



Kathy Plonka/The Spokesman-Review via AP

Windy weather's silver lining

Jeff Yates takes advantage of the high winds and kiteboards on Lake Coeur d'Alene, Tuesday in Coeur d'Alene, Idaho.

Audit reveals government agencies have problems complying with record requests

By PARIS ACHEN
Capital Bureau

SALEM — Oregon government agencies may be jeopardizing public trust with slow responses to more complex public records requests and inconsistent use of exemptions, according to a state audit report released Tuesday.

The audit is part of the fallout from an influence peddling scandal involving former Gov. John Kitzhaber and first lady Cylvia Hayes.

Auditors recommended that the state create an ombudsman position to "serve as an intermediary between the public and state agencies on complex records requests."

"The public and the press have a right to see how their government operates to serve Oregonians," Secretary of State Jeanne Atkins said in a statement. "This audit demonstrates that state agencies need to improve consistency and develop strategies to better respond to public records requests of all sizes. We must improve the public's trust in Oregon government."

Auditors scrutinized requests made to nine state agencies to determine how agencies responded and how records are organized and stored.

Agencies furnished records relatively quickly — in two weeks or less — for routine requests, defined as commonly requested information that is easy to find, according

to the audit. More complicated requests could take more than 265 days, result in high and inconsistent fees and lead to "the perception that agencies are using these tactics to block the release of public information," auditors wrote.

Agencies charge different fees for furnishing public records. Copies can range from 5 cents to 25 cents per page. Staff time can cost between \$15 and \$40 per hour.

The Department of Human Services, for instance, charged a requester \$742 to provide an entire file last year relating to the licensing of a nursing facility and took nearly four months to complete the request.

Agencies struggle with fulfilling broad requests for "any and all records" and requests for social media posts, text and instant messages or public records from a personal email account.

Few of the agencies have policies on how those technologies may be used "in the context of public records and how to retain the data," auditors wrote.

Navigating the state's variety of exemptions to disclosure also slowed responses to requests. Agency staff may have to consult with legal counsel to determine whether exemptions apply, according to the audit.

Auditors said an ombudsman could help mediate disputes between agencies and public over

public records request. Washington has an open government ombudsman, who is appointed by the attorney general. The ombudsman assists the public in making requests and agencies in complying with the state public disclosure law.

Gov. Kate Brown requested the audit in legislation she proposed during the 2015 legislative session. Senate Bill 9 was a response to delays in the release of public records related to an influence peddling scandal involving Kitzhaber and Hayes. Reporters waited months for the state to release documents concerning the overlap between Hayes' public policy role and private consulting contracts.

The legislation required the Secretary of State's Office to audit agencies' handling of public records requests.

During her State of the State address in April, Brown said the audit was necessary before lawmakers could consider "meaningful changes to improve our public records law."

Lawmakers are meeting in Salem this week to discuss possible bills for the 2016 legislative session, but Democrats may wait until 2017 to propose any significant changes to Oregon's public records law.

The Capital Bureau is a collaboration between EO Media Group and Pamplin Media Group.

BRIEFLY

OHSU gets option to buy stake in struggling Moda Health

PORTLAND (AP) — Oregon Health & Science University has agreed on terms with Moda Health Plan Inc. that allow the public entity to purchase a 25 percent share of the struggling insurer.

OHSU has signed a letter of intent that gives the academic health center the option to convert the \$50 million debt it is owed by Moda Health into a 25 percent equity stake in the struggling health insurance company.

Dr. Joe Robertson, president of OHSU, said the option speaks to the tight relationship between OHSU and Moda.

It's highly unusual for a public corporation like OHSU, which still receives millions of state tax dollars a year, to buy a stake in a private insurance company. It's even more so in this case as Moda has been hit with significant financial losses after betting heavily on the new individual insurance market mandated by the Patient Protection and Affordable Care Act, which went into effect last year.

The Oregon Insurance Division would have to approve the deal before OHSU goes ahead with the debt-to-equity conversion. The new agreement gives OHSU a year to do so.

Oregon unemployment rate drops to 6 percent

PORTLAND (AP) — Oregon's jobless rate dipped to 6 percent in October, down from 6.2 percent the month before.

The state Employment Department said Tuesday that Oregon gained 2,100 jobs, led by construction, manufacturing, professional services and leisure and hospitality. Two industries that declined were private educational services and transportation, warehousing and utilities.

The Employment Department also sharply revised its September numbers. The agency says Oregon dropped 900 jobs that month, not the 5,300 initially reported. The stats are revised each month to account for firms that report late.

The unemployment rate at this

time last year was nearly 7 percent. The two industries expanding the fastest during the past year: construction and health care and social assistance.

Student sues Pacific University for \$3 million after rape

PORTLAND (AP) — A 20-year-old Pacific University student who says another student raped her has filed a \$3 million lawsuit against the Oregon university.

The Oregonian reports that the lawsuit says the rape occurred after both students attended a 2013 party for athletes that included underage drinking.

The suit alleges that young women at the party were encouraged to drink to excess and that the university hasn't done enough to discourage alcohol-related sexual assaults.

University spokesman Joe Lang declined to comment on the details of the case, but released a statement saying the school takes allegations of sexual misconduct seriously.

Greg Kafoury, one of the woman's lawyers, says she had to cut her freshman year short because panic attacks consumed her. He says she's currently on a medical leave of absence.

Norovirus confirmed at Klamath Co. schools

KLAMATH FALLS (AP) — Norovirus has been confirmed as the cause of a recent outbreak of stomach illness in Klamath County.

Klamath County Public Health said it's working with state epidemiologists to pinpoint the source.

Students and staff members from schools throughout have been sickened since late October. No one has been hospitalized.

Those infected with norovirus get a sudden onset of symptoms such as nausea, vomiting, diarrhea and stomach cramps, and are generally sick for a few days.

The health department urges those who are sick to stay home, and for everyone to frequently wash their hands.

Corrections

The increased oil that Union Pacific plans to ship through the Columbia River Gorge won't originate in the Bakkan oil fields in North Dakota. Incorrect information appeared on Page 1A of the Saturday, November 14 edition. The *East Oregonian* works hard to be accurate and sincerely regrets any errors. If you notice a mistake in the paper, please call 541-966-0818.

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AccuWeather.com Forecast

TODAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
49° 38°	43° 29°	42° 25°	39° 25°	44° 25°
53° 39°	47° 30°	44° 25°	41° 24°	45° 25°

ALMANAC

PENDLETON
through 3 p.m. yesterday

TEMPERATURE	HIGH	LOW
Yesterday	61°	45°
Normals	48°	33°
Records	75° (1908)	4° (2014)

PRECIPITATION
24 hours ending 3 p.m. 0.11"
Month to date 0.43"
Normal month to date 0.76"
Year to date 7.06"
Last year to date 9.91"
Normal year to date 10.75"

HERMISTON
through 3 p.m. yesterday

TEMPERATURE	HIGH	LOW
Yesterday	66°	47°
Normals	50°	33°
Records	73° (1932)	6° (1961)

PRECIPITATION
24 hours ending 3 p.m. 0.05"
Month to date 0.23"
Normal month to date 0.64"
Year to date 4.81"
Last year to date 5.96"
Normal year to date 7.92"

SUN AND MOON

	First	Full	Last	New
	Nov 18	Nov 25	Dec 2	Dec 11

REGIONAL FORECAST

Coastal Oregon: Variable cloudiness today; occasional afternoon rain and drizzle across the north.

Eastern and Central Oregon: Clouds and sun today. Cooler across the north; a shower in spots in the south.

Western Washington: A shower; however, occasional rain and drizzle at the coast this afternoon.

Eastern Washington: Clouds and sun today. A little rain across the south and toward the Cascades tonight.

Cascades: Mostly cloudy today; a rain or snow shower in spots, but dry in the south.

Northern California: More clouds than sun today. Partly cloudy tonight. Intervals of clouds and sun tomorrow.

	Today			Thu.		
	Hi	Lo	W	Hi	Lo	W
Astoria	53	43	r	51	37	r
Baker City	42	27	c	38	23	sn
Bend	42	30	c	49	30	sh
Brookings	59	48	c	58	50	r
Burns	38	24	pc	47	24	sh
Enterprise	38	26	c	36	17	sn
Eugene	54	44	c	56	40	r
Heppner	47	35	pc	42	27	sh
Hermiston	53	39	c	47	30	sh
John Day	43	33	pc	44	28	r
Klamath Falls	46	31	c	50	38	pc
La Grande	43	32	c	39	22	sn
Meacham	39	29	c	37	19	sn
Medford	52	42	c	56	47	r
Newport	53	44	r	54	41	r
North Bend	57	49	c	59	46	r
Ontario	49	30	c	42	25	sh
Pasco	53	35	pc	48	26	r
Pendleton	49	38	c	43	29	sh
Portland	53	44	c	51	39	r
Redmond	47	30	c	50	27	sh
Salem	53	45	c	54	39	r
Spokane	41	27	pc	39	24	c
Ukiah	41	31	pc	38	23	r
Vancouver	51	44	c	50	35	r
Walla Walla	49	40	c	48	33	r
Yakima	53	33	pc	47	29	r

	Today			Thu.		
	Hi	Lo	W	Hi	Lo	W
Beijing	43	32	c	39	31	sn
Hong Kong	85	75	pc	84	75	pc
Jerusalem	63	49	pc	63	50	s
London	58	50	sh	55	46	r
Mexico City	74	54	pc	71	54	pc
Moscow	34	33	sn	38	36	sn
Paris	59	55	pc	61	54	sh
Rome	64	51	pc	64	53	pc
Seoul	57	43	r	56	44	c
Sydney	92	65	s	86	68	s
Tokyo	67	54	r	62	54	c

	Today			Thursday		
	(in mph)	WSW 7-14	NNE 3-6	WSW 8-16	NE 3-6	
Boardman						
Pendleton						

UV INDEX TODAY

0 1 1 1 0 0

8 a.m. 10 a.m. Noon 2 p.m. 4 p.m. 6 p.m.

0-2, Low 3-5, Moderate 6-7, High; 8-10, Very High; 11+, Extreme

The higher the AccuWeather.com UV Index™ number, the greater the need for eye and skin protection.

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NATIONAL WEATHER TODAY

Shown are noon positions of weather systems and precipitation. Temperature bands are highs for the day.

National Summary: Rain and locally strong thunderstorms will push across the Great Lakes, Ohio Valley and central Gulf Coast states today. The air will turn progressively colder over the northern Plains.

Yesterday's National Extremes: (for the 48 contiguous states)
High 91° in Brownsville, Texas
Low 1° in Bridgeport, Calif.

	Today			Thur.		
	Hi	Lo	W	Hi	Lo	W
Albuquerque	53	29	pc	54	32	s
Atlanta	70	52	r	66	47	s
Atlantic City	62	57	pc	66	51	r
Baltimore	63	57	c	67	45	r
Billings	43	25	pc	39	23	c
Birmingham	69	47	r	67	45	s
Boise	45	32	pc	42	30	sh
Boston	50	42	pc	55	49	r
Charleston, SC	78	68	c	77	55	r
Charleston, WV	72	51	r	63	34	s
Chicago	62	40	r	47	29	pc
Cleveland	68	53	r	60	34	c
Dallas	67	45	s	67	47	s
Denver	48	22	pc	42	27	pc
Detroit	65	46	r	56	33	pc
El Paso	62	39	s	65	39	s
Fairbanks	-10	-17	c	12	10	c
Fargo	42	25	r	33	18	sf
Honolulu	87	75	pc	87	76	sh
Houston	72	47	r	75	50	s
Jacksonville	65	42	r	55	30	s
Jacksonville	83	70	sh	79	60	t
Kansas City	51	34	pc	52	32	s
Las Vegas	66	46	pc	67	47	s
Little Rock	62	43	c	64	39	s
Los Angeles	78	54	s	81	53	s
Louisville	69	47	r	61	35	s
Memphis	66	47	r	67	42	s
Miami	85	77	sh	85	74	c
Millwaukee	62	40	r	47	30	pc
Minneapolis	54	30	r	37	25	c
Nashville	66	45	r	64	37	s
New Orleans	67	53	r	70	55	s
New York City	58	55	c	65	54	r
Philadelphia	65	40	s	58	37	s
Phoenix	68	47	pc	75	50	s
Portland, ME	48	34	s	51	43	r
Providence	51	40	pc	59	53	r
Raleigh	72	63	c	75	50	r
Rapid City	47	21	pc	42	16	pc
Reno	54	30	pc	58	35	s
Sacramento	69	43	pc	68	46	s
St. Louis	61	42	c	55	35	s
Salt Lake City	46	31	sh	50	41	c
San Diego	74	55	s	78	56	s
San Francisco	65	49	pc	66	51	r
Seattle	49	41	c	47</		