

SB 508 A STAFF MEASURE SUMMARY

Carrier: Rep. Williamson

House Committee On Judiciary

Action Date: 05/17/17

Action: Do Pass the A-Eng bill.

Vote: 10-0-1-0

Yeas: 10 - Barker, Gorsek, Lininger, Olson, Post, Sanchez, Sprenger, Stark, Vial, Williamson

Exc: 1 - Greenlick

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:

- Homicides, suicides and car accidents
- Harm to families of the decedent; lasting damage caused by images on Internet
- Regularity of requests received by law enforcement
- Use of images in civil lawsuit

EFFECT OF AMENDMENT:

No amendment.

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 508-A 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."