



MEASURE: HB 4001  
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SUBMITTED BY: Dana Robinson

**Dana S. Robinson**  
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**Testimony regarding HB 4001**  
**House Committee on General Government and Consumer Protection**  
**Dana S. Robinson, Clackamas County Emergency Management Director**  
**February 8, 2012**

Co-chairs Holvey, Whisnant and Members of the Committee:

My name is Dana Robinson, and I am the Emergency Management Director for Clackamas County. I am here today to voice a few concerns regarding HB 4001, which will require background checks and fingerprinting of all volunteers and paid employees that work in the State or a local Emergency Operations Center (EOC). It is unclear what problem this bill is intending to fix and there are not any significant risks if some temporarily assigned personnel from other departments and agencies are used in the EOC.

**Clackamas County does an excellent job of ensuring the integrity and security of our EOC:**

- We segregate any intelligence or sensitive information in the EOC to those individuals who have had background checks, so not everyone is privy to confidential information. Other EOCs/ECCs throughout Oregon have similar local policies in place depending on operational needs.
- We conduct background checks and fingerprinting on all amateur radio volunteers.
- We rely heavily on County paid staff that already have background checks completed, which were required for their regular jobs in the Sheriff's Office, Community Corrections, Juvenile Services and other departments.
- Background checks have not been done on many CERT (Community Emergency Response Team) volunteers who may be used in city EOCs.

**The bill, in its current form, raises many challenges and questions including:**

- We also rely on County staff from other departments that have not had background checks done as a condition of their employment. These staff members are not privy to sensitive information and their involvement does not pose significant risks. Conducting background checks on County staff volunteers could open up a host of labor-related issues.
- The bill is silent on how the information from the criminal check will be used. Will it be unlawful to have anyone in an EOC if they have a criminal conviction? What if it's a ten-year old Class C misdemeanor?

- Some EOCs/ECCs may use representatives from the private sector, other government agencies and NGOs (non-governmental organizations). Although they may have had background checks done through their employers, the EOC currently does not require them. Are they considered volunteers or "paid personnel" that would have to have checks completed as written in the bill?
- Can a local emergency management agency "cause" the sheriff of the county to conduct criminal records checks? Many emergency management agencies contract for background checks and do not go through the Sheriff. This bill would place a time and cost burden on the Sheriff's Office. What about cost recovery?

In summary, the conduct of background checks at the county and city level should remain a local issue and decision. The integrity and security of EOCs is a responsibility we take seriously; however, we do not see any significant risks if temporarily assigned personnel from other departments and agencies who have not had background checks are used in the EOC.

Thank you for your consideration of my testimony.

Respectfully Submitted,



Dana S. Robinson, Director  
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