

# O EAST OREGONIAN PINION

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SATURDAY, FEBRUARY 26, 2022

Founded October 16, 1875

A4

## OUR VIEW

# What's a reasonable fee system for public records?

In Oregon government, there are the wise, the not so wise and everything in between. And one thing that binds them all and can expose them all is Oregon's public records law.

Write an email. Send a text. Draft a report. Create a chart. With some exceptions, if it's the work of a school board, state government or another government body, it's a public record. The public can get it, and learn more of what's going on and what's going on behind the decisions.

But as useful as Oregon's public records laws could be, the laws can be a mess to get right. The toughest questions can be how much to charge. Many government agencies will fulfill simple requests for free. Anything more than that and it can get expensive.

Oregon's Public Record Advisory Council is trying to help the state navigate to a better way of calculating what to charge. Last week it heard from people who handle public records requests from larger state agencies, the Oregon Health Authority, the Department of Human Services, the Oregon State Police and the Department of Corrections. There were some common themes, though they were not the official positions of state government or the agencies.

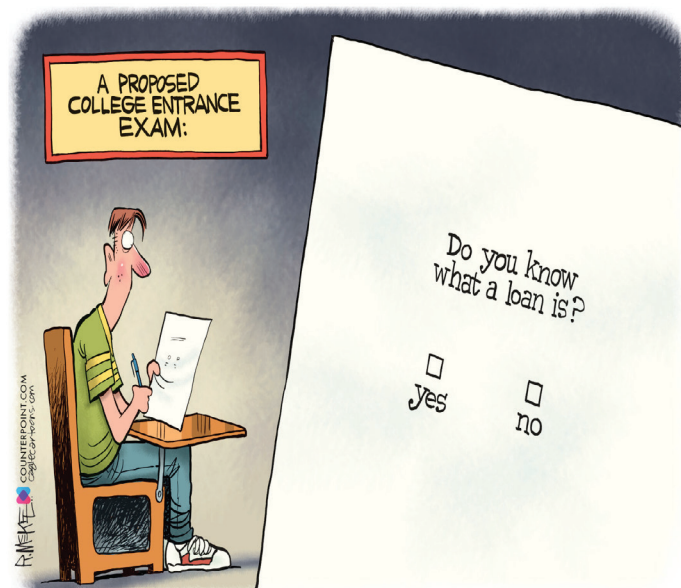
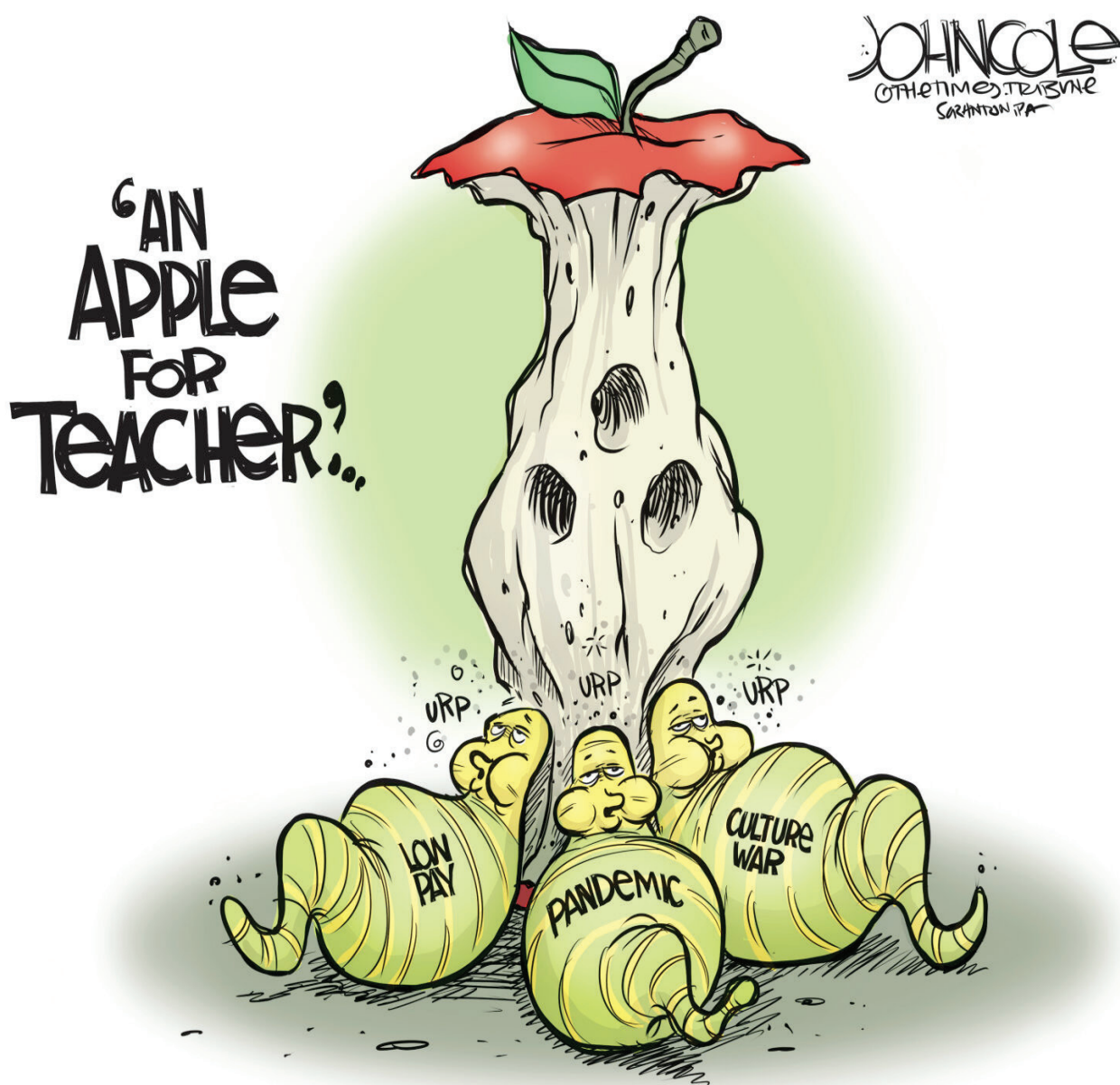
A suggestion for changing the law has been to do away with fees. They can be like a wall blocking the public from public information. Laura Heathcock, who works in the central records section for the Oregon State Police, said fees are important. They can be the only tool she has to convince people they should refine a large request.

State agencies don't have uniform means of storing records or even uniform means within a state agency. Even capturing relevant emails is not so simple as a keyword search. The searches will bring up many irrelevant emails, many emails that need to have information that needs to be redacted. The work involved in going through and translating emails into a PDF format also is time-consuming and intensive. The state doesn't have a standardized program to automate it.

The state does offer partial and total fee waivers for some requests made in the "public interest." And fees are sometimes waived for nonprofits and journalists. Cheré LeFore, Public Records Unit manager, Department of Human Services, says the state's chart for determining if someone should get a waiver needs to be simplified. It can be difficult to apply. One question state records workers encounter is determining who should be considered a journalist. Only traditional media organizations? What about people who say they are freelance journalists?

And then there is determining what to charge for the requests. Jeanne Windham, the public records coordinator for the Oregon Health Authority, doesn't charge unless a request takes more than 10 hours. She does not charge for searching and gathering records. She does charge for preparing and redacting records. Other state agencies do it differently.

What's a reasonable fee system for public records? We don't know, yet. But a one-size-fits-all policy for government bodies from those with thousands of employees to those with a few seems doomed to flounder. That is, without more state money spent to keep the costs of public records reasonable for the public.



## YOUR VIEWS

### Taxi operator singing the blues, claims competition as unfair

"We've been operating this way for more than 20 years, and it works." That's the rationale coming out of city hall in the Elite Taxi versus Uber debate. Maintaining the status quo just doesn't get it in a rapidly changing market. Until the issue arose of allowing ride-hailing businesses such as Uber and Lyft to operate in Pendleton, most residents didn't realize how the city's public transportation system and Elite Taxi service have become so intertwined.

Decisions by our city management to provide Elite Taxi with excessive subsidies in the form of equipment, i.e. handicapped vans, buses and a taxi-ticket subsidy system, have essentially put them in control of our complete public transportation system, leaving failure due to any form of competition from an outside source an unacceptable option.

There are reasons why ride-hailing businesses have flourished. The public's needs are just not being met by existing taxi and bus services. When a city councilor offers a rather unflattering evaluation of the taxi service, you know there are problems. I suspected Uber had been operating in Pendleton for quite some time. Conversations with tourists confirmed those suspicions during the last Pendleton Whisky Music Fest. So why the sudden concerns? Could it be the decline in the taxi-ticket/handicapped program ridership that now requires storage of vans and buses the city has purchased? Were they ever really needed? What's next? Will they go after the Pendleton Round-Up Association's shuttle/taxi service in the future? Will the scooters be the next target?

By constructing a new storage facility with amenities such as a public lobby, locker room, restroom, break room, equipment storage, office space, a

wash rack and a price tag of \$2 million, could this building be something more than a storage barn? It's quite a facility for a department with no employees. What are they not telling us? Is this some nefarious plan by Pendleton Public Works Director Bob Patterson and company to further subsidize Elite Taxi by providing a new operations facility without public approval by circumventing a bond vote? Perhaps an agreement with Clearview, a business with a fleet of handicap accessible vans, might have been a more beneficial arrangement for everyone, everyone except the taxi company.

One of our city councilors recently suggested city management should put more emphasis on projects that directly benefit city residents. Who does this new facility benefit? Certainly not our residents.

Rick Rohde  
Pendleton

### Vote to save democracy, but investigate too

Please vote in the 2022 election. Whether Democrat, Republican, Independent or nonaffiliated, the American government is under attack and you must be heard.

American elections have been challenged with unjustified claims to question their validity. Voter suppression is common in many states through purging registrations and making it physically difficult to cast a ballot. The forces behind this effort to overthrow the American government seem willing to go to any lengths to accomplish their purpose. What is the purpose of armed poll watchers?

The "foot soldiers" of this group are the "Oath Keepers," the "Proud Boys" and associated groups of "white supremacists." Now comes the Republican National Committee, which defined the riot of Jan. 6 at our nation's Capitol as "legitimate

political discourse." These groups have not shown a desire for peaceful discussion, just the opposite.

When completing the election ballot, it is important to know the background of our candidates and not just their rhetoric. Unfortunately for those of us with Republican leanings, endorsement from the RNC, which is sympathetic to a violent takeover of the government, should be a "red flag" and further research would be justified. Don't just vote the party line. Investigate.

The extremists on both sides count on the majority in the middle failing to vote. Save American democracy. Vote.

David Ebbert  
Enterprise

### Thank you, Hermiston

One of the beautiful things about Hermiston that has been revealed over the past two years is the community's dedication to putting small differences aside and focusing on the big issues.

These have been difficult and trying times for everyone. We have all had different beliefs and ideas about how to respond to the virus, protect our families and endure setbacks.

But in Hermiston I have seen people committed to living together, despite these differences. The schools are a common space where all our children learn and grow together. I have seen the investment from people across the ideological spectrum to ensuring our students are receiving the best education possible.

I want to share my deepest thanks to the Hermiston community for stepping up for kids through this pandemic. We are truly a diverse community, and that diversity has been an important part of our strength.

I am so grateful to live and work in a community willing to put our future first.

Tricia Mooney,  
Hermiston