or designees), or the Attorney General (or designee).

This policy does not fully address the procedures pertaining to subpoenas or public records requests for youth offender records, reports or other materials. If a staff receives a subpoena or a public records request, please refer to the policies I-E-1.3 (Response to Subpoenas) and I-E-2.1(Public Information Requests).

I. GENERAL STANDARDS

A. Responding to Requests for Offender Records

1. All requests for offender records must be in writing with the exception that is articulated in this policy (see item A.3).
 - a) Requests for records must specify the exact records the requester is seeking.
 - b) Requests for records may be made in many forms, including but not limited to:
 - i. Releases of Information signed and submitted by offenders
 - ii. Court Orders
 - iii. Subpoenas (staff will refer to policy I-E-1.2 *Response to Subpoenas* for direction when responding to a subpoena)
2. Each request for records requires a case-specific evaluation of what information is being requested and whether the requester is authorized to review the requested records.
 - a) Certain information is exempt from disclosure by federal or state law.
 - b) Staff must distinguish between requests for information concerning youth offenders in OYA legal and physical custody and those concerning adult offenders in OYA physical custody but in DOC legal custody.
 - c) Staff will refer to the Matrix in this policy to determine eligibility for disclosure.
3. Certain limited information may be provided orally to the public without a written request.
 - a) Consult the Matrix in this policy for the specific limitations of what can be provided to the public without a written release of information (YA 0055).

B. Preparation

1. When a request for records is received by staff, and it is determined which records can be disclosed, staff must compile the requested records.
 - a) An original record or file should never be sent to a person requesting offender records unless otherwise authorized by the Director's Office.
 - b) Once the records are compiled, a copy of the exact records to be released must be retained in the offender's file.

- c) See policy I-E-2.1 for details regarding charging requesters for the costs of compiling records.
 - 2. Staff will not provide summaries of information contained in an offender's file unless authorized to do so by the Director's Office.
- C. Redaction
- 1. Even with a valid court order or properly executed authorization for release of information form, staff must redact certain information from offender records. The case file information that is privileged, confidential, or otherwise exempt from disclosure under state or federal law must be redacted prior to release. See the Matrix for detailed information. Examples of such information include, but are not limited to:
 - a) Offender names and information pertaining to offenders not subject to the records request
 - b) Social security numbers
 - c) Child abuse reports
 - 2. Certain case file information is privileged or confidential under state and federal law and is protected from disclosure and must be redacted unless a valid release of information or court order authorizes release. See Matrix for more detailed information.
 - 3. All records will be reviewed and properly redacted before they are released.
 - 4. Staff must contact the Director's office regarding any question(s) about whether a particular piece of information must be redacted from records before the records are disclosed.
- D. Testifying in Court
- 1. Staff may be subpoenaed or asked to testify in proceedings involving offenders as defendants, as victims, or as plaintiffs.
 - a) Staff will testify truthfully and to the best of their ability regarding information which they have personal knowledge (e.g. an offender's progress while in custody).
 - b) Staff will not make recommendations as to whether offenders are suitable for:
 - i. Second Look Conditional Release
 - ii. Relief from sex offender registration
 - iii. Issues that are beyond the staff's classification, job duties, or qualifications (e.g. a Group Life Coordinator will not

make statements to the court regarding an offender's risk for re-offense).

c) If staff are asked to testify about any of the non-disclosable information contained in the offender's case file (i.e. NOT from staff's personal knowledge) and the offender has not signed a release authorizing the staff to disclose the information requested, under Oregon law, the Public Officer Privilege protects that information.

i. The Public Officer Privilege provides "A public officer shall not be examined as to public records determined to be exempt from disclosure under ORS 192.501 to 192.505." ORS 40.270.

ii. Staff will read to the court the following:

"Your Honor, as required by the applicable state statutes that govern the privilege and disclosure of information relating to a youth offender's history and prognosis, and as permitted by the Public Officer Privilege set forth in ORS 40.270, I must respectfully decline to answer counsel's question unless I am ordered to do so by this Court. ORS 419A.255 prohibits an Oregon Youth Authority employee from disclosing information contained in reports and other materials pertaining to that offender's history and prognosis, absent a request from the youth or consent of the juvenile court that adjudicated the youth. Moreover, I am advised by the Attorney General's office that pursuant to ORS 40.270, I may not be examined regarding this privileged information to the extent that this court determines that the information is exempt from disclosure under Oregon's Public Records Law. And, that absent a proper written authorization for release of the information signed by the youth offender, or an order consenting to the disclosure by the juvenile court that adjudicated the youth offender, the information is exempt from disclosure under ORS 192.502(9).

I respectfully request that the court determine and direct whether I am required to answer counsel's questions regarding this youth offender."

E. Documentation

1. It is imperative that the OYA is able to demonstrate that the agency has complied with properly executed written requests for offender records.

a) An exact copy of the offender's record, report, or other materials released to another person in accordance with this policy will be maintained in the offender's case file.

b) Staff will attach the written request for information to the copy of the documents released.

F. Viewing of the Record

1. An offender's attorney may request, in writing, to view the offender's case file to determine the specific records the attorney may request to be released.
2. Records that contain confidential information will be segregated, copied, and redacted prior to granting the offender's attorney access to view the case file. Attorneys may only view the redacted record.
3. Refer to Policy 1-E-2.1 (Public Information Requests) for specific procedural language regarding the viewing of the records.

E. Costs and Fees for Copies of Records

1. Refer to Policy 1-E-2.1 (Public Information Requests) for specific procedural language regarding costs and fees related to releasing all agency records.

RECORDS REQUEST MATRIX

Staff must consider the following prior to releasing any information.

FIRST, with all records requests, regardless of who the requester is, ascertain the following:

- Does the requestor have a properly executed authorization for release of the information signed by the offender?
- Does the requester have an order from the juvenile court that adjudicated the offender (for youth offenders), or from any court (for adult offenders), authorizing the disclosure of the records?
- Remember, different documents may be disclosed to the requester if the requester has either a release form or court order.

SECOND, with all records requests:

- Determine whether the offender about whom information is requested is in OYA legal custody (youth offender) or in DOC legal custody (adult offender).
- Different rules apply depending on who has custody of the offender.

FINALLY, records disclosure requests must be evaluated on a case-by-case basis:

- Occasionally, legal questions will be involved, such as interpretation of a statute or whether a document falls within a privilege.
- The general matrix is just a guide, and the Director's Office or a Supervisor/Manager should be consulted if you have any questions or concerns involving a particular request.
- **CAUTION:** Staff should NOT instruct requesters to obtain a subpoena prior to disclosure of documents. Staff should ask the requester to put the request in writing. A subpoena or court order does NOT require immediate release of documents – privileges may apply that prohibit the disclosure. Consult the Director's Office if you receive a subpoena or court order for disclosure of documents.

Requester	Youth Offender	Adult Offender	Comments
<p>1. Any member of the public, including attorneys, with a properly executed authorization for release of information signed by the offender</p>	<p>Discloseable information: The information specifically named in the properly executed authorization for release of information form signed by the offender, with certain exceptions listed below.</p> <p>Non-discloseable information: Even with a properly executed authorization for release of information form signed by the offender, the following information must be redacted from the offender's file before the file is disclosed:</p> <ul style="list-style-type: none"> * names of other youth offenders * social security numbers for persons other than the youth offender * child abuse reports, if requested by anyone other than the attorney for the child or the child's parent in a juvenile court proceeding, the Citizen's Review Board, or a law enforcement agency for the purpose of subsequent investigation of child abuse 	<p>Discloseable information: The information specifically named in the properly executed authorization for release of information form signed by the offender, with certain exceptions listed below.</p> <p>Non-discloseable information: Even with a properly executed authorization for release of information form signed by the offender, the following information must be redacted from the offender's file before the file is disclosed:</p> <ul style="list-style-type: none"> * names of other youth offenders * social security numbers for persons other than the youth offender * child abuse reports, if requested by anyone other than the attorney for the child or the child's parent in a juvenile court proceeding, the Citizen's Review Board, or a law enforcement agency for the purpose of subsequent investigation of child abuse 	<p>If you have any questions about whether the release form is sufficient, please contact the Director's Office. Also, if you are going to require the requester to pay the costs for the records, and if the costs are going to be \$25.00 or more, you MUST notify the requester before the copies are provided of the estimated amount of the costs and receive confirmation from the requester that they wish to proceed, before you complete the request. Consult OYA Policy I-E-2.1 and contact Supervisor/Manager or the Director's Office, as appropriate.</p> <p>SECOND LOOK CONDITIONAL RELEASE: The disclosure of records for second look conditional release hearings are handled through the Attorney General's Office. If you receive a request for records for a second look hearing refer the requester</p>

Requester	Youth Offender	Adult Offender	Comments
			to the Attorney General's Office.
<p>2. Any member of the public with a court order mandating disclosure, or a subpoena requesting disclosure of records or documents</p>	<p>Immediately refer the matter to the Director's Office</p>	<p>Immediately refer the matter to the Director's Office</p>	<p>Immediately forward a copy of the court order or subpoena to the Director's Office and begin compiling the records described in the order or subpoena, but do NOT disclose. See also Subpoena policy. Also, under ORS 192.496(3), information may be withheld if disclosure would interfere with the rehabilitation of the youth offender or adult offender, and if the public interest in confidentiality clearly outweighs the public interest in disclosure. If you believe this is the case (e.g., youth has threatened to commit suicide if information is disclosed, youth's forthrightness in treatment may be jeopardized if he or she believes information gathered in treatment will be disclosed), contact the Director's Office.</p> <p>NOTE: While the fact that a youth is in OYA custody</p>

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			<p>may be disclosed because that is a part of the disposition of the youth, other information about the youth's custody status may not be disclosed, e.g., the cottage the youth is in, or the level of suicide watch the youth is on, because that information is privileged. The name of the cottage, for example, could disclose the treatment the youth is receiving (e.g., Dunbar is a sex offender treatment cottage).</p>
<p>3. Any member of the public, without a release signed by youth or a court order authorizing disclosure:</p>	<p>Discloseable information: The fact that the youth is in OYA custody. <i>ORS 419A.255(5)(e)</i></p> <ul style="list-style-type: none"> The name and date of birth of the youth; the basis for the juvenile court's jurisdiction; the date, time and place of any juvenile court proceeding; the act alleged in the petition; that portion of the juvenile court order providing for legal disposition of the youth; the names and addresses of the youth's parents; the court record register (described in ORS 7.020). [<i>ORS 419A.255(5)</i>] <p>If the youth is arrested on a new crime pursuant to a summons, warrant, or</p>	<p>Discloseable information: Most information in an adult offender file is discloseable.</p> <p>Non-discloseable information that must be redacted from the offender's file before disclosure:</p> <p>Inmate/offender pre-sentence reports, LEADS reports, FBI fingerprint cards, confidential informant information, child abuse reports, medical records, names of other youth offenders and information pertaining to their history and prognosis, social security numbers of the offender and others, drug and alcohol treatment records, education records, Pre-sentence investigations</p>	<p>Whenever records are requested on adult offenders that are in OYA custody, records in OYA possession regarding that offender are subject to disclosure by OYA. Even though OYA does not have <i>legal</i> custody of the offender, OYA is nevertheless a custodian of the records under the public records law because OYA uses the records to perform a statutory duty. As a courtesy, notify the DOC public information</p>

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	<p>court order under ORS 419C.080, and held in a detention center, jail, or OYA facility, the following information will be disclosed unless there is a clear need to delay disclosure during a specific investigation, including the need to protect the complaining party or the victim:</p> <ul style="list-style-type: none"> • The youth's name and age and whether the youth is employed or in school; • The youth offense for which the youth was taken into custody • The name and age of the adult complaining party and the adult victim, unless disclosure is otherwise prohibited; • The identity of the investigating and arresting agency; and <ul style="list-style-type: none"> • The time and place that the youth was taken into custody and whether there was resistance, pursuit or a weapon used in taking the youth into custody. <i>[ORS 419A.255(6)]</i> <p>If the offender is in detention for a new law violation under ORS 419C.080, consult the appropriate agreement with the county having custody for the proper procedure, and refer the request to the county as a courtesy.</p>		<p>office of requests for information on DOC offenders.</p>

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	<p>Non-discloseable information: Most other information about a youth offender is not discloseable to the public, and should not be disclosed without consulting the Director's Office. This includes, but is not limited to:</p> <ul style="list-style-type: none"> • any information in the file that pertains to the youth's history and prognosis, or to any other youth's history and prognosis. <i>ORS 419A.255 (2) and (3).</i> • Other information from the legal or medical file, unless the youth consents to or the court orders release. <i>[legal and social files: ORS 419A.255(1), (2), and (3); medical records: ORS 179.505 and 192.520; substance abuse treatment records: 42 USC 290dd-2; if the youth is receiving public assistance: ORS 411.320; ORS 418.130; 42 USC § 602(a)(9); 42 USC § 671(a)(8); 42 USC § 1396a(7); 45 CFR § 205.50] Use the YA 0055.</i> • Child abuse reports <i>[ORS 419B.035; 42 USC 5106a(b)(4)];</i> • Education records • Drug and alcohol treatment records • Social security numbers 		

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<p>4. Offenders with a properly executed release of information submitted by the Offender or Offender's Attorney.</p>	<p>Discloseable information: The information specifically named in the properly executed authorization for release of information form signed by the offender, with certain exceptions listed below.</p> <p>Non-discloseable information: Even with a properly executed authorization for release of information form signed by the offender, the following information must be redacted from the offender's file before the file is disclosed:</p> <ul style="list-style-type: none"> • names of other youth offenders • social security numbers for persons other than the youth offender • child abuse reports, if requested by anyone other than the attorney for the child or the child's parent in a juvenile court proceeding, the Citizen's Review Board, or a law enforcement agency for the purpose of subsequent investigation of child abuse 	<p>If the offender is eligible for second look conditional release, the offender must be given access to his or her file, unless a court order says otherwise or as otherwise provided by law. ORS 420A.203</p> <p>See Requestor item # 17 Second Look Conditional Release.</p>	<p>Note: Records disclosed must be redacted according to this policy prior to disclosure. Information regarding victims must be redacted and treatment information that may interfere with the offender's reformation must be evaluated by a Treatment Manager or JPPO.</p>
<p>5. Citizen Review Board</p>	<p>Discloseable information: Any relevant court and OYA records relating to the youth's mental, physical and social history and prognosis, including school records and reports of private service providers. [ORS 419A.102; ORS 419A.107]</p>	<p>Not applicable</p>	<p>CRBs must return all records and copies received from OYA within 7 days of completion of review. CRB staff may retain a reference copy if necessary for ongoing work of board. But the</p>

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	<p>Refer to separate agreement with CRB for procedure regarding disclosure to CRB of current or substantiated allegations of abuse involving any offender whose case is being reviewed by the CRB.(Pending finalization. 4/27/06)</p> <p>Non-discloseable information: Medical file information, unless the youth consents to or the court orders release. Use the YA 0055.</p>		<p>CRB must maintain the confidentiality of retained records. [ORS 419A.102(2)(b), ORS 419A.102(2)9B]</p>
<p>6. Service and treatment providers in the offender's case</p>	<p>Discloseable information: Information released to any member of the public without a release or court order, as listed above. Additionally, in relation to providing services to the youth, the following information can be disclosed to treatment providers:</p> <ul style="list-style-type: none"> Records and information in the legal file relating to the youth's history and prognosis, including psychological reports. [ORS 419A.255(2) and (3); ORS 411.320; ORS 418.130; 42 USC § 602(a)(9); 42 USC § 671(a)(8); 42 USC § 1396a(7); 45 CFR § 205.50] <p>Generally, offenders will sign authorization for release of information form for disclosure of medical information to provider at outset of placement to provider. In the case of a medical <u>emergency</u>, a youth's medical treatment records may be</p>	<p>Discloseable information: Information released to any member of the public without a release or court order, as listed above.</p>	<p>Medical information is confidential and will be protected by limiting access only to those providers needing such information to provide treatment.</p> <p>Service providers who examine or obtain copies of materials are responsible for preserving confidentiality and should return or destroy copies at conclusion of involvement in the case. [ORS 419A.255 (2).]</p>

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	<p>disclosed without a release. [42 USC § 290dd-2.]</p> <p>Non-discloseable information: Court case record [ORS 419A.255(1)]</p>		
<p>7. Tribal involvement</p>	<p>Discloseable information: Information discloseable to any member of the public as listed above.</p> <p>Non-confidential information to facilitate tribal participation in the youth's treatment planning, as defined in the intergovernmental agreement between the tribe and the OYA.</p> <p>Non-discloseable information:</p> <ul style="list-style-type: none"> • Court case record [ORS 419A.255(1)]; <p>Other information from the legal or medical file, unless the youth consents to or the court orders release. Use the YA 0055.</p>	<p>Discloseable information: Information discloseable to any member of the public, as listed above.</p> <p>Non-confidential information to facilitate tribal participation in the youth's treatment planning, as defined in the intergovernmental agreement between the tribe and the OYA.</p> <p>Non-discloseable information: Information not discloseable to any member of the public, as listed above.</p> <p>Information from the medical file, unless the youth consents to or the court orders release. Use the YA 0055.</p>	<p>See appropriate intergovernmental agreement; contact the OYA Office of Minority Services.</p>
<p>8. Victim or, if victim is a minor, the victim's legal guardian.</p>	<p>Discloseable information: Information discloseable to any member of the public as listed above, and:</p> <ul style="list-style-type: none"> • The name and general location of the facility in which the youth offender is confined; a description of the youth offender's criminal history and offenses for which the offender was placed under the jurisdiction of the juvenile court 	<p>Discloseable information: Information discloseable to any member of the public as listed above.</p> <p>Also, to the extent the agency has such information, the victim is entitled to the following information about the perpetrator, under ORS 147.421:</p> <ul style="list-style-type: none"> * the conviction and sentence * the name and location of the correctional 	<p>Contact Supervisor/Manager or the Director's Office as appropriate, for example, if you have treatment concerns about disclosing such information directly to a minor victim.</p>

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	<ul style="list-style-type: none"> Projected release date from secure custody or community placement and the community where the youth is anticipated to reside upon release. <i>[ORS 147.421(1)]</i> <p>If the youth offender constitutes a clear and immediate danger to another person or to society, information contained in reports or other materials relating to the youth offender's history and prognosis that indicates that danger must be disclosed to the endangered person.</p> <p>Non-discloseable information: With the exception of the information specifically listed above, all other information that cannot be provided to members of the public is also non-discloseable to victims.</p>	<p>facility in which the perpetrator is confined * a description of the prior arrests, convictions, and sentences of the perpetrator * the projected or scheduled date of release of the perpetrator from confinement, the name and location of the correctional facility from which the person is to be released, and the community where the person is scheduled to reside upon release</p> <p>The agency may also provide the victim with a copy of the perpetrator's PSI, under ORS 137.077(2).</p> <p>As a courtesy, notify the DOC public information officer. <i>[OAR Chapter 291, Division 039]</i></p> <p>Non-discloseable information: Information that is not discloseable to other members of the public as indicated above may not be disclosed to a victim, with the exception of the PSI, which may be disclosed to a victim but may NOT be disclosed to members of the public.</p>	
<p>9. School Districts</p>	<p>Discloseable information: Information discloseable to any member of the public as listed above, and the following information may be released to the school superintendent of the district in which the youth offender resides:</p> <ul style="list-style-type: none"> Reports and information relating to a 	<p>Discloseable information: Information discloseable to any member of the public, as listed above.</p> <p>Non-discloseable information: All information described above that cannot be disclosed to the general public is also not discloseable to school districts.</p>	<p>For youth offenders: Under ORS 419A.015(1)(b), the probation officer for a youth offender on probation must notify the school district within 72 hours when a youth</p>

Requester	Youth Offender	Adult Offender	Comments
	<p>youth's history and prognosis. [ORS 419A.255 (2) and (3); ORS 343.]</p> <ul style="list-style-type: none"> Information in the youth's medical file <u>directly related</u> to special ed determination. <p>Non-discloseable information: All information described above that cannot be disclosed to the general public is also not discloseable to school districts.</p>		<p>transfers to that district. Under ORS 420.048, the "person responsible for supervising the youth offender" must notify the school district within 72 hours when a youth transfers to that district. Follow local procedure.</p>
<p>10. Youth's parent or guardian, or attorney for the youth's parent or guardian.</p>	<p>Discloseable information: Information discloseable to any member of the public as listed above, and</p> <ul style="list-style-type: none"> Educational records. [20 USC § 1232g; 20 USC § 1417] <p>Attorneys representing the parents <i>in the juvenile case</i> may have <u>copies</u>. [ORS 419A.255(2)]</p> <p>Non-discloseable information: Information not discloseable to the general public and not specifically mentioned previously in this column</p>	<p>Discloseable information: Information discloseable to any member of the public as listed above, and</p> <ul style="list-style-type: none"> Educational records. [20 USC § 1232g; 20 USC § 1417] <p>Non-discloseable information: Information not discloseable to members of the general public and not specifically listed in this column above</p> <p>Second Look Conditional Release (ORS 420A 200 – 206) The disclosure of records for second look conditional release hearings is handled through the Attorney General's Office. If you receive a request for a second look hearing, refer the requester to the Attorney General's Office.</p>	<p>If the request is from the parent of a deceased offender, immediately contact the Director's Office.</p>
<p>11. Police Agencies</p>	<p>Discloseable information: Information discloseable to any member of the public, as listed above, may be</p>	<p>Discloseable information:</p> <ul style="list-style-type: none"> Information discloseable to any member of the public, as listed above 	<p>Child abuse reports under the mandatory reporting law must be made to a law</p>

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	<p>disclosed upon request to police agencies.</p> <p>If the youth offender constitutes a clear and immediate danger to another person or to society, information, including photographs, contained in reports or other materials relating to the youth offender's history and prognosis that indicates that danger may be disclosed to police agencies.</p> <p>Contact the Director's Office if you receive a request from a police agency for information other than that listed above.</p>	<ul style="list-style-type: none"> Photographs may be released when the release will enlist public assistance in apprehending fugitives from justice and/or the release will not interfere with other law enforcement efforts. (<i>OAR Chapter 291, Division 039</i>) As a courtesy, notify the DOC public information officer of requests made by police agencies for records of DOC offenders. <p>Contact the Director's Office if you receive a request from a police agency for information other than that listed above.</p>	<p>enforcement agency in the county in which the reporter is located, or to DHS. ORS 419B.015.</p>
<p>12. DHS, Juvenile departments, Deputy District Attorneys (DDA) or Assistant Attorney Generals (AAG) representing the state in a juvenile court proceeding</p>	<p>Discloseable information: If the disclosure is reasonably necessary to enable the requester to perform official duties related to the youth offender's juvenile case, information related to the youth offender's history and prognosis including treatment and progress in agency custody may be disclosed. Refer to appropriate procedure. Generally, disclosure of the above records to DDAs for purposes of waiver hearings, parole revocations, and sex offender relief from registration proceedings <i>in the youth offender's own case</i> will be appropriate. Contact the Director's Office if you have questions about a particular situation.</p>	<p>Discloseable and Non-discloseable information: See members of the general public, above.</p> <p>Second Look (ORS 420A 200 – 206) See Requestor item # 17 Second Look Conditional Release.</p>	<p>Child abuse reports under the mandatory reporting law must be made to a law enforcement agency in the county in which the reporter is located, or to DHS. ORS 419B.015.</p>

Requester	Youth Offender	Adult Offender	Comments
	<p>Non-discloseable information: Medical records, drug and alcohol records, and education records may be disclosed only pursuant to a court order. Use YA 0023.</p> <p>Names of other youth offenders and social security numbers for persons other than the youth offender must be redacted.</p>		
<p>12. DHS, Juvenile departments, Deputy District Attorneys (DDA) or Assistant Attorney Generals (AAG) representing the state in a juvenile court proceeding</p>	<p>Discloseable information: If the disclosure is reasonably necessary to enable the requester to perform official duties related to the youth offender's juvenile case, information related to the youth offender's history and prognosis including treatment and progress in agency custody may be disclosed. Refer to appropriate procedure. Generally, disclosure of the above records to DDAs for purposes of waiver hearings, parole revocations, and sex offender relief from registration proceedings <i>in the youth offender's own case</i> will be appropriate. Contact the Director's Office if you have questions about a particular situation.</p> <p>Non-discloseable information: Medical records, drug and alcohol records, and education records may be disclosed only pursuant to a court order. Use YA TBA</p> <p>Names of other youth offenders and social</p>	<p>Discloseable and Non-discloseable information: See members of the general public, above.</p> <p>Second Look (ORS 420A 200 – 206) See Requestor item # 17 Second Look Conditional Release.</p>	

Requester	Youth Offender	Adult Offender	Comments
	security numbers for persons other than the youth offender must be redacted.		
13. Department of Corrections (DOC)	Discloseable and Non-discloseable information: See members of the general public, above. If the information is needed for a PSI or release plan for the inmate, contact the Director's Office.	Discloseable and Non-discloseable information for adult offenders currently in the physical custody of OYA, or formerly in the physical custody of OYA but transferred to the physical custody of ODOC: OYA will provide access to OYA case file information upon request by DOC staff and in compliance with administrative review processes and local procedures.	
14. Oregon Advocacy Center	Refer to Director's Office	Refer to Director's Office	Consult appropriate procedures related to offender access.
15. Multi-disciplinary Teams	MDT's are not entitled to offender information unless that information is critical for the safety of the offender. (for exceptions see comments)		OYA policy permits, under certain circumstances, the release of offender case file documents to District Attorney's and Juvenile Department Directors. Requests for specific records by MDT must be made by the District Attorney or Juvenile Department Director. (ORS 419 A 255)
16. Child Fatality Teams	Any and all records requested by a Child Fatality Team will be released following receipt of a subpoena from the Child	Any and all records requested by a Child Fatality Team will be released following receipt of a subpoena from the Child Fatality	

Requester	Youth Offender	Adult Offender	Comments
	Fatality Team.	Team.	
17. Second Look Conditional Release	Not applicable. Youth offenders are not eligible for second look conditional release.	Records requests for second look hearings are handled through the Attorney General's Office. The Assistant Attorney General representing OYA and DOC will send copies of file documents to the court and the Deputy District Attorney and the attorney for the offender. Offenders sign authorization for release of information forms, authorizing disclosure to the court and counsel for second look hearings. If records are requested in connection with a second look hearing, contact the Attorney General.	
18. Pre-Sentence Investigation (PSI) Writers	If records of a current or former youth offender are requested by a PSI writer (state or federal), contact the Director's Office.	If records of an ODOC offender are requested by a PSI writer, treat the request as you would a request by any member of the public.	