

Brown, lawmakers have done little to boost transparency

By HILLARY BORRUD and PARIS ACHEN
Capital Bureau

SALEM — A year after Gov. John Kitzhaber resigned under the cloud of a federal criminal investigation, there is waning momentum for government transparency reforms in the state capital.

Federal prosecutors launched the investigation after news reports revealed Kitzhaber's fiancée Sylvia Hayes since 2011 worked as a paid consultant for groups that wanted to influence state policies. The news also prompted some people to call for government to operate more openly.

After succeeding Kitzhaber as governor, Kate Brown pledged to spearhead legislation to strengthen government ethics and public records laws.

"It was clear that transparency was not a priority in the prior administration," Brown said in November. "I changed that my first day on the job and every day since. Since I was sworn in, my team and I have worked to increase the level of transparency in state government."

Yet 13 months later, Brown and lawmakers have done little to increase transparency.

Lawmakers have twice failed to pass legislation that would set limits on the time and fees for responding to public records requests. And groups that shape state policies and laws, including political party caucuses and work groups that advise the governor and Legislature, routinely meet in secret.

Jim Moore, a political science professor and director of the Tom McCall Center for Policy Innovation at Pacific University, said the situation was not surprising, given the trend in Oregon over the last 40 years has been to whittle away at the state's open meetings and public records laws, effectively reducing transparency.

"Occasionally, there will be a blip kind of the other way," Moore said. "You would think that the Kitzhaber thing would cause that reaction, but it really didn't."

Journalists' inquiries late in 2014 into Hayes' clients and the extent of her influence on state policies caused a backlog of public records requests at the Governor's Office. It took months for Kitzhaber's staff to release some of the records, and other requests remained unfulfilled



Members of Oregon's House of Representatives are shown on March 3. Neither the Legislature or Gov. Kate Brown did much in the recent session to bolster government transparency.

when Kitzhaber resigned in February 2015. There is no deadline to release records under Oregon law.

The public records backlog prompted proposals to improve the state's public records law.

Brown introduced three bills in 2015 as part of her ethics reform and transparency agenda. The bills, all of which passed the Legislature, were narrowly targeted at some of the issues in the Kitzhaber and Hayes scandal and did not make any sweeping changes to government transparency.

One bill required an audit of how state agencies handled public records requests.

At the same time, a broad public records bill introduced by Rep. Julie Parrish, R-West Linn, died due to lack of support. Parrish's bill would have required government officials who conducted public business using private email accounts, as well as social media and cell phone texts, to hand over a copy of those records to the government for archiving within 30 days.

Top state officials, including Kitzhaber and his staff, Hayes and former Gov. Ted Kulongoski all used private email accounts to discuss state business in recent years.

The legislation also would have

required governments to respond to public records requests within seven days and to waive all fees if employees were unable to release the record within three weeks.

Rep. Val Hoyle, D-Eugene, who at the time was House Democratic Leader and chair of the committee where the bill died, said it stalled because city and county governments opposed the deadlines and fee limits in the bill. Hoyle said she and other lawmakers still want public records reform, but they decided they needed more time to reach consensus with local governments.

Hoyle formed a bipartisan work group in May to discuss ideas for 2016. Those meetings, like other legislative work groups, were closed to the public and required no public notice. Hoyle's group proposed House Bill 4130, which would have required governments to fulfill public records requests within 30 days or provide an explanation for why the records are delayed.

Even with compromises and bipartisan support, the proposal ultimately died in committee. As lawmakers prepared to wrap up work at the end of February, the state Senate already had a backlog of 80 bills it was trying to consider before the

end of the session March 3, said Robin Maxey, Senate President Peter Courtney's spokesman.

Brown had also planned to introduce reforms in the 2016 short session, based in part on the audit of state agencies' handling of public records requests.

The Secretary of State's Office released the audit in November. Auditors found that the nine state agencies they examined generally furnished records in two weeks or less for routine requests, while more complicated requests could take more than 265 days and result in high and inconsistent fees.

Brown ordered state agencies to develop standardized public records fees and procedures, and said she planned to offer legislation in 2016 "to establish a neutral third party entity to mediate disputes regarding public records between requesters and state agencies." Brown's communications director described the job as an ombudsman.

Brown did not follow through on that plan. Instead, she asked lawmakers to approve two temporary positions at the Department of Administrative Services to help process public records requests.

Neither position has duties involving helping the public when an agency

denies a public records request.

Kristen Grainger, Brown's spokeswoman, said the Governor's Office determined "there was a more pressing need for technical assistance helping agencies respond to requests for electronic records." Brown plans to propose legislation for a public records ombudsman in 2017, Grainger said.

Brown has also committed to increasing day-to-day transparency in the Governor's Office, for example by ordering her staff not to use private email accounts to conduct public business.

At the same time, Brown's office has adopted unwritten policies that preclude the media from speaking to her advisers and limit the public's ability to observe policymaking.

Grainger, Brown's communications director, recently told the EO Media Group/Pamplin Media Group Capital Bureau that only she and the governor's press secretaries are authorized to speak to the media. Since 2015, several of Brown's advisers have declined to discuss their work on issues ranging from transportation to energy with the bureau.

Brown also has a number of work groups and advisory committees that meet shrouded from public view. Brown's legal counsel advised her that a group that will make recommendations to the governor, unlike a legislative committee or city council, is exempt from public meetings law, according to Chris Pair, a press secretary in Brown's office. As a result, the governor has chosen to have most of these groups meet in private.

The Legislature employs similar practices, with lawmakers making critical decisions about legislation in closed-door party caucus meetings. As a result, the discussions that take place in committees and on the chamber floors are often predetermined.

"It doesn't matter if it's a Republican Legislature or a Democratic Legislature, that pattern is the same," said Moore. "That's one reason I don't go to the Legislature anymore, because the major things they do are decided in caucus. I don't get to go to the caucus, so what's the point? In fact, many of the committee hearings are pre-arranged in the caucuses."

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

In West, region of guns and suicide, outreach to curb deaths

Associated Press

MONTROSE, Colorado — Keith Carey is a gunsmith in Montrose, a town with a frontier flavor set amid the mesas of western Colorado. He's a staunch, though soft-spoken, defender of the right to bear arms.

Yet now he's a willing recruit in a fledgling effort to see if the gun community itself — sellers and owners of firearms, operators of shooting ranges — can help Colorado and other Western states reduce their highest-in-the-nation suicide rates.

"Suicide is a tragedy no matter how it's done," said Carey, whose adult daughter killed herself with a mix of alcohol and antidepressants a few years ago on the East Coast. However, he sees the logic in trying gun-specific prevention strategies in towns like Montrose, where guns are an integral part of daily life.

"It's very expedient for people to commit suicide by a firearm, without too much forethought," Carey said. "Unfortunately, it's generally effective."

At the urging of a local police commander, Carey agreed last year to participate in the Gun Shop Project, a state-funded program in which gun sellers and range operators in five western Colorado counties were invited to help raise awareness about suicide. It's a tentative bid promising bid to open up a conversation on a topic that's been virtually taboo in these Western states: the intersection of guns and suicide.

Carey's shop counter now displays wallet-sized cards with information about a suicide hotline. A poster by the door offers advice about ways to keep guns away from friends or relatives at risk of killing themselves.

Carey says some customers take materials home, or ask a few questions. The conversations tend to be brief.

"Suicide is one of those morose subjects that a lot of us don't want to talk about,"



In this Feb. 23, photo, Police Commander Keith Caddy, right, sits with Gun Depot shop manager Bobby Gray in Montrose Colo., where suicide rates are among the highest in the nation. Caddy has been around guns since childhood as a hunter, lawman, firearms instructor and licensed gun seller. Now he's doing outreach for the Gun Shop Project, and most of the businesses he has visited agreed to display the suicide-awareness materials once they were assured it wasn't a gun-takeaway program in disguise.

he said. "But it's all too common. I believe any method of suicide prevention is worth a good hard try."

Across the U.S., suicides account for nearly two-thirds of all gun deaths — far outnumbering gun homicides. In 2014, according to federal data, there were 33,599 firearm deaths; 21,334 of them were suicides. That figure represents about half of all suicides that year; but in several western Colorado counties, and in some other Rocky Mountain states with high gun-ownership rates, more than 60 percent of suicides involve firearms.

Along with Alaska, the states with the highest rates form a contiguous bloc — Montana, Idaho, Wyoming, Nevada, Colorado, Utah and New Mexico. All have age-adjusted suicide rates at least 50 percent higher than the national rate of 12.93 suicides per 100,000 people.

Between 2000 and 2014, gun suicides increased by more than 51 percent in those states, while rising by less than 30 percent nationwide.

Theories abound as to why such high rates. Commonly cited factors include the isolation and economic hard times in rural areas of these states. There's also believed that a self-reliant frontier mindset deters some Westerners from seeking help when depression sinks in.

"We embrace the cowboy mentality," says Jarrod Hindman, director of Colorado's Office of Suicide Prevention. "If you're suffering, suck it up, pick yourself up by your boot straps. But that doesn't work very well if you're suicidal."

Underlying all these explanations is the fact that firearms are more ubiquitous in the West than in most other parts of the country.

Catherine Barber, a suicide prevention expert at the Harvard School of Public Health, says residents of gun-owning homes are at higher risk of suicide than other people — simply because a suicide attempt is more likely to involve a gun. According to federal estimates, suicide attempts involving firearms succeed

85 percent of the time, compared to less than 10 percent of attempts involving drug overdoses and several other methods.

"It's not that gun owners are more suicidal," Barber argues. "It's that they're more likely to die in the event that they become suicidal, because they are using a gun."

Colorado's Gun Shop Project is modeled after a program pioneered in New Hampshire. Barber helped design the initiative and hopes collaboration on firearm suicide prevention can spread nationwide.

"In the past, people shut up about this issue because they thought raising it meant raising the issue of gun control," she said. "It makes so much more sense to look at gun owners as part of the solution."

Hindman said that when he joined the state health department in 2004, talking about the role of firearms in suicide was discouraged. It's still a sensitive topic, he said, but there is some funding for gun-specific initiatives.

In Montrose, Police Com-

"In the past, people shut up about this issue because ... they thought it meant gun control."

— Catherine Barber, Suicide prevention expert, Harvard

mander Keith Caddy has been around guns since childhood. Now he's doing outreach for the Gun Shop Project — and most of the businesses he has visited agreed to display suicide-awareness materials once they were assured it wasn't a gun-takeaway program in disguise.

"It's my duty to protect the community I serve," Caddy said. "If I can go out there and spend a little time talking to the gun shops, maybe the reward will be saving someone's life."

Suicide presents a distinctive challenge for shooting ranges: Occasionally, someone will rent a gun, then use it to commit suicide.

At the Family Shooting Center in Denver, there have been three such incidents, including two since Doug Hamilton began managing the range in 2004. Hamilton is open to letting his staff get suicide-prevention training, though he's unsure it would help. Those who killed themselves at his range exhibited no signs of stress beforehand.

"Suicide prevention brochures aren't something that anyone's going to pick up who has come out to our range to kill themselves," he said.

Such challenges are familiar to Dr. Michael Victoroff, a Denver-area physician whose leisure-time passion is competitive shooting. He was at the Family Shooting Center in Denver when one suicide occurred there. Victoroff belongs to the American Medical Association and the National Rifle Association, and has qualms about both.

"The medical community has been content not to know anything about gun culture and gun safety," said Victoroff. As for the NRA, he'd

like to see suicide prevention highlighted in its training materials.

Over the years, firearm suicide has not been a high-profile issue for the NRA; it worries that the topic might be used to advance a gun-control agenda. Though the NRA has no position on Colorado's Gun Shop Project, it has endorsed a bill in Washington state encouraging gun dealers to participate in suicide prevention efforts, said spokeswoman Jennifer Baker.

Throughout Colorado, prevention efforts are fueled to a large degree by people who've lost friends and loved ones to suicide.

Cindy Haerle, a teacher and board member of the Grand Junction-based Western Colorado Suicide Prevention Foundation, grew up in "a real gun family" in Salida, Colorado, and had her own gun by the time she was 5. But she gave up shooting after her brother John killed himself with a pistol in 1980 at age 29.

"Nothing is as final as a gunshot," said Haerle, who was 13 at the time.

In the northwest counties of Routt and Moffatt, the Gun Shop Project is coordinated by Meghan Francoene, who constantly reassures gun owners and sellers that the outreach program poses no threat. She got involved after her 15-year-old brother-in-law fatally shot himself in 2010.

"Keep your guns. Keep a dozen. I don't care. But please make sure they are locked and out of the reach of someone who's in crisis," she said. "I'm not asking any gun shop owner to be a psychologist. I'm asking them to be their brother's keeper."

PENDLETON ART + FRAME
"The Blues and Beyond"
New photography by Debbie McIntosh through April
36 SW Court Ave, Pendleton • 541-276-3617
Mon - Fri 10 am - 5 pm, Sat 10 am - 2 pm

Bisnett Insurance
Main Street Service Where One Call Insures it all
www.bisnett.com
Office locations: Pendleton • Baker City • Milton-Freewater • Medford • John Day • Hood River • Lake Oswego • Kelchum, ID • Scottsdale, AZ

HAIRPINS on 6th
Tues - Fri 9am - 5:30pm
Saturday & Evening by Appointment
311 SW 6th • Pendleton
541-278-8099

ROB MERRIMAN PLUMBING & HEATING, INC.
NEW CONSTRUCTION • REMODEL • REPAIRS
DRAIN CLEANING • CAMERA & LOCATOR • BOILERS
4354 Westgate Pendleton, OR 97801
541-276-7221
HERMISTON 541-564-6393
FAX 541-966-1199

PGG PETROLEUM
Contact Pendleton Grain Growers, Inc. for all your agricultural transportation, agricultural and residential energy and grain marketing needs today.
pendletongrain.com • (800) 422-7611

WELCOME NEW MEMBERS
PENDLETON CHAMBER OF COMMERCE
NATIONAL SMALL BUSINESS WEEK MAY 1ST TO 7TH
FREE WORKSHOPS FOR CHAMBER MEMBERS!
May 2nd - Facebook Level 1
May 3rd - Google Business & Map Listing
May 5th - Facebook Level 2
May 6th - Google Business & Map Listing
All Classes Being at 8:30 a.m. the Pendleton Chamber of Commerce Office.
Max 6 per class: RSVP to (541) 276-7411.

Listen to Her
A statewide listening tour to hear from women & girls.
OREGON
Pendleton Area "Listen to Her" Town Hall
Wednesday, April 27, 2016 from 5:30 to 7:00 p.m.
Blue Mountain Community College
Science & Technology Room 200
2411 NW Carden Ave, Pendleton, Oregon
We are Looking for Volunteers to Join the Chamber's Welcome Posse!
Call (541) 276-7411 for more info!

Premier Jets, Inc.
Roger B. Kelsay, President
2140 NE 25th Ave, Hillsboro, OR 97124
(509) 640-2927 • (800) 635-8583
operations@premierjets.com
www.lifeguardairambulance.com
On Facebook as "Premier Jets/Lifeguard Air Ambulance"

The Speakeasy Salon
Katie Jones, Owner
215 SW 10th St, Pendleton
(541) 969-2654 • virmochek@gmail.com
www.thespeakeasysalon.com
On Facebook as "SpeakeasySalon"

PENDLETON CHAMBER OF COMMERCE PRESENTS:
CITY COUNCIL CANDIDATE FORUM LUNCHEON
APRIL 20, 2016 • 11:45-1:00 PM
PENDLETON MASONIC LODGE
\$13 MEMBERS PAID BY 4/15
\$16 ALL OTHERS
RSVP REQUIRED
Call 541-276-7411 to RSVP
Sponsored by Columbia Bank

Kick it Up After Business After Hours Event
dancing with your PENDLETON stars
Meet the Dancers! CAPECO
721 SE 3rd St
Entrance on Isaac Ave
Thursday, April 14 • 5:30 p.m.

CHI St. Anthony Hospital
Imagine Better Health...
2801 ST. ANTHONY WAY, PENDLETON, OR 97801

Morning Buzz
4.6.16
7:15-8am
Blue Mountain Creations
412 S Main St

Elite Guns & Bows, LLC
213 SE 2nd St., Pendleton, OR 97801
P 541-276-1243 • F 541-276-1253
For all your shooting needs & Gun Smithing - Reloading
www.elitegunsandbows.com
Highest quality
Excellent product knowledge
Friendly Service

Spring Cleaning? Recycle at Pendleton Book Co.
125 S. Main St., Pendleton, OR 97801
(541) 276-9292 • penbkco@eonet.net

RAYMOND JAMES FINANCIAL SERVICES, INC.
Member FINRA/SIPC
Serving Eastern Oregon & Washington for over 24 years
Our Professionals Offer:
• Retirement Cash Flow Planning • Consolidating Assets
• Investment Management • IRA's ~ Roth IRA's ~ 403b's ~ 401k's
John Cimmiyotti - Branch Manager
306 SW Doran Ave. - Pendleton, OR 97801
8797 W. Gage Blvd., Ste. C-103 - Kennewick, WA 99336
541-276-9184 • 800-276-9184
Web Site: www.RaymondJames.com/JohnCimmiyotti

DEAN'S PENDLETON ATHLETIC
1980 36 YEARS 2016
249 S. Main, Pendleton • 541-276-6988
Cari Broker
www.deansathletic.com

Thai Crystal
Visit the finest Thai Restaurant in the West.
Located in the shadow of the County Court House
Open 7 days a week • 541-278-4182
210 SE 5th Street, Pendleton, OR 97801
thaicrystalrestaurant.com

Advertise in this space,
Call Dayle Stinson 541-966-0806
dstinson@eastoregonian.com
EAST OREGONIAN