

SB 508 A STAFF MEASURE SUMMARY

Carrier: Sen. Prozanski

Senate Committee On Judiciary

Action Date: 04/13/17

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 5-0-0-0

Yeas: 5 - Dembrow, Linthicum, Manning Jr, Prozanski, Thatcher

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Josh Nasbe, Counsel

WHAT THE MEASURE DOES:

Conditionally exempts from public disclosure images of dead body that are part of law enforcement investigation.

ISSUES DISCUSSED:

- Images of automobile accidents and violent crimes
- Harm to families of the decedent; lasting damage caused by images on Internet
- Law enforcement officers regularly receive requests for these images from media and other for-profit entities

EFFECT OF AMENDMENT:

Limits the exemption to images of a dead body or parts of a dead body.

BACKGROUND:

Under Oregon's Public Records Law, the general rule is that government records must be disclosed to the public. ORS 192.502 contains a number of exceptions to this rule, allowing but not requiring, public bodies to withhold records. Under ORS 192.502 (2), information of a "personal nature," including medical files, may be withheld if the disclosure would create an unreasonable invasion of privacy, unless the person seeking the information can demonstrate that the public interest requires disclosure. Senate Bill 508A treats disclosure of images of a dead body that are part of a law enforcement investigation similarly to disclosure of information of a "personal nature."