

February 22, 2017
Senator Chuck Riley, Chair
Senate Committee on General Government and Accountability
Oregon State Legislature

Re: SB 481

Chair Riley and Members of the Committee:

OSPIRG supports SB 481. As a participant in the Attorney General's Public Records Task Force, we applaud the hard work of the Oregon Department of Justice and the broad and diverse range of stakeholders involved in the development of this legislation. We urge your support for this package of modest but meaningful steps to better secure the public's right to know.

As an independent public interest and government transparency advocate, OSPIRG has been involved in many public records requests over the years. Although many public bodies go to great lengths to comply with the law and provide expeditious access to public information, we have experienced a lack of uniformity in processes, timelines, expectations, and interpretations of the underlying law that have underscored the need for legislation like SB 481.

SB 481 will forcefully establish that it is the policy of the state of Oregon to provide access to public records, with any necessary exemptions construed as narrowly as possible to protect the public's right to know. While some exemptions will always be necessary, for example to protect the personal information of individual private citizens, there should be a strong presumption of public access to the overwhelming majority of public records. These records really belong to all of us, and are not the narrow province of specific agencies or special interests.

By establishing a uniform timeline for responses to public records requests and creating an authoritative catalog of exemptions and relevant precedents, SB 481 will also take some important steps toward creating stronger accountability for public bodies and making the public records request process more manageable for the public.

SB 481 does not address all of the outstanding problems with Oregon's public records laws, including especially the hundreds of exemptions from disclosure, which create confusion about how to interpret and apply existing law. We believe the next step in this critical work will involve not just cataloging these exemptions but taking action to streamline them and eliminate any exemptions that do not serve a critical public interest purpose. Regardless, SB 481 is an important step in the right direction, and we urge your support. Thank you for your consideration.

Jesse Ellis O'Brien, OSPIRG Policy Director