

REVENUE: No revenue impact

FISCAL: No fiscal impact

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	10 - 0 - 0
<b>Yeas:</b>	Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith J., Stiegler, Whisnant, Barker
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Bill Taylor, Counsel
<b>Meeting Dates:</b>	1/30, 2/13

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**WHAT THE MEASURE DOES:** Exempts from disclosure, unless the public interest requires otherwise, the records of the Department of Public Safety Standards and Training relating to an ongoing investigation of the fitness of a public safety officer or private security officer to hold his or her position. Exempts from disclosure records in the possession of the department that the department received from public body in connection with an investigation if these records are not subject to disclosure when in the hands of the public body. Requires the department to issue a report when an investigation is completed regarding a private security officer or a public safety officer.

**ISSUES DISCUSSED:**

- Public's right to know
- Right of privacy during an on-going investigation

**EFFECT OF COMMITTEE AMENDMENT:** Requires the department to issue a report when an investigation is completed regarding a private security officer or a public safety officer.

**BACKGROUND:** In 2007, a complaint was filed with the Department of Public Safety Standards and Training concerning the fitness of Multnomah County Sheriff Bernie Giusto to be a public safety officer. Under Oregon's public record laws, ORS 192.401 to 192.505, public records are presumed to be subject to public disclosure unless specifically exempted. Certain records are unconditionally exempted from disclosure (ORS 192.502). Other records are exempted unless the public interest requires disclosure. Currently, records relating to an ongoing investigation before the Department of Public Safety Standards and Training are not exempt, conditionally or otherwise, from disclosure.