

**September 13, 2023**  
**Location: DOJ Portland Office and WebEx**  
**Sunshine Committee Members**

Michael Kron, Department of Justice  
Morgan Smith, Polk County Counsel  
Karin Johnson, Independence City Recorder  
Selena Deckelmann, Director of Engineering, Mozilla Firefox  
Mark Landauer, Special Districts Associations of Oregon  
P.K. Runkles-Pearson, Chief Legal Counsel, Secretary of State  
Emily Cureton Cook, OPB  
Elliot Njus, Oregonian

**Guests**

Cameron Miles, Office of Legislative Counsel, Governor's Office

**Agenda**

**AUDIO STREAM 0:00:00-1:21:09**

**First Agenda Item – Public Comment**

1. No public comments.

**Second Agenda Item – Subcommittee recommendations on regulated professions**

**Chair Smith** – Largely supportive of the recommendations from the bar hadn't been included in the board packet. **Mr. Miles** expressed concern as there aren't many protections and victims may be afraid to file complaints that may be legitimate.

Discussion paused for a moment to introduce new committee member P.K. Runkles-Pearson, Chief Counsel with Oregon Secretary of State who is replacing Stephanie Clark, State Archivist.

Discussion resumed. **Mr. Miles** believes there cannot be a blanket recommendation on this and needs to be reviewed case by case basis. Group discussed the exemption that is needing a recommendation is on educators that was left from the group list of four: Law Enforcement, Educators, Miscellaneous and Miscategorized Exemptions.

**Mr. Kron** moved to accept the recommendations on the Law Enforcement and Miscellaneous exemptions. **Mr. Miles** objects with moving forward with the recommendation on the Law Enforcement category and agrees with the Miscellaneous exemptions. **Mr. Kron** agrees that he can work on re-finishing the Law Enforcement exemption with the sub-committee.

**Mr. Landauer** asked for clarification on why do we want to apply the Oregon State Bars standards to these professions? **Mr. Smith** explained is to increase transparency in the number of exemptions available to the public. **Mr. Kron** added the transparency is a helpful reassurance to the public that they're taking urban complaints about people in these professions seriously and get fairly heard.

**Mr. Kron** moved to recommend that the complaint and disciplinary process for Nursery Stock Growers and Dealers, Landscape Architects, Landscape Contractors Board and Board of Accountancy Information; should be transparent in the way that aligns with the practices of the

Oregon State Bar applies to its licensing investigations (ORS 670.317) and that the exemptions for these entities should be combined and made consistent in the ORS. **2nd motion made by Mr. Miles.**

**All in favor. Motion passed unanimously.**

**Mr. Kron** made a 2<sup>nd</sup> motion, same as above to apply to the exemptions relating to Law Enforcement misconduct complaints and investigations. **Mr. Landauer** expressed his concern aligning with Mr. Miles objection for this exemption. Mr. Landauer would like to understand better the consequences of applying the Oregon State Bar standards through a law enforcement context. Unable to support the motion at this time. **Ms. Runkles-Pearson**, supported in terms of wanting to know more and supporting the committee's recommendation for greater transparency in law enforcement exemptions but not supportive at this time of applying the Oregon State Bar's process as a whole until it's further looked into. **Chair Smith**, clarified that this only affects as part of a disciplinary process. Are there other exemptions that preclude the release of undercover police officers? **Mr. Miles** commented that the exemption needs to be narrowly tailored to that profession and have more stakeholders that this committee has such as police officers, police unions, victims, other people involved before the committee can make any kind of recommendations on this.

**Motion did not pass.**

Discussion on not addressing a lot of transparency from DPSST in recent legislation. **Ms. Runkles-Pearson** would like the committee to weigh in on and make a recommendation as it is an issue for a lot of people. **Mr. Kron** moved that the Committee adopt the following recommendation: "The Sunshine Committee would like to see greater transparency in the professional oversight of law enforcement officers starting at the agency level in order to increase public confidence in the regulation of law enforcement."

**Mr. Smith 2<sup>nd</sup> motion to this recommendation.**

**All in favor. Motion passed unanimously.**

### **Third Agenda Item – Regulated healthcare exemptions**

Discussion about there is a lot of exemption rules for regulated healthcare. **Mr. Kron** pointed out that this may be something to go more in depth in the sub-committee meeting where details can be picked or possibly sort out a resolution in the investigatory process for a recommendation. **Mr. Smith** added that reports are redacted to keep confidentiality intact when complaints are released to the public. He provided some examples of the investigatory process.

**Mr. Landauer** commented for the sub-committee to potential discuss the consolidation and standardization with the intent to promote transparency would be for sub-committee to dive into.

All voted and agreed to have the sub-committee discuss and research before making a recommendation.

**Fourth Agenda Item –Recommendations on next topic(s) to address**

1. Regulated medical exemptions (sub-committee)

No other recommendations on topics. If anyone has recommendations, please send to Chair Smith.

Adjournment