



Open Government Impact Statement

79th Oregon Legislative Assembly
2018 Regular Session

Measure: HB 4049 - A

Only impacts on Original or Engrossed
Versions are Considered Official

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SUMMARY

Directs Department of State Police to establish multidisciplinary committee on tracking of sexual assault forensic evidence kits. Directs department to adopt recommendations of committee and to create and maintain statewide electronic sexual assault forensic evidence kit tracking system. Establishes requirements of tracking system. Exempts records and information within tracking system from disclosure as public record.

Directs department to, no later than January 1, 2019, report on status of tracking system to Task Force on the Testing of Sexual Assault Forensic Evidence Kits and to Governor and Attorney General.

Extends sunset of Task Force on the Testing of Sexual Assault Forensic Evidence Kits to June 30, 2021. Directs task force to monitor implementation of tracking system and to, no later than December 1, 2020, submit to interim committee of Legislative Assembly related to judiciary final report that includes status update on tracking system.

Declares emergency, effective on passage.

OPEN GOVERNMENT IMPACT

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure exempts information contained within the new statewide electronic sexual assault forensic evidence kit tracking system from public disclosure.

The statewide electronic sexual assault forensic evidence kit tracking system will receive information regarding the collection of samples, the storage of kits, the analysis of samples and the storage or destruction of kits after analysis. Much of the information will be protected from public disclosure by federal or state law. It is unlikely that those types of records could be made subject to mandatory disclosure. Subjecting the remaining records to mandatory disclosure under public records law could affect the following competing issues: transparency; privacy; and the ability to gather and use confidential information.