



OREGONLIVE
The Oregonian
OREGONIAN MEDIA GROUP

March 13, 2019

Dear Majority Leader Williamson and members of the House Committee on Judiciary,

My name is Gordon Friedman and I am a reporter for The Oregonian. Thank you for convening this hearing on House Bill 2353.

This bill, drafted with input from the local Society of Professional Journalists chapter, allows the attorney general, district attorneys and circuit court judges to award penalties to records requesters if a public body is found to have violated statutes requiring timely responses to document requests.

Access to public records is a right in Oregon – a right the Legislature established in the wake of Watergate. That right helps journalists like me give Oregonians information they need to be informed participants in our society.

Recently, the Legislature admirably bolstered the right to access government documents by establishing responsiveness timelines via [Senate Bill 481 \(2017\)](#), which passed both chambers unanimously.

Compliance with the timelines is easy. All a public body needs to do to is release requested records or tell a requester it needs more time.

Ideally, no public body will ever be penalized under the provisions of House Bill 2353. Instead, the prospect of penalties will motivate government to comply with existing law.

This is generally how things work in Washington State, which allows penalties of up to \$100 per day a requester is unlawfully denied access to public documents. This provision is rarely used, however, because Washington public bodies have an incentive to abide by the timelines, and generally do.

But in cases when public bodies don't comply with this simple law, Oregon, like Washington, should allow reasonable penalties to send a message that the right to access government records must remain inviolate.

Sincerely,

Gordon Friedman

gfriedman@oregonian.com