

From: [Karin Johnson](#)
To: [Kron Michael C](#)
Subject: FW: Subcommittee draft for Friday
Date: Wednesday, March 1, 2023 8:21:33 AM
Attachments: [image001.png](#)

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Michael – I forwarded your report with the recommendations to my police chief to get his perspective, since I do not handle PRRs for the PD, and he has provided the comments below.

See you Friday. -Karin

Karin Johnson, MMC

City Recorder

Office 503.837.1172 | Fax 503.606.3282

www.ci.independence.or.us



“It is not fair to ask of others what you are not willing to do yourself.” – **Eleanor Roosevelt**

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From: Robert Mason <mason.robert@ci.independence.or.us>
Sent: Tuesday, February 28, 2023 10:34 AM
To: Karin Johnson <johnson.karin@ci.independence.or.us>
Subject: RE: Subcommittee draft for Friday

Karin,

Sgt. Hedlund and I reviewed the notes from your committee. Our general feeling is that the way the rules and laws for disclosure or investigative records are currently interpreted are the way we would like to see them remain.

Concerns we would have regarding their recommendations (in order):

#1; Explaining what led to an agencies involvement when a situation is still under investigation would be so vague as to not have value. There would be ongoing concerns that providing too much information in an open investigation could tip off the suspect, create a situation where evidence or witnesses could be tampered with, and jeopardize the privacy interest of victims.

#2; The way we read this; it would require us to disclose information that does not exist in a record and may not even be our agencies investigation. An example would be investigators of a major

crime or joint investigation that may have information about the investigation that they have heard and participated in, but the case is not theirs, and the information would not be theirs to release.

#3; This is the way we handle things here in Independence. Once we present the matter to the DA's office, we refer requests for information to them.

Lastly, the philosophical differences section and whether disclosure is denied disclosure, and whether someone else could determine what is releasable or not.

Things in investigations like this are dynamic. What may seem trivial in one moment can soon become crucial. As additional information becomes available to the investigation, what would be releasable continues to change. To determine what is releasable, a thorough investigation of the complete evidence package would be necessary, which would require the investigators knowledge and input.

I think it is important to remember cases are heavily scrutinized after the fact, with defense attorneys possessing a duty to review the investigation and look for ways to argue how investigations are done. The system is built on an "after the fact" review which allows public overview while protecting the integrity of ongoing investigations, along with the premise of being innocent until proven guilty.

Hope that helps,

Bob and Justin

From: Karin Johnson <johnson.karin@ci.independence.or.us>
Sent: Tuesday, February 28, 2023 9:10 AM
To: Robert Mason <mason.robert@ci.independence.or.us>
Subject: FW: Subcommittee draft for Friday

Bob – Here are the proposed recommendations from the subcommittee; we will be formally reviewing & approving them to move forward (on Friday). Page 1 is health exemptions, p 2-3 relate to police investigation records. Please review those and let me know your thoughts.

Karin Johnson, MMC
City Recorder

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From: Kron Michael C <michael.c.kron@doj.state.or.us>
Sent: Tuesday, February 28, 2023 8:55 AM
To: Selena Deckelmann <selenamarie@gmail.com>; Bennett Hall <bhall@bluemountaineagle.com>; Karin Johnson <johnson.karin@ci.independence.or.us>
Cc: Altenhofen Martin <martin.altenhofen@doj.state.or.us>; Nguyen Ally <ally.nguyen@doj.state.or.us>; Janet Renteria <jrenteria@wikimedia.org>
Subject: Subcommittee draft for Friday

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