

ALBERT Todd * PRA

From: Tim Dooley <tdooley@beavertonoregon.gov>
Sent: Friday, August 26, 2022 12:35 PM
To: ALBERT Todd * PRA
Subject: PRAC Legislative Subcommittee Comment

Todd –

Unfortunately, I'm not able to attend this afternoon's meeting, but I wanted to offer some context regarding public records requests and fees (speaking for myself, not the OLERA or BPD, but I think this captures the essence of what my colleagues would believe).

The Beaverton Police Department handles about 4,000 requests for records annually. In the 2021-2022 fiscal year, we took in \$101,549.02 in public records fees. This seems like a large sum, but it does not even fully subsidize 1 FTE at a clerical level when considering salary and benefits. Given all of the administrative steps it takes to intake, route, review, communicate, redact, and release public records in a law enforcement agency, we dedicate far more than 1 FTEs worth of time to handling public records requests.

In an effort to improve our processes and make it easier for community members to request records, the City of Beaverton just adopted a software program to allow us to take requests online. Many other cities and counties have adopted such software in recent years, especially in the metro area. Such investments in transparency are not cheap. Beaverton is paying nearly \$20,000 a year to operate this system, but it is a project that we felt was important for our community.

Far from being a revenue stream, public records are a cost center for localities. Oregon law allows us to recover costs, but we largely operate at a loss, and spend significant amounts of staff time fulfilling requests that are either commercial in nature, or where we waive fees, as city policy is to waive fees for crime victims. We also waive fees for requests that are de minimus in nature, but 15 minutes of staff time on such requests adds up over the course of the year.

I understand the concerns some PRAC members have raised about fees making public records inaccessible. I'd argue that the solution is greater state aid in improving information technology for cities, counties, and special districts to enable us to do things like metadata searches or de-duplication, rather than capping fees. If we don't have the technology to easily fulfill a request, we incur increased staff time and therefore costs. Local government budgets are stretched thin, especially for smaller jurisdictions, and investments in this area are usually the first to go.

In my opinion, the PRAC would be better served by gathering more data on fees and staff time (if I recall correctly, the most recent survey is several years old and arguably incomplete) as well as the IT capabilities of localities before trying to make a sweeping change to the system. Once the PRAC has a fuller, more informed picture, I think the discussion may go in a different direction.

Please let me know if I can be of any assistance to you in this process.

Cheers,

Tim Dooley
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