

Oregon Public Records Advisory Council meeting-20260417_123058-Meeting Recording

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1h 30m 8s

● **ALBERT Todd * PRA** started transcription

PD **Portland-Oregon.Room1D-70 * DAS** 0:03

Before COVID, so six years that we haven't been in the same room together and it looks like many of our members are on choosing the Zoom option, so we greet you from afar.

Talking about why we're rooted here.

Like what?

Why public records even matter?

So I know that that's not quite on the agenda, but I'd like to add it so that we can have kind of a a moment of reflection on why this work is important and what we're all doing here.

So I'll start just to kind of set it up since.

I'm, you know, starting with this, but if I can have a motion and a second to.

Add that to the agenda and then approve the agenda. I'd appreciate it.

Some of them.

Great. All in favor of approving the agenda with the amendment I.

BW **Brent Walth** 1:20

Aye.

PD **Portland-Oregon.Room1D-70 * DAS** 1:21

Where did we put that? On each other just right now?

OK, so my name is Shasta Kearns Moore. I got interested in public records as a reporter covering Portland Public Schools.

And just finding that it was incredibly difficult to get information from that body and at the same time, there was a gubernatorial scandal that kind of rocketed this issue into the stratosphere and actually created this Council. So that was kind of when I got involved in it over.

Ten years ago now.

And I just kind of see that public records and as we move into even more of a Technology and information.

World how important it is to enforce the concept that government is a we project. It's not an US versus them.

It's something we're all doing together.

And what I see, you know, I just see that public records are kind of a foundation of being really important there.

So that's why I'm here. Here we go.

Everybody, Scott Stalker, vice chair of our council here.

And I serve as administrative services director and city recorder for the City of Milwaukee and on the Council I represent cities. I've I've been involved in public records in our state as long as I've been at the city, which is going on 13 years and. To me, the importance of public records boils down to the public service that I and my colleagues in cities and States and county governments do we.

We're here to serve the public and.

We need to make sure that they.

The public know what their government is doing. Since we're doing it for them in their name with their resources.

And so I very much value the work of the Council and the various other groups that several of us have served on over the years as being part of the process to continue to evolve public records management into a keeping it transparent and responsive to the needs and.

The wills of of the people that we serve.

Wonderful. Thank you, Todd.

Do you wanna?

Sure. And everyone should be able to hear me through the microphone instead of my own team's meeting.

I'm Todd Albert.

I'm the public records advocate for the state of Oregon.

I've been an attorney now for God, 24 years, always in the public interest.

And I've had that role public interest wise, inside and outside of government that entire time.

So when I saw the posting for the deputy advocate position to this office, it just spoke to the type of work I've always wanted to do.

In terms of access to information.

Government transparency and everyone involved in the process having a voice. And so I moved from that role into the advocate role and have been in this office now since 2018.

Thank you.

I see will up on the top. You want to go?

WG William Glasson (Multnomah County) 4:21

All right, Will Glasson.

I'm an assistant County Attorney with multiple county.

I am the county representative on the prank.

And oh, you can't hear me.

PD Portland-Oregon.Room1D-70 * DAS 4:33

We can hear you just a little low.

WG William Glasson (Multnomah County) 4:35

OK, let me change.

All right.

Is that better?

Maybe.

PD Portland-Oregon.Room1D-70 * DAS 4:41

Yeah, I think you're.

I think it's our issue, our technology issue.

You can go ahead and hear you.

WG William Glasson (Multnomah County) 4:46

OK.

I guess my public records story, the immediate story is that I'm the main public records person in the county Attorney's Office for Public Records, related litigation and policy.

PD Portland-Oregon.Room1D-70 * DAS 4:52

There we go.

WG **William Glasson (Multnomah County)** 4:59

And then I think I got interested in public records.

Years ago, I was a reporter in college and working on Relative Information Act requests, and this flowed from that.

PD **Portland-Oregon.Room1D-70 * DAS** 5:12

Thank you, Brent.

BW **Brent Walth** 5:19

Thank you.

I'm Brent waltz.

I'm an associate professor here at the Evo University of Oregon School of Journalism and Communication.

My introduction to public records came two years or a year after I graduated from this school, and I'm going to date myself.

That was 1984.

I went out on a story and came back and the editor said what is wrong with you?

This is utterly inadequate and I had no idea.

There was a public records law.

And from that day forward, it has become essential to my work as a reporter and also now as a teacher of future journalists.

It was rare that I wrote a story that didn't have some public record at its heart.

It is absolutely fundamental.

It was a principle established 1973 by this state, and I'm really dedicated to continuing to see that upheld, as I'm sure all of you are too.

So thank you.

PD **Portland-Oregon.Room1D-70 * DAS** 6:14

Thank you very much, Mark.

ML **Mark Landauer** 6:20

Oh boy. Well.

I'm the son of a journalist.

Believe it or not, my father was.

A reporter and ultimately wasn't the editor of the editorial page of The Oregonian for about 28 years.

And I grew up in a family where.

Our dinner table discussions.

Back in the day when dinner table discussions occurred with families.

We're always pretty heavy.

Discussions. It wasn't about how your day was, it was about the current events.

And.

After I graduated from college, I essentially went into government work.

Working for a United States senator and.

Over time, I've really come to appreciate the role of journalists holding government accountable.

And believe very, very deeply that the public.

Has to be able to understand how its government works and how decisions are made etc etc.

I won't go on much longer, but I'm one of those few.

Government people.

Who has been very much influenced by.

My past and my father's experiences over the years, and so I'm a deep believer in the public.

Records and.

Ensuring that the public can hold their government accountable.

It creates trust and.

It also creates accountability.

And so I won't go on, but I think that that's fair enough for today. Thank you.

PD **Portland-Oregon.Room1D-70 * DAS** 8:26

Thank you very much, April.

AE **April Ehrlich** 8:30

Hello. Can you all hear me OK?

Great. I'm April ehrlich.

I'm a media.

I'm the media representative on the PRAC, and I'm also a reporter with Oregon Public Broadcasting covering environment.

I became interested in public records when I got my first job as a reporter. I was working in Payet, Idaho, which is on the border between Ontario OR. Anyway, so back then I got involved a little bit more. In Idaho, reporting there was the Idaho Press Club and they would hold these. Trainings with government employees, people of the, you know, public and media folks about public records. And I found it really helpful and. Really taught me how we have this right to government transparency. When I started reporting in Oregon, though, I realized things were a little bit more limiting on this side of the state border. So I joined the PRAC to kind of contribute to the transparency work that it's doing. And I'm really happy to be here and that's it.

PD **Portland-Oregon.Room1D-70 * DAS** 9:39

Great. Thank you so much.

I can't see others on my screen.

Are there other Council members present?

OK.

Then we'll move on to the next item on our agenda, which is a legislative subcommittee update on proposals for the 2027 session.

I think April is leading that discussion.

AE **April Ehrlich** 10:08

Yes, so well.

So right now we have gone over some highlighted points of SB1077 that.

Dash, one that we wanted.

To, I dunno, work on, and I think we're we're kind of funneling those into like a communications legisl.

Ation and then we also have another component.

Where we're talking about.

Some other legislation I really feel like Chasse you do a better job at this, so why don't you tell? Tell us what we're doing here.

PD **Portland-Oregon.Room1D-70 * DAS** 10:47

OK.

Yeah. So from my perspective, it seems like we have kind of a raft of, you know, communication requirements that have come out of a pretty long process with a prior legislative subcommittee that resulted in Senate bill 1077-1. And we're basically just kind of.

Like taking that language that is.

So far, at least unanimously agreed upon, and then seeing.

If if those, I think there was like a couple of tweaks that we talked about last session or last meeting.

And then once those are kind of fully baked on the subcommittee level, we'll forward them on to the Council.

And see if we want to forward them on to the legislature. And then in addition to that, we have, you know, several topics that came out of mostly the survey that we did last fall.

And so those concepts I don't have right in front of me, but it's basically like.

Technology, perhaps a grant program to, you know, help with public records issues. And sort of like.

Emergency Response team, you know some sort of like ability to you know, if there's like a spike in interest in public records at a certain agency. Is there a way for us to kind of like move in there and assist so that those records can get out in.

A timely fashion?

Instead of just kind of being bogged down.

In the.

In the increased interest. So those are the kind of concepts that we're thinking about right now, but they're not kind of fully baked.

So that's why we're not, we don't have a proposal yet for the Council.

Anything else to add from the other subcommittee?

I'll just say I really appreciate Shasta putting that. Those proposal pieces together. I think there was some real having been a part of those discussions, but pre 1077, there were some things.

That were were then, and I think to this point still fairly widely supported that we pulled out to bring back to try it again and then the the concepts pieces, the, the resource sharing, the the request for funding to for statewide grants. I think those are really good.

Ideas and it's important to acknowledge, as Shasta did, that there are conceptual at

this point.

So we'll inevitably spur more conversation at subcommittee, the Council, and then, inevitably, the legislature will do what it wants with it.

But I really appreciate April Anne Shasta's leadership on getting our legislative subcommittee back together and think we've got some really good starting places. Yeah. I would also share the gratitude to Todd who put together a lot of those as well.

All right. That's a good. If I could just add for any Council members who are not on the subcommittee, of course, they're always welcome to attend our meetings and offer commentary during the public commentary section if they want to kind of be in on the build, even if.

They're not part of the subcommittee.

Rather than just waiting for the more big concepts to come to the full, Council, agreed.

All right. So we'll move on to agenda item 3.

That would be the public records Advocate's assistance and training report.

So take it away, Todd. Thank you.

We're just flying through things.

I'm going to share.

My.

OK, as everyone probably knows, but I just like repeating each time quite a while ago as part of the Council's oversight duties of the office. We agreed that during Council meetings at least twice a year, I would present on the core duties of the office and where.

We're at at this moment in time, particularly our request for assistance.

Those are the mediated disputes over public records requests, as well as the trainings that we provide.

As always, I say it's really trainings plus.

Because we've expanded our work to include all types of educational type assistants, including interviews, question and answer sessions, one-on-one sessions and anything else.

That anyone really needs to understand and appropriately apply the public records law.

We've recently moved from.

I wonder why it can't advance this, sorry.

Oh, this is the right one.

OK, sorry, I'm skipping ahead of myself, so here are the numbers at where this office has been.

Each year at this point in the year, in terms of requests for assistance, we probably do request for assistance, make up the largest portion of our work and as you can see, for 2026, that is not a typo. As of yesterday, we had handled 100.

And 49 individual requests for assistance initiated by either members of the public, including the media or public bodies, whether they are state or local.

Which is a significant increase over past years, more than double than 2024's numbers.

And almost triple 2019's numbers, which is the first year that we had an entire year to report out on.

Unfortunately, our ask for additional staff continues to be met with a no, but thankfully nevertheless, Yu Fang, the deputy public records advocate and I continue to meet the needs of requesters in as timely a fashion as possible.

However, given our success, I only see our numbers increasing in the coming years. Certainly seems to show that there's a need for us in the community, agreed.

And I must say, you know, we're getting more and more requests from members of of public employees and not just members of the public.

So I think it's helpful actually.

See, we have a couple hands up, so I won't advance. Mark, I think you're number one in the queue.

ML **Mark Landauer** 16:40

Forgive me, Todd.

I couldn't find my microphone toggle there, so forgive me. You know, one of the things that I think from a budgetary standpoint that may be helpful to you in future budget assessment, the fact that the state right now is facing.

Really difficult budgetary impacts as a result of the current administration's reduction.

In funding for Medicaid and and SNAP.

So just for the background, everybody, the next three biennia the state of Oregon will be receiving \$15 billion less for Medicaid and SNAP, which will put a tremendous pressure on the state's general fund to potentially backfill some of those losses, you know.

It it seems to me, Todd, I'm getting to the punch line. I apologize.

That one of the things that might be really beneficial and I know you probably do this is keeping.

A tally of the number of state related public record requests that you end up mediating that ultimately don't go to court and thereby saving the state money in Department of Justice.

Charges.

If you will.

And so one of the ways I think you can make a better.

Argument for additional funding for your agency is to at least monitor the number of state related mediations that you undertake that potentially save the state hundreds of thousands of dollars if you.

Accumulate those over time.

And so I would just.

Suggest that you give that some thought and potentially incorporate that into your argument about the need for additional assistance. Thank you.

PD **Portland-Oregon.Room1D-70 * DAS** 18:58

Thanks, mark. April.

AE **April Ehrlich** 19:02

Hey, yeah. I just wanted to ask and sorry if you already said this, but why do you think it increased so much?

PD **Portland-Oregon.Room1D-70 * DAS** 19:09

I'd say, you know I can't.

Who knows for certain, right?

Not everyone always tells us why they reach out to us. I think certainly more and more requesters and public employees are aware of our office.

I know a lot of or some D as offices around the state as well as Oregon. DOJ routinely refers requesters to us, as does DHS who receives a lot of public records requests.

So I think it's name recognition and you know not to pat ourselves on the back too much, but I think also our success people understand that from they come to us from either side of a disputed book records request. We'll give an honest fair assessment that actually ends.

With not only an opinion but practical advice on what to do about it.
So I'd like to think this is a measure of our success and further exposure.

OK.

Thanks, April, Brent.

You're muted.

BW Brent Walth 19:59

This is real fascinating.

PD Portland-Oregon.Room1D-70 * DAS 20:00

Oh, you're back, OK.

BW Brent Walth 20:01

Yeah, this is. This number's amazing. Fascinating. I wanna say quickly. I think Mark's suggestion is outstanding.

I'm glad he offered that.

I don't know if you have further numbers to show, but of these 149 and other years, do we have a breakdown of agencies, types of issues, whether it's fees, whether it's exemptions?

Whatever it is, is there any kind of a breakdown of analysis of what we're seeing as issues?

PD Portland-Oregon.Room1D-70 * DAS 20:29

Yes, well, I have an additional slide that does a breakdown in terms of where the requests are coming from and the public bodies involved as well as time to closure.

BW Brent Walth 20:32

Oh great.

PD Portland-Oregon.Room1D-70 * DAS 20:37

You know, we don't always have a lot of time in these meetings to go into detail. We do track additional categories, which actually leads me to the next slide.

BW Brent Walth 20:45

Thank you.

PD

Portland-Oregon.Room1D-70 * DAS 20:46

Including. Yeah, name of the requester and assistant secret type. And we've graduated from our Lovely Excel spreadsheet that has been keeping the office afloat since 2018 to slightly more advanced Google forms collection system.

And we were able to refine the categories of assistant seekers in part because we are getting more and more public bodies requesting assistance.

So now we actually collect data on 42 categories of those who could be asking us for help.

For instance, it could be a member of the public asking about a state agency in the executive branch, or it could be a county government.

That's the Sheriff's Office seeking our assistance. So we are trying to get deeper into the weeds in terms of who's looking for help from us for us to either use for our own data collection analysis purposes down the road or hey, this is all public records. So if.

Anyone else is interested in this information?

We could easily provide it to and Google forms is great about, you know, collating this information, creating charts so on and so forth.

This is our first full year using it, but it will have somewhat more comprehensive data by the end of this year.

That's slightly easier to use than our spreadsheet for sure, including state agencies, but mark, to your point, you know the reality of the situation is when someone contacts us for assistance, we lend the aid that's needed, but we often don't know what.

Happens with that public records request after we are done participating.

Peating, it's true that given the fact that probably the the largest portion of public bodies, about whom people are contacting us, is state agencies.

So by default we are probably saving some of those cases from going to the DOJ or court, but I can't say conclusively.

Nevertheless, I think it is a useful figure to have.

Jackson, I wonder if we could just take pre 2018-2019 data.

And kind of compare it like was there, you know, a sudden drop off of that kind of work happening at the DOJ interesting in terms of. Yeah, it could even be something like in terms of number of public records orders that they're putting out.

It's good idea. We also figure, you know, we also note who the public body is or

records custodian. The nature of dispute or the information sought, because sometimes if someone contacting us to say, hey, how do I appeal this case to my county DA or where do I?

Find a public records policy so it's not always necessarily a dispute.

Sometimes someone just needs information about working on either submitting a public records request or they're the public body attempting to complete it.

We track who it's assigned to because of a mighty batignee staff of two.

We like to know who gets which request for assistance.

We know the assistance provided and for our own tracking purposes, we consider a request for assistance closed after 30 days if we haven't heard back from whomever we're assisting, but obviously if they reach back out to us, we will continue to help them.

Brian, your hand is up.

Is that a legacy hand? As Mark would say?

Thank you. OK.

So here's a little bit of a breakdown in terms of the work that we're doing and I and to be, you know, I try to be realistic in these presentations 1 to just hit on the categories that the Council, my office previously agreed to discuss, we have a. Reasonable amount of time, but also to show the key performance measure linked to our mediation, which is the number or percentage of cases that we.

Are capable of.

Of closing within seven days because the goal for our 2026 key performance measure is to be closing the majority of requests for assistance that we receive within seven days.

So as you'll see, in terms of those seeking our assistance, the largest public bodies that are reaching out to us are actually cities, which is kind of funny because outside of the state, there's really no public body that has any mandate to speak to us at all, but.

The cities are taking advantage of our services, so kudos to them.

I hope that means they think we're being helpful. State government makes up the second largest group that is contacting us for assistance and as of April 16th of this year, 45 individual public bodies have sought our assistance on disputed public records matter now for the media folks.

Only 15 have reached out to us about matters and the number one or, I guess, tied for the number one public body. They're reaching out to us about are in fact, cities

and the states, which makes sense because that's where a lot of the public records that int.

Live. You'll see that we have an unknown category.

Sometimes a requester, including even the media, will reach out and leave us a message and not provide more detail.

And if they don't get back to us or just want us to answer their questions without us, without them saying more about who they're seeking information from, we of course will do our best to help.

Although it's hard to answer generalized or hypothetical questions about the public records law, we offer the best advice we can under those circumstances. And then we mark it as unknown.

And then, unsurprisingly, also the biggest user of our services are members of the general public, not including the media.

And as you can see, their issues concerns complaints regarding public records runs the gamut of all types of public bodies, as well as private actors and a fair percentage where we don't know who they were asking about again, either because they never follow up to provide that inform.

Or for one reason or another, do not want to.

So we're humming along pretty well.

We've managed.

To close 135 of those public of those requests for assistance, 111 of them within seven days.

So I think we're doing a pretty good job of meeting our KPM, for getting the majority of our RF as close within seven days.

But obviously we still have some work to do.

There's always extenuating factors, like the 13 that were closed after 30 days because the requester, sometimes including a public employee, just never gets back to us with further information.

Mark.

 **Mark Landauer** 26:36

Thanks Todd.

Have you broken down?

The closed.

The the closed inquiries in in the sense have you broken down?

Where the PRA has sided with one body or the requester. Have you broken that out by any chance?

PD **Portland-Oregon.Room1D-70 * DAS** 27:09

No. In fact, I used AI to analyze our Excel spreadsheets from 2018 through halfway through 2025.

To generate a list of all the actions we've taken in response to your request for assistance, it was surprisingly comprehensive.

I spent some time editing it and adding additional fields and now we use that drop down menu to describe the work that we've done, in part because it's a time saver and in part because no one's ever wanted more detail than that.

And with only two of us have to streamline the process a little bit, so it gives an explanation of the work taken.

It doesn't necessarily include the opinion we offered.

ML **Mark Landauer** 27:50

OK.

PD **Portland-Oregon.Room1D-70 * DAS** 27:51

OK.

Oh yeah, go ahead, Mark.

ML **Mark Landauer** 27:53

Yeah, I I don't know.

I may maybe this is something that we can discuss at a future time.

I don't want to belabor it, but but it does seem to me, Todd, that.

The number of of inquiries that you've closed is impressive in comparison to the number of inquiries your office has received.

So I'm I'm very.

Encouraged by the rapidity at which you're being able to close many of these, I mean within seven days 111 is pretty remarkable.

I I'm and I just wanna be sure that we highlight.

That because requesters and people who are receiving or asking for support from your office, it would appear, get pretty pretty quick action, right?

And I think that that's really encouraging and.

Something that should be highlighted in somehow in your KPMS that that that's key. Performance measures folks for budgetary purposes.

So I I really have to tell you that I'm impressed with these numbers and if if at some point in the future we can talk about the actual outcomes, right?

And and be able to measure those.

I think that that might also be a valuable measuring stick for you and your office in the future, so that just just a a comment, but I I really have to.

To highlight again the rapidity by which your your closing some of these, the vast majority in fact, of these of these inquiries is really quite remarkable. So good job.

PD

Portland-Oregon.Room1D-70 * DAS 29:53

Thank you, Scott.

1st I'll just flag that will ask the question on the oh, I'm sorry, but my question he asked is assistance limited to dispute or does that include request for training?

So there's a question there, but then I have maybe a follow up question on that, OK.

So put a pin for a second request for assistance are well, it's.

It's could be as simple as questions about the public records process.

Where to find a public records request portal? How to contact a government to request records all the way through mediating?

A.

Disputed public records request.

It does not include trainings. We track that separately and that'll be my next slide.

It doesn't also include helping public bodies, either draft or update their policies, which we don't report out onto the Council, but we've actually had a bit of an uptick in that recently, which I think is pretty cool and they often, after I give a training and I mention.

Our services, I'll get one to three or four public bodies. Say no, I didn't know. We're supposed to have a policy or ours is so old.

Can you take a look?

And honestly, I really like taking a red pen.

Digitally to the policies and offering as much as I can to improve them.

Is that I think that gets to my sub question really to what Mark was getting at, but also it Will's point too.

It's probably is.

It is it in this, you know. You talked about the AI data.

You were analysis.

You were looking at it's is it more, is it?

It's not always a helped one side or the other.

There's probably a healthy chunk where you just strictly provided guidance.

Period. And then however it played out between the two parties. I mean, so there might be like 3 categories if you were to find a way to determine if you sided with the government or if you sided with the media, whoever is involved, it's probably a chunk in.

The middle, where you're you're you're providing guidance and you don't really. You're not leaning in either direction.

Is that kind of maybe fair to say?

I think so.

So often, whether or not we're talking to one or both sides who disputed requests, we are offering merely offering guidance for best practices or opinion about.

How to charge fees?

How to apply the public interest balancing test for waivers when exemptions come into play and we might opine about it?

And then that's it.

So we're probably pretty rare that you actually say the news.

The government's right, the public is it probably that, I mean we we come in an opinion about aspects of public records request fairly often, like for instance.

What just happened?

Sorry, I just the examples aren't straight out of my head, but sometimes there are situations where the details are clear enough.

That we can say, hey, public body, we think you actually should be doing A and you're doing B or hey requester, yes you have the right to only be in charge actual cost but your request is quite broad and so can we talk about narrowing it I will.

Say like for instance there is a law enforcement agency in this state whom I won't name that, in my opinion, repeatedly and consciously, is misapplying the law of elder abuse.

And so every time I get a request from a member of the public who has been denied a report for an elder abuse police report simply because they're over 65 and that office has deemed it elder abuse.

And they can't.

I sent an e-mail to that county's attorney to say I think you're once again misapplying

the law. So where?

So you could say that when I would definitely be checking the requester box, it was like opinion. I'm agreeing with there, but it's rare that it gets that specific, to be honest.

Yeah. Yes.

So yeah, so I am also impressed with the volume of work that you guys.

Guys are doing and I'm so glad that you're a two person team now instead of see you doing it all by yourself.

But one of the.

Reasons that people were so motivated to create this office was to have a way of identifying the problems and identifying the problem agencies.

So I mean, the fact that you're not naming them in this report, you're not willing to name them now, that's a little problematic to me because that's kind of the point.

Of an advocate is to say, you know, here's the problems.

I mean, I was just.

I meant to give an example.

I didn't really think they're they're relevant. The agency was relevant, but no, we track.

How do we track the type of public body in our Google form?

We track the actual name of the public body.

You know, we we had that category category for public body records custodian we will list and certainly all the work that we do is a public record subject to disclosure.

It just wasn't.

I didn't see a way to put that together.

Whether in an easy PowerPoint slide, but I can always make that information available. Like if you go like in our Google form when it lists the public bodies that we've worked with, there's it's like page after page.

I know how to reproduce this and what was supposed to be a pretty concise presentation, but no, that information's always available.

Happy to talk about it.

Yeah, I think that would be great.

I mean, one of the things that I've, you know, the the very first report that we got from the public records advocate was, like, very detailed about.

Here's the problems that I see in this state.

And I haven't seen something like that, so I would love to see something that's, you know, kind of more about the content of the requests for assistance and like what

the resolution is.

But I mean, the numbers are great and impressive, but as you know, a Council, it's really helpful to have the narratives about what's going on in the in the state and what are the problem issues and what are the patterns that we're seeing.

You know, whether it's a single agency or you know, just kind of.

I mean, I think later we're going to talk about technology.

It's just kind of like we keep running into this barrier over and over again, so having more data like that would really, really be helpful.

Thank you.

Sure. Yeah, that was in the parameters of what we discussed this you know, these reports are supposed to be. So I don't include them.

Yeah, I'm more than.

I'm more than happy to try to figure out a way to give additional detail in terms of the substance of what's occurring.

Great. Thanks.

All right. OK.

Oh, we saw this slide and then finally, here are the trainings or similar educational opportunities we've been able to offer since the start of this year.

So you know it's it's spread a little bit across, there's only 5 so far, but we have a state agency or event.

There were three of those. One higher education presentation and then of course, the Municipal Records Association.

We gave a brief presentation.

As in the royal we I did.

Last month, and so, you know, we're always open to trainings.

We always offer them generally at the end of most RFA's when we're talking to public bodies. If we are talking to public bodies and really anytime I talk to any public employee, I let them know that we offer trainings.

We've interpreted our mandate to include interested members of the public as well and media.

We have trained requesters in the past, we just haven't had any requests to do so so far this year.

So before I get out of this any questions about trainings or anything else I've said that we haven't talked about.

That's great.

We stop sharing.

Well, thank you for that.

I think you're also up next for our next agenda item, which is the budget build report.

Yes, it's.

Sorry, I thought I had.

Just opened it real fast.

OK.

OK.

You should be seeing my screen. Excuse me.

Now this is actually a preliminary budget report because we haven't officially started the 2729 biennium budget build.

So the numbers I have are related to determining the assessment level for our office.

What that means is that the office of the Public Records advocate is not funded through the General Fund.

We are not part of the general pot of money that supports most state agencies in the state.

We are actually what's known as an other funds agency.

Our money for our budget is derived from an assessment of Allstate agencies based on their number of full time employees.

This is a model similar, I believe, to the Oregon Government Ethics Commission, and it allows us to meet our service needs at least through the last biennium.

And we're predicted to meet our needs again this biennium through the assessment.

Let me see. So, so far these numbers.

Reflects merely an understanding of the current cost of services that our office contracts with the Department of Administrative Services for most of our administrative, financial, human resources and IT services. We also have to pay various other fees to other aspects of the state.

We have cell phones.

We have.

A mailbox where our mail is received and so these current numbers merely reflect an increase in coming prices.

For the next biennium, because otherwise the governor's office has ordered state agencies to remain status quo.

At the next step of the budget build, I believe things like inflation will be included as well, but as you can see.

Our total number for the current biennium was \$1,235,911.00, largely reflecting mostly staff salary and wrap around or holistic cost.

It's kind of amazing what goes into a total compensation package for any state employee.

At any level beyond just their salary, whether it's hourly or yearly, that will remain true in the next biennium. And then it also reflects things like for the first time in years, anyone who's at their Max step within their position will receive a new top step. So both.

The Yufang and I have been in our Max steps since we entered these positions and so for the first time we'll receive new top steps as part of the triple down from. The budgeting sessions that happen between the state and unions that then gets. Sort of applied to everybody else.

Otherwise, service costs are going up a little bit. Again, I think just mostly to reflect priceless increases, but then eventually inflation will be factored in as well.

So these will not be the final numbers.

Also, I asked our desk liaison budget liaison to include sort of next steps in the process and those, as you can see, is our current service level or CSL or current estimated estimated budget continues to go through development until the end of next month.

And we also get feedback from the Chief Financial Office on Pops.

Pops are policy option packages including about adding new positions.

Our pop was already denied because, again, no pops are being permitted that add require new income to agencies and so that next step is really irrelevant to us. But for the most part, it's status quo. Except numbers are going up because.

Service providers we work with are charging more money and then eventually inflation.

That's kind of it.

Any questions about the budget?

And obviously I will continue to update the Council at subsequent meetings as more significant steps occur.

OK.

Thank you so much.

All right. So I think next on our agenda is update on Sunshine Committee efforts and that is Mark.

So not sure if you knew that you were on tap, Mark, but.

Do you have an update for us on?
Sunshine committee. What they're working on?

ML **Mark Landauer** 41:55

Well, I can give you a a general overview folks.

So I've only been on the Sunshine Committee for about a year, and when it was created back during the 2017 session, the idea of course was to review.

I think I'm using my memory to review some 765 public record exemptions, whether they're outright or.

Partial exemptions that existed.

In statute at the time, now having said that, since 2018, several additional exemptions, whether fully exempt or partially exempt, have been created by the Legislative Assembly.

Now I'm this is my view.

But I I knowing that there are so many exemptions that exist in this Statute, I joined in 2025.

Of course, if you look at the Sunshine website, they have conducted multiple meetings over the years to discuss specific exemptions.

And so if you're interested in looking at the specific exemptions that have been reviewed, you can view those on the Sunshine Committee. Couple of of things I would share with you.

First of all, one of the things that I think we struggled with was that every year we are required to provide a report and this report would go to.

A committee in the legislative body called the I believe it was called the Legislative Oversight Committee or or the Legislative Council Committee, forgive me.

And quite frankly, folks, that committee rarely ever meet. And so one of the things that we did during, I believe the long session in 2025 was recommend that these reports actually go to the.

Appropriate committees in the Legislative Assembly that actually meet.

I'm trying to recall whether it or not. That report is now to go to the Judiciary Committee or the Rules Committee of each Chamber.

And so there has been a change in that regard in that our reports actually go to a substantive legislative committee.

Rather than a committee that's really designed to provide oversight of the Legislative Council's office.

So I would tell you that the other portion of that was.

The Sunshine Committee was supposed to also conclude its I believe it was only authorized to exist for 10 years, and in that legislation we extended the life expectancy of the Sunshine Committee simply because, again, as I said at the beginning, there's so many exemptions in the statute that.

Going through every single one.

Frankly, is a rather laborious task, and often times when.

An exemption will come up.

We will discuss it and try to understand the underlying policy behind which the exemption was granted and on occasion we don't know what that.

Policy perspective is and so we will invite.

Stakeholders to appear before the Sun.

Sign committee.

To explain or justify.

Why those exemptions exist?

And then the committee again will will discuss whether or not we believe any modifications.

Or.

Whether the exemption should still remain.

And so we've been going through that quite a bit, I think, Todd.

This may have posted something there, I don't know.

I I'm not looking at the chat.

In any event, we have been going through this process.

For.

Since 2018, and I would tell you that we still have a great deal of work to do, not only because of the initial number of exemptions, but again as I as I also mentioned, the the Assembly continues to add.

Additional exemptions to the statute, and so it it's sort of like chasing a dragster.

It seems like the the endpoint continues to get further in the horizon, but we continue to meet on a regular basis and I believe I hope that there was somebody else was at will who was also gonna join me on this.

I think I was going to be joined with somebody else.

So anyway, I hope that that's helpful.

It's not terribly detailed, but the Sunshine Committee.

He continues to meet on a regular basis and we continue to do the work that.

The legislated assembly directed back in 2017.
I hope that that's helpful.

PD **Portland-Oregon.Room1D-70 * DAS** 47:43

Thank you, mark.

So I'm just kind of looking at the website and it looks like it's under the Department of Justice.

Are you guys?

Yes, yeah, by DOJ.

So I'm in like the last minutes and report that I see is from 2018.

So I'm just wondering if I'm on the right website.

Look at the top.

Because they have one page that's past stuff, and then it says for current stuff, click on something to get to the other page.

Just this Oregon sunshine committee.

Next one is March 18th.

2026 but then when you click on the meeting archive, there's just something from 2018.

ML **Mark Landauer** 48:21

Yeah, I see that.

Oh boy.

PD **Portland-Oregon.Room1D-70 * DAS** 48:27

There is a meetings, archives that includes the last meeting from January 21st, 2026.

ML **Mark Landauer** 48:30

Yes.

Yes.

PD **Portland-Oregon.Room1D-70 * DAS** 48:34

I'll drop the link to what I'm looking at in the chat. So Mark, I I just dropped your bill, 2025 SV 890 in the chat so people could see when the change occurred for the Sunshine Committee.

ML **Mark Landauer** 48:35

In.

Yeah.

Thank you.

PD **Portland-Oregon.Room1D-70 * DAS** 48:48

And you were supposed to be doing this with Stephanie Clark, who unfortunately couldn't join us today.

ML **Mark Landauer** 48:53

Oh, well, then, I don't feel so badly.

I thought that there was somebody else, but again I I I would say that this is.

We're moving at a glacial pace.

I guess is the only way to to properly describe it, just because the the what we try to do is we try to group.

Different types of of exemptions, whether they be applying to a certain agency or a certain council.

You know, often times we're looking at various state councils that have.

Records exemptions.

So, I mean, you look at the parole board, you look at there, there are so many commissions.

I I think there are some 250 of them somewhere in that nature.

It's really sort of overwhelming, quite honestly. And you know, we've talked about, for example.

Trying to standardize and put all the exemptions in one place.

And we've had many discussions about that, unfortunately.

Doing so would would create such chaos in the actual statutes, because whenever something would be amended, you would have to amend an entire section of the exemptions, which, as I said earlier, amount to somewhere in the neighborhood of 750 so.

So from a, from a practical standpoint of sort of combining them into one?

Place in the statute.

I think that we have a fairly robust list of the exemptions already, but and, and we've thought about standardizing those again, trying to put them in one place in the

statute.

So everybody has easy access to them, but the practical implications of doing that. Really are far more complex and I think we originally thought so.

I don't know if you have any questions, I'll try to answer them. But but please understand also I'm I'm a relatively new member of the Sunshine Committee and I'd have to to to for Todd. Yes, please.

PD **Portland-Oregon.Room1D-70 * DAS** 51:25

Well, Mark, I do have a question that in part predates your time on the Council or the Sunshine Committee, but I'm still curious if you sort of like seen this, which is, you know, prior to COVID, the chair of the Sunshine Committee was DOJDO.

J chaired it automatically and my understanding of the reports that were submitted to the legislature during that time were more factual in nature. We reviewed this many exemptions and they say this without really much in the way of recommendations in terms of what to do about those EXE.

Repeal, amend or keep.

I noted that maybe in 2022, when the Sunshine Committee sort of reconstituted after the pandemic, you know, DOJ wasn't automatically the chair anymore.

And the new members seem to want to go in a different direction where actual opinions would be offered with the reports or with the exemptions that they were reporting on having an opportunity to really look at much in the way of Sunshine Committee reports recently, would you say?

The committee is now also including these sort of conclusions or recommendations.

About the exemptions you review, is it more still?

Just sort of a statement of what the exemptions do.

ML **Mark Landauer** 52:30

Yeah, Todd, it's a fair question.

I will tell you that.

That there have been a few occasions during my years worth of participation where the Council has in fact.

I should say the committee.

Has in fact questioned the validity of an exemption.

Whether.

I know, for example, outright we've challenged.

The outright exemption on a couple of occasions and have said, you know, we don't, we don't necessarily believe that this outright exemption is necessarily justified.

Perhaps it should be.

Partial waiver.

We've also seen some contradictions that we have questioned and in those cases Todd will ask the.

Agency or or the body that that is impacted by this or or the group?

So for example we had.

I believe we had the organ bar come before the Sunshine Committee because.

The discipline of a of certain individuals.

Were and and this is recollection, I may not be getting this properly Todd, but.

We we have wondered whether the disciplining of an attorney or a physician should be outright exempted from disclosure.

So I would say that that there are occasions where the committee in fact challenges.

An exemption rather than just rubber stamping it. Oftentimes when we will.

Recommend a change.

We will ask the stakeholders to that.

To that exemption or partial exemption to come in and explain in further detail to us so that we have a better understanding of at least the stakeholders perspective and then we will once we're given that information, we will have a discussion amongst the Members as to whether or.

Not.

We feel their position is justified or not.

So I do think that that we are being.

Relatively.

We are being there is scrutiny given and I do believe that.

From at least my experience, we have some very talented individuals on the committee with a lot of experience.

Experience and I think that we're giving it a a fair shot.

But again though I I would just sort of remind everybody, the volume of exemptions is is really.

Pretty astounding. And getting through all of this is truly a major undertaking, and I know we've been at it almost, what, eight years now?

I don't even know how far into.

The entire body, a public records. We've we've gotten to.

So I I I do apologize for not knowing that, but I do know that we we continue to meet on a regular basis and we are.

PD **Portland-Oregon.Room1D-70 * DAS** 56:12
Sounds like.

ML **Mark Landauer** 56:19
Looking at these exemptions as quickly as we can.

PD **Portland-Oregon.Room1D-70 * DAS** 56:25
OK.

ML **Mark Landauer** 56:25
Sorry, Shasta.

PD **Portland-Oregon.Room1D-70 * DAS** 56:26
Thanks mark.
Yeah, I do. Just want to wrap up this topic in the interest of time, but do you guys, do you have just like really briefly like what are the next exemptions that you're working on?
Topic wise.

ML **Mark Landauer** 56:41
Yeah. I I I believe we have a meeting coming up here in this month, actually, Shasta, but the agenda has not to my knowledge, the agenda has not been released at this point.
It's sort of run by.
It is still sort of spearheaded by the Department of Justice, but I wouldn't say that the Department of Justice chairs the the committee, perhaps like it did when Michael Crone was was leading this effort.
Effort.

PD **Portland-Oregon.Room1D-70 * DAS** 57:12
OK.
That's good.

Quick question, Mark, this is Scott.

Thank you for the update on the committee.

I appreciate that if you were to draw Venn diagram of the PRAC and the Sunshine Committee, is there any overlap? Is there any?

Is there anything in in that Venn diagram where the Council, this Council and that committee could work together and if you need to think on it, that's fine, I I don't.

I chast a note at the time, but is there a Venn diagram?

Do we overlap with their work at all?

ML **Mark Landauer** 57:43

I think we do, and I've I've advocated for for quite some time that we should invite the Chair of the Sunshine Committee, despite the fact that, yes, I am a member, as I have said on the relatively new Member I I, I do think that we should have.

The chair or the vice chair of the committee come and present perhaps more.

In, in a more comprehensive manner than I can.

To provide the committee or the Council an overview of sort of the areas we've discussed, you know Scott to to to answer your question, I've always been interested in.

Where and perhaps where Todd and Yufang see the biggest number of questions on public records and whether or not.

There's a possibility for the Sunshine Committee to potentially review those public.

Those exemptions?

Where we're seeing conflict.

And requests for mediation with Todd, right?

Because perhaps there might be some opportunities for the Council and the committee to address what we what I might term.

As as repeat offenders where there is.

A consistency in.

In in clashes, if you will right.

And so.

I do think that there is some potential for cross fertilization, but again I don't know if.

PD **Portland-Oregon.Room1D-70 * DAS** 59:35

Mark, Mark, I am going to wrap us up because we're at 1:30 and I do want to get on

to the rest of the agenda. But so can you let them know that I am perfectly willing to go to a Sunshine Committee meeting and I can talk.

ML **Mark Landauer** 59:39

Caught.

PD **Portland-Oregon.Room1D-70 * DAS** 59:51

About the Council's work and then maybe that will be a bridge for the chair to come over here.

I just don't know when they are.

They're not posted on the website.

I've written to them and I haven't gotten a response so.

Maybe there's a way to to start that process of?

Coming together.

ML **Mark Landauer** 1:00:09

I will mention this at our next meeting. Thank you.

PD **Portland-Oregon.Room1D-70 * DAS** 1:00:09

Oh.

Thank you.

Thank you, mark.

OK.

Yeah. So.

This next agenda item is about discussion of public body technology in the realm of public records requests.

So this is something that was identified in our survey as being a huge point of need.

And I certainly see it as something that we're kind of all dealing with the, you know, evolution of technology, the information age.

And how public records are really moving?

From a kind of compliance based. Oh, we'll get to that when we need it to. Really a core function of government services.

People are expecting that. You know, governments are providing this information, that it's easily accessible, that it's not in, you know, some Betamax somewhere that it might actually be in.

So, you know, unfortunately I have not been able to secure a special guest for. In this meeting, but would love to hear from.

Members of the audience, members of the Council and just kind of open up the discussion on, you know, what sort of technology needs there are.

In the public record space, I know that in the survey, which I could call up here, there's a remarkable number of public records systems.

That are that are in use all across Oregon. You know, some of the larger agencies are able to use Gov QA, but it sounds like it's pretty expensive. So that's not really an option for a lot of our smaller agencies.

So would just love to to kind of hear more about where you see your agencies moving to what the needs are as far as technology and what the opportunities are as we enter into?

Kind of an AI space.

Because I think that that's actually happening already, that people are just sort of using AI. And So what do we need to put in place to have that technology be something that we're using thoughtfully, deliberately and in the public interest?

So I will open up the floor if there's anyone here or anyone on zoom who wants to talk about technology in public arts.

Wonderful.

Just just to be clear, so you're this is sort of like a public commentary period as well as a Council discussion. They're on the top.

Yes, yes, I think I am combining them, if that's alright just because.

Well, I mean, there's a Council member here who is in government, but a lot of the folks on don't seem to do that in their job.

But and just one more, it's not on the agenda, but since we're at the start of this comment period, do you wanna set a time period for?

Responses.

Yeah, how about 3 minutes?

OK.

So that's three, three minutes for the person to make a comment per person per person. OK.

That's a kind of a statement, yeah.

OK.

Yeah, alright.

I will grab my timer here and I can't see the name Moyer.

Yeah, initials MH, you're #1.

M **MOYES Jonathan H * WRD** 1:03:44

Hopefully you can hear me.

PD **Portland-Oregon.Room1D-70 * DAS** 1:03:45

Hmm.

M **MOYES Jonathan H * WRD** 1:03:47

Good morning actually afternoon.

My name is Jonathan Moyes.

I am the public records coordinator for the Oregon Water Resources Department.

In terms of technology wise, the biggest.

The biggest thing I can think of would be correspondent Slash e-mail searching functions.

Our department has gotten a large amount of very broad e-mail requests.

And the built in functions of outlook, their ediscovery tool is not very sufficient to handle these very broad requests.

So that we get.

My supervisor, Mindy Lane, mentioned in a previous meeting.

A request that we just recently finished that proposal resulted in over 40,000 emails that match their response and they agreed to pay for it.

But because of this we have to manually review every single e-mail to determine if it's responsive or non responsive, determine for any exempt information.

And stuff like that.

And if there was a better way of?

Better slash faster way of getting through these emails, finding them, sorting out potential non responsive records and having a much more fine toothed comb of getting through these emails. That would be very much beneficial for at least for our agency.

PD **Portland-Oregon.Room1D-70 * DAS** 1:05:30

Thank you very much.

Have you ever heard of such a tool?

M **MOYES Jonathan H * WRD** 1:05:34

I believe the DOJ uses.

A more robust tool, I can't remember the name of it off the top of my head, but theirs has the ability to have a more in depth look in searching of various emails.

PD **Portland-Oregon.Room1D-70 * DAS** 1:05:54

OK.

Thank you.

M **MOYES Jonathan H * WRD** 1:05:55

Yep.

PD **Portland-Oregon.Room1D-70 * DAS** 1:05:56

Next one on the screen is a A.

AA **Allie Anderson** 1:06:01

Hi, my name is Allie Anderson with the city of Newport.

I'm a city reporter with city of Newport and I'm so sorry. There's some construction happening just outside of my door, so I'll keep this really quick, but I just wanted to say that we're so excited to introduce a new tool for our city.

It's called just foya. The other city I could think of off the top of my head that uses this is the city of Eugene.

And some of the features that were really energized about include the ability.

Need to sort of populate auto messages so that when the public is filling out a request, if we don't have those records like say for example they're looking for.

A marriage record, I could say.

Oh, it looks like you're looking for that.

And you can go to the county and kind of capture that right at the front so that I'm not, it just saves on emails.

And so that's a piece that we're looking forward to.

So and for tracking purposes, we track in an Excel spreadsheet and this will give us a tool to be able to see not only from our end how things are moving, but also from the public. If they're curious to know where their record is.

If it's under legal review, if it's with me, if you know they can track that and that saves

another e-mail for status updates, and then it also gives us the ability if there's a frequent record request, a lot of people are interested in a particular record we can. Unlock it to the public so that they could just have access.

So those are some of the things that we're excited about, but I just wanted to hop on and say yay for technology.

Thank you.

PD **Portland-Oregon.Room1D-70 * DAS** 1:07:52

That's really great to hear.

You said it was called just FOIA, or it's just called FOIA.

AA **Allie Anderson** 1:07:59

It's called just FOIA.

PD **Portland-Oregon.Room1D-70 * DAS** 1:08:03

OK.

Great. Thank you.

And senior.

SR **Shiree Riley** 1:08:10

Hi, my name is Cherie Riley.

I'm the ediscovery and public Records request coordinator in the state of Oregon for Odhs and OHA.

I work in the Office of Information Services.

And just wanting to put it out there, that the program we use that maybe Jonathan Moyes was Speaking of is purview and it's a Microsoft product.

It is.

It requires some technical knowledge to use because it's a legal product. We use it to put place legal.

But we also use it to search for records and it has the ability to perform or like.

Put the records into a review set so you can parse them a little better.

You can perform redactions within the program itself.

A license for that should be available through Dask Department of Administrative Services.

They're the ones that actually own the licenses.

And just to comment on the 40,000 records, that's.

Massive and I know that our agency has policies.

That requires specificity, so you know if something comes back that large, we can go back and say like this is not specific enough and you know, I'm not sure if that's within Oregon law or if that's just policy within each agency.

And the final thing I wanted to note was that I am the only person that does my job.

So odhs and OHA each have their own public records units, but I'm the only one gathering these records.

I got 700 requests last year, so as you can imagine, there's been a lot of optimizations going on.

I've used a lot of Microsoft products, Microsoft forms that link to a Microsoft list and auto populate some things.

I can link that to power BI to create metrics and dashboards that can also be made available to the public so.

Just wanting to put that information out there, I don't know if there's any guard rails on anyone contacting me, but you know, of course I'm available. If there's any interest in that.

PD **Portland-Oregon.Room1D-70 * DAS** 1:10:12

Wonderful. Thank you so much for sharing those resources and that experience. I'm curious.

I mean, I think I know at a state level how these technology solutions are funded, but if anybody on the call knows how, like how do we get these things funded?

Is it like a one time purchase?

Is it a yearly license that has to be built into the budget?

I can speak for cities in that.

The answer to that is yes. It it depends on the type of product you're buying and actually what I was going to observe on to kind of tie back to that in a roundabout way is thank you to my recorder colleague Ally from Newport for bringing up public. Records requests because in my mind, when you think about records and technology in cities, public Records request is probably the most front facing.

Daily thing that we deal with and there are, there's just so there's Gov QA, there's other applications out there.

I think the reality is that a growing number of cities have those sort of services, but they are cost money. They do cost money.

So to your question, just now, each city would have to pitch its Council and its budget committee to approve funding, and then if, if it's an ongoing license situation, that's an annual cost, there are products where you buy the thing, the software upfront, you upload, you start using.

It implement it and if you have an IT to do that then then you own the you own it and it's a one time cost but it sort of depends.

That's making just like the state agencies, it's making a pitch in many cities.

We're biannual budget, but in some cities they're still annual.

It's making that pitch and so that's the answer to Chastity's question. But backing up what I was going to say broadly to this question, like Ali said, there's public records requests and there's, there's we have conferences and we have, we get pitches from all kinds of sale.

Vendors you know, selling us the latest thing.

The other really big space, at least for cities where we talk about records, is where we store our records.

And and the reality, I think that any, any office, government or any otherwise is we have network drives, we have our our various G drives or shared drives or you know various locally housed network drives on local.

I am.

I'm trying to say, you know, they're stored locally on servers, servers, local servers.

But you know, we're all also generally moving to clouds too, because that's the way of the world that we're all being set up for by the big players.

It's gonna stay so and and no for local agencies like cities. Clouds are very attractive because it's not your it your local. It's don't have to worry about a server aging and dying and losing everything.

It's it's on the players.

There's risks with going to the clouds.

I remember 10 years ago when state archives started thinking about even getting government into the cloud at all and the risks and the unknowns and and we still live with those.

There's data security but.

So we all have our network drives.

Locally or cloud based, but it's interesting.

I I've been in at the City of Milwaukee for 13 years and I've seen us go from I would, I would dare say, without any hard data.

So don't press me too hard that 13 years ago, most cities didn't have any sort of robust electronic records management system.

Maybe it was like 5050.

Maybe it was 4060, but we've seen a lot of growth.

A lot of cities have come on board with electronic records systems to store their records.

A lot of it's in terms of archiving their records.

And to this where we are today, there are actually in the technology space in terms of vendors, there are about 3 buckets that cities that 240 cities in Oregon generally fall into these three buckets, they're either with one of the two big Software providers. You're either with the Oregon records management solution, which state archives runs with Chab's consulting and contracts with a number of cities and special district and state agencies. You're either with orms.

Or you're with laserfiche.

Which is one of the big international players in terms of providing the electronic records management system there are, I think at least three sub sales groups that come to conferences and pitch their services to recorders across the state. So you're either OMS laser phase or and that's about 3333%. You know general numbers. The other third even to this day of Oregon cities don't have any robust electronic records management system.

This is something that comes up at our recorders conference every year and the number has generally held like I. Like I said, I do see more people getting online. More cities are taking it seriously that this is something they need to think about in terms of being responsive to public records request in terms of just archiving their stuff. Buildings catch on fire.

Sprinkler systems in brand new cities.

Halls break and then you lose.

You know an entire archive.

So I'm being long winded now at this point, but at least at the city level, you know there's the PR part public records requests which.

I talked to and then.

Storing records they're really, and maybe Todd and others at archives know better, but there's really two big software players in this and everybody else doesn't have much of a solution yet.

So I think tying it back to our what we talked about legislative concepts, but I really

thought about in that discussion we had earlier this week and earlier today, if there is a way that the Council can support and lobby the legislature to find grant funding for in.

Particular those cities who are so small or don't have the budgets to find an electronic system.

I mean that could be a real space.

To to get something done right.

Yeah, I I try to say something real quick. Mm-hmm.

First of all, so our office is going to be signing up for RMS mostly for archiving purposes and even though it is a public private partnership for just the two of us, it's going to be \$388.70 a month so over.

By any and we're talking almost \$10,000 and there's we're just a two person office. So I don't know, you know, for any any larger public body that has additional staff that need to use it.

If the if the licensing is based in part on number of FTE, it becomes exorbitant and this is a like a better priced product than most of the ones we've discussed. As far as I'm aware.

But the truth is, yeah, kind of Scott's points a public records request is merely sort of the output of an underlying system related to retention.

And so any, any suggestions we offer or ask the legislature to adopt, we'll have to understand that that's public records request. Really the tip of the iceberg. And we have to address the like 90% that iceberg that's below the water as well. If we want something pract.

At work makes sense.

OK.

Well, yeah.

So I think I'm gonna wrap up this topic so that we can have enough time for public commentary, but I just.

I do wanna just put it out on the universe and to everyone on the call and to anyone watching this video later because they're so bored and they just what we're talking about that we are seeking input on technology solutions that we can present to the legislature so.

Please do reach out to me.

If anybody knows CIOs at their organization or the state CIO.

Terrence woods. Have him. Give me a call.

My prac e-mail address is shastapraksoprac@gmail.com because I don't have a state e-mail address, which is probably why he's not getting back to me.

Alright, so I will close this session and then I will open up public commentary.

So if anyone wants to give public comment on something that isn't related to technology needs, please raise your hand.

Yeah, I have somebody under them, but I'm not.

Never really am prepared member of the public and I am.

Hold on. Can everyone hear her, or do we need to move a microphone?

That's it.

Work. So I'm just a member of the public and I just wanted to talk briefly about.

The school closures and things like that because a lot of the.

Public records requests.

Have to be through the roof because just within our three weeks of our closure time period to talk about it, we were making request after request after request and a lot of this should be publicly available anyways.

So I think that if you guys, if there's a way to make it so that this is all publicly that there is a more standardized.

You know what are the names of these reports and and what can we access and how do we know that we're not requesting something that's too broad?

How can we get? Because it goes back and forth.

It goes back and forth a lot and I just feel like a lot of this should be already there when you're facing a school.

There should be. There should be laws that that say this should be already available and a lot of our requests were denied or are charged \$800.00 or \$1200.

Much more money than we can pay.

And I really think that this is just, I mean this.

It's gotten important enough to me that I'm starting to follow it.

And now I'm here so.

So I don't know what to say, but I just say it's important to listen to what the small government, the local governments need.

It's important to hear that, but I really just feel like there needs to be more people standing up for what the public needs and nobody knows about these meetings. We need to get. I mean, I feel like, yeah, I'd love it if there was more information, so that.

More public members like me could be involved.

And share their experiences too.

Thanks for being here. Thank you.

I will say for anyone listening, we do have an e-mail address on our website where you can sign up for our listserv and get upcoming meetings. So I could share that with you at the end of the meeting. If you want to pass it around to any of.

Your colleagues that you're involved with doing this work. Yeah. Thank you. Sure. Scott also has some great resources on the website.

There's a guide for requesters.

I can't remember exactly what it's called on there, but yeah you can check it out. It's 2019.

In Oregon, Public Records guide for requesters.

So that helps, you know, understand like, what are your rights and what can your requests and that kind of stuff.

Yeah. So I think we have somebody LS on line.

LS Leah Silber 1:20:39

Hi, can you hear me?

PD Portland-Oregon.Room1D-70 * DAS 1:20:40

Yep.

LS Leah Silber 1:20:43

Hi I am a member of the public.

My name is Leah Silber.

I'm a City Council in a small city which is not related to my request, but I do a lot of submission of public records requests across different agencies and just in response to what was just said.

So first of all, I agree that.

More PR would be great because every this is not my first meeting, but I sort of.

Listened in on a few.

Forgot about them and came back now and I was like, Oh yeah, there are some things that the Advocate's office could have possibly helped me with. And for the most part, you get down the chain of somebody just saying no or I can't care about this, right.

Now and you have to move on because as a regular person looking for resources, you don't have the money to pay a lawyer to file an appeal even when you know that

something was denied in a way that probably wouldn't stand up.

But the process sort of thing that just came to mind after.

Heard was pointing out that I don't know if it is.

I mean, it's in statute that there are certain exemptions and certain things that they have to give you. And then there's in practice, I don't know if this is there, but that agencies will offer you exemptions from having to pay for things if your request is in the.

Public good or whatever the language is. And the real question is, is that I don't know if that's a is that like mandated across the board and then the the process question is if it is.

PD **Portland-Oregon.Room1D-70 * DAS** 1:22:01

Public interest.

LS **Leah Silber** 1:22:10

The.

People.

Responsible for fulfilling these requests have varying different levels of knowledge about whether or not they have to do this.

And it's just a dramatically different experience based on who you talk to.

So some credit words do, like Clackamas County is great about always saying, like, if there's an exemption, here's what we need for you to put into the form for us to evaluate whether or not we can give it to you. And some agencies have it in their for. And some don't.

And others are just like it's gonna be \$1000. OK.

Thanks, bye.

So there's probably some education needed, or maybe some model.

Model guides, responses, documentations that we can get out to the smaller.

Agencies. Or maybe it's a problem on a larger level.

Also, I don't know because a lot of these people probably just don't even know that they're they should do these things or that they can do these things and people don't really feel empowered to ask for them. Also like that the technology conversation you just had is sort.

Of relevant to that because.

For example, the agencies that have it on the form, it doesn't matter if everywhere

down the line, the people that these requests get routed to don't understand that it just gets fed to them out of it.

So technology would make some of this a little bit more streamlined and then just a larger issue that I don't really have a solution to is with smaller agencies, cities, organizations, the person responsible for doing these things is often just like a one stop administrative employee and they.

Don't have.

An understanding of their legal obligations, and they oftentimes also have a strong sense of the fact that this is not a priority and they can just say no and there's not much escalation that's gonna happen from there.

Which is true. So that's a further.

Administrative thing and education angle but also.

I don't know that we could recommend standards, but sometimes the response as well, I decided it's gonna take me 82 hours to look through the records to even figure out what I could give you.

And there's no sort of objective standard, or if there is, most people don't know about it for how do they calculate that time?

How are they making estimates?

How are they charging for that time?

And so it's very easy for a small, less regulated agency to just say it's going to be \$1,000,000, go away and you kind of have to accept that because they're just like it's going to take and sometimes I can be like here is how to form.

The query in your Google Workspace inbox to get me the results I need and that solves the problem or that gets them to be like whoa, this is above my above my skill set so.

PD **Portland-Oregon.Room1D-70 * DAS** 1:24:51
Thank you.

LS **Leah Silber** 1:24:52
We all know about this.
Thank you for listening.

PD **Portland-Oregon.Room1D-70 * DAS** 1:24:55

Great. Thank you.

Yes, I really appreciate your insights there a A.

AA Allie Anderson 1:25:03

Thank you.

Sorry, just really quickly the construction crew, but I just wanted to just give some shout outs and and quick feedback too.

I'm so happy Todd, to hear that you've gotten some more.

Folks reaching out to you for trainings and and questions and just tapping into an incredible resource. And I remember I'm fairly new in my role and I remember you did a training for me and my small records team and it was so helpful.

And I know since then I've since I've found you.

I was like, OK.

When those questions come in, just fire off those emails.

Especially when there was a lapse in time before our study got an attorney and then also Scott too.

Thank you so much for being so welcoming to me and to my deputy and being a huge resource.

I'm so happy that to to watch this work public records is hugely important and I'm excited to see what comes out of your committee.

Ethan, and thank you for just advocating for training and resources for people like me, that that deal with the world of records.

That is so you know niched. And so anyway, that was my public comment. Thank you.

PD Portland-Oregon.Room1D-70 * DAS 1:26:18

Thank you very much.

Yeah, I think those two last public comments kind of go together.

I think Todd's office is a great resource for folks looking for help in that arena.

And yeah, the public interest waiver and the fee schedule is definitely issues that we've tried to tackle and are very complicated.

So thank you everyone who is able to come to this meeting and.

And present your viewpoints. So for the next Council meeting is going to be.

Thursday, August 20th.

We already have it scheduled, which is great. So we can start planning.

So if there are any topic, ideas or agenda items from the Council that now would be

a great time to bring them up.

Otherwise, we'll go through with the legislative subcommittee.

And yes, yes, I have a question and it could be an agenda item or it might just be a point.

Where are we with terms and Council members needing to be reappointed?

Or new members coming on. I don't have that information in front of me.

It's, you know, it's the governor's office process. They usually reach out to council members whose terms are expiring to see either. I've been telling them, like, that's it. They sort of reached an end run.

My understanding is although I don't think it's like set in statute, the governor's office generally keeps people on for two terms of four years and then can choose to move on to new representatives for those positions.

But it's not set in stone like I said.

So it's really their process that they administer.

I sure have a list of people's terms somewhere, but just not anything I can pull up in the next two minutes. I can look into it if you want.

I feel like my term.

My first term ends this summer.

It probably did previously.

One thing the governor's office worked really hard to do was normalize everyone's terms.

Get them into two year terms that end at the end of the year.

OK, if you previously ended in summer, I don't be the case any longer.

OK.

You either reach out to the governor's office directly or let me know when I can get that information for you. OK, that that was part of it.

The other part of it, thank you.

Hi Mark, if we have new members, I think it'd be helpful to have.

Our agenda's like an orientation for those new members.

I will say, as a matter of.

Of course.

I always reach out to new members when I know they've been appointed and just say hello, introduce myself, and offer to talk to them, but I don't think if they're really gonna standardize things and it's unlikely we'd see new members and like actually on the Council until Fe.

Of each year, although they could come join us informally before that is a couple of our new Members did this year or last year end of last year.

My last thing, and I'll stop talking.

I I know there's three of us in the room and two members of the public. I like this.

Yay.

And I I will if I, even if I'm a lonely voice, I will advocate that we continue to make this in person.

Spot available and it can move around.

You know, other parts of the state too, but I'm just this is this is helpful. Yeah, I agree.

And there's cookies for all of you people who didn't show up. I made cookies, and you're missing them.

Yes, don't worry.

They'll be there when we're done.

OK.

Well, thank you everybody. I guess I will.

Oh, sorry, bren.

I didn't see your hand.

BW **Brent Walth** 1:29:33

That's OK.

I can send my question via e-mail to Todd.

PD **Portland-Oregon.Room1D-70 * DAS** 1:29:39

OK. And then if anyone wants to suggest additional agenda items, please e-mail either Schechter or myself directly.

Don't e-mail everyone. We want to avoid any serial meeting concerns.

All right, I will return this meeting.

Thank you everybody and have a wonderful Friday.

Thank you guys for hearing.

That's the first time.

● **ALBERT Todd * PRA** stopped transcription