

## PUBLIC RECORDS LAW NEEDS A FIX

In 1973, Oregon's public records law was one of the broadest in the nation. Since then 455 exemptions to the law have been added, making exactly what records are open to the public more confusing and letting local agencies from the UO athletic department to the Eugene police drag their feet or outright ignore public records requests.

Under Oregon's public records law (ORS 192.410-192.505), public institutions, from schools to state agencies, must provide public documents to those who ask for them. On a federal level, these requests are made under the Freedom of Information Act.

While there's a seven-day deadline in Oregon for elected officials to respond to records requests, public bodies are simply supposed to avoid "unreasonable delay."

Oregon's Attorney General John Kroger is looking into legislative reform of Oregon's laws. He said at a May 5 meeting in Eugene put on by his office and the Oregon Newspaper's Publishers' Association that he is focusing on accelerating government response to public records requests, reforming the fee structure, ensuring that exemptions are appropriate and improving the accessibility of public meetings.

Kroger said he has heard from citizen activists that months can go by after records requests have been made, making the standard of reasonableness "kind of a mockery."



AG John Kroger

Citizens, attorneys and public representatives gave comments at the meeting, which was attended by about 50 people.

City of Springfield attorney Joe Leahy said in his comments he thinks it should be inculcated in city and state agencies that "providing public records is not an accessory function." Springfield is still reeling from the disclosure that public employees were using city accounts to send racist and sexist emails. "Public records requests should be met," Leahy said, "no matter how embarrassing the documents."

Leahy and local attorney Dave Bahr, a public records law specialist, stressed the need for training public employees, particularly in areas off the I-5 corridor, on how to respond to records requests. Bahr expressed concern over high costs charged for obtaining records — electronically searchable email requests have cost thousands of dollars, he said.

Eugene's police auditor Mark Gissiner also spoke in favor of a more clear public records law. Making personnel and administrative files clearly public is "the best way to ensure accountability of our public employees," he said. Currently, he said, the law is unclear, and, "I'm not smart enough to make that decision on behalf of the entire state or city."

On the other side of the putting public records into the sunshine issue, Scott Winkels of the League of Oregon Cities said some public records requests can be "massive and paralyzing" and that "hard deadlines will relegate a person to poor customer service."

Representing the Association of Oregon Counties, Paul Snyder said he was also concerned about the monetary costs of providing public records to citizens and journalists and said such requests "need to be balanced with other things the government needs to deal with" and "to impose an absolute deadline, I'm against that."

The majority of the speakers were in favor of open public records and a more clear law. Some speakers expressed concern over public employees like city councilors and county commissioners deleting emails to keep them from being entered into the public record.

Michael Kron, an attorney on Kroger's staff who specializes in government transparency and public records issues, said that not only are all the emails of public employees part of the public record, if private email accounts are used for official business, those emails are public records too.

UO professor Bill Harbaugh, who agitated successfully last year to have the public records manual available for free online, tweaked Kroger for going the slower legislative route to fix the problem with public records laws. He said as the AG, Kroger "could waive fees and expedite public records requests."

Kroger said, "I could order everything expedited, but I'd rather have some actual deadlines," and, getting a little testy at some of Harbaugh's criticisms, told him "waiving fees is different from having a better, rational fee structure."

After the AG finishes taking public comments and proposing legislation, the revisions to the public records law would have to be voted on and passed by Oregon's legislature.

"What's going to happen if your efforts to change the law come to nothing?" Harbaugh asked.

Kroger responded by stressing the need for citizens to come to Salem and "lobby to change the law." — *Camilla Mortensen*

# news Briefs

## CITY TARGETS HOMELESS WITH COPS, NOT HOUSING

The city of Eugene is pushing to spend almost a million dollars a year on more police to go after street people downtown, but the planned cop sweep may end up doing more to push around street problems than actually solve them.

"You're not going to succeed," Terry McDonald, the director of St. Vincent de Paul and a city budget committee member, said at a May 3 meeting.

McDonald said that a mayor's homeless taskforce he served on two years ago found that chronically drug and alcohol addicted homeless people need a "wet bed" housing program to get them off the streets. "That absolutely was one of the greatest keys to reducing the amount of repetitive bad behavior on the street," he said. "It was identified as one of the easiest ways to get people off the street that are chronic re-offenders."

Without such a housing program, McDonald said, "all efforts are just going to release these people back out on the street endlessly over and over again."

"It's surprising to me that [housing] wouldn't have been an issue that was pushed up higher in the priority list," McDonald said. "I would strongly encourage you to get that as part of the agenda."

Eugene Police Chief Pete Kerns admitted the city's approach does not "turn the dials on that problem" of housing. "We

haven't fleshed out a plan for that yet. It would be a sizeable investment," Kerns said.

Kerns responded at the meeting that the city's police strategy "will make things much better" downtown. "But I completely agree with you. The other components of helping people who are chronically on the street, drug and alcohol addicted, we need to improve on those services."

— *Alan Pittman*

## CONSERVATIVE GUNS FOR TOP STATE SCHOOLS JOB

*The Register-Guard* has provided the leading endorsement to an anti-abortion, anti-gay, anti-evolution, anti-affirmative action Republican who wants guns and prayer in classrooms and the state's top schools post.

Republican Ron Maurer, a state House representative from Grants Pass, is running against incumbent Democrat Susan Castillo, a former TV reporter from Eugene, for state schools superintendent.

*The Oregonian*, which endorsed Castillo, cited the R-G's April 28 editorial as one of Maurer's top endorsements.

Maurer, who told Project Vote Smart that he's named one of his sons Remington and another Winchester, endorsed guns in schools before the Washington County Public Affairs Forum last month.

"If you have a concealed handgun license, then you should be permitted to bring it to school," Maurer said.

Castillo, a political moderate endorsed by teachers groups, took the opposite position. "I do not support having guns in school. At all."

Guns in schools isn't the only issue Maurer and Castillo have stark differences on.

Maurer told Vote Smart abortions should "always be illegal" even in cases of

## Happening people BY PAUL NEEVEL



SARA LOMBARDI

"As early as I can remember, I wanted to be a dancer," says Sara Lombardi, executive director of the Eugene Ballet Academy. "But the opportunity unfolded in gymnastics." A two-time state champ at Parkrose High in Portland, she competed on scholarship at the UO and earned a PE degree. "I took dance classes as well," says Lombardi, who continued in school for a masters in sports medicine while she began dancing with the fledgling Eugene Ballet Company. "I fell into it at 21, an unheard-of age." Her career at the EBC lasted six years, during which time she also began teaching and administering the school, then known as the Eugene School of Ballet. "It was started in 1959 by Doreen Gilday," she notes. "Her student was Riley Grannan, and I was Riley Grannan's student." Lombardi purchased

the school in 1994 and ran it as a personal business until 2006, when she sold it back to the ballet company, staying on as instructor and director, as well as artistic director of the Eugene Youth Ballet. A maestra of multi-tasking, she has also raised her three kids, now ranging in age from seventh grade to high-school senior. Learn about EBA classes and summer camps at [eugeneballetacademy.org](http://eugeneballetacademy.org).