



From: Oregon Coalition of Police and Sheriffs
Date: June 29, 2017

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OPPOSITION ALERT: SB 505-A

The Oregon Coalition of Police and Sheriffs (ORCOPS) is Oregon's largest law enforcement organization, representing line officers and sheriffs' deputies around the State.

While well-intentioned, SB 505 (in either its introduced or A-engrossed version) goes further than what we believe is prudent and we must oppose the current version of the bill for the following reasons:

A public record framework that was not adequately discussed in committee.

With the exception of ORCOPS' testimony, all of the committee testimony on SB 505 thus far has centered around the recordation of grand jury proceedings and the appropriate provision of those materials to defense attorneys. However, Section 3(3)(a) of the measure allows for the records to become public records in the event the target of those proceedings is a public servant who was not indicted. This is a significant new policy, and the processes, costs, and effects on local government liability have not been thoroughly vetted.

The measures create a separate track for public employees.

ORCOPS believes that the judicial system should function the same for all Oregonians, regardless of profession. By creating an avenue for the release of the proceedings that applies only to public employees, these measures create a different justice system for public employees, with prosecutors facing different incentives and dynamics depending on a person's profession.

The fiscal cost of such a public record process would be excessive.

Both the recording process as well as a public release process could prove excessively costly (estimates are around \$10 million) for an already strained judicial system. Properly recording grand jury proceedings requires not only a substantial technological cost, but also an increase in staffing costs to log, store, and maintain those records. That cost increases further when adding the public release provision in Section 3(3)(a). The resources necessary to transcribe and edit the proceedings (masking privileged information, for example) as well as the resources necessary to adjudicate releases could better spent elsewhere. Our courts and many of our law enforcement departments are already facing severe budget constraints. The expenditures necessary to implement these bills will make it harder to move forward on many other public safety concerns (such as bolstering east county gang enforcement efforts) or even other general fund priorities (such as K-12).

ORCOPS understands the initial aims of the measure: to record grand jury proceedings and convey them to the defense (with appropriate protections). However, the current measures go too far afield with concepts that were not adequately discussed and with funds the State can scarcely afford. ORCOPS opposes these bills.