



March 13, 2019

TO: House Committee on Judiciary
FR: Charlie Fisher, State Director, Oregon State Public Interest Research Group (OSPIRG)
RE: HB 2353

OSPIRG supports HB 2353.

We were a participant in the Attorney General's Public Records Task Force that led to SB 481 in 2017, and participated in the work group working on improvements in the final product of the Oregon Legislature that session. As you know, SB 481 set timeliness benchmarks to ensure communication between requesters and agencies while underlining the Legislature's intent that agencies with the resources to handle records requests should respond in a timely manner.

In 2017 we applauded the hard work of the Oregon Department of Justice and the broad and diverse range of stakeholders involved in the development of SB 481, which we considered a modest but meaningful step to better secure the public's right to know. But while the 2017 bill was the best we could do in the time available, we believe HB 2353 represents a needed next step by creating consequences for agencies that don't comply with the requirements included in SB 481.

When agencies don't comply, the costs of enforcement are currently borne by members of the public who are seeking public records. They have to invest hours of time, and sometimes spend money, to pester agencies and even file appeals to enforce compliance, typically with the district attorney or attorney general.

As an independent public interest and government transparency advocate, OSPIRG has been involved in many public records requests over the years. Although many public bodies go to great lengths to comply with the law and provide expeditious access to public information, we have experienced a lack of uniformity in processes, timelines, expectations, and interpretations of the underlying law.

We urge your support of HB 2353.