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TO: Lane County Commissioners

FROM: **Frank Skipton**
87860 Territorial Road, #71
Veneta, OR 97487
(541) 935-8334

RE: Public access to Lane County Books and Records

On July 23, 2003 I sent a request to Lane County Commissioners to have access to records. (See attached). I met with David Suchart, Director of Finance on August 25, 2003. Mr. Suchart showed me where the records were and informed me at that time there would be a fee of \$ 25.00 an hour to pay a county employee to watch me. Presumable for the security and safety of County records.

Charging \$25.00 an hour effectively prevents the vast majority of Lane County citizens from ever looking at the County's records. At least this fee certainly stops me. I don't want to pay anything when I' am trying to provide a free public service.

I have examined records at the City of Veneta and was not charged a fee.

I have examined records at Fern Ridge Library and was not charged a fee.

I have examined records at the Lane County Assessors office and was not charged a fee.

When I requested records from the Lane County Sheriff office I was charged a fee.

Questions

1. Is the \$25.00 per hour fee reasonable and proper?
2. Is the application of this fee in all areas being applied in a non-discriminatory and reasonable manner? (i.e. is the press/media required to pay this fee?)
3. Does the Board of Commissioners need to become more involved in setting policy in this area?
4. Should the managers of Lane County be responsible for encouraging and providing access to County records?
5. Is having a County employee sit and watch a citizen the only acceptable method?
6. How many requests are there on an annual basis for citizens to look at County records. If very few it would seem the County managers could be more accommodating

I submit the following for your consideration.

1. Establish a formal written policy of encouraging citizens to examine County records.
2. Have a desk/room/space available for citizens to look at the records
3. Install a video monitor to cover this area.
4. Determine when and how much fee can be charged.
5. Perhaps a citizen could purchase a fidelity type of bond.
6. Citizens with certain qualifications would fill out an application, have a background check and be exempt from any fees and given reasonable access to all County records. I specifically refer to lawyers, doctors, accountants, engineers, etc. If the County could get these services free they could serve as addition to governance. This is the area that I fall into. (see attached resume') Being retired and with time on my hands I thought I would apply my skills to benefit the public.

I completely understand County employees not wanting every yo-yo in town going thru the records. In 25 years as an auditor I never found anyone who look forward or was happy to see me arrive at their shop. I also understand the need to protect and secure public records. My four years as an internal auditor with the Internal Revenue Service (IRS) made the above very clear.

BUT – We are an open and free society. And the State of Oregon has an open records policy. Also citizens with certain education, training and experience should have the opportunity to give something back and/or satisfy themselves the government is functioning in a proper and reasonable manner.

*See attached
Newspaper
Article*

Public records law is *West Lane News 7-31-03* a tool of citizenship

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Here's something that works well: Oregon's Public Records and Meetings Law. Pay attention here, please. This is news you can use, a tool for your personal citizenship kit.

In the past two weeks here at the News, we've been involved with the district attorneys' offices of two counties, using the law to pry legitimate public records out of secretive public officials attempting to dodge their responsibility to release them.

Under the law, the district attorney is the last stop before a records battle goes to court.

The DA can review a denied request and the record it involves, then order its release. While public agencies can buck such an order by heading to court, at that point most read the legal handwriting on the wall and cough up the documents.

In some cases, the district attorney may play the role of arbitrator, working the phones to let a public agency know it's on shaky ground and securing release of the records without a formal legal order. That's what happened in our two recent cases with Lane County District Attorney Doug Harclerod and Benton County District Attorney Scott Heiser.

You might think of the public records law as a sort of civic backwater that would take a back seat to the crime-fighting instincts of prosecutors. But we have always been impressed with how seriously Oregon district attorneys take this democratic chore that's assigned to them, and how energetically they respond to requests for records rulings.

And not just for the media. It's true that you hear most often of the public records law when someone in the news biz uses it to pry open withheld records. But our rights are no different from yours. In truth, individual citizens often tap the system, and they seem to get the same speedy service from their local prosecutor.

A couple of years back, we chatted with a DA about the process. He said he's accustomed to seeing newspapers present their public records appeals in reasonably solid legal form — it's not that difficult.

But he also said that it's understood that attorneys in his office will assist frustrated citizens in getting their paperwork into proper order so that a legal ruling on their request can be considered. That's good to hear. Democracy ought to work that way.

Why is this important to you? Because it applies not only to the larger questions that newspapers chase, but to virtually all of your dealings with local government — to matters such as building permits, water bills, teacher qualifications, planning and zoning records.

And what's a public record? Almost everything. To name just a few . . . writings, tape recordings, maps, e-mail, photos, videotape, the contents of computer hard drives, letters received or sent, phone message notepads, bids and proposals after opening, juvenile arrest records, substitute teacher rosters, salaries, job performance evaluations. And, as the Fern Ridge School District recently learned, the desk calendar of a school superintendent.

We have in hand now a pile of records from the Fern Ridge district and the city of Monroe, the results of our recent requests to the district attorneys. We'll expend the time and money to sift through them. Perhaps we'll find nothing unusual. That sort of watchdogging is our responsibility, and we take it seriously.

However, it's possible only because the public records law is there for us — and for you.

To Lane County Commissioner

7-23-03

From

Frank Skipton
87860 Territorial Road, #71
Veneta, OR 97487
(541) 935-8334

Re- Access to Records

I would like to review the County's bank statements, check registers and cancelled checks for the twelve months ended June 30, 2003. Please let me know when would be a convenient time.

8-1-03

Re - above and prior tele. call
I would like to come in and see what the CD ROM looks like.

8-8-03

Please let me know when and who to contact
Thank

Purpose - to be a better informed citizen and better able to participate in my government.