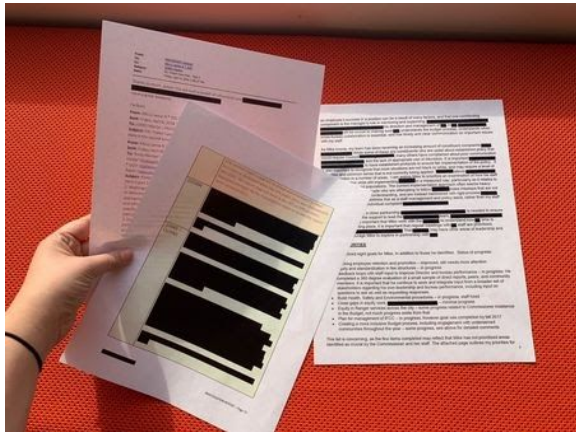


Editorial: Oregon should not retreat on independence for public records advocate

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- Records requested by The Oregonian/OregonLive from the Oregon Department of Human Services, Portland Public Schools, and the City of Portland that were all redacted. Bethany Barnes, staff

By [The Oregonian Editorial Board](#)

Ginger McCall's parting gift to Oregon was a crash course in the importance of independence. McCall, Oregon's first public records advocate, [resigned last year](#) after just 18 months on the job, citing pressure from the governor's general counsel to adopt stances that supported the governor's agenda – not the public interest as her office's name would suggest. Her [courageous decision](#), delivered with the records to back up her claims, motivated the public records advisory council on which McCall served to make the office's independence a top priority.

Unfortunately, not everyone on the committee absorbed the lesson.

The committee passed recommendations for a draft bill that legislators will consider next month. But one committee member, who dissented from the group, is seeking an amendment that would eviscerate the bill, cutting the reforms sought by the committee, including establishing independence for the public records advocate. The member, Oregon League of Cities lobbyist Scott Winkels, urged that legislators hold off on decoupling the position from the governor's office, questioning whether the change would mean a lack of accountability for the advocate.

His worries, however, are obscenely misplaced. Oregonians shouldn't worry about a lack of accountability for an independent advocate, who would still report to the 13-member public records council of governmental representatives, journalists and non-voting legislators. Rather, the real problem lies with state and local agencies that have routinely escaped accountability for refusing to share records of government business with the public. As The Oregonian/OregonLive, other media organizations and many members of the public have shown ad nauseum, governmental bodies routinely [drag out their responses](#) to requests. They often [demand thousands of dollars](#) before releasing documents that they have decided are sensitive – whether or not they actually are. And some [governmental bodies have even sued](#) when ordered by the state attorney general or a district attorney to turn over documents

Yet those records, once received, often yield news stories and investigations that unquestionably serve the public. For example, after [The Oregonian/OregonLive exposed Portland Public Schools' decades](#) of mishandling of sexual misconduct allegations against a longtime educator, the district revised its policies, adopted new training and advocated for state-level changes to make sure such failures don't occur again. These are the kinds of benefits and reforms that get lost when agencies can evade scrutiny.

Independence is critical for an advocate to be able to fearlessly lobby for proposals that can change Oregon's secretive culture. An advocate who serves the public, rather than an elected official, can more fairly mediate disputes between agencies and requestors over release of a record. And a strong vote in favor of independence will help Oregon recruit the next good-governance champion that Oregonians need.

Oregon has already lost a dedicated public servant with McCall's resignation, though she remains invested in these reforms. She telephonically attended a meeting last week of the public records council, encouraging members to stay the course on the changes they are seeking.

When legislators take up the legislation put forward by the council, they should think about the example that McCall set. They should recall that Gov. Kate Brown, after McCall's resignation, now supports separating the position from her office's supervision. They should remember the support that Oregonians throughout the state showed McCall and the cause of independence.

But most of all, they should recognize that the status quo doesn't serve the public. Legislators must demonstrate that they do.

- The Oregonian/OregonLive Editorial Board