

# Transcript

December 12, 2025, 7:08PM

□ **ALBERT Todd \* PRA** started transcription

**SM** **Shasta Kearns Moore** 0:03

OK, how to share window?

This window.

OK, so I read through the findings and kind of compiled some notes and then I asked Chatgpt to make my notes pretty.

So here's the kind of draft report, and of course, very open to suggestions and amendments.

So.

You know, just kind of introducing what this is, what we asked, what they responded.

**BW** **Brent Walth** 0:43

Responded.

**SM** **Shasta Kearns Moore** 0:45

I'm good. Here's Brent.

**BW** **Brent Walth** 0:47

Hello I am late.

**SM** **Shasta Kearns Moore** 0:48

Hello. So we were, it's OK.

We were just getting started.

**BW** **Brent Walth** 0:53

OK.

**SM** **Shasta Kearns Moore** 0:55

So I just kinda prepared this draft so that we would have something to discuss.

So this is about the.

Prac survey.

I don't have it called up here, but the.

Results and I kinda went through and paid a special attention to the last two questions where they.

Offered kind of their own interpretation.

Of what?

Their challenges are and what their recommendations are.

For fixing those challenges. So.

Am I still sharing the screen?

The box disappeared. OK.

OK so.

Yeah. So it seemed like like it's kind of the recurring thing with staffing, workload time constraints, that kind of thing.

So.

And then also kind of like these spikes for like high volume e-mail searches?

And then you know when they can't meet statutory deadlines, it's because of that because of, you know, their perception of their limited capacity.

We also found that public understanding the records process is a significant barrier.

So.

A lot of times people will use the records process like those state libraries and like they would use the records process to make informational requests or people will make use of records process to like ask them to create reports rather than just, you know, release reports that have.

Already been created?

And and just kind of like how to how to make records requests and what the laws are around that.

So in a stunning coup for governmental transparency.

I you know, it's a open Oregon developed in 2019.

A like update to the you know those like bright green, bright yellow, Oregon public records law guides.

So we did an update and it was only digital 'cause. We didn't have the money to print it and then we put it on our website. But.

When I went to go find it, that website is now defunct, so it's kind of reverted back to an old version and the links are all broken.

So ask Todd.

I still had a copy of it, so I asked Todd if he could put it up on the website and he did like within seconds.

So it's awesome.

So I think that, you know, kind of publicizing that resources like that are available, I think would help folks and just kind of a general education.

Of what public records are and what they can do.

So digital tools, you know, this is partly kind of the transparency by design stuff.

Also, like there are a number of agencies like DOC that said you know you have to like physically go to different places in order to collect records sometimes.

So kind of centralizing their records and kind of making it easier for folks to create to.

Gather those records.

So would be helpful.

And then the complexity of the public records law, I did reach out to the Sunshine Committee 'cause I know that they were working on kind of figuring out the 550 plus exemptions that there are in the state.

So I'm not sure where they're at with their work, but hoping to get an update.

So yeah, just kind of the complexity of the law is difficult for folks to manage.

And then.

One, you know, we had a couple of complaints about the survey itself.

Clackamas County had a really hard time with the survey, in part because it was very it's a very decentralized I guess thing.

So they like, went to every single agency and asked them the questions and then had to compile them.

But then still couldn't like answer most of the questions because they wanted a text format rather than numeric.

So yeah, you know, I feel like maybe we could be a little clearer that like, not all the the questions are required, but.

That's definitely something to talk about.

So there's kind of these three themes of the solutions that they came up with in their. In the narratives in the like kind of open-ended questions at the end.

So again, kind of centralization.

More training.

There were 11 agencies that I counted that explicitly requested additional training

opportunities for staff and also elected leaders, so I don't know, does it.  
The Advocate offer training to anybody, right? So.

**AP** **ALBERT Todd \* PRA** 6:17

Anybody and everybody?

**SM** **Shasta Kearns Moore** 6:20

Yeah.

And then one suggested like short on demand video modules on YouTube or something and maybe that's a way to kind of spread our resources.

And then again kind of a resource page or something which I think you know we already have.

But something to kind of point people to.

So I broke up.

Kind of the recommendations into three kinda audiences, so things that the advocate can do, things that the state government can do and things that individual agencies can do.

I'm talking a lot, so if anybody has any questions, just feel free to jump in.

So.

This first one is done so it's, you know, offer the how to make a public records request guide. We've already done that.

It's now on the website under Public Records resources.

And then I don't know like, what do you feel about, you know, the ability to kind of turn your training into some short videos so that it's not always like, you know, in person or live?

**AP** **ALBERT Todd \* PRA** 7:30

I've been wanting to do that since 2019 and I've never had the opportunity to do it, but I think with the help of the Council, we could make it happen.

I even thought at one point of using animation.

**SM** **Shasta Kearns Moore** 7:38

Yeah.

Yeah.

AP

**ALBERT Todd \* PRA** 7:42

And and now with AI, it might actually be a lot easier because this was well before AI existed that I had this idea do these little vignettes basically take our public records 101 full training, 90 minute dog and pony show and break it down into its.

Component parts because we do, we walk through every step of the public records process.

Anyway, and make each of those in the individual videos we could put on the website.

So yeah, I would love to partner up and make that happen with live action or or animated segments for sure.

SM

**Shasta Kearns Moore** 8:09

Yeah, I'm trying to remember the name of the software that, umm, the DD agency uses.

Cartoons or something like spelled weird, but it's like you basically put in a script and then it has little cartoon characters that then speak the script and it, you know, just does it. So that might be an option, and I'll see if I can find that.

AE

**April Ehrlich** 8:34

Yeah, I think they did.

DEQ did some stuff with the recycling program when they launched that.

They have some little animated characters, but ODF also put together some trainings on the media access law, and it was mostly just like people talking with, like PowerPoints, which might also be easier and simpler, just like recording a live training and providing that to people. But.

I think as long as the AI doesn't look obviously AI.

Is another caveat.

Because if it does, you might get made fun of.

So that would be my one opinion is to just be careful with it.

SM

**Shasta Kearns Moore** 9:19

I think it's a. Yeah. It either has.

It can't be the uncanny valley. It has to be either really clearly AI or.

Yeah, very clearly labeled.

**AP** **ALBERT Todd \* PRA** 9:28

Yeah, I'd be fine with talking stick figures, but yeah, whatever works.

**SM** **Shasta Kearns Moore** 9:32

Yeah, OK, awesome.

And then you know, wait, you know, just kind of telling people that that, that that resource exists once it it does.

And then so this is something that.

I.

I don't know how to do this on the website, but I feel like it's got it's people who know websites have got to be able to do this easily, but I feel like.

If we take the spreadsheet and just filter out like the the agency the like, you know, public records officers name and e-mail address or title or whatever and then the URL for their records policy and the URL that they put in for the public interest waiver that could.

Really cool, like public resource.

It's like this is just how you know this is how you find the right person.

To submit your request to so.

I can create the spreadsheet, but I just don't know how to like like what that looks like on a website as if it's like a searchable thing or it's like a drop down thing or.

**AP** **ALBERT Todd \* PRA** 10:47

Well, it really just depends on what we want to do.

So first of all, this already exists for state agencies, so I wouldn't want you to recreate, you know, the work for them. And then of course, that leaves us with only a selection of local government. So it wouldn't be a complete resource.

**SM** **Shasta Kearns Moore** 10:55

Yeah.

**AP** **ALBERT Todd \* PRA** 11:01

And of course, it would be a snapshot in time of like what those URLs were, or who those people were at the time we collected it, but with no guarantee it'll stay fresh or relevant, right?

**SM Shasta Kearns Moore** 11:01

Yep.

**AP ALBERT Todd \* PRA** 11:11

But we could certainly put that caveat, you know, and we.

So I don't put anything on the website that.

Can be altered by a viewer. So like if you create an Excel spreadsheet, I'd probably put it up in like APDF form. I we could create something where it's directly lives on the website and could be part of a drop down menu.

But again, we're putting like partial, potentially eventually stale data as like embed in the websites.

I I think it's better if it's a form that eventually could be altered or deleted as that information is no longer relevant, but it could be really simple and we could just put it under the resources.

Website part of our of our website.

**SM Shasta Kearns Moore** 11:49

Does that feel like it would be useful?

I mean, you know, if the state already has a statewide one, that's fine.

**AP ALBERT Todd \* PRA** 11:57

Yeah. Let me pull up the statements. So you can take a look at.

I'll put the link in the chat so you can see what it looks like.

**SM Shasta Kearns Moore** 12:41

Yes.

Nice.

OK.

I am glad that that exists.

Yes.

Course the DOJ one's best.

I have all the laws on him.

OK.

Well, I don't know.

I you know the the the spreadsheet already exists on the website so people can you know do that if they want to.

So I guess we don't have to do this one if people don't feel like it's that useful in addition to what the state already offers.

You know, if it was like.

Every county or something.

That would be different, but it it wasn't.

**AP** **ALBERT Todd \* PRA** 13:53

Encountering the same problem even with our DA Public Records orders database because you know all DA's are supposed to be sending their decisions to DOJ and only about half of them are doing it anyway.

And then of course, putting them up as quickly as we can in conjunction with the state library. So it's never going to be a complete database.

We've renewed our ask several times.

The DA's Association to send them those that aren't, and it's just not happening.

So I mean we can create as full a database as possible, but I don't think we're going to get all the way there.

With whatever we do like, you know, if you wanted to use what we have is jumping off point, we could use like Scott through Oamr and others through their like association organizations that ask these local public bodies to send us that info if they really want to be.

Part of this database, so it could be like a living thing that we keep trying to update as well.

**SM** **Shasta Kearns Moore** 14:44

Yeah, I mean, I do think that.

You know, I I would love to see this survey sent out every year, or at least every other year so that we have kind of a an updated tracking of like how things are going.

So to me that would be a way to kinda keep it updated.

Another thing that I'm just remembering is that I had two folks, 1A requester and the other a record officer involved with medical records at OHSU saying why weren't we in the study? And I was like, oh, I didn't think about you, so.

Just a reminder to next year offer to include them.

Umm.

OK.

Well, I'm gonna delete this unless people really feel like this is useful.

**BW** **Brent Walth** 15:40

Can can I ask a quick question?

**SM** **Shasta Kearns Moore** 15:42

Yeah.

**BW** **Brent Walth** 15:44

So this I didn't know about this site either on this transparency page.

That's great.

Is this linked on the PRAC page?

**AP** **ALBERT Todd \* PRA** 15:54

It, yeah.

**BW** **Brent Walth** 15:54

Or on the.

**AP** **ALBERT Todd \* PRA** 15:55

Well, not on the prac page, but on the PRA website.

There's a resources page and one of the columns is resource is websites and so this is included there.

See it's #2 state agency Public records directory.

**BW** **Brent Walth** 16:05

OK.

OK, great.

So yeah, I'm at.

I'm at your page, Todd PRA.

**AP** **ALBERT Todd \* PRA** 16:14

Yeah, yeah.

**BW** **Brent Walth** 16:14  
Yeah. So that's already there.

**AP** **ALBERT Todd \* PRA** 16:17  
Mm-hmm.

**BW** **Brent Walth** 16:18  
OK, great.  
Excellent.

**AP** **ALBERT Todd \* PRA** 16:22  
Oh, an extra she has to go down for a second. If you haven't seen already, you can see how I've added the survey under Public Records Advisory Council survey. Just so you have 2019.

**SM** **Shasta Kearns Moore** 16:22  
Yeah.  
Nice.

**AP** **ALBERT Todd \* PRA** 16:31  
And then we have, I included your slides.  
I don't know if you wanted me to or not, but I thought they were kind of helpful in encapsulating some of the info we got.  
So I put those there as well.

**SM** **Shasta Kearns Moore** 16:38  
Mm-hmm.  
Awesome.  
OK.  
Yes, so.  
I don't know.  
Take that off. Unless folks want to do it.  
So there are 11 agencies in the like comments that explicitly called out training as something that they need.

I don't know if that literally means that they want Todd to come out and talk to them, but I thought at least, you know, reaching out to those eleven people would be cool.

**AP** **ALBERT Todd \* PRA** 17:29

Yeah. Do you have, like, a list of who the 11 are?  
'Cause I'll follow up with each one of them.

**SM** **Shasta Kearns Moore** 17:32

Yeah, I can.  
Yeah, I can make a list.

**AP** **ALBERT Todd \* PRA** 17:35

OK, cool.

**SM** **Shasta Kearns Moore** 17:38

And yeah, and so I put this on.  
Your plate, even though it's kind of a Council thing, just in case I get hit by a bus. But, you know, making sure that the the next survey is clearer to folks so that we're not asking them to spend 40 hours of staff time.  
Not actually providing the information that we wanted so.  
Yes.

**AP** **ALBERT Todd \* PRA** 18:01

I will say I got some emails from some public body saying, hey, you gonna be doing this regularly.  
Because we might want to change how we track stuff, which was a great open new conversation about why they should be tracking stuff in the first place.  
But also, yeah, which categories they should track?  
So of course I couldn't say definitively when or if they'd be chosen again, but I I did say generally this is good information and know on your end anyway.  
And stay tuned about whether or not the Council's gonna do more.

**SM** **Shasta Kearns Moore** 18:23

Mm-hmm.  
Yeah, I do think it's great for folks to kind of think, take a step back and think about

the bigger picture about like the the centralization issues and the, you know, should we actually have a dedicated person to this task, especially in those smaller bodies? So yeah.

OK, so on to recommendations so.

**BW** **Brent Walth** 18:50

I I have one more question.

I'm sorry to keep.

**SM** **Shasta Kearns Moore** 18:51

Yep. Mm-hmm.

No, that's why you're here.

**BW** **Brent Walth** 18:52

Reaching back.

Well, so I remember the discussions about the questions and methodologies.

And by the way, I'm Sasha, this this survey is fantastic.

Thank you for all your work.

See, when we sent when you sent this out, did you send it out to a sample of agencies, or did you send it out to a a blanket list of state agencies and or was it a selected number of local governments, or how? How did we make that?

**AP** **ALBERT Todd \* PRA** 19:17

Yeah, it was.

It was Allstate agencies and executive branch because we were able to utilize mail listserv for that.

So it just seemed easiest.

And then we did a selection of local governments from counties on down for geographic and population diversity.

**BW** **Brent Walth** 19:33

Great. And do you, Member, do you remember how many locals?

**AP** **ALBERT Todd \* PRA** 19:33

So yeah.

Was it like 60 something Shasta?  
I can look.

**BW** **Brent Walth** 19:39

OK.  
That's a pretty good number.

**AP** **ALBERT Todd \* PRA** 19:41

Report.

**BW** **Brent Walth** 19:42

OK.  
I mean, I remember there was gonna be quite a few is. Yeah alright.

**AP** **ALBERT Todd \* PRA** 19:45

Yeah, I'm gonna pull up my list of who we sent it to.

**BW** **Brent Walth** 19:50

That's OK. I was. I was.  
I couldn't remember how that worked but.  
OK.  
So if we do it again, would we?

**AP** **ALBERT Todd \* PRA** 19:59

Yes.

**BW** **Brent Walth** 20:00

We would send it to the same ones in terms of the locals who do we want to expand it then also?  
Or would we want to still try to do that that sampling? I'm just.  
I'm asking because it's clearly some of these agencies want to take part, right, so.

**SM** **Shasta Kearns Moore** 20:16

Yeah, I think you know.  
I think I would probably want, you know 'cause. It was sent out to all the state

agencies.

So probably just send it out again so that we have that kind of regular data.

**BW** **Brent Walth** 20:28

Right, yeah.

**SM** **Shasta Kearns Moore** 20:32

I think that there's enough local agencies that maybe we mix it up a little bit or add more people.

You know, just 'cause I think it would be good to get, you know, especially those smaller agencies.

I don't wanna like hit him over and over again with this request when there's other, you know, maybe broader datasets that we could get.

**BW** **Brent Walth** 20:53

Yep.

**AP** **ALBERT Todd \* PRA** 20:54

We did 60, by the way, local.

**BW** **Brent Walth** 20:56

Great. Thanks.

And that's and thanks. I guess the state agency question was the one that I was thinking about, but that all comes back to me now.

Thanks. That's my question.

**AP** **ALBERT Todd \* PRA** 21:06

But but also think about, I mean I don't know how many state agencies there are 100 and something and then with 60 local that's over 160 public bodies and we only got 64 responses.

**SM** **Shasta Kearns Moore** 21:07

OK.

**BW** **Brent Walth** 21:09

2.

**AP** **ALBERT Todd \* PRA** 21:16

So we may also want to think about how we can get more responses as well.

**SM** **Shasta Kearns Moore** 21:20

Yeah.

**BW** **Brent Walth** 21:21

Gift cards.

**SM** **Shasta Kearns Moore** 21:22

Yeah.

**AP** **ALBERT Todd \* PRA** 21:23

Hey, not to public employees, right?

**SM** **Shasta Kearns Moore** 21:25

Starbucks.

**BW** **Brent Walth** 21:27

Now I'm just joking.

All right. So again, OK, now that's.

**AP** **ALBERT Todd \* PRA** 21:28

I know I, but maybe like you don't. You know we utilize messaging for getting it out.

**SM** **Shasta Kearns Moore** 21:29

Uh.

**AP** **ALBERT Todd \* PRA** 21:33

So maybe we could utilize DASH to also say hey, by the way, have you filled this out

or if we you know something 'cause we didn't send a follow up message to state agency?

**SM Shasta Kearns Moore** 21:39

Yeah, I mean.

There's also like.

And name and shameless that we could do of like these are the ones that didn't respond even though it's.

**AP ALBERT Todd \* PRA** 21:48

We did that in 2019 and some public bodies actually respond and said, oh, we're so sorry.

**SM Shasta Kearns Moore** 21:50

Required.

**AP ALBERT Todd \* PRA** 21:53

And then Multnomah County put out a press release saying you never sent it to us, even though we did.

And I reached out to them several times about it.

But so yeah, a follow up press release about who responded, who did it might be helpful.

**SM Shasta Kearns Moore** 22:06

OK.

**BW Brent Walth** 22:07

Well, we might limited experience in in surveying in the academic world for sure.

That's a pretty good response rate for the first time through.

Usually you're looking at 10%. Now obviously this is a closed. This is a more of a closed survey and people have more engagement, but that's still a pretty good response rate.

So yeah, doing those reminders brings those numbers up.

Maybe 20% each time.

So I think it's.

I think it would be a great idea to add that.

So.

And you know, a nudge from DAS or whatever it takes. So but yeah.

**SM Shasta Kearns Moore** 22:50

'Cause it is, you know, it's not our, it's not.

**AP ALBERT Todd \* PRA** 22:52

But yeah, so sorry.

So in go back up for a SEC where you just added the press release and didn't respond, put in that we need to send reminders about completing the survey too.

**SM Shasta Kearns Moore** 22:56

Mm-hmm.

OK.

So you know, overall I think that I was pretty encouraged by the results kind of showing that you know, people generally have a transparency mindset and that there's kind of a lot of misunderstanding about like what the records law actually can do for folks and kind of this.

Sense that they're hiding things even when they're not, or trying to help.

But I also saw kind of over and over again, you know, kind of this like.

Like oh, it's staff time or we have this big workload. And while I do completely understand that, I'm sure there's records requesters out there who are, like, making, you know, just these massive high volume requests for emails that they don't actually, once they get, they're not actually gonna.

Do anything with.

You know, I think that, you know, starting first from saying, you know, like one one person said.

We need additional funding or.

I can't remember what they how they put it. Something like.

Oh, we can't deal with another unfunded mandate.

And it's like, well, any money you get is given to you with this idea of accountability and transparency.

So any money that you get is the money to do this work.

So just kind of reinforcing kind of this culture of transparency first and that like any

funding you're getting, it comes with these strings attached.

And so it's not an extra.

A task.

And then kind of publicizing the work, the great work that the Advocate is doing and the opportunities that they're there, I kinda wonder if the survey itself and the you know need to like produce work for the Council and the Advocate kinda like, made made it easier for.

Them to understand that this opportunity exists and that there are people working in the state.

To improve records practices.

And.

And then you know, if the state could create grant opportunities for something like this.

One idea I had was like could there be like a flex option like like a? You know, what do you call it? Like a a super expert who like goes into little agencies. Like if there's some, you know, some controversy happening at some random water board could there.

Be a statewide person who comes in to do those records.

Requests when there's a huge spike in.

Public interest so that it's not like each agency having to figure it out.



**ALBERT Todd \* PRA** 26:00

That's something that the full Council discussed at some point when we were trying to come up with the legislative concept.

And it seems like a good idea, but also some pushback we received through public commentary and even among some of the members was that it could take so long to train someone up on the individual, I guess, like culture and records of a particular public body that having.

Like someone come in from the outside may not work, but also you know there's a lot of interest in the centralized pot of money at the state level to allow.

Local governments to sort of petition for and hire staff as needed. But of course, you know, getting more money for anything is also problematic.

But these ideas have definitely been discussed and.

I think I'll have merit and but also will probably receive a lot of pushback from some stakeholders too.

**SM Shasta Kearns Moore** 26:45

Yeah.

**AP ALBERT Todd \* PRA** 26:46

I don't know. Yeah, but all these ideas deserve discussion.

And I was thinking just real quick, you know, a lot of what we're thinking here could dovetail with what the legislative subcommittee's gonna do in terms of developing a new concept.

I really like your focus on those last two questions.

Like about what's working and what's needed, and that could help us for a much later concepts too.

**SM Shasta Kearns Moore** 27:07

Yeah. Yeah, I think that would be great.

You know, I think there's a certain amount of stuff that just can happen through rules, processes. Hi, Cameron.

But you know having.

You know, so yeah, a legislative, you know, fix.

Especially if we're talking about money to hire somebody.

Would definitely be cool, but I know that like.

I mean, I, you know, lived through the lead and water debate at Portland Public Schools.

Definitely saw like a massive slowdown in the amount of records that they could produce because there was such a high volume of interest.

All this all at once and so kind of a a strike team could go in and they could might be useful.

**AE April Ehrlich** 27:54

County emergency managers have something similar when one county is like hit with a big flood or a big wildfire.

Other county emergency managers will go over there and help them, so I imagine they also have to deal with new.

You know, local laws and roads and whatever, but they have some sort of system where they work it out and they're able to kind of share each other in that way.

And I kind of wonder if we could do that with public records.  
I don't know officials as well.

**SM Shasta Kearns Moore** 28:25

OK.  
I like that.  
Do you know what that's called?  
I have like an word to put with it.

**AE April Ehrlich** 28:34

I'd have to look back at some interviews I did, but it's. I think it's kind of.  
Not like an official thing, just like a mutual aid agreement. Similar to like firefighters have a similar thing.

**SM Shasta Kearns Moore** 28:46

Mm-h.

**AE April Ehrlich** 28:48

But I can go back and look at it and let you know if I see anything that could be helpful.  
But I also have contacts with emergency managers that are kind of helping organize this whole thing.  
So I can send you their information as well.

**AP ALBERT Todd \* PRA** 29:04

And I know more formally, like the City of Portland's 911 answering point, I think serves as the answering point for several other jurisdictions through like actual contracts or igas and stuff.  
So we could even be something along those lines.

**SM Shasta Kearns Moore** 29:19

Yeah. I mean, what if it's not like you know somebody writing in from Salem, but like it's, you know, if Tillamook whatever soil and water boards has a sudden spike of interest, then Tillamook County can come in and help them, you know, like it could be a MUT.

Aid agreement between the local agencies instead of it feeling like somebody's coming in to, you know, dig through all of our records and mess everything up. OK, so you know there was definitely a lot of calls for better technology, better kind of recording, you know record keeping.

Software and record request you know data tracking software.

So I put Steve's concept of transparency by design here at the top.

So that is, you know that your when the state is going out for software contracts that they're.

Making sure that the government databases are designed with public records requests in mind cause a lot of times that's the in the private sector. That's not a consideration when they're designing.

You know data directories and things like that.

**AP** **ALBERT Todd \* PRA** 30:36

Hey Chelsea, I just put the OAR in the chat.

For where the state says that for state agencies that they that any tech they purchase can't interfere with the disclosure of records.

**SM** **Shasta Kearns Moore** 30:47

Oh yeah.

Yeah, I felt like we did drop part of it into a bill.

Some point.

**BW** **Brent Walth** 30:57

Can I ask a quick question about this? I I I love the fact that you're you're highlighting the transparency by design.

Which of course, Steve was, you know, the lead thinker, a leading thinker on one of the things that we have run across with reporting, particularly not just with students but other places is that there'll be a vendor that keeps the the documents for the records and the AG.

**SM** **Shasta Kearns Moore** 31:09

Yes.

**BW** **Brent Walth** 31:20

Will say well, the vendor will charge US 300 an hour to access this stuff and the way you want it access.

For example, and that's been one way out for them, and the other is to say it simply can't be done.

It can't possibly be organized the way you want it organized because our vendor won't allow it. Can't do it.

Therefore, you can't have them, city of Eugene has been famous for this, and I'm wondering how far we can go here.

In suggesting is there, can we go further in suggesting or?

I don't know.

**SM** **Shasta Kearns Moore** 32:00

What would the recommendation be like that they?

**BW** **Brent Walth** 32:01

That.

I.

I don't, I don't know.

I have to look because I just did click on the OAR that Todd.

**AP** **ALBERT Todd \* PRA** 32:09

Is subsection 3 actually addresses that Brent. It's the last part of subsection 3 for the state. They can't transfer custody in a way that to like a third party that prevents disclosure.

**BW** **Brent Walth** 32:10

Post.

**SM** **Shasta Kearns Moore** 32:20

Ha ha.

**BW** **Brent Walth** 32:20

OK.

That's I did.

I did read that.

No, I don't.

I'm glad you pointed that out because I was trying to figure out whether that was what we're trying to get to.

All right.

How about on the? How about on the feast aspect of it?

**AP** **ALBERT Todd \* PRA** 32:33

That's interesting.

**BW** **Brent Walth** 32:33

Is there?

**AP** **ALBERT Todd \* PRA** 32:34

Yeah, that they probably could recoup actual costs, whatever require the vendor to turn those records over. And a lot of I always, I always try to train on even if you contract with a vendor that's gonna hold the records you in the contract, you have to say that.

**BW** **Brent Walth** 32:41

Opposite.

**AP** **ALBERT Todd \* PRA** 32:47

The state remains the custodian or the local public body, and that you have to provide those records on demand to the contract holder. The government for their review for disclosure.

Now it looks like the state mostly does that local governments.

It's a crapshoot, I think.

Thank.

**BW** **Brent Walth** 33:02

Can we include that as a recommendation, even though there's not a the OA Rs don't have authority over all agencies?

**SM** **Shasta Kearns Moore** 33:13

Yes. Can you word the recommendation?

**BW** **Brent Walth** 33:16

Yeah, just as part of the recommendations.

Does that make sense?

I mean, that's great that state agencies do that, Todd.

**SM** **Shasta Kearns Moore** 33:20

Yeah.

The.

**AP** **ALBERT Todd \* PRA** 33:24

I think to make it work for local governments would have to be a law, right? Like amendment to the public records law.

**BW** **Brent Walth** 33:30

Yeah, if it was enforceable. I'm just thinking at this point, I mean that would be a great thing to think about. But the other thing, you know, if we're just making.

**SM** **Shasta Kearns Moore** 33:36

The oars don't. Sorry. Oars. Don't lie. It had lotion.

**AP** **ALBERT Todd \* PRA** 33:40

Well, this OAR specific to state agencies.

**BW** **Brent Walth** 33:43

Yeah, they don't have a stretch for local governments, right?

So what I'm suggesting is we make it a recommendation here.

**SM** **Shasta Kearns Moore** 33:48

I did not.

**BW** **Brent Walth** 33:52

Because that's about as far as we have authority to go, right?

**SM Shasta Kearns Moore** 33:55

Yep, so, but I'm struggling to word what the recommendation is.

**BW Brent Walth** 33:57

OK.

Oh, I'm having trouble seeing.

**SM Shasta Kearns Moore** 34:04

Will you? Is that better?

**BW Brent Walth** 34:06

Yeah, I'm getting only part of the screen. OK, so thank you.

Oh, here we go.

**SM Shasta Kearns Moore** 34:14

So.

Well, actually this is under.

State government and I have another one for individual agencies down here that we haven't even gotten to yet.

**AP ALBERT Todd \* PRA** 34:28

I put the language from the OAR in the chat because maybe we just want to pair that as a recommendation for local government, or at least start there.

**BW Brent Walth** 34:35

I think that's a great idea.

**SM Shasta Kearns Moore** 34:38

OK.

**BW Brent Walth** 34:39

Just pick up that language.

**SM Shasta Kearns Moore** 34:42  
OK.

**BW Brent Walth** 34:42  
Yeah.

**SM Shasta Kearns Moore** 34:45  
Adopt contracting.  
Uh standards.  
Which is.  
Oops.  
Umm requires.  
Does that seem like a good wording?  
Adopt transparency to design contracting standards such as OAR 1660170015, which requires government records to be accessible and responsive to records requests.  
However, we're getting that.  
Oh, you're muted.

**BW Brent Walth** 36:21  
Yeah. Sorry. I I think that's a good summary. Because then the then the details are in the OAR.

**AP ALBERT Todd \* PRA** 36:21  
I think that work.

**SM Shasta Kearns Moore** 36:27  
Awesome.

**BW Brent Walth** 36:29  
I think that works well.

**SM Shasta Kearns Moore** 36:31  
Cool. Thank you for that. OK.

**BW** **Brent Walth** 36:33

Todd, what do you think?

**AP** **ALBERT Todd \* PRA** 36:36

Yeah, the lawyer.

And he always wants to get more particular, but I think I think it's a good overview and since we refer to the OAR, it says everything. I mean, we could be more specific and say subsection 3, but that whole OAR really is about.

**BW** **Brent Walth** 36:43

Forward.

**AP** **ALBERT Todd \* PRA** 36:49

Open openness of records generally.

Like for instance, subsection one says that agencies must ensure that all public records in all formats or mediums, including electronic, are maintained in accordance with applicable records retention schedules by the Archivist.

So it's just, it's just good practices all the way through that OAR.

**BW** **Brent Walth** 37:08

Absolutely. The reporter in me wants more detail too.

So there you go.

I think it's good, yeah.

**AP** **ALBERT Todd \* PRA** 37:13

Understandable.

**SM** **Shasta Kearns Moore** 37:16

All right. Yeah. Thank you.

**BW** **Brent Walth** 37:18

Thank you.

That's really entertaining my question.

**SM Shasta Kearns Moore** 37:21

OK. And then you know these decentralized.

Structures like DOC or Clackamas County.

Apparently, you know, encouraging consolidation of these records and kind of centralized or specialized team and of course more money.

And then, yeah, simplifying the public record statutes, I wonder.

I mean, this survey didn't really highlight the fees because that's more of a requester issue, but definitely you know, I think the fees are also a barrier.

So.

**AP ALBERT Todd \* PRA** 38:06

Yeah, I would. Maybe.

Consider fee reform at least as a point here.

**SM Shasta Kearns Moore** 38:11

Kim.

**AP ALBERT Todd \* PRA** 38:18

And then and then when you're done. I had one other.

**SM Shasta Kearns Moore** 38:25

Uh, isn't there some sort of guideline like DAS? Has Das has something?

**AP ALBERT Todd \* PRA** 38:36

Yeah, they performed a fee study, have base fees and they have guidance on fee waivers in the public interest.

**SM Shasta Kearns Moore** 38:45

Umm.

**AP ALBERT Todd \* PRA** 38:46

But you know, it's, but it's still based on.

Actual cost and you being able to charge for every step of the public records request.

And of course there's arguments to be made on the reform side that maybe that

should not be the case.

Like kinda Washington state so.

**SM** **Shasta Kearns Moore** 39:06

Like that.

**AP** **ALBERT Todd \* PRA** 39:09

Sure, whether that's the appropriate standard.

**SM** **Shasta Kearns Moore** 39:13

Yeah.

**AP** **ALBERT Todd \* PRA** 39:14

Or should apply to the whole thing. Yeah. But yeah, I mean, the reform in general I think is the topic.

The other thing was the one part of our legislative concept that then went to that legislative work group that then became SB 4/17, that I'm really keen on seeing coming back are the communication components specifically, if you don't post your policy, including your fees, you can't charge.

**SM** **Shasta Kearns Moore** 39:32

Mm.

**AP** **ALBERT Todd \* PRA** 39:37

Fees. If a requester asks for an explanation of a fee estimate, you have to like give an explanation.

Send to the extent like it would satisfy a reasonable person's questions.

And if you're gonna reject a request or deny a request for a fee waiver in the public interest, you have to put it in writing like this is really basic communication components. And I think doing that would actually simplify the process because there'd be less confusion on.

**SM** **Shasta Kearns Moore** 39:57

Mm.

**AP** **ALBERT Todd \* PRA** 40:02

The requesters part a better understanding on the public bodies part upfront about like sort of why they're doing what they're doing.

So I so I'm open to that being here as a point to consider under simplify the public record statutes.

Like like implement mandatory basic communication or something like that.

**BW** **Brent Walth** 40:26

So I think I hear you saying that we would those aspects of the of the of the the line of the bill.

We could make the recommendations here. I I like as long as you don't feel like some people are gonna think we overstepped, you know.

**AP** **ALBERT Todd \* PRA** 40:36

Yes.

**BW** **Brent Walth** 40:40

But I think I think I really like that.

And it's a great idea.

**AP** **ALBERT Todd \* PRA** 40:43

I mean, it's already a best practice, a lot of public bodies already do it.

**BW** **Brent Walth** 40:45

Yeah.

**AP** **ALBERT Todd \* PRA** 40:46

But I do think it should be mandatory if requested by a requester that a public body engage in that conversation.

It's like, you know, they already have to ask for clarification.

They get the benefit of closing the request within 60 days if they don't get the clarification they need.

So why can't it work both ways?

**BW** **Brent Walth** 41:04  
Agreed. OK.

**AP** **ALBERT Todd \* PRA** 41:05  
Yeah.

**BW** **Brent Walth** 41:05  
I really.

**SM** **Shasta Kearns Moore** 41:06  
This is probably not just for state agencies, but for individual agencies too, so also.  
Move it down there.

**AP** **ALBERT Todd \* PRA** 41:15  
Yeah, 'cause. I mean, I think those communication requirements should become  
standard for everyone.

**SM** **Shasta Kearns Moore** 41:19  
Nails.  
Actually, it's here. Improve public communication.

**AP** **ALBERT Todd \* PRA** 41:26  
Hmm.

**SM** **Shasta Kearns Moore** 41:29  
OK. Do we?  
Did you have something else, April?

**AE** **April Ehrlich** 41:32  
Yeah. If we're ready to move on from that, having like a central system for public  
records requests and stuff, I I've been curious about why some agencies like DAS and  
DEQ have like a public records system where you can see all the requests you've  
made, but those aren.  
Shared across state agencies like ODF has like a very.

You know.

Old system where you just kind of e-mail and you don't know what your requests are like. Are these state agencies not being offered the same service and why is it not centralized where you can see all of your public records requests across state agencies?

**SM Shasta Kearns Moore** 42:16

My guess is that each agency seems to act like a fiefdom.

Could I even have to like?

They charge each other for stuff, right?

That's wild to me.

**AP ALBERT Todd \* PRA** 42:28

Yeah, we pay.

**SM Shasta Kearns Moore** 42:28

Oh yeah.

**AP ALBERT Todd \* PRA** 42:29

We pay the state for all the services we get need.

When I was at DOJ, we would build state agencies for representing them like it's it's a very it's the word diffused, decentralized model and April. I think a lot of the issues is it's it's time, money and resources right, like to put that stuff up, you need someone. To be paid and told to like now post all our public records requests and I know some members of the media don't like that because they feel like information they're looking for.

They don't want others to know what they're looking for.

And I just.

**AE April Ehrlich** 42:59

No, I don't mean.

**AP ALBERT Todd \* PRA** 42:59

I think it's more work and it gets pushed back again. Yeah, I'm sorry.

Go ahead.

**AE April Ehrlich** 43:02

I don't mean the public records thing like the governor's office has.

I mean, when I make a request to DAS, it immediately pops up on. Here's your request you made, and then when I get a response, the response is there.

So it's it's almost like its own communication system.

Which makes it easier for me to know what I've requested and what the response is as opposed to ODF where I just e-mail somebody and I don't know if I ever got a response to that.

**AP ALBERT Todd \* PRA** 43:29

Hmm.

**AE April Ehrlich** 43:30

Or I may have forgotten that I already submitted it.

Why are these sort of? I mean, I could imagine if DAS is paying for that internal communication service. I can see why OTF would not have it because they are an agency that basically gets no funding other than what they get through logging trees. But it doesn't seem.

**AP ALBERT Todd \* PRA** 43:49

Right.

**AE April Ehrlich** 43:51

Like a very efficient system.

**AP ALBERT Todd \* PRA** 43:53

Yeah. And I don't think it is.

**AE April Ehrlich** 43:54

Then maybe that could be a recommendation we make.

Is that the state has shares its ability to have a more efficient public records system across state agencies.

**AP ALBERT Todd \* PRA** 44:04

Right. I remember when the state was examining Gov QA and trying to decide if they would adopt it and if they would, would they make it mandatory or voluntary?

Would it be across the whole enterprise Oregon agency by agency and clearly they decided it's voluntary and it's agency by agency, they didn't go with the holistic approach.

Like you know, we're exploring a new way of tracking our request for assistance.

Not even public records requests, but just our workflow and some recommended Granicus to make.

Apparently that's a really good system.

Well, guess what?

It costs 18 grand a year and I don't think I could just justify that cost.

For the nature of our work, and it's not like this desk is gonna step in and say, oh, no, no, no. The state, the state will pay for this, our little corner of the state has to pay for it.

So yeah, there is.

There is no sort of statewide solution at this point for sure.

**SM** **Shasta Kearns Moore** 44:50

Like this?

**AE** **April Ehrlich** 44:50

It does seem a little inequitable because then we have some state agencies that are a lot more efficient with public records and then we have others that aren't.

So we kind of lack that oversight with those other agencies.

**AP** **ALBERT Todd \* PRA** 45:05

Yeah, this goes towards something else.

So I guess I'll bring up in the legislative subcommittee, but I want to say here as well, which is any concept we put out. I think we have to be much better at sort of pounding the pavement and talking to the decision makers in the legislature about it.

Because, you know, like often I'll just show up and give testimony and I'll say that.

But then I'm one of like, 20 voices testifying about a bill, and no one's really raising that point.

So I think if we all get more involved, that message will get spread around more and maybe adopted.

**SM Shasta Kearns Moore** 45:33  
Mm-hmm.

**AP ALBERT Todd \* PRA** 45:34  
Better or more likely?  
He adopted.

**SM Shasta Kearns Moore** 45:37  
Yeah, Legislature is a lot of talking.

**AP ALBERT Todd \* PRA** 45:37  
When there's more of us doing it.  
Yeah.

**SM Shasta Kearns Moore** 45:41  
Yes, OK.

**BW Brent Walth** 45:44  
For what it's worth, I want to echo what April said.  
You know, we've been dealing with two different agencies, BOLI, which has one of the systems that tracks your requests and gets back to you on automatically and all that.  
And Department of Education, where it's black hole.  
And which is that agency has become far less transparent than it ever was.  
So I I just want to echo that I think it's a great idea to try to suggest a unified system.  
Now I know that that means that the state might come up with a really expensive system that gets billed out to these agencies.  
They don't want to pay it, but I think.  
I think we should.  
I'm just seconding the idea of making that a recommendation.  
Pushing that idea forward.  
So repeating what's already this.

**AP** **ALBERT Todd \* PRA** 46:29

Yeah, something like parody against across Allstate agencies for like best, best model or something like that.

**BW** **Brent Walth** 46:36

Yeah. Yeah, I think that's a great idea.

**SM** **Shasta Kearns Moore** 46:38

OK.

So create parity.

**AP** **ALBERT Todd \* PRA** 46:47

To the idea of a centralized fund for local governments there, why isn't there a centralized path then for Allstate agencies like I can't right size the way DEQ or another agency could cause only two of us in our budget is so limited. So like, let's say Granicus was.

The model can the state supplement our budget to get there.

**SM** **Shasta Kearns Moore** 47:07

I was shocked at how many different records heaping systems there were.

And like I heard on that was like.

**AP** **ALBERT Todd \* PRA** 47:14

Yeah, same here.

**SM** **Shasta Kearns Moore** 47:17

Like OK.

So yeah.

**AE** **April Ehrlich** 47:19

I mean it makes sense if it's from different counties and stuff, but like when it's the state like it's it's one system, it should be one system. It doesn't make sense.

Why all these agencies are it sounds like it's a thing that you all are very aware of, but

for me it's very frustrating for them to be acting like little fiefdoms when they're all under the same employer, essentially anyway.

**AP** **ALBERT Todd \* PRA** 47:41

And then and then, of course, that's just the executive branch. You have judicial and legislative, which are their own worlds unto themselves as well.

**SM** **Shasta Kearns Moore** 47:48

MMM.

Yeah.

OK so.

I.

I don't wanna take up too much more of your guys time, but so for individual agencies, you know, kind of that internal training, I don't even know if they need to invest so much in it.

It's just to reach out to the training resources that are already available.

And you know, but just kind of like, make sure that there's that culture of transparency.

And I would also add, especially at local level.

Ensure elected leaders.

Oh wait, that's up here.

So I guess I don't need to add it separately, but yeah, so just making sure that elected officials receive a training as well.

Improving communication.

So we talked about this before, but yeah, making sure that.

Each individual agency like follows up with the request and just kind of provides that basic communication.

So that requesters aren't saying what in the world is happening.

So digital tools.

So I would say like over and over again, I kept seeing like e-mail.

You know, there's just such a high volume of e-mail now.

And so, you know, back in 1973 when this law was passed, it's like it was literally just paper. And there's only so many pieces of paper that you would have.

But now it's just an enormous amount of e-mail and then attachments that folks have to like search through.

And redact.

So, you know, I don't know if there's like AI tools coming out that could do some of that work, but I think that that's probably the direction we're going in and something that you know, agency should probably think about.

And then.

Yeah, like creating kind of a centralized.

Way to manage agency records.

And requests.

Creating.

Templates.

And.

Tracking data.

I think again, this survey will kind of help.

You know, identify some metrics that they should be.

Watching for.

OK.

So.

What do we do now?

How does this work?

Do we take this to the full Council?

Do we make post it somewhere?

What happens?

**AP** **ALBERT Todd \* PRA** 51:02

What? What's your goal with this?

With this report.

**SM** **Shasta Kearns Moore** 51:05

That's a good question. So.

Yeah, I feel like the reason we did the survey was to kind of, you know, get a snapshot of what's happening in the state of Oregon around records requests.

Kind of offer that data to the public.

And then kind of use that information to inform the work of the Council.

And so I think that kind of bringing this.

Draft report to the Council.

So that we could talk about it would be good. And then having a full vote of the Council on the yes, these are our recommendations to the state.

And then just kind of move forward from there, see if this can inform the work of the the legislative subcommittee or any of the others.

**AP** **ALBERT Todd \* PRA** 51:55

OK.

So yeah, so we definitely would need the full Council then that weigh in on this report and then us 'cause if we're gonna adopt it. It's like the Council's report and put on the website and promote it.

We'll need everyone's agreement. So I guess for us we need to get this into a form we approve, which might be this form right here. And then from there, bring it to the full Council.

If you want a motion, I can give you one.

**SM** **Shasta Kearns Moore** 52:20

OK.

**BW** **Brent Walth** 52:21

Can I before I make a motion, can I ask?

**SM** **Shasta Kearns Moore** 52:22

Yeah, no, go ahead.

**BW** **Brent Walth** 52:24

I'm a big believer in always letting something you know. I write, cool off for a day or two and go back over it.

Should we?

**SM** **Shasta Kearns Moore** 52:30

Yeah.

**BW** **Brent Walth** 52:30

Should we all take some short period of time?

Not very long.

Give it a go over and and then.  
Make you know, would it be?  
Would it be possible to make recommendations and then?

**SM Shasta Kearns Moore** 52:44

Yeah. I mean, I like the reason I put this together is 'cause I think way better in writing than in, you know, talking.

**BW Brent Walth** 52:44

And then.  
Yeah.

**SM Shasta Kearns Moore** 52:51

So I I'm fully, you know, if we wanna take a breather and maybe reconvene in early January and say yes, this is the final one that we wanna send on to the Council, I'm happy to do that.

**AP ALBERT Todd \* PRA** 53:05

Yeah, everyone could send their edits directly to Shasta, so we don't have any public meetings issues. And then yeah, we would need to have an official meeting to vote on adopting it as a subcommittee.

**BW Brent Walth** 53:15

I I you know, inherently trust Justin all this. But I at the same time.  
I I just had that feeling of, like, letting it cool and giving it a week and thinking or however long.

**AP ALBERT Todd \* PRA** 53:27

Yeah.

**BW Brent Walth** 53:28

Is this all great?  
I don't have any issues with you either.  
At the cutting of contact, it's just, you know, thinking about it in this whole.

**SM Shasta Kearns Moore** 53:30

Yeah.

Well, we're dramatically close to Christmas, so.

**BW Brent Walth** 53:38

That is true.

Oh my gosh, it is, isn't it? So.

**SM Shasta Kearns Moore** 53:40

It is so even a week I would not be able to meet after a week.

**AP ALBERT Todd \* PRA** 53:42

Hey, we got Hanukkah Sunday too.

**BW Brent Walth** 53:44

That's right.

**SM Shasta Kearns Moore** 53:45

So I think we had.

One of the options leftover.

I think it was January 6th or something from the initial four options that I offered.

So if I can find that.

We could see if that works for the next meeting or subcommittee, and then maybe Brianna can be here and that would be good.

Used to be in my flagged emails, except it's not now.

Here we go.

Nope.

OK, the option was Tuesday, January 6th at noon.

Does that work for folks?

**BW Brent Walth** 54:49

That is the only one that I couldn't do.

**SM Shasta Kearns Moore** 54:52  
I thought you could.

**BW Brent Walth** 54:52  
That's I have.  
To be a professor during that moment so.

**SM Shasta Kearns Moore** 54:57  
Alright, what about?  
Some other time that day.

**BW Brent Walth** 55:04  
Yeah.

**SM Shasta Kearns Moore** 55:05  
Kim.

**BW Brent Walth** 55:06  
Again, for me personally told to. Otherwise it's open so.

**SM Shasta Kearns Moore** 55:10  
Tilda to.

**AP ALBERT Todd \* PRA** 55:11  
Is 11 to close to 12 for you that day.

**BW Brent Walth** 55:17  
Should be OK.

**SM Shasta Kearns Moore** 55:20  
It shouldn't be a long meeting because we've already gone through it and we can think about it and writing so 11 on January 6.

**BW Brent Walth** 55:26

Yeah.

Yes.

**SM** **Shasta Kearns Moore** 55:32

Awesome.

**AP** **ALBERT Todd \* PRA** 55:34

I'll send out a new invite.

**SM** **Shasta Kearns Moore** 55:36

Thank you.

All right.

Well, thank you everybody.

**BW** **Brent Walth** 55:43

Thank you, Sharon. Surprise me. It's great.

**AP** **ALBERT Todd \* PRA** 55:44

Thank you.

**SM** **Shasta Kearns Moore** 55:45

Fighting the good fight.

**BW** **Brent Walth** 55:47

Good to see everyone.

**SM** **Shasta Kearns Moore** 55:48

Yeah. Hi, Merry Christmas. Happy holidays.

**AP** **ALBERT Todd \* PRA** 55:50

Take care.

You too.

□ **ALBERT Todd \* PRA** stopped transcription