

THE (GRANTS PASS) DAILY COURIER

March 15, 2005:

Local climate lukewarm for records requests

Editor's note: This week has been declared Sunshine Week by media organizations and other groups pressing government for access to public records. Through news articles this week, these groups hope to show the public how government is increasingly doing its business in secrecy and not making its records available.

As part of the effort, the Daily Courier and other Oregon newspapers, working with the Associated Press Newspaper Executives organization and the Society of Professional Journalists, conducted an audit to show just how accessible public records in Oregon are. The Daily Courier is publishing stories this week related to that audit in a series called Your Right to Know.

By Patricia Snyder
of the Daily Courier

A citizen who conducted research into the availability of public records found responses ranging from warmly prompt to stormy and dismissive. A statewide study asked private citizens to request public documents. Overall, a little more than half of the 178 requests were granted. Officials in Josephine County fell in the middle among those in the 36 counties, with their compliance rated at 60 to 79 percent.

Grants Pass resident Germaine Cartmell sought five documents on Jan. 19. She easily got the city of Grants Pass budget and a city manager's expense report. However, she wasn't able to promptly look at the superintendent's contract at the Grants Pass School District, got only a list of names when she asked for concealed gun licenses and was told by Grants Pass police that the last five drunken driving reports were not public record.

In the past, Cartmell, working on annexation issues with Citizens for a Voice in Growth, didn't experience trouble getting voting and precinct documents.

She found police records a far cry from election records. A very stern and uncompromising clerk told her that citations aren't available _ something the clerk has been corrected on by a supervisor.

Cartmell said the clerk seemed very sure the information wasn't public. She didn't mention that state law requires access because the clerk was so adamant, she added. She didn't understand the denial.

"Anything I asked her for is printed in the newspaper," Cartmell said.

Grants Pass police Lt. Laura Zeliff, who was contacted earlier by a reporter regarding a statewide story, said on Friday that the clerk was told the correct answer to a request for arrests is yes.

"She is entitled to the names, but she isn't entitled to the cases," Zeliff said. Case reports may be sent to the District Attorney's Office for prosecution and thus may not be available, she explained.

The department had public records training and is developing a policy with staff and the city attorney, to comply with the law, Zeliff said.

Plans are to have people submit a request in writing for review by officials who decide what information is available.

"There may be costs associated with that," she said.

Paying for copies of records can get costly, Cartmell said. She spent 75 cents for three copies at the city, one from a budget and two listing city manager expenses.

Getting the items was easy.

Everyone was most gracious and helpful, she said.

The secretary said she didn't know if expenses were public and checked with Joanne Stumpf, administrative services director, after Cartmell responded that they were.

Expense reports detail how officials spend public money. This one included travel, lodging and meals for a local government law conference, a League of Oregon Cities conference, and others.

Employees are told about the availability of government records and most often deal with budget and audit requests, Stumpf said. She knew expenses are public record, but the staff might not have. As a courtesy, Stumpf later told City Manager Bill Peterson about the request.

Cartmell was surprised at not promptly seeing Grants Pass school Superintendent Steve Iverson's contract, although staff was courteous. She was first told that he was in a meeting and the contract was in his office. She came back and was told to submit a written request, she said. She asked to just look at the contract but was again told to write a request something district officials deny occurred.

"I thought, 'What do they have written in that I couldn't read?'" Cartmell said.

Pam Blanchard, the secretary who handled the request, was shocked at Cartmell's impression. She thought she was being helpful by offering to mail it instead of her waiting.

"There's no reason why we wouldn't have gotten her one," Blanchard said, and the district has no policy requiring a written request. She should have made it more clear that Cartmell could get it mailed to her or come back later, she added.

Requesting public records from the Josephine County Sheriff's Office was Cartmell's most pleasant denial. Detective Mike Vorberg was polite and seemed interested in protecting privacy, she said. He told her they were public record and information such as Social Security numbers must be blacked out. He kept asking about what she wanted. Maybe she wasn't clear, she said.

Instead of records, he had a secretary write five names from the computer and gave Cartmell a blank application.

Concealed handgun license applications include details such as where the weapon carrier lives, when the permit was applied for, date of birth, full name, a physical description, and other names used. They list whether the permit was approved or why it was denied.

Vorberg did not return calls on Friday and Monday. Sheriff Dave Daniel and County Counsel Steve Rich did not return Monday phone calls.

Rich did speak with an Associated Press reporter for a statewide article. Concealed weapons permits were commonly denied around the state, the study found. Follow-up interviews produced little clarification as to why access was denied.

"If you had come and asked, 'We want to see the last five applications,' their response probably would have been, No," Rich told the Associated Press about permit requests.

"And frankly, I don't think they would have even offered an explanation," Rich added, even though other attorneys said public officials at least must disclose their reasons for denying a request.