



Gov. Brown, who led creation of the Advocate, says it needs independence:

Gov. Kate Brown, who led creation of the Advocate by spearheading SB 106 in 2017, says its independence is crucial to Oregon transparency (highlighting added).

Sept. 9, 2019: <https://www.oregon.gov/newsroom/Pages/NewsDetail.aspx?newsid=3416>

Governor Brown: 'The Public Records Advocate Should Be Truly Independent'

Salem, OR—Governor Kate Brown today released the following statement regarding the resignation of Public Records Advocate Ginger McCall:

"The allegations made today by Ginger are a surprise to both me and my Chief of Staff. I find the fact that this situation has reached the point where she feels the need to resign deeply regrettable. Had Ginger reached out to me sooner, I would have put my efforts into addressing her concerns and avoiding her resignation. The continued reform of public records law in Oregon hinges on the success of the Public Records Advocate and the Public Records Council that my office created.

"I agree with Ginger that the Public Records Advocate should be truly independent. I look forward to meeting with Ginger immediately to hear directly from her how the Council will develop recommendations to the legislature to create a truly independent position.

"It appears this is a situation where staff were conflicted between the goals of serving the Governor and promoting the cause of transparency. Let me be clear, there should be no conflict."

Sept. 17, 2019 <https://www.oregon.gov/newsroom/Pages/NewsDetail.aspx?newsid=3426>

Governor Kate Brown Statement on Public Records Advisory Council and Judicial Appointments

Salem, OR—Governor Kate Brown today released the following statement:

“There is a need for resolution on the separate but related issues of the Public Records Advocate’s resignation and my recent selection of the Governor’s General Counsel for the Court of Appeals vacancy.

“First, let me say that while there has been misunderstanding in and around both processes, I deeply regret that controversies have been created and acknowledge that I am ultimately accountable. I see now that the structure of the Advocate position, which I supported, was flawed from the beginning. Given their policy roles, the Advocate and the Public Records Advisory Council could not be truly independent as long as they were overseen by the Governor’s office, or any other elected official for that matter. Under this structure, any meaningful supervision had the potential to be seen as politically-motivated meddling, even if it was not intended that way.

“Through my years in leadership positions, I’ve come to realize that in politics, a discussion of fault often knows no boundaries until someone takes responsibility for making sure the right thing happens. I am taking that responsibility. As Governor, I want to restore focus on what matters most, which is openness in government.

“I’ve met personally with Ginger McCall to express my regret at her resignation, and to hear her thoughts on how to reinforce the strength of the public records advocate position and better serve the transparency process. I proposed the concept of a Public Records Advocate in 2017, and I am a strong believer in the principles behind its creation.

“This is a new position, and the Legislature and my office have clearly struggled with how to implement it within the current system of state government. In view of this experience, I think it is safe to say we can do much better, and the people of Oregon deserve to know that we take their trust seriously.

“In demonstration of my commitment to public transparency, I look forward to supporting the changes the Public Records Advisory Council proposes to improve the independence of the office of the Public Records Advocate, including efforts to ensure the position is not directly overseen by any elected official, or in any way overseen by the Executive branch but by the Council itself.

“This morning I received Misha Isaak’s letter declining his appointment to the Oregon Court of Appeals. I have come to know Misha for his personal and professional integrity, and he has only reinforced that in making this decision. He is an excellent lawyer and a valued member of my team.

“With respect to questions raised about the appointment of judges, I am working on developing a policy to standardize our process. In the future, the Governor’s office will announce any vacancies on the Oregon bench publicly and will clearly communicate the process we will follow in reviewing candidates for any judicial positions. I am very proud of my record of building a judiciary that reflects the diversity of the people of Oregon, with the highest level of character and legal excellence.”