Senate Committee on Business and Transportation
February 11, 2014
OLCC Statement on SB1559-5

The purpose of SB1559-5 is to reinstate the OLCC's ability to utilize the LEDs system for licensing background checks.

Background

In 2012, SB 1528 classified the entire OLCC as a "Criminal Justice" agency as opposed to the previous designation as a "Delegated" agency. This changed had the unintentional effect of preventing access to in-state criminal background information through LEDS that was used by the OLCC's licensing staff to aid in decision making for granting licenses for the sale and serving of alcoholic beverages. Historically the OLCC has run 10,000 LEDS criminal background checks per year. Without LEDS access, the OLCC licensing staff has lost a critical tool to efficiently and systematically learn of, and take appropriate actions against, individuals with criminal backgrounds.

As an emergency stop-gap measure, the licensing staff is using OJIN and E-Courts to review adjudicated Oregon criminal history information for license and permit applicants. The problem is that these databases take much longer to navigate and access relevant information. Also, the database is not complete as not all Oregon counties regularly report information to these databases.

The average quote obtained by the OLCC for commercial criminal histories is $16.65 per record check, which would cost $166,500 annually for 10,000 record checks.

Solution

Revise Oregon statute ORS 181.010(1)(j) to rectify what is agreed to have been an unintentional change to the OLCC's LEDS designation. The following change in SB1559-5 will reestablish the OLCC's ability to use LEDS to access in-state criminal history and DMV records:

ORS 181.010(j) ~~The Oregon Liquor Control Commission~~ **Liquor enforcement inspectors as defined in ORS 471.001;**

After this revision to ORS 181.010, the licensing function would regain access to LEDS through Executive Order 1990-0005 and Liquor enforcement inspectors would continue to be classified as a criminal agency.

There is no cost to implement this solution.