
CBAC MEMBER ONBOARDING:

- GOVERNMENT ETHICS
- PUBLIC RECORDS
- PUBLIC MEETINGS
- POLITICAL ACTIVITY

KATHERINE THOMAS
SENIOR ASSISTANT COUNTY ATTORNEY
SEPTEMBER 29, 2025



OVERVIEW

- There are rules and personal responsibilities associated with government service
- These rules are generally intended to ensure transparency and accountability
- This is the starting point, not the ending point, of your learning – we do not have enough time tonight to fully cover these topics
- The resources provided at the end of this training offer additional information to further your learning

GOVERNMENT ETHICS – PUBLIC OFFICIALS

You are **public officials** for purposes of:

- ✓ **Oregon ethics law (ORS 244)**
overseen/enforced by Oregon Government Ethics Commission
- ✓ **County Code of Ethics (Personnel Rule 3-30)**
overseen/enforced by the County

Your role as a **public official** continues for ethics purposes:

- ✓ As long as you serve in this role
- ✓ Even when you are not in a CBAC meeting

GOVERNMENT ETHICS – GENERAL RULE

- You **cannot** use your role as a public official to gain a financial benefit or avoid financial harm.
- That may include gaining a financial benefit or avoiding financial harm for:
 - relatives,
 - members of your household, or
 - a business with which you or a relative or member of your household is associated

CONFLICTS OF INTEREST – HOW TO SPOT

A conflict of interest arises when any action or any decision or recommendation would or could be to the private financial benefit or detriment of the person*

**Also applies to relatives or a business with which you or a relative is associated*

**As of January 1, 2026, also applies to a member of your household or a business with which a member of your household is associated*

CONFLICTS OF INTEREST – HOW TO HANDLE

- ✓ Disclose **annually** and **as they arise** using the County form
- ✓ Announce **publicly** the **nature** of the conflict **before** any action is taken
- ✓ Depending on the nature of the conflict, you may not be able to participate as a public official in any discussion, debate or vote on the issue

OTHER ETHICS RED FLAGS

Are you, your relatives, members of your household, or an associated business:

- ➡ Being given something of value, including avoiding financial harm, only because you are on the CBAC?
- ➡ Being given something of value, including avoiding financial harm, by someone who has a unique economic interest in your decisions on the CBAC?
- ➡ Being asked to make a decision or recommendation on the CBAC that could financially benefit or harm you or the people/entities listed above?

 Do you have a monetary or investment interest in any matter before the CBAC?

PUBLIC RECORDS

WHAT IS A PUBLIC RECORD?

- Any writing, in any form (essentially, any media)
- Relating to the conduct of the County's business
- Prepared, owned, used or retained by a public body (including volunteers), even if on a personal device or in a personal email
- Examples: email, notes, calendar entries, text messages, video recording, social media posts

WHAT DOES THE LAW REQUIRE?



Inspection: Public has right to inspect public records, except exempt records



Retention: County (including CBAC members) must retain records in a retrievable manner for period of time

PUBLIC MEETINGS

- Departmental CBACs follow **the spirit** of the public meeting law
- Central CBAC is required to **comply** with public meeting law



General Principles:

- Quorum must gather information, deliberate, and make decisions **in public** → private communications include serial communications (e.g., emails, texts, Google Docs) or communication through an intermediary (e.g., staff)
- Provide **notice** of time, date, location, agenda
- Public has a right to **attend**, not participate
- Record **minutes**

POLITICAL ACTIVITY

When acting in your **official capacity**, you may not **promote or oppose**, or direct a public employee to promote or oppose, any **initiative, referral, referendum, recall petition, measure, candidate, or political committee**.

OFFICIAL CAPACITY

- At a CBAC meeting
- Working on a duty assigned by the CBAC, including official publications/websites
- Appearing at an event in an official capacity

TIMING

- Initiative, referendum, recall: when prospective petition is filed (or being considered)
- Referral: when measure is certified to the ballot
- Candidate: when seeking appointment, nomination, or election to public office
- Political committee: whenever active

RESOURCES

- **All topics:** County Staff
- **State Ethics Law:** Oregon Government Ethics Commission (OGEC)
<https://www.oregon.gov/ogec/Pages/default.aspx>
 - Government Ethics Guide for Public Officials:
<https://www.oregon.gov/ogec/Documents/2021%20PO%20Guide%20Final%20Adopted.pdf>
- **Public Records/Meetings:**
 - OGEC Public Meeting Training: <https://www.oregon.gov/ogec/training/Pages/Public-Meetings-Law-Training.aspx>
 - Oregon Attorney General's Public Records and Meetings Manual 2024:
<https://www.doj.state.or.us/oregon-department-of-justice/public-records/attorney-generals-public-records-and-meetings-manual/> (see esp. pages 5-7 – “What Records Are Covered By the Law?”)
- **Political Activity:** Oregon Secretary of State *Restrictions on Campaigning by Public Employees* – ORS 260.432: <https://sos.oregon.gov/elections/Documents/restrictions.pdf>