

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. 99-159

Appeal of Merit System Civil Service Council decision regarding William Gillespie's records request.

The Multnomah County Board of Commissioners Finds:

- a. William Gillespie filed an appeal with the Merit System Civil Service Council (Merit Council) regarding his application for a deputy position with the Multnomah County Sheriff's Office and his request for documents regarding his background investigation. On May 11, 1999, the Merit Council, in a 2 to 1 decision, denied Mr. Gillespie's records request. Mr. Gillespie filed an appeal of this decision with the Multnomah County Board of Commissioners (Board).
- b. Mr. Gillespie also made a public records request to the District Attorney. On June 18, 1999, the District Attorney issued an opinion denying Mr. Gillespie's request for records.
- c. A public hearing was held on August 5, 1999, by the Board to review the Merit Council's decision regarding William Gillespie's records request. Kathryn Short, Assistant County Counsel represented the County, and Mr. Gillespie represented himself.
- d. The County and District Attorney assert that Mr. Gillespie is not entitled to receive the requested information as he signed a waiver relinquishing his right to review the material and such records are exempt from disclosure under ORS 192.502(4).

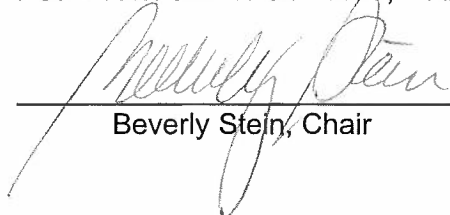
The Multnomah County Board of Commissioners Orders:

1. The records request of William Gillespie is denied based on the waiver signed by Mr. Gillespie and ORS 192.502(4).
2. The decision of the Merit System Civil Service Council is upheld, and the appeal of William Gillespie is dismissed.

APPROVED this 5th day of August, 1999.

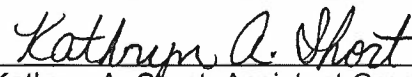


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Beverly Stein, Chair

REVIEWED:

Thomas Sponsler, County Counsel
For Multnomah County, Oregon

By 
Kathryn A. Short, Assistant County Counsel