

THE BAKER CITY HERALD

Union County gets good marks, Wallowa County shows resistance

By Bill Rautenstrauch, Staff Writer

LA GRANDE -- The public's right to know is taken seriously by most officials in Union and Wallowa counties, according to an audit of public records law compliance completed in January. But there is some room for improvement.

Union County received good marks in the audit, and in fact was one of only two counties in the state that provided all information that was requested. But Wallowa County didn't make as good a showing.

Auditors in both counties reported that they were treated with suspicion at sheriffs' offices and that they felt intimidated.

The audit was organized by the Associated Press Newspaper Executives organization and the Society of Professional Journalists.

Volunteers sought out records that are deemed public by the law. Those records included concealed handgun permits, drunken driving arrests, city manager expense reports, budgets and employee contracts.

The audit was aimed at finding out how public officials respond to requests for information that is supposed to be available to citizens under Oregon's Public Records Law.

The experience of the local auditors seemed to mirror those in other areas of the state, according to reports filed by the auditors themselves.

Local law enforcement agencies greeted record requests warily, while city governments and school districts were more willing to cooperate.

With one exception -- the Enterprise School District -- city and school officials in Wallowa and Union counties readily honored requests for records related to budgets and employment contracts.

In Wallowa County, the sheriff's office refused to give out the information on concealed handgun permits.

In Union County, the sheriff's office did so after three visits by the auditor.

The auditor in Wallowa County said she was questioned closely on her reasons for wanting information on concealed handgun permits.

She described her encounter with a civil deputy as intimidating.

She said the deputy asked her why she wanted the information. When the auditor replied she was doing research, the deputy wanted to know the nature of it. When the auditor told the deputy she was there to verify ORS 166.291, the deputy opened a manual and began reading, the auditor said.

The auditor said the deputy then concluded the auditor was seeking an application for a concealed handgun permit and asked her if that was the case.

"I was so shocked by her abrasiveness before, that in the interest of keeping the confrontation to a minimum, I said yes," the auditor said.

Deputy Steve Rogers joined the conversation. The auditor told Rogers she originally had asked to see the five most recent applications for concealed weapons. Rogers replied that the sheriff's office does not give out that kind of information, the auditor said.

At one point during conversations with the civil deputy, the auditor was told she should go to the district attorney for the information.

District Attorney Dan Ousley said this week that was the right procedure for the deputy to follow.

"I think the sheriff's office is very leery of giving out information. When in doubt they will err on the side of not giving it, and then refer the matter to me. I will research the request to determine if the information can be given," he said.

The Wallowa County auditor reported she had no trouble obtaining information on drunk driving arrests from the Enterprise Police Department.

Along with the names of the last five people arrested, she was issued a typed statement from Police Chief Wes Kilgore noting that Kilgore had released the records.

At Enterprise High School, the auditor said a request to see the school district superintendent's contract was denied.

The auditor said her request was relayed to Royce by a secretary.

Through the secretary, Royce answered there would be no contract available until after the Feb. 7 board meeting, when the contracts of Royce and High School Principal Blake Carlsen were due to be renewed.

The auditor said she asked if she might see the old contract. According to her, that request was denied as well.

Superintendent Brad Royce said he was under the impression his secretary told the auditor to return at a later date.

"I didn't talk to (the auditor). She was instructed to come back, but she didn't and she hasn't. If she had, we would have given her the contract," Royce said.

Royce said he made the initial denial in order to have time to check the legalities of releasing the information.

At Joseph City Hall, the auditor asked for and did receive access to the city budget. She was told the city did not keep a city manager's expense report.

Union County's auditor was at first denied access to the last five concealed handgun permits and records on the last five DUUI arrests. On a third visit, however, she was provided a handwritten list of the names of the weapon permit applicants, and records on the DUUI arrests.

The auditor said the sheriff's office seemed "tight-fisted" with the information she requested. She also said she was questioned closely on her reasons for requesting the information. She said the questioning made her feel intimidated.

Union County Sheriff Boyd Rasmussen, who ultimately approved the auditor's request, said questions he had weren't out of line.

"It's our nature to ask questions, especially when there are privacy issues. A request like that doesn't come along every day and our question was, 'What was she going to do with the information?'"

Rasmussen said the complete weapons permit applications weren't provided because they contain information that could be used for identity theft.

While the records law does state that concealed weapons permits are public records, it also says certain information can be blacked out.

The Union County auditor was granted a copy of the La Grande School District superintendent's contract on the first request.

The same auditor reported no problems obtaining a copy of the La Grande city budget or city manager's expense report from the city recorder's office.

Union and Sherman counties were the only ones in which all record requests were

granted, the Associated Press reported yesterday.