

THE (COOS BAY) WORLD

"Records volunteer"

By Elise Hamner,
From The World, Coos Bay

She's not one to pass up a challenge. And more, Mary Cervantes isn't one to let a few rejections set her back.

That made her a good person to volunteer as an independent researcher for The World. Over the past two months, The World joined newspapers statewide in testing public agencies on their handling of documents under the rules of the Oregon Public Records Law.

We wanted to know how average citizens were treated. Do agencies actually let an ordinary person see or get copies of documents declared public under Oregon law?

Some folks were nice. One was rude. Some happily shared information. Others didn't.

"Under ORS 192.420 'every person' has a right to inspect any nonexempt public record of a public body in Oregon," so says the Attorney General's Public Records and Meetings Manual.

There are a lot of exemptions, but Cervantes asked to see some basic records budgets, expense reports, employment contracts, arrest and police logs, and concealed handguns permit applications. Yes, a person can hide a pistol, but not the public record allowing it.

In all, she visited 11 local agencies three cities, four law enforcement offices, three school districts and one port office.

She walked away with a new appreciation for her rights as a citizen to view public records. She also left offices empty-handed at times, despite a law guaranteeing her a right to look at records maintained by agencies operated with tax dollars.

"I wasn't surprised when I went somewhere to ask for a public record and they gave it to me, because that's what I expect," she said Thursday.

Cervantes went through a brief training to let her know her rights, some basics about the Records Law, and how to respond to questions. She was told be polite and honest. To give her name if asked (it's not required to see a public record). She was asked to take mental notes and ask, "why," if she was refused a document. To a refusal, she then replied, "I'm pretty sure that's a public record." If she was asked why she wanted the record, which is not required, Cervantes replied that she was doing research.

The staff at several offices were pleasant, though some weren't sure whether items such as labor contracts or expense reports were public records. Often, they summoned managers and some records were provided. Other times, Cervantes met with a blunt no. For instance, after asking twice at the Coos County Sheriff's Office to see the last five applications for concealed handguns, Cervantes was rebuffed.

"Basically she said, 'You're not going to have it,'" Cervantes recalled of her short visit.

Cervantes is not unlike many South Coast residents. Shortish, with long gray curly hair, she's held a variety of jobs over the years. She worked four years in the Los Angeles Public Library, where managers placed the emphasis on helping people. She held one other public-sector job for a time with the U.S. Bureau of Land Management as a maintenance worker. Then 14 years ago, she settled into retailing as a clerk.

In her 59 years, Cervantes has had few occasions to seek records writing to the state for information on births and deaths. She has even attended a few public meetings, such as some on zoning issues near her home.

This project took her to Coquille, Coos Bay and North Bend. The North Bend staff in the police department and main area were the most helpful in providing documents.

"They got them for me. No questions asked. No problem," Cervantes said.

Some public records that weren't readily available at city halls were in libraries or online. Several charged if an individual wanted a paper copy. The Coquille Public Library has the city's budget, but a take-home copy will cost \$29.75. Across county in Coos Bay, when Cervantes stopped in on a Tuesday afternoon, no police log was available, nor was there even a person to help her.

Across the hall, while asking about the budget and the city manager's expense report, Cervantes was handed a two-page public records policy. While the budget is available to people with Internet access, people without and those seeking other documents are asked to file a written request.

They also should expect to be charged for staff time to find them and 25 cents per copied page.

In the future, Cervantes won't be afraid to ask for public documents should she want them.

"In fact, I'd be more likely to see what I had to do to get them. I would persevere."