

**From:** [Kemple Toni C](#)  
**To:** [Gilman Kristen](#); [Nasbe Joshua](#); [Boss Frederick](#)  
**Subject:** FW: Comment regarding OAR 265-001-0005  
**Date:** Friday, June 17, 2022 4:15:03 PM

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Please see the comment below regarding the proposed OAR 265-001-005.

## **Toni Kemple**

Oregon Department of Justice  
971.673.1880

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**From:** Eric B. Mitton <Eric.Mitton@cityofmedford.org>  
**Sent:** Friday, June 17, 2022 4:08 PM  
**To:** Kemple Toni C <toni.c.kemple@doj.state.or.us>  
**Cc:** Justin R. Ivens <Justin.Ivens@cityofmedford.org>  
**Subject:** Comment regarding OAR 265-001-0005

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Ms. Kemple,

The Notice of Proposed Rulemaking related to this proposed OAR was forwarded to this office. I do want to raise the concern that while the Bulletin must receive proposed rules 21 days before the effective date, a specified mailing list 28 days prior, and legislators 49 days prior, there is no similar durational requirement for Police Chiefs, Sheriffs, and District Attorneys. The offices across the state would be directly impacted by the rulemaking, and yet this OAR would be facially satisfied if they were only notified when the proposed substantive rules became effective, instead of being given advance notice and the right to comment. The City of Medford would encourage a required period of advance notice in the same manner as the other subsections of OAR 265-001-0005. A time period of 28 days seems reasonable given the other categories.

Thank you,

Eric B. Mitton | *City Attorney*  
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