



Public Records on Personal Devices

RECORDS ON PERSONAL DEVICES ARE STILL PUBLIC RECORDS



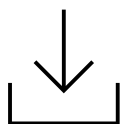
Text messages, emails, messaging apps... If the information is unique and relates to agency business, it is a public record no matter where it is located.

IF PERSONAL DEVICES ARE USED FOR GOVERNMENT BUSINESS...



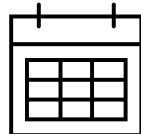
They may be subject to discovery in the instance of a public records request. Only use approved software and systems when creating public records.

YOU ARE RESPONSIBLE FOR YOUR RECORDS



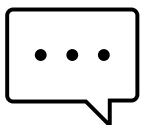
If you create a public record, you need to manage and retain it accordingly.

RECORDS MUST FOLLOW RETENTION SCHEDULES



Employees can't delete a record whenever they want to, even if it's on their personal device. Retention schedules must be followed.

SHORT-TERM MESSAGES



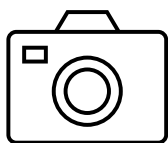
Keep the content of text messages non-record whenever possible to avoid having to manage public records on personal cellphones.

EMAIL OR AGENCY-APPROVED MESSAGING TOOLS ARE PREFERABLE



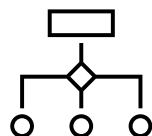
Use agency-approved messaging tools (email, Teams chats, etc.)-these are easier for an agency to access and control.

CAPTURE THE TEXT



If a text message is considered a public record according to [ORS 192.005\(5\)](#), forward it to your government-issued email or capture a screenshot and file it appropriately.

INCLUSION IN RECORDS MANAGEMENT POLICIES



Agencies should include requirements regarding the use of personal devices in their public records policy to support proper record capture.