



OFFICE OF THE SECRETARY OF STATE

ELECTIONS DIVISION

Directive of the Secretary of State	Subject: Ballot Secrecy	Directive Issued at the Request of: Secretary of State	Date: May 3, 2022	Number: 2022-2
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The Secretary of State in carrying out the duties of the office shall issue detailed directives necessary to maintain uniformity in the application, operation, and interpretation of Oregon election laws. (ORS 246.110 and 120). The information provided here is an official directive of the Secretary of State.

Oregon voters have a right to ballot secrecy. County elections officials shall seek to preserve ballot secrecy in the fulfillment of their official duties, including when responding to public records requests. When fulfilling public records requests, county elections officials shall consider:

- Whether the requested data reveals on its face how a voter cast a ballot;
- Whether the requested data could be manipulated or analyzed in a manner that would compromise ballot secrecy;
- How the requested data might be used in conjunction with other publicly available records, including but not limited to voter lists or election results data, to reveal how a voter cast a ballot;
- Whether the requested data includes personally identifiable information outside of information available through public voter registration records.

Whenever county elections officials conclude that disclosing the requested data would compromise ballot secrecy, including (but not limited to) in the ways described above, county elections officials must protect ballot secrecy while fulfilling the request to the extent possible, as required by Oregon Public Records Law. Such actions may include:

- Redacting portions of records to protect ballot secrecy
- Contacting the Secretary of State's Office for consultation
- Declining to provide records or portions of records which may compromise ballot secrecy

Shemia Fagan
Secretary of State

By: Deborah Scroggin
Director