

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	9 - 0 - 1
Yeas:	Garrett, Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Barker, Krieger
Nays:	0
Exc.:	Hicks
Prepared By:	Aaron Knott, Counsel
Meeting Dates:	3/17, 4/12

WHAT THE MEASURE DOES: Prohibits disclosure of audio or video records of internal investigation interviews of public safety officers except for certain enumerated purposes.

ISSUES DISCUSSED:

- Strain on officer morale when interviews are released to media
- Other avenues available for obtaining the same information in a less inflammatory format, especially transcripts
- Scope of necessary exceptions
- Possible chilling effect on officer willingness to be interviewed with the knowledge that the contents of the interview might later be broadcast via media

EFFECT OF COMMITTEE AMENDMENT: Expands the scope of subsection 3.

BACKGROUND: House Bill 3251 A prohibits a public body from disclosing the audio or video records of internal investigation interviews of public safety officers except to a law enforcement unit for the purposes of the investigation or to an attorney representing a public safety officer who is the subject of the investigation.

In 2005, a the Oregon Court of Appeals ruled in *City of Portland v. Oregon Publishing Company* that the internal investigation records generated by police departments are not exempt from disclosure from public records requests. This caused footage of officers being interviewed regarding officer involved shootings to be released to journalists over the objection of the city and police department. House Bill 3251 A prohibits the release of audio or video records of internal investigation interviews of public safety officers but allows the release of transcripts containing the same information. Under the measure, the release of video and audio recordings remains available for enumerated purposes, including civil litigation, Department of Public Safety Standards and Training, criminal proceedings, labor, citizen review boards and the Attorney General.