



**LEAGUE OF WOMEN VOTERS®
OF OREGON**

The League of Women Voters of Oregon is a 97-year-old grassroots nonpartisan political organization that encourages informed and active participation in government. We envision informed Oregonians participating in a fully accessible, responsive, and transparent government to achieve the common good. LWVOR Legislative Action is based on advocacy positions formed through studies and member consensus. The League never supports or opposes any candidate or political party.

March 22, 2017

To: [Senate Committee On General Government and Accountability](#)
[Senator Chuck Riley](#), Chair

Re: [SB 481](#)– Public records access policy – **Support with comments**

The League supports a fully accessible, responsive, and transparent government. We commend proposed statutory improvements to public records access policies, work of the Public Records Law Reform Task Force, related to the 2015 Senate Bill 9, which we supported. Oregon’s public records system has an estimated 550 disorganized disclosure exemptions, records retention challenges, unreasonable response delays, and inconsistent fee charges.

Privacy protection and disclosure are central conflicting interests. We laud the Task Force’s intention to favor the public’s right to know in reviewing and organizing disclosure exemption categories. Legislative Counsel tagging and sharing new legislation for ongoing disclosure exemption cataloging is imperative.


Statute should be adaptable regarding emails, texts, social media, etc. Our 50-year-old Freedom of Information Act did not foresee these challenges, not only for cataloging and retaining the vast volume of records, but for vulnerability to crippling disclosure costs, exacerbated by this volume of information. We encourage review and revision of records retention time periods. We want to ensure that the time requirements defined here, for acknowledging receipt of requests and so forth, will be revised, to reflect these new technologies.


Fees charged and costs incurred have been serious concerns. When requested records are collected, attorneys review them for exemption disclosure compliance, then redact them. Processes should be automated where possible, for example tagging cases under litigation. [Fee waivers \(criteria\)](#) are determined through DAS, and are appropriate, for example, clarifying “for the public good”, public versus commercial benefit, and weighing overly-broad requests.

The League is sensitive this session to revenue impacts of all proposed legislation. We are concerned with fiscal vulnerability to broad requests for public records. See the NYT’s “[Should We See Everything a Cop Sees?](#)”. Program costs could be prioritized in the context of wise current investment for long-term savings.

This legislation is characterized as taking steps and we support ongoing public records access evaluation, emphasizing transparency. Policy and practice must align. We urge support of this bill.

Thank you for the opportunity to discuss this legislation.


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