

I am an attorney focused on public records. The proposed -A5 amendment would gut the Oregon Public Records law and allow municipalities to impose huge expense and delay on members of the public seeking basic government information. The existing law strikes a balance of protecting public employee information where it is normally stored in the course of government business, but not where such information might incidentally appear (for instance, if a public employee submits public testimony with their personal contact information into a public record).

This amendment arises out of a lawsuit the City of Portland brought against me over a request for metadata requested from the City's official SMS archives. I asked for a basic log of the date and numbers of texts to and from official cell phones. This resulted in the City estimating over \$100K in review fees and outrageous delays. The Multnomah County DA ruled in my favor and the City has sued me to overturn the order.

The City of Portland acts in bad faith and uses threats of high review fees to prevent access to public information. Allowing the City to treat every single public record as a personnel file would stymie public access.

At the very least, a modification of this magnitude should be referred to the Public Records Advisory Committee for thorough consideration and analysis.