DEMAND PETITION FOR IMMEDIATE RESIGNATION AND INDEPENDENT CRIMINAL INVESTIGATION OF TILLAMOOK COUNTY DISTRICT ATTORNEY AUBREY OLSON

BY THE PEOPLE OF TILLAMOOK COUNTY

DATED OCTOBER 20, 2026

MAILED BY USPS CERTIFY MAIL OCTOBER 22, 2026

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COPY OF COVER LETTER TO TILLAMOOK COUNTY BOARD OF COMMISSIONERS AND LAW ENFORCEMENT LEADERSHIP

THE PEOPLE OF TILLAMOOK COUNTY DEMAND PETITION FOR IMMEDIATE RESIGNATION OF TILLAMOOK COUNTY DISTRICT ATTORNEY AUBREY OLSON

Copy of the six (6) page cover letter addressed to Tillamook County Board of Commissioners and Law Enforcement Leadership, accompanying The People's formal Demand Petition for Immediate Resignation of Tillamook County District Attorney Aubrey Olson, supporting Memorandum and Exhibits calling for an independent criminal investigation.

Provided to the Tillamook County Board of Commissioners as part of the complete submission packet for documentation and preservation of the record.

DOCUMENT INCLUDED:
Cover Letter Addressed to Tillamook County Board of Commissioners and Law Enforcement Leadership — 6 pages

TIME SENSITIVE
CALL FOR URGENT OFFICIAL ACTION

FROM:
The People of Tillamook County
PO Box 148
Hebo, Oregon 97122

TO:
Tillamook County Board of Commissioners
Tillamook County Courthouse
201 Laurel Avenue
Tillamook, Oregon 97141
USPS CERTIFIED MAIL #: 9589 0710 5270 2448 3940 14
RETURN RECEIPT #: 9590 9402 8688 3310 3570 44

Tillamook County Sheriff Joshua Brown
Tillamook County Sheriff's Office
5995 Long Prairie Road
Tillamook, Oregon 97141
USPS CERTIFIED MAIL #: 9589 0710 5270 2448 3940 21
RETURN RECEIPT #: 9590 9402 8688 2210 3565 11

Chief of Police Nick Troxel
Tillamook City Police Department
207 Madrona Avenue
Tillamook, Oregon 97141
USPS CERTIFIED MAIL #: 9589 0710 5270 2448 3990 38
RETURN RECEIPT #: 9590 9402 8688 3310 3565 28

Commanding Officer Sergeant Derek Rose
Oregon State Police
5995 Long Prairie Road
Tillamook, Oregon 97141
USPS CERTIFIED MAIL #: 9589 0710 5720 2448 3940 45
Return Receipt #: 9590 9402 8868 3310 3570 37

October 20, 2026

RE: THE PEOPLE'S DEMAND PETITION FOR IMMEDIATE RESIGNATION OF TILLAMOOK COUNTY DISTRICT ATTORNEY AUBREY OLSON — NOTICE OF RESPONSE, OFFICIAL RECOGNITION, PUBLIC SUPPORT, WRITTEN ENDORSEMENTS, AND CALL FOR INDEPENDENT STATE INVESTIGATION

Tillamook County Board of Commissioners and Law Enforcement Leadership,

Enclosed for each recipient are copies of the formal **Demand Petition for Immediate Resignation of Tillamook County District Attorney Aubrey Olson** and the accompanying **Memorandum in Support of Demand Petition for Immediate Resignation and Independent Criminal Investigation**. The Tillamook County Board of Commissioners is being provided the complete submission packet, including the cover letter addressed to Governor Tina Kotek, the independent investigative report conducted by Katie Suver Law, LLC, and all supporting exhibits and documentation, to ensure the complete evidentiary record is received and maintained in its entirety. Tillamook County Sheriff Joshua Brown, Tillamook City Chief of Police Nick Troxel, and Sergeant Derek Rose, Commanding Officer, Oregon State Police, are being provided the Demand Petition and supporting Memorandum, together with this cover letter. These law enforcement recipients may request access to or copies of the complete submission packet, including the Suver investigative report and supporting exhibits and documentation, by contacting the Tillamook County Board of Commissioners.

The People throughout Tillamook County have come together in the interest of government accountability, the protection of its People, the fair administration of justice, the protection of crime victims, the faithful execution of the law, and the integrity of the criminal justice system.

The People of Tillamook County ("The People") have undertaken extraordinary efforts to examine matters of public concern, review official proceedings and investigative findings, assemble documentary evidence, prepare a comprehensive Demand Petition and supporting Memorandum, and formally deliver these materials to the appropriate governmental authorities.

The People have submitted the Demand Petition, supporting Memorandum, and supporting evidence, and have called upon Oregon Governor Tina Kotek to exercise her lawful authority to direct Attorney General Dan Rayfield to promptly initiate and pursue an independent criminal investigation into the allegations and documented evidence concerning District Attorney Aubrey Olson and take further lawful action supported by the findings.

The Demand Petition requires District Attorney Aubrey Olson to submit her written IMMEDIATE RESIGNATION to Governor Tina Kotek within seventy-two (72) hours of service, with the resignation effective immediately upon its submission to the Governor.

The following distinguishes the actions The People call upon the Board of Commissioners to undertake from those directed to law enforcement leadership.

I. NOTICE OF DISTRICT ATTORNEY AUBREY OLSON'S RESPONSE

The Tillamook County Board of Commissioners should use USPS Certified Mail # 9589 0710 5270 2448 3940 07, assigned to the **Demand Petition for Immediate Resignation of District Attorney Aubrey Olson**, to verify the date and time of delivery.

The documented delivery date and time establish the beginning of the **seventy-two (72) hour response period** stipulated in the Demand Petition.

Upon receiving verified notice of Olson's resignation, or upon expiration of the seventy-two (72) hour response period without issuing her resignation, The People call upon the Board to promptly determine and document her response or failure to respond and, **within twenty-four (24) hours**, issue an official public statement to:

- Tillamook County Pioneer
- Tillamook Headlight Herald
- KTIL Radio

The public statement should accurately identify whether Olson complied with the Demand Petition and should not characterize a failure to resign as anything other than noncompliance with the Demand Petition unless further facts have been independently established.

II. RESOLUTION IN SUPPORT OF THE PEOPLE OF TILLAMOOK COUNTY FOR ACCOUNTABLE GOVERNMENT

The People call upon the Tillamook County Board of Commissioners to adopt an official Resolution in Support of The People of Tillamook County, formally recognizing the monumental collective investment of time, extensive research, investigation, evidence gathering, documentation, preparation, and related work undertaken by The People to exercise their Constitutional right to petition their government.

The Resolution should specifically recognize The People's extraordinary and extensive efforts to:

1. Examine official proceedings, investigative findings, criminal case records, governmental correspondence, and other relevant evidence.
2. Assemble and organize supporting documentation and exhibits.
3. Prepare the formal Demand Petition and comprehensive supporting Memorandum.
4. Deliver these documents to Governor Tina Kotek, Attorney General Dan Rayfield, and other appropriate public authorities.
5. Call for government accountability, the protection of The People and crime victims, the fair and impartial administration of justice, the faithful execution of the law, and a thorough, independent criminal investigation into the documented conduct of District Attorney Aubrey Olson.

The People further call upon the Board of Commissioners to formally recognize and support the Demand Petition itself, including its Demand for Olson's Immediate Resignation and an independent investigation by appropriate authorities.

Such recognition and support do not require the Board of Commissioners to prejudge criminal liability or the findings of any independent investigation.

III. THE BOARD'S INVESTIGATION AND THE PEOPLE'S EXERCISE OF THEIR CONSTITUTIONAL RIGHT TO PETITION

The People recognize and express appreciation to the Tillamook County Board of Commissioners for commissioning the independent fact finding investigation conducted by Katie Suver Law, LLC. That investigation documented a multitude of serious findings involving District Attorney Aubrey Olson's unprofessional conduct, failures in the performance of her official duties, allegations of negligence, and deficiencies in the leadership, administration, and management of the District Attorney's Office.

The Board's actions provided a critical foundation for public examination of these matters. Because the Board does not possess authority to compel the resignation of an independently elected District Attorney, The People determined that further action was necessary.

Accordingly, The People exercised their Constitutional right to petition their government by independently preparing, documenting, and serving the Demand Petition for Immediate Resignation and submitting the supporting Memorandum and supporting evidence to the appropriate authorities.

The People now call upon the Board of Commissioners and the identified law enforcement leadership to publicly acknowledge these efforts and support The People's call for independent action by the appropriate authorities.

IV. WRITTEN ENDORSEMENT BY THE BOARD OF COMMISSIONERS TO THE GOVERNOR AND ATTORNEY GENERAL

Upon examination of the Demand Petition, supporting Memorandum, accompanying exhibits, relevant County records, and Olson's response or failure to respond, The People call upon the Board of Commissioners to issue a formal written endorsement to Governor Tina Kotek, urging her to exercise her lawful executive authority to direct Attorney General Dan Rayfield, to the extent authorized by Oregon law, to initiate and pursue an independent criminal investigation into the allegations and supporting evidence concerning District Attorney Aubrey Olson, and to take such further lawful action as the investigative findings support.

The endorsement should expressly:

1. Recognize and commend The People of Tillamook County for the substantial work undertaken to research, document, prepare, and formally deliver the Demand Petition, supporting Memorandum, and evidence.
2. Acknowledge The People's Constitutional right to petition their government and seek accountability from elected public officials.
3. Express the Board of Commissioners official support for The People's Demand for Immediate Resignation of District Attorney Aubrey Olson.
4. Endorse The People's call for an independent criminal investigation by appropriate authorities.

5. Call upon Governor Kotek to exercise her lawful authority to direct Attorney General Dan Rayfield to promptly initiate and pursue an independent criminal investigation and take further lawful action supported by the evidence and investigative findings.

The People further call upon the Board of Commissioners to provide its written endorsement to the Tillamook County Pioneer, Tillamook Headlight Herald, and KTIL Radio, and furnish copies to the Sheriff, Police Chief, and Oregon State Police supervisory leadership.

V. PUBLIC SUPPORT AND WRITTEN ENDORSEMENT BY LAW ENFORCEMENT LEADERSHIP

The People separately call upon Tillamook County Sheriff Joshua Brown, Tillamook City Police Chief Nick Troxel, and Sergeant Derek Rose, Commanding Officer, Oregon State Police, to review the Demand Petition and supporting Memorandum provided to them, together with the supporting evidence available through the Tillamook County Board of Commissioners.

The People request that each law enforcement leader, to the extent permitted by applicable law, agency policy, and professional responsibilities:

1. Publicly recognize The People's efforts to investigate matters of public concern, assemble evidence, prepare the Demand Petition and supporting Memorandum, and formally present these materials to the Governor, Attorney General, and appropriate County authorities.
2. Publicly announce support for The People's Demand, including the Demand for District Attorney Aubrey Olson's Immediate Resignation and an independent investigation, through a written statement provided to the Tillamook County Pioneer, Tillamook Headlight Herald, and KTIL Radio.
3. Submit an individual written endorsement to Governor Tina Kotek, with a copy to Attorney General Dan Rayfield, recognizing The People's efforts, expressing support for the Demand Petition, and urging the initiation of an independent criminal investigation outside the Tillamook County District Attorney's Office.
4. Call upon the appropriate authorities to independently examine the evidence, determine whether violations of law or professional obligations occurred, and take lawful action supported by the findings.

SPECIAL CONSIDERATION — TILLAMOOK COUNTY SHERIFF

The People recognize that pending litigation, involvement in related proceedings, investigative responsibilities, or other legal and professional obligations may affect Sheriff Joshua Brown's ability to publicly endorse the Demand Petition or comment upon particular allegations.

Regardless of whether the Sheriff is able to issue a public endorsement, The People request that he be formally informed of the Demand Petition and supporting Memorandum provided to him, and of the availability of the supporting evidence through the Tillamook County Board of Commissioners.

The People invite the Sheriff to provide whatever acknowledgment, support, or written communication to the Governor and Attorney General he determines is appropriate and legally permissible under the circumstances. This call for action does not presume that any particular litigation exists or require the Sheriff to compromise any legal position, investigation, or official duty.

VI. PRESERVATION OF THE OFFICIAL RECORD

The People call upon the Board of Commissioners to preserve this cover letter, the Demand Petition, supporting Memorandum, supporting exhibits, independent investigative report, evidence of service, Olson's response or failure to respond, adopted resolutions, written endorsements, correspondence, and subsequent official actions as part of the appropriate County record.

The People likewise call for the identified law enforcement agencies to preserve their respective copies, responses, and related official correspondence in accordance with applicable records requirements.

VII. CONFIDENTIALITY AND PROTECTION OF THE SUBMITTED MATERIALS

For the recipients' information, District Attorney Aubrey Olson is being provided only with the Demand Petition for Immediate Resignation. She is not being provided with the supporting Memorandum, supporting exhibits, or other documentation accompanying The People's submissions to the appropriate governmental authorities.

The People strongly urge the Board of Commissioners and the additional recipients to refrain from voluntarily disclosing or sharing the supporting Memorandum, supporting exhibits, other submitted documentation, or information concerning intended official responses with Olson until the Board's response is made public or Olson voluntarily resigns, whichever occurs first.

The People call upon the recipients to protect these materials and any confidential deliberations to the extent permitted by applicable law. Nothing in this request is intended to restrict compliance with public records laws, lawful disclosure requirements, court orders, or other applicable legal obligations.

VIII. CONCLUSION

The People of Tillamook County have exercised their Constitutional right to petition their government through substantial independent effort, careful preparation, and formal presentation of a documented Demand Petition for governmental accountability.

The People now call upon the Board of Commissioners, Sheriff Joshua Brown, Police Chief Nick Troxel, and Commanding Officer Sergeant Derek Rose to recognize those efforts, publicly support The People's Demand Petition where legally and professionally appropriate, and provide written endorsements calling upon Governor Tina Kotek to direct Attorney General Dan Rayfield to initiate an independent investigation.

The People further call upon the Board of Commissioners to fulfill the specific actions set forth in Sections I through IV and VI through VII, including public notification of Olson's response, adoption of an official Resolution, written endorsement, and preservation of the official record.

The People call for prompt, independent examination and investigation of the evidence, and lawful action that protects the integrity of the criminal justice system and restores public confidence in governmental accountability.

Submitted By,
The People of Tillamook County

COPY OF COVER LETTER TO
TILLAMOOK COUNTY SHERIFF JOSHUA BROWN

THE PEOPLE OF TILLAMOOK COUNTY DEMAND PETITION FOR IMMEDIATE RESIGNATION OF TILLAMOOK COUNTY DISTRICT ATTORNEY AUBREY OLSON

Copy of the one (1) page cover letter addressed to Tillamook County Sheriff Josh Brown, accompanying The People's formal Demand Petition for Immediate Resignation of Tillamook County District Attorney Aubrey Olson and supporting Memorandum calling for an independent criminal investigation.

DOCUMENT INCLUDED:
Cover Letter Addressed to Tillamook County Sheriff Joshua Brown — 1 page

TIME SENSITIVE
CALL FOR URGENT OFFICIAL ACTION

FROM:
The People of Tillamook County
PO Box 148
Hebo, Oregon 97122

TO:
Tillamook County Sheriff Joshua Brown
Tillamook County Sheriff's Office
5995 Long Prairie Road
Tillamook, Oregon 97141

USPS CERTIFIED MAIL
Certified Mail #: 9589 0710 5270 2448 3940 21
Return Receipt #: 9590 9402 8688 2210 3565 11

COURTESY COPY — LAW ENFORCEMENT SUBMISSION

RE: DEMAND PETITION FOR IMMEDIATE RESIGNATION OF TILLAMOOK COUNTY DISTRICT ATTORNEY AUBREY OLSON AND CALL FOR INDEPENDENT CRIMINAL INVESTIGATION

Sheriff Joshua Brown,

Enclosed are copies of the letter addressed to the Tillamook County Board of Commissioners and law enforcement leadership, The People's Demand Petition for Immediate Resignation of Tillamook County District Attorney Aubrey Olson, and the supporting Memorandum.

Oregon Governor Tina Kotek, Attorney General Dan Rayfield, and the Tillamook County Board of Commissioners are each being provided the complete 432 page submission, that includes the Demand Petition, supporting Memorandum, independent investigative report conducted by Katie Suver Law, LLC, and all supporting exhibits and documentation.

The preparation, service, and distribution of these materials represent an extraordinary commitment of time, effort, and financial resources by The People of Tillamook County in pursuing accountability and action concerning the matters documented in the Demand Petition and supporting Memorandum and exhibits.

Should the Tillamook County Sheriff's Office require access to the complete 432 page submission or supporting exhibits, those materials may be obtained through the Tillamook County Board of Commissioners' Office.

These materials are provided for official documentation and preservation of the record, and to ensure law enforcement leadership receives the information and calls for action set forth in the enclosed correspondence.

Submitted By,
The People of Tillamook County

COPY OF COVER LETTER TO
TILLAMOOK CITY CHIEF OF POLICE NICK TROXEL
THE PEOPLE OF TILLAMOOK COUNTY DEMAND PETITION FOR IMMEDIATE RESIGNATION OF TILLAMOOK COUNTY DISTRICT ATTORNEY AUBREY OLSON

Copy of the one (1) page cover letter addressed to Tillamook City Chief of Police Nick Troxel, accompanying The People's formal Demand Petition for Immediate Resignation of Tillamook County District Attorney Aubrey Olson and supporting Memorandum calling for an independent criminal investigation.

DOCUMENT INCLUDED:
Cover Letter Addressed to Tillamook City Chief of Police Nick Troxel — 1 page

TIME SENSITIVE
CALL FOR URGENT OFFICIAL ACTION

FROM:
The People of Tillamook County
PO Box 148
Hebo, Oregon 97122

TO:
Chief of Police Nick Troxel
Tillamook City Police Department
207 Madrona Avenue
Tillamook, Oregon 97141

USPS CERTIFIED MAIL
Certified Mail #: 9589 0710 5270 2448 3990 38
Return Receipt #: 9590 9402 8688 3310 3565 28

COURTESY COPY — LAW ENFORCEMENT SUBMISSION

RE: DEMAND PETITION FOR IMMEDIATE RESIGNATION OF TILLAMOOK COUNTY DISTRICT ATTORNEY AUBREY OLSON AND CALL FOR INDEPENDENT CRIMINAL INVESTIGATION

Chief of Police Nick Troxel,

Enclosed are copies of the letter addressed to the Tillamook County Board of Commissioners and law enforcement leadership, The People's Demand Petition for Immediate Resignation of Tillamook County District Attorney Aubrey Olson, and the supporting Memorandum.

Oregon Governor Tina Kotek, Attorney General Dan Rayfield, and the Tillamook County Board of Commissioners are each being provided the complete 432 page submission, that includes the Demand Petition, supporting Memorandum, independent investigative report conducted by Katie Suver Law, LLC, and all supporting exhibits and documentation.

The preparation, service, and distribution of these materials represent an extraordinary commitment of time, effort, and financial resources by The People of Tillamook County in pursuing accountability and action concerning the matters documented in the Demand Petition, supporting Memorandum and exhibits.

Should the Tillamook City Police Department require access to the complete 432 page submission or supporting exhibits, those materials may be obtained through the Tillamook County Board of Commissioners' Office.

These materials are provided for official documentation and preservation of the record, and to ensure law enforcement leadership receives the information and calls for action set forth in the enclosed correspondence.

Submitted By,
The People of Tillamook County

COPY OF COVER LETTER TO
OREGON STATE POLICE COMMANDING OFFICER
SERGEANT DEREK ROSE

THE PEOPLE OF TILLAMOOK COUNTY DEMAND PETITION FOR IMMEDIATE RESIGNATION OF TILLAMOOK COUNTY DISTRICT ATTORNEY AUBREY OLSON

Copy of the one (1) page cover letter addressed to Oregon State Police Commanding Officer Derek Rose, accompanying The People's formal Demand Petition for Immediate Resignation of Tillamook County District Attorney Aubrey Olson and supporting Memorandum calling for an independent criminal investigation.

DOCUMENT INCLUDED:
Cover Letter Addressed to Oregon State Police Commanding Officer Derek Rose — 1 page

TIME SENSITIVE
CALL FOR URGENT OFFICIAL ACTION

FROM:
The People of Tillamook County
PO Box 148
Hebo, Oregon 97122

TO:
Commanding Officer Sergeant Derek Rose
Oregon State Police
5995 Long Prairie Road
Tillamook, Oregon 97141

USPS CERTIFIED MAIL
Certified Mail #: 9589 0710 5720 2448 3940 45
Return Receipt #: 9590 9402 8868 3310 3570 37

COURTESY COPY — LAW ENFORCEMENT SUBMISSION

RE: DEMAND PETITION FOR IMMEDIATE RESIGNATION OF TILLAMOOK COUNTY DISTRICT ATTORNEY AUBREY OLSON AND CALL FOR INDEPENDENT CRIMINAL INVESTIGATION

Sergeant Derek Rose,

Enclosed are copies of the letter addressed to the Tillamook County Board of Commissioners and law enforcement leadership, The People's Demand Petition for Immediate Resignation of Tillamook County District Attorney Aubrey Olson, and the supporting Memorandum.

Oregon Governor Tina Kotek, Attorney General Dan Rayfield, and the Tillamook County Board of Commissioners are each being provided the complete 432 page submission, that includes the Demand Petition, supporting Memorandum, independent investigative report conducted by Katie Suver Law, LLC, and all supporting exhibits and documentation.

The preparation, service, and distribution of these materials represent an extraordinary commitment of time, effort, and financial resources by The People of Tillamook County in pursuing accountability and action concerning the matters documented in the Demand Petition and supporting Memorandum and exhibits.

Should the Oregon State Police require access to the complete 432 page submission or supporting exhibits, those materials may be obtained through the Tillamook County Board of Commissioners' Office.

These materials are provided for official documentation and preservation of the record, and to ensure law enforcement leadership receives the information and calls for action set forth in the enclosed correspondence.

Submitted By,
The People of Tillamook County

COPY OF COVER LETTER TO OREGON GOVERNOR TINA KOTEK

THE PEOPLE OF TILLAMOOK COUNTY DEMAND PETITION FOR IMMEDIATE RESIGNATION OF TILLAMOOK COUNTY DISTRICT ATTORNEY AUBREY OLSON

Copy of the four (4) page cover letter addressed to Oregon Governor Tina Kotek, accompanying The People's formal Demand Petition for Immediate Resignation of Tillamook County District Attorney Aubrey Olson, supporting Memorandum and Exhibits calling for an independent criminal investigation.

Provided to the Tillamook County Board of Commissioners as part of the complete submission packet for documentation and preservation of the record.

DOCUMENT INCLUDED:
Cover Letter Addressed to Governor Tina Kotek — 4 pages

TIME SENSITIVE
CALL FOR URGENT OFFICIAL ACTION

FROM:
The People of Tillamook County
PO Box 148
Hebo, Oregon 97122

TO:
Governor Tina Kotek
Office of the Governor
900 Court Street NE, Suite 254
Salem, Oregon 97301-4047

USPS CERTIFIED MAIL #: 9589 0710 5270 2448 3939 87
RETURN RECEIPT #: 9590 9402 8688 3310 3570 75

October 20, 2026

RE: DEMAND FOR THE IMMEDIATE RESIGNATION OF TILLAMOOK COUNTY DISTRICT ATTORNEY AUBREY OLSON AND CALL FOR INDEPENDENT INVESTIGATION

Governor Tina Kotek,

Enclosed for your immediate attention is a formal **Demand for the Immediate Resignation of Tillamook County District Attorney Aubrey Olson**, accompanied by a supporting Memorandum and supporting exhibits.

The People throughout Tillamook County have come together in the interest of government accountability, the protection of its People, and the fair administration of justice. The People of Tillamook County submit this Demand, supporting Memorandum, and supporting evidence to the Governor and Attorney General for immediate attention and independent investigation.

This submission presents serious and consequential matters concerning the personal conduct, the exercise of prosecutorial authority, the administration, and management of the Tillamook County District Attorney's Office, including the mistreatment of crime victims and other individuals, alleged retaliatory or coercive conduct, law enforcement and whistleblower related matters, criminal case proceedings, and the use of County resources and procurement procedures.
District Attorney Aubrey Olson has also taken direct action involving Tillamook County Sheriff

Joshua Brown and the Tillamook County Board of Commissioners, including threatening litigation against the Commissioners and issuing criminal subpoenas seeking records concerning Sheriff Brown, a protected whistleblower, and the County's independent investigation into her office. These actions resulted in contested court proceedings challenging the subpoenas.

The Demand and supporting Memorandum are based upon the totality of the evidence identified in the accompanying materials, including the June 10 and June 17, 2026 proceedings of the Tillamook County Board of Commissioners; the Board's June 17, 2026 Resolution of No Confidence R26-013; an independent fact finding investigation commissioned by the Tillamook County Board of Commissioners conducted by former Marion County Deputy Prosecutor Katie Suver of Katie Suver Law, LLC; criminal case records; information concerning victims, witnesses, and whistleblowers; County governmental, financial, procurement, and official correspondence records; and the contested subpoena proceedings involving District Attorney Aubrey Olson and records concerning Sheriff Joshua Brown, a protected whistleblower, and the County's investigation.

The enclosed supporting Memorandum does not presume criminal wrongdoing or predetermined liability. Rather, it calls for an independent investigation of the facts and evidence by appropriate authorities, including a determination of whether any conduct, failures, or negligence warrant criminal investigation, prosecution, professional discipline, or other lawful action concerning the continued exercise of the District Attorney's office.

The People specifically call for the preservation of relevant governmental, criminal case, financial, electronic, personnel, and communications records and for any investigation to be conducted independently of the Tillamook County District Attorney's Office.

The People also call upon you, Governor Tina Kotek, to exercise your lawful authority to direct Attorney General Dan Rayfield, to the extent authorized by Oregon law, to promptly initiate and pursue an independent criminal investigation into these serious and consequential matters in light of District Attorney Aubrey Olson's May 2026 re-election to a term scheduled to begin in January 2027. The independent fact finding investigation commissioned by the Tillamook County Board of Commissioners and conducted by Katie Suver Law, LLC was released on May 8, 2026, after ballots had already been mailed beginning April 29, 2026. The approaching commencement of Olson's new term should not delay an independent investigation of matters of such grave and substantial public concern.

The Demand provides District Attorney Aubrey Olson **seventy-two (72) hours** following service to submit her resignation. Should she fail to resign within that period, The People call upon you, Governor Tina Kotek, to exercise your lawful authority to direct Attorney General Dan Rayfield, to the extent authorized by Oregon law, to promptly initiate and pursue an independent criminal investigation, and to take further lawful action or refer the matter to the appropriate authorities for such Constitutional, statutory, prosecutorial, or other lawful proceedings as the evidence warrants.

The People respectfully call for:

1. Written acknowledgment of receipt within **seven (7) calendar days**;
2. A written response within **thirty (30) calendar days** identifying the action taken or intended to be taken concerning this submission; and
3. If the matter is referred to another governmental, investigative, prosecutorial, or disciplinary authority, written identification of the receiving authority and the date of referral, to the extent permitted by law.
4. Continued communication with the Tillamook County Board of Commissioners, Tillamook County Sheriff Joshua Brown, Tillamook City Police Chief Nick Troxel, and Oregon State Police commanding officer for Tillamook County, concerning actions taken or intended under Item 2 above, including referrals identified under Item 3, the status of those actions, and subsequent official determinations or outcomes, to the extent permitted by applicable law.

Because of the nature, seriousness, and timing of the consequential matters presented herein, The People of Tillamook County call upon you, Governor Tina Kotek, to give this official submission, **"DEMAND FOR THE IMMEDIATE RESIGNATION OF TILLAMOOK COUNTY DISTRICT ATTORNEY AUBREY OLSON AND CALL FOR INDEPENDENT INVESTIGATION,"** prompt and formal attention and to exercise your lawful authority to direct Attorney General Dan Rayfield, to the extent authorized by Oregon law, to promptly initiate and pursue an independent criminal investigation into the matters presented, and to take or refer for further lawful action as the investigative findings warrant.

Submitted By,
The People of Tillamook County

CC:
Attorney General Dan Rayfield
Oregon Department of Justice
Justice Building
1162 Court Street NE
Salem, Oregon 97301-4096
USPS CERTIFIED MAIL #: 9589 0710 5270 2448 3939 94
RETURN RECEIPT #: 9590 9402 8688 3310 3570 68

Tillamook County Board of Commissioners
Tillamook County Courthouse
201 Laurel Avenue
Tillamook, Oregon 97141
USPS CERTIFIED MAIL #: 9589 0710 5270 2448 3940 14
RETURN RECEIPT #: 9590 9402 8688 3310 3570 44

Tillamook County Sheriff Joshua Brown
Tillamook County Sheriff's Office
5995 Long Prairie Road
Tillamook, Oregon 97141
USPS CERTIFIED MAIL #: 9589 0710 5270 2448 3940 21
RETURN RECEIPT #: 9590 9402 8688 2210 3565 11

Chief of Police Nick Troxel
Tillamook City Police Department
207 Madrona Avenue
Tillamook, Oregon 97141
USPS CERTIFIED MAIL #: 9589 0710 5270 2448 3990 38
RETURN RECEIPT #: 9590 9402 8688 3310 3565 28

Sergeant Derek Rose - Commanding Officer
Oregon State Police
5995 Long Prairie Road
Tillamook, Oregon 97141
USPS CERTIFIED MAIL #: 9589 0710 5720 2448 3940 45
RETURN RECEIPT #: 9590 9402 8868 3310 3570 37

COPY OF COVER LETTER TO
OREGON ATTORNEY GENERAL DAN RAYFIELD
THE PEOPLE OF TILLAMOOK COUNTY DEMAND PETITION FOR IMMEDIATE RESIGNATION OF TILLAMOOK COUNTY DISTRICT ATTORNEY AUBREY OLSON

Copy of the one(1) page cover letter addressed to Oregon Attorney Dan Rayfield , accompanying The People's formal Demand Petition for Immediate Resignation of Tillamook County District Attorney Aubrey Olson, supporting Memorandum and Exhibits calling for an independent criminal investigation.

Provided to the Tillamook County Board of Commissioners as part of the complete submission packet for documentation and preservation of the record.

DOCUMENT INCLUDED:
Cover Letter Addressed to Oregon Attorney Dan Rayfield — 1 page

TIME SENSITIVE
CALL FOR URGENT OFFICIAL ACTION

FROM:
The People of Tillamook County
PO Box 148
Hebo, Oregon 97122

TO:
Attorney General Dan Rayfield
Oregon Department of Justice
Justice Building
1162 Court Street NE
Salem, Oregon 97301-4096

USPS Certified Mail #: 9589 0710 5270 2448 3939 94
Return Receipt #: 9590 9402 8688 3310 3570 68

October 20, 2026

COURTESY COPY — COMPLETE SUBMISSION PACKET

RE: DEMAND PETITION FOR IMMEDIATE RESIGNATION OF TILLAMOOK COUNTY DISTRICT ATTORNEY AUBREY OLSON AND CALL FOR INDEPENDENT CRIMINAL INVESTIGATION

Attorney General Dan Rayfield:

Enclosed is a complete courtesy copy of The People's submission to Oregon Governor Tina Kotek concerning the Demand Petition for Immediate Resignation of Tillamook County District Attorney Aubrey Olson and the accompanying Memorandum and Exhibits in Support of Demand Petition for Immediate Resignation and Independent Criminal Investigation.

The submission includes the four-page cover letter addressed to Governor Kotek, the Demand Petition, supporting Memorandum, independent investigative report conducted by Katie Suver Law, LLC, and all supporting exhibits and documentation.

These materials are provided to the Oregon Department of Justice for official documentation and preservation of the complete evidentiary record, and to ensure the Attorney General receives the same documentation submitted to Governor Kotek.

Submitted By:
The People of Tillamook County

DEMAND PETITION FOR IMMEDIATE RESIGNATION OF TILLAMOOK COUNTY DISTRICT ATTORNEY AUBREY OLSON

8 PAGES

TIME SENSITIVE
FORMAL DEMAND PETITION

FROM:
The People of Tillamook County
PO Box 148
Hebo, Oregon 97122

TO:
ATTENTION: Aubrey Olson District Attorney
Tillamook County District Attorney's Office
201 Laurel Avenue
Tillamook, Oregon 97141

USPS CERTIFIED MAIL #: 9589 0710 5270 2448 3940 07
RETURN RECEIPT #: 9590 9402 8688 3310 3570 51

October 20, 2026

DEMAND PETITION FOR IMMEDIATE RESIGNATION OF TILLAMOOK COUNTY DISTRICT ATTORNEY AUBREY OLSON

District Attorney Aubrey Olson,

The People throughout Tillamook County have come together in the interest of government accountability, the protection of its People, the fair administration of justice, the protection of crime victims, the faithful execution of the law, and the integrity of the criminal justice system.

The People of Tillamook County hereby **DEMAND YOUR IMMEDIATE RESIGNATION** from the Office of Tillamook County District Attorney.

This Demand Petition is predicated upon the independent investigation commissioned by the Tillamook County Board of Commissioners between November 2025 and February 2026, together with additional evidence contained in the judicial and public record.

The record establishes an egregious breakdown of professional leadership on your part, with adverse effects on victim advocacy, public accountability, interagency cooperation, and public trust.

The office of Tillamook County District Attorney carries with it extraordinary governmental power. That authority exists to serve the cause of justice, not to conceal administrative failures or dereliction of official duty, or to retaliate against individuals who exercise lawful rights, including whistleblowers, victims of domestic violence, sex abuse victims, and others seeking lawful redress.

I. PROSECUTION, VICTIMS, AND PUBLIC SAFETY

The independent investigation documented substantial deficiencies in criminal prosecution under your leadership, including inadequate case preparation, deficiencies in witness preparation and trial strategy, and undue reliance upon defendants' accounts in charging decisions.

The investigation also documented a decline in prosecutions during your tenure and examined six Grand Juries that declined to return indictments between 2023 and 2025. These cases involved allegations of domestic and sexual abuse and included abuse against minors. The investigation concluded that many such cases were not appropriately pursued.

The investigation documented:

- Failure to consistently notify victims regarding charging decisions and case status;
- Hostility toward victims and victim advocates;
- Instances in which victim testimony was reportedly disbelieved or disregarded;
- Plea agreements investigators considered inappropriately lenient in serious criminal matters.

II. RETALIATION, ABUSE OF GOVERNMENTAL AUTHORITY, AND DEMAND FOR A CRIMINAL INVESTIGATION

The investigation, together with the larger public record, documents conduct including alleged retaliatory actions against individuals associated with complaints concerning your office and the investigation into your conduct.

The record includes **three criminal subpoenas** seeking the identities of original complainants, investigative materials, and information concerning the funding of the investigation. Tillamook County subsequently took action to challenge those subpoenas.

Tillamook County officials also characterized your conduct as retaliatory toward a whistleblower, and the record contains evidence that a Deputy District Attorney was directed to disparage a whistleblower who cooperated with investigators.

In light of the findings and facts stated herein, The People of Tillamook County ("The People") have called upon Governor Tina Kotek to exercise her lawful authority to direct Attorney General Dan Rayfield, to the extent authorized by Oregon law, to promptly initiate and pursue an independent criminal investigation into the conduct identified in this Demand Petition, as further documented in the supporting Memorandum and supporting Exhibits being separately provided to the appropriate

governmental authorities. The People further call for referral to appropriate federal or other independent authorities where the evidence and applicable law warrant.

The purpose of an additional investigation is to determine independently and objectively whether any criminal statutes or Constitutional rights were violated, and whether sufficient evidence exists to warrant criminal charges or other lawful action.

The People do not claim the authority to make final criminal determinations. The People have called for the allegations and supporting evidence to be independently investigated by authorities who are not subject to the conflicts or circumstances presented by the matters described herein.

The ramifications with regard to potential violations of statutory and Constitutional duties and rights include, but are not limited to:

- **ORS Chapter 8 — Court Officers and District Attorneys:** Establishes the statutory duties, powers, responsibilities, and requirements applicable to district attorneys and their official functions.
- **ORS Chapter 147 — Crime Victims:** Establishes statutory rights and protections for crime victims and procedures for implementing those rights.
- **ORS 162.235 — Obstructing Governmental or Judicial Administration:** Prohibits intentionally obstructing, impairing, or hindering the administration of law or another governmental or judicial function when the statutory elements are established.
- **ORS 162.325 — Hindering Prosecution:** Prohibits knowingly engaging in specified conduct intended to hinder the apprehension, prosecution, conviction, or punishment of another person for a crime, when the statutory elements are established.
- **ORS 162.405 — Official Misconduct in the Second Degree:** Addresses specified intentional violations of legal duties by a public servant when the statutory elements are established.
- **ORS 162.415 — Official Misconduct in the First Degree:** Addresses specified intentional or knowing misconduct by a public servant involving the exercise of official functions when the statutory elements are established.
- **ORS 163.275 — Coercion:** Prohibits compelling or inducing another person to engage in or refrain from conduct by means prohibited by statute, when the statutory elements are established.
- **ORS 180.070 — Attorney General Investigations and Prosecutions:** Authorizes the Attorney General, when directed by the Governor, to take charge of an investigation or prosecution of a violation of law within circuit-court jurisdiction and provides the Attorney General with the powers of a district attorney for that purpose. The statute expressly preserves the duties of district attorneys.
- **ORS 244.040 — Standards of Conduct for Public Officials:** Establishes restrictions and standards of conduct applicable to public officials, including restrictions concerning the use of office or position for financial gain or other prohibited purposes.
- **ORS 294.100 — Liability for Unlawful Expenditure or Disbursement of Public Money:** Provides for liability concerning unlawful expenditure or disbursement of public money when the statutory requirements are established.

- **ORS 659A.200 – 659A.224 — Whistleblower Protections:** Provides statutory protections against retaliation for qualifying disclosures and protected whistleblowing activity when the statutory requirements are met.
- **Oregon Constitution, Article I, § 10 — Administration of Justice:** Provides that justice shall be administered openly and without delay and that every person shall have a remedy by due course of law for injury to person, property, or reputation.
- **Oregon Constitution, Article I, § 20 — Equality of Privileges and Immunities:** Provides that no law shall grant to any citizen or class of citizens privileges or immunities that do not equally belong to all citizens on the same terms.
- **Oregon Constitution, Article I, § 26 — Right to Petition:** Protects the right of the people to assemble peaceably and petition the government for redress of grievances.
- **Oregon Constitution, Article V, § 10 — Governor to See Laws Executed:** Provides that the Governor shall take care that the laws be faithfully executed.
- **Oregon Constitution, Article V, § 16 — Governor to Fill Vacancies by Appointment:** Provides for the Governor to fill certain vacancies by appointment in the circumstances specified by the Constitution, including specified vacancies in elective state, district, or county offices, with the appointee serving until a successor is elected and qualified as provided by law.
- **Oregon Constitution, Article VI, § 8 — Duties of County Officers:** Requires county and city officers to perform the duties prescribed by law.
- **Oregon Constitution, Article VII (Original), § 1 — Judicial Power:** Vests the judicial power of the State in the courts established by the Oregon Constitution.
- **Oregon Constitution, Article VII (Amended), § 6 — Incompetency or Malfeasance of Public Officer:** Provides that incompetency, corruption, malfeasance, or delinquency in office by a public officer may be tried in the manner provided by law, with dismissal from office and such further punishment as may be prescribed by law.
- **Oregon Constitution, Article VII (Original), § 20 — Removal of Judges of the Supreme Court and Prosecuting Attorneys from Office:** Provides that the Governor may remove a prosecuting attorney upon a joint resolution of the Legislative Assembly, in which two-thirds of the members elected to each house concur, for incompetency, corruption, malfeasance, delinquency in office, or other sufficient cause stated in the resolution.
- **Oregon Constitution, Article XV, § 3 — Oath of Office:** Requires public officers to take an oath or affirmation to support the Constitutions of the United States and Oregon and faithfully perform the duties of their offices.
- **First Amendment to the United States Constitution:** Protects freedom of speech, peaceful assembly, and the right to petition the government for redress of grievances.
- **Fourteenth Amendment to the United States Constitution:** Provides federal constitutional protections against deprivation of life, liberty, or property without due process of law and guarantees equal protection of the laws.
- **18 U.S.C. § 241 — Conspiracy Against Rights:** Establishes federal criminal liability where two or more persons conspire to injure, oppress, threaten, or intimidate a person in the exercise of rights protected by the Constitution or federal law, when the statutory elements are established.
- **18 U.S.C. § 242 — Deprivation of Rights Under Color of Law:** Establishes federal criminal liability for willful deprivation of federally protected rights under color of law when the statutory elements are established.

- **42 U.S.C. § 1983 — Civil Action for Deprivation of Rights:** Provides a civil remedy for deprivation of rights secured by the Constitution or federal law under color of state law.
- **Applicable Oregon Rules of Professional Conduct:** Establish professional obligations applicable to Oregon attorneys, including obligations concerning competence, diligence, honesty, fairness, administration of justice, and conduct prejudicial to the administration of justice.

These citations are not presented as findings of criminal liability. They are identified because the evidence warrants investigation by appropriate independent authorities, including a potential criminal investigation, civil rights review, professional discipline, and other lawful proceedings.

III. REJECTION OR DEFIANCE OF COUNTY AUTHORITY AND BREAKDOWN IN COOPERATION

The investigation documented serious breakdowns in communication and cooperation between you, the Tillamook County District Attorney's Office, the Tillamook County Sheriff's Office, the Tillamook City Police Department, and the Oregon State Police. It also identified failures involving office policies, supervision, management, and workplace conduct.

Due to your conduct, relationships with officials and organizations such as Tides of Change have become unprofessionally contentious. These failures are intolerable because prosecutors, law enforcement, and victim advocacy organizations must be able to work together effectively to protect victims' rights, investigate crimes, preserve public safety, and administer fair and impartial justice in accordance with the law.

The seriousness of these failures is further demonstrated by actions of the Tillamook County Board of Commissioners, including:

- **Official and unanimous adoption of a Resolution of No Confidence R26-013;**
- Revocation of the County-funded $20,000 supplemental stipend, citing matters including poor job performance, misuse of subpoenas, and whistleblower retaliation;
- Denial of County funded liability coverage;
- Declining to fund private legal counsel associated with these matters;
- Actions concerning the use of County resources and compliance with County procedures.

A unanimous vote by the Tillamook County Board of Commissioners adopting Resolution of No Confidence R26-013 signifies the Board's determination that it has lost confidence in your ability to perform the duties of your office.

Furthermore, the Board of Commissioners actions provide independent governmental evidence that these matters cannot reasonably be characterized as merely personal disputes.

The record also documents attempted use of County resources for expenditures that had not been authorized through applicable County procedures, including attempted use of a County procurement card for legal services and County liability insurance. When the transactions were declined, you attempted to obtain payment through other County means.

These events warrant independent investigation under applicable County policies and Oregon law, including ORS 244.040 and ORS 294.100, where statutory requirements apply.

IV. DEMAND FOR RESIGNATION FROM CURRENT AND SUBSEQUENT TERMS OF OFFICE

As stated above, the cumulative record concerning these matters has reached a point at which your continued service as the Tillamook County District Attorney is untenable.

The People of Tillamook County therefore **DEMAND YOUR IMMEDIATE RESIGNATION** from the office of Tillamook County District Attorney, not merely for the remainder of your current term, but also with respect to the four year term for which you were re-elected in May 2026, which is scheduled to commence in January 2027.

Oregon law provides that a District Attorney is elected to a four year term. Your re-election in the May 2026 primary does not negate the fact that concerns have been expressed regarding confidence in your ability to serve as District Attorney. This is demonstrated, in part, by the Tillamook County Board of Commissioners' formal Resolution of No Confidence R26-013.

Moreover, you ran unopposed in the May 2026 primary. Therefore, the election did not provide voters with a choice between competing candidates. Accordingly, the results of that uncontested election should not, standing alone, be characterized as an expression of confidence by all People of Tillamook County.

The underlying allegations involve conduct occurring during your current tenure. Accordingly, names of relevant witnesses, records of electronic communications, investigative materials, prosecutorial files, subpoenas, and other potentially relevant records and evidence must be preserved in accordance with applicable law and records retention requirements.

Oregon law requires public records to be maintained in accordance with authorized retention schedules, including requirements specifically applicable to District Attorney records. Separate preservation obligations and potential sanctions may also arise when litigation is pending or reasonably foreseeable and records or evidence are known, or reasonably should be known, to be relevant to that litigation.

The People of Tillamook County hereby FORMALLY DEMAND THAT YOU SUBMIT YOUR IMMEDIATE WRITTEN RESIGNATION from the office of Tillamook County District Attorney to Governor Tina Kotek WITHIN SEVENTY-TWO (72) HOURS OF SERVICE OF THIS DEMAND PETITION.

THIS DEMAND IS UNEQUIVOCAL. Your resignation must address both the remainder of your current term of office and the subsequent four year term for which you were elected in May 2026, scheduled to commence in January 2027. **Resignation from the current term alone does not satisfy this Demand.**

Within the same **seventy-two (72) hour period**, you are further Demanded to provide the Tillamook County Board of Commissioners with a copy of your written resignation submitted to Governor Tina Kotek.

Copies of this **DEMAND PETITION FOR YOUR IMMEDIATE RESIGNATION**, together with the detailed Memorandum in Support of this Demand and supporting documentation, are being separately provided to Oregon Governor Tina Kotek and Oregon Attorney General Dan Rayfield for their independent examination and investigation, and such further lawful action as the evidence warrants.

V. PUBLIC ACCOUNTABILITY

No public official is above accountability. No prosecutorial office is beyond scrutiny. No person exercising governmental authority has the right to use that authority to silence, intimidate, retaliate against, or punish those who expose alleged misconduct.

The People of Tillamook County will not accept retaliation as a substitute for accountability, intimidation as a substitute for transparency, or abuse of governmental power as a substitute for lawful conduct.

This Demand Petition is set forth for the legitimate purpose of protecting victims, protecting the public, preserving the integrity of the criminal justice system, protecting whistleblowers and complainants from retaliation, calling for an independent investigation of potential criminal and civil rights violations, and restoring confidence in the fair, impartial, and effective administration of justice in Tillamook County.

The Tillamook County Board of Commissioners officially and unanimously adopted Resolution of No Confidence R26-013 based on the documentation of unprofessional conduct, negligence, and failed leadership. The People of Tillamook County agree with the determinations underlying that action.

THEREFORE, THE PEOPLE OF TILLAMOOK COUNTY DEMAND YOUR IMMEDIATE RESIGNATION AS SET FORTH IN SECTION IV OF THIS DEMAND PETITION.

Any opposition to the DEMAND PETITION FOR YOUR IMMEDIATE RESIGNATION is detrimental to the protection of crime victims and whistleblowers, to the public interest, and to all people of Tillamook County. Refusal to resign will not end this effort. The People of Tillamook County intend to pursue this Demand through proper remedies and will continue to exercise every lawful right and remedy available.

Individual signatures of The People have not been attached to this DEMAND PETITION FOR YOUR IMMEDIATE RESIGNATION. This omission is deliberate. The independent investigation commissioned by the Tillamook County Board of Commissioners, together with the public record, has documented your retaliatory conduct directed at the Tillamook County Sheriff and a Sheriff's Office whistleblower, as well as your efforts to identify original complainants, including through your pursuit of subpoenas. In light of that documented conduct, this Demand is served collectively in order to protect individuals from the real risk of retaliation.

Submitted By,
The People of Tillamook County

"Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied to a single garment of destiny. Whatever affects one directly, affects all indirectly." Martin Luther King Jr.

CC:
Tina Kotek - Governor of Oregon
Office of the Governor
900 Court Street NE, Suite 254
Salem, Oregon 97301

USPS CERTIFIED MAIL #: 9589 0710 5270 2448 3939 87
RETURN RECEIPT #: 9590 9402 8688 3310 3570 75

Dan Rayfield - Attorney General of Oregon
Oregon Department of Justice
1162 Court Street NE
Salem, Oregon 97301

USPS CERTIFIED MAIL #: 9589 0710 5270 2448 3939 94
RETURN RECEIPT #: 9590 9402 8688 3310 3570 68

MEMORANDUM IN SUPPORT OF DEMAND PETITION FOR IMMEDIATE RESIGNATION AND INDEPENDENT CRIMINAL INVESTIGATION OF TILLAMOOK COUNTY DISTRICT ATTORNEY AUBREY OLSON

26 PAGES

MEMORANDUM IN SUPPORT OF DEMAND PETITION FOR IMMEDIATE RESIGNATION AND INDEPENDENT CRIMINAL INVESTIGATION OF TILLAMOOK COUNTY DISTRICT ATTORNEY AUBREY OLSON

October 20, 2026

The independent fact finding investigation commissioned by the Tillamook County Board of Commissioners was not a criminal investigation. Neither its findings nor this Memorandum establishes criminal liability. The People present this evidence to the appropriate state authorities to determine whether violations of law, professional obligations, victims' rights, governmental duties, or other legally enforceable requirements occurred and to take appropriate action under applicable law.

I. PURPOSE AND BASIS OF THIS MEMORANDUM

This Memorandum supports the DEMAND PETITION FOR THE IMMEDIATE RESIGNATION OF TILLAMOOK COUNTY DISTRICT ATTORNEY AUBREY OLSON and calls upon the appropriate state authorities to initiate an independent criminal investigation into the conduct documented herein.

The People throughout Tillamook County have come together in the interest of government accountability, the protection of its People, the fair administration of justice, the protection of crime victims, the faithful execution of the law, and the integrity of the criminal justice system.

The People of Tillamook County ("The People") submit this Memorandum to Governor Tina Kotek and Oregon Attorney General Dan Rayfield for independent investigation and appropriate action.

This submission is not based upon political disagreement, personal animosity, or differences of opinion concerning prosecutorial judgment. It is supported by the public record, including the June 10 and June 17, 2026 proceedings of the Tillamook County Board of Commissioners and the Board's Resolution of No Confidence R26-013.

Additional evidence includes testimony from victims and victims' advocates, the independent fact finding investigation commissioned by Tillamook County Board of Commissioners, criminal case records, County financial and procurement records, official correspondence, and documentary evidence identified in the accompanying exhibits.

The People call upon the appropriate state authorities to examine the evidence collectively rather than as isolated incidents. The matters presented involve the administration and operation of the District Attorney's Office, mistreatment of crime victims, exercise of prosecutorial authority, mishandling of criminal matters, alleged coercive or retaliatory conduct, alleged efforts to identify whistleblowers or complainants, statutory duties, and County governmental and financial controls.

The People call upon the State to act before the expiration of Tillamook County District Attorney Aubrey Olson's ("Olson") current term. Olson was reelected in May 2026 to another term beginning in January 2027. The continued exercise of prosecutorial authority into the upcoming term requires prompt independent investigation and examination of appropriate lawful action before January 2027.

Oregon law, including ORS Chapter 8, establishes statutory duties and responsibilities governing district attorneys and their official functions. These duties provide part of the legal framework for evaluating the conduct documented in this Memorandum.

II. JUNE 10 AND JUNE 17, 2026 TILLAMOOK COUNTY BOARD PROCEEDINGS

A. JUNE 10, 2026 TILLAMOOK COUNTY BOARD BRIEFING

On June 10, 2026, the Tillamook County Board of Commissioners conducted a briefing concerning the District Attorney's Office. The briefing preceded the June 17 public meeting and the Board's adoption of Resolution of No Confidence R26-013, establishing that the matters presented had reached the County's governing body before its formal public action.

The June 10 briefing forms part of the chronology supporting this Memorandum. The People call upon the appropriate state authorities to examine it alongside the independent fact finding investigation, June 17 proceedings, subsequent County records, and accompanying evidence. Together, these records provide context for determining how the concerns developed and how County officials responded.

SUPPORTING EVIDENCE:

- **EXHIBIT 1** — June 10 and June 17, 2026 Tillamook County Board of Commissioners proceedings concerning the District Attorney's Office, including the written transcripts of those proceedings, and the Independent Investigation Report conducted by Katie Suver of Katie Suver Law, LLC, commissioned by Tillamook County.
- **EXHIBIT 1A** — County Counsel Bryan Libel Correspondence (supplements Exhibit 1).

B. JUNE 17, 2026 TILLAMOOK COUNTY BOARD OF COMMISSIONERS MEETING

On June 17, 2026, the Tillamook County Board of Commissioners held a public meeting concerning the District Attorney's Office. The proceedings included statements and information from County Counsel Bryan Libel, Sheriff Joshua Brown, representatives of Tides of Change, and members of the public.

Testimony concerning victims of domestic violence and sexual assault raised significant issues involving prosecutorial decision making, victims' statutory rights, communication with victims, and the administration of criminal justice.

Following consideration of the information presented, the Board formally adopted Resolution of No Confidence R26-013 in the leadership and performance of District Attorney Aubrey Olson. The Board's action requires an official and formal response from the appropriate state authorities. The Resolution, supporting proceedings, and independent fact finding investigation should be examined collectively

as part of any further independent investigation by the appropriate state authorities. Tides of Change, an organization advocating for survivors of domestic and sexual violence, publicly supported the Resolution. That support provides additional context for evaluating the victim related evidence and testimony presented to the Board.

SUPPORTING EVIDENCE:

- **EXHIBIT 1** — June 10 and June 17, 2026 Tillamook County Board of Commissioners proceedings concerning the District Attorney's Office, including the written transcripts of those proceedings, and the Independent Investigation Report conducted by Katie Suver of Katie Suver Law, LLC, commissioned by Tillamook County.
- **EXHIBIT 2** — Tillamook County Board of Commissioners Resolution of No Confidence R26-013.

III. INDEPENDENT FACT FINDING INVESTIGATION

Tillamook County retained Katie Suver of Katie Suver Law, LLC, an attorney and former prosecutor with more than twenty-five years of prosecutorial experience, to conduct an independent fact finding investigation concerning allegations involving the Tillamook County District Attorney's Office.

The investigation was a general fact finding investigation, not a criminal investigation. Its scope and conclusions must be understood within that limitation. The report did not adjudicate criminal liability, and the absence of a criminal determination does not establish that criminal violations did not occur.

The significance of the investigation lies in the evidence gathered, interviews conducted, documents examined, and findings concerning the administration and operation of the District Attorney's Office.

The investigation addressed allegations involving charging practices, prosecution of criminal cases, mistreatment of victims and witnesses, communication with law enforcement and community partners, training and supervision, office policies, retaliation, professional conduct, and administration of the District Attorney's Office.

The investigation included numerous founded findings. Those findings call for examination alongside the underlying evidence, rather than reliance upon generalized descriptions or summaries of the investigative report.

Of particular significance, the investigation addressed written office policies. ORS 8.705 requires each county district attorney to develop and formally adopt written policies concerning specified areas of prosecutorial practice and make those policies publicly available on the District Attorney's website.

The report also documented concerns involving victims, community partners, law enforcement, training, supervision, charging decisions, and alleged retaliatory conduct. The sections that follow address these matters in greater detail.

The appropriate state authorities are called upon to examine the report and its underlying evidence as part of the larger record, including the June 10 and June 17 County proceedings, criminal case records,

victim related evidence, County financial records, official correspondence, and accompanying exhibits. The People call for an independent criminal investigation of the report and its underlying evidence, rather than treating the fact finding investigation as a final determination of whether criminal conduct occurred.

SUPPORTING EVIDENCE:

- **EXHIBIT 1** — June 10 and June 17, 2026 Tillamook County Board of Commissioners proceedings concerning the District Attorney's Office, including the written transcripts of those proceedings, and the Independent Investigation Report conducted by Katie Suver of Katie Suver Law, LLC, commissioned by Tillamook County.
- **EXHIBIT 1A** — County Counsel Bryan Libel Correspondence (supplements Exhibit 1).

IV. MISTREATMENT OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT VICTIMS

The evidence concerning mistreatment of victims of domestic violence and sexual assault presents some of the most serious matters addressed in this Memorandum.

The independent fact finding investigation documented concerns involving communication with victims, preparation for court proceedings, charging and dismissal decisions, notification practices, trauma informed practices, mistreatment of victims and witnesses, and mishandling of victim related information by the District Attorney's Office.

Testimony and investigative materials also address alleged failures in communication, delays in court proceedings, alleged interference with professional certification of individuals caring for sexual abuse victims, and mistreatment of victims whose cases were handled by the District Attorney's Office.

Representatives of Tides of Change provided information concerning their experiences assisting victims whose cases proceeded through the Tillamook County criminal justice system. Their testimony warrants further examination because the organization works directly with survivors of domestic violence and sexual assault.

The June 17, 2026 Tillamook County Commissioner Board meeting also addresses allegations involving a parent of a minor victim and the District Attorney's handling of matters concerning that victim. Those allegations warrant examination alongside the underlying testimony and case records.

Oregon law establishes Constitutional and statutory rights for crime victims. Prosecutorial discretion does not displace those protections. The exercise of prosecutorial authority must comply with applicable Constitutional, statutory, and professional obligations concerning victims' rights and participation in criminal proceedings.

When governmental failures compound trauma suffered by victims of domestic violence or sexual assault, the harm extends beyond disagreement over prosecutorial judgment. Victims must not be subjected to avoidable additional trauma by officials entrusted with administering justice.

The People call upon the appropriate state authorities to independently investigate the victim related evidence, the findings and underlying materials of the fact finding investigation, testimony from the June 17 proceedings, relevant criminal case records, and applicable Oregon law to determine whether victims' rights and official duties were violated.

SUPPORTING EVIDENCE:

- **EXHIBIT 3** — Tides of Change Public Statement. The June 10, 2026 and June 17, 2026 Tillamook County Board of Commissioners meeting transcripts and the independent fact finding investigation are contained in Exhibit 1, and are incorporated by reference where relevant to the victim related evidence.
- **EXHIBIT 1A** — County Counsel Bryan Libel Correspondence, (supplements Exhibit 1).

V. LIMITS OF PROSECUTORIAL DISCRETION

The People recognize that a district attorney possesses substantial prosecutorial discretion. Charging decisions, plea negotiations, trial strategy, sentencing recommendations, and assessments of evidence require professional judgment.

Prosecutorial discretion does not exempt a district attorney from compliance with applicable Constitutional provisions, statutes, procedural rules, disclosure obligations, victims' rights, professional obligations, or other legal requirements. Evidence indicating that prosecutorial authority may have been exercised contrary to those requirements requires independent investigation.

The central issue is not whether another prosecutor might have exercised discretion differently in an individual case. It is whether the cumulative evidence demonstrates conduct inconsistent with Oregon law, victims' rights, professional obligations, governmental duties, or the fair administration of justice.

The evidence presented addresses charging decisions, alleged failures to prosecute cases supported by evidence, mistreatment of victims, communication with victims, plea negotiations, mishandling or characterization of evidence, training and supervision, interactions with law enforcement and community partners, and administration of the District Attorney's Office.

These matters must not be dismissed as ordinary exercises of prosecutorial discretion when the underlying evidence indicates conduct extending beyond disagreement over professional judgment.

A. GRAND JURY PRESENTATIONS AND NOT TRUE BILL DETERMINATIONS

The independent fact finding investigation identified a pattern of Not True Bill determinations arising from Grand Jury proceedings that warrants independent examination. Investigator Katie Suver described the frequency of these determinations in cases presented by the Tillamook County District Attorney's Office as alarming.

Suver identified six cases dismissed following Not True Bill determinations between 2023 and 2025: State v. Cesar Baez Galicia, Case No. 23CR11971; State v. Israel Pozos Leon, Case No. 24CR25944; State v. Inman; State v. Wilson; State v. Jacob Sweeney, Case No. 23CR11989; and State v. Arnold.

Drawing upon more than twenty-five years of prosecutorial experience, Suver explained that a Grand Jury's refusal to return an indictment was extraordinarily uncommon in her experience. She recalled only a few such occurrences during her prosecutorial career and found the number identified in a relatively small county over less than three years alarming.

Suver examined the Galicia and Pozos matters in greater detail. After examining the police reports, she concluded that, in her professional opinion, the evidence established the elements of the charged crimes, raising serious questions about why the Grand Juries did not return indictments.

The Galicia matter involved allegations of domestic violence in which the victim suffered a significant head injury after reportedly being struck with a baseball bat. Prosecutors presented charges of Assault in the First Degree and Unlawful Use of a Weapon to the Grand Jury. The Grand Jury returned a Not True Bill, and the case was dismissed. During Suver's investigation, Olson stated that she did not know why the case resulted in a Not True Bill. Suver encouraged Olson to examine the Grand Jury proceeding to address the circumstances of the presentation, but Suver could not conduct a further interview after Olson declined additional questioning.

The Pozos matter also involved allegations of domestic violence. Suver's investigation included information that the investigating officer had not been subpoenaed to testify before the Grand Jury. After examining the investigative reports, Suver included Pozos among the cases raising concerns about the frequency and circumstances of Not True Bill determinations.

Suver expressly acknowledged that Grand Jury confidentiality prevented her from listening to recordings of the identified proceedings. She therefore could not independently establish precisely what evidence, testimony, or legal instructions the Grand Juries received. She noted that release of a Grand Jury recording requires court authorization. That limitation does not diminish the need for further examination by an authority with legal access to the Grand Jury records. It identifies records that such an authority must seek, subject to applicable law, to determine what occurred.

The People do not contend that a Not True Bill determination, standing alone, establishes prosecutorial misconduct, nor do The People presume why any particular Grand Jury declined to indict. The concern is the frequency identified by an experienced former prosecutor, the nature of the underlying cases, the findings concerning Galicia and Pozos, and their relationship to the broader evidence concerning charging decisions, case and witness preparation, prosecution practices, and mishandling of serious domestic violence and child sexual abuse matters.

The People call upon the appropriate state authorities to conduct an independent criminal investigation into the identified Not True Bill determinations. To the extent permitted by law, that investigation must examine the evidence available to the District Attorney's Office; witnesses and evidence presented to the Grand Juries; case preparation and presentation; legal instructions provided; and whether the identified pattern reflects deficiencies in prosecution practices or other potentially unlawful conduct. Investigators must seek any necessary court authorization before accessing confidential Grand Jury records.

SUPPORTING EVIDENCE:

- **EXHIBIT 1** — June 10 and June 17, 2026 Tillamook County Board of Commissioners proceedings concerning the District Attorney's Office, including the written transcripts of those proceedings, and the Independent Investigation Report conducted by Katie Suver of Katie Suver Law, LLC, commissioned by Tillamook County.

VI. LAW ENFORCEMENT RELATIONS, PROSECUTORIAL PRACTICES, AND ADMINISTRATION OF JUSTICE

The relationship between the District Attorney's Office, law enforcement agencies, victims, witnesses, and other participants in the criminal justice system is essential to the fair administration of justice.

The evidence supporting this section is contained principally in the independent fact finding investigation, the June 10 and June 17, 2026 Tillamook County Board of Commissioners proceedings, and the criminal case records and related materials identified in the accompanying exhibits.

These records address interactions between the District Attorney's Office, the Tillamook County Sheriff's Office, and other criminal justice participants. They also document concerns involving charging decisions, prosecution practices, communication, victims and witnesses, and the exercise of prosecutorial authority.

The District Attorney's Office serves a critical function between law enforcement and the courts. Alleged patterns involving charging reductions, prosecution decisions, mishandling of evidence, or failures in communication warrant examination to determine their effect on criminal investigations, prosecutions, interagency cooperation, and the fair administration of justice.

The integrity of criminal proceedings depends upon the proper handling and preservation of evidence, lawful prosecutorial decision making, and compliance with the legal obligations governing criminal prosecutions.

The People call upon the appropriate state authorities to independently investigate the relevant law enforcement information, investigative findings, Board proceedings, criminal case records, and additional materials obtained during the investigation. The investigation must determine whether the evidence establishes improper practices, violations of legal duties, or conduct requiring further criminal investigation or other lawful action.

No separate collection of law enforcement records is submitted as Exhibit 4. Instead, Exhibit 4 serves as a cross-reference identifying the supporting evidence contained elsewhere in the accompanying exhibits.

SUPPORTING EVIDENCE:

- **EXHIBIT 4** — Law Enforcement and Criminal Justice Information — Cross Reference. The supporting information referenced in this section is contained in the independent fact finding investigation and June 10 and June 17, 2026 Tillamook County Board of Commissioners proceedings identified in Exhibit 1.

VII. CASE No. 25CR00208

A. REASON FOR SUBMISSION AND BASIS FOR INDEPENDENT INVESTIGATION

The People submit this case for independent investigation because the available records reveal serious, unresolved questions concerning District Attorney Aubrey Olson's exercise of prosecutorial discretion, her statements to the court regarding a 15-year old minor victim's credibility and the possibility that DNA evidence had been planted, and the disposition of the original criminal charges. The original Grand Jury indictment included rape, coercion, assault, and furnishing alcohol to a minor.

At sentencing, District Attorney Aubrey Olson stated that she did not believe the victim's testimony was credible and insinuated the possibility that DNA evidence had been planted. The available sentencing transcript does not establish the evidentiary basis for these statements or whether the possibility of planted DNA had been investigated. The available records also do not fully explain how the original charges were resolved through two separate criminal cases or establish the disposition of every original charge.

The People submit this case not to presume misconduct or to challenge prosecutorial discretion merely because charges were reduced, but to call for an independent examination of the evidence, the reasons for the decisions made, the treatment of the minor victim's rights, and compliance with applicable legal and ethical obligations. The purpose is to establish what occurred, determine whether the decisions were properly supported, and identify any corrective or other lawful action warranted by the findings.

B. ORIGINAL CHARGES AND CIRCUMSTANCES INVOLVING THE MINOR VICTIM

The original Grand Jury indictment charged the defendant with:

1. Rape in the First Degree, a Class A felony;
2. Rape in the Third Degree, a Class C felony;
3. Coercion, a Class C felony;
4. Assault in the Fourth Degree, a Class A misdemeanor;
5. Furnishing Alcohol to a Minor, a Class A misdemeanor.

The allegations involved a 15-year old minor who was reportedly intoxicated after the defendant provided her with alcohol. A *Tillamook County Pioneer* article concerning the defendant's arrest reported that the minor required immediate medical attention following the alleged assault. The victim's age, the seriousness of the original charges, and the reported need for immediate medical attention warrant close examination of the subsequent charging decisions, plea negotiations, and final disposition.

C. TILLAMOOK COUNTY DISTRICT ATTORNEY AUBREY OLSON'S STATEMENTS CONCERNING THE VICTIM'S CREDIBILITY AND DNA EVIDENCE

At sentencing, District Attorney Aubrey Olson stated that she did not believe the victim's testimony was credible and insinuated the possibility that the skin cell DNA evidence could have been planted. The sentencing transcript records her statement: "Now, as we discussed in our settlement conference, it would have been challenged how exactly those, how exactly that DNA evidence was found on the victim. Whether it was planted or whether the acts did in fact occur".

These remarks raise a fundamental question: Why did District Attorney Aubrey Olson tell the court that she did not believe the victim and insinuated the possibility that DNA evidence had been planted without identifying the evidentiary basis for those assertions in her sentencing remarks?

The available transcript does not establish what evidence, if any, supported these statements, whether the possibility of planted DNA had been investigated, or what information was available to the court to evaluate that possibility.

An independent investigation must determine:

1. Why District Attorney Aubrey Olson made these statements;
2. What evidence and investigative findings were available to her;
3. Whether any factual basis supported the suggestion that DNA evidence had been planted;
4. Whether that possibility had been investigated;
5. Whether these statements influenced the plea negotiations, reduction of the original charges, or ultimate disposition of the case.

These questions are particularly serious given the victim's age, the original charges involving rape and coercion, and the report that the minor required immediate medical attention. The investigation must also determine whether District Attorney Aubrey Olson fulfilled her applicable legal and ethical obligations concerning the victim's rights and the fair administration of justice.

The People do not presume that the statements were improper merely because they were made. They demand an independent determination of whether the statements were supported by the evidence, whether the court had an adequate factual basis to evaluate them, and whether the resulting prosecutorial decisions were consistent with applicable law and professional obligations.

D. REDUCTION OF CHARGES AND TWO SEPARATE CASES

When The People contacted the Circuit Court Clerk's Office, Kerry Woodke identified two criminal cases: Case No. 25CR00208, identified as Furnishing Alcohol to a Person Under 21, a Class A misdemeanor, and Case No. 26CR31804, identified as Sex Abuse in the Second Degree, a Class C felony. The records provided to The People concern only Case No. 25CR00208. Official records for Case No. 26CR31804 were not provided.

The available materials do not explain how the original charges resulted in two separate cases or establish the final disposition of every original charge, including the rape charges. They also do not identify who initiated or authorized the relevant charging decisions or the evidentiary and legal basis for the ultimate disposition.

The People do not contend that reducing charges alone establishes misconduct. They demand an independent examination of the complete records to determine which charges were dismissed, amended, reduced, or otherwise resolved; why those decisions were made; and whether they complied with applicable law, prosecutorial obligations, and the interests of justice.

E. REQUIRED INDEPENDENT EXAMINATION

The People call for the appropriate state authorities to obtain and examine the complete official records for both cases, including the original indictment, subsequent charging instruments, motions, plea agreements, sentencing records, judgments, and related proceedings.

The independent investigation must determine:

1. The factual and evidentiary basis, if any, for Olson's statements concerning the victim's credibility and the possibility of planted DNA;
2. Whether the DNA evidence and the possibility of planting were investigated and whether the available evidence supported the statements made to the court;
3. Whether those statements influenced the plea negotiations, reduction of the original charges, or ultimate disposition;
4. Whether the minor victim's rights and applicable protections were properly addressed;
5. Why the original charges resulted in two separate cases and the disposition of each original charge;
6. Whether the decisions and conduct at issue complied with applicable law and professional obligations.

The seriousness of the original charges, the age and reported circumstances of the minor victim, Olson's statements at sentencing, and the unexplained charging history warrant a prompt, thorough, and independent investigation. The People call for an examination that establishes what occurred, identifies the factual and legal basis for the decisions made, and determines whether corrective or other lawful action is warranted.

SUPPORTING EVIDENCE:

- **EXHIBIT 5** — CASE NO. 25CR00208 GRAND JURY INDICTMENT, AMENDED INDICTMENT, PETITION TO PLEA GUILTY, AND JUDGMENT - Contains the Grand Jury Indictment, Amended Indictment, Petition to Plea Guilty, and Judgment, documenting the original charges, subsequent charging decisions, and plea proceedings.
- **EXHIBIT 6** — CASE NO. 25CR00208 WRITTEN TRANSCRIPT OF THE SENTENCING HEARING - Prepared from the Circuit Court's digital recording, this transcript records Tillamook County District Attorney Aubrey Olson's statements concerning the victim's credibility and DNA evidence. The transcript is identified separately from the underlying recording.
- **EXHIBIT 7** — TILLAMOOK COUNTY PIONEER ARTICLE CONCERNING THE DEFENDANT'S ARREST AND THE MINOR VICTIM'S MEDICAL TREATMENT - Reports information concerning the arrest and the minor's reported need for immediate medical attention following the alleged assault.

VIII. ALLEGED COERCION AND HINDERING PROSECUTION

A. COERCION — ORS 163.275

The June 17, 2026 Board proceedings included testimony from the mother of a minor victim alleging that District Attorney Aubrey Olson threatened consequences if she spoke with the press. The alleged consequences involved restitution for the minor victim and a favorable plea offer to the defendant. These allegations raise serious questions concerning the possible use or threatened misuse of prosecutorial authority to influence a victim's parent in exercising a legal right.

ORS 163.275 defines coercion through specified threats intended to compel another person to act or refrain from acting contrary to that person's legal rights. Whether the reported statements satisfy the statute depends upon the precise words, circumstances, intent, and applicable statutory elements.

The People do not assert that coercion has been established. The People call upon independent state authorities to investigate the testimony, obtain the underlying records, identify any corroborating evidence, and determine whether the conduct satisfies ORS 163.275 or another applicable law.

SUPPORTING EVIDENCE:

- **EXHIBIT 1** — Transcript of the June 17, 2026 Tillamook County Board of Commissioners meeting, including testimony concerning alleged coercive or retaliatory conduct.

B. HINDERING PROSECUTION — ORS 162.325

The evidence identified in this Memorandum raises concerns about the possible mishandling, withholding, concealment, suppression, or presentation of evidence and other conduct potentially affecting criminal investigations or prosecutions.

ORS 162.325 defines hindering prosecution through specified conduct undertaken with the requisite intent to hinder the apprehension, prosecution, conviction, or punishment of a person who has committed a felony. Not every improper prosecutorial decision or failure involving evidence satisfies that statute.

The independent investigation must establish what evidence was available, how it was preserved and disclosed, what was presented to the Grand Jury or court, who made the relevant decisions, and whether any intentional conduct satisfies each element of ORS 162.325 or another applicable criminal statute.

The People do not presume criminal liability. The People call for potentially criminal conduct to be investigated against the evidence and applicable law rather than dismissed solely as an exercise of prosecutorial discretion.

SUPPORTING EVIDENCE:

- **EXHIBITS 5 through 7** — Case No. 25CR00208 records and related materials, together with Exhibit 1 and any additional lawfully obtainable evidence relevant to the investigation.

C. OBSTRUCTING GOVERNMENTAL OR JUDICIAL ADMINISTRATION - ORS 162.235

The independent investigation must also determine whether any proven conduct falls within ORS 162.235, which addresses specified forms of interference with governmental or judicial administration. The inquiry must examine the precise statutory elements, including the required conduct and mental state, rather than treating every alleged impairment of a governmental function as a criminal offense.

The relevant evidence includes information concerning criminal proceedings, compulsory process, complainants, witnesses, victims, and the exercise of prosecutorial authority. Independent authorities must determine what occurred, who was responsible, and whether the established facts support any violation of ORS 162.235 or another applicable law.

The inclusion of these statutes identifies potential legal grounds for investigation; it does not establish that a criminal violation occurred.

SUPPORTING EVIDENCE:

- **EXHIBIT 1** — June 10 and June 17, 2026 Tillamook County Board of Commissioners proceedings concerning the District Attorney's Office, including the written transcripts of those proceedings, and the Independent Investigation Report conducted by Katie Suver of Katie Suver Law, LLC, commissioned by Tillamook County.
- **EXHIBITS 5 through 7** — Case No. 25CR00208 records and related material.
- **LEGAL AUTHORITIES** — See Legal Authorities Section XIV Cited in this Memorandum.

IX. PROCUREMENT CARD TRANSACTIONS AND COUNTY FINANCIAL CONTROLS

On October 10, 2025, County requirements concerning legal services were communicated to County leadership. On October 15, 2025, the Tillamook County Board of Commissioners adopted Board Order 25-063 concerning County supported legal services. The available County records indicate that the Board had not authorized the expenditures at issue.

On October 17, 2025, District Attorney Aubrey Olson attempted to use a County procurement card to pay **her own criminal defense legal expenses and liability insurance costs**. The initial transaction was declined. Approximately one minute later, Olson attempted a second transaction, which was also declined. According to correspondence from the County Treasurer Debra Jacob, both transactions were automatically declined under the County's merchant category restrictions.

Because both transactions were declined, the card attempts alone do not establish that County funds were expended. The investigation must determine whether payment was subsequently sought or obtained through a voucher, reimbursement request, accounts payable process, court order, judicial appointment, or another mechanism, and whether any expenditure was lawfully authorized.

The available County records indicate that a voucher was subsequently submitted through the County's accounts payable process. Any subsequent court order or judicial appointment concerning

payment for the legal services must also be investigated to determine whether payment was authorized and whether County funds were ultimately expended.

The chronology requires independent investigation of the attempted procurement card transactions, subsequent voucher and payment process, applicable authorization requirements, and related County actions.

The appropriate authority's independent investigation must determine:

1. The purpose and amount of each attempted procurement card transaction;
2. The County procurement card and legal services requirements in effect on October 17, 2025;
3. Whether authorization was required and, if so, whether it had been obtained;
4. Why each transaction was declined;
5. Whether payment was subsequently sought through a voucher, reimbursement request, accounts payable process, or another County mechanism;
6. Whether County funds were ultimately expended;
7. Whether any subsequent payment or reimbursement was authorized;
8. Whether the conduct complied with applicable County policies, Board orders, Oregon law, and other governing requirements.

The evidence must be independently investigated under applicable Oregon law, including ORS 244.040 and ORS 294.100, in light of the facts established by the investigation.

SUPPORTING EVIDENCE:

- **EXHIBIT 8** — Tillamook County Board of Commissioners Board Order 25-063.
- **EXHIBIT 9** — County Financial, Procurement, and Related Communications.
- **EXHIBIT 9A** — County Treasurer Debra Jacob Email Correspondence.
- **EXHIBIT 9B** — Chief Administrative Officer Rachel Hagerty Email Correspondence.

X. OFFICIAL DUTIES PURSUANT TO STATUTORY AND CONSTITUTIONAL MANDATE

A. REQUIRED WRITTEN OFFICE POLICIES — ORS 8.705

ORS 8.705 requires county district attorneys to develop and formally adopt written office policies addressing specified prosecutorial practices and to make those policies publicly available as required by law.

The independent fact finding investigation examined District Attorney Aubrey Olson's compliance with this requirement. Suver concluded that Olson's failure to maintain the required policy manual and make it available to the public violated Oregon law. That reported finding requires independent examination alongside the underlying records and the statutory requirements.

Written office policies are essential to consistent charging decisions, plea negotiations, discovery practices, treatment of victims, staff supervision, and accountability within the District Attorney's Office. Failure to maintain policies required by statute is not merely an internal administrative concern; where established, it constitutes noncompliance with an express legal duty.

The People call upon the Governor, Attorney General, or other appropriate independent authority to obtain and examine the relevant office policies, adoption records, public postings, and investigative materials. The investigation must determine which policies existed during the relevant period; when they were adopted, revised, or published; whether they satisfied ORS 8.705; the duration and extent of any noncompliance; and whether deficiencies affected prosecutorial practices or office operations.

SUPPORTING EVIDENCE:

- **EXHIBIT 1** — June 10 and June 17, 2026 Tillamook County Board of Commissioners proceedings concerning the District Attorney's Office, including the written transcripts of those proceedings, and the Independent Investigation Report conducted by Katie Suver of Katie Suver Law, LLC, commissioned by Tillamook County.
- **LEGAL AUTHORITIES** — See Legal Authorities Section XIV Cited in this Memorandum.

B. WHISTLEBLOWER AND ANTI-RETALIATION PROTECTIONS

Potentially applicable provisions include the public-employee whistleblower protections in ORS 659A.200 through ORS 659A.224, particularly ORS 659A.203 and ORS 659A.218. Because the individual referenced in the supporting materials is described as being within the Tillamook County Sheriff's Office, the applicability of these provisions depends on the individual's employment status, the nature of the reported conduct, and the facts surrounding any alleged retaliation. The inclusion of these statutes identifies potential issues for independent examination and does not assert that a violation occurred.

The independent fact finding investigation addressed allegations involving a whistleblower within the Tillamook County Sheriff's Office. The allegations include attempts by District Attorney Aubrey Olson to use the authority or resources of her office to obtain subpoenas or other compulsory process for the whistleblower's personnel records and efforts to identify other individuals who reported concerns.

The central question is not simply whether information was sought, but why it was sought, whether the process served a legitimate and lawful investigative purpose, and whether prosecutorial authority was used to identify, expose, intimidate, target, or retaliate against individuals who reported concerns.

The People call upon the appropriate independent authorities to investigate and determine:

1. Whether subpoenas or other compulsory process were sought or initiated to obtain the whistleblower's personnel records;
2. Who directed or authorized those efforts and the stated purpose for obtaining the records;
3. Whether the requested records were relevant and lawfully obtainable for a legitimate prosecutorial or investigative purpose;
4. Whether efforts were made to identify other complainants or individuals who reported concerns;
5. Whether the identities or information sought were intended for purposes unrelated to a legitimate criminal investigation;
6. Whether prosecutorial authority or public resources were used to intimidate, threaten, expose, target, or retaliate against the whistleblower or other complainants;

7. Whether adverse action followed any protected disclosure or participation, and whether the facts satisfy applicable statutory protections or other legal prohibitions.

The authority entrusted to a District Attorney must not be used to retaliate against individuals exercising rights protected by law. If established, the misuse of compulsory process or prosecutorial resources for retaliation would require examination beyond ordinary prosecutorial discretion. The investigation must determine which protections apply, whether the alleged conduct occurred, who participated, and whether any violation of law or other misconduct requires further lawful action. The People do not presume that the statutory elements of retaliation have been established.

SUPPORTING EVIDENCE:

- **EXHIBIT 1** —June 10 and June 17, 2026 Tillamook County Board of Commissioners proceedings concerning the District Attorney's Office, including the written transcripts of those proceedings, and the Independent Investigation Report conducted by Katie Suver of Katie Suver Law, LLC, commissioned by Tillamook County.
- **EXHIBIT 1A** — County Counsel Bryan Libel Correspondence, (supplementing Exhibit 1).
- **LEGAL AUTHORITIES** — See Legal Authorities Section XIV Cited in this Memorandum.

XI. CUMULATIVE EFFECT

The matters presented in this Memorandum must be examined collectively, rather than treated as unrelated or isolated events.

The complete evidentiary record encompasses:

1. The June 10 and June 17, 2026 Tillamook County Board of Commissioners proceedings, and the independent fact finding investigation.
2. The Board's Resolution of No Confidence R26-013;
3. Testimony and materials concerning the mistreatment of victims of domestic violence and sexual assault, including victim advocacy materials;
4. Law enforcement and criminal justice information documented in the investigation, Board proceedings, and related case records;
5. The Grand Jury indictment, charging records, written sentencing hearing transcript, and other Circuit Court documents obtained for Case No. 25CR00208, together with the need to obtain and examine the official records for Case No. 26CR31804;
6. Board Order 25-063 and County financial, procurement, payment, authorization, and related correspondence;
7. Applicable statutory, constitutional, federal, and professional responsibility authorities; and
8. Official election and ballot records relevant to the May 2026 election and the timing of public disclosure of the completed investigative findings.

The Tillamook County Board of Commissioners' adoption of Resolution of No Confidence R26-013, together with the concerns publicly expressed by Tides of Change, a victim advocacy organization whose staff participated in the independent investigation, demonstrates that the matters presented extend beyond individual complaints. They involve County officials and community partners directly engaged in the administration of justice and victim advocacy.

Considered cumulatively, the evidence requires independent examination of the administration of the District Attorney's Office; the exercise of prosecutorial authority; the mistreatment of victims; interactions with law enforcement and community partners; compliance with statutory duties and County financial controls; the handling of criminal matters and evidence; and allegations of retaliatory or coercive conduct. The investigation must determine whether the established facts reveal violations of legal or professional obligations and what lawful action is appropriate.

Cumulative examination does not presume misconduct or prejudge the findings. It requires that the complete record, including the relationships among the documented events and decisions, be examined by an authority independent of the District Attorney's Office.

XII. PROFESSIONAL FITNESS REQUIRED TO MAINTAIN DUTIES OF OFFICE

District Attorney Aubrey Olson is both an elected public official and a licensed Oregon attorney. The conduct described in this Memorandum therefore presents questions concerning the continued exercise of the authority of the District Attorney and compliance with professional obligations applicable to an Oregon attorney and prosecutor.

The cumulative evidence raises issues concerning the following areas of professional fitness and responsibility:

1. Integrity;
2. Compliance with law;
3. Fair administration of justice;
4. Mistreatment of victims;
5. Mishandling of evidence;
6. Prosecutorial decision making;
7. Governmental accountability;
8. Use of public resources; and
9. Professional responsibility.

These matters require independent investigation by the appropriate state authorities.

The independent investigation should determine the facts and applicable law without prejudging its conclusions. The People call upon independent authorities to determine whether the evidence establishes violations of law, professional obligations, statutory duties, victims' rights, or other legally sufficient grounds for action concerning the continued exercise of the powers and duties of the office.

XIII. IMMEDIATE STATE ACTION BEFORE JANUARY 2027

District Attorney Aubrey Olson was reelected in May 2026 to a subsequent term scheduled to begin in January 2027. The matters presented in the Demand Petition, this Memorandum, and the accompanying exhibits warrant prompt independent examination before that term begins.

The People call upon Governor Tina Kotek to direct Attorney General Dan Rayfield to initiate and pursue appropriate investigative, prosecutorial, constitutional, statutory, professional disciplinary, and other lawful action without delay.

A. TIMING OF PUBLIC DISCLOSURE AND MAY 2026 ELECTION

The timing of public disclosure of the completed independent fact finding investigation is relevant to the circumstances surrounding the May 2026 election. Although complaints and the existence of an investigation were publicly known before the election, The People have identified no local news publication before May 8, 2026 reporting the completed investigation's findings.

PUBLICATION TIMELINE AND AVAILABILITY OF THE COMPLETED INVESTIGATION'S FINDINGS

Ballots for the May 19, 2026 election began being mailed April 29, 2026. Available election reporting indicates that, by May 8, 2,544 ballots had been received and 2,501 accepted. On May 8, the County publicly announced information concerning the completed investigation, and local reporting described its founded and unfounded findings.

Voters who returned ballots before those findings were published could not have considered that newly published information when voting. The People do not contend that the election was invalid, that voters lacked all information concerning the controversy, or that the outcome necessarily would have differed if the completed findings had been available earlier.

The election does not resolve questions concerning conduct during the Tillamook County District Attorney Aubrey Olson's current term or foreclose lawful investigation and action before January 2027. Oregon Constitution Article VII (Amended), section 6 and Article VII (Original), section 20 address procedures relating to removal of public officers and prosecuting attorneys, respectively. Any such action must follow applicable constitutional and statutory procedures.

ORS 180.070 authorizes the Attorney General, when directed by the Governor and subject to its statutory requirements, to take full charge of an investigation or prosecution of a violation of law within circuit court jurisdiction and exercise the powers of a district attorney for that matter. It does not itself establish a procedure for removing an elected district attorney. The People call upon the Governor to exercise applicable authority to direct an independent investigation or prosecution, and upon the appropriate authorities to pursue any additional lawful action supported by the evidence. If a vacancy occurs through resignation or lawful removal, it must be filled in accordance with ORS 8.640 and other applicable law.

SUPPORTING EVIDENCE:

- **EXHIBIT 10 —** May 2026 Election and Publication Timeline.
- **LEGAL AUTHORITIES** — See Legal Authorities Section XIV Cited in this Memorandum.

B. PROTECTION OF PENDING CRIMINAL MATTERS

Because the District Attorney's Office retains authority over criminal prosecutions, the independent investigation must consider safeguards for pending matters, victims, witnesses, defendants, complainants, whistleblowers, law enforcement personnel, records, and ongoing proceedings.

Appropriate authorities must determine whether particular matters require independent examination, reassignment, appointment of a special district attorney where authorized, evidence preservation, or other lawful safeguards, while respecting the rights of all affected persons and without presuming wrongdoing.

C. CONSOLIDATED DEMANDS FOR INDEPENDENT STATE ACTION

The People call for an investigation independent of the Tillamook County District Attorney's Office, including additional evidence lawfully obtained beyond the materials presently available. Matters potentially implicating federal law must be evaluated for referral to the United States Attorney for the District of Oregon or other appropriate federal authority, including where the evidence may satisfy the elements of 18 U.S.C. sections 241 or 242.

The People call upon Governor Tina Kotek and Attorney General Dan Rayfield to:

1. Examine the Demand Petition, this Memorandum, all accompanying exhibits, and supporting documentation;
2. Initiate, direct, or refer the matters presented for independent investigation outside the Tillamook County District Attorney's Office;
3. Determine whether the established facts support violations of Oregon criminal law, constitutional provisions, victims' rights, professional obligations, whistleblower protections, governmental requirements, or other applicable law;
4. Examine the independent fact finding investigation, its founded findings, and underlying evidence concerning victims, witnesses, law enforcement, community partners, office administration, training, supervision, written office policies, and alleged retaliation;
5. Determine compliance with ORS 8.705, including adoption and public availability of required written office policies;
6. Examine Case No. 25CR00208; obtain and examine the complete official records of Case No. 26CR31804; determine the procedural relationship, if any, between the cases, who made relevant decisions, and what became of the original charges; and examine plea negotiations, possible mishandling of evidence, mistreatment of the minor victim, sentencing representations, and dispositions;
7. Investigate allegations concerning coercion, hindering prosecution, obstruction of governmental or judicial administration, official misconduct, retaliation, and any other potentially applicable criminal or civil provisions;
8. Examine the October 2025 procurement card attempts, subsequent voucher and payment processes, County authorization requirements, Board Order 25-063, and related correspondence; determine whether public funds were expended or payment or reimbursement obtained and under what authority;
9. Determine whether pending or previously resolved criminal matters require independent examination, reassignment, appointment of a special district attorney where authorized, preservation measures, or other lawful safeguards;
10. Determine whether any matter requires referral for federal investigation, including under 18 U.S.C. sections 241 or 242 where supported by the evidence and statutory elements;
11. Determine whether any matter requires referral for professional disciplinary investigation;
12. Determine whether constitutional or statutory grounds and procedures support action concerning the District Attorney's continued tenure or exercise of authority;

13. Preserve, or cause to be preserved as authorized by law, relevant governmental, criminal case, financial, electronic, communications, procurement, personnel, and other records; and
14. Take any additional lawful action supported by the evidence and independent investigation.

XIV. LEGAL AUTHORITIES

The following constitutional, statutory, federal, and professional authorities are identified because they have a direct and substantive connection to the duties of the District Attorney, the matters presented in this Memorandum, the evidence identified in the supporting EXHIBITS, or the governmental action requested. Their inclusion does not constitute a finding that any violation occurred or that any person has established criminal, civil, constitutional, or professional liability.

The People call upon the appropriate state, federal, investigative, prosecutorial, judicial, or professional authorities to independently evaluate the evidence and determine which authorities, if any, apply, whether further investigation is warranted, and whether any lawful action is appropriate.

A. OREGON CONSTITUTION

- **Article I, §10 — Administration of Justice**. Guarantees open administration of justice without purchase, completely and without delay, and a remedy by due course of law for injury to person, property, or reputation. Its relevance concerns the administration of justice; it does not, by itself, establish misconduct in the matters described.
- **Article I, §26 — Right to Assemble and Petition.** Protects peaceable assembly, consultation for the common good, instruction of representatives, and petition to the Legislative Assembly for redress of grievances. It supports the People's lawful presentation of concerns and requests for governmental review.
- **Article I, §42 — Rights of Victims in Criminal Prosecutions and Juvenile Court Delinquency Proceedings.** Establishes specified rights of victims in criminal prosecutions and juvenile delinquency proceedings, including rights involving notification, presence, participation, information, and being heard, subject to the text and implementing procedures. Whether a particular right applies depends on the proceeding and circumstances.
- **Article I, §43 — Rights of Victim and Public to Protection from Accused Person During Criminal Proceedings; Denial of Pretrial Release.** Addresses reasonable protection of victims and the public from the accused during criminal proceedings, including specified pretrial-release provisions, and the prosecuting attorney's authority to assert public interests and certain victims' rights. The particular protections depend on the proceedings and statutory implementation.
- **Article V, §10 — Governor to See Laws Executed.** Directs the Governor to take care that Oregon law is faithfully executed. This general executive responsibility is relevant to a request for lawful state action but does not itself authorize unilateral removal of a district attorney.
- **Article V, §16 — Governor to Fill Vacancies by Appointment.** Provides a constitutional framework for gubernatorial appointments to certain vacancies and election of successors. For a district attorney vacancy, the more specific statutory appointment procedure is set out in ORS 8.640; neither provision creates a power to remove an incumbent.

- **Article VII (Original), §17 — Prosecuting Attorneys.** Identifies prosecuting attorneys as law officers of the state and their respective counties and directs them to perform duties pertaining to the administration of law as prescribed by the Legislative Assembly. It explains the public and state responsibilities of the office.
- **Article VII (Original), §20 — Removal of Judges of Supreme Court and Prosecuting Attorneys from Office.** Provides for removal of a prosecuting attorney by the Governor upon a joint resolution of the Legislative Assembly stating sufficient cause and receiving the constitutionally required concurrence of two-thirds of each house. The provision does not authorize removal by the Governor acting alone.
- **Article VII (Amended), §6 — Incompetency or Malfeasance of Public Officer**. Recognizes that incompetency, corruption, malfeasance, or delinquency in office may be tried as provided by law and that judgment may include removal. This general provision does not independently confer a unilateral gubernatorial removal power or displace the specific mechanism in Article VII (Original), §20.
- **Article XV, §3 — Oaths of Office.** Requires every person elected or appointed to an office under the Oregon Constitution, before entering upon the duties of that office, to take an oath or affirmation to support the Constitution of the United States and the Constitution of the State of Oregon, and also an oath of office. This provision establishes a constitutional prerequisite to the exercise of official authority.

  The Constitutional provisions identified above are included only to identify the Constitutional framework potentially applicable to the evidence and governmental action requested. Their inclusion does not constitute a finding that any constitutional violation occurred or that any person has established constitutional liability.

B. OREGON REVISED STATUTES

B 1. DISTRICT ATTORNEY DUTIES AND OFFICE — ORS CHAPTER 8

- **ORS 8.630 — Qualifications; General Powers and Duties.** Requires a person elected district attorney to have been admitted to practice before the Oregon Supreme Court at the time of election and subjects district attorneys to the qualifications, powers, duties, and restrictions imposed by Oregon constitutional and statutory law.
- **ORS 8.640 — Filling Vacancies in Office.** Requires the Governor to appoint a suitable person when a vacancy occurs in the office of district attorney, pending the next general election and qualification of a successor. It governs filling an existing vacancy, not removal of an incumbent.
- **ORS 8.650 — District Attorney as Public Prosecutor.** Designates the district attorney as the county's public prosecutor and addresses authority to prosecute certain municipal charter and ordinance violations when circuit-court jurisdiction exists.
- **ORS 8.660 — Attending Court and Prosecuting Offenses.** Requires district attorneys, subject to statutory exceptions, to attend courts with jurisdiction over public offenses in their counties and conduct prosecutions for the state. The statute recognizes exceptions for certain city-attorney and violation proceedings.
- **ORS 8.670 — Proceedings Before Magistrates and Grand Jury.** Requires the district attorney, when informed that a public offense has been committed, to institute appropriate

proceedings before magistrates concerning persons charged with or reasonably suspected of offenses, and to attend and advise the Grand Jury when required.

- **ORS 8.705 — Written Office Policies.** Requires each district attorney to adopt written office policies covering the enumerated subjects, including discovery, ethics, charging, victims, confidentiality, and pretrial release; to post those policies publicly on the office website; and to review and readopt them at statutory intervals. Compliance should be evaluated against the specific policy requirements and timing.

B 2. CRIME VICTIMS' RIGHTS — ORS CHAPTER 147

- **ORS 147.417 — Victim to Be Notified of Constitutional Rights.** Requires reasonably prompt notice to a person who reasonably appears to be a victim concerning rights under Article I, §42. The law enforcement agency has an initial notice obligation; the district attorney must determine whether notice was given and provide it if not. The statute specifies notice methods, timing information for request-dependent rights, and limits on remedies for deficient notice.
- **ORS 147.419 — Authority of Victim to Obtain Copy of Transcript or Tape of Criminal Proceeding.** Allows a victim to obtain a copy of a prepared transcript or audio or video recording of proceedings held in open court in a criminal case by paying the actual copying cost. It does not independently require preparation of a transcript or recording.
- **ORS 147.421 — Information About Defendant That Public Body Is Required to Provide to Victim.** Requires a public body that possesses specified information about a defendant or convicted person to provide it upon a victim's request. Covered information includes conviction and sentence, criminal history, imprisonment, and projected or scheduled release; statutory definitions and allowable copying charges apply.
- **ORS 147.433 — Rights Afforded Upon Request; Notice; Attendance; Protection.** Provides specified rights, upon a victim's timely request to the district attorney before judgment of conviction, in qualifying criminal proceedings involving appellate or post-conviction matters. These include designated notice, attendance, and protection rights; it should not be read as a general statement of every victim right during trial.
- **ORS 147.500 – 147.550 — Procedures for Enforcing Constitutional Victims' Rights.** Establish procedures for asserting and seeking remedies for violations of rights under Article I, §§42 and 43 in criminal proceedings, including claims by victims, counsel, or authorized prosecutors. The procedures have jurisdictional, timing, waiver, and remedy limits; ORS 147.504 excludes relief that would violate defendants' constitutional rights and does not authorize dismissal of a criminal prosecution or a new trial as a remedy.

  These provisions are identified because the evidence presented in this Memorandum includes matters concerning the treatment, information, participation, and protection of crime victims. Their inclusion does not assert that any particular statutory right was violated. Oregon's statutory victim-rights provisions implement and provide procedures concerning the constitutional rights established in Article I, §§42 and 43.

B 3. POTENTIAL CRIMINAL OFFENSES WARRANTING INDEPENDENT EXAMINATION

- **ORS 162.235 — Obstructing Governmental or Judicial Administration.** Defines obstruction of governmental or judicial administration through specified intentional interference by intimidation, force, or physical or economic obstruction; the statute also includes separate

fraudulent impersonation-related alternatives and express exceptions. Mere disagreement with official conduct is not sufficient.

- **ORS 162.325 — Hindering Prosecution.** Defines hindering prosecution through specified knowing assistance to a person who has committed a felony, including conduct intended to impede apprehension, prosecution, conviction, or punishment. Application requires proof of a listed statutory act and the requisite mental state.
- **ORS 162.405 — Official Misconduct in the Second Degree.** Defines second-degree official misconduct when a public servant knowingly violates a statute relating to the person's office. An alleged ethical lapse or policy disagreement alone does not satisfy the statute without the required statutory violation and mental state.
- **ORS 162.415 — Official Misconduct in the First Degree.** Defines first-degree official misconduct where a public servant, with intent to benefit or harm another, knowingly fails to perform a legally imposed or inherently official duty or knowingly performs an unauthorized official act. A separate alternative applies when a supervisory employee violates ORS 162.405 while consciously disregarding specified risks of injury, sexual crime, or deprivation of necessary care to a statutorily defined vulnerable person. Each alternative has distinct elements.
- **ORS 163.275 — Coercion.** Defines coercion as compelling or inducing someone to act or refrain from acting contrary to a legal right by instilling fear of one of the statute's specified consequences. Those include certain unlawful threats and abuse of public office. The offense requires the statutory compulsion, threat category, and other elements—not merely unpleasant or intimidating behavior.

These criminal statutes are identified solely for an independent investigative examination. Their inclusion does not establish that any person committed a criminal offense or that the elements of any offense have been satisfied.

B 4. STATE INVESTIGATIVE AUTHORITY

- **ORS 180.070 — Power of Attorney General to Conduct Investigations and Prosecutions; Duties of District Attorneys Unaffected.** Authorizes the Attorney General, when directed by the Governor, to take charge of investigations or prosecutions within the statute's scope and exercise specified prosecutorial powers. It preserves district attorneys' underlying authority and duties and does not independently authorize removal from office.

B 5. PUBLIC OFFICE, PUBLIC FUNDS, AND WHISTLEBLOWER PROTECTIONS

- **ORS 244.040 — Prohibited Use of Official Position or Office.** Prohibits a public official from using or attempting to use official position to obtain financial gain or avoid financial detriment for the official, specified relatives or household members, or associated businesses when the benefit would not otherwise be available, subject to statutory exceptions. It does not prohibit every instance of favoritism absent the required elements.
- **ORS 294.100 — Liability for Illegal or Improper Expenditure of Public Money.** Prohibits public officials from expending public money beyond authorized amounts or for unauthorized purposes. Civil liability for repayment under subsection (2) requires the statutory conditions, including malfeasance in office or willful or wanton neglect of duty.
- **ORS 659A.200 – 659A.224 — Whistleblower Protections for Public Employees.** Establish protections for qualifying disclosures by public employees, prohibit retaliation for protected

activity, and provide related procedures and remedies. Application depends on the employment relationship, the nature of the disclosure, the conduct alleged, and the elements of each provision within the range.

- **ORS 659A.203 — Prohibited Conduct by Public or Nonprofit Employer; Remedies**. Prohibits specified conduct by public or nonprofit employers concerning qualifying employee disclosures, including prohibited retaliation and restrictions on communications about government activities. Its protection and remedies depend on the categories of employee, disclosure, conduct, and statutory exceptions.
- **ORS 659A.218 — Disclosure of Employee's Name Without Consent Prohibited.** Prohibits a public employer from disclosing, without written consent, the identity of an employee making disclosures covered by ORS 659A.203(1)(b) or reports under ORS 659A.212(2) during investigation of that information. It does not create an unrestricted anonymity guarantee for every complaint.

The whistleblower provisions are identified because the evidence presented includes matters concerning protected disclosures, alleged retaliation, and efforts to identify or expose persons who made protected reports. Their inclusion does not constitute a finding that any statutory violation occurred.

C. FEDERAL CONSTITUTIONAL AUTHORITIES

- **First Amendment to the United States Constitution**. Protects freedom of speech, peaceful assembly, and the right to petition the government for redress of grievances. It is identified to the extent the evidence implicates protected speech, petitioning activity, or retaliation for such activity.
- **Fourteenth Amendment to the United States Constitution**. Provides constitutional protections including due process and equal protection of the laws and is identified to the extent the evidence implicates governmental deprivation of protected rights.

D. FEDERAL STATUTES

- **18 U.S.C. §241 — Conspiracy Against Rights.** Criminalizes specified conspiracies involving two or more persons to interfere with rights secured by the United States Constitution or federal law. Federal prosecution requires proof of an agreement, the requisite intent, and the other statutory and constitutional elements; a disagreement or coordinated official action alone is insufficient.
- **18 U.S.C. §242 — Deprivation of Rights Under Color of Law.** Criminalizes willful deprivation of federally protected rights by a person acting under color of law. Application requires the specific protected right, action under color of law, and proof of willfulness; not every unlawful or improper official act is a federal civil-rights crime.
- **42 U.S.C. §1983 — Civil Action for Deprivation of Rights.** Creates a civil remedy against qualifying persons acting under color of state law who cause deprivation of federal rights. Liability depends on the specific right, defendant, causation, and applicable defenses or immunities; the statute does not itself create substantive rights.

These federal authorities are identified for independent evaluation only and do not assert that any federal constitutional or statutory violation occurred.

E. OREGON STATE BAR, ATTORNEY PROFESSIONAL CONDUCT AND DISCIPLINE

The following authorities identify the professional-conduct framework applicable to an Oregon attorney and prosecutor. Their inclusion does not constitute a Bar complaint, a finding of professional misconduct, or a request for disciplinary sanctions. Any professional conduct determination is reserved to the Oregon State Bar and the authorities having jurisdiction under Oregon law.

- **ORS 9.460 — Duties of Attorneys.** Establishes duties of Oregon attorneys to support federal and state constitutions and laws, use means consistent with truth and not mislead courts or juries, maintain client confidences consistent with professional rules, and not reject the cause of the defenseless or oppressed for personal consideration.
- **ORS 9.527 — Grounds for Disbarment, Suspension or Reprimand.** Identifies grounds upon which the Oregon Supreme Court may discipline an Oregon Bar licensee after proper proceedings, including specified misconduct, willful violations of attorney duties, gross or repeated negligence or incompetence, and violations of professional-conduct rules. A cited ground is not itself a disciplinary finding.
- **Oregon Rules of Professional Conduct, RPC 3.8 — Special Responsibilities of a Prosecutor.** Requires prosecutors to refrain from pursuing charges they know lack probable cause and to make timely disclosure of known information tending to negate guilt or mitigate an offense, including specified sentencing disclosures, subject to the rule's protective-order exception.
- **Oregon Rules of Professional Conduct, RPC 8.4 — Misconduct.** Defines categories of lawyer misconduct, including specified violations of professional rules, criminal conduct reflecting adversely on professional fitness, dishonesty or misrepresentation, and conduct prejudicial to the administration of justice, subject to the rule's actual language and exceptions.

F. APPLICATION OF AUTHORITIES

The authorities identified above are provided so that the appropriate state, federal, investigative, prosecutorial, judicial, or professional authorities may independently determine:

1. Which constitutional, statutory, criminal, civil, or professional provisions, if any, apply to the facts and evidence presented;
2. Whether the evidence satisfies the actual elements and requirements of any applicable provision;
3. Whether additional investigation is warranted;
4. Whether additional records, testimony, or other evidence should be preserved or obtained;
5. Whether any action concerning the continued service of the District Attorney is legally warranted and, if so, which constitutional or statutory procedures govern that action.

Nothing in this section is intended to represent a finding that any person violated any law, Constitutional provision, rule of professional conduct, or other legal requirement. The ultimate determination of whether any violation occurred and whether any action is warranted is expressly reserved to the appropriate governmental, investigative, prosecutorial, judicial, or professional authorities.

Reference Note: Descriptions summarize relevant legal provisions for public reference, not all elements, defenses, exceptions, or remedies. Oregon's online 2025 Revised Statutes must be read

together with applicable 2025 special-session and 2026 legislation and effective dates; readers should consult the controlling text and case law for any specific proceeding.

XV. CONCLUSION, DEMAND, RESPONSE AND ACTION

Based upon the facts and reasons set forth in the **DEMAND PETITION FOR THE IMMEDIATE RESIGNATION OF TILLAMOOK COUNTY DISTRICT ATTORNEY AUBREY OLSON**, together with the supporting evidence presented in this Memorandum and accompanying exhibits, The People of Tillamook County respectfully demand immediate action.

If District Attorney Aubrey Olson refuses to submit her immediate resignation within seventy-two (72) hours of service of the Demand Petition delivered by USPS Certified Mail, The People call upon Governor Tina Kotek to direct Attorney General Dan Rayfield to promptly initiate and pursue all lawful investigative, prosecutorial, Constitutional, statutory, and professional disciplinary procedures warranted by the evidence.

The People do not contend that ORS 180.070 itself authorizes removal of an elected district attorney. Rather, where applicable, ORS 180.070 authorizes the Attorney General, when directed by the Governor, to take full charge of an investigation or prosecution of violations of law within circuit court jurisdiction. The People therefore call upon the Governor and Attorney General to initiate and pursue the investigation and any applicable Constitutional and statutory procedures concerning the continued exercise of authority by the District Attorney.

If a vacancy occurs in the office of district attorney, ORS 8.640 provides the applicable statutory mechanism for filling that vacancy. Any appointment must proceed pursuant to that statute and all other applicable law.

The evidence and exhibits accompanying this memorandum are submitted in support of the demand for an immediate independent investigation. That investigation should determine whether criminal misconduct occurred, identify any persons responsible, determine whether the legally protected rights of individuals or victims were obstructed, denied, or otherwise violated, and identify all lawful remedies or other appropriate relief, including restitution where legally warranted.

If the investigation establishes a factual and legal basis for potential prosecution under federal criminal statutes, including 18 U.S.C. § 241 or 242, The People call upon the appropriate authorities to refer the matter to the United States Attorney's Office for the District of Oregon for independent investigation, in addition to any appropriate action under Oregon law.

The People further call upon Governor Tina Kotek to direct Attorney General Dan Rayfield to ensure that the January 2027 term of office does not delay the independent investigation. Any delay would be a disservice in the public interest and leave The People of Tillamook County without timely protection.

CALLED UPON RESPONSE AND ACTION

The People call upon Governor Tina Kotek and Attorney General Dan Rayfield, or their respective executive staff, to acknowledge receipt of the Demand Petition, this Memorandum, and the supporting exhibits within seven (7) calendar days after documented receipt by each office.

The People further request a written response within thirty (30) calendar days after documented receipt by each office, identifying the action taken or intended to be taken concerning this submission. Failure to respond within these periods will be noted.

If either office refers any portion of this submission to another agency, prosecutorial authority, investigative body, or disciplinary authority, The People request written notice identifying the receiving authority, the date of referral, and any available reference or case number. Correspondence should be sent to:

The People of Tillamook County
PO Box 148
Hebo, Oregon 97122

To the extent permitted by law, the written response should also identify whether the matter is under examination or investigation, has been referred to another authority, or requires additional information or documentation from The People.

The People of Tillamook County contend that the serious and substantial matters described herein require independent investigation to determine whether the fair and impartial administration of justice and the faithful execution of the law have been compromised. The People of Tillamook County call upon Governor Tina Kotek and Attorney General Dan Rayfield to act promptly, independently, and within their lawful authority. The approaching January 2027 term makes timely action critically important. The public interest requires prompt attention, independent investigation, and all further action warranted by the evidence and applicable law.

Any delay is detrimental to the protection of crime victims and whistleblowers, to the public interest, and to all people of Tillamook County. Time is of the essence, therefore no further delay can be justified. Inaction will not end this effort. The People of Tillamook County intend to pursue this Demand through to a proper remedy and will continue to exercise every lawful right and remedy available.

Submitted By,
The People of Tillamook County

EXHIBIT INDEX

Memorandum In Support Of Demand For Immediate Resignation

And Independent Criminal Investigation

Tillamook County District Attorney Aubrey Olson

2 PAGES

EXHIBIT INDEX

MEMORANDUM IN SUPPORT OF DEMAND FOR IMMEDIATE RESIGNATION AND INDEPENDENT CRIMINAL INVESTIGATION TILLAMOOK COUNTY DISTRICT ATTORNEY AUBREY OLSON

EXHIBIT 1 — **GOVERNMENTAL PROCEEDINGS, INDEPENDENT FACT FINDING INVESTIGATION, AND RELATED COUNTY RECORDS**

June 10 and June 17, 2026 Tillamook County Board of Commissioners proceedings; the independent fact finding investigation conducted by Katie Suver Law, LLC, and related County governmental records.

EXHIBIT 1.1 — **TRANSCRIPT OF AUDIO FILE - JUNE 10, 2026 TILLAMOOK COUNTY BOARD OF COMMISSIONERS BOARD BRIEFING -**

EXHIBIT 1.2 — **TRANSCRIPT OF AUDIO FILE - JUNE 17, 2026 TILLAMOOK COUNTY BOARD OF COMMISSIONERS WEEKLY BOARD MEETING**

EXHIBIT 1.3 — **INDEPENDENT FACT FINDING INVESTIGATION REPORT CONDUCTED BY KATIE SUVER LAW, LLC**

EXHIBIT 1A — **COUNTY COUNSEL BRYAN LIBEL EMAIL CORRESPONDENCE**

Redacted and reformatted email correspondence from County Counsel Bryan Libel concerning subpoenas, County response to subpoenas, conflict and recusal issues, appointment of outside counsel or a Special Deputy District Attorney, the County's investigation, June 2026 Board proceedings, and related matters.

EXHIBIT 2 — **TILLAMOOK COUNTY BOARD OF COMMISSIONERS RESOLUTION OF NO CONFIDENCE R26-013**

Tillamook County Board of Commissioners Resolution of No Confidence R26-013 concerning District Attorney Aubrey Olson.

EXHIBIT 3 — **TIDES OF CHANGE PUBLIC STATEMENT**

Public statement and related victim advocacy material concerning victims, victims' rights, domestic violence and sexual assault, and matters addressed in Sections III and IV.

EXHIBIT 4 — **LAW ENFORCEMENT RELATIONS, PROSECUTORIAL PRACTICES, AND ADMINISTRATION OF JUSTICE - CROSS REFERENCE**

Law Enforcement and Criminal Justice Information — Cross Reference. The supporting information referenced in this section is contained in the independent fact finding investigation and June 10 and June 17, 2026 Tillamook County Board of Commissioners proceedings identified in Exhibit 1.

EXHIBIT 5 — **TILLAMOOK COUNTY CIRCUIT COURT - CASE No. 25CR00208 GRAND JURY INDICTMENT, AMENDED INDICTMENT, PETITION TO PLEA GUILTY, AND JUDGMENT**

EXHIBIT 6 **TRANSCRIPT OF AUDIO FILE - CASE No. 25CR00208 SENTENCING HEARING**

Written transcript of the sentencing hearing in Case No. 25CR00208, prepared from the digital court recording, including the record concerning the minor victim and matters addressed during sentencing.

EXHIBIT 7 **TILLAMOOK COUNTY PIONEER NEWS ITEM CONCERNING DEFENDANT'S ARREST AND VICTIM'S MEDICAL TREATMENT**

Tillamook County Pioneer news item concerning the defendant's arrest and information relevant to the minor victim's need for immediate medical treatment.

EXHIBIT 8 **TILLAMOOK COUNTY BOARD OF COMMISSIONERS BOARD ORDER 25-063**

Tillamook County Board of Commissioners Order 25-063, adopted October 15, 2025, concerning authorization for County supported legal services and related matters addressed in Section IX.

EXHIBIT 9 **COUNTY FINANCIAL, PROCUREMENT, AND RELATED COMMUNICATIONS**

County financial, procurement, payment, authorization, voucher, and related communications and records relevant to the procurement card matter.

EXHIBIT 9A **COUNTY TREASURER DEBRA JACOB EMAIL CORRESPONDENCE**

Redacted and reformatted email correspondence from Debra Jacob, Appointed County Treasurer and Director of Financial Services, concerning procurement card policies and procedures, Board Order 25-063, blocked merchant categories, attempted legal services transactions, transaction declines, subsequent voucher and payment procedures, County approval requirements, and related County actions.

EXHIBIT 9B **CHIEF ADMINISTRATIVE OFFICER RACHEL HAGERTY EMAIL CORRESPONDENCE**

Redacted and reformatted email correspondence from Rachel Hagerty, Chief Administrative Officer, concerning communication of Tillamook County Board of Commissioners Board Order 25-063, County procedures concerning legal services, and related County matters.

EXHIBIT 10 **MAY 2026 ELECTION AND PUBLICATION TIMELINE**

Three (3) Tillamook County Pioneer publications documenting the May 19, 2026 Primary Election timeline, ballot returns as of May 8, 2026, and the May 8, 2026 public release of information concerning the completed independent fact finding investigation conducted by Katie Suver Law, LLC, into complaints regarding Tillamook County District Attorney Aubrey Olson and the administration and operations of the Tillamook County District Attorney's Office.

EXHIBIT 1

GOVERNMENTAL PROCEEDINGS, INDEPENDENT FACT FINDING INVESTIGATION, AND RELATED COUNTY RECORDS

EXHIBIT 1.1 - TRANSCRIPT OF AUDIO FILE - JUNE 10, 2026 TILLAMOOK COUNTY BOARD OF COMMISSIONERS BOARD BRIEFING – 51 PAGES

EXHIBIT 1.2 - TRANSCRIPT OF AUDIO FILE - JUNE 17, 2026 TILLAMOOK COUNTY BOARD OF COMMISSIONERS WEEKLY BOARD MEETING – 35 PAGES

EXHIBIT 1.3 - INDEPENDENT FACT FINDING INVESTIGATION REPORT CONDUCTED BY KATIE SUVER LAW, LLC – 208 PAGES

EXHIBIT 1A - COUNTY COUNSEL BRYAN LIBEL EMAIL CORRESPONDENCE – 4 PAGES
Redacted and reformatted email correspondence from County Counsel Bryan Libel concerning subpoenas, County response to subpoenas, conflict and recusal issues, appointment of outside counsel or a Special Deputy District Attorney, the County's investigation, June 2026 Board proceedings, and related matters.

EXHIBIT 1.1

TRANSCRIPT OF AUDIO FILE - BOARD BRIEFING 6 10 2026.mp3
JUNE 10, 2026 TILLAMOOK COUNTY
BOARD OF COMMISSIONERS BOARD BRIEFING

51 PAGES

EXHIBIT 1.1

Audio:

Original Source:

- https://www.youtube.com/watch?v=riUxX-Resno

Audio file

Board Briefing 6 10 2026.mp3

Transcript

00:00:34 Speaker 1 Commissioner Fournier

Okay.

00:00:36 Speaker 1 Commissioner Fournier

Good afternoon, everyone.

00:00:37 Speaker 1 Commissioner Fournier

Today, this is our commissioner's board meeting for June 10th, 2026.

00:00:41 Speaker 1 Commissioner Fournier

I just want before I even start, I just want to say that we are having some audio issues, possibly with a civic clerk.

00:00:46 Speaker 1 Commissioner Fournier

So if you're a civic clerk, and you can actually hear me now if you have problems.

00:00:51 Speaker 1 Commissioner Fournier

For our live streaming, please join the meeting on Teams at 1971254.

00:00:57 Speaker 1 Commissioner Fournier

3149 and the meeting ID is 866-914-607 pound sign.

00:01:06 Speaker 1 Commissioner Fournier

Also, the team recording will be posted soon after this meeting, so it'll be available for viewing if you end up having problems.

00:01:14 Speaker 1 Commissioner Fournier

So today's topic is the county's district attorney investigation report and developments.

00:01:21 Speaker 1 Commissioner Fournier

Bryan Libel, our county counsel, will begin the presentation today.

00:01:26 Speaker 2 Bryan Libel County Counsel

Good afternoon, commissioners.

00:01:28 Speaker 2 Bryan Libel County Counsel

I want to update you on several developments since the completion of the county's investigation into complaints related to the district attorney's office.

00:01:39 Speaker 2 Bryan Libel County Counsel

For the benefit of the public, the county initiated an independent investigation into complaints submitted to the county's human resources department by members of the public and county employees regarding the district attorney's office.

00:01:55 Speaker 2 Bryan Libel County Counsel

The complaints related to professionalism, prosecution of crimes, treatment of victims, family members, excuse me, treatment of victims, family members, and criminal justice partners by DA office personnel and interactions between county law enforcement and the DA's office employees.

00:02:15 Speaker 2 Bryan Libel County Counsel

It is important to note that the district attorney is a state official elected by the voters of Talamo County.

00:02:22 Speaker 2 Bryan Libel County Counsel

However, the DA office staff or county employees hence the county's responsibility to look into complaints regarding the performance and behavior of the DA office staff.

00:02:36 Speaker 2 Bryan Libel County Counsel

The investigation report includes interviews with the district attorney and the DA office staff to include deputy DAs and a victim advocate to provide information.

00:02:51 Speaker 2 Bryan Libel County Counsel

their experiences and perspectives.

00:02:53 Speaker 2 Bryan Libel County Counsel

The district attorney declined a second interview to continue to explain decisions on criminal cases and procedures and the supervision of county employees.

00:03:06 Speaker 2 Bryan Libel County Counsel

The reports of findings were also based on the district attorney's own statements about her office during her first interview.

00:03:15 Speaker 2 Bryan Libel County Counsel

The report substantiated 35 specific complaints to include poor engagement with victims and agency partners to include not believing victims' testimony, hostility towards victims, victim advocates, and law enforcement, failing to meet management and public service best practices, including adequate training and supervision of deputy district attorneys, unwarranted public reprimands of subordinates,

00:03:43 Speaker 2 Bryan Libel County Counsel

and failure to respond to community complaints in an economic manner.

00:03:48 Speaker 2 Bryan Libel County Counsel

They also include deficient charging, preparation, and trial practices, including the handling of child abuse and domestic violence cases, resulting in concerns for victims and community safety, and failing to present viable cases to a grand jury will bring charges on serious crimes.

00:04:10 Speaker 2 Bryan Libel County Counsel

The county shared a report, a copy of the report with the district attorney once it was completed and offered HR assistance to address some of the substantiated findings.

00:04:20 Speaker 2 Bryan Libel County Counsel

As I understand, the county has not received any communication from the district attorney for HR assistance to address personnel issues or any county assistance to implement other changes.

00:04:37 Speaker 2 Bryan Libel County Counsel

Now, as for developments since the investigation, the county recently received an e-mail that was sent from a DA office employee to a criminal defense attorney who shared it with the county out of concern.

00:04:56 Speaker 2 Bryan Libel County Counsel

And that was sent the week of May 25th.

00:04:59 Speaker 2 Bryan Libel County Counsel

The e-mail states that the district attorney had directed the CA office employee to distribute parts of the investigation report that included whistleblower testimony to a defense attorney representing the defendant in a pending criminal case.

00:05:17 Speaker 2 Bryan Libel County Counsel

Now, just to define what a whistleblower is, a whistleblower is someone who in good faith reports illegal activity, waste, fraud,

00:05:26 Speaker 2 Bryan Libel County Counsel

gross mismanagement, or abuse of authority.

00:05:29 Speaker 2 Bryan Libel County Counsel

State law and county policy protects employees from retaliation or reporting on these things.

00:05:35 Speaker 2 Bryan Libel County Counsel

The e-mail states, quote, our office has taken the position that the investigation report may be exculpatory with the credibility of the witness we would be covered.

00:05:50 Speaker 2 Bryan Libel County Counsel

So in simpler terms,

00:05:52 Speaker 2 Bryan Libel County Counsel

What this statement means is that the DA's office was telling the defense attorney who was receiving this e-mail to use the information from the investigation report that included the whistleblower's testimony to use it to question the whistleblower's credibility as a witness for the benefit of the defendant's case while simultaneously undermining the DA's own case against the defendant

00:06:20 Speaker 2 Bryan Libel County Counsel

and undermining justice for the, in this particular case, a child victim in a sex abuse case.

00:06:28 Speaker 2 Bryan Libel County Counsel

And that e-mail includes a statement from the district attorney which states that the whistleblower during the encounter in the county investigation exaggerated, misrepresented, or otherwise inaccurately depicted the facts that the whistleblower and that the whistleblower shows a level of contempt for members of the DA's office.

00:06:51 Speaker 2 Bryan Libel County Counsel

showing a potential bias and lack of competence in criminal law and procedure.

00:06:57 Speaker 2 Bryan Libel County Counsel

So to be clear, while the prosecution, the district attorney or any deputy district attorney has an obligation to turn over evidence in its procession helps a defendant's case, one's own opinion on what the whistleblower said to the investigator is not exculpatory evidence.

00:07:20 Speaker 2 Bryan Libel County Counsel

It must show that the exculpatory evidence must show that the whistleblower, what that person said was wrong and that they knew it was wrong or had a careless disregard for the facts.

00:07:33 Speaker 2 Bryan Libel County Counsel

And this showing did not occur.

00:07:36 Speaker 2 Bryan Libel County Counsel

The whistleblower in this case is only a law enforcement officer.

00:07:41 Speaker 2 Bryan Libel County Counsel

So by the district attorney targeting their credibility, it can occur ending because they won't be called

00:07:48 Speaker 2 Bryan Libel County Counsel

to testify in any criminal case, which is a large part of law enforcement's job.

00:07:55 Speaker 2 Bryan Libel County Counsel

This e-mail from a county employee within the district attorney's office that is about a whistleblower and using their testimony against them is tantamount to retaliation.

00:08:06 Speaker 2 Bryan Libel County Counsel

As a result, the HR department instructed the DA's office county employees to refrain from retaliating or taking any adverse action against the whistleblower.

00:08:17 Speaker 2 Bryan Libel County Counsel

Now, in regard to a series of subpoenas, in mid-April, before the county investigation was available to be provided to the district attorney, the district attorney served the county with a grand jury subpoena that was not associated with any criminal case or charge, detailed information about the county investigation.

00:08:41 Speaker 2 Bryan Libel County Counsel

The DA has a full report, complaints against the district attorney and the district attorney's office by the Board of Commissioners, by the Sheriff's Office, by the Oregon State Police, and by Tullamook City Police, among others.

00:09:02 Speaker 2 Bryan Libel County Counsel

All right, so to be sure, this subpoena, which

00:09:06 Speaker 2 Bryan Libel County Counsel

is a grand jury subpoena here.

00:09:08 Speaker 2 Bryan Libel County Counsel

It seeks complaints against the district attorney and anybody in her office from the Board of Commissioners, right, from Oregon State Police.

00:09:19 Speaker 2 Bryan Libel County Counsel

So anybody who has been complaining and we have evidence, the county has evidence of that, we're to turn over.

00:09:29 Speaker 2 Bryan Libel County Counsel

The grand jury subpoena also saw information about certain law enforcement personnel and their HR records.

00:09:36 Speaker 2 Bryan Libel County Counsel

and wanted to know how the county was being for this investigation.

00:09:42 Speaker 2 Bryan Libel County Counsel

Later in April, the district attorney served the county with two additional subpoenas, which are associated with a criminal case, again, seeking information related to the county investigation into complaints against the DA's office, complaints against the DA's office personnel, and communications about the district attorney and the district attorney's office personnel and HR records

00:10:05 Speaker 2 Bryan Libel County Counsel

again, for certain law enforcement employees.

00:10:09 Speaker 2 Bryan Libel County Counsel

And so some of this information that was being subpoenaed in these two additional subpoenas related to criminal cases, we're seeking information that was beyond the scope of the criminal case and again, related to the investigation that the county had conducted into the district attorney's office.

00:10:33 Speaker 2 Bryan Libel County Counsel

The county has filed motions to quash the subpoenas, arguing most of this information that the district attorney was seeking was not relevant to a criminal case or charge, and that the district attorney stands to personally benefit from use of this criminal process, the subpoenas, and that the district attorney had conflict of interest in using this criminal process to seek information about her and her office.

00:11:01 Speaker 2 Bryan Libel County Counsel

Since the county has filed these motions to quash, the district attorney has recused herself and appointed a criminal defense attorney as a special deputy district attorney to represent the state on these district attorney subpoenas.

00:11:18 Speaker 2 Bryan Libel County Counsel

The hearings for the county's motions to quash are Tuesday, June 16th at 9 A.m.

00:11:26 Speaker 2 Bryan Libel County Counsel

and at 10 A.m.

00:11:31 Speaker 2 Bryan Libel County Counsel

at the Tillamook County Courthouse.

00:11:34 Speaker 2 Bryan Libel County Counsel

In addition, since the reporting of the county investigation and local news media, I had received 2 phone calls from individuals who had family members who were victims and wanted to share their unhappy experience that they had with the district attorney's office.

00:11:53 Speaker 2 Bryan Libel County Counsel

And so

00:11:55 Speaker 2 Bryan Libel County Counsel

Again, I just wanted to recap, not only as far as the county's investigation, and it's finding these, but also what has expired since then that's related to the investigation.

00:12:06 Speaker 2 Bryan Libel County Counsel

Okay.

00:12:13 Speaker 1 Commissioner Fournier

We do weekly updates.

00:12:14 Speaker 1 Commissioner Fournier

We're not doing weekly updates for this one.

00:12:16 Speaker 1 Commissioner Fournier

So I was going to do an opportunity if anybody in the room wants to have any public comment, you're welcome to do this.

00:12:21 Speaker 1 Commissioner Fournier

is really more of an informal meeting.

00:12:27 Speaker 1 Commissioner Fournier

Sorry, I'll say that again.

00:12:28 Speaker 1 Commissioner Fournier

If anybody in the room wants to make any public comment a couple minutes again, or online.

00:12:32 Speaker 1 Commissioner Fournier

If anybody wants to raise their hand, they can say something.

00:12:36 Speaker 1 Commissioner Fournier

Otherwise, we'll move on.

00:12:40 Speaker 1 Commissioner Fournier

OK.

00:12:42 Speaker 1 Commissioner Fournier

I'm just educating myself.

00:12:44 Speaker 2 Anonymous woman in audience who is a victim

I'm here as a victim.

00:12:48 Speaker 1 Commissioner Fournier

OK.

00:12:49 Speaker 2 Anonymous woman in audience who is a victim

I really don't have anything to say.

00:12:53 Speaker 1 Commissioner Fournier

Thank you for coming in.

00:12:54 Speaker 1 Commissioner Fournier

I appreciate that.

00:12:56 Speaker 1 Commissioner Fournier

Thank you very much.

00:12:59 Speaker 1 Commissioner Fournier

Well, counselor, thank you for that.

00:13:01 Speaker 1 Commissioner Fournier

I'm going to probably turn some stuff over to my partnership because I get a little triggered here.

00:13:06 Speaker 1 Commissioner Fournier

But one of the things that really stood out for me right off the bat, seeing you talking about it quite a bit, was I've spent 18 years as a union shop steward and a union member when I worked at the sheriff's office.

00:13:23 Speaker 1 Commissioner Fournier

And I have, I see there's a lot of employees online.

00:13:28 Speaker 1 Commissioner Fournier

I have never seen a situation where a manager from another department is retaliating against a whistleblower from another department.

00:13:36 Speaker 1 Commissioner Fournier

I've never seen that.

00:13:37 Speaker 1 Commissioner Fournier

It's almost unheard of.

00:13:40 Speaker 1 Commissioner Fournier

I don't understand how this keeps getting stranger and stranger every time.

00:13:44 Speaker 1 Commissioner Fournier

It seems like every time we turn around, there's another piece of the puzzle.

00:13:50 Speaker 1 Commissioner Fournier

The criminal defense attorney representing the state and this district attorney's office is also very strange and unheard of.

00:14:01 Speaker 1 Commissioner Fournier

There are 36 elected district attorneys in the state, about 350 DDAs in the state, and I don't understand why we could not find one that would be willing to present this case for the motion.

00:14:16 Speaker 1 Commissioner Fournier

the motion hearing on Tuesday.

00:14:17 Speaker 1 Commissioner Fournier

So those are some of the things.

00:14:19 Speaker 1 Commissioner Fournier

There's a lot I have to say, but I need to gather my thoughts.

00:14:21 Speaker 1 Commissioner Fournier

So would one of you like to go a little bit to something you'd like to start?

00:14:26 Speaker 3 Commissioner Bell

I don't mind.

00:14:27 Speaker 3 Commissioner Bell

I don't mind starting.

00:14:28 Speaker 1 Commissioner Fournier

I appreciate it.

00:14:29 Speaker 1 Commissioner Fournier

I just need a moment to gather.

00:14:30 Speaker 3 Commissioner Bell

Sure.

00:14:31 Speaker 3 Commissioner Bell

So I have been aware that there were problems from, as a member of the Tides of Change Board, I've been aware that there were problems from the perspective of domestic violence victims and advocates

00:14:45 Speaker 3 Commissioner Bell

for some time.

00:14:47 Speaker 3 Commissioner Bell

I've heard about it.

00:14:49 Speaker 3 Commissioner Bell

I've heard the stories about victims not being believed, victims not being interviewed at all, victims' situations with a preponderance of evidence not being prosecuted, just being dismissed, or worse yet, being dismissed with prejudice so that they could never be tried again.

00:15:10 Speaker 3 Commissioner Bell

And advocates being

00:15:12 Speaker 3 Commissioner Bell

disrespected, people being treated brusquely and sometimes even just rudely.

00:15:18 Speaker 3 Commissioner Bell

And things are just getting dropped.

00:15:22 Speaker 3 Commission Bell

And victims, ultimately, the perception of the community is that having been victimized criminally, they're then now being victimized by the system.

00:15:36 Speaker 3 Commissioner Bell

And

00:15:37 Speaker 3 Commissioner Bell

And so this has been going on and I've been hearing about it through that channel for some time.

00:15:44 Speaker 3 Commissioner Bell

But the Board of County Commissioners isn't in charge of the DA's office.

00:15:50 Speaker 3 Commissioner Bell

We're not in charge of the DA.

00:15:52 Speaker 3 Commissioner Bell

It isn't, the DA is a fully elected official, just like we are.

00:15:57 Speaker 3 Commissioner Bell

And so, and there was, we are in general, we are a very polite culture, like our community culture.

00:16:07 Speaker 3 Commissioner Bell

There was a lot of latitude for, people talked about this over and over, a lot of latitude for, well, let the DA find her feet, like let her get used to the job, let her figure it out.

00:16:19 Speaker 3 Commissioner Bell

We wanna build a relationship,

00:16:21 Speaker 3 Commissioner Bell

We're like waiting for the time when the DA is going to step up and start representing victims.

00:16:29 Speaker 3 Commissioner Bell

And that hasn't happened.

00:16:32 Speaker 3 Commissioner Bell

And yet there wasn't anything we could do as a board to intervene.

00:16:39 Speaker 3 Commissioner Bell

But in the meantime, the complaints were coming in.

00:16:42 Speaker 3 Commissioner Bell

So the complaints were coming to us individually.

00:16:45 Speaker 3 Commissioner Bell

They were coming into us through the channels of the other organizations we represent.

00:16:52 Speaker 3 Commissioner Bell

And then also they started coming into HR.

00:16:56 Speaker 3 Commissioner Bell

So what we could do is initiate an investigation.

00:17:01 Speaker 3 Commissioner Bell

That's what we can do.

00:17:02 Speaker 3 Commissioner Bell

And so we initiated an independent investigation.

00:17:06 Speaker 3 Commissioner Bell

And the results of the investigation were definitive and

00:17:12 Speaker 3 Commissioner Bell

from my perspective.

00:17:13 Speaker 3 Commissioner Bell

I'm not an attorney, but the attorney who did the investigation is a highly regarded professional.

00:17:20 Speaker 3 Commissioner Bell

And that person identified 51 distinct complaints.

00:17:27 Speaker 3 Commissioner Bell

And of those, 35 were founded.

00:17:30 Speaker 3 Commissioner Bell

So 35 were in that attorney's professional expertise, said 35 of these things happened and they were wrong.

00:17:40 Speaker 3 Commissioner Bell

And so still we're in the position of what can we do about it?

00:17:46 Speaker 3 Commissioner Bell

Not very much.

00:17:47 Speaker 3 Commissioner Bell

So our hope was that at the point at which the DA knew the investigation was happening before it was complete, that certainly was a warning that there was a problem.

00:18:00 Speaker 3 Commissioner Bell

But our hope was that when the investigation was complete, the DA had the information, she would look at it and say, oh my gosh,

00:18:08 Speaker 3 Commissioner Bell

But we have some serious problems in our office.

00:18:11 Speaker 3 Commissioner Bell

And then we could have helped.

00:18:14 Speaker 3 Commissioner Bell

We could help through HR.

00:18:16 Speaker 3 Commissioner Bell

the DOJ could have helped.

00:18:17 Speaker 3 Commissioner Bell

It's like we would absolutely have stepped forward and supported any attempts to change, any attempts to rectify the problems.

00:18:29 Speaker 3 Commissioner Bell

And that didn't happen.

00:18:31 Speaker 3 Commissioner Bell

So what's happened instead is horrifying.

00:18:34 Speaker 3 Commissioner Bell

What's happened instead is

00:18:37 Speaker 3 Commissioner Bell

is blatant retaliation against whistleblowers.

00:18:40 Speaker 3 Commissioner Bell

And so that's what brings us to this point today.

00:18:44 Speaker 3 Commissioner Bell

the whole thing, like to Paul's point about this just keeps getting crazier, the idea of using the criminal process, again, not an attorney, but using the grand jury process

00:18:57 Speaker 3 Commissioner Bell

to retaliate against a county employee who is a whistleblower is mind blowing to me.

00:19:04 Speaker 3 Commissioner Bell

You know, trying to Brady a county employee, which would destroy his career as a retaliation for him participating in the investigation is horrible.

00:19:18 Speaker 3 Commissioner Bell

And it's our obligation to protect our employee, the whistleblower.

00:19:22 Speaker 3 Commissioner Bell

So, you know, we're we're

00:19:26 Speaker 3 Commissioner Bell

We're very limited in what we can do, but what we can do is this: we're doing what we can do, and we're talking about what more we can do, and it's limited.

00:19:37 Speaker 3 Commissioner Bell

So, I'll pause there.

00:19:40 Speaker 1 Commissioner Fournier

So, can I jump in a couple, please?

00:19:41 Speaker 1 Commissioner Fournier

Just add on to one of the things about the thirty-five filing complaints.

00:19:43 Speaker 1 Commissioner Fournier

The other thing that's not that hasn't been mentioned is

00:19:46 Speaker 1 Commissioner Fournier

Several of the other complaints of the 51 that were the ones that were unfounded, unfounded is misleading because like in child abuse investigations that can be considered unfounded doesn't mean it didn't happen.

00:19:57 Speaker 1 Commissioner Fournier

In this case, several if not the majority of the cases that were deemed unfounded were because they were child sex abuse cases and the investigator had no access to those cases.

00:20:06 Speaker 1 Commissioner Fournier

So it's not that something unethical or improper

00:20:12 Speaker 1 Commissioner Fournier

or beyond best practices wasn't done, it's that the investigator had no access to those cases.

00:20:18 Speaker 1 Commissioner Fournier

And I would say based on just the odds alone.

00:20:20 Speaker 1 Commissioner Fournier

So that's the other thing that's really important about that.

00:20:23 Speaker 1 Commissioner Fournier

And it's disgraceful.

00:20:25 Speaker 1 Commissioner Fournier

It's just horrible.

00:20:26 Speaker 1 Commissioner Fournier

I just wanted to add that part to it.

00:20:28 Speaker 1 Commissioner Fournier

And I also want to say the retaliation.

00:20:30 Speaker 1 Commissioner Fournier

The other thing that's interesting is that everything that was founded in the findings and report

00:20:38 Speaker 1 Commissioner Fournier

The people that were brave enough to step forward, this was not the district attorney.

00:20:42 Speaker 1 Commissioner Fournier

This was not the BOCC that initiated the complaint process.

00:20:46 Speaker 1 Commissioner Fournier

We were receiving complaints.

00:20:48 Speaker 1 Commissioner Fournier

And as far as getting HR involved, because although we have nothing, we have no control over the district attorney, the DDAs in that office are county employees.

00:20:57 Speaker 1 Commissioner Fournier

And we had to do something because we had heard reports that other county employees were being mistreated

00:21:05 Speaker 1 Commissioner Fournier

or it was an unprofessional activity.

00:21:07 Speaker 1 Commissioner Fournier

And although we probably have nothing we could do, we identified them.

00:21:11 Speaker 1 Commissioner Fournier

We brought, we gave that information to the district attorney saying, we're here to help.

00:21:15 Speaker 1 Commissioner Fournier

HR is here to help.

00:21:17 Speaker 1 Commissioner Fournier

Is there some training that we can do?

00:21:18 Speaker 1 Commissioner Fournier

Are there some updates we can do?

00:21:20 Speaker 1 Commissioner Fournier

Is there something that we can do to change the force of this?

00:21:23 Speaker 1 Commissioner Fournier

And I can tell you personally, because I was working at the sheriff's office, that you were spot on.

00:21:29 Speaker 1 Commissioner Fournier

There was a lot of leeway given.

00:21:30 Speaker 1 Commissioner Fournier

There was nobody

00:21:32 Speaker 1 Commissioner Fournier

that had in the, when she was appointed, there was no, everybody wanted her to have the best shot possible.

00:21:37 Speaker 1 Commissioner Fournier

There was Bill, Bill was loved and he swore and he selected her and everybody was there and it just slowly, we slowly realized that the number of cases being dropped, the burden of proof at the police level, you know, this is all in the report and it's all in the public, in her quotes to the newspaper, you know, this whole, I was, again,

00:22:01 Speaker 1 Commissioner Fournier

There's different police work under probable cause.

00:22:04 Speaker 1 Commissioner Fournier

That's how we do our job.

00:22:05 Speaker 1 Commissioner Fournier

That's how they do their job.

00:22:06 Speaker 1 Commissioner Fournier

They get probable cause, they get search warrants, they gather evidence, they gather witnesses, they gather victim statements.

00:22:12 Speaker 1 Commissioner Fournier

They put it together and they put it and they send it to the AA's office.

00:22:15 Speaker 1 Commissioner Fournier

The prosecutor's job is to build upon that foundation and ask for more investigation, seek out more proof through lab work and DNA and all that stuff.

00:22:27 Speaker 1 Commissioner Fournier

That's all in the prosecutor's

00:22:30 Speaker 1 Commissioner Fournier

to make that happen.

00:22:31 Speaker 1 Commissioner Fournier

And the biggest thing, and I've spoken to several attorneys that used to work here, it's shocking to any attorney you asked, any prosecuting you asked, that they weren't interviewing and prepping victims and witnesses before trial.

00:22:45 Speaker 1 Commissioner Fournier

And the statements were like, well, how do you even come up with your opening arguments if you don't even know for sure what the person you're calling is going to say?

00:22:53 Speaker 1 Commissioner Fournier

Because during a traumatic event, such as a domestic violence event,

00:22:58 Speaker 1 Commissioner Fournier

It's the heat of the moment when you're being interviewed by a police officer at 2:00 in the morning after you just got assaulted.

00:23:02 Speaker 1 Commissioner Fournier

You're not going to remember everything, but that's what's being written down.

00:23:05 Speaker 1 Commissioner Fournier

That's what's being forwarded.

00:23:07 Speaker 1 Commissioner Fournier

This should be a follow-up interview, or you should be typical good practice is you show that section of that report to the victim or the witness and say, this is what you told the deputy or the officer that night.

00:23:18 Speaker 1 Commissioner Fournier

Is there anything that you remember differently now or you remember more of?

00:23:22 Speaker 1 Commissioner Fournier

Because that kind of information comes out later.

00:23:24 Speaker 1 Commissioner Fournier

And

00:23:26 Speaker 1 Commissioner Fournier

I'm sorry, I can just jump all over the place.

00:23:28 Speaker 1 Commissioner Fournier

The other part of this is the unrealistic expectations of beyond a reasonable doubt when you give an officer two days to get a report to you is lunacy.

00:23:37 Speaker 1 Commissioner Fournier

And these things take time.

00:23:39 Speaker 1 Commissioner Fournier

We have time to schedule.

00:23:41 Speaker 1 Commissioner Fournier

I was a child abuse forensic interview.

00:23:43 Speaker 1 Commissioner Fournier

It takes time to set up interviews for these children who've been assaulted.

00:23:47 Speaker 1 Commissioner Fournier

It can take weeks sometimes.

00:23:48 Speaker 1 Commissioner Fournier

We don't want it to, but that's why we established our own local

00:23:52 Speaker 1 Commissioner Fournier

place to do that.

00:23:53 Speaker 1 Commissioner Fournier

But this kind of thing is just a disregard or if suspects weren't located and weren't interviewed, the case would be dismissed rather than a phone call made and say, we need an interview with the suspect, so please follow up.

00:24:08 Speaker 1 Commissioner Fournier

That didn't happen.

00:24:10 Speaker 1 Commissioner Fournier

The county even hired the DME that was also supposed to serve as possible assistance in some investigation.

00:24:16 Speaker 1 Commissioner Fournier

So there's personnel and the police are willing to follow up.

00:24:19 Speaker 1 Commissioner Fournier

It's just it wasn't asked.

00:24:20 Speaker 1 Commissioner Fournier

So it's, I'm sorry, I'm going to take a break and let you speak for a little bit.

00:24:24 Speaker 4 Commissioner Skaar

Sure.

00:24:24 Speaker 4 Commissioner Skaar

No, I mean, this was not something that the Board of Commissioners entered into lightly.

00:24:30 Speaker 4 Commissioner Skaar

Each and every one of us had people in our offices, myself included, from my people that I know well from my previous life in the community service

00:24:40 Speaker 4 Commissioner Skaar

who were here angry and just not understanding why this was happening in our DA's office.

00:24:46 Speaker 4 Commissioner Skaar

It's not something that we went looking for.

00:24:50 Speaker 4 Commissioner Skaar

And we don't have control over the DA.

00:24:52 Speaker 4 Commissioner Skaar

We do not have control over that office.

00:24:55 Speaker 4 Commissioner Skaar

What's very frustrating to me is the way that the state is set up, the DA is an employee of the state.

00:25:02 Speaker 4 Commissioner Skaar

And that DA has control over county employees.

00:25:06 Speaker 4 Commissioner Skaar

over what they do, over how they're trained, over whether or not they receive any correction or support if something doesn't go well.

00:25:15 Speaker 4 Commissioner Skaar

But the county foots the cost of the liability of the decisions of the DA as it relates to staff.

00:25:23 Speaker 4 Commissioner Skaar

And so the county doesn't have a whole lot of choice when we are receiving public complaints regarded to the services that are being offered by the county for which

00:25:32 Speaker 4 Commissioner Skaar

We hold the financial responsibility.

00:25:36 Speaker 4 Commissioner Skaar

If someone sues and has found that what they're suing for in terms of incompetence is there, we're going to pay the price.

00:25:44 Speaker 4 Commissioner Skaar

It's going to be the county ourselves.

00:25:45 Speaker 4 Commissioner Skaar

It's going to be our insurance.

00:25:47 Speaker 4 Commissioner Skaar

We're going to have to deal with it.

00:25:49 Speaker 4 Commissioner Skaar

And yet we sit with our hands tied, only being able to ask pretty please to the DA, will you do something differently than what you're doing today?

00:25:58 Speaker 4 Commissioner Skaar

So it's put us in a really difficult position where we didn't have a choice.

00:26:03 Speaker 4 Commissioner Skaar

Our insurance, our liability was on the line.

00:26:07 Speaker 4 Commissioner Skaar

We had to know what was really happening in order to protect the entire county, which is the entire populace.

00:26:14 Speaker 4 Commissioner Skaar

So it's put us in a really difficult position.

00:26:16 Speaker 4 Commissioner Skaar

I don't have the law enforcement background.

00:26:19 Speaker 4 Commissioner Skaar

I don't have the ability to dig through all of that and really understand it at the depth of my colleagues, but I trust and believe my colleagues and I trust

00:26:28 Speaker 4 Commissioner Skaar

investigator that was hired.

00:26:30 Speaker 4 Commissioner Skaar

It was done as an outside investigation.

00:26:33 Speaker 4 Commissioner Skaar

We were completely uninvolved until the results came in.

00:26:36 Speaker 4 Commissioner Skaar

And that was intentional.

00:26:38 Speaker 4 Commissioner Skaar

That was intentional because we needed to not have anything that we may have heard previously or bias or any of those things for any of us to be part of this.

00:26:47 Speaker 4 Commissioner Skaar

And that's where we sit today.

00:26:48 Speaker 4 Commissioner Skaar

We sit with an investigative report in front of us with a DA that works for the state who controls the county employees.

00:26:55 Speaker 4 Commissioner Skaar

And there's just little we can do.

00:26:57 Speaker 4 Commissioner Skaar

There was certainly

00:26:59 Speaker 4 Commissioner Skaar

a lot of hope that the DA would have at least engaged in a conversation with the county to say, you're right.

00:27:05 Speaker 4 Commissioner Skaar

I am the director of a department here at the county and I want it to be the best department it can be.

00:27:11 Speaker 4 Commissioner Skaar

And I want to work with you to provide the best services and take care of my staff and give them the training and the things they need.

00:27:18 Speaker 4 Commissioner Skaar

And she has opted not to do that.

00:27:20 Speaker 4 Commissioner Skaar

which has again left us sitting in a very difficult and uncomfortable position.

00:27:25 Speaker 4 Commissioner Skaar

Everything we did all through this investigation was exactly what we would have done with any other department head and do with other department heads every time.

00:27:34 Speaker 4 Commissioner Skaar

If there's complaints, we investigate that department and we invite that department head to work with us to solve problems.

00:27:40 Speaker 4 Commissioner Skaar

And that's not something she's opted to do.

00:27:43 Speaker 4 Commissioner Skaar

And so we sit here with a different set of options in front of us today.

00:27:48 Speaker 4 Commissioner Skaar

And I don't know if we want to talk about those yet or if we want to, if there's more that we want to dig into.

00:27:52 Speaker 4 Commissioner Skaar

But I certainly have some thoughts in regard to her actions as related to being a department head of the county and things that we may want to change in our future if she is unwilling to work with us, which is what she has set forth so far.

00:28:10 Speaker 1 Commissioner Fournier

Would you like to add some more?

00:28:11 Speaker 1 Commissioner Fourniet

I have a lot that I'm sure it's going to come to me or make it feel.

00:28:17 Speaker 3 Commissioner Bell

Do you want to?

00:28:18 Speaker 3 Commissioner Bell

It sounds like Erin's ready to talk about next steps 'cause she's super efficient.

00:28:23 Speaker 4 Commissioner Skaar

Sorry, that's my way, right?

00:28:25 Speaker 4 Commissioner Skaar

I am the straight line person.

00:28:27 Speaker 1 Commissioner Fournier

I do appreciate that, so I do too.

00:28:29 Speaker 1 Commissioner Fournier

I'm happy to do that, and if I have to, I guess I'm gonna chime in and go.

00:28:32 Speaker 3 Commissioner Bell

OK, what I wanna talk about before I talk before we talk about next steps is...

00:28:38 Speaker 3 Commissioner Bell

is what I want for our community, what I want as a member of Tides of Change, what I want as a county commissioner, what I want as a citizen of Tillamook County, I want us to be a place where offenders are held accountable.

00:28:52 Speaker 3 Commissioner Bell

I want us to be a place where victims are supported, where the victims know that they're supported by the system and their families know and the advocates know where we care about crime and we'll do something about it.

00:29:05 Speaker 3 Commissioner Bell

Not that it always works out

00:29:07 Speaker 3 Commissioner Bell

the way it should, but that will do something about it.

00:29:11 Speaker 3 Commissioner Bell

And that's what people have been saying to me, what are you commissioners going to do?

00:29:15 Speaker 3 Commissioner Bell

What are you going to do?

00:29:16 Speaker 3 Commissioner Bell

And if so, here we are.

00:29:19 Speaker 1 Commissioner Fournier

And to that partnership, and to two words exactly, this is a district attorney that instructed staff under her direction to remove from the sexual abuse response team's mission statement of helping victims and holding them accountable.

00:29:37 Speaker 1 Commissioner Fournier

I don't even understand where that comes from.

00:29:40 Speaker 1 Commissioner Fournier

part of the things that some other district attorneys have said to me was that they became prosecutors because they were the voice of the victim.

00:29:52 Speaker 1 Commissioner Fournier

And they wanted to put bad people in jail and put the offenders in jail.

00:30:03 Speaker 1 Commissioner Fournier

I feel like, and that journey also to me, that that's why they became a prosecutor, and that's a core value that seems to be missing.

00:30:10 Speaker 1 Commissioner Fournier

And I don't understand, and during the interviews and the investigation, which is public, everybody can see this, she didn't have an answer on why she wanted to be a prosecutor.

00:30:18 Speaker 1 Commissioner Fournier

So I don't know why she is a prosecutor if you don't have the core value of listening to victims.

00:30:21 Speaker 1 Commissioner Fournier

I am so proud of the stakeholders, some who are sitting here, that participate in the investigation of these sex abuses and these child abuses.

00:30:32 Speaker 1 Commissioner Fournier

and come every day to do the job.

00:30:35 Speaker 1 Commissioner Fournier

if you look at the report, if you look at what has been said in the media, if you look at the quotes from everybody, including us, there has never been a personal attack on this person.

00:30:47 Speaker 1 Commissioner Fournier

It's been about process.

00:30:48 Speaker 1 Commissioner Fournier

It's been, we just want the process to be right.

00:30:51 Speaker 1 Commissioner Fournier

We want you to do the right job.

00:30:53 Speaker 1 Commissioner Fournier

The whistleblower in this case was doing their

00:31:00 Speaker 1 Commissioner Fournier

very good job of trying to bring offenders to be accountable.

00:31:06 Speaker 1 Commissioner Fournier

Some of these cases that we don't have privy to, that I did when I was working here, are cases where there's an admission on the suspect and cases are still being dropped or being reduced to something.

00:31:18 Speaker 1 Commissioner Fournier

And there have been victims that have spoken

00:31:20 Speaker 1 Commissioner Fournier

to Brian regarding this and have spoken to the newspaper about this and obviously have spoken to the investigator about this.

00:31:26 Speaker 1 Commissioner Fournier

We're not making this up.

00:31:28 Speaker 1 Commissioner Fournier

We are trusting, like you said, I'm trusting, I'm trusting the people that were interviewed because not one of them had a personal vendetta or an agenda other than please help us to have justice for these victims.

00:31:43 Speaker 3 Commissioner Bell

We're believing victims.

00:31:44 Speaker 1 Commissioner Fournier

We're believing the victims.

00:31:45 Speaker 3 Commissioner Bell

That's what we're doing.

00:31:46 Speaker 1 Commissioner Fournier

And I have also done that for a living, right?

00:31:50 Speaker 3 Commissioner Bell

And I've also heard from a number of people since this all came out who did not talk to the investigator, but who wanted to talk to somebody, which was inevitable.

00:32:00 Speaker 3 Commissioner Bell

It was inevitable that Brian talked to a few people that people would say, oh, finally you people are finally paying attention.

00:32:08 Speaker 3 Commissioner Bell

You know, I talked to a father who was outraged about

00:32:15 Speaker 3 Commissioner Bell

The man who strangled his daughter was not prosecuted.

00:32:19 Speaker 3 Commissioner Bell

I talked to somebody from the Oregon Youth Authority who said we could always trust Ben Porter to prosecute youth who attacked staff.

00:32:29 Speaker 3 Commissioner Bell

And that hasn't happened once with Auburn.

00:32:34 Speaker 3 Commissioner Bell

Those are two of many examples of people who want to talk to us about what's going on and what's not going on.

00:32:45 Speaker 4 Commissioner Skaar

But I think the other thing is the role of the county in relation to the whistleblowers.

00:32:50 Speaker 4 Commissioner Skaar

And we've touched on this, but I think we can't say it enough.

00:32:54 Speaker 4 Commissioner Skaar

that we're now in legal territory.

00:32:56 Speaker 4 Commissioner Skaar

Once again, we have a whistleblower who has said, I am a whistleblower.

00:32:59 Speaker 4 Commissioner Skaar

There are statutory protections that come into place around a whistleblower.

00:33:04 Speaker 4 Commissioner Skaar

And so again, we as the county have a role that we have to play and want to play to protect people.

00:33:09 Speaker 4 Commissioner Skaar

We want people to feel comfortable and safe coming forward to say, I think something here is wrong.

00:33:15 Speaker 4 Commissioner Skaar

And when you're coming against the DA, that is a very powerful position in our community.

00:33:22 Speaker 4 Commissioner Skaar

probably more powerful than any of the rest of us sitting at this dais.

00:33:26 Speaker 4 Commissioner Skaar

And so I think that is really an important thing to recognize and realize is the courage that it takes to come forward against the head law enforcement person in the county who has the ability for our whistleblower potentially to ruin their career.

00:33:42 Speaker 4 Commissioner Skaar

I don't think people do that lightly.

00:33:44 Speaker 4 Commissioner Skaar

And so as the county, we also have a role there that we have to make sure we are taking seriously and protecting.

00:33:50 Speaker 4 Commissioner Bell

So

00:33:52 Speaker 4 Commissioner Bell

I think there's just, there's a lot of pieces.

00:33:55 Speaker 1 Commissioner Fournier

I just want to ask Brian one question.

00:33:57 Speaker 1 Commissioner Fournier

We did attempt to request that the county employee that was, in our opinion, in HR's opinion, retaliating, there was a letter or a notice sent from HR.

00:34:07 Speaker 1 Commissioner Fournier

Can you, what was the response from the district attorney regarding that whistleblower citing the statute for whistleblowers?

00:34:15 Speaker 2 Bryan Libel County Counsel

So, Commissioner, yes, once that e-mail came to the county's attention,

00:34:22 Speaker 2 Bryan Libel County Counsel

where it was disparaging the whistleblower and questioning his credibility and his competence.

00:34:31 Speaker 2 Bryan Libel County Counsel

And the county HR sent a note to the deputy district attorney who had sent that e-mail and carbon copy to the district attorney stating

00:34:49 Speaker 2 Bryan Libel County Counsel

that this amounted to retaliation and that the district attorney's office knew that this person was a whistleblower because he had been identified as such and that they should refrain from taking any more action, retaliation or any other adverse action against the county employee.

00:35:16 Speaker 2 Bryan Libel County Counsel

I did get a response from the district attorney who did not see it as such.

00:35:25 Speaker 2 Bryan Libel County Counsel

Again, she had seen that this was that the whistleblower and his testimony in the investigation report that what he was saying was flawed, was not accurate.

00:35:41 Speaker 2 Bryan Libel County Counsel

and thus went to his credibility.

00:35:44 Speaker 2 Bryan Libel County Counsel

So the district attorney thought this was exculpatory evidence that she had an obligation to share with defense attorneys and really did not see this as a retaliation.

00:35:58 Speaker 1 Commissioner Fournier

Were we told to cease and desist?

00:35:59 Speaker 2 Bryan Libel County Counsel

And so, yes, the county was told to stop interfering with the district attorney's office.

00:36:06 Speaker 1 Commissioner Fournier

So I just want to add to that.

00:36:08 Speaker 1 Commissioner Fournier

I have a unique perspective on this board where I was a county employee for 22 years, 18 of which just about 18 are union points.

00:36:16 Speaker 1 Commissioner Fournier

That's chilling to your point that the whistleblower protection is there for, it was an opportunity, it was a way for if someone had a complaint, not just using the union to help back you up, but the whistleblower is that sacred thing that you have that can keep, you know, if there's an unsafe, if I had an unsafe supervisor that was advising me to

00:36:35 Speaker 1 Commissioner Fournier

to violate the constitution or search and seizure law or something.

00:36:39 Speaker 1 Commissioner Fournier

And someone says, just go do that.

00:36:40 Speaker 1 Commissioner Fournier

This is what happens in places where something bad is happening.

00:36:45 Speaker 1 Commissioner Fournier

Someone wants to report, but they fear retaliation.

00:36:47 Speaker 1 Commissioner Fournier

This is what retaliation looks like.

00:36:49 Speaker 1 Commissioner Fournier

This is a career ending retaliation and a disregard for an ORS, Oregon State statute.

00:36:55 Speaker 1 Commissioner Fournier

It's a disregard for that on the basis of constitutionality.

00:36:59 Speaker 1 Commissioner Fournier

And if you understand and read the report and everybody

00:37:03 Speaker 1 Commissioner Fournier

If you read the people that came forward and were brave enough in the child abuse investigation and disabled at Tillman Family Counseling, if these places where they, this isn't a job is to protect victims, these folks were afraid of retaliation, but they still came forward and retaliation is proving to be true.

00:37:20 Speaker 1 Commissioner Fournier

And we can't even protect our own employees.

00:37:23 Speaker 1 Commissioner Fournier

We have a disregard for that.

00:37:25 Speaker 1 Commissioner Fournier

Someone who is disregarding Oregon State statute and a couple of different things in my opinion, but yeah, it's

00:37:32 Speaker 1 Commissioner Fournier

This is monumental to me.

00:37:35 Speaker 4 Commissioner Skaar

It is.

00:37:38 Speaker 4 Commissioner Skaar

So we can't change what the DA chooses.

00:37:41 Speaker 4 Commissioner Skaar

The DA has full rights to make the choices that the DA makes.

00:37:45 Speaker 4 Commissioner Skaar

That's something that we have affirmed through this process, even though we bear, again, the liability and the cost related to employees, and the DA has opted not to work with us on that.

00:37:57 Speaker 4 Commissioner Skaar

So I have a couple of recommendations, one of which is to pull the DA's stipend

00:38:02 Speaker 4 Commissioner Skaar

The DA is stipended by the county at just over $20,000 a year.

00:38:07 Speaker 4 Commissioner Skaar

And that is in my opinion because, and I believe statutorily as well, because she is supporting the running of our department.

00:38:16 Speaker 4 Commissioner Skaar

And as long as we are happy with her services, we pay her.

00:38:19 Speaker 4 Commissioner Skaar

I don't believe that we're happy with her services and I would prefer not to pay her at this time.

00:38:25 Speaker 4 Commissioner Skaar

Her lack of coming to work with HR for me is a key point in that.

00:38:31 Speaker 4 Commissioner Skaar

I really thought and believed that when we said we are here, we have HR prepared, we are ready to work with you to make adjustments to your department, that we would see that as we would see with any department head.

00:38:43 Speaker 4 Commissioner Skaar

And so from my perspective, she's opted not to work for the county and we ought to therefore not pay her to work for the county.

00:38:50 Speaker 1 Commissioner Fournier

Counselor, is there some, can you touch upon that about this stipend?

00:38:57 Speaker 1 Commissioner Fournier

A lot of folks won't know.

00:38:58 Speaker 1 Commissioner Fournier

Yes, Commissioner.

00:39:01 Speaker 2 Bryan Libel County Counsel

So there's a state law that allows the county to supplement a district attorney who is paid by the state.

00:39:12 Speaker 2 Bryan Libel County Counsel

So the salary is paid by the state.

00:39:14 Speaker 2 Bryan Libel County Counsel

But if the county was wanting to supplement the district attorney's income because they wanted that

00:39:27 Speaker 2 Bryan Libel County Counsel

person's income to be commensurate with the performance that they're showing that the county was wanting to pay them more because their performance warranted that additional stipend that then the county could approve to supplement her state salary.

00:39:51 Speaker 2 Bryan Libel County Counsel

And so

00:39:52 Speaker 2 Bryan Libel County Counsel

By the same token, if the county is not happy with the district attorney's performance and they don't think that the district attorney is performing at the level, you know, that the county expects or that is, or that she's, you know, what she's being paid is not commensurate with, you know, how she is carrying out her duties, then that is certainly an option for the board.

00:40:19 Speaker 2 Bryan Libel County Counsel

Yeah.

00:40:20 Speaker 3 Commissioner Bell

I agree with my colleague.

00:40:22 Speaker 3 Commissioner Bell

I think that what we're seeing now is just a doubling down of the problem.

00:40:29 Speaker 3 Commissioner Bell

initially we had victims who were not supported in the system and now we're creating new victims among our own employees.

00:40:38 Speaker 3 Commissioner Bell

And so I agree with that.

00:40:41 Speaker 1 Commissioner Fournier

And Rachel, can you, how would, if there's a process for that, what would that be?

00:40:47 Speaker 5 Rachel Hagerty CEO

So the process would be, we're coming up on the new fiscal year and the board is slated to approve the annual budget next Wednesday for COLA adjustments and new pay tables, which would go into effect July 1.

00:41:01 Speaker 5 Rachel Hagerty CEO

So we can't make changes to the budget because of budget law and noticing requirements, et cetera, but you would give direction to staff and the finance director to make that appropriate change in what she presents

00:41:16 Speaker 5 Rachel Hagerty CEO

On the 17th and then you would vote as the Board of Commissioners in your budget adoption during the budget process and then subsequently when you adopt the fee table, it would not have the stipend for the district attorney on the elected officials pay table.

00:41:34 Speaker 5 Rachel Hagerty CEO

So to summarize, you would give direction to staff to proceed with making that change for your approval on the 17th?

00:41:41 Speaker 3 Commissioner Bell

Moreover, I absolutely do not want the county to pay for the criminal defense attorney that the district attorney engaged in order to retaliate against our whistleblower.

00:41:53 Speaker 3 Commissioner Bell

That's so outrageous to me.

00:41:55 Speaker 3 Commissioner Bell

It just makes my head end.

00:42:01 Speaker 1 Commissioner Fournier

That's incredible.

00:42:02 Speaker 1 Commissioner Fournier

Yeah.

00:42:02 Speaker 1 Commissioner Fournier

No.

00:42:04 Speaker 1 Commissioner Fournier

Agreed.

00:42:06 Speaker 4 Commissioner Skaar

Yeah.

00:42:06 Speaker 4 Commissioner Skaar

the county should not be paying.

00:42:09 Speaker 4 Commissioner Skaar

to have a criminal defense attorney come after us.

00:42:12 Speaker 4 Commissioner Skaar

That's absolutely ridiculous.

00:42:15 Speaker 1 Commissioner Fournier

Rachel, is there, there's a policy about, can you tell me about how departments get legal, the contractual, how do we do that?

00:42:22 Speaker 5 Rachel Hagerty CEO

Yeah, so in addition to that, I think it was sometime last year in an effort to streamline legal services approvals, the board adopted a policy where legal services needs to, legal services contracts

00:42:36 Speaker 5 Rachel Hagerty CEO

need to be approved by the chief administrative officer.

00:42:39 Speaker 5 Rachel HagertyCEO

And so there's no authority by the county either to enter into those legal services as well.

00:42:45 Speaker 1 Commissioner Fournier

Did you receive it?

00:42:46 Speaker 5 Rachel Hagerty CEO

No.

00:42:46 Speaker 1 Commissioner Fournier

How did you find out that there was a criminal attorney that was?

00:42:50 Speaker 5 Rachel Hagerty CEO

Through the county counsel and the subpoena hearings.

00:42:54 Speaker 1 Commissioner Fournier

I would agree with you 100%.

00:42:54 Speaker 4 Commissioner Skaar

Yeah, I would as well.

00:42:59 Speaker 1 Commissioner Fournier

There's something else that this county did I know this before I came in was there's one of the things that plagued the DA that happens is you get bar complaints and this county the county was asked by the district attorney to pay for insurance to protect that

because and without insurance they were they're responsible for fighting themselves the state won't pay for bar complaint defense and the board the board at the time could and didn't do that so I don't know if that's another

00:43:26 Speaker 1 Commissioner Fournier

That's another one or not to look at.

00:43:28 Speaker 1 Commissioner Fournier

It is.

00:43:28 Speaker 4 Commissioner Skaar

It is.

00:43:29 Speaker 4 Commissioner Skaar

I mean, again, she's the liabilities that we are carrying for her decisions, which she has every right to make, but others have every right to challenge.

00:43:38 Speaker 4 Commissioner Skaar

And I'm not, I don't feel good about her decisions and I don't want to pay to defend them.

00:43:43 Speaker 1 Commissioner Fournier

And I know personally a couple of more complaints that will be going forward.

00:43:47 Speaker 1 Commissioner Fournier

Now they might be covered because of it's, but if you, what would be the process if we wanted, if the board decided not to continue providing insurance coverage?

00:43:56 Speaker 5 Rachel Hagerty CEO

I think an affirmation here and then maybe again during the budget hearings process that you're affirming this is a, you haven't really done anything like this, but just affirming you do not want to pay it.

00:44:09 Speaker 5 Rachel Hagerty CEO

That type of expenditure would normally be embedded in the district attorney's office budget, which you may or may not see the detail of.

00:44:16 Speaker 5 Rachel Hagerty CEO

So I would just go on record to affirm that next week.

00:44:22 Speaker 1 Commissioner Fournier

Is it renewing?

00:44:23 Speaker 1 Commissioner Fournier

What's the deal?

00:44:24 Speaker 5 Rachel Hagerty CEO

So we are currently in the current fiscal year of the policy and I believe it's set to renew July 1 of 2026.

00:44:31 Speaker 5 Rachel Hagerty CEO

So the timing aligns if you wanted to not pay for it any further with approval of not doing that on June 17th.

00:44:40 Speaker 1 Commissioner Fournier

I certainly don't want to pay for it.

00:44:43 Speaker 4 Commissioner Skaar

No, I mean, for me, we have a huge risk, a huge financial risk that she has placed the county in relation to decisions she's made, decisions she continues to make that we're going to end up paying the price for.

00:44:56 Speaker 4 Commissioner Skaar

So I certainly have no intention of insuring against, insuring her personally against that.

00:45:02 Speaker 4 Commissioner Skaar

We're already paying to insure the county against that.

00:45:07 Speaker 3 Commissioner Bell

And while we cannot dismiss the DA, as we've stated clearly, what we can do is say that as a board, we don't have confidence in this DA.

00:45:18 Speaker 3 Commissioner Bell

We can do that.

00:45:20 Speaker 4 Commissioner Skaar

Yeah, we can do that.

00:45:21 Speaker 4 Commissioner Skaar

And there I was, I was reading an article, I don't remember where the county was in Eastern Oregon somewhere. I think recently that did, they called it a resolution of no confidence.

00:45:31 Speaker 4 Commissioner Skaar

And I, and I feel like we're there, you know,

00:45:36 Speaker 4 Commissioner Skaar

The people employ the DA, but most people do not have regular interactions with the DA.

00:45:42 Speaker 4 Commissioner Skaar

They don't actually know what is or is not happening with the DA.

00:45:47 Speaker 4 Commissioner Skaar

And I think our role, because these are employees in our department, they're at our piece of the county, we have this information.

00:45:56 Speaker 4 Commissioner Skaar

It is our responsibility if you let the public know.

00:45:58 Speaker 4 Commissioner Skaar

And if this DA is doing absolutely everything they want her to do, she's golden, right?

00:46:06 Speaker 4 Commissioner Skaar

But if they don't know, they can't make a good choice.

00:46:09 Speaker 4 Commissioner Skaar

So I think for us, when we put forward, if we do choose to follow the model that I saw was a resolution of no confidence, that lets the public know that we don't feel good about it, that we who do interact on a more regular basis, we who did find ourselves in a position where an investigation had to be done

00:46:29 Speaker 4 Commissioner Skaar

We don't feel good about it.

00:46:31 Speaker 4 Commissioner Skaar

And they have every right to request that investigation report.

00:46:34 Speaker 4 Commissioner Skaar

Everyone can request that report.

00:46:36 Speaker 4 Commissioner Skaar

It is a public document redacted to protect the whistleblower.

00:46:41 Speaker 4 Commissioner Skaar

People can make their own decision because that's ultimately what happens in our community, but they need information.

00:46:46 Speaker 4 Commissioner Skaar

And that's what we happen to have that a lot of the public currently does not know.

00:46:52 Speaker 1 Commissioner Fournier

I will add that there's, as I said earlier, there's a lot of information that we'll never get because of the type of cases that they are.

00:46:59 Speaker 1 Commissioner Fournier

And because victims and family members of young victims don't want to come forward to you, they don't want to be identified as being victims of such a horrendous thing.

00:47:09 Speaker 1 Commissioner Fournier

I mean, these are really, I mean, I can tell you folks, the public, this is something that unfortunately, as a major crimes detective for 10 years, I saw a lot of it, but you know, when you hear some of it and you read some of it, how upsetting it is, it's the public and the public doesn't know about these things.

00:47:28 Speaker 1 Commissioner Fournier

So we do.

00:47:29 Speaker 1 Commissioner Fournier

So I would agree, no confidence vote is something as a union member that, it was, it would have to have taken something really egregious, like something just monumental for that to be considered, like, a crooked sheriff or something, somebody's robbing, you know, he's taking money or something crazy.

00:47:46 Speaker 1 Commissioner Fournier

This, to me, rises to that.

00:47:48 Speaker 3 Commissioner Bell

It is monumental.

00:47:49 Speaker 3 Commissioner Bell

It absolutely is.

00:47:51 Speaker 3 Commissioner Bell

And you're right about reading through the report.

00:47:54 Speaker 3 Commissioner Bell

You know, if.

00:47:57 Speaker 3 Commissioner Bell

Folks, you can access the report if you want to.

00:48:00 Speaker 3 Commissioner Bell

I thought the Headlight Herald did a very good job of summing up the report, but it was, it gets horrifying, you know, child sex abuse victims and disabled victims, you know, like the most vulnerable victims in our community, we're not taking care of.

00:48:20 Speaker 3 Commissioner Bell

And it's no justice.

00:48:23 Speaker 3 Commissioner Bell

No, we got no justice.

00:48:24 Speaker 1 Commissioner Fournier

We got no release agreements when they were arrested.

00:48:28 Speaker 3 Commissioner Bell

And that's really what I mean, like the system is not supporting them through that.

00:48:33 Speaker 3 Commissioner Bell

It's horrible enough that they had to suffer the abuse that they did and the system is not supporting them in the process of justice.

00:48:43 Speaker 1 Commissioner Fournier

It was when I worked in the DA's office and all the DDA's would do this.

00:48:48 Speaker 1 Commissioner Fournier

if they would make sure that they would request a release agreement if someone was arrested for one of these violent crimes or sex crimes.

00:48:54 Speaker 1 Commissioner Fournier

And there would be a release agreement that would protect the victim, all the thing ran its course.

00:49:01 Speaker 1 Commissioner Fournier

We're not doing that.

00:49:01 Speaker 1 Commissioner Fournier

It's not happening.

00:49:04 Speaker 1 Commissioner Fournier

There's horrible stories of contact between perpetrators and victims.

00:49:09 Speaker 1 Commissioner Fournier

So I'm sorry, I can just keep it.

00:49:11 Speaker 1 Commissioner Fournier

It's just.

00:49:14 Speaker 1 Commissioner Fournier

So I started as a police officer in 2001.

00:49:17 Speaker 1 Commissioner Fournier

This is unprecedented.

00:49:18 Speaker 1 Commissioner Fournier

This is not a couple of people complaining.

00:49:21 Speaker 1 Commissioner Fournier

This is not one or two people.

00:49:22 Speaker 1 Commissioner Fournier

These are people that have been involved with DHS investigating, saving children, pulling them out of unsafe homes.

00:49:27 Speaker 1 Commissioner Fournier

These are detectives like retired Michelle Raymond, who spent her career, 25 years at state police, and then another 10, I think, with us, just selflessly fighting for victims.

00:49:41 Speaker 1 Commissioner Fournier

And this is such an affront to them and Sarah Dental sitting in the back here.

00:49:44 Speaker 1 Commissioner Fournier

People who have spent their careers, I feel like I'm in the same boat.

00:49:49 Speaker 1 Commissioner Fournier

It takes a certain, it does take a core value.

00:49:52 Speaker 1 Commissioner Fournier

It takes a mission.

00:49:53 Speaker 1 Commissioner Fournier

It's a mission.

00:49:54 Speaker 1 Commissioner Fournier

It's something more than just a job and just a paycheck.

00:49:58 Speaker 1 Commissioner Fournier

And it bothers me that I can take $20,000 away and that's enough.

00:50:02 Speaker 1 Commissioner Fournier

I mean, that's all I can do.

00:50:03 Speaker 1 Commissioner Fournier

I can't do anything else.

00:50:04 Speaker 1 Commissioner Fournier

The people, the public's gonna have to decide what they wanna do.

00:50:07 Speaker 1 Commissioner Fournier

But I just, this is an unprecedented thing that occurred, not what we're doing, but what has occurred in that office by that DA.

00:50:14 Speaker 1 Commissioner Fournier

What has occurred in these multidisciplinary teams, these MDT teams, which were staffing, these meetings were places where these cases were staffed with investigators.

00:50:26 Speaker 1 Commissioner Fournier

And this DA kicked the detectives that would do the investigations out.

00:50:31 Speaker 1 Commissioner Fournier

So they wouldn't be privy to some of the early discussions during these things.

00:50:34 Speaker 1 Commissioner Fournier

It's

00:50:36 Speaker 1 Commissioner Fournier

It's just, I could go down the list and more and more people wanted to be interviewed.

00:50:42 Speaker 1 Commissioner Fournier

I mean, we received way more reports than the people that were listed in the thing.

00:50:45 Speaker 1 Commissioner Fournier

I can tell you that.

00:50:47 Speaker 1 Commissioner Fournier

And it's, I keep going back to this, but I thank the brave people that were willing to speak up because they did fear retaliation and it's begun.

00:50:56 Speaker 1 Commissioner Fournier

And I don't know where it's going to stop.

00:50:59 Speaker 1 Commissioner Fournier

So we had to, I felt like I had to do something to say, well, I've had enough.

00:51:04 Speaker 1 Commissioner Fournier

And the people can decide what they want to do with this issue, but I have no confidence anymore.

00:51:08 Speaker 1 Commissioner Fournier

And I know that the sheriff's office and other law enforcement agencies have tried.

00:51:12 Speaker 1 Commissioner Fournier

The court cases are down to nothing.

00:51:14 Speaker 1 Commissioner Fournier

These are objective facts that you can look up, how many cases have been filed, how many cases have been dismissed or referred.

00:51:21 Speaker 1 Commissioner Fournier

It's an objective fact that anybody can check.

00:51:24 Speaker 1 Commissioner Fournier

And I do encourage people to read the report and don't take my word, don't take your word.

00:51:28 Speaker 1 Commissioner Fournier

Read the report.

00:51:30 Speaker 1 Commissioner Fournier

So I would say yes or no confidence vote for sure.

00:51:34 Speaker 3 Commissioner Bell

And our agency partners can do that also.

00:51:37 Speaker 1 Commissioner Fournier

That's exactly true.

00:51:39 Speaker 3 Commissioner Bell

So, if we choose, we won't choose anything today, but if we choose a resolution of no confidence, our agency partners who participated in the report or those for the, maybe there are some who didn't participate in the report, other organizations could also have a vote of no confidence.

00:52:03 Speaker 1 Commissioner Fournier

In my opinion, this is right.

00:52:04 Speaker 1 Commissioner Fournier

It's not on this issue of the wrong side.

00:52:06 Speaker 1 Commissioner Fournier

You're either for the victims or you're not.

00:52:07 Speaker 1 Commissioner Fournier

And I know that sounds very simplistic, but there is no dog in the fight for these people that came forward and risked retaliation to report these things.

00:52:18 Speaker 1 Commissioner Fournier

There's no personal vendetta.

00:52:20 Speaker 1 Commissioner Fournier

This is truly about the victims.

00:52:22 Speaker 1 Commissioner Fournier

That's what they kept talking about.

00:52:23 Speaker 1 Commissioner Fournier

That's what they say in the report.

00:52:25 Speaker 1 Commissioner Fournier

There's no financial gain.

00:52:27 Speaker 1 Commissioner Fournier

There's no power over the district attorney has proven that position has a lot of power.

00:52:33 Speaker 1 Commissioner Fournier

And that's been wielded for, they can be wielded for good and it can be wielded for personal gain.

00:52:40 Speaker 1 Commissioner Fournier

And I think that's what's happening here.

00:52:43 Speaker 4 Commissioner Skaar

Yeah.

00:52:43 Speaker 4 Commissioner Skaar

And the opportunity and the hope that we wielded for good was that the information brought forward be a place for conversation, a place to work together to make it better.

00:52:52 Speaker 4 Commissioner Skaar

And that absolutely did not happen.

00:52:54 Speaker 4 Commissioner Skaar

In fact, it went to your point, the other direction.

00:52:57 Speaker 4 Commissioner Skaar

So here we are.

00:53:00 Speaker 1 Commissioner Fournier

So I would like to direct staff to maybe work on that resolution.

00:53:04 Speaker 1 Commissioner Fournier

Brian, if you could help and base it on the findings of the investigation and all of the things that we spoke about today, is that something we would consider on the 17th?

00:53:16 Speaker 5 Rachel Hagerty CEO

We'll work on a draft to post with the agenda for Friday for your consideration on the 17th.

00:53:23 Speaker 3 Commissioner Bell

What I heard from someone who works with victims recently is that what they've learned in this process is that there are laws that are supposed to protect victims, but there's no accountability if the DA doesn't follow the laws.

00:53:35 Speaker 3 Commissioner Bell

The DA doesn't have to follow the laws and there's no accountability if they don't.

00:53:39 Speaker 3 Commissioner Bell

So I understood that sentiment, but truly the accountability comes from the voters.

00:53:47 Speaker 3 Commissioner Bell

You know, where the DA and each of us work for you.

00:53:52 Speaker 3 Commissioner Bell

We work for the individuals in the community.

00:53:55 Speaker 3 Commissioner Bell

We work for you.

00:53:57 Speaker 3 Commissioner Bell

So that's where this is what we can do in terms of accountability.

00:54:02 Speaker 4 Commissioner Skaar

Yeah, that's correct.

00:54:05 Speaker 4 Commissioner Skaar

It's the way our government is built.

00:54:08 Speaker 4 Commissioner Skaar

Elected officials answer to the people.

00:54:10 Speaker 4 Commissioner Skaar

And this one is 1 where, again, the information needs to be out there so people can decide.

00:54:15 Speaker 4 Commissioner Skaar

Do they feel like they are being served in the way they wish to be served?

00:54:19 Speaker 4 Commissioner Skaar

And it is up to the people.

00:54:22 Speaker 4 Commissioner Skaar

So I will just take that the next step further because I'm being asked in the community, and I think that I know Commissioner Bella has been as well, why isn't the Board of Commissioners

00:54:33 Speaker 4 Commissioner Skaar

to doing something to recall this DA.

00:54:35 Speaker 4 Commissioner Skaar

That is not something that the Board of Commissioners has any place in and nor do we want to have a place in that.

00:54:42 Speaker 4 Commissioner Skaar

So I want that to be really clear.

00:54:44 Speaker 4 Commissioner Skaar

The Board of Commissioners does not have a place in that.

00:54:47 Speaker 4 Commissioner Skaar

is the voters, that is the people, that is between the elected official and the people of Tillamook County.

00:54:54 Speaker 4 Commissioner Skaar

But I also want to be clear, because she is a state official, that happens with the state elections office.

00:55:01 Speaker 4 Commissioner Skaar

So it further step back and when I say

00:55:03 Speaker 4 Commissioner Skaar

say the Board of Commissioners does not.

00:55:05 Speaker 4 Commissioner Skaar

Tillamook County does not.

00:55:06 Speaker 4 Commissioner Skaar

It happens at the state elections level, as does her election.

00:55:10 Speaker 4 Commissioner Skaar

That is not part of what we do.

00:55:12 Speaker 4 Commissioner Skaar

So I just want to get that out there because the question is brought up and it's like that's not for us.

00:55:19 Speaker 4 Commissioner Skaar

So.

00:55:21 Speaker 4 Commissioner Skaar

Is this an open floor meeting?

00:55:23 Speaker 4 Commissioner Skaar

No.

00:55:25 Speaker 1 Commissioner Fournier

Sorry.

00:55:25 Speaker 1 Commissioner Fournier

I've got nothing else.

00:55:31 Speaker 1 Commissioner Fournier

Do you have anything else?

00:55:34 Speaker 5 Rachel Hagerty CEO

So just to summarize direction to staff, we'll work on the resolution with the vote of no confidence and working through the budget process to affirm that the county does not want to pay for the liability assurance, does not want to pay for criminal defense attorney costs in the subpoena hearing process, and removing the stipend from the elected official pay table.

00:56:02 Speaker 1 Commissioner Fournier

I just want to remind the public that this will be occurring at next week's board meeting.

00:56:07 Speaker 5 Rachel Hagerty CEO

Correct.

00:56:08 Speaker 5 Rachel Hagerty CEO

Yeah.

00:56:08 Speaker 5 Rachel Hagerty CEO

So Friday, you will have the agenda posted with these items on there, which will include the budget hearing information and the board meeting will occur on June 17th, panning at 9 A.M.

00:56:21 Speaker 5 Rachel Hagerty CEO

Will be a robust agenda, but the budget hearing is included within that agenda.

00:56:26 Speaker 1 Commissioner Fournier

I just wanted to say to the public that I won't be, I'll be attending.

00:56:29 Speaker 5 Rachel Hagerty CEO

I'll.

00:56:30 Speaker 1 Commissioner Fournier

Be attending remotely because I will be, I might ask you to run the meeting.

00:56:34 Speaker 1 Commissioner Fournier

That's okay.

00:56:37 Speaker 1 Commissioner Fournier

And I would encourage any partners that are listening or any public or any victims or anybody that just wants to come and watch the process or there will be a public comment section at the beginning, like every meeting.

00:56:47 Speaker 1 Commissioner Fournier

And I would encourage everyone to come in here if that's what you'd like to do.

00:56:52 Speaker 1 Commissioner Fournier

So with that, I will adjourn this meeting.

00:56:55 Speaker 1 Commissioner Fournier

We have nothing else on the agenda today.

00:56:56 Speaker 1 Commissioner Fournier

We cleared everything.

00:56:57 Speaker 1 Commissioner Fournier

I'll adjourn this meeting at 2:56 P.m.

EXHIBIT 1.2

TRANSCRIPT OF AUDIO FILE – BOARD MEETING AUDIO 6 17 2026.mp3
JUNE 17, 2026 TILLAMOOK COUNTY
BOARD OF COMMISSIONERS WEEKLY BOARD MEETING

35 PAGES

EXHIBIT 1.2

Audio file

- Board Meeting Audio 6 17 2026.mp3

Original Source:

- https://www.youtube.com/watch?v=lSa7DyWMv6A

Transcript

00:00:01

OK.

00:00:03 Speaker 1 Commissioner Bell

Well, we will call this meeting to order at 9:00 AM. Good morning, everyone. Welcome. Thank you for being here. Commissioner Fournier is with us online this morning, so I'm chairing the meeting, so we will. Good morning. Today is Wednesday, June 17th, 2026. And we'd like to welcome everyone to the board meeting. We'll call this meeting to order.

00:00:24 Speaker 1 Commissioner Bell

9 The meeting is live streamed and you can join us online by going to our website before we get started. I'd like to remind everyone to mute your phones. You can do this by pressing *.

00:00:36 Speaker 1 Commissioner Bell

Please unmute your phone when your agenda item is ready to be discussed. For those joining via computer, please unmute your microphone and turn on your camera. When your agenda item is called, all others must remain muted with their cameras turned off. Thanks. OK, well, I've asked everyone to sign the guest list and also to let us to sign up. If you'd like to give.

00:00:57 Speaker 1 Commissioner Bell

Public comment and we'll start with the.

00:00:59 Speaker 1 Commissioner Bell

Pledge of Allegiance.

00:01:05 Speaker 2 Commissioner Skaar

The flag and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

00:01:20 Speaker 1 Commissioner Bell

Thank you, Deb.

00:01:22 Speaker 1 Commissioner Bell

OK. We are going to start off our meeting with public comments and I'm going to invite Valerie Bundy.

00:01:29 Speaker 1 Commissioner Bell

Up from Tides of Change and if the board members, other board members who've signed up to speak. Sarah, you and John can come up, bring additional chairs or we can start with the Gallery and Sarah and Crystal and John can follow up.

00:01:52 Speaker 1 Commissioner Bell

OK.

00:01:54 Speaker 3 Valerie Bundy Director Tides of Change

Thank you, commissioners. Good morning. I'm just coming to provide public comment and Valerie Bundy, the executive director of Tides of Change. In regards to your resolution this morning #5. Firstly, I just wanna say thank you to the Commissioners for last week in your meeting, all of the things you said about what?

00:02:13 Speaker 3 Valerie Bundy Director Tides of Change

Our survivors deserve it.

00:02:15 Speaker 3 Valerie Bundy Director Tides of Change

You know, we work with survivors every day and we know that the criminal justice system is not designed for them and it's not most survivors who even go through it. But when they do, they do deserve at least minimum respect and dignity. So I appreciate that you've listened to our community and that you're doing what you're able to and also bringing it to attention.

00:02:35 Speaker 3 Valerie Bundy Director Tides of Change

Hopefully.

00:02:36 Speaker 3 Valerie Bundy Director Tides of Change

What I hope for is that we can really examine what we're doing in Tillamook County for survivors, for our most vulnerable and we can start making change right. We wanna be

a community that's safe and that everyone is thriving in order to do that, we need to take domestic and sexual violence seriously and it's 2026. It's time we start doing something and I really appreciate it.

00:02:57 Speaker 3 Valerie Bundy Director Tides of Change

That you guys are actually saying something and speaking out on behalf of survivors?

00:03:02 Speaker 1 Commissioner Bell

Thank you.

00:03:03 Speaker 4 Sarah Emmer Assistant Director Tides of Change

Good morning. So Sarah Emmer, I'm here today in my role as Vice chair of the Board of Directors at times of change and I would like to read a statement that the board has approved in the matter of agenda item number 5.

00:03:16 Speaker 4 Sarah Emmer Assistant Director Tides of Change

Types of change is an organization whose mission is to provide hope, safety, and support to those impacted by gender based violence and to shift cultural norms through advocacy, education, and community collaboration. Our role is to advocate for and to be a voice on behalf of survivors and domestic of domestic and sexual violence.

00:03:34 Speaker 4 Sarah Emmer Assistant Director Tides of Change

Times of change recognizes and acknowledges the fear, anger, and grief that many survivors and their families have felt throughout the experience with our local district attorney's office. Survivors inherent fears of not being believed to contribute significantly to domestic and sexual domestic and sexual assault being among the most underreported violent crimes in a small community such as Tillman.

00:03:54 Speaker 4 Sarah Emmer Assistant Director Tides of Change

County. It does not take long for survivors to learn that they have no voice and will not be believed.

00:03:59 Speaker 4 Sarah Emmer Assistant Director Tides of Change

We are aware that the criminal justice system has limitations specifically in domestic and sexual violence related crimes and that often our advocates need to support survivors in managing and redefining their expectations of justice. But we understand that the criminal justice system was not built for victims. We do believe that the system has an ethical obligation to treat them with dignity.

00:04:19 Speaker 4 Sarah Emmer Assistant Director Tides of Change

Providing procedural fairness, transparent communication and meaningful agency throughout the process.

00:04:24 Speaker 4 Sarah Emmer Assistant Director Tides of Change

Times have changed, staff participated in the investigation into the practices within the Tillamook County District Attorney's Office in hopes the findings would lead to meaningful change and improvements. However, at this time there appears to be a lack of accountability in regards to the finding of the investigation, the types of change, Board of directors support the Tillman County Board of County Commissioners Resolution.

00:04:44 Speaker 4 Sarah Emmer Assistant Director Tides of Change

And proclaiming no confidence in Aubrey Olsen, District Attorney for Tillamook County.

00:04:48 Speaker 4 Sarah Emmer Assistant Director Tides of Change

We stand with survivors in our community and will continue to listen, advocate and seek a fair and equitable justice system. We believe that Tillamook County should be a county where everyone, especially our most vulnerable or safe and thriving.

00:05:00 Speaker 4 Sarah Emmer Assistant Director Tides of Change

Thriving communities have a meaningful engagement and collaboration amongst the community partners that is based in respect. In order to have a safe community, we need to hold offenders accountable for their behaviors and belief survivors.

00:05:12 Speaker 1 Commissioner Bell

Thank you, Sir.

00:05:18 Speaker 1 Commissioner Bell

I'll call Crystal Scott and John Crowther. Yep, please come up.

00:05:30 Speaker 1 Commissioner Bell

You introduced yourselves and just that your name and.

00:05:33 Speaker 1 Commissioner Bell

The area where you live.

00:05:36 Speaker 5 Crystal Scott Tides of Change Board Member

My name is Crystal Scott. I live here in Tillamook County. I'm also a board member. I just wanted to give some words of thanks and encouragement through this process. I too understand what it's like to have a thankless job.

00:05:36 Speaker 2 Commissioner Skaar

Alright.

00:05:52 Speaker 5 Crystal Scott Tides of Change Board Member

So first, if I may to Valerie and her staff, domestic violence thrives in the dark, but your actions, actions bring light and hope. Because of your dedication, survivors have safe places to run and resources to rebuild their lives.

00:06:08 Speaker 5 Crystal Scott Tides of Change Board Member

Your work is protecting real families in our community. Thank you for standing firmly on the front lines of this fight. Your work has not gone unnoticed. I'd also like to thank the Commissioners. True leadership means holding the line when the pressure.

00:06:24 Speaker 5 Crystal Scott Tides of Change Board Member

Counts by standing firm. We were showing our entire city that abuse will not be tolerated, hidden or excused.

00:06:32 Speaker 5 Crystal Scott Tides of Change Board Member

When you face pushback or criticism for your stance.

00:06:35 Speaker 5 Crystal Scott Tides of Change Board Member

Please remember why you started. Remember the survivors who are counting on your strength to build a safer system. Thank you for refusing to back down everybody, and thank you. Your integrity gives the community immense hope.

00:06:52 Speaker 5 Crystal Scott Tides of Change Board Member

So thank you everybody. Thank you, Crystal.

00:06:56 Speaker 6 John Prather Tides of Change Board Member

Commissioners, good morning. Thank you for the opportunity to appear before you and to comment on the proposed no confidence resolution item 5.

00:07:07 Speaker 1 Commissioner Bell

Will you please introduce yourself for the record?

00:07:09 Speaker 6 John Prather Tides of Change Board Member

My name is John Prather. I am a board member of Tides of Change. I am a strong supporter of our advocates and of positive outcomes for those who are victims of domestic violence.

00:07:24 Speaker 6 John Prather Tides of Change Board Member

Key in my.

00:07:25 Speaker 6 John Prather Tides of Change Board Member

Mind is the word perception and what her clients perceive.

00:07:31 Speaker 6 John Prather Tides of Change Board Member

The ongoing fight against domestic violence involves a number of institutional puzzle pieces, including our tides of change and our advocates, our sheriff and police departments, our medical resources, primarily our sexual assault nurse.

00:07:51 Speaker 6 John Prather Tides of Change Board Member

Examiners and our Tillamook County District attorney's off.

00:07:56 Speaker 6 John Prather Tides of Change Board Member

Yes.

00:07:58 Speaker 6 John Prather Tides of Change Board Member

All of these pieces must work together in order to achieve successful outcomes for our client's victims.

00:08:06 Speaker 6 John Prather Tides of Change Board Member

The most important pieces are the non institutional pieces of the puzzle.

00:08:12 Speaker 6 John Prather Tides of Change Board Member

These are the victims of domestic violence. They are typically very afraid, very questioning of the bureaucratic system in front of them, very fragile and worried about what will happen to them. And oftentimes, if they have children, which many of them do, how will their children?

00:08:32 Speaker 6 John Prather Tides of Change Board Member

The impact of this overall process.

00:08:36 Speaker 6 John Prather Tides of Change Board Member

They have to ask themselves.

00:08:38 Speaker 6 John Prather Tides of Change Board Member

Do I report this?

00:08:40 Speaker 6 John Prather Tides of Change Board Member

Will they believe me?

00:08:43 Speaker 6 John Prather Tides of Change Board Member

How will this affect my children, my relatives?

00:08:47 Speaker 6 John Prather Tides of Change Board Member

If nothing happens after I report it, will I make my situation worse?

00:08:54 Speaker 6 John Prather Tides of Change Board Member

Will the abuse continue?

00:08:57 Speaker 6 John Prather Tides of Change Board Member

Who will know that I reported my situation and nothing happen.

00:09:02 Speaker 6 John Prather Tides of Change Board Member

Our clients, the victims of domestic violence, cannot be confident in a system in which at least one piece or a District Attorney office appears to them to be broken and unsafe.

00:09:16 Speaker 6 John Prather Tides of Change Board Member

Morning.

00:09:18 Speaker 6 John Prather Tides of Change Board Member

All too often, the district attorney's office takes the position, at least from the victim's point of view.

00:09:27 Speaker 6 John Prather Tides of Change Board Member

That there is no case here.

00:09:29 Speaker 6 John Prather Tides of Change Board Member

Or are there not enough?

00:09:30 Speaker 6 John Prather Tides of Change Board Member

Facts here or this is just not a case which the District Attorney Office will pursue.

00:09:38 Speaker 6 John Prather Tides of Change Board Member

And what about the perpetrator? Is the lack of any legal?

00:09:42 Speaker 6 John Prather Tides of Change Board Member

Action, a free pass to continue to commit further acts of domestic violence.

00:09:49 Speaker 6 John Prather Tides of Change Board Member

I, along with, I believe our tides have changed clients if given the opportunity to vote today, would vote No Confidence in the office of the Tillamook County District Attorney. Thank you.

00:10:04 Speaker 7 Unknown

Thank you, John.

00:10:05 Speaker 1 Commissioner Bell

Thank you both.

00:10:07 Speaker 8 Commissioner Fournier

Thank you.

00:10:09 Speaker 1 Commissioner Bell

I believe we have some comments online.

00:10:12 Speaker 1

Is that correct, Debbie?

00:10:17 Speaker 4 Unknown

OK.

00:10:19 Speaker 1 Commissioner Bell

So please go ahead for the person online who signed up to give public comments.

00:10:48 Speaker 1 Commissioner Bell

Is it a phone number, Debbie? Yeah.

00:10:55 Speaker 9 Debbie Garland Office Manager

OK.

00:10:57 Speaker 1 Commissioner Bell

So will the person at the phone number ending with 5365 please go ahead and give your public comment now.

00:11:06 Speaker 10 Anonymous online mother of a victim of rape and sodomy

OK, sorry about that. Thank you. Thank you so much for hearing my comment today. I'm choosing to remain anonymous to protect my child.

00:11:08 Speaker 1 Commissioner Mary Faith Bell

That's OK.

00:11:16 Speaker 10 Anonymous online mother of victim of rape and sodomy

As much as I possibly can.

00:11:19 Speaker 3 Unknown

I.

00:11:21 Speaker 10 Anonymous online mother of victim of rape and sodomy

My child was raped, sodomized, and mentally and emotionally abused for the better part of a year by one of the people who should have kept her safe.

00:11:31 Speaker 10 Anonymous online mother of victim of rape and sodomy

After these crimes came to light and were investigated by the Sheriff's Department, my child was victimized again by others whose job it is to keep her safe.

00:11:42 Speaker 10 Anonymous online mother of victim of rape and sodomy

These others, being the DA and the ADA who was assigned to her case.

00:11:47 Speaker 10 Anonymous online mother of victim of rape and sodomy

By these women in the day's office, she was treated as not a victim, but a person who was in the wrong as less than.

00:11:55 Speaker 10 Anonymous online mother of victim of rape and sodomy

You see, my child was 17 when all of this happened. However, she suffers from autism, developmental delays and low IQ.

00:12:04 Speaker 10 Anonymous online mother of victim of rape and sodomy

At 17, she had the emotional and psychological development of a.

00:12:07 Speaker 10 Anonymous online mother of victim of rape and sodomy

10 year old.

00:12:09 Speaker 10 Anonymous online mother of victim of rape and sodomy

Still playing with Barbies and Monster High Dolls for the Christmas after her 17th birthday, she asked for a Barbie Dream house.

00:12:18 Speaker 10 Anonymous online mother of victim of rape and sodomy

When I told the DEA and the ADA this, I was informed that this would have no bearing on the case.

00:12:26 Speaker 10 Anonymous online mother of victim of rape and sodomy

I went to the school and I signed releases for all of the testing and records to be released to the day's office. They were never collected.

00:12:33 Speaker 10 Anonymous online mother of victim of rape and sodomy

I spoke with her caseworker at the school.

00:12:37 Speaker 10 Anonymous online mother of victim of rape and sodomy

To testify.

00:12:40 Speaker 10 Anonymous online mother of victim of rape and sodomy

And verify with the DA that they would speak to the DA about my child.

00:12:46 Speaker 10 Anonymous online mother of victim of rape and sodomy

The caseworker was never contacted when the case was taken to the grand jury. the ADA told us she would only be questioning my child for a few minutes because, and I quote, this will only take a couple of minutes because I have a very important hearing upstairs that I really have to get to.

00:13:03 Speaker 10 Anonymous online mother of victim of rape and sodomy

When I tried to talk to the DA about this, I was routed repeatedly to the victims center to speak with Christina Vadney. I was allowed to speak with Aubrey Olson only two weeks ago. Mind you, we are nine months into this case.

00:13:21 Speaker 10 Anonymous online mother of victim of rape and sodomy

And while I was speaking to her, the only reason I was able to speak to her was because I threatened to give interviews to the newspapers and to the news, who have been contacting me.

00:13:31 Speaker 10 Anonymous online mother of victim of rape and sodomy

While speaking to her at that time, she made what would be considered roundabout threats towards me threats, housing information, telling me that she is in control, and whether or not I or my child will receive compensation for lodging lost wages, wages, therapy, et cetera, and also reminding me that she could still accept a plea deal.

00:13:52 Speaker 10 Anonymous online mother of victim of rape and sodomy

That would keep this man out of prison.

00:13:55 Speaker 10 Anonymous online mother of victim of rape and sodomy

That she would use something as serious as public safety, as serious as my child's safety as leverage to try and keep me quiet. It's not only criminal, but it's morally reprehensible.

00:14:08 Speaker 10 Anonymous online mother of victim of rape and sodomy

The city, the citizens of Tillamook County, deserve so much better. My child. Everyone's children deserve better than this, and I would hope.

00:14:21 Speaker 10 Anonymous online mother of victim of rape and sodomy

That the Commission would see fit.

00:14:24 Speaker 10 Anonymous online mother of victim of rape and sodomy

To vote.

00:14:26 Speaker 10 Anonymous online mother of victim of rape and sodomy

Lost faith in this woman. Thank you.

00:14:30 Speaker 1 Commissioner Mary Faith Bell

Thank you. Thank you for sharing your comments.

00:14:32 Speaker 10 Anonymous online mother of victim of rape and sodomy

Thank you. I appreciate that.

00:14:38 Speaker 1 Commissioner Mary Faith Bell

OK, that's everyone who's signed up for public comment, I believe. Is that correct, Deb?

00:14:45 Speaker 1 Commissioner Mary Faith Bell

Great. Yes, please, Sheriff Brown.

00:14:55 Speaker 1 Commissioner Mary Faith Bell

You're muted, sure.

00:14:59 Speaker 11 Sheriff Josh Brown

How about that? I apologize. I apologize for not being there in person. I actually had not necessarily planned on speaking on this and it's going to be very, very brief and you'll understand why I felt it important to give an explanation as well as kind of an intermediate stance.

00:15:00 Speaker 1 Commissioner Mary Faith Bell

Thank you. Good morning.

00:15:17 Speaker 11 Sheriff Josh Brown

I guess there's significant legal proceedings occurring right now and because of those legal proceedings and being bound by ethics and professionalism, I'm unable to take a hard individual stance on this subject matter.

00:15:35 Speaker 11 Sheriff Josh Brown

It would be. It would be very bad for me to do so like I said, you know it would cross a line and and you know, professionally not be good.

00:15:46 Speaker 11 Sheriff Josh Brown

Thing. So I just kind of wanted to give that explanation as why I'm not necessarily jumping on board right now. I do want to say I'm very proud of the Commission. I'm very supportive of your decisions and what you are doing as we just heard with the last testimony, it's it's.

00:16:06 Speaker 11 Sheriff Josh Brown

And it's heavily impactful to victims and and like I said, I'm highly supportive and appreciative of what you guys are doing and the stance you're taking. Thank you.

00:16:19 Speaker 1 Commissioner Mary Faith Bell

Thank you, Sir. Anyone else, Debbie?

00:16:24 Speaker 12 Debra Garland Office Manager

Not that I'm aware of.

00:16:26 Speaker 13 Commissioner Skaar

OK, we're back here late.

00:16:28 Speaker 13 Commissioner Skaar

Don't.

00:16:31 Speaker 1 Commissioner Mary Faith Bell

Sure.

00:16:42 Speaker 7 April Bailey Community Member

Good morning. April Bailey from Neskowin, I support the Commissioner's resolution of a vote of no confidence in District Attorney Aubrey Olsen as a large percent of your constituents has lost confidence in the district Attorney's office, the foremost duty of government is justice.

00:16:59 Speaker 7 April Bailey Community Member

Where there's no justice, there is no freedom. Indeed, when justice fails, the strong will be free to victimize the weaker and no manner of strength can protect one against lawlessness, while the blame for this document into stomach failure begins with evil.

00:17:14 Speaker 7 April Bailey Community Member

DA Olson is responsible due to incompetence and unwillingness to pursue justice based on truth, which I believe was her campaign slogan. She also had Co conspirators in her office that refused to hold. She refused to hold accountable the evidence, revealing abusive tactics toward their partners in law enforcement and victims advocates, and even.

00:17:35 Speaker 7 April Bailey Community Member

As we heard victims, it created an environment of fear, resulting in continuing unmitigated criminality and coercive silence.

00:17:46 Speaker 7 April Bailey Community Member

As the Commissioners take these actions, they do make 2 requests.

00:17:50 Speaker 7 April Bailey Community Member

This is the second time in six months that the county commissioners have taken action regarding a separate elected office.

00:17:56 Speaker 7 April Bailey Community Member

In the interest of democratic principles and transparency, I asked the Commissioners to consider adopting a protocol of when it is appropriate to act against other elected official officials or offices.

00:18:08 Speaker 7 April Bailey Community Member

#2 The Commissioners County employees, victim advocates groups, the media and the constituents of Tillamook County should take this opportunity to reflect on how such an intolerable tyrant was not removed from office, but rather reelected.

00:18:22 Speaker 7 April Bailey Community Member

And closing that commend all the Commissioners for taking this action, indeed, it appears that Commissioner Fournier seemed to make this a top priority as he came into office, Sheriff Brown and a number of his staff also made many efforts to rectify the issue.

00:18:36 Speaker 7 April Bailey Community Member

This actually may have been unnecessary had more people.

00:18:42 Speaker 7 April Bailey Community Member

In the know had the courage over the last three years to communicate to the public the day's refusal to prosecute and our office's abuse of.

00:18:51 Speaker 7 April Bailey Community Member

County employees and victims of crime.

00:18:53 Speaker 7 April Bailey Community Member

Because Aubrey Olson would not have been reelected.

00:18:57 Speaker 7 April Bailey Community Member

As Aristotle said, courage is the first virtue, because without courage, no other virtue will stand.

00:19:04 Speaker 7 April Bailey Community Member

Thank you.

00:19:05 Speaker 1 Commissioner Mary Faith Bell

Thank you.

00:19:09 Speaker 1 Commissioner Mary Faith Bell

I believe that's all of our public comments.

00:19:12 Speaker 1 Commissioner Mary Faith Bell

So now we'll move on. They do have a non agenda item today. There's one unscheduled agenda item that will be taken after item 12. So now we'll move on to agenda item 5, which is what folks have been discussing this morning. Consideration of a resolution in the matter of proclaiming no confidence in Aubrey Olson.

00:19:32 Speaker 1 Commissioner Mary Faith Bell

District Attorney for Tillamook County and I'll ask County Council Brian libel to lead the discussion, please.

00:19:39 Speaker 9 Bryan Libel County Counsel

So good morning, commissioners. During last week's board briefing, I provided a recap of the county's investigation into the district attorney's.

00:19:47 Speaker 9 Bryan Libel County Counsel

Was and updated the Board on developments that have occurred since then based on the Board's discussion that followed and is requested, I drafted a no confidence resolution. That is before you now it includes some of the investigation findings, the improper use of criminal subpoenas.

00:20:07 Speaker 9 Bryan Libel County Counsel

The DA Olson had served on accounting and actions that the DA Olsen had instructed a subordinate to take against a county.

00:20:18 Speaker 9 Bryan Libel County Counsel

And currently right where we have listed as types of change also providing a vote on confidence also including the resolution in case there's additional entities or individuals providing voting no conference, they could be added at a later point.

00:20:33 Speaker 9 Bryan Libel County Counsel

I'm open to any questions, mayor.

00:20:36 Speaker 1 Commissioner Mary Faith Bell

Thank you, Bryan.

00:20:37 Speaker 1 Commissioner Bell

Would you be willing to go into the history that you provided for us last week just because?

00:20:45 Speaker 1 Commissioner Bell

Not everybody was able to join us for our board briefing last week, so let's have a little overview.

00:20:51 Speaker 9 Bryan Libel County Counsel

Sure, absolutely. So right last year the county had received several complaints from various individuals and entities regarding the District Attorney.

00:21:09 Speaker 9 Bryan Libel County Counsel

Dollars and because some of those complaints related to county employees assigned to the district Attorney's office, the county had an obligation or responsibility to look into those complaints because it regarded county employees there.

00:21:30 Speaker 9 bryan Libel County Counsel

And we have a responsibility to ensure that those county employees followed accounting policies, even though the District Attorney was a state official and did not have to fall, did not fall under county oversight or their policies.

00:21:46 Speaker 9 Bryan Libel County Counsel

And so the county had reached out to an outside law firm who hired an investigator who had prior experience as a deputy District Attorney from Marion County. And so that investigator had spent four months.

00:22:07 Speaker 9 Bryan Libel County Counsel

Investigating these complaints. Interviewing.

00:22:12 Speaker 9 Bryan Libel County Counsel

All the individuals that were willing to speak with her, and even doing her own research into certain cases. That way she could ask questions of the District Attorney and the deputy district attorneys about some of those cases, why they got dismissed, why you know what the outcomes were.

00:22:17 Speaker 12 Rachel Hagerty CEO

OK.

00:22:31 Speaker 9 Bryan Libel, County Counsel

As they were, and so very thorough a job. So once she finally finished her report.

00:22:41 Speaker 9 Bryan Libel, County Counsel

You know, completed it in mid February and a total of 208 pages.

00:22:47 Speaker 9 Bryan Libel, County Counsel

There's.

00:22:49 Speaker 9 Bryan Libel County Counsel

As I recall, I think there were like 35 findings that were substantiated, 16 that were not substantiated. So on its face, very, very thorough, very fair.

00:23:00 Speaker 9 Bryan Libel County Counsel

And the county first received its first copy at the beginning of April, after the law firm that hired the investigator had to do a review to, you know, to make sure it's thorough and correct. So we got a first copy in April and then afterwards had it redacted.

00:23:20 Speaker 9 Bryan Libel County Counsel

And then, provided District Attorney Aubrey Olsen with a copy. I think the the third week of April and the county had informed her that it stood ready to assist her with some of those findings because it involved the county employees therefore.

00:23:40 Speaker 9 Bryan Libel County Counsel

As you would have to work with the county HR department on some of those changes. In addition, encouraging her to make other changes based on the investigation findings.

00:23:53 Speaker 9 Bryan Libel County Counsel

But since then, we really haven't had much progress in that area. And in fact what we did, the county did experience was receiving 3 criminal subpoenas, pressing a lot of information that was not related to a criminal case.

00:24:14 Speaker 9 Bryan Libel County Counsel

Charge. So a very broad net of information as you would seek from the county and so the county.

00:24:25 Speaker 9 Bryan Libel County Counsel

That decided to contest those subpoenas because there was really no basis for that information. As an example of some of the information you were seeking with the criminal subpoena was information about the investigation that the county had conducted into her office. In addition, seeking information about.

00:24:45 Speaker 9 Bryan Libel County Counsel

Complaints against her, her employees and her office, and who they were and what they were complaining about. So again, a very improper use of those criminal Subs.

00:24:56 Speaker 9 Bryan Libel County Counsel

The county was, you know, objecting to those most recently last month, right. The county received an e-mail from a criminal defense attorney who was concerned about receiving this e-mail. And an e-mail had come from the district attorney's office.

00:25:17 Speaker 9 Bryan Libel County Counsel

In which the Deputy DA that sent it to the criminal defense attorney had sent in the e-mail that the District Attorney, Aubrey Olson, had instructed him to reach out to the criminal defense.

00:25:33 Speaker 9 Bryan Libel County Counsel

Attorney share of parts of the county investigation that had included a witness that was and had provided information and that witness happened to be one of the

whistleblowers that had, you know, initially it was bringing complaints about the district Attorney's office and so.

00:25:53 Speaker 9 Bryan Libel County Counsel

What this e-mail amounted to was.

00:25:57 Speaker 9 Bryan Libel County Counsel

Was retaliation against the county whistleblower because she was disparaging his honesty, his competency, right, his professionalism to a criminal defense attorney who is then going to use it to right to defend the criminal defendant, right and undermine.

00:26:17 Speaker 9 Bryan Libel County Counsel

The whistleblowers testimony in that case and so that's.

00:26:26 Speaker 9 Bryan Libel County Counsel

I guess a recap of just the string of incidents and probably a pattern of behavior that we were seeing coming from the.

00:26:38 Speaker 9 Bryan Libel County Counsel

District attorney's office.

00:26:39 Speaker 1 Commissioner Bell

Thank you very much.

00:26:43 Speaker 1 Commissioner Bell

Commissioner Fournier, would you like to start off this conversation?

00:26:49 Speaker 8 Commissioner Fournier

Sure. Can you hear me OK?

00:26:52 Speaker 1 Commissioner Mary Bell

You can.

00:26:53 Speaker 8 Commissioner Fournier

OK, well, I don't want to. I mean, I think I've, we've we all said quite a bit last week, but I want to thank everyone that spoke.

00:27:02 Speaker 8 Commissioner Fournier

Today.

00:27:03 Speaker 8 Commissioner Fournier

And spoke online and spoke in person and came in to show their support for the Commissioners, but also more importantly.

00:27:11 Speaker 8 Commissioner Fournier

For the survivors of crime.

00:27:14 Speaker 8 Commissioner Fournier

I want to thank everyone that's reached out to us.

00:27:16 Speaker 8 Commissioner Fournier

Personally.

00:27:18 Speaker 8 Commissioner Fournier

Text messages. Lots of emails. It's just the more you hear it, it's just so emotional. It's just crazy to me that this is happening. Having been involved in law enforcement for 22 years, I in this county I it's it's just unprecedented.

00:27:35 Speaker 8 Commissioner Fournier

We shouldn't have to be doing this. We didn't want to be doing this.

00:27:40 Speaker 8 Commissioner Fournier

I was working at the Sheriff's Office before I was elected and there was efforts from staff there trying to just.

00:27:48 Speaker 8 Commissioner Fournier

Figure out how to make this work. Please stop dismissing cases before evidence can be returned from the crime lab. Or please let us, you know, hold on to a case until people can be interviewed.

00:28:00 Speaker 8 Commissioner Fournier

Suspects, you know, can get. We can try to get statements. It was just the standard of of beyond a reasonable doubt with a 2 day requirement for a report. It's just.

00:28:11 Speaker 8 Commissioner Fournier

It's just unrealistic and unethical in my opinion.

00:28:15 Speaker 8 Commissioner Fournier

I just.

00:28:16 Speaker 8 Commissioner Fournier

We know that the effort was there. There are folks that have retired or changed jobs in their words because of the lack of.

00:28:28 Speaker 8 Commissioner Fournier

Or because of the charging decisions and the lack of professionalism, the days and those folks who want to speak, they didn't have time today. But I I feel like there's gonna be more opportunities for folks to speak up once we do our work here. I think folks will understand that we're trying to make it a safer place to tell your story.

00:28:47 Speaker 8 Commissioner Fournier

And the saddest part is it's still happening. I'm still getting information about violent rape cases that are being that are being settled and and charges reduced to something that they should not be based on the the facts, drug cases that are being.

00:29:06 Speaker 8 Commissioner Fournier

Dismissed because the DA, the DA's office doesn't want to wait for the results.

00:29:12 Speaker 8 Commissioner Fournier

From the crime lab on the on the posit, you know the drugs testing positive despite the fact that this.

00:29:20 Speaker 8 Commissioner Fournier

Mission we authorized the purchase of a true NARC machine with the whole intention of that. It's like 3540 grand.

00:29:28 Speaker 8 Commissioner Fournier

Was to be able to get what we call a presumptive test. Either presumptive. It's a presumptive positive test we used to do in the field with little.

00:29:36 Speaker 8

Test kits, which became very dangerous when fentanyl started hitting the scene. We couldn't. We didn't want to have any exposure to that.

00:29:41 Speaker 8 Commissioner Fourniet

So.

00:29:41 Speaker 8 Commissioner Fournier

This machine tests that provides a presumptive result, which is enough in the state of Oregon to to pursue charges, and that doesn't get done anymore. That's it. It gets it. I don't understand. It doesn't make sense. We wanted to.

00:29:58 Speaker 8 Commissioner Fournier

To be DEA typically want to prosecute offenders they want to.

00:30:04 Speaker 8 Commissioner Fournier

Prosecute offenders of crimes and help victims. So it's just it's still continuing and and honestly, from the beginning, everyone has had the same thing. Just do your job. How can we help you do our job? How can we do this instead? The doors got locked at the the DA's office.

00:30:24 Speaker 8 Commissioner Fournier

Investigators weren't allowed to and there'll be rebuttals in the newspaper, but the reality is if you talk personally, if anyone, if you talk to investigators or police officers or deputies in this county, they will tell you the same thing. The doors were closed. The staff went remote.

00:30:41 Speaker 8 Commissioner Fournier

It would be that I could call a DA as a narcotics officer or as in doing sex abuse investigation, I could call anytime of the day or night and someone would speak to me and give me guidance because that's what it is. It's a partnership between the Sheriff's Office or the police officers.

00:31:00 Speaker 8 Commissioner Fournier

And the DA we are. We are a team. It's a team. That team was fractured. And I'm telling you that like these investigators and detectives and staff and sheriff and detective sergeants have gone out of their way to try to.

00:31:15 Speaker 8 Commissioner Fournier

Make.

00:31:16 Speaker 8 Commissioner Fournier

This work we've, you know, I just want to mention one thing.

00:31:20 Speaker 8 Commissioner Fournier

There is some concern in the public of why we didn't, why we waited. The report took the time it took. We didn't want this to be political. We wanted to.

00:31:27 Speaker 8 Commissioner Fournier

We wanted this to be a fair, unbiased investigation and we didn't want to. There wasn't any push for us to release something or to force an issue. The investigation and the reports came organically whether or not it happened before the election or not.

00:31:43 Speaker 8 Commissioner Fournier

Trust.

00:31:43 Speaker 8 Commissioner Fournier

Me. I wish someone else would have put in for that.

00:31:46 Speaker 8 Commissioner Fournier

Job I was asking people.

00:31:47 Speaker 8 Commissioner Fournier

The reality is she would have been elected if she only got 1 vote, so.

00:31:53 Speaker 8 Commissioner Fournier

It is just that it didn't matter and it wasn't politically motivated. We just wanted to.

00:31:58 Speaker 8 Commissioner Fournier

I'll get it done right.

00:32:00 Speaker 8 Commissioner Fournier

For the right.

00:32:01 Speaker 8 Commissioner Fournier

Reasons I'm sorry if I'm dragging on Commissioner.

00:32:06 Speaker 8 Commissioner Fournier

I just spent a couple hours.

00:32:10 Speaker 8 Commissioner Fournier

I want you to know, the other thing, the tides have changed. I really appreciate the board's courage.

00:32:17 Speaker 8 Commissioner Fournier

To come up with their own no confidence, I do know that there are other boards that are in the process of considering this and have time for this meeting. I think you'll see that the sheriff, I appreciate him speaking. I know, I know personally that he would love to be standing here and putting his name on that, but because of the shenanigans of this District Attorney, he can't. And but.

00:32:37 Speaker 8 Commissioner Fournier

He wants to and that time will come. And that's the other thing that's happening here is all those motions that our County Council mentioned have been vacated. They've already been like they've she she got rid of them. But yet the damage done on the cases was for at least one in particular, which.

00:32:55 Speaker 8 Commissioner Fournier

This is.

00:32:57 Speaker 8 Commissioner Fournier

A sex abuse case.

00:32:59 Speaker 8 Commissioner Fournier

The problem with that is now that the case is so polluted and that the victim's still not gonna get the justice that they deserve because of her actions, she literally is the District Attorney. If this District Attorney would work as hard.

00:33:16 Speaker 8 Commissioner Fournier

Of holding offenders accountable and and believing in victims and and and presenting good cases to the district, to the grand jury and doing the job correctly as she has of attacking. Those are critical to the amount of energy and time spent in trying to expose a whistleblower that's a Union.

00:33:36 Speaker 8 Commissioner Fournier

It's crazy.

00:33:39 Speaker 8 Commissioner Fournier

For it, when all he asked, everybody just could you please do your job? Could you please treat these victims and the victims' families with respect instead of doubling down every step of this way to the point where it's not going to be public record. But the fact is that the judge is saying she's hiring a private defense attorney.

00:34:00 Speaker 8 Commissioner Fournier

A criminal defense attorney to represent the state against county employees and investigators that only job, the only thing they're guilty of.

00:34:09 Speaker 8 Commissioner Fournier

Is doing their job and trying to and building good cases for against offenders of sex abuse and the amount of energy and time if even 1/4 of that was put into.

00:34:21 Speaker 8 Commissioner Fournier

Presenting these cases to the grand jury, taking them to trial because I'll tell you what the reality is. In Oregon, 90% or even higher probably, I think Molina County is much higher. They do end in plea plea deals. That's the way the system works. The courts can't handle all these but the way it works is you charge, you build your case and you charge.

00:34:41 Speaker 8 Commissioner Fournier

And the offenders realize that there's too much evidence against them, and they go when you dismiss something before evidence is even in before a suspect even gets interviewed. There's no chance of justice happening. So the amount of dismissals that have happened is just saying. So I'm very proud. I wish I could be there in person. I'm very proud that this board is doing this. And

00:35:02 Speaker 8 Commissioner Fournier

Oh yeah, I can go on. But it just hasn't stopped. It's still continuing. The public's gonna have to do what they're going to have to do if they're not happy with the way the district attorney's office is running, it's in their hands to do that. And I'll leave it at that.

00:35:16 Speaker 8 Commissioner Fournier

I'm sorry about dragging on so long.

00:35:19 Speaker 1 Commissioner Mary Faith Bell

Thank you, Commissioner.

00:35:23 Speaker 13 Commissioner Skaar

Yeah. And I made a few.

00:35:24 Speaker 13 Commissioner Skaar

Notes too, this is.

00:35:26 Speaker 13 Commissioner Skaar

This is a very heavy action for a Board of Commissioners to take. It is not something that I do lightly as an individual. I don't believe it's something that we do lightly as a board.

00:35:38 Speaker 13 Commissioner Skaar

It's not political, it's not something we wanted to do was to start a fight with an elected official. That isn't what this is about, and it's a very difficult choice to determine if we should move forward and we should. And we know that and we are doing that.

00:35:55 Speaker 13 Commissioner Skaar

This investigation came about because, as an acting department head for the county, the District Attorney oversees the DA's office. She has full responsibility for the staff in that office. However, those staff are employees of the county, so we feel a responsibility for the work of the employees of the DA's office.

00:36:19 Speaker 13 Commissioner Skaar

And we don't have the authority to take action in that office. We would absolutely prefer to work with the DA to simply improve the practices of that office. That's what we asked.

00:36:31 Speaker 13 Commissioner Skaar

We had people fully reporting to us and we didn't have a choice. We had to do an investigation. What we learned in that investigation is available to the public. It's 208 pages, but there are pieces in there that talk about how we are not using best practice. We are not doing what should be done and we wanted to help her fix that.

00:36:51 Speaker 13 Commissioner Skaar

She chose the direction that we are in today by taking legal action against the county rather than coming to us for that collaborative approach to serve the people of our county in the best possible way.

00:37:03 Speaker 13 Commissioner Skaar

She chose retaliation against a whistleblower.

00:37:07 Speaker 13 Commissioner Skaar

Absolutely illegal and frankly, morally wrong.

00:37:12 Speaker 13 Commissioner Skaar

I spent my entire career before becoming a Commissioner, working with vulnerable people. That is a calling. It's not a job to check any of the paychecks, those who do it, they do it because it's the right thing to do. They do it because socially we have a contract and we care for those.

00:37:28 Speaker 13 Commissioner Skaar

Who is less vulnerable?

00:37:31 Speaker 13 Commissioner Skaar

We hold the tenders accountable. We believe victims. That's what we do.

00:37:37 Speaker 13 Commissioner Skaar

The very people that she was hired to represent are those vulnerable people and those victims. Her job is to hold the offenders accountable. That is her job. And somewhere along the line she got her wires crossed, the investigation reports, and in her own words, she confirms that she thinks about the offenders rights first.

00:37:58 Speaker 13 Commissioner Skaar

She's in the wrong job, if that's her approach.

00:38:03 Speaker 13 Commissioner Skaar

Her judgment before, during and after this investigation does not align with the values that I want to see in a district Attorney's office and I believe, based on conversations that I have had with Members.

00:38:15 Speaker 13 Commissioner Skaar

Of the public.

00:38:17 Speaker 13 Commissioner Skaar

That there's agreement about them.

00:38:20 Speaker 13 Commissioner Skaar

Her latest action through the court to request a judge to force the county to pay for the defense attorney she hired to go after the sheriff and the whistleblower.

00:38:34 Speaker 13 Commissioner Skaar

It's just one more example of her trying to use the system for her personal gain and one more example of exceptionally poor judgment.

00:38:47 Speaker 13 Commissioner Skaar

I will repeat some of what I said last week in response to why we don't remove her as Commissioners simply stated, we cannot.

00:38:55 Speaker 13 Commissioner Skaar

The DA is an elected position that reports only to the voters. What we can and have done is to hear from the voters with the complaints, conduct an investigation, share the results with the DA, and attempt to work with the office to make things better.

00:39:14 Speaker 13 Commissioner Skaar

And then share with the public and the voters her lack of appropriate response and the facts of that inappropriate response.

00:39:22 Speaker 13 Commissioner Skaar

We're further making this public statement through our board resolution, proclaiming no confidence in our real son, our District Attorney, from here. It's up to the voters if the decision she had made or the justice for victims that voters want. No action is the answer. If the demonstrated lack of caring for and supporting.

00:39:42 Speaker 13 Commissioner Skaar

Victims make you as angry as it does me. A voter recall can be started through the state elections Office.

00:39:50 Speaker 5 ?

Thank you.

00:39:51 Speaker 1 Commissioner Bell

Thank you, Commissioner.

00:39:55 Speaker 1 Commissioner Bell

I want people and the public to understand that everyone wanted District Attorney Olson to succeed everyone. Everyone wanted this to go well and it became clear over a long period of time that it was not going well.

00:40:16 Speaker 1 Commissioner Bell

But people were very patient. I know because I'm on her board. Valerie Bundy tried to work with the district

00:40:24 Speaker 1 Commissioner Bell

Attorney for years, literally, for the last several years and trying to build a relationship and trying to provide information and everyone's efforts have fallen flat. And so it's been a period of time.

00:40:46 Speaker 1 Commissioner Bell

That this evidence has grown and dissatisfaction has grown and people have been reporting these situations to us, as Brian said, and.

00:40:59 Speaker 1 Commissioner Bell

And it's a very weighty thing for Commissioners to take on because we're not in charge of the DA and it's and we're we don't get involved in the business of other elected officials because it's not our role. So I think the public.

00:41:19 Speaker 1 Commissioner Bell

May be confused about the powers of the Commissioner, what our board is, what powers we do have. Someone called me recently on this subject.

00:41:31 Speaker 1 Commissioner Bell

And said maybe you guys could start some civics classes. I thought, well, that's a great idea. Maybe we could start some civics education, you know, public service announcements or something to explain how the government works, how your government works.

00:41:51 Speaker 1 Commissioner Bell

and why we do the things we do. So ultimately the running of the district Attorney's Office is the district attorney's responsibility.

00:42:02 Speaker 1 Commissioner Bell

Possibly. And so. So we really couldn't take any action until there was a preponderance of complaints that things were going terribly wrong. And so we initiated the investigation because that's what we could do is initiate an investigation. And I appreciate Commissioner Fournier.

00:42:23 Speaker 1 Commissioner Bell

Talking about the timing of it, you know that the timing of it is awkward and unfortunate in the sense of the election, but it wasn't it, it wasn't political. We didn't initiate an investigation in order to.

00:42:37 Speaker 1 Commissioner Bell

To come up with a politically motivated result, we did it because we were obligated to do it because it was the right thing to do. We had multiple people complaining to us and we couldn't investigate the District Attorney and HR can investigate the district attorney's office. So. So we.

00:42:58 Speaker 1 Commissioner Bell

Initiated the investigation and we hoped it took much longer than we thought it would because there were so many complex points.

00:43:06 Speaker 1 Commissioner Bell

So all of those complaints had to be received by the investigator and then investigated by the investigator so that they would know that there were valid complaints.

00:43:18 Speaker 1 Commissioner Bell

So so.

00:43:20 Speaker 1 Commissioner Bell

Then it just took much longer than we thought it would, and we're then we had the results and we presented the results to the District Attorney in hopes that the District Attorney would have an epiphany and say, Oh my God, there are really serious problems here that we.

00:43:41 Speaker 1 Commissioner Bell

That I want to add.

00:43:42 Speaker 1 Commissioner Bell

Yes, and had that happened, this would not be happening today because that's what we all hoped for, that the problems would get addressed, that HR could work with the problems with the people in the office who are county employees and the Department of Justice could have come in and offered support and.

00:44:02 Speaker 1 Commissioner Bell

Help. There are a lot of things that could have happened, but none of those things happened and instead what happened is that the District Attorney started retaliating. And so, you know, Brian talked about that. Paul talked about that, but it's shocking.

00:44:16 Speaker 1 Commissioner Bell

Truly, what's what's happening right now? All of it. If you happen to read the 200 page report, you would be shocked by the things in the report, including the testimony shared by our very brave neighbor who gave public comments online. Thank you for that.

00:44:37 Speaker 1 Commissioner Bell

By the way, thank you very much for telling your story here today. It was heart shattering, really. And so everything that's happened has been shocking, including the retaliation after the report. You know, I.

00:44:55 Speaker 1 Commissioner Bell

The thing that.

00:44:57 Speaker 1 Commissioner Bell

It's all bad, but what we haven't talked about today is Brady. So when a law enforcement officer is Bradied, that means they're discredited, their career is essentially ruined. They're officially discredited as witnesses, so they can't.

00:45:17 Speaker 1 Commissioner Bell

You know if anyone in law enforcement is investigating something, they may be called to court in order to testify, right? But if you, Brady, somebody, that means that their testimony is here ever after discredited. So. So it's to Brady, someone it's to destroy their career.

00:45:36 Speaker 1 Commissioner Bell

And that's what the District Attorney is trying to do to the whistleblower, which is against the law and to the sheriff. You know, it's wild. And additionally, like the whole, the whole thing about the District Attorney instructing.

00:45:54 Speaker 1 Commissioner Bell

An assistant District Attorney, her employee to provide information to defense counsel in order to discredit the whistleblower who was the investigating officer.

00:46:07 Speaker 1 Commissioner Bell

All of that is horrible. But what it really means is that the District Attorney was willing to eliminate their own case, right? So this means that the state had a case and the District Attorney provided information to.

00:46:28 Speaker 1 Commissioner Bell

Retaliate against the whistleblower that would destroy the keys.

00:46:32 Speaker 1 Commissioner Bell

It's crazy. So. So all of this. That's why we're here today because everything is.

00:46:39 Speaker 1 Commissioner Bell

That that's happened.

00:46:40 Speaker 1 Commissioner Bell

It is terrible, terrible for victims in our community and it's just getting worse. Not only Commissioner Fournier said. It's still happening, it's getting worse. So you know.

00:46:52 Speaker 1 Commissioner Bell

To the public comment given by the mother of the victim.

00:46:59 Speaker 1 Commissioner Bell

That morning was the first time that I had heard that the District Attorney threatened the mother of the victim, you know.

00:47:09 Speaker 1 Commissioner Bell

That in itself we would that in itself is so mind boggling and horrible that it makes our decision obvious as far as.

00:47:22 Speaker 1 Commissioner Bell

I'm concerned.

00:47:23 Speaker 1 Commissioner Bell

So the other thing that we haven't talked about yet is that last week.

00:47:28 Speaker 1 Commissioner Bell

And we were talking about this. We were talking about what we are in control of and what we are not? And we are in control of the stipends that the county pays to the District Attorney.

00:47:41 Speaker 1 Commissioner Bell

And that's because the District Attorney is an employee of the state, and the state pays her wages. But we pay a stipend because the wages are too low. So we pay a $20,000 stipend for that position that we are talking about eliminating because we don't have.

00:48:00 Speaker 1 Commissioner Bell

But we don't have faith. We don't feel good or believe in the work that the District Attorney is doing for Tillamook County. So why would we pay for it? Additionally, we're absolutely not going to pay for them.

00:48:15 Speaker 1 Commissioner Bell

We haven't voted on this yet, but I believe this is true of all of us, that we're absolutely not going to pay for the criminal defense attorney that the District Attorney engaged in order to retaliate against the whistleblower. Unbelievable. No, you're not using county funds for that. And

00:48:35 Speaker 1 Commissioner Bell

If we don't, we can't support paying for the liability insurance that the District Attorney requires for complaints when she receives bar complaints because her behavior is so risky that the county can't support that.

00:48:52 Speaker 1 Commissioner Bell

Risk. So. So you know this whole thing is awful for our entire community. This is awful for Tillamook County, but especially for the victims. So you know that.

00:49:09 Speaker 1 Commissioner Bell

I want Tillamook County to be a place where victims are believed, where victims are protected, where offenders, especially violent offenders, are held accountable for. For Tillamook County not to be a place.

00:49:26 Speaker 1 Commissioner Bell

Where victims are victimized by perpetrators and then they're victimized by our own sins.

00:49:32 Speaker 1 Commissioner Bell

So here we are.

00:49:34 Speaker 1 Commissioner Bell

And and and this is. This is where we.

00:49:37 Speaker 13 Commissioner Skaar

Are.

00:49:38 Speaker 1 Commissioner Bell

So Commissioner Skaar, will you please record the resolution?

00:49:45 Speaker 13 Commissioner Skaar

Madam Chair, in the matter of proclaiming no confidence in Aubrey Olson, District Attorney for tolerant county, this matter came before the Tillamook County Board of Commissioners on June 17th, 2026, at the Board of Commissioners own request, the board, being fully apprised, finds as follows and outside independent investigators.

00:50:05 Speaker 13 Commissioner Skaar

Instantiated 35 complaints against the District Attorney's Office to include.

00:50:11 Speaker 13 Commissioner Skaar

Poor victim and partner agency engagement practices, including not believing victims, testimony, retaliatory behavior and hostility toward victims, victim advocates and law enforcement failing to adhere to human resource policies and prosecuting best practices, including inadequate.

00:50:30 Speaker 13 Commissioner Skaar

Training and supervision of deputy district attorneys. Unwarranted public reprimands of subordinance and failure to respond to community complaints in a timely manner.

00:50:41 Speaker 13 Commissioner Skaar

Deficient charging, preparation and trial practices, including the handling of child abuse and domestic violence cases, resulting in concern for victims and community safety and failing to present viable cases to grand jury or bring charges on serious crimes.

00:50:58 Speaker 13 Commissioner Skaar

Incompetent trial preparation techniques failing to call key witnesses at grand jury hearings and trials and making plea offers in cases that result in outcomes that do not sufficiently reflect the gravity of the crime or promote community safety.

00:51:13 Speaker 13 Commissioner Skaar

Aubrey Olsen, as District Attorney, improperly used a criminal process by issuing 3 subpoenas to Tillamook County seeking information unrelated to a criminal case or charge to include complaints against the DA and the DA DA's office, made by the board of County Commissioners, DA County Circuit Court.

00:51:33 Speaker 13 Commissioner Skaar

The Sheriff's Office, Oregon State Police and Tillamook City police, among other.

00:51:38 Speaker 13 Commissioner Skaar

Communications about the DA and the DA's office, made by the board of County Commissioners, the Tellement County Circuit Court, the Sheriff's Office, Oregon State Police and Telemac city police, among others HR personnel records of certain law enforcement officials and how the county was funding its investigation.

00:51:56 Speaker 13 Commissioner Skaar

And investigator notes, communications and interview recordings related to the county's investigation into complaints against the DA's office.

00:52:06 Speaker 13 Commissioner Skaar

DA Aubrey Olsen instructed a deputy DA to send an e-mail to a criminal defense attorney that disparages a county whistleblower and their credibility by questioning their competence and truthfulness after they cooperated with the county's investigation into the DA's office, which is tantamount to retaliation by sabotaging their ability.

00:52:26 Speaker 13 Commissioner Skaar

To perform their law enforcement duties, the following entities, community partners and individuals have expressed no confidence in DA Aubrey Olsen tides of Change now. Therefore, it is hereby resolved that the Board of Commissioners has no confidence in Aubrey Olson.

00:52:43 Speaker 13 Commissioner Skaar

She does not possess the morals and poor values to serve as District Attorney of Tillamook County, not pursuing justice with commitment to fairness, offender accountability, community safety and Victim Support. Not successfully working with law enforcement community partners and regarding the trust and relationship she has broken with them and not effectively leading the District Attorney's Office and the county.

00:53:04 Speaker 13 Commissioner Skaar

Employees assigned there to be highly regarded and skilled and proficient in their work. Madam Chair, I move approval of resolution R-26-013.

00:53:15 Speaker 8 Commissioner Fournier

And I second that.

00:53:18 Speaker 1 Commissioner Mary Faith Bell

Thank you. We have a motion and a second, do we have any further discussion?

00:53:22 Speaker 1 Commissioner Bell

Further discussion, Commissioner Fournier.

00:53:24 Speaker 8 Commissioner Fournier

No thanks.

00:53:27 Speaker 1 Commissioner Bell

Alright, well I would further like to thank the Tides of Change Board for your work and your resolution and your statement and for being here today and for everyone who gave public comments.

00:53:41 Speaker 1 Commissioner Bell

And I will welcome additional statements, resolutions and public comments in future meetings, because I also have heard from other people and organizations that are interested in joining us in this.

00:54:01 Speaker 1 Commissioner Bell

So we have, excuse me, we have a motion and a second I'll call for the vote. All in favor signify by saying aye.

00:54:08 Speaker 13 Commissioner Skaar

Aye, aye.

00:54:10 Speaker 1 Commissioner Bell

Aye, motion passes.

00:54:14 Speaker 1 Commissioner Bell

All right. Thank you everyone.

00:54:23 Speaker 13 Commissioner Skaar

If everyone would like to stay where it's always wonderful to have a full room, we recognize that some of you may have come specifically for that item and it is not rude to get up and exit the room. If you have someplace else you need to be. That said, we have.

00:54:34 Speaker 13 Commissioner Skaar

A lot of riveting business yet to do.

00:54:40 Speaker 1 Commissioner Bell

It will just take a moment.

00:54:44 Speaker 1 Commissioner Bell

Thanks everyone for being here in person.

00:54:53 Speaker 13 Commissioner Skaar

I can, when we're sitting in those chairs and thinking, can I leave now? Because I.

00:54:56 Speaker 13 Commissioner Skaar

Did my part right?

00:54:59 Speaker 1

Yeah, it's not rude, right?

00:55:03 Speaker 1 Commissioner Bell.

OK. We will move on to item 6, which is consideration of an order in the matter of rescinding board order 25-007 and establishing and modifying keys for the Tillamook County Clerk's Office. With us, we have Tillamook County Clerk Christy. Nice. Good morning.

00:55:20 Speaker 12

Good morning, commissioners. So before you is in order to rescind our fee increase, our fee adjustment that we did last February.

00:55:30 Speaker 12

EXHIBIT 1.3

INDEPENDENT FACT FINDING INVESTIGATION REPORT CONDUCTED BY KATIE SUVER LAW, LLC

208 PAGES

CONFIDENTIAL

Report of Independent Investigation for Tillamook County Board of Commissioners regarding Tillamook County District Attorney's Office and District Attorney Aubrey Olson

February 19, 2026

By
Katie Suver
Katie Suver Law LLC

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Summary and Qualifications

On November 12, 2025, I, Katie Suver of Katie Suver Law LLC, was retained by attorney Kyle Abraham from Ogletree Deakins Nash Smoak & Stewart PC ("Ogletree Deakins"), to conduct an impartial investigation regarding the Tillamook County District Attorney's Office on behalf of the Tillamook County Board of Commissioners ("the Board"). The Board had received complaints from law enforcement, victims, elected officials and community partners related to professionalism, competency, community safety, and victim advocacy at the Tillamook County District Attorney's Office under District Attorney Aubrey Olson.

Prior to opening a private law practice in October of 2024, I was a prosecutor in Oregon for over 25 years. I began my prosecution career while still in law school as a Certified Law Clerk with the Linn County District Attorneys' Office (1996-1997). Upon graduating from law school and passing the Oregon bar, I was hired as a Deputy District Attorney in Linn County, where I worked from September 1997 to April 2000. In April of 2000, I was hired as a Deputy District Attorney in Marion County where I worked until my retirement in September of 2024.[1] Between 2002 and 2008 I was cross designated as a Special Assistant United States Attorney prosecuting narcotics offenses.

I held management positions at the Marion County District Attorney's Office as the Trial Team Supervisor of the Child Abuse and Sexual Assault Team, including serving as Co-Chair on the Child Abuse Multi-Disciplinary Team (MDT), and as a Major Case Chief. In that capacity, I prosecuted serious felony crimes including Murder, Attempted Murder, Felony Assault, Firearm Offenses, Child Abduction and Sexual Assault, Adult Sexual Assault, Domestic Violence, and Gang cases. I advised law enforcement agencies with major narcotics and violent crime investigations, instructed new police officers at the Department of Public Safety Standards and Training (DPSST), and conducted trainings on various subjects for the Oregon District Attorney's Association (ODAA). I served for many years on the ODAA legislative committee, representing the ODAA on legislative work groups, and testified multiple times before the legislature on matters related to criminal law and prosecution.

In my prosecution career, I tried over 300 criminal cases, including four death penalty trials, presented thousands of criminal cases to grand juries, and questioned thousands of witnesses.

[11] I briefly left the Marion County District Attorney's Office from December 2022 to August 2023 to work as a Senior Assistant Attorney General in the Trial Division of the Oregon Department of Justice.

Scope of Investigation and Evidentiary Standard

Scope of Investigation:

Investigate allegations made to Tillamook County Human Resources ("HR") regarding the Tillamook County District Attorney's Office ("TCDA" or "DA's office"), including District Attorney Aubrey Olson ("DA Olson"), and [redacted] on behalf of the Tillamook County Board of Commissioners ("the Board").

The allegations were documented in materials I received from Kyle Abraham. These materials included a document entitled "Summary of Allegations" prepared by Ogletree Deakins. I was provided with a spreadsheet from Makenzie Weir, TCHR, documenting verbal complaints she received regarding the DA's office in September of 2025. I was provided with several documents identified as complaints and case summaries from [redacted]: (1) a 6-page typed, redacted document with 17 separate paragraphs discussing a specific case or a specific complaint; (2) a 1-page document titled "2025-02953 Sex Abuse 1"; and (3) a 2-page document named "Sept. 3 2025 summary from [redacted]". I was also provided with a 2-page email entitled "Formal Complaint Details" from David Richmond.

I received other supporting documents including a 3-page resignation notice from [redacted] several emails from David Richmond, an email from Jon Wehage from Stimson Lumber Company,[2] and an invoice and paperwork for professional liability insurance for the DA's office.

I was instructed to investigate the actions of the DA's office from January 2023, when DA Olson became District Attorney, to present.

As part of my investigation I also reviewed records from different cases brought to my attention during witness interviews. The records consisted of court pleadings publicly available in eCourt, official audio records of hearings and trials (commonly referred to as "FTR"[3] recordings), and in some cases investigative police reports. I reviewed materials from the following court cases:

State v. Clarence Fayerweather, 22CR39716

State v. Cesar Baez Galicia, 23CR11971

State v. Israel Pozos Leon, 24CR25944

State v. Humberto Maciel Suazo, 23CR26390

State v. Rafael Pozos, 25CR14933

State v. Christopher Blevins, 23CR38339

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[2] I did not interview Mr. Wehage as part of this investigation. His email indicated that he wanted the DA's Office to understand the importance of timber theft and keeping order in forestlands; it did not contain a complaint that cases were not being filed, nor did it contain any complaint against DA Olson specifically or any of her DDAs.

[3] "FTR" is "For the Record", which is the proprietary digital recording system used in Oregon courts throughout the state.

State v. Shannon Anderson, 24CR48704

State v. Timothy Neahring 24CR42397

State v. Gregory Carroll, 24CR58965 and State v. Johanna Harding, 24CR58927

State v. Timothy Butterfield, 24CR65707

State v. Richard Vernon Hart, [redacted]

Witness complaints regarding these cases varied. They included concerns related to victims (such as notification, communication, trial prep, professionalism, empathy, advocacy, etc.), trial preparedness and competency, plea negotiations, and professional interactions. As I looked into the specific cases based on the initial complaints, I discovered additional information that was highly relevant to the overall investigation. For example, I received a complaint that a victim did not receive sufficient notice of a hearing, and discovered that the case had actually been dismissed just prior to the trial based on allegedly exculpatory evidence coming to light. In some of the cases I discovered that the state had moved to dismiss the case mid-trial or a Not True Bill at grand jury resulted in the case being dismissed. In order to determine whether the outcomes in those cases were simply outliers, and not indicative of a larger issue, I examined each of the cases in detail and interviewed or attempted to interview the assigned prosecutor. I also listened to the trial record in a case to attempt to assess any complaint about trial preparedness and competency.

Additionally, after receiving the information from the Oregon Judicial Department's (OJD) website about the number of criminal cases and the number of trials held between 2023 and 2025, I examined Tillamook County eCourt records, focusing on domestic violence and sex abuse cases. I will discuss the outcome of that search later in the report.

Evidentiary Standard:

A preponderance of the evidence (more likely than not). An allegation or complaint was Founded if it was substantiated by a preponderance of the evidence. An allegation or complaint was Not Founded if it was not substantiated by a preponderance of the evidence.

Manner of Investigation

Document and Media Review

The following documentary evidence was reviewed as part of this investigation:

Tillamook County Circuit Court records for the following cases: 22CR39716, 23CR11971, 24CR25944, 24CR42397, [redacted], 24CR26549, 25CR14933, 25CR35365, 23CR26390, 25CR14933, 23CR38339, 24CR48704, 25CR04714, 24CR65707, [redacted], 24CR41270, 25CR08761, 24CR37122, 25CR02325, 23CR11989, 25CR10482, 23CR41032, 24CR57482, 24CR05157, 23CR43518, 25DR15674, 25SK03284, and the following criminal cases for David Sinohuiz 17CR09634, 18CR39781, 21CR58919, and 24CR48908.

Police reports for the following cases: Tillamook Police Department ("TPD") 2023-1948; Tillamook County Sheriff's Office ("TCSO") 23-7799, 24-6132, [redacted], 24-11332, 25-7596, 24-10472, 25-11367.

Emails between DA Olson and the following individuals: Tillamook County Sheriff Josh Brown, Tillamook County Undersheriff Matt Kelly, [redacted], [redacted], and David Richmond; Emails to Valerie Bundy from SANE nurse candidates; Email to [redacted] from [redacted] re [redacted].

Oregon Judicial Department court statistics 2018-2024.

Oregon Revised Statutes.

Court audio records for the following Tillamook County Circuit Court cases: 22CR39716, 23CR38339, 24CR48704, 24CR65707, and [redacted].

Interviews

Interviews of the individuals listed below were conducted between November 19, 2025 and February 17, 2025. All interviews were in person except for [redacted], which was by phone, and Katie Springs, which was by Teams. All interviews were digitally recorded. I have noted the total length of each interview next to the person's name.

Most interviews took place in a private conference room at the Tillamook County Sheriff's Office, located at 5995 Long Prairie Rd, Tillamook, OR 97141, except for Sheriff Brown's interview which took place in his office at the same location. DA's office personnel (DA Olson, [redacted]) were interviewed in a private room in the basement of the Tillamook County Courthouse referred to as the victim room or "blue room." [redacted]'s interview took place at a coffee shop in downtown Hillsboro, Oregon.

During the interviews, I identified myself and advised the person of the purpose of the interview. I received permission to record each interview. I asked each person to answer truthfully and candidly. As it related to DA's office personnel, I advised them the interview was voluntary, they were under no obligation to speak to me, and they could refuse to answer questions at any time. I provided my contact information and invited individuals to contact me in the future if they had questions or additional information to provide.

Persons Interviewed

November 19, 2025

1. Fernando Silveira – Lieutenant, Tillamook County Sheriff's Office (42 min)

2. Josh Brown – Tillamook County Sheriff (1 hr 59 min)

3. [redacted] – [redacted], [redacted][4] (5 hr 01 min)

December 5, 2025

4. David Richmond – Program Manager, Developmental Disability Program, Tillamook Family Counseling Center (1 hr 09 min)

5. Valerie Bundy – Executive Director, Tides of Change (2 hr 01 min)

6. Ahnie Seaholm – Lieutenant, Tillamook County Sheriff's Office (1 hr 05 min)

7. Kieley Petrey – Adult Abuse Investigator, Tillamook Family Counseling Center (15 min)

8. Matthew Gordon – Lieutenant, Oregon State Police (24 min)

December 12, 2025

9. [redacted] – Crime Victim (Parent), [redacted] (1 hr 22 min)

December 16, 2025

10. Sarah Dentel – Executive Director, Tillamook County Child Advocacy Center (2 hr 13 min)

11. Paul Fournier – Tillamook County Commissioner (34 min)

12. Erik Harth – Manzanita Chief of Police (29 min)

December 17, 2025

13. [redacted] – Crime Victim (15 min)

January 13, 2026

14. Aubrey Olson – Tillamook County District Attorney (5 hr 21 min)

15. [redacted] – [redacted] (40 min)

[4] [redacted] contacted me on January 7, 2026 and requested to speak to me about an email he had received from a parent of a child victim who was upset that the criminal case involving their child was going to be dismissed. [redacted] and I had an approximately 15 minute phone call.

16. [redacted] (1 hr 13 min)

17. [redacted] (1 hr 11 min)

February 17, 2026

18. Katie Springs – Victim Assistance, Tillamook County District Attorney's Office (43 min)

Other Persons Mentioned

Persons Contacted who Declined Request for an Interview

1. Nick Troxel – Tillamook Police Chief
2. Jonathan Hill – Tillamook County Circuit Court Judge
3. Mari Trevino – Tillamook County Circuit Court Judge
4. Tira McLaughlin – Oregon Department of Human Services
5. Dana Forman - Senior Assistant Attorney General, Child Advocacy Section, Civil Enforcement Division, Oregon Department of Justice

Persons Mentioned but Not Interviewed

1. Christopher Hamilton –Trial Court Administrator, PhD, MPA, Tillamook County Circuit Court
2. Lacey Larson – Executive Assistant to Chief Nick Troxel
3. Rhonda Silveira – Office Manager, Tillamook County Sheriff's Office
4. Jeff Hall – Defendant, 25CR08187
5. [redacted] – Aunt of victim of homicide, [redacted]
6. [redacted] - Mother of minor victim, [redacted]

Allegations

Allegations Section A – Complaints related to competency of DA and/or DDAs

- Failing to review pertinent reports
- Limiting or excluding pertinent testimony from witnesses at grand jury or trial
- Failing to call key witnesses at grand jury, hearings, trials
- Failing to present viable cases to grand jury/charge cases
- Minimizing or mischaracterizing serious sex offenses
- Misstating applicable criminal statutes and generally not knowing the law on a particular matter
- Failing to prosecute theft and financial crimes, claiming the matters are civil
- Failing to engage in any trial preparation with witnesses, or insufficient trial preparation
- Failing to communicate gaps, flaws, problems with investigation prior to trial to give investigators time and opportunity to possibly find and present additional evidence
- Failing to be sufficiently prepared for trial
- Not believing victims, witnesses, and law enforcement without just cause
- Dismissing cases mid-trial
- Making plea offers in cases that result in outcomes that do not sufficiently reflect the gravity of the crime and promote community safety
- Downplaying and/or failing to recognize the seriousness of child abuse cases through charging decisions and plea negotiations
- Failing to file domestic violence cases resulting in concerns for victim and community safety
- Failing to file provable crimes
- Inadequate training and supervision of DDAs

Allegations Section B - Complaints regarding professionalism of DA and/or DDAs

- Hostility, abrasiveness, or rude behavior toward victims, victim advocates, law enforcement
- Demeaning behavior toward victims
- Failing to respond to community complaints (i.e., in a timely and reasonable manner)
- Failing to professionally communicate with community partners
- Failing to act and respond in a timely manner to tasks and responsibilities (i.e. taking an inordinately long time to review necessary materials, conduct meetings with professionals awaiting certification, etc.)
- Aggressive, unprofessional and unwarranted public reprimands of subordinates
- Engaging in behavior that attempts to silence other opinions and voices
- DDA stating they were "hung over" at a grand jury proceeding as an explanation for why the proceeding did not go smoothly
- While I find [redacted] more likely than not made this statement, I also find it was meant in jest.
- Making demeaning statements to law enforcement officer
- Generally creating a hostile working environment
- Systemic failure to communicate case status with victims and agency partners

Complaints regarding victims/victim rights violations

- Excluding the named adult victim in a case from being personally present in the courtroom during a trial
- Failing to present relevant victim testimony at grand jury
- Failing to present relevant victim testimony at trial

- Failing to sufficiently notify victims of proceedings

- Failing to personally (i.e. phone, text, email) and individually notify victims of critical stages in proceedings

- Failing to notify the parent of minor (child) victim

- Failing to provide sufficient notice to victims of restitution deadlines

- Failing to provide victims with sufficient information and assistance to apply for CVC

- Failing to provide victims with sufficient information and assistance to be prepared for grand jury, hearings, and trials

- Failing to provide victims with information related to charging decisions, case dismissals, or case outcomes in a trauma-informed, emotionally sensitive way

- Making victims feel insignificant in the criminal justice process by refusing to speak with them about their case, refusing to listen to information they want to provide, and simply refusing to take their calls

- Being unprofessional towards victims as outlined in section above entitled "Complaints regarding professionalism of DA and/or DDAs"

- Failing to consider as a primary consideration the safety of the victim and of the community in release recommendations

- Failing to be a voice and an advocate for victims in the criminal justice process

- Not believing and supporting victims

- Not carrying out responsibility of notifying victims and shouldering others with the responsibility

- Lack of empathy toward victims

- Indifference to the work of criminal justice partners

- Lack of care or concern for particularly vulnerable victims

- Failure to accommodate victims with protected disabilities

Investigation[5]

On November 12, 2025 I reviewed the materials provided by Kyle Abraham. Kyle requested I delay contacting witnesses until the County issued a press release about the investigation. A few days later, Kyle advised that the County had decided not to issue a press release, but the County did advise DA Olson of the investigation.

On November 17, 2025, I contacted Tillamook County HR Technician Makenzi Weir to assist me with gathering some additional information and scheduling interviews. I scheduled interviews for November 19, 2025 at the Tillamook County Sheriff's Office.

I arrived at the Sheriff's Office on the morning of November 19th and was provided a private conference room to conduct interviews. I met with Office Manager Rhonda Silveira who advised me that the conference room was available until the early afternoon when the Sheriff was going to be conducting a swearing in ceremony. Rhonda's office was directly across from the conference room (which had its only window covered by a shade) and ensured that there would be no interruptions.

I first spoke with Lieutenant Fernando Silveira. I had been advised that Lieutenant Silveira had raised a concern about a criminal matter involving one of his employees who was a victim of unwanted touching while at work by a fellow employee. During my discussion with Lieutenant Silveira, I asked him to provide details of his complaint.

Fernando Silveira

Lieutenant Silveira advised me he was employed as the jail commander for the Tillamook County Sheriff's Office. He had been employed with the Sheriff's Office for approximately 23 years (3 years as a reserve, 20 as a sworn deputy), always working in the corrections division. Lieutenant Silveira said he had a high school diploma.

I asked Lieutenant Silveira to provide me some information on the command structure at the jail and he indicated that he reports directly to the Undersheriff and Sheriff, and that he was in charge of day to day supervision at the jail. I told Lieutenant Silveira that I received some information about an individual who perhaps was employed as a deputy by the name of [redacted]. Lieutenant Silveira said the name was correct but that she was not a deputy. He said she was a control tech which he described as "almost like a secretary" working in a control room that is separated from the Adults in Custody (AIC).[6] [redacted]'s duties included documenting all the events that happened throughout the day, including answering phone calls and questions from the public, the DA's office, the court, and other agencies, and then logging all the events.

I asked Lieutenant Silveira if he was personally aware of or somehow involved in an incident that [redacted] reported regarding a Deputy Kristopher Koskela. Lieutenant Silveira said he was. Lieutenant Silveira explained that at the time of the incident, Deputy Koskela was a

[5] With each witness statement, I have completed a summary of the interviews. The summaries have been condensed for ease of the reader and are not necessarily in the order in which topics were discussed. This report is not meant either to replace or to be an exact record of what is on the audio recordings. The reader is referred to the audio recordings for a verbatim account of the interviews.
[6] Inmates.

Corporal, which was basically a senior deputy, because they don't have supervisor authority but are there to essentially assist the sergeants.

I asked Lieutenant Silveira to tell me what he knew about [redacted]'s complaint. Lieutenant Silveira said that when the incident happened, there was a full-time sworn corrections deputy in the control room and a part-time retired deputy in the control room. When the incident occurred, they reported it to the sergeant, the sergeant reported it to Lieutenant Silveira, Lieutenant Silveira reported it to the undersheriff, and then he and the undersheriff together reported it to the Sheriff.

I asked Lieutenant Silveira to tell me what was reported to him. Lieutenant Silveira said that Deputy Martin Rodriguez, and part-time former Deputy Dave Jengling (sp) were in the control room along with [redacted]. [redacted] was working her normal post, and while she was looking toward her computer, "doing what she was supposed to be doing," Corporal Koskela came up to her, pulled the hair clip off her hair, and fluffed up her hair. [redacted] told him, "Don't touch me" and then he leaned over and grabbed her shoulders, and she told him again, "Don't touch me." Lieutenant Silveira acknowledged that it had been a bit since he'd looked at any report on the incident but he believed that's what he was told. Lieutenant Silveira said after reporting it, the Sheriff said it would be looked into.

I asked Lieutenant Silveira if he personally had contact with [redacted] either that day or shortly after that day to talk to her about it? He said he did. He went to see her. She was obviously very upset. He told her, "Let's get out of here," just to remove her from the environment, and they went outside. He said once outside, she started crying. He told her that he was sorry for what had happened, but that they were going to look into it, make sure things were done, and take care of her. Lieutenant Silveira said [redacted] calmed down and he asked her if she wanted to leave. [redacted] told him that no, she had a job to do and she needed to do her job. Lieutenant Silveira said he told [redacted] she could go home but she preferred to finish out her work day.

I asked Lieutenant Silveira to tell me what he knew about the incident being "looked into" and he said he did not have a whole lot to tell me. He reiterated that he had reported it to the undersheriff. He said he was concerned, because it involved harassment, with it being reported to HR. He said the following day he asked, "What's going on?" and he was again told it's being taken care of.

I asked what the next thing was that stuck out in his mind related to the event, either about Deputy Koskela or [redacted]. Lieutenant Silveira said retired Deputy Jengling (sp) and Deputy Rodriguez both came to him and told him they were upset about the whole thing and that it was not right what they saw. He said Deputy Rodriguez wrote a report and gave it to the sergeant, and that he also wrote a report based upon what he was told. Lieutenant Silveira said that [redacted] told him she had previously told Deputy Koskela not to touch her, "so apparently this had happened before." Lieutenant Silveira said that he asked [redacted] why she didn't tell him about it and he said she told him that she was concerned he was a corporal and she did not want to get anyone in trouble. Lieutenant Silveira said that he told [redacted] that he wished she would have told him but he understood she was upset.

I asked Lieutenant Silveira about the type of report he and Deputy Rodriguez wrote in an effort to determine if a criminal investigation had been initiated by the Sheriff's Office.

Lieutenant Silveira said it was an incident report but that they did not initiate a criminal investigation. Lieutenant Silveira said that he did not ask [redacted] if she wanted a criminal investigation initiated when he spoke to her the day it occurred and she did not ask for one.

Lieutenant Silveira confirmed that he had no direct involvement in any investigation after writing the report about what he was told, but he believed an outside agency, Oregon State Police, did an investigation. He said it was his understanding it began as an internal investigation but then [redacted] decided she wanted the matter criminally investigated and it became a criminal investigation. It was further his understanding that the criminal case had been sent to the DA's office for consideration of charges, but that the DA did not file any criminal charges.

I showed Lieutenant Silveira a summary I had received from Makenzie Weir at Human Resources and asked if he had reported his concerns about the DA's office not charging the sexual harassment. He said yes. He said, "I didn't believe that was justice …. We weren't protecting her. The County wasn't protecting her."

I showed Lieutenant Silveira [redacted]'s resignation letter (addressed to him) and he said he recognized it. I asked if he recalled [redacted] continuing to work after the incident and he said he believed she went out on stress leave shortly after the incident.

I went through the list of DA personnel and asked Lieutenant Silveira if he knew them and in what capacity. Lieutenant Silveira said he knew DA Olson in a normal business capacity, since being jail commander he deals a lot with the DA's office "with warrants or anything like that," and he and DA Olson interact in court security meetings. He knew [redacted] from [redacted], he knew [redacted] and had some [redacted] with her, and he knew who [redacted] was but had minimal interactions with him. He had seen [redacted] in court. Lieutenant Silveira confirmed he would transport inmates to and from court and would observe court proceedings from time to time.

I asked Lieutenant Silveira if he had ever had any negative or unprofessional interactions with DA Olson and he said no. "We're professionals. I do my job. She does her job." I asked the same about [redacted] and he said not as a jail commander, but that there was an incident many years before when he and his wife were driving to get ice cream and were almost killed during a head on collision from a pursuit. He believed [redacted] was the DA on the case and Lieutenant Silveira was upset with the plea deal. He said, "it was crap, that deal was crap. My wife and I were almost killed and the guy gets away with nothing." I asked Lieutenant Silveira since that time if he had negative interactions with [redacted] and he said he had not and that he did not hold a grudge and business was business.

I asked Lieutenant Silveira about [redacted] and he denied having any negative or unprofessional interaction with her but explained he had spent time explaining procedures and protocols for stuff they do at the jail that she may not understand; he referenced transport orders and trying to explain to her how that process works. I asked Lieutenant Silveira if [redacted] had been receptive to the education and he said no, that it's been an ongoing issue with the DA's office, trying to explain certain processes with transport orders and what information is required. "We have to have all this plethora of information that I've explained over and over and over. It's frustrating, but I understand they don't understand our protocols. So it's been a back and forth matter." To clarify I asked Lieutenant Silveira if this was just a problem

with [redacted] or the office as a whole, and he said, "No, I'm saying [redacted] and obviously her boss, which is Aubrey. I mean, this stuff has been communicated over and over and over. It's frustrating, but I don't take it personal."

Regarding [redacted] and the question of any unprofessional or negative interaction, Lieutenant Silveira said he doesn't work with him.

I asked Lieutenant Silveira if he had any memorable positive interactions with DA Olson and he said no, they both do their jobs. He said he wouldn't go have a beer with her. I told him I was really referring to any positive professional interactions with DA Olson and he said, "No. I mean, let me see if I can paint this picture for you. When Mr. Porter was in the office, we were free to go in and out of the office anytime we wanted to because it was a working relationship with law enforcement in our District Attorney's office. If I had a question, I'd just go down to see Bill. We'd sit down in his office, he'd talk for hours about guns, we'd figure out the issues. We work through the issues we move on. Ms. Olson runs her office differently and I respect that. It's her office. She's responsible for her team. I have maybe in all my years, the years of Ms. Olson as the DA, I might have been in that office one time. I don't go there. Okay. I'll call if I need to schedule an appointment to talk to her on the phone, or email, but that's it. Okay. So relationship between the ex DA Porter, I guess was just different. We knew, I've known him for many years and it was a professional working relationship where we kind of got along, we worked together and it was easy to get ahold of him. Ms. Olson just does things a little different. Again, I don't hold that against her. That's her business, that's her office. So it's fine. We just adjust to the people with different work methods, I guess."

Lieutenant Silveira said he preferred the way the previous DA ran the office. He said it was a different environment, with the DA's office and law enforcement working together. He added that as a law enforcement officer and a Tillamook County citizen he does not agree with the way DA Olson does her business. He acknowledged that with Covid and different law changes, things had changed a lot since DA Porter left office and they all had to adapt to the changes.

I asked Lieutenant Silveira about the information I received from HR and his statement that the situation with his employee [redacted] was another example of the DA's office not picking up cases and not advocating for victims. I asked him if he knew or was aware of other examples of "the DA's office not picking up cases and not advocating for victims." Lieutenant Silveira said, "I work in a jail. I see this all the time. We deal with the people who are being arrested for domestic violence. So yes, I see it all the time. People come into jail and then they're booted out or the District Attorney's office is not filing, or pending further investigation. So these folks are getting released back into the community. So yeah, I see it quite often." He said his opinion was based on being jail commander and listening to his frustrated staff, "Why is this guy getting out? My God, this is a domestic crime. I hear it all the time from my staff because the frustration of these people just being released from jail."

I asked him if any specific cases came to mind and he said no, not without looking at the inmates and the investigations. Lieutenant Silveira said their job is to house people and take people to court, not investigate the crimes, but they still see the charges they're entering into the system. He said, "Whether it's a mistake by the arresting officer that didn't do their due diligence on their full reports, that's why the case is not being picked up, [or] whether it's the DA's office just not filing the cases, we're just the middle person between the district attorney's office and the

arresting agency. We're just the people in the middle. And that's where the frustration comes. We do get to see what the charges are. We get to hear it in court and then they're being released. So that's where the frustration is from the staff. Why are these people being released?"

I asked Lieutenant Silveira if there was anything else he thought I should know about the DA's office or any individual DDA, and he stated, "No. I mean, like I told Makenzie at HR when I talked to her, my biggest concern is I want to protect my other female deputies, my female staff. And I just wanted advice or guidance. What I need to do to make sure this doesn't happen again, because it's concerning. I mean, it's concerning to have a *really* great employee to leave the agency because of somebody's bad choices and decisions. And my job is to protect my staff and I need to protect my staff. I mean, personally, I believe the DA failed, that the County failed to protect her. Professionally, again, I wasn't involved in the investigation. I don't know the outcome of that, what decision was made. That's beyond my pay scale. Do I agree with it? No ma'am, I don't. Because I believe I failed to protect her."

After speaking with Lieutenant Silveira, I began my interview with [redacted]. The interview with [redacted] was broken up into four separate interviews due to the length, the time I had already scheduled to speak with the Sheriff, and the interruption with using the conference room for the swearing in ceremony. Despite the interruptions, we concluded the interview on the 19th.

[redacted]

I asked [redacted] to provide me with this educational and professional background. He said he was valedictorian of his high school, intended to go into sports medicine, but left college when that wasn't for him. He said his post high school education was short but that it was misleading. He took community college classes and worked with computers at a hospital for 6 years before deciding to get into law enforcement. He began at the Dalles Police Department where he worked for 4 years, then came to TCSO [redacted]. He was a [redacted] and became a [redacted] in [redacted]. [redacted] said there was one other [redacted] in his unit and a [redacted].

I asked [redacted] about his relationship with the Wasco County District Attorney's Office when he worked in the Dalles and he said it was wonderful. Regarding his relationship with the DA's Office when he came to TCSO, he said he met former DA Bill Porter his first day working at TCSO and DA Porter had an open door policy and "it was a partnership." He said now "the door is locked and there is a piece of plywood over the DA's Office window."

I asked [redacted] to explain his interaction with DA Olson when she was a DDA and he said "frustrating" and described a DUII case he investigated where she dismissed the case because, "I didn't ask if he had a passenger in the car." I asked if he interacted with [redacted] under DA Porter and he said rarely. [redacted] said there was a DDA named Paul Binford (who was no longer there) and he interacted with him a little more frequently because DDA Binford handled domestic violence cases and he would come and provide TCSO with case updates and education. [redacted] said he knew [redacted] but she did not work under [redacted], and he did not know when [redacted] had been hired.

I asked [redacted] about the transition from DA Porter to DA Olson and he said he did not know if DA Olson ran unopposed for DA but he recalled people talking about DA Porter

retiring and DA Olson running for the position and the discussion around [redacted] was always kind of we'll have to see how things go. I asked since DA Olson took office if he had ever heard any comments about her being properly staffed or understaffed and he said he consistently heard her say she was understaffed but that he had "zero" cases with her (as the assigned attorney).

I told [redacted] I wanted to switch gears and ask him about some documents that I had understood he prepared. I showed [redacted] a 6-page typed, redacted document with 17 separate paragraphs discussing a specific case or a specific complaint, a 1-page document titled "2025-02953 Sex Abuse 1", and a 2-page document named "Sept. 3 2025 summary from [redacted]" that I had received from HR and [redacted] confirmed that he had created all of the documents. As they were redacted or partially redacted, I asked [redacted] to provide me with unredacted versions of the documents which he did during the interview.

The unredacted document with 17 separate numbered paragraphs is attached as **Exhibit 1**. The 2-page document that begins with, "Wednesday, September 3rd, 2025 at approximately 1250 hours" is attached as **Exhibit 2**. The 2-page document that begins with, "2025-02953 (Sex abuse 1)" is attached as **Exhibit 3.**

I asked [redacted] how Exhibit 1 was created and he said it was created from notes that he had taken over time to document what he believed was "incompetence" and/or "severe negligence." He described it as a "final draft of note taking" from judgments he would receive or conversations he would have with the DA's office. He just felt it needed to be documented. I asked whether he documented things he thought were "incompetence" or "negligence" under DA Porter and he said he "never felt the need to." He clarified that under the previous DA, he did not feel a concern for the community, but that now that he has a greater role at the Sheriff's Office, he has a concern for the community. I asked [redacted] when he decided he needed to start documenting his concerns and he eventually stated it was some time in [redacted] after [redacted], and he felt the need to document what he felt was "gross negligence and a danger to the community." [redacted] said he tried to document the complaints contemporaneously with having a concern and he brought a notebook in with him to our interview.

He said when he [redacted] he had heard rumblings and complaints about the DA's office but he tried to keep a positive outlook and as he described it "keep a bridge connected" between his office and the DA's office. [redacted] was speaking generally about concerns with the DA's Office not filing cases, not being communicative with his agency, and there being no partnership between their agencies.

In an effort to get more specific information about TCDA process, I asked [redacted] to explain the process, from his understanding, of how the DA's office notified his agency that a case was no-actioned. He showed me an email as an example – the email came from a person at the DA's office that he understood to be support staff (not an attorney) with a brief reason as to why the case was no-actioned. He said that email would go to office manager Rhonda Silveira, who would then forward it to records to go in the case file and to the supervisor of the investigating deputy (patrol sergeant for patrol deputy; detective sergeant for detective). [redacted] believed he received no-action emails from his supervisor when he was a patrol deputy, though none stuck out in his memory. As for the current practice, [redacted] said that he did not believe administrative staff was sharing the no-action memos with patrol staff any more because it was becoming so common for the DA's office to decline prosecution that the

administration was trying to minimize the negative impact it could have on morale. [redacted] believed the administration's decision was "brilliant". He also said that his [redacted] shared no-action decisions with him.

I asked [redacted], referencing the example of the no-action email from the DA's office support staff that he showed me, if he would know which attorney at the DA's office to contact with questions if he had received such an email. He told me he would not. He explained that he would call the DA's office, speak to one of the legal assistants (whichever answered the phone),[7] and ask them which attorney was assigned to the case. He said [redacted] almost always took their calls; he would leave a voicemail or more frequently send emails to the other attorneys. He told me about a very recent case where he called the DA's office and was directed to DA Olson. He left her a voicemail at 9:35 a.m. and she sent him an email the following day, acknowledging she knew it was his day off but inviting him to "give her a call" (on his day off). [redacted] said that DA Olson's email did not answer the question he had left on her voicemail. I asked [redacted] if he typically received email responses from DDAs when he sent them regarding a no-action. He said, "Yes and no" and explained that none of the attorneys were always good or always bad about responding. He said if it's an answer they don't want to give or a question they don't want to answer, he will not receive an email.

I asked [redacted] if, since he's been [redacted], he's had cases he investigated filed and later dismissed. He confirmed the DA's office notified the agency of the dismissal in the same way (by email). I asked him if he would typically contact the DA's office regarding a dismissal and he said that was not necessarily his practice, but he did make it a practice to contact the victim. He explained that he would do that because in his experience the relationship between victims and the DA's office was "cold." He said, "They don't like talking to them face to face. They don't like talking to them over the phone. They advise them through mail, snail mail. So our victims deserve more than that." He recalled one case where almost a month had passed since the case had been dismissed and he called the victim and found out the victim was unaware of the dismissal.

He said that recently DA Olson and Kristina Vatne (victim assistance) came and gave a presentation at his office and "told" them "you are not to talk to the victim" once a case has been filed. They were told to instead direct victims to victim assistance at the DA's office with any questions. [redacted] commented, "We don't work for her." He said they were instructing the officers to give victims a card with a QR code on it so that the victims would know their rights.

Regarding his observations of the attorneys and Kristina, he commented that, "It's like a parent scolding a child the way they talk to her." When I asked who "they" was [redacted] said DA Olson and [redacted]. He said on two separate occasions he had seen them talk to her like a child in a room full of people. When I asked specifically if he had witnessed DA Olson and [redacted] "scolding" Kristina, [redacted] stated, "I wouldn't say scolding." He went on to explain that it was like they were telling her to shut up "without telling her to shut up." His impression was that Ms. Vatne was going to "say too much."

[7] I asked [redacted] if he had ever had a negative or unprofessional interaction with the legal assistants, whom he identified as Christine, Marissa, and Robin, and he said, "Absolutely not."

I asked [redacted] about how he communicates with the DA's office. I had noticed he had two phones, indicating to me he likely had a work cell phone that he carried along with his personal cell phone. I asked [redacted] if the DDAs and advocates had work cell phones that he could contact them on and he said, "I assume so" which I found confusing. I asked him, "So if they do, you don't have their numbers?" He stated, "I have a number. I am instructed if I want to get ahold of anyone in the DA's office, I'm instructed to call what I call the back line … and I get one of the three office managers." He said if it's after hours he contacts the on-call. I asked his experience with the on-call system and he initially said it was "horrible" and that he had been on a death investigation while still on patrol and could not reach a DA. He said sometimes the DDAs don't switch the phone, one time he called [redacted]'s personal phone and she was "flustered" that I had her personal number. He said the last time he called the on-call phone he got someone who was no longer on call (they hadn't switched the phone) but he got *someone.* I told him that's what I was getting at, namely, in his experience could he reach a DDA or the DA after hours. [redacted] finally said, "I would be the wrong person to ask that as far as the amount of experience calling it. Because in the last two plus years, I haven't been an initial responding deputy." I continued to try to get [redacted]'s experience with getting ahold of an attorney from the DA's office when he needed to, so I asked him about homicides and other major crimes. He referenced a paper he had from the DA's office with information about who he was supposed to call. I tried to get a sense of whether he had been involved in homicide investigations while [redacted] and he discussed different death investigations. (Is it a suicide? Is it not a suicide?) When I used the example of the number of homicides in Multnomah County in 2025 (estimating about 50) and how the Multnomah County DA's Office was going to be actively involved in each one of those homicides, [redacted] said, "I get where you're going with that. Where the DA's office is involved. One." [redacted] stated it was a Criminally Negligent Homicide case.

Going back to [redacted]'s experience with the culture of the DA's Office under DA Olson's leadership, I asked if what he described as plywood over the window and a locked door (to law enforcement) was representative of that culture in his experience. [redacted] said he did not even know where DA Olson's office was until his supervisor recently told him that she had moved down the hall from the main DA's Office and shared a space with [redacted], [redacted]. [redacted] acknowledged that the front window to the DA's Office had always been boarded up since he started in Tillamook County; that was not a new practice under DA Olson. He also said that the Sheriff had just the day before obtained key card access to the DA's Office for deputies in case of an emergency.[8] I summarized for [redacted] what I understood him to be saying, that if a member of the public was to go to the DA's Office they would find a covered window and there would be instructions to ring a doorbell to speak to someone. He confirmed that was accurate. And I further summarized that under DA Porter, he could just swipe his key card and freely enter the DA's Office to speak to the DA or a DDA and that practice stopped under DA Olson. He confirmed that was accurate. He vaguely recalled his administration announcing when DA Olson became DA that their key cards would not allow them access to the DA's Office any more. Regarding the location of DA Olson and [redacted]

[8] Upon further questioning [redacted] confirmed that he did not really know if his key card allowed him access to some doors in the courthouse; he was emphasizing the difference between DA Porter's open door policy and the new practice under DA Olson.

[redacted]'s office (separate from [redacted]) he said there had been a remodel of the DA's Office, they were working remotely, but that the remodel was completed.

In an effort to further understand how he might have contact with a DDA at their office, I asked [redacted] "if you had, let's say, business over at the district attorney's office, maybe you needed to have a trial prep meeting" and before I could finish the question [redacted] said, "We don't do that." Surprised, I asked him if he had ever done that before, had a meeting with a DDA to prepare for trial. [redacted] said on one case, the "Butterfield" case, [redacted] asked him to come over to her office. He believed she asked him one question. She was upset that the case wouldn't settle. I asked [redacted] if that was one of the cases in the exhibits I showed him and he said, "Number 5 and 6." [redacted] said in Wasco County it was "mandatory" to meet with the prosecutor before grand jury and trial but "we don't do that here."

I asked [redacted] to estimate for me how frequently as a patrol officer he would appear before grand jury. He said not more than once a month. He estimated [redacted] that he appears before the grand jury about 20 times a year. He said there should be more cases going to grand jury and I asked him if he was aware of whether the DA's Office might ask defendants to waive indictment as a condition of a plea agreement and he did not know. He confirmed that [redacted] he had testified in two trials – one was a bench trial with [redacted] (*Carroll/Harding* case discussed later) that resulted in the state dismissing the case and one was a jury trial with [redacted] that resulted in a verdict.

Upon returning to the interview after a break, we began going through the specific incidents from Exhibits 1.

#1, Exhibit 1

We first discussed #1 in Exhibit 1 which I learned was *State v. Timothy Neahring*, 24CR42397. See #8 in Specific Cases, below.

#2, Exhibit 1

We discussed #2 in Exhibit 1 and [redacted] said this was the homicide he was assigned to, it involved a drug overdose, the defendant (Shelby Vantassel) had been charged and had pled and the case was concluded (24CR26549). He said he called DA Olson because he had evidence of a release agreement violation from a patrol deputy (curfew violation and new drug activity) and DA Olson told him she was not going to file to revoke the defendant's release because he would just bail out again. [redacted] said that DA Olson then "tried to instruct me to do something that is not legal. She tried to tell me to go to his mother's house, [where he was supposed to be staying as part of the release conditions] … knock on the door and ask for consent to search the house. And she says, 'You know, he's going to refuse, so when he refuses arrest him.'" [redacted] continued, "We only arrest on violations, release violations, if it's a violent person crime, if it's domestic violence or assault, if someone gets a DUI and then leaves and goes to the bar. We don't just go pick 'em off the street. We write it up and send it to the DA for consideration. No, we don't go to his house. We don't set him up." I asked him if he asked DA Olson for clarification and he said he did, and she said if he's going to refuse, arrest him.[9] I

[9] DA Olson did not instruct [redacted] to do anything illegal. Police may arrest without a warrant if there is probable cause to believe a person has violated the terms of a release agreement because Contempt is an

pointed out to [redacted] that he described this as "derelict of duty and incompetence" and asked him what he meant by that. [redacted] said "derelict of duty" because DA Olson should have charged the defendant with violating his release agreement. [redacted] started talking about a grand jury proceeding which I eventually understood was the proceeding related to the homicide. "I had a criminal informant who we used after the death to buy drugs from Shelby. We bought cocaine laced with fentanyl. That's what our person died from, cocaine laced with fentanyl. I had a CI tell us he knew that he was putting fentanyl in cocaine and doing this, our CI was protected, had an alias. Aubrey told me I could not cloak him in grand jury, not accurate." I asked [redacted] what he meant when he said, "not accurate" and he said in a grand jury proceeding it was his "understanding" he was allowed to use an alias.[10]

#3, Exhibit 1

After a break we discussed #3 in Exhibit 1 where [redacted] had written that [redacted] told him at a grand jury proceeding that he was hungover. [redacted] said he did not recall when the incident occurred, but it was "horrible" because [redacted] kept stopping and repeating himself and then took a break during the proceeding to speak with [redacted] outside of grand jury. It was after the proceeding that [redacted] said he was "so hung over." [redacted] said he never reported the incident to DA Olson and it was an isolated incident.

#4, Exhibit 1

We discussed #4 in Exhibit 1, *State v. Gregory Carroll*, 24CR58965 and *State v. Johanna Harding*, 24CR58927. See #9 in Specific Cases, below.

#5, Exhibit 1

We discussed #5 in Exhibit 1, *State v. Timothy Butterfield*, 24CR65707. See #10 in Specific Cases, below.

#6, Exhibit 1

Regarding #6 in Exhibit 1, I confirmed with [redacted] that this incident with [redacted] occurred on the same day as the *Butterfield* grand jury proceeding but did not involve his case, rather it was a case involving [redacted] from OSP. [redacted] said he overheard [redacted] talking to Detective Rose about a case Detective Rose investigated from the Oregon Youth Authority facility near the Sheriff's Office, which housed offenders under and over 18.[11] [redacted] said he was familiar with the investigation (the Sheriff's Office and OSP are housed in the same building) and knew it involved two people in OYA custody, one of whom was over 18 and the other under 16 and they were giving each other blow jobs. [redacted] heard [redacted] say to Detective Rose that she did not think she could prove the crime of Sodomy (in the Third Degree) because the defendant did not *cause* the victim to engage in the oral sexual intercourse. I asked [redacted] if he would describe what he heard as

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"unclassified offense" publishable by up to 180 days in jail. ORS 133.310(1). Additionally, Criminally Negligent Homicide is a felony person crime.

[10] Given the scenario [redacted] described to me, his understanding was incorrect, unless the criminal informant was one of the witnesses who testified at grand jury (which seems unlikely).

[11] Oregon law allows juvenile offenders sentenced to OYA custody to be held at an OYA facility up until their 25th birthday. Thus, you could have a 15-year old in the same facility with a 24-year old.

[redacted] telling Detective Rose or inquiring. [redacted] said she was telling him, because Detective Rose responded by saying, "so you're telling me that an adult can suck off … a [redacted]-year-old … and it not be a crime?" and [redacted] responding be saying, "I know Oregon is wild. Right?" [redacted] described [redacted] looking up the statute on her computer, and he and Detective Rose trying to tell [redacted] that the statute for Sodomy says "engages" in oral sexual intercourse (not "causes"). [redacted] said that Detective Rose was pushing back but in a professional way, not being rude. [redacted] said, "So thankfully I'm there, [redacted]'s there, and Derek [Detective Rose] has, as well as me, the personality to question what she's saying." [redacted] said instead of [redacted] just acknowledging she was mistaken about the law, she was dismissive and could not or would not acknowledge her error.

#7, Exhibit 1

We discussed #7 in Exhibit 1 and Exhibit 3, both of which referred to *State v. Rafael Pozos*, 25CR14933. See #5 in Specific Cases, below.

#8, Exhibit 1

We discussed #8 in Exhibit 1. [redacted] told me the defendant's name was Taylor Stanley and I later found the criminal case in eCourt (25CR05714). [redacted] said this case involved an incident of child abuse, the [redacted]-year old victim had bruising covering much of his face and the child's hair was even falling out with the suspected cause being stress. I told [redacted] I understood that the defendant (who was the father's girlfriend) was originally only charged with harassment and [redacted] said that [redacted] called him and told him it was only harassment and [redacted] said, "I lost my cool and strongly argued with him on the phone." [redacted] said he was not one of those cops who just accepted things and that "luckily" because of his "extensive training with child abuse" he knew that bruising is "blood pooling under the skin and that is absolutely assault all day long." I asked [redacted] if he ever received any training on a court of appeals case that had come out in 2018 or 2019 where a toddler's buttocks were covered in bruises but because the toddler could not express a statement of pain the assault related conviction was overturned.[12] [redacted] said he did not believe so. I asked him if he received any training regarding legislative changes related to the definition of physical injury that went into effect in January of 2024.[13] He did not believe so. I asked [redacted] during this conversation with [redacted] if he sort of made the case about why he believed the charges should be more serious and [redacted] said yes. I confirmed that Stanley was then charged with Assault in the Third Degree, there was plea negotiations, and the case settled with a plea.

[12] I was mistaken about the year of the case (it was 2012), the name (*State v. Wright*), and it was Tillamook County not Washington County.

[13] ORS 161.065: "(1) In a prosecution for an offense that includes, as an element, causing physical injury to another person, evidence of physical injury may include but is not limited to: (a)Testimony by the person alleged to have been injured; (b)Evidence of physical trauma; (c)Testimony from witnesses indicating that the person alleged to have been injured experienced substantial pain or impairment of physical condition; or (d)Expert testimony addressing the effect of the type and amount of force used by the defendant. (2) As used in this section, 'physical trauma' includes but is not limited to fractures, cuts, punctures, bruises, burns or other observable effects."

#9, Exhibit 1

We discussed #9 in Exhibit 1, which [redacted] explained was a domestic violence incident investigated by enforcement deputies with his agency. I confirmed that this was a case the DA's Office no-actioned and it involved a female victim named [redacted] and a suspect named Michael Lex. [redacted] said Ms. [redacted] would not tell police what happened but a witness described to police that Michael Lex had ripped Ms. [redacted] out of a vehicle causing her to hit her head on the ground. Since this was not [redacted]'s investigation, I asked him how he learned that criminal charges weren't filed and he said the no-action came across his sergeant's desk and he keeps domestic violence statistics for his agency.[14] [redacted] had the email from the DA's Office declining prosecution and it stated, "will not be able to prove beyond a reasonable doubt. The suspect assaulted the alleged victim. Evidence shows everyone was impaired and both the suspect and the alleged victim say she slipped." I pointed out [redacted] calling the no-action decision a "derelict of duty" and asked him to explain. [redacted] said he read the reports, the witness's story had not changed, the victim was bleeding from her head, and that we "don't want another OJ Simpson" situation. "Domestic violence is something that Oregon takes incredibly serious[ly]. And you unfortunately pretty much don't have a choice whether or not you want to be a victim or not of domestic violence. If it's discovered that there was domestic violence and you're bleeding from the head … we kind of take that decision out of your hands. And I don't know, I never discovered anywhere where stories changed."[15]

#10, Exhibit 1

We briefly discussed #10 in Exhibit 1 as [redacted] added that he and his [redacted] had called the DA's office and reached [redacted] when they were actively investigating a sexual assault. [redacted] said they were talking through their investigative steps with [redacted] when the subject of seeking a warrant for the Airbnb where the incident allegedly occurred came up and [redacted] said [redacted] told them "I don't know if you even want to do that. That's a lot of work." [redacted] said the conversation with [redacted] concluded with him telling [redacted] he was going to write the warrant. I asked [redacted] if there was an approval process in Tillamook County where a prosecutor reviews a warrant before it goes to a judge and he confirmed there was. I asked if he sent his warrant for review to [redacted] and he said he believed he did, it was approved, and a judge

[14] [redacted] explained that he maintains crime statistics for his agency related grant funding for domestic violence cases and sexual offenses, including child cases. I confirmed that he had eyes on all of those cases for his department.

[15] After my interview with [redacted], I obtained a copy of the investigative reports from Michael Lex's arrest. The Sheriff's Office case number was [redacted]. Consistent with what [redacted] had described, [redacted] had an injury to her head which was bleeding and required medical care. When the deputy asked her what occurred she said she slipped out of the truck and a male with her (identified as [redacted]) immediately said that was "not what happened." [redacted] pointed at the suspect Michael Lex and said, "I told you never again." The suspect said [redacted] slipped out of the truck and that she was "accident prone." [redacted] said Michael ripped [redacted] out of the truck and threw her on the ground, which was how she was injured. An additional witness who [redacted] did not talk about had actually contacted 911 after driving by the gas station where the incident occurred. This witness had no connection to anyone else involved, was not impaired in any way, and was clearly alarmed enough to call 911. The witness said he saw people "scuffling" inside a truck and he watched as a woman "launched" out of the truck, not as though she fell but as though she was pushed. The witness said it looked like she was pushed "because she didn't even get a chance to catch her feet and she hit the cement" with her head.

ultimately issued it. [redacted] said no charges came out of the investigation due to the victim recanting and the case falling apart. [redacted] confirmed he believed it was "blatant negligence" for [redacted] to try to persuade him not to get a search warrant.

#11, Exhibit 1

We discussed #11 in Exhibit 1. I learned the suspect's name is Jeff Gerhardt and later learned the [redacted]-year old child's name is [redacted] and [redacted]'s mother's name is [redacted] I asked [redacted] if he had any update on whether a criminal charge was filed since writing his complaint and [redacted] said they are "attempting" to charge Gerhardt with Harassment. When I asked what he meant by "attempting" he explained that the DA's Office had filed a Harassment charge under the name "Jeff Gerhardt" and had the court send a letter asking Gerhardt to appear voluntarily in court to be arraigned. [redacted] expressed frustration with the fact that the DA's letter was sent to the wrong PO Box and did not use Gerhardt's legal first name of Jeffrey, so they "couldn't find any updates."[16]

About his investigation, [redacted] said Gerhardt originally refused to speak to him so he submitted his completed investigation (which included a forensic interview of the child) in lieu of arresting Gerhardt. [redacted] said he did that because there had been "issues" with the DA's Office with law enforcement arresting someone and then causing timeline issues for the DA's Office. I understood what [redacted] was explaining because once there is an arrest and a suspect is in custody, a district attorney must make a charging decision quickly to comply with statutory and constitutional timelines. Additionally, a felony must be presented to the grand jury within 5 judicial days of arraignment if a defendant remains in custody, and within 30 days if a defendant is released. In a complex child abuse case where the suspect is not in contact with the victim, it is often preferable for an investigation to be referred for consideration of charges in lieu of arresting a suspect and starting the clock on strict timelines.

After the initial submission of the case, DA Olson no-actioned the case and did not ask for any further follow up. This was in [redacted]. [redacted] said he then stressed to the victim's mother that she needed to contact the DA's Office for answers. The mother apparently did meet with DA Olson because [redacted] received an email on [redacted] from DA Olson, which he read to me, where DA Olson wrote she "was surprised to learn" during her conversation with the mother that the mother had disclosed "additional information to law enforcement regarding medical records … as well as suspect's statements following the incident … I never received any of that." [redacted] said DA Olson was good at "half truths." [redacted] said the mother had sent him a screen shot of a medical record, she had not provided him with a complete medical record although he had requested it from her, and law enforcement never conducted an interview with the suspect. [redacted] continued to read DA Olson's email, "Based on my conversation with Ms. [redacted] the mother, and the evidence she described, I've agreed to reconsider my decision upon receipt of this additional evidence. As I informed Ms. [redacted] any further evidence would need to be submitted to my office through law enforcement. Additionally, I noticed there were no reports of interviews with additional witnesses." [redacted] said DA Olson's email was "ridiculous" because he had interviewed the mother, who witnessed the incident, the child had injuries, and then he did conduct additional

[16] The eCourt system can frustrate searches if exact spellings and names are not entered. Although there are ways to tailor searches to maximize results, the eCourt system is imperfect.

investigation and interview six other people who were at the party (where the incident occurred) and DA Olson "still did nothing with it." [redacted] was critical of how DA Olson handled the case because she could have just asked him to try to interview more witnesses, or she could have explained better why she no-actioned the case initially.

As far as [redacted] was aware, the date the court gave the defendant to appear in court had come and gone, but that "we've been working with OTIS" on the case (the Office of Training, Investigations and Safety).[17] [redacted] said the OTIS investigator had reached out to Gerhardt and Gerhardt talked to the investigator, and then Gerhardt reached out to [redacted] and agreed to a law enforcement interview.[18] [redacted] said the day he interviewed him was the day Ms. [redacted] received a notification that Gerhardt did not appear in court and the first [redacted] had heard that a criminal charge had been filed. [redacted] exasperatingly referred to the process used by the DA's Office as "ridiculous" and "unprofessional".[19] [redacted] said in a recent child abuse MDT meeting that DA Olson asked the DHS representatives about their involvement with the case and was told DHS is not involved, it's being investigated by OTIS. According to [redacted], DA Olson did not know what OTIS was or what OTIS did.[20]

The conversation diverted at that point to [redacted] talking about the Child abuse MDT. [redacted] said the participants at MDT meetings historically included detectives (those who conducted the investigations) and DHS caseworkers (those who conducted the investigations) along with supervisors. [redacted] said that when he [redacted] he began attending the child abuse MDT meetings (and that [redacted] before him attended and his partner attended too). Some time after he submitted his written complaints to HR (which he believed was in October of 2025) [redacted] received a directive from DA Olson that she did not want [redacted] at MDT meetings, only [redacted] Paraphrasing, [redacted] stated, "[redacted] received an email [from DA Olson] saying, 'If you are receiving this email, basically you can come to MDT. For those that have not received the email, I'm working on who can't come to it, please do not tell those that are not listed that they are not welcome.'" It

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[17] OTIS is under DHS and conducts investigations into incidents of alleged child abuse perpetrated by non-family members.

[18] [redacted] confirmed for me in a phone call on January 7, 2026, described below, that his interview with Gerhardt occurred November 6, 2025 and his report and the recording of his interview went to the DA's Office on December 2, 2025.

[19] [redacted] asked, "Why would you not subpoena him?" A warrant, not a subpoena, would be the legal process required for a criminal defendant.

[20] After my interview with [redacted], I did verify in eCourt that on October 2, 2025, DA Olson filed a DA's Information charging Gerhardt with Harassment. Several notices for a November 3, 2025 arraignment came back as undelivered, and the court left it to the DA's Office to notify the court as to how it intended to proceed. On January 7, 2026, [redacted] contacted me to advise me that he had received a lengthy email from Ms. [redacted] the day before (January 6, 2026) telling him that DA Olson advised her she was now dismissing the criminal case and that pursuing the criminal case could put her bar license in jeopardy. [redacted] forwarded me Ms. [redacted]'s email, his email to DA Olson, DA Olson's response to him, and [redacted]'s explanation to me that law enforcement does not forward OTIS reports to the DA's Office and a reference to the MDT meeting he had previously told me about. The emails are attached as **Exhibit 4**. (DA Olson did promise Ms. [redacted] that she would review the OTIS report before making a final determination; and in DA Olson's email to [redacted], she confirmed she received it from the investigator.) I periodically checked eCourt after my phone call with [redacted] and eventually verified that on [redacted], DA Olson filed a Motion to Dismiss the case, stating, "the District Attorney's Office has received additional evidence since filing the Information rendering the evidence insufficient to sustain a prosecution."

was [redacted]'s understanding that the same directive was issued to DHS so that only the supervisor would come to the MDT meetings. [redacted] said that while his sergeant has some knowledge of the cases he and his partner investigate, she does not have complete knowledge of the facts of each of the investigations.

#12, Exhibit 1

We discussed #12 in Exhibit 1. I also discussed this with the Parole and Probation supervisor, Lieutenant Ahnie Seaholm. [redacted] did not add any particular detail to the information in his written complaint and his belief that had Mr. Kowalski been in custody, Deputy Cloud would not have been assaulted.

#13, Exhibit 1

We discussed #13 in Exhibit 1 and Exhibit 2, both of which referred to *State v. Richard Hart*, [redacted]. See #11 in Specific Cases, below.

#14, Exhibit 1

We discussed #14 in Exhibit 1, *State v. Israel Pozos Leon*, 24CR25944. See #3 in Specific Cases, below.

#15, Exhibit 1

We discussed #15 in Exhibit 1. I learned that this was an investigation conducted by [redacted]'s partner, [redacted], and [redacted] said he did not have much first hand information about the case but he was bringing it to my attention for possible further investigation because his partner had developed probable cause for Strangulation and Felony Assault in the Fourth Degree. I asked [redacted] if he was aware of any policies that the DA's Office may have that would authorize a plea offer to a misdemeanor charge up front with an agreement not to go to grand jury and pursue a felony charge. [redacted] did not know if there was such a policy, but he had seen it done by the DA's Office on other cases (i.e. offering a misdemeanor charge and agreeing not to go to grand jury on a felony charge).

I later investigated the case in eCourt and requested a copy of the investigative reports from the Sheriff's Office and reviewed them.[21]

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[21] I ran the suspect's name in eCourt and discovered that he had been charged in State v. Maximo Menera-Aleman, 24CR41270. He was originally charged in custody with Harassment (Class A Misdemeanor – witnessed by minor child). He was arraigned August 12, 2024 (the day after his arrest) and released that day. An Amended Information was then filed adding a second count – Attempted Assault in the Fourth Degree (Class A Misdemeanor – witnessed by a minor child) on August 28, 2024. The defendant was not charged with Strangulation (Class C Felony) or Assault in the Fourth Degree (Class C Felony). Pursuant to a plea offer from the State, the defendant eventually pled no contest to Harassment and was sentenced to probation. The state dismissed the Attempted Assault charge and expressly agreed in the plea offer not to present a Strangulation charge to the grand jury.

The police reports documented the following: The incident occurred August 11, 2024. A patrol deputy was initially advised that a child (almost [redacted] years old) was being taken to the hospital, bleeding from his face, but that the victim was still at her residence. The victim was contacted at her residence and she said she was in her bedroom and her boyfriend grabbed her by the arm and hair and threw her on the bed causing her head to collide with her son's, causing him injury. The victim reported her neck and arms were hurting from being grabbed and shoved. The suspect was interviewed on the scene and said he opened the door to the bedroom and the door accidentally hit his son and that's how he was injured; he denied doing anything to victim. The suspect was arrested. In a supplemental

#16, Exhibit 1

We discussed #16 in Exhibit 1. [redacted] explained this was his partner's case. I knew that there would be very little I could do to look into this case because it involved child abuse and the reports would be confidential, and I would not be able to access any dependency matter in eCourt. I confirmed with [redacted] that the child suffered severe, inflicted injuries. I asked if he recalled the DA's Office being involved in the investigation of the case from the beginning, because in my professional experience cases involving infants with severe inflicted injuries can be very complex investigations requiring the review of thousands of pages of medical records and meetings with doctors specializing in child abuse. He said the DA's Office was involved and it was assigned to [redacted]. [redacted] said he recalled the case being discussed at MDT. [redacted] was not aware of specifics of the case as I asked the level of [redacted]'s involvement, but when we talked generally, he said it has "never once" been his experience that the DA's Office is heavily involved in the investigation of a case. I read to [redacted] what he had written, that "the DA's office refused to prosecute [the] case as they could not prove which parent injured the child even though it was a parent, that the child was injured while under the care of the parents." I asked [redacted] if he understood *why* the DA's Office might not be able to proceed. He said no, and I asked him what he did not understand. [redacted] then alluded to some statements the mother and mother-in law made about the father getting angry quickly and being rough with the child. He said, "Do we assume that this infant, who is cartilage, is getting these injuries on their own?" and as I tried to ask him if there was ever a discussion with the DA's Office, an explanation of the inability to charge the case (inability to prove *who* did it beyond a reasonable doubt), [redacted] interrupted and said, "There's no discussion and that's part of the problem." [redacted] said, "So can they explain to me how it's different, **and it probably is**, but if I have drugs in the center console of a vehicle exposed and I have a driver and a passenger, and no one fesses up to

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report, [redacted] wrote that he was contacted on [redacted] by a Tides of Change advocate who reported that the victim said she was strangled, that a neighbor was being used to translate, and that the information apparently wasn't relayed to the officer. [redacted] talked to the victim at the courthouse and obtained a more detailed account from the victim.

The victim said on the day of incident they were at the Tillamook County Fair, the defendant was drinking, asking her why she was dressed the way she was dressed, and then he grabbed her by the arm asking her who she was dressing for. She described him as a very jealous person. She tried to leave the fair with their son and the defendant would not let her, so she left without him and went home. When the defendant arrived home, he was banging on the front door demanding to be let in and as she was going to open the door, he had gotten in. He followed her into the bedroom, grabbed her by the back of the hair and ripped her back onto the bed. She described her pain as 10/10. As she fell back, she struck her child's face with her head causing him to bleed heavily from his nose. The defendant then jumped on top of her and grabbed her by the throat. It was difficult to breath, and she rated her pain at being strangled an 8/10 and said she thought she was going to die. She heard her sister and a neighbor come into the room and stop him. The neighbor took her son to the hospital. [redacted] photographed and described scratches and a light mark on the right side of the victim's throat. The following day [redacted] also interviewed two of the victim's sisters and the neighbor. Each one corroborated the victim's account. Both sisters described the defendant having his hands around their sister's throat. They described the defendant as enraged, and that he said the victim was "going to pay" if she didn't open the door. The neighbor described that she heard banging, yelling and screaming and when she went to their residence the front door had been damaged (as though it was broken in).

The victim and witness accounts of what occurred at the victim's residence would meet the elements of DV Assault in the Fourth Degree witnessed by a minor child (Class C Felony, Crime Seriousness 6 on the sentencing guidelines) and DV Strangulation witnessed by a minor child (Class C Felony, Crime Seriousness 6 on the sentencing guidelines); the victim's account of what occurred at the Fair would meet the elements of Harassment.

whose drugs there are, they charge both people. If I have a baby between the mom and the dad, and no one's fessing up to who the … lead pediatrician is saying, these are injuries consistent with child abuse, and I testify to these injuries all the time, why if no one's going to fess up to it, are they both not being charged with neglect?" I pivoted away from specifics and back to process and asked, when the case was ultimately no-actioned, did his office just receive a standard no-action email or something more, maybe even an in-person meeting. [redacted] said maybe [redacted] received a phone call but there's never an in-person meeting. In relation to DA Olson giving the parents immunity for the dependency proceeding, I asked if that decision was explained to him or [redacted] to his knowledge. [redacted] said it was not explained to him and he did not believe it was explained to his partner based on his partner's reaction to hearing the news (which his partner had told him). I asked [redacted] if they sought an explanation from the DA's Office about why legally immunity might be beneficial for the child and he said he did not know if that happened (because it was his partner's case).

#17, Exhibit 1

We discussed #17 in Exhibit 1. [redacted] did not have much to add to his written complaint. I asked him if he was aware of the presumption of a mental state for conduct to be criminal. He said he was not and expressed that it should be explained by the DA's Office if that is the case.[22]

I later requested a copy of the police report from the Sheriff's Office.[23]

As we were concluding the interview, discussing [redacted]'s thoughts on any path forward given the current relationship between the DA's Office and law enforcement, [redacted] was skeptical that there would be a way forward. He said it came down to philosophy, it's "who they are … and how they believe. This is their viewpoint." As an example, he said he recently learned that the Sexual Assault Response Team (SART) was voting on a mission statement that included, as part of its mission, to "hold offenders accountable," and DA Olson did not believe that should be part of the SART mission statement. I asked [redacted] if he thought there was anything that I missed or forgot to ask him about and he said no.

As a general observation during my lengthy interview with [redacted], he would often veer off the question I was asking and provide a different anecdote to demonstrate his point. There were many times when he would interject with his opinion that "You just don't do that" or "That's not ok." It was challenging to get a response to the specific question I was asking but I thought it better to let him direct or steer the conversation so that he could provide

[22] ORS 161.105.

[23] Salient to the charge of criminal trespass, the defendant ran through a residential yard and then tried to jump over a 6-foot tall chain link fence that bordered the property. A reasonable conclusion to draw from the existence of a fence of that height around property is that the property owner has it to secure the property, keep animals secure, and keep unwanted visitors (either animals or people) out. Police verified with the property owner that the defendant was unknown to him and did not have permission to be on his property. The circumstantial and direct evidence was sufficient to prove the defendant unlawfully and knowingly entered the premises, although there could certainly be other valid reasons for the DA's Office to elect not to charge the defendant (i.e. it's a Class C misdemeanor, the defendant was already being supervised in some way, etc.).

all the information he wanted to provide. He spoke with authority on legal process and the law, but was sometimes incorrect.

I took a break during my interview of [redacted] to speak to Tillamook County Sheriff Josh Brown. The interview took place in the Sheriff's private office.

Josh Brown

Sheriff Brown provided me his educational and professional background. He graduated from Tillamook High School, attended some college, then did construction for years until deciding to get out of it around 2004 when he started volunteering with the Sheriff's Office to see if it was a fit. He was hired full time as a corrections deputy in 2005 and worked in that role until September of 2012 when he transferred to the patrol division. He was assigned to a contract position at Sand Lake through the U.S. Forest Service. He returned to regular patrol until 2020 when he ran for Sheriff. His motivation was that he saw a significant need for change and he won by a very narrow margin. He was sworn in January of 2021 and was reelected to the post in 2025, running unopposed.

I asked Sheriff Brown to describe his interactions with the previous DA (Bill Porter) as a deputy and also as Sheriff. Sheriff Brown said he didn't have a lot of interaction with him as a deputy, at least nothing that stood out, but that generally speaking he believed DA Porter had a good understanding of the system as a whole, which he described was the biggest difference between the former and current DA. He struggled to put words to it, saying, "I don't know how to say it. I believe you're a former DA, so you would kind of understand. He would take the information knowing that there's a whole process, and yet you don't need everything wrapped up in a nice box with a bow on it before you actually can charge anything. I suggested, "maybe an understanding that investigations are ongoing" and that "additional evidence might be gathered at a future time." Sheriff Brown added, "And just because you file the charges right now does not mean you have to be ready for trial the next day." He said DA Olson has said numerous times that she doesn't really want the case until the investigation is complete, which Sheriff Brown said was tough because if they have probable cause, and there's legitimate victims, we want to bring them to jail to protect the victim. Sheriff Brown said "9 times out of 10" these people are being released without charges and without a release agreement which is does not protect the victim in the slightest.

Sheriff Brown gave a specific case example related to a well-known, recidivist sex offender that he had arrested back when he was a deputy. He said that the agency heads (DA, Sheriff, Tillamook and Manzanita Chiefs, and OSP command) would have "Command Meetings" and discuss various things, and sometimes the conversations did not go well. During one meeting in particular he was upset that DA Olson wouldn't go to grand jury on a sexual assault case involving the recidivist sex offender because she was waiting on the OSP crime lab. He said, "I called her on it. I said, 'Why are you not taking this to grand jury?' This predatory sex offender is out here still victimizing people." He said, "I don't think she likes people sitting in jail." I asked for the defendant's name and he told me David Sinohuiz. Sheriff Brown said within a couple of days of that conversation DA Olson went to grand jury and Sinohuiz was arrested. He believed the case occurred in 2025 but was not certain. Sheriff Brown also mentioned another case he had heard about "second hand" where a guy was allowed to go on a

cruise with his victim because the state was not willing to press charges. He said the former DA had no problem holding people in jail, and if they did get released there was a "rock solid" no victim contact provision.

I asked Sheriff Brown about his interaction with DDAs when he was a deputy and he said there was one prior Deputy District Attorney (Aaron Girata) who was an aggressive DUII prosecutor and they did a lot of cases together. He said DDA Girata would call him on his mistakes ("always straight and … never condescending") but he would push forward a lot of cases. He recalled fondly the night DDA Girata was named DUII Prosecutor of the Year for Oregon and he took Sheriff Brown and other DUII officers out to dinner to celebrate. Sheriff Brown said it was his understanding that DA Olson was hired to take his place as the office's DUII prosecutor but she was less aggressive as a DUII prosecutor. Sheriff Brown spoke generally about the decline in cases being filed that he believed had been occurring over the last several years. He did not offer any statistics or numbers, just his observations.

I asked Sheriff Brown about communication with the DA's Office when DA Porter was there and he said he did not recall any communication problems. He did not remember if there was an on call system or not but if someone needed to reach DA Porter, he would answer the phone. Sheriff Brown joked about how everyone knew if they called DA Porter they would get the "business" conversation but it was a running joke that you would always get some kind of story because he just loved visiting with cops. Sheriff Brown said DA Porter was very supportive of police, was easy to get ahold of, and he liked "just visiting with us." Sheriff Brown also said that "there was never a doubt that Bill Porter was going to work on the case that you brought to him. And if it was really, really bad, he would tell you and not move forward."

Sheriff Brown told me that said that at some point before he was sheriff, there was some handshake agreement that the Sheriff would swear in the DA and DDAs as special deputies. When he became Sheriff, he continued the tradition without questioning it. He recalled [redacted] ([redacted]) being hired and swearing him in as a special deputy and he said something about it felt weird, how they ([redacted] and DA Olson) kind of celebrated him being deputized, and it caused him to look at the law surrounding that and ultimately when he learned "I'm liable for anything that they do under the special deputization" it scared him and he removed the special deputy status for the DA's Office.

I asked Sheriff Brown, when DA Olson took office, if there were changes and if they were immediate or subtle. Sheriff Brown said there were absolutely changes. He said the general consensus in his office was, "What was Bill thinking?" because that did not seem like the right person to be in that spot, but he said DA Porter was "diehard" in his support for her for the position. He said the changes seemed subtle in the beginning, and he believed that with new laws (he referenced bail reform under Senate Bill 48), some of the changes were not "crazy" and were necessary and understandable. He said, "I don't even think the phone issue came in right away." I asked him to explain and he said that you have to make an appointment to speak to her on the phone. Sheriff Brown said that he doesn't remember hearing anything "official" about the phone thing, but he remembered a meeting at her office and there being some kind of tension (he could not recall the specifics) where he told her "in a million years" he would never implement an appointment system for a phone call. He said he told her, "If you call me, I will answer the phone. And if I don't answer the phone, I will call you back as soon as I'm able out of respect." Sheriff Brown said that DA Olson said she was too busy, and there would be no way she could

ever be off the phone. Sheriff Brown said he pushed for some alternative, that if he needed to reach her he needed to be able to call her, so they agreed if he needed to talk to her he could email her, say "I need to talk to you" and mark the priority level "High." He said his thoughts coming out of that meeting were (1) that the procedure was ridiculous (having to make an appointment to talk on the phone to another elected official of an agency he works closely with); and (2) that she will never take the blame for her own faults.

He said while he didn't agree with the phone procedure, he was willing to accept it because it was her choice how to run her office. He made it clear to her that if she needed to speak to him, to call him or text him and he would answer.

He explained what he meant by her never taking the blame. He said in his observation "whenever there was a mistake, she would always blame somebody else or blame some situation. I don't remember what it was specifically, but she did it in [the meeting]." He provided an example of a situation in the City of Manzanita where DA Olson no-actioned a case, the City of Manzanita then got sued, and a records request ensued. Sheriff Brown said that because the DA no-actioned the case and it was inactive, the police agency was responsible for the records release. Sheriff Brown said DA Olson apparently received a records request and sent everything, unredacted, to the requesting party. Sheriff Brown said that eventually at one of their Command Meetings DA Olson admitted she should have redacted the materials before she sent them, but she blamed one of her staff people for the error. "You'd have to talk with Manzanita about that because they would have more details on it. I think there was lawsuit and the people that were going to file a lawsuit or something like that, they asked for it, so she gave it to 'em, but it was completely unredacted. Basically Manzanita was arguing with her, she didn't like that they were arguing, so she … threw a fit and basically said, 'Here's everything," kind of wanting to throw Manzanita under the bus. She does that a lot. She'll talk circles and pretend like she works well with law enforcement and stuff, but she loves to throw places under the agencies under the bus. If somebody doesn't get charged, it's our fault."

I asked Sheriff Brown if he was aware of DA Olson's background and he said he was aware of her being a police officer previously. She was on a reality TV show as a Memphis police officer and then came out to work for OSP. He said that he did not know which division she worked in but while she worked in his building, she was doing environmental investigations. He said he would see her working at a desk and he got along reasonably well with her. He did not personally work with her work but troopers who worked with her told him, "to be blunt, she was worthless. She didn't work. She didn't do good cases. She didn't follow through with cases. She just kind of did nothing. Again, that's hearsay, but that's directly from people that worked with her that said this." He said at some point, he did not know when, she had gotten a law degree because she left OSP to work at the DA's Office as a DDA. He did not know about [redacted] until she became DA, and then he read news stories about [redacted].

I referenced the Sinohuiz case that he had told me about to ask Sheriff Brown more questions about his observations of the timing of criminal charges being filed. Sheriff Brown said that numerous times DA Olson has said she wants a case as close to complete before she's comfortable filing charges, particularly with sex crimes. Sheriff Brown said to him that made no sense because if it takes months and months to get testing from the crime lab, that's many more months that the offender can continue to victimize. He said he has instructed his deputies to arrest on probable cause if it's necessary to protect the victim; if DA Olson then chooses to allow

this person's release, that's not on us. "We need to do our job." I asked Sheriff Brown if he had spoken with DA Olson about his concerns with the delays in charging and he said that DA Olson will say she will file later, or she will blame a poor Probably Cause (PC) statement, or she will say that she sent emails and the deputy did not follow up. Sheriff Brown said he has acknowledged to DA Olson that his office has faults, that their PC statements were terrible. He said he remembered telling her once, "I'm willing to admit the fact that we're not perfect and we need work. I just want you to do the same." He said she talks in big circles, citing legal precedent and case law, and then offenders end up getting released. Sheriff Brown said his opinion is that DA Olson does not like cops, that she thinks they are inferior to her and not as smart as her. He cited as an example a situation where she emailed the jail commander that she was not filing charges and the person needed to be released when in fact there was a Clackamas County hold on the individual. He recalled in the email she stated something like, "I'm the only one that has the authority to release people from jail," which was incorrect. Sheriff Brown said she clearly had the authority to charge or not charge as the DA, but release decisions were not hers (particularly if there was another basis for the person to be held). Sheriff Brown said that she talks down to them, although it's hard to explain because it's little tidbits here and there. He said regarding the email to his jail commander, he did not know if he ever replied to her or not because "I choose the high road sometimes, although there's times I don't know that I should have." He said he was generally bothered by the tone and attitude that she presents toward law enforcement.

I asked Sheriff Brown if DA Olson had an on call system. He said she does now. He recalled when she first took office she took all the calls and did weekend probable cause statements. That changed and she instituted an on call system which Sheriff Brown said was, to his knowledge, working well (and he believed if it was not working well he would hear about it). I asked about any special protocol for homicides and Sheriff Brown said there is a Major Crime team that's pretty collaborative and the Sheriff's Office has generally been the organizer of it over the years. He said DA Olson "tried to take it over and be the lead on it, which is hilarious because she can't even seem to run her own office." He said it's the Sheriff's Office Detective Sergeant who kind of takes the lead on most major crimes. Each agency is supposed to have representation, and OSP is good about that. Sheriff Brown said the team was "starting to fall apart" and his detectives were having to do everything, and he had to "crack the whip" and insist that Manzanita and Tillamook PD assign a detective. Since he's been Sheriff there have been two Officer Involved Shootings (aka OIS) and four homicides (more than the prior 20 years probably), and his Detective Sergeant was having to run everything (i.e. coordinate the investigation) and investigate.[24] He said the first OIS was under DA Porter, and the last one in Rockaway Beach was under DA Olson. He said she showed up on scene, with [redacted].[25] He said typically his Detective Sergeant will advise DA Olson of a major incident, he believed it was a 50/50 chance she would show up, but that his Detective Sergeant would essentially run the show. During this part of the interview Sheriff Brown took a few small tangents describing some politics related to this interagency team but unsolicited, was very complementary of his Detective Sergeant and her work on major crimes. In confirming with Sheriff Brown that DA Olson came to the scene of the Rockaway Beach OIS he said that she did,

[24] Sheriff Brown later referred to his Detective Sergeant as a "phenomenal cop."
[25] Sheriff Brown side tracked himself and said, "Don't even get me started on that" and made a reference to them having neighboring offices.

he called her on her personal cell, and she must have answered because it was him. But he was able to get ahold of her. He also believed that he had called her personally on other cases he responded to (he referenced the other OIS, even though it was under DA Porter, and the four homicides since he'd been elected Sheriff) and she took his call.

What I was trying to get at in my questioning was whether there was a special on call protocol for major crimes, as opposed to just a run of the mill search warrant or question. Sheriff Brown said he did not believe there was a protocol, and he knew they needed to have a written protocol for OISs and critical incidents. He could not remember the law but when I mentioned Sheriff Brown 111, he agreed that was it. Sheriff Brown said they have a protocol in place, but it needs to be updated, and "we're relying on her to do it because the updated version is sitting on her desk and she's dragging her feet." He referenced the Rockaway Beach OIS and said they had the Clatsop County Major Crimes Team come in to do the investigation and DA Olson was like, "We need to be like them." Sheriff Brown said Clatsop County is bigger than Tillamook, 5-6 police agencies, and a much bigger team. Sheriff Brown said that he believes Clatsop County's DA leads the Major Crimes Team up there and that's how DA Olson got the idea that she should do the same.

I asked Sheriff Brown if there was anything else that stuck out to him as a contrast between how things were now under DA Olson versus former DA Porter and we spoke about access. Sheriff Brown said that the culture under DA Porter was pretty open door, you could let yourself in and go try to find a DA in their office. He knew there had been a remodel of the DA's Office under DA Olson but had not been there to see it, he had only heard about it (which is how he heard about DA Olson and [redacted] having offices next to each other but away from the rest of the office). I asked Sheriff Brown about key card access and whether DA Olson had "revoked" key card access. Sheriff Brown said only he could grant or revoke key card access and that it's a big mess right now because they've discovered that there are way too many key cards out there with access (retirees, former employees). Sheriff Brown said that he just needed to make sure for security reasons that all of his deputies had access to all of the doors in the building. I asked him if his deputies' key card access was revoked at the DA's Office and he said no, that had not occurred, and no deputy told him that had happened. Rather, he said that DA Olson's policy announcement was not to come and just drop by, that people needed to make an appointment.

I asked Sheriff Brown about the frequency of his contact with DA Olson and he said it's essentially the Command Meeting lunches once a month. He said they did a town hall together that's on YouTube, and she had recently come to this office to discuss victim issues, and she brought an advocate with her. Sheriff Brown said the gist of the meeting was her trying to get them (law enforcement) not to talk to victims once the case has been sent to the DA's Office. Even if a victim were to call an officer, their advice was to send them to the DA's Office. I asked if DA Olson provided a reason and Sheriff Brown could not really recall but believed she claimed they were getting incorrect information. Sheriff Brown said, "It's known to all of us that she does not want us speaking the truth to them. Because during an investigation, we're the first contact of a victim in any kind of a traumatic situation, especially like our detectives for sex crimes, things like that. So naturally, there's going to be a connection made. She actually told me one time in an email that my deputies need to not develop such a connection with victims. They need to separate themselves better. She likes to do that and tell me how I should run my office. But she told me that, which is ludicrous to me because they may not be intentionally trying to

create a relationship, but it happens because human nature is when somebody goes through a traumatic, the cop is the first person that shows them sympathy and investigates and tries to do something. The connection happens. So when she doesn't charge, the victims are either calling them and they're just giving them some runaround, they're doing nothing for them. So they call us. Because they want an outlet. They need somebody to talk to, somebody to explain" because the DA's Office won't.

Sheriff Brown said he asked DA Olson about the cases they don't charge, and whether the victims are still recognized as victims. He said she spent five minutes talking until she eventually said that technically they would be entitled to crime victim's compensation, but they get no victims' rights and no protections. Sheriff Brown said he was actually trying to find out if she still wanted his deputies to send those victims to her office to speak to them and she said yes, let us speak to them and we will tell them about victim compensation. I asked Sheriff Brown if Kristina Vatne accompanied DA Olson and he said that was correct. I asked if he observed any interaction between them that stuck out and he said no, but that he had been made aware of a prior incident where she "jumped on" Kristina so he was watching for it. He said Kristina is kind of awkward and shy and just did not say much, but that he believes she genuinely cares for victims. I asked if DA Olson did most of the talking and Sheriff Brown said almost all of it, which was typical.

Before leaving the topic of office culture altogether Sheriff Brown said that the biggest fear his deputies have is that they get into a shooting and she throws them under the bus. That was not a fear with DA Porter. He would hold people accountable if they messed up or did something stupid, but "we knew he had our back."

I asked Sheriff Brown about his earlier comment about observing that fewer cases were being charged because the investigation wasn't completed. He said he did not have any numbers on that and whether cases initially no-actioned were later being picked up and charged. I asked how no-actions were communicated to his agency and he said DA Olson swears she notifies us on every case. He did not know whether that was in fact true. He talked about an incident recently involving a Sheriff's Office employee and I realized he was speaking about the jail employee, [redacted], whom Lieutenant Silveira had told me about that morning. Sheriff Brown said DA Olson sent the no-action decision directly to him, and it said, "It's clear that he did do what was alleged and it was clear that it was offensive … However, I don't know that I can prove intent. So we're not moving forward." Sheriff Brown said, "Bill would have moved forward." Since Lieutenant Silveira was not sure of the status of things, I confirmed with Sheriff Brown that a criminal investigation had concluded, been forwarded to the DA's Office, and the charge no-actioned. Sheriff Brown confirmed that was correct.[26]

I asked Sheriff Brown if he personally ever had a victim complain to him about the DA's Office not filing charges. He said only [redacted]'s [redacted], who had been a victim of John Henry out of Netarts. DA Olson no-actioned the case (reckless endangering) but did not notify the victim. Sheriff Brown said that he got the no-action notification from the DA's

[26] Sheriff Brown said it had begun as an internal investigation because [redacted] did not want to pursue something criminal. Sheriff Brown demoted the deputy and assigned him to a different shift in the jail, but he had to return him to work because he could not find it was sexually motivated. At that point, [redacted] said she did want to initiate a criminal investigation. That occurred and DA Olson no-actioned the case. He recalled [redacted] being upset, and believed the DA's Office directly notified her of the decision, but he did not know how the notification occurred.

Office. [redacted] heard about DA Olson's statements in the training at the Sheriff's Office about notifying all victims (as a former deputy and PIO, Sheriff Brown said he still had good connections) and he learned of DA Olson making that claim (of notifying victims). [redacted] told Sheriff Brown that [redacted], [redacted], was never notified about her case. Sheriff Brown talked briefly at that point about the criminal investigation involving John Henry.

I asked Sheriff Brown if he had heard other complaints or concerns from the Chiefs in Tillamook and Manzanita and he said nearly every time they talk. Sheriff Brown said it was general frustrations. He said Chief Troxel told him DA Olson won't meet with him any more (but he could not recall the reason) and that Chief Harth did not think highly of DA Olson. Sheriff Brown said the chiefs aren't "quite as bold" as he is because they're chiefs, not elected, so during Command Meetings (lunches) they will bring up concerns but they do it slightly differently, where as he will actually call her out which he said he had done a couple of times. He told me of an email DA Olson sent where she was requiring that every report be submitted by noon for any and every in custody, as opposed to relying solely on the PC statement, otherwise the person would get released. Sheriff Brown said, "So you arrest somebody at two o'clock in the morning, her expectation is that the report is done and turned into them by noon that day … my staff is not required because their shift ends at three o'clock and they're on call for two hours. They are not required to stay on and finish their report." He said he saw that as a ploy to blame law enforcement for why she was not charging someone, and for him it meant overtime issues and diminished quality of the report. Sheriff Brown said that Tillamook Police Department had enough overlap with staff where they are supposed to get their reports done, and OSP was not going to "ruffle feathers" so they were going to try. He said he tried to explain to DA Olson that what she was asking was not possible because they had an approval process, and he was not going to forego his procedures within his department; additionally, if his agency was investigating with OSP he did not have any "jurisdiction over them" to get their report or body camera footage. Sheriff Brown said he told her, "Aubrey, you have absolutely no authority whatsoever to give directives to me or my staff. We will continue to do things exactly the way that we are now. There are legitimate reasons for it, and the PC summary is good enough until you get the solid report. It's just not possible." Sheriff Brown said that DA Olson responded by stating that she "didn't mean for it to sound like a directive and blah blah … No, she 100% sent that email directing us to have those reports in by then." Sheriff Brown recalled even saying to DA Olson if she wanted to release people because she did not have a report and only a PC statement, that was on her not them. I asked Sheriff Brown if he could find that email and said that I would be interested in seeing emails addressed to all the law enforcement agencies that dealt with procedure. Sheriff Brown said he would look for it. [27]

I referenced something Sheriff Brown had said earlier in our conversation that he acknowledged there were things his agency needed to improve on and he had mentioned PC statements. Sheriff Brown said that was a big one, but he didn't even have to do much about it because his command staff (undersheriff and sergeants) recognized how bad some of the PC statements were and took it upon themselves to push for improvements. Sheriff Brown

[27] On the day of our interview Sheriff Brown was unable to locate the referenced email. As I was writing this report I sent Sheriff Brown an email asking if he could attempt to locate DA Olson's email. Sheriff Brown responded saying that he would ask his command staff if they could locate it. A short time later I received the email forwarded to me by Sheriff Brown; his undersheriff was able to locate it. The email is attached as **Exhibit 5**.

acknowledged they were not perfect, mistakes were still made, but the expectation was that if a mistake was made they would catch it and fix it. Sheriff Brown said that DA Olson makes a "big deal" out of it, making a singular mistake sound like a "ridiculously ongoing problem." He said instead of asking for a correction on a PC statement, DA Olson will say, "I've been noticing that PC summaries are generally really, really bad and I'm not able to charge people because of that. That's what she'll do after one PC summary being bad. So it's hard to get the exact information. So at our command lunches I have said, 'Can you get back with me with what those PC summaries are because you're making it sound like there's multiple. And if they're mine, I'm going to fix them because I have no problem admitting we're not perfect. But if I don't know about them, I can't fix them. So can you let me know?' She never does. She never gives me the list of them because the list doesn't exist. There's one scenario and then she makes it sound like it's this ongoing problem." Sheriff Brown acknowledged his agency's other faults, that reports in general and death investigation were not well documented, but that "we're constantly trying to do things to fix ourselves" and that especially in the beginning, "we tried desperately to work with her and be cooperative and stuff, and every single time it just ran into roadblocks." As an example, he said that there was a switch to electronic submission of PC statements and booking sheets which he thought was great and was going to be cleaner and easier for everyone; he said they worked together and got it squared away quite well. But then there was a technical glitch, and someone finished their PC statement "by hand" and DA Olson "flipped out and was like, 'I will not accept handwritten things' … because she thought we were just being buttheads." Sheriff Brown said he tried to email her because she was "freaking out" and he said, "we had a technical glitch … these things are going to happen [and] there has to be some leeway … we are not doing anything to try prove a point to you." Sheriff Brown said DA Olson would give no leeway and said she would not accept it, which was frustrating because they had worked so well together to get it rolling in the first place. Sheriff Brown said, "That is a perfect example of how she won't work with us."

I asked Sheriff Brown if he could think of any positive change in the DA's Office since DA Olson took office and he said, "I know this sounds really, really bad, but I really can't." I asked Sheriff Brown if he ever spoke to judges or defense attorney, and he said he had not spoken to them directly but heard through his staff that the judges were frustrated, that one of them had even taken up knitting to fill her day because there were so few cases and court hearings.

Sheriff Brown said that morning he had received an email from DA Olsen. He gave some background and context to the email by telling me about a resident of Netarts named John Henry, and his wife Brooke Henry. Sheriff Brown described them as well known to law enforcement and a general nuisance/menace to the community (per Sheriff Brown, John Henry was calling him, using Facebook, and engaging in very alt-right-wing stuff). Sheriff Brown said his agency served a search warrant for firearms on his property (In eCourt I found 25CR37464, charging him with dozens of counts of Unlawful Possession of a Firearm). Sheriff Brown said when they have to serve papers on the property it's a very cat and mouse game.

Sheriff Brown said Brooke Henry called to make a report of a stolen vehicle and his deputies responded and determined the matter was civil and took no enforcement action. Because Brooke Henry did not like law enforcement's inaction, she kept calling 911, both the emergency and non-emergency line, and so deputies went back out to her residence, although not necessarily with the goal of arresting her. While there, however, Brooke Henry "kind of came at

one of the deputies" and she was arrested for Misuse of 911, Disorderly Conduct, and Menacing. DA Olson charged the case, and then Brooke Henry's husband John Henry had pending charges as well, and Brooke Henry claimed that she was "a victim" and law enforcement shouldn't have arrested her. Sheriff Brown pointed out that John and Brooke Henry used to enjoy some community support but not any more. Brooke Henry kept calling 911, wanting a meeting with the Sheriff, Commissioners, and DOJ.

Sheriff Brown said that Brooke Henry started shopping around for traction at other law enforcement agencies (calling Tillamook PD, OSP) and then eventually asked OSP to investigate a complaint against the Sheriff's Office. The OSP Lieutenant, who is out of Astoria, told him of the complaint but initially said there was nothing there. Brooke Henry apparently continued communicating with this Lieutenant who would contact Sheriff Brown who repeatedly told him, "I'm not going to call her. I'm not going to have a meeting with her. I'm not going to jump through her hoops. They're trying to bully people. They're trying to do this, trying to do that. In the meantime, she's still stirring stuff up."[28]

Sheriff Brown said one of his sergeants made the call to actually send a corporal out to take her report. That happened, and when the corporal talked to Brooke Henry she claimed to have video evidence but refused to provide it to the corporal because she did not trust police. "So there you go. So we're done with it." The corporal did take the report, determined that Brooke Henry's initial complaint (about the stolen vehicle) was valid, and DA Olson in turn dropped all of the charges related to the Improper Use of 911 (including Resisting Arrest and Disorderly Conduct). Sheriff Brown said he did not think anything of the dismissal initially but then that morning when he got to work he had discovered an email sent the day before from DA Olson. The tone of Sheriff Brown's voice became noticeably upset as he said, "It all but accuses me or our office of multiple cases of police bias up to and including this one. Also claims that we don't have the training to make the decision in the field if something is civil or criminal and trying to claim that we're, anyways, it made me very, very mad." Sheriff Brown provided me with a copy of the email as well as a copy of the Motion to Dismiss 25CR35365 and a Declaration from DA Olson, which are attached as **Exhibit 6**. Sheriff Brown bristled at the bias accusation saying his agency tried to do the report (regarding Brooke Henry). Sheriff Brown said DA Olson's email accused his agency of "other instances of police bias" too. Sheriff Brown described this as an example of DA Olson turning a single instance into a bigger problem. I asked Sheriff Brown if he could tell me what "bias" DA Olson was accusing his deputies of exhibiting and he said she did not specify, he assumed "because we don't like Brooke Henry". I asked if it was gender bias and Sheriff Brown said the email just said "police bias." Sheriff Brown said she included County Counsel in the email although he did not really know what she was implying by that. Sheriff Brown disagreed with DA Olson's opinion that law enforcement isn't trained to make determinations about civil matters, saying "we're smart enough and trained well enough to understand that if it's a housing dispute or if it's a vehicle breach of contract, that that's civil. But she basically outright says, we're incompetent and we don't know how to do it." Sheriff Brown said this email was more aggressive than prior emails from DA Olson, because of the "direct and serious accusations" but that it was again representative of how she "talks to us

[28] Sheriff Brown later expressed is frustration with the OSP Lieutenant for crossing jurisdictional lines ("You just don't go over the top of another agency … it's professional courtesy and respect."). But he also stated he was not upset by the result (the discovery of an error by the Sheriff's Office). "If we did wrong, it'll come back to us and we'll be held accountable for it."

and treats us." Sheriff Brown also believed the timing of the email, with her knowledge of the County's investigation, was indicative of DA Olson's nervousness and need to throw others under the bus because it's "kind of what she does."

I asked Sheriff Brown if he had responded to the email and he said he had not, despite wanting to; County Counsel had not reached out to him either. "I've learned (A) to wait 24 hours, (B) with what's going on, I think it would probably be in my best interest to not respond." He acknowledged, however, being concerned about the accusation of bias. "She's saying it's not just in this situation, but it's in other situations. So she's trying to imply that my office, on multiple occasions, she's seen police bias, not specifying which kind of bias or anything like that."

Sheriff Brown said that he will not meet one on one with DA Olson or speak with her on the phone because he does not trust her. He said a local defense attorney filed a bar complaint against her and Sheriff Brown explained it involved one of his deputies and an accusation that DA Olson had lied to the court.[29] Sheriff Brown said he contemplated filing his own Bar complaint but was concerned DA Olson would retaliate "against my office and my staff." He did comment that he did not know if it could get worse. "In all reality, she dropped so many cases and refuses to work with us collaboratively that I don't know what we would lose if I ended up doing something like that." Sheriff Brown said he has instructed his staff not to speak to DA Olson on the phone without recording it because of his distrust.

I confirmed with Sheriff Brown that he had not directly received any complaints from judges or defense attorneys about DA Olson, and asked if he or his deputies had identified having problems with any of the DDAs. I asked him if he had heard any complaints of [redacted] and he said, "I hear complaints about her constantly" and people are "creeped out" by [redacted]. Sheriff Brown said there is a nepotism concern and I told him that is not actually within the scope of my investigation, but I didn't know if he could explain what he heard about people being "creeped out" by [redacted]. Sheriff Brown said part of it was how he observed him when he swore him in as a special deputy, and part was that people don't trust him given the way he was let go from OSP and then "managed to squeeze his way back in" by getting hired by DA Porter at a time when DA Porter was already going to pass the reigns to DA Olson. Sheriff Brown said when he did the town hall meeting with DA Olson, [redacted] sat in the audience, "dressed like a 20-something thug gangster in these weird baggy clothes with his hood on" and it was just weird and creepy. Sheriff Brown said there is some consensus within his agency that [redacted] is the one pulling the strings, that he's telling her what to do or not do, but "who knows." Sheriff Brown did say that he got along fine with [redacted] face to face but had limited interaction with him. Regarding [redacted], I asked Sheriff Brown what type of complaints he heard about her (he said he had barely interacted with her) and he said "incompetence", "some level of hostility", and "lack of victim protection." Sheriff Brown went on to say, "It doesn't seem like the DA's office as a whole actually considers accountability of the offender and protection of victims in their charging decisions, if that makes sense. It's just what

[29] Sheriff Brown had a copy of the Bar's findings which he provided me. The Oregon State Bar DID NOT find sufficient evidence that DA Olson had been dishonest with the court and exonerated her of any violation of professional rules. Sheriff Brown said he was furious with DA Olson in the trial that gave rise to the bar complaint because she called one of his deputies to the witness stand merely to point out that the deputy had screwed up by either not writing a report or not giving her video.

they have time for and what they think they might be able to win, and what just seems like it'll be convenient." I asked him about the [redacted] and Sheriff Brown said that he had not had a lot of contact recently with [redacted], whom he described as "goofy natured" and "an acquired taste" but he was there under DA Porter and he had always gotten along with him. Sheriff Brown said [redacted] used to be a drug prosecutor and was pretty aggressive and worked closely with detectives, but "he may be a product of the culture of that office." To Sheriff Brown's knowledge, [redacted] still maintained accessibility and he had not heard anything negative from his deputies.

I asked Sheriff Brown if there was anything else he thought I should know and he said he believed we had discussed everything. Regarding the Command Meeting lunches, he said he did not think he would be attending those with everything going on at the moment. He acknowledged carrying his emotions on his sleeve and he's just sticking with his "trusted people around here" but stated it was hard when he had people wanting to leave his agency because "they don't believe their DA." He said he wanted to protect his people.

After concluding my interview with Sheriff Brown, I completed my interview with [redacted], documented above. Before leaving, Sheriff Brown provided me with copies of email communications with DA Olson between 2023 and 2025. I later reviewed the emails and have attached them to this report as **Exhibit 7**. The emails also later became the subject of questions I asked DA Olson.

On November 20-21, 2025, I contacted additional witnesses to begin scheduling interviews. This included the Chief of Police for the City of Tillamook.

Nick Troxel

Nick Troxel is the Chief of Police for the City of Tillamook. Mackenzi Weir, Tillamook County HR, requested that he be interviewed as part of the investigation although he did not make any specific complaint to HR. When I spoke to Sheriff Brown, he suggested I contact Chief Troxel but was not sure Chief Troxel would be as free to express his opinions as the Sheriff was because he was an employee of the City, not an independently elected official.

As the head law enforcement officer of one of the largest agencies in the County, I also thought it was critical to get his input.

On Friday, November 21, 2025, I emailed Chief Troxel introducing myself and requesting to schedule an interview. I did not receive a response to my email so on Monday, November 24, 2025, I called the Tillamook Police Department and spoke to executive assistant Lacey Larson, asking to speak to Chief Troxel. Shortly after that I received a phone call from Chief Troxel.

I explained to Chief Troxel that I was conducting a neutral and independent investigation of the Tillamook County District Attorney's Office and I believed he may have information that was pertinent to that investigation. Chief Troxel acknowledged that he was aware of some investigation being conducted and expressed a desire to share his concerns. Chief Troxel stated, unsolicited, "I don't trust our DA." He said that he had about seven (7) pages of notes that he would like to provide me about his concerns, but that he did not want to share the document by email as it would become a public record. I advised Chief Troxel that he was welcome to mail

the document to my office address if he was comfortable doing so.[30] Chief Troxel also suggested that I contact two members of the child abuse MDT – the DHS representative for Tillamook County (whom he identified as Tira McLaughlin) and the DOJ Child Advocacy attorney assigned to Tillamook County (whom he identified as Dana Forman), as he believed they would have information valuable to my investigation.

During our conversation, we discussed scheduling an in-person, recorded interview. Originally we discussed doing the interview in Tillamook on December 5, 2025 (when other interviews were scheduled). Chief Troxel stated that he needed to check with his city manager and insurance, but believed he could make the morning of December 5th work. As we continued to talk, he brought up the fact that he was going to be in Salem the following day (November 25, 2025) and I told him I would make myself available to do the interview that day if it was most convenient. I told him that I would await word from him after he had spoken to the city manager and others.

About an hour after our phone call, Chief Troxel sent me a text message asking if I had a general set of questions that I could email him. I responded stating that I did not have a set of questions prepared but would be happy to send an email generally describing what I would ask. Chief Troxel replied by text requesting an email "with a quick statement on the general line of conversation [that] would be helpful for our folks reviewing." I advised him that I would send something within a few minutes. I then drafted and sent an email outlining the general topics I wanted to cover in an interview.

I sent another text about an hour later to determine if an interview the next day was possible. Chief Troxel responded that he had not yet received the response he needed to be able to talk so no interview was scheduled on November 25, 2025.

At approximately 4:00 p.m. on Wednesday, November 26, 2025, I received an email from Chief Troxel, where he wrote:

> The email outlining the scope of your investigation and the types of questions you would like to discuss was helpful. I appreciate the background you provided and the professional approach you are taking in conducting a neutral and independent review.
>
> At this time, I will respectfully decline the invitation to meet for an interview. Please understand this decision is not intended to signal any unwillingness to participate or to be unhelpful in your work. Rather, I want to ensure that any involvement from the Tillamook Police Department is appropriate, focused, and consistent with our role in the broader criminal justice system.
>
> That said, the City of Tillamook and I, as Chief of Police, will assist in any way we can if there is a specific question about a case, a process issue affecting public safety, or a particular interaction involving our agency and the District Attorney's Office. If you identify a specific matter where our input would be useful, please send that request in writing with enough detail for us to review it, and we will respond promptly and in good faith.
>
> I respect the importance of your assignment, and I appreciate your service to the criminal justice system. If there is a defined issue you need help clarifying as your investigation continues, please don't hesitate to reach out.

[30] I never received the 7-page document.

At that point in the investigation, I had no knowledge of any specific case investigated by the Tillamook Police Department that I could ask Chief Troxel about, but I did later identify cases that his agency was involved with. Those are discussed later in the report.

Sr AAG Dana Forman and Tira McLaughlin, DHS Child Welfare

On November 24, 2025, Chief Troxel provided me with contact emails. On that same date I emailed both AAG Forman and Ms. McLaughlin. I received a response email from AAG Forman later that day, acknowledging the emails to both her and Ms. McLaughlin and advising me that they needed to speak to their respective agencies. On December 8, 2025, AAG Forman emailed me stating that "at this time" neither she nor Ms. McLaughlin were available for interviews and "thank you for understanding." I did not seek clarification but understood the email to be a denial of my request to be interviewed as part of my investigation.

On December 1, 2025, Tillamook County Commissioner Paul Fournier sent me an email asking to be interviewed as part of my investigation. He was heading out of town but we were eventually able to schedule a meeting for December 16, 2025.

I began researching the eCourt files for specific cases identified by [redacted] and Sheriff Brown during my interviews with them.

On December 5, 2025, I arrived at the Tillamook County Sheriff's Office and was provided a private conference room to conduct interviews. The first interview I had scheduled was with David Richmond.

David Richmond

David is the Program manager of the Developmental Disability Program at Tillamook Family Counseling Center. David advised that he has been in this position in Tillamook County for almost 3 years and prior to that was in Columbia County from 2008-2023. David described the program that he supervises: 225 individuals, both children and adults (mostly adults), that voluntarily participate in receiving services. He has case managers, an abuse investigator (Kylie Petrie), administrative staff and others that he directly supervises. They operate 9 foster homes (8 adult/1 child) and provide in home support attendant care.

In February of 2025, he recalled meeting with DA Olson and discussing two case with her. One case involved an adult client [redacted] and another involved an adult client [redacted]. DA Olson told him she would review both cases. The only case the DA pursued was the case involving [redacted]. The case was assigned to [redacted].

David provided an overview of [redacted]'s case, including the extent of her disabilities. David indicated that his abuse investigator Kylie Petrie worked with law enforcement from the Sheriff's Office and submitted the investigation for prosecution of two individuals. The details of David's statement regarding [redacted]'s case are addressed in #9 in Specific Cases, below. David suggested that Kylie Petrie might have better first hand information about the case and he contacted her so that I could interview her later that day.

I asked David if he had any other interactions or investigations with the DA's Office that I should know about. He described two things that he thought demonstrated a lack of follow through and a lack of communication on the part of DA Olson and the DA's Office.

One involved a case his agency investigated involving a family member (suspect Jim Hoffer) and their client (his [redacted]) related to theft/misuse of funds. He mentioned the case to DA Olson when they were speaking in February of 2025 and she said she would give herself a goal of two weeks to look at the case. David never heard anything back from her. In the late spring when they were talking about an unrelated juvenile case[31], DA Olson acknowledged to him that she had told him she would look at the Hoffer case but she never actually did. David said that Kieley Petrie had done the investigation, and that she would have certainly sent her report to the DA's office. David said OTIS (the Office of Training, Investigation and Safety) was involved and they really wanted Hoffer prosecuted but they weren't able to sustain their burden at an administrative hearing (with a lower standard of proof) so he ultimately understood why DA Olson didn't prosecute the case. He mentioned it more so because of the lack of follow through.

The other involved a conversation the two of them had where DA Olson told David she wanted him to take part in their vulnerable adults MDT. David acknowledged it was a "small thing" but that DA Olson never followed up with him about participating. He stated, "It shows a pattern."

David emphasized that his "bigger beef with this whole thing is [redacted]. I feel like when I meet with Aubrey, we have a relationship and we can be pretty direct with each other. I appreciate that. The juvenile case, we worked together and came to an agreement. My concern … you saw the email, my email to Aubrey. As a leader, it's a reflection on your leadership and how your staff act. But the bigger concern is [redacted]. I know she had issues and rumor was she got fired from Lincoln. I'm not looking for her to get fired. But I told Aubrey, my goal is to like, we want to do our part to make a case successful. I have no interest to go to court and lose a case when you're not calling people and set us up to fail or our clients. I mean, we serve the most vulnerable people in the world, and there's people like [redacted] cannot protect themselves. They have no family. It's us. I feel responsibility to those people, and we should give our best effort. And that did not happen in this case."

I had been provided with emails David had provided to Makenzie Weir with Tillamook County HR. On the day of our interview David advised me he would send additional emails relevant to [redacted]'s case and his communications with DA Olson. I received a number of emails from David on December 5, 2026 and I have attached those emails as **Exhibit 8**. On December 19, 2025, David emailed me DA Olson's response to his original August 15, 2025 complaint, as well as a complaint DA Olson filed with the Executive Director of his agency. I have attached the December 19, 2025 communications with David as **Exhibit 9**.

After my interview with David Richmond, I interviewed Valerie Bundy.

[31] David came back to the juvenile case at one point to tell me that they came to an "amicable" agreement on that case (his agency and the DA's office) which was "great."

Valerie Bundy

Valerie is the Executive Director of Tides of Change, a community-based victim service provider. Valerie said her agency provides a plethora of services to survivors of domestic and sexual violence, including advocacy through criminal cases. She has been in the position since 2017, worked in victim services in Washington County at the Domestic Violence Resource Center from 2010 – 2017, and prior to that received a Master's Degree in Counseling.

Valerie confirmed she knew DA Porter when he was District Attorney but she said she did not know DA Olson when she was a Deputy District Attorney because, to her knowledge, DA Olson did not handle domestic violence and sexual assault cases. Since becoming DA, Valerie said she has not had much interaction with DA Olson. "She's very busy is what we get all the time." Valerie said her agency's interaction is mostly with victim's assistance, and that's pretty much who they are told they can speak to.

I asked Valerie a few additional questions about her organization and she said she supervises a staff of 10 people and they recently contracted with three nurses to conduct sexual assault examinations. Valerie explained that this was a 3-year long process to develop a program to have qualified SANE examiners in Tillamook County as opposed to victims having to travel out of the area for examinations. She said the DA's Office representative was initially [redacted], but then it switched to [redacted], as this was done through the Sexual Assault Response Team MDT ("SART").[32] The DA's Office was minimally involved and it took about a year for the SANE program manager to even get a meeting with [redacted], which they kept pushing to schedule, and [redacted] refused to accommodate the manager who was undergoing cancer treatment out of state.[33] I asked Valerie if that information might be documented somewhere in an email and she believed it was. She said she would look for the emails and send them to me if she could find them.[34]

I asked Valerie about the SART meetings and whether they were in person or remote. Valerie said it was a hybrid – [redacted] and Kristina Vatne appear remotely 100% of the time, and the result is there's not much active participation from them. Valerie said that there was a need to update the SART protocol because it was from 2012, and it took "an excessively long time to get feedback from DA Olson on the updated protocol." The MDT had been trying to move forward, DA Olson was the last to "chime in," and there have been some uncomfortable SART meetings trying to have a conversation about the purpose of the protocol. She clarified that it's supposed to be a community but it is not that way. Everyone has a voice at the table but the DA's Office are "the ones … to tell us yes or no." In particular, Valerie said [redacted] is the one saying "we're not going to discuss this type of thing." I asked Valerie what the status of the updated protocol was at that point. Valerie said it still was not finalized. Valerie said that one of the first things the group came up with was a mission statement for the protocol, which

[32] Valerie said Tides of Change hosts the MDT meetings and representatives from the Sheriff's Office (detectives and the undersheriff), Chief Troxel, juvenile department, victim's assistance, and hospital attend. They meet every other month, alternating with the Domestic Violence ("DV") Council. She said attendance is good, participation is somewhat limited.

[33] I know from past experience and confirmed with Valerie that a SANE certification requires a meeting with a district attorney.

[34] After our interview Valerie forwarded three emails to me from the SANE nurses who met with [redacted]. The nurses' emails are attached as **Exhibit 10**.

came about by popular vote from three options, and as that vote was taking place her SANE Program Manager, Anisha, told her that [redacted] had called her and said she did not believe two of the three options were appropriate because they said "victim centered" and "hold offenders accountable." Valerie did not know if [redacted] was just communicating DA Olson's position but she did know that it was suggested to [redacted] that she could either email her concerns to the MDT members for discussion, or they could discuss it in person at the next MDT meeting. Valerie said [redacted] "said no to both" and so the MDT members moved forward and voted. The chosen mission statement had "victim centered" and "hold offenders accountable". Since that vote occurred, Valerie sad that DA Olson has now reviewed the protocol and has stated that she wants to remove those phrases because the protocol should promote a "neutral fact finding." I asked Valerie if she knew whether the protocol gave the DA the authority to override other voting members and she said their conversation has been focused on the statutes requiring a sexual assault response team. Valerie said the statute provides that the DA is to ensure the team exists, that it meets at least quarterly, and that it have protocols that exist separately from the child abuse MDT protocols; it is silent as to any authority. I asked if any other SART MDT member had any concerns with the "victim centered" and "hold offenders accountable" language and she said nobody else, only the DA's Office. As a result, approval of the updated protocol has been stalled.

When I asked Valerie about *how* the DA's Office's disagreement has been conveyed, the professionalism of the comments and communications, Valerie said that has really been her biggest concern with [redacted]. Valerie said she's "rude," "quite abrasive," and that it was "kind of shocking" in a SART meeting when [redacted] told the MDT members to "put a pin in it" (on the language issue), cutting off the members' discussion, and telling them "nope, the conversation is over" and that DA Olson needed to be a part of the conversation. Valerie pointed out that DA Olson was not coming to SART meetings but did come (remotely) to the most recent meeting, which she described as uncomfortable. Valerie said she was providing her opinion, from Tides of Changes' perspective, about the point of the SART protocol, saying that it was just not about prosecution and that most survivors were not looking for fact finding (as a counterpoint to what DA Olson kept saying about the mission statement). The topic then turned to whether a mission statement was necessary and Valerie pointed out, "well we need a common goal" and so the task has become, for the January 2026 meeting, to identify that and send suggestions.

I asked Valerie if she viewed Tides of Change as an advocacy organization and she said yes. She said their training and requirements are to believe survivors, provide services based on what they want, and advocate for them when they consent. Valerie said she understood that prosecution and law enforcement must be more neutral but that everyone's common goal should be to address sexual violence and its impacts. She said she looked at the Oregon Sexual Assault Task Force (administered by the Oregon Department of Justice) and the two phrases at issue – "victim centered" and "holding offenders accountable" can be found throughout their written guidance, so *not* working from that approach seemed inconsistent with everything out there. Valerie said she shared this with DA Olson who acknowledged she had not looked at it, "do everything that they're deciding is during internal conversations."

Given that [redacted] on the SART team I asked Valerie about any concerns with his professionalism and she stated, "He's not professional either." When I asked her to elaborate she said that timeline wise, it crossed over between the two

District Attorneys so "it is him." She did not have consent for specific cases but she recalled situations where he would be on the phone with a victim who had questions and he would tell the victim, "I don't work for you" or "I'm going to hit this red button if you keep asking me questions"; other times where he just left the room during a victim meeting. She said he would use the phrase, "We have beef" (meaning between him and Tides of Change) and she remembered that being while DA Porter was still there and it involved a case where [redacted] would not move forward with charges and the victim was upset. Valerie described a time she called DA Olson about [redacted] (which is described in more detail below in #6 in Specific Cases) and she believed it was her first interaction (or one of the first) with DA Olson. It was during this conversation that Valerie believed DA Olson was shifting a lot of the blame for the situation on the Sheriff's Office. It was also during this conversation that she told DA Olson that [redacted] was putting a lot of blame on the victim, it upset her (she was crying) and Valerie was complaining about [redacted]'s unprofessional behavior. DA Olson would not agree [redacted]'s behavior was unprofessional "because she wasn't present" but said she would talk to him.

Valerie said her advocates have told her (under DA Olson) there is a lot less interaction between DDAs and victims; no trial prep meetings other than the day before and it consists of "here's where you park, here's what you can't say." Valerie said that was totally inconsistent with her professional experience where she would typically see a prosecutor meet with a victim multiple times. "If somebody's never been on the stand, that's scary for everybody, let alone a trauma survivor." Valerie mentioned a previous DDA, Paul Binford, who handled a lot of domestic violence cases and would meet with victims before trial, go over what happened with them, and prepare them. Now, Valerie said, that is not allowed to happen. Valerie said the message from DA Olson, which she has said in meetings, is that they don't go over police reports with victims because it may be "coaching" them, that victims are not going to be allowed to see the police reports, and that unless it's in the report it won't come in at trial. Valerie pointed out that sometimes it's a really long time between the incident and trial and people don't always remember if they disclosed everything or not. In an effort to precisely understand what I was hearing I repeated back to Valerie what she had told me. I asked if that was the office's practice prior to DA Olson being in that position and she said that DA Porter would take cases and meet with victims, so would Paul Binford, and even [redacted] used to do it.

I asked Valerie if this became the practice immediately after DA Olson took office and she said she was not sure because she didn't really interact with her much at the beginning. I asked her if she ever approached DA Olson to voice a concern about this practice, maybe try to persuade her based on her professional background and experience to do things differently. Valerie said they did try something, but more subtly. One thing they did was organize a training (August 2, 2023) with then director of the Oregon Crime Victims Law Center (OVCLC), Rosemary Brewer, and victim rights coordinator Helen O'Brien from Oregon DOJ, because she had new staff at Tides of Change. They invited the DA's Office to attend the training and initially the attorneys from the DA's Office were not going to attend, only victim assistance personnel. Valerie said it took Rosemary and Helen contacting DA Olson and saying "you need to come" to get her there.[35] DA Olson and [redacted] both attended [redacted] did not,

[35] They told Valerie they had contacted DA Olson. They both had concerns and also knew she was a new District Attorney.

and Valerie did not believe [redacted] was employed there yet. The plan for the training is to make sure everyone understands these are the rights that victims have.

Valerie described it as a great training, and she remembered toward the end one of her advocates suggested posing a question about victim notification for sentencing hearings. DA Olson took the position that her office's notifications state that sentencing could happen at any time and that notification was sufficient. Rosemary Brewer said she did not agree, that she did not believe that satisfied the notification requirement; moreover, it was not best practice. Valerie said, "It's still happening to this day. I just looked at somebody's case management hearing notification [and] that sentence is at the bottom." I asked Valerie if Kristina (Vatne) and Katie (Springs), in her experience, typically call victims to notify them of hearings. Valerie said they do not, and if one of her advocates is involved, Kristina or Katie will email the notification to the advocate, generally causing her advocate to ask, "Is this you notifying the victim?"[36] Valerie said she believes her advocates have a good working relationship with Kristina and Katie but that Kristina and Katie aren't really allowed to be victim advocates. When I asked her to explain, Valerie said there have been repeated occasions when they're meeting with a victim Kristina or Katie will say to the victim, "Don't tell me anything. Stop talking. Don't talk about it. I might be subpoenaed to trial if you tell me anything." Valerie said that they will not do it in a way that might help to explain their reasoning to the victim (i.e. "here's what I want you to think about before you tell me something"), it's just, "Stop talking." Valerie said that has only happened under DA Olson and did not occur previously. I asked Valerie if there had been some instance in Tillamook County where a defense attorney was able to subpoena one of the victim assistance personnel to testify and she said, "I've never seen it."

I asked Valerie about any specific negative repercussions that she might be aware of based on insufficient victim notification, interactions between victims and the DA's Office, court hearings or trials. Valerie mentioned some, without specific case details, and she later identified the court records for me in a subsequent email. The incidents are discussed in #1, #2, #4, #6, #7, and #10 in Specific Cases, below.

I asked historically if Tides of Change provided direct advocacy for victims in criminal cases in Tillamook County, since my experience was that the DA's Office victim assistance advocates were the ones providing direct advocacy (even if a victim was also working with a community based organization, or a DHS caseworker, or a mental health professional).[37] Valerie said historically her organization has done some criminal advocacy, even under DA Porter, like going to court and supporting victims. She said in the last couple of years under DA Olson, "the amount of criminal advocacy we're doing feels a lot more. And my staff have stated that. And a lot of times the survivors are asking our advocates to please go with them." Valerie pointed out that her organization is working with victims of domestic and sexual violence, so she could not speak about other crime victims. Valerie said she does not hear a lot that Kristina and Katie are accompanying victims to court.

[36] The exception has been with Spanish speaking victims. Because the Tillamook County District Attorney's Office does not have a bilingual advocate, and did not have one under DA Porter, her bilingual advocates have always provided notifications and information directly to the victims.

[37] Part of the reason for my question was because I know DA's Offices receive funding for victim assistance programs, with the expectation of ensuring victims' rights.

I wanted to make sure I covered the specific complaint that Valerie had made to Makenzie Weir at HR so I read it to her, "Survivors concerned with how [redacted] treats them and her job performance." I asked Valerie if that was a comment about [redacted] and she confirmed it was. I asked her what that referred to and she said it was [redacted] telling victims "stop talking to me." Valerie said that she believed [redacted] could use some training on how best to explain things to people. I asked if that was something either she or her advocates had addressed directly with [redacted]. Valerie quickly rolled her eyes at that question. She explained, "I think we have fear of backlash on survivors for us to try to have some of these conversations." Valerie said the gist of the response they get is, "You don't understand all the ways we could lose a case." I asked Valerie if she could articulate anything more for me to understand why she would fear a potential backlash for victims and she said a few years prior they had a survivor they were working with who was developmentally delayed, could not read or write, and they kept telling the DA's Office that they needed to call her, not send her written notifications. Valerie was not sure if the case was being handled by [redacted] or DA Olson, but the case was going to trial. They requested the DA meet with the victim before trial ("you can't just put her on the stand and never have talked to her before") and they could not get a response, and just kept getting sent back to victim assistance. "So we sent a letter saying this is a reasonable accommodation for someone with disabilities that you need to meet with her beforehand," and "the case was dropped." Valerie was able to provide me with the case number in a subsequent email and it is discussed in #1 Specific Cases, below. Valerie added, "I think we just feel challenged because of the privilege and what survivors want … survivors always have a lot of fear and so they're worried if we say something or rock the boat too much, that cases will be dropped or they'll be in trouble."

Valerie said another concern she has is that it has been her experience that the DA's Office refuses to meet with victims if they decline to pursue charges. I asked in her experience with domestic and sexual violence victims if such meetings can be helpful and would it be considered best practice. Valerie said it has been her experience that it's extremely helpful for a victim to have an explanation about the burden of proof, and the fact that the DA doesn't think they're lying or making up the allegation, but that the evidence isn't sufficient to sustain the burden of proof.

I asked Valerie if she could recall any case where an offender was arrested, charges were not filed, and then a subsequent assault occurred. I told Valerie that the reason for my question was because I had received information about a policy or practice of DA Olson to potentially not charge cases, even domestic violence cases, if she does not have police reports within a set time period. Valerie could not recall any case like that but did recall an incident when she was on call and found out no charge was filed and the defendant went right back to having contact with the victim. Valerie later provided me with the case and it is discussed in #7 Specific Cases, below.

Valerie said she has tried to understand that the policies and expectations of DA Olson's office are, and she has observed that the lack of understanding for all of the criminal justice partners has led to confusion. She said she recalled a time in a case with Tillamook County Sheriff's Office [redacted] where he suggested that the victim provide certain information to the DA's Office and they had to inform [redacted] that he had to be the one to provide information or evidence to the DA's Office "because the DA's Office won't take anything if it's not from you."

I told Valerie that in my experience as a prosecutor, the victim advocates in my office (the DA's Office) were the ones going to court with the victims, communicating directly with the victims, doing the direct advocacy with the victims, and the community advocacy groups (women's shelters or whatever name they might go by) were assisting victims more with services like housing, mental health or other types of support as opposed to direct involvement in the criminal justice system. I asked if she was more accustomed to that model when she was in Washington County and she said yes, that was closer to her experience. She said she "never went to court" in Washington County. She said when she came to Tillamook County in 2017, Tides of Change was doing it "a little bit" and would of course do it for Spanish speaking victims. But her advocates are doing it more and more. I asked Valerie if her agency has become more involved because they believe it's needed for survivors and victims. She said yes. I asked Valerie if her agency did not do it, did she have concerns that victims and survivors would not have consistent representation in the criminal justice process. She said yes. Valerie told me that DA Olson recently told her in a conversation that she does not want Kristina and Katie to be called advocates, because according to DA Olson, "they're not." Valerie pointed out that she did not believe victim assistance's funding or training would suggest that. I asked Valerie if DA Olson told her what Kristina and Katie's title or role was if not "advocate" and Valerie said DA Olson did not. Valerie reiterated that she does not believe Kristina and Katie are allowed to advocate on behalf of victims; they advocate more on behalf of the prosecutors.

I asked Valerie about any knowledge she may have regarding restitution and the DA's office. Valerie said she is somewhat aware. She said they are starting to see instances where her agency is being asked to work with victims on restitution paperwork, which Tides of Change is not funded to do. Valerie provided information about a specific case discussed in more detail in #4 Specific Cases, below.

I asked Valerie if there was any additional information that she thought I should know about and Valerie described some interactions that occurred at the Child Abuse MDT meetings, where [redacted] is the [redacted]. Valerie said that Kristina Vatne attends the meetings as well, and she and [redacted] appear remotely, same as the SART MDT meetings. Valerie said there were a couple of times where she was shocked and could not believe someone would speak to a co-worker in front of others the way [redacted] has spoken to Kristina. Valerie said, "I've seen on more than one occasion [[redacted]] yell at Kristina to stop talking and that she will be the one to speak." Valerie said she was so taken aback the first time it happened (when she too happened to be appearing remotely) that she turned the camera off on her computer so as to shield her face. Valerie demonstrated that she kind of pushed herself back in her chair from the table (due to the shock). Valerie said it was shocking how demeaning [redacted]'s treatment was of Kristina, but to do it in front of other community partners, even more shocking. Seeing that convinced Valerie that Kristina and Katie can't do much on behalf of victims. Valerie said that Kristina reacted to being yelled at by [redacted] by muting herself and saying nothing for the rest of the meeting. The same thing happened in a second meeting too. And since then Valerie said she's never observed Kristina talking in the MDT meeting. I asked if anyone followed up with Kristina after that and Valerie said that she personally met with Kristina, asked her how things had been, and let her know that she had observed how she was treated. Valerie said that she and [redacted] do not get along, and that she's going to be working with [redacted] as a result. Valerie sensed that Kristina was being pretty closed on what she was sharing.

Valerie said she no longer attends the child abuse MDT at DA Olson's request. She said she did not really have a problem or care to argue with DA Olson's position. I asked her how that came about. Valerie said DA Olson called her, told her she was changing the meeting structure, and that it was no longer going to be a discussion related to engaging with and helping families, connecting them to resources, etc. DA Olson said that's not what's supposed to happen at MDT, it's solely an update on those cases. DA Olson said because of that there was no reason for Valerie to continue to attend the meetings. Valerie said she told DA Olson that was fine. She believed the last meeting she attended was in September. Valerie said the meetings were uncomfortable given [redacted]'s behavior, and they were very rigid to where nothing could be talked about except the specific cases sent out in an email ahead of time. Valerie said even if something happened between the scheduling of the meeting and the meeting itself, nothing new could be brought up. Valerie said after [redacted] would leave the meeting, other MDT members would just continue the meeting and problem solve as had been done in the past. Valerie did not know if [redacted] was ever aware of that. I asked if DA Olson ever attended the child abuse MDT meetings and Valerie said she did a few times, when that [redacted] was unavailable, and she recalled one meeting when they were both there. I asked Valerie if she noticed any behavior change with [redacted] when DA Olson was there and Valerie said, "Oh yeah. She's much more … I wouldn't say pleasant. But she was not really being rude."

Valerie concluded by saying that it's unpleasant that it's not better. She said that while DA Porter wasn't great, "it got worse" under DA Olson. Valerie said she understands the limitations of the system, that victims' rights are not as big as a defendant's, but that there is so much concern around defendants that victims get lost.

Subsequent to my interview with Valerie, she provided me with specific case names related to the incidents that we spoke about. Those cases are discussed in the Specific Cases section of the report. Valerie also provided me with an additional case we did not discuss in her interview, and that case is # 2 in Specific Cases, below.

After my interview with Valerie Bundy, I spoke with Ahnie Seaholm.

Ahnie Seaholm

Lieutenant Seaholm said she was the Lieutenant in charge of Community Corrections for the Tillamook County Sheriff's Office. (Community Corrections is commonly referred to as parole and probation.) I told Lieutenant Seaholm that Sheriff Brown suggested I speak to her to document any concerns she may have with the Tillamook County District Attorney's Office.

Lieutenant Seaholm started off by saying that there were a handful of things regarding the DA's Office but she did not know if it was wrongdoing and she was a bit concerned with "pointing fingers" when they may have the authority to have done something. I assured Lieutenant Seaholm I understood what she was saying and that I would be careful to document just what she told me and investigate it if warranted.

Lieutenant Seaholm said in addition to supervising community corrections she also carries the sex offender case load. She started off by telling me about a recent case, State v.

Nicholas Brys, which I later located in eCourt under 25CR19797.[38] Lieutenant Seaholm said Brys showed up at her office on a Friday and wanted to get transferred to another state. He had just been sentenced that day for a felony sex offense. The judgment of conviction did not list the victim's name and was silent to a requirement that he register as a sex offender.[39] So Lieutenant Seaholm called over to the DA's Office and got [redacted], who was the assigned attorney. Lieutenant Seaholm explained to [redacted] that the judgment needed to include the victim's name and [redacted] told her it couldn't because the victim was a minor.[40] Lieutenant Seaholm said [redacted] told her it could be pulled from the Indictment and Lieutenant Seaholm explained to her that her staff was not responsible for that and it could result in an error if multiple victims are listed in the charging instrument. I asked Lieutenant Seaholm if [redacted] was helpful in the phone call and Lieutenant Seaholm said, "I mean there's a little, I don't want to say back and forth we're arguing. I don't try to ever handle anything like that. But she did try to address it…. Not all dealings over there are helpful, but that particular piece did get fixed."

Lieutenant Seaholm described a more recent incident that concerned her where she got a "one-liner" email from [redacted] (she believed on October 15, 2025) that gave a hyphenated last name and a case number and said something to the effect that the judgment was "sealed and confidential." Lieutenant Seaholm said she had "no clue" what [redacted] was talking about. Lieutenant Seaholm said the name reminded her of another offender on supervision and that's where her mind went at first, then she went and spoke to Detective Sergeant Brewer who told her it was a sex offense (and not the offender she originally thought about). Lieutenant Seaholm said she called [redacted] to ask what was going on with this email and [redacted] said the judgment was sealed because the victim's name was in the judgment because of the case a few weeks prior (referring to the Nicholas Brys judgment that did not have the victim's name). Lieutenant Seaholm said "the way she delivered it to me, and again, you can take delivery however you want, but I gathered a sense that maybe my character was thrown under the bus or I was brought up in court as far as to why the minor victim's name had to be put in this judgment and that the judge didn't understand either. And so that's why it's sealed." Lieutenant Seaholm said that [redacted]'s statements "irked" her because she had not been notified of the courts changing any process and wondered why this was coming from [redacted]. She planned to reach out to DA Olson and some other corrections directors to see "if there was something that I'm missing, I want to fix it." Lieutenant Seaholm said she could not ever think of a case where the victim's name was not listed, except perhaps one where it was initials, even in the case of the victim being a minor. Lieutenant Seaholm was concerned that

[38] Lieutenant Seaholm gave me a case number but it was one digit off.

[39] Sex offender registration occurs as a matter of law (if ordered by the court) and does not have to be listed in a judgment of conviction for it to be enforceable. Notice must be given to the offender that they are required to register as a sex offender which typically occurs at the time of sentencing by either the Court or the District Attorney. Even though the judgment is not required to have that condition, it is best practice and cleanest if the judgment reflect a registration requirement if the Court orders it, or a relief from registration if the court does not order it. It is important to remember, however, that the court (or its staff) fills out a judgment, not the District Attorney. For the crime of conviction in this case, the court may provide relief from registration.

[40] Lieutenant Seaholm and I had a conversation about how probation conditions are entered by her agency into LEDS (Law Enforcement Data System) so that law enforcement who may come into contact with an offender (anywhere in the United States) can enforce the probation conditions.

there could be blowback for the Sheriff if the court believed this was coming from her or her agency.

Lieutenant Seaholm said she notified the Sheriff of the situation but did not contact DA Olson directly, which she would typically do. Lieutenant Seaholm said that was tabled for now. Lieutenant Seaholm said she wanted to make sure the Sheriff was aware of the case if someone contacted him about it; as far as Lieutenant Seaholm was aware that had not happened. Lieutenant Seaholm did reach out to some other Community Corrections Directors to see if this had been an issue and discovered that a few of the other counties had experienced some issue with victims' names in judgments but Lieutenant Seaholm said it came "out of left field" for her where "all of a sudden this is an issue." Lieutenant Seaholm said she was only trying to ensure a victim's safety and comply with legal requirements. I asked Lieutenant Seaholm if [redacted] had attached the judgment to her one-liner email and she said she did not believe so.[41]

Lieutenant Seaholm said the process with offenders sentenced to supervision is the court is responsible for sending the judgment to Community Corrections. Lieutenant Seaholm said her agency does not upload documents into eCourt, and if they are requesting a show cause they send it to the DA's Office who makes the decision.[42] I asked Lieutenant Seaholm what her observation has been under DA Olson about the timing of the DA's Office's review of show cause requests.

I asked Lieutenant Seaholm about the case involving Chase Kowalski and the assault on Deputy Cloud (#12 in Exhibit 1) and she was familiar with it. I asked Lieutenant Seaholm if she had any knowledge as to why the DA's Office declined to file a show cause. Lieutenant Seaholm said that the P.O. had called over and there was not any significant reason as to why it was declined. I asked her about submitting motions to show cause and any observations she has made about the timing of the DA's Office's review. Lieutenant Seaholm said she has observed it takes longer to get their requests reviewed but acknowledged she does not keep a timeline to where she could give any concrete examples. Lieutenant Seaholm said she has been with the Sheriff's Office for 12 years and if there was a delay under the prior DA her experience was that she could call over and get a response. Lieutenant Seaholm acknowledged again, "Everybody has their way of doing stuff" but said that her experience previously was that they would get a quicker response. "I had confidence in that and that's not the case now." When I asked Lieutenant Seaholm what her experience was with responsiveness under DA Olson she said you could reach support staff. With reluctance she said that if you're calling to speak to an attorney, and specifically DA Olson, a lot of times you have to call or email and make an appointment. "It's rare if you could get the DA on a call that day, things will sit or not be addressed for a while."

Lieutenant Seaholm recalled one case, though she did not have the defendant's name, where they had ongoing noncompliance from an offender and requested the DA's Office file a

[41] In a conversation with TCA Christopher Hamilton in January, he referenced this case as one where "the DA" (who I understood to be [redacted]) had asked for the file to be "sealed" and it was explained that a file cannot be sealed as it's a public record.

[42] A Motion to Show Cause is the legal process the State files to ask the Court to require a defendant to appear and "show cause" why the defendant's probation should not be revoked. The title is a bit of a misnomer, since the State has the burden of proving a defendant violated the terms of probation; but it's the process the compels the defendant to appear before the Court.

show cause, and their request was sitting at the DA's Office for about a month, a significant enough period of time to where Lieutenant Seaholm called the office and was told that it was sitting in DA Olson's box and hopefully she was coming into the office that day "or something along those lines." Lieutenant Seaholm said the concerns she had with timeliness included the possibility that a supervision deadline was approaching and the person's supervision could expire. Lieutenant Seaholm said she did not know if DA Olson reviewed all show cause requests or if they were assigned to the DDA that originally handled the case.

Lieutenant Seaholm expressed other concerns related to show causes. She said there are times that her PO's issue detainers and then there is a delay in the DA's Office filing a show cause. Another concern was that even if they have an offender who has absconded or is repeatedly not compliant, the DA's Office will issue a notice to the defendant to appear in court as opposed to asking the court to issue a warrant.

Lieutenant Seaholm described that her office has provided supervision for offenses that they don't receive funding for directly, and there is a process that the DA's Office is supposed to use to get pre-approval that a person would be supervised (if presumably it was a part of plea negotiations). Lieutenant Seaholm remembered a time [redacted] called her or sent her a Teams message and she was in court and wanting Lieutenant Seaholm's agreement to take the case for supervision. Lieutenant Seaholm remembered the situation because [redacted] did not follow the proper procedures in the place and also wanted an immediate response.

Lieutenant Seaholm also said there are occasions when they recommend that probation be revoked and find out that the DA is not following that recommendation. Lieutenant Seaholm expressed frustration with that, even though she acknowledged it was their prerogative to not follow the PO's recommendation. Her frustration was grounded in the fact that they know these offenders "probably" better than the DA's Office and they would not recommend revocation if it wasn't appropriate.

In discussing the concerns she had with the DA's Office, it appeared to me throughout the interview that Lieutenant Seaholm was hedging any criticism and would often turn the responsibility back to herself or the possibility that she needed to do more the address the problems and communicate. At one point she explained that she was aware that [redacted] had made some decisions that she disagreed with and she felt uncomfortable complaining about him to DA Olson ([redacted]), so she just decided not to complain.

Kieley Petrey

Kieley advised that she was an adult abuse investigator for Tillamook Family Counseling and had been in that position for 8 years. I advised Kieley of my investigation, and that during the interview with David Richmond (her supervisor) there were some questions he could not answer about a few investigations from her agency. For ease of identification, I told Kieley that I wanted to ask her about the case involving [redacted].

Kieley confirmed she was the investigator and had been summoned to trial. I asked if she had any trial prep meeting prior to the trial and she said she did, by phone. She identified [redacted] by first name and said during that meeting she told her the gist of the kind of questions she would be asking, the timeframe she would be asking about, and cautioning her that

she was only going to be asking about incidents in Tillamook County. I asked Kieley if she asked [redacted] questions about why things would be limited to Tillamook County and Kieley said she did, but at the grand jury proceeding. I asked if [redacted] provided an explanation at grand jury and Kieley said no. Kieley said she still had questions about that when going to trial.

I asked about the day of trial and Kieley confirmed she saw [redacted] at the Courthouse, she said she went up and said hello to her. Kieley did not have first hand information about any communication between [redacted] and her boss David Richmond. Kieley said after she testified she learned from her supervisor that the case had been dismissed.

I asked Kieley about the other case David had mentioned, involving [redacted] and Jim Hoffer. Kieley acknowledged investigating that case. I told Kieley I was just trying to understand whether her investigation was ever sent to the DA's Office for review. Kieley told me her completed investigation was sent to OTIS, and "they sent my report to Aubrey's office." She explained that she, David, and DA Olson met by Zoom and David brought the case up and DA Olson said she had received it, would take a look at it but it would be a couple of weeks because she did not have the time. I asked Kieley if she remembered that meeting being in February of 2025 and she told me that it was not a meeting she was initially invited to, David asked her to join it, but she did not really remember when it was. I asked Kieley if she ever received any communication from DA Olson about reviewing the case and Kieley said she did not, nor did she seek that information from DA Olson. Kieley provided a little about the facts of the case. I asked if it was possible the case was still under review with the DA's Office and Kieley said it was possible but it would be a year and a half after she completed it (explaining that she began her investigation in 2023 and it concluded in 2024).

I thanked Kieley for her time and we concluded the interview.

I had emailed OSP Sergeant Matt Gordon on November 21, 2025 introducing myself and the investigation and requesting that he meet with me for an interview. I did not receive any response to my email. While I was at the Sheriff's Office on December 5th conducting interviews, I sent Sergeant Gordon another email saying I was in the building and that perhaps I could come and introduce myself in person. Shortly after sending that email Sergeant Gordon told me he was "in the OSP section" and I could come meet him. I did so, and he told me he had received my email from November 21st but just had not responded. He said he would talk to me and had some time that afternoon.

Matthew Gordon

Sergeant Gordon told me that he was the OSP supervisor for Tillamook County. He said he had three Fish and Game troopers, five patrol troopers, one detective and then himself, so ten (10) total. I referenced the email I had sent him explaining my investigation (involving the Tillamook County District Attorney's Office) and asked Sergeant Gordon if he had any concerns related to public safety, victim safety, communication, policies or procedures involving the DA's Office, DA Olson, or any of the DDAs working there. Sergeant Gordon said as far as specific cases, "I really don't have anything." He reiterated a statement he had made to me in his office

(before the interview) that he does not really arrest people any more like he did as a trooper, because his job is mostly paperwork now.

Sergeant Gordon explained that because he has worked in so many areas around Oregon (referencing Marion County, Deschutes County, Lincoln County, Crook County, and Clackamas County), he has experience working with a lot of DA's Offices and what it comes down to is "they're the ones that make the decisions … whether or not I agree with it or whether or not I think it's a good or a bad thing, that is what they're going to present." Sergeant Gordon said he was aware of changes DA Olson made regarding how she wanted communication handled and how she wanted things done, and that is also her decision to make. "When I get here, I'm trying to do paperwork … somebody wanders into my office … to talk for 10 minutes, and then I'm like, all right, where was I at? So I understand the DA's decision to say, 'Hey, if you want to have time to talk to me, set it up through email and go ahead and then we'll try to set a time, or if it can be answered through email, we'll do it that way.'" Sergeant Gordon went on to say, "I don't always agree with it, but I will say that I have had very good luck whenever I've had a question, on being able to contact them by phone" whether by calling the office or contacting DA Olson directly.[43] Sergeant Gordon said every time he has called DA Olson she had answered the phone, "whether or not I agree with what her recommendation or decision on there is, she's given me that." He said he has drilled into his troopers to do their best job, write the report, send it on to the DA's Office, and then "divorce it from your mind [because] it's no longer our concern at that point." Related to on call issues, questions during the work day, or other times he and his troopers may need to speak to the DA's Office, he has not had any problems and the DA's Office has been responsive.

Sergeant Gordon referenced that getting reports within 24 hours of someone being taken into custody causes some headaches, but he understands why it needs to get done "to meet the timeliness standard that the courts have imposed." I asked him to tell me about that to educate me on policies. Sergeant Gordon gave an example of a trooper working the night before, arresting someone for DUII, and the DA has requested that before that trooper goes off shift he "at a minimum" gets a report completed in draft form (but preferably in finalized form) and into the DA's office so that at the arraignment, when the case is presented to the judge, the person is allowed to be held or needs to be "kicked out." Sergeant Gordon said that has led to troopers sometimes having to work overtime, but he understands it because like his agency (where there are multiple levels of command), DA Olson is answering to the Court. "To a certain extent as far as the policies and stuff goes, a lot of that, my understanding is that it's driven by rulings and decisions made by the legislature and the courts. They're the ones that say the timeliness thing's a huge issue. You have to have this initial appearance within 24 hours. And if they're being told that by somebody further up the food chain for them, they don't have a choice. They may not agree with it, but they're being told that by their boss, and so they have to run it down to us." I understood Sergeant Gordon's analogy to be identifying the court as DA Olson's "boss," and that DA Olson had to comply with timelines driven by the law and the court. Sergeant Gordan asked me if that answered my question. I confirmed with him that the DA's Office had communicated that it needs a report, either in draft or finalized, by noon, and that his understanding is that the Court or some other legal requirement was driving that timeline. Sergeant confirmed that was his understanding. "So I think if they arrest somebody at eight or nine o'clock in the morning,

[43] Sergeant Gordon did say that he often bypasses the office line and calls DA Olson directly, but she reminds him to call the office next time.

they don't have to have it in by noon that day, but it needs to be in the next day for that one. There's a flexible 24-hour window is my understanding of it. And then cite and release stuff, I think you have 10 days … and then if you're just leaving it up to the DA to make the decision, then the DA just makes the decision. There's no real timeframe other than our normal timeframe. And for us, I don't think it was that big of an adjustment because by our policy, technically the guys are supposed to get their report done before end of shift. They're supposed to. And then for our cite release, they're supposed to have it done within 10 days." Sergeant Gordon recalled this policy being communicated to agency heads in a meeting, and that it was a directive coming down from the courts. I asked if he had any concerns about how it was communicated and he said no, not really, that it's like anything else, they're paid to do a job. Sergeant Gordon believed his Lieutenant was there when DA Olson announced the new timelines and DA Olson was giving examples of reports that were extremely late (though not from OSP). Sergeant Gordon said he could even understand some people's opinion that, "She's not going to prosecute anyways. Why am I going to do anything?" and he said that's what he tries to "beat into" his folks, that it does not matter what DA Olson does, we have to take care of our own stuff within our own policy and whatever her policy is. "And then if she chooses not to prosecute on it or she chooses to do something else that's on her, and she has to deal with the repercussions that come from that, whether it's from the public or from her bosses, which would be the voters of the County, I guess."

I asked Sergeant Gordon if his agency was investigating many person crimes and he said that because of the State Parks they did do assault investigations (maybe more than some of the other OSP offices, but still "sporadic") but nothing compared to city or county police. He estimated maybe a couple of incidents a month. I asked whether he had ever received any victim complaints about the DA's Office not filing charges and he said he had not, though he could not speak to whether his individual troopers had, but he did not believe so.

I asked Sergeant Gordon if there had been any other policies from the DA's Office that he believed had not been effectively communicated to his agency and he said he did not think so. He said the biggest adjustment for the guys was that DA Porter had "pretty much" an open door policy and DA Olson is a little more structured in that she wants an appointment made so that they aren't interrupting something else that's going on. He said DA Porter's way of doing things made life "super simple for us" but "I understand why Aubrey wants the schedule."

Sergeant Gordon acknowledged that the OSP detectives might have a "totally different take on it" because their investigations are more involved. He said their investigations involve DUII, a DUII crash, or an occasional theft (where they can actually identify a suspect)

Sergeant Gordon said that he believes DA Olson has fairly consistently "pushed out" more trainings and explaining "here is what we want in regards to X, Y, Z type of case" and that they had just had a training on victim assistance stuff and "how they would like us to have it and what information they would like from us to be able to get in contact with the victim."

I asked Sergeant Gordon if he could give me an idea of how many cases his office submitted to the DA's Office each week. He said it would be easier to estimate the month. He said summer is busier, and they will see more assault cases in the parks, but he estimated over a 12-month period about 12 cases per month, excluding Fish and Game, because those are approved out of the Astoria office and then they get sent to the DA's Office.

We concluded our conversation talking briefly about whether our paths may have crossed when he was working in Marion County and I was a Deputy District Attorney.

On December 8, 2025, I sent Valerie Bundy an email requesting the defendant's name or the court case number for the specific cases that we spoke about during her interview. On December 10, 2025, Valerie responded and sent me information about the cases that allowed me to search them through eCourt.

I reviewed the website for the DA's Office and could not find the DA's Policy Manual. I know that Oregon law (ORS 8.705) requires all District Attorneys to have written policy manuals which must address specific subjects proscribed by statute. The subjects required to be addressed in the policy manuals include charging decisions (in domestic violence or Measure 11 cases, for example), plea offers, pretrial release decisions, and victim engagement. The law also requires all District Attorneys to make their policy manuals available on their website. I searched the websites of the thirty-five other counties in Oregon and found three that did not have a policy manual conspicuously posted on their website. I emailed the District Attorneys (Clatsop, Morrow and Wallowa) to inquire about their policy manuals. I received responses from all three. The Morrow and Wallowa County District Attorneys emailed me their policy manuals; the Wallowa County DA indicated that she was unaware it was not on the County website and indicated there had been some technical issues.[44] The Clatsop County District Attorney advised that he follows "Clatsop County policies" and those may be on the County's website.

I began researching court records in eCourt for specific cases brought to my attention by the witnesses I had interviewed up to that point. In addition to publicly available documents in eCourt, I made a request for court records (FTR) from Tillamook County Circuit Court with the assistance of Tillamook County Counsel. I also requested police reports from Tillamook Police Department regarding #2, Specific Cases, below, which were later provided to me with personal identifying information redacted.

On December 11, 2025 I received an email from Attorney Kyle Abraham asking my opinion on interviewing the two judges in Tillamook County Circuit Court. We agreed that I should make a request to the judges to see if they would either agree to an interview or provide case names that I should review.

On that same date I sent introductory emails to Tillamook County Circuit Court Judge Mari Trevino and Judge Jonathan Hill.

On December 12, 2025, I received an email from Judge Hill (copying Judge Trevino) stating,

> I look forward to speaking with you in person. I will need to check into any limitations of Tillamook Circuit Court judges or staff involvement.
>
> I have contacted the Oregon Judicial Department's Office of General Counsel to have them look into if there are limits in judges or staff participation in Tillamook County's investigation.

[44] I checked the Wallowa County District Attorney's Website on February 11, 2026 and it is now available on the website.

On December 13, 2025, I received another email (copying Judge Trevino) from Judge Hill stating,

> Thank you for reaching out to myself and Judge Trevino concerning your Tillamook County District Attorney investigation.
>
> After consulting with the Oregon Judicial Department's Office of General Counsel, careful deliberation, and review of judicial conduct and ethics rules, our Tillamook Circuit Court judges and staff will have to decline any interviews related to your investigation.
>
> However, we would be happy to provide a tour of Tillamook Circuit Court's courtrooms and can provide you with FTR records of any proceedings you request as part of your investigation.
>
> You mentioned you would be in Tillamook on Tuesday December 16th, if that date works for a tour, please let our TCA Christopher Hamilton know and we can get that set up. Christopher would also be the point of contact for a FTR request.

I emailed Trial Court Administrator (TCA) Christopher Hamilton after receiving Judge Hill's email. TCA Hamilton responded a short time later and we scheduled a tour for the afternoon of December 16th. I also made additional requests for FTR recordings of court proceedings from specific cases I was reviewing.

Beginning on December 1, 2025, I attempted to contact [redacted] at the number provided to me by Makenzie Weir with Tillamook HR. [redacted]'s minor child was the victim of a crime and she had made a complaint to the County. My initial voicemail and text message went unreturned until December 11, 2025 when she responded to my text message and we scheduled a phone interview for the following day when she got off work.

[redacted]

[redacted]'s statement from my December 12, 2025 phone interview is documented in #11, Specific Cases, below.

During my interview with [redacted], it was very clear to me that she (and her daughter) intended to exercise their statutory and constitutional rights as victims. In reviewing records for [redacted] in eCourt, I found a Notice of Compliance with Victim Rights that was filed by the DA's Office on [redacted], 2025. I am familiar with this standardized form because a District Attorney is required to file a formal notice with the court under ORS 147.510(4) within 21 days of a defendant's arraignment on a felony. As it related to [redacted] and her daughter, [redacted], the District Attorney's notification indicated that victim rights information had been sent to the victim's last known address but that the victim did not contact the DA's Office. Concerned about the information on the form, I contacted [redacted] to ask her for her email address. I then emailed her the form.

On December 12, 2025 I sent an introductory email to DA Olson asking if she would be willing to meet with me as part of my investigation, and if I could also interview [redacted]. I told DA Olson in the email that I was going to be at the Courthouse on December 16, 2025 and suggested we meet in person and then confer on a

date for an interview. By the time I arrived in Tillamook to conduct scheduled interviews on December 16th, I had not received any response from DA Olson.

Also on December 12, 2025 I received a request from attorney Kyle Abraham to provide a written summary of the complaints against DA Olson. This was in response to a demand from DA Olson that the County immediately provide her with copies of the complaints against her and that failing to do so constituted interference with her official duties and prevented her from conducting her own investigation.[45] DA Olson said if the County did not provide the complaints to her by December 19, 2025, she would "seek legal action." DA Olson did not explain what legal action she would take.

I prepared a list of the complaints that I had either heard or read about at that point, without identifying the complaining party. The list provided some very specific complaints as well as general (broader) complaints, and identified the individuals involved. I attempted to categorize the complaints to provide some context, ultimately deciding on the following categories: (1) Complaints regarding competence of DA and/or DDAs; (2) Complaints regarding professionalism of DA and/or DDAs; (3) Complaints regarding victims/victim rights violations. I sent the list to Kyle Abraham as requested.

On December 13, 2025, I made requests on OJD's website for FTR records for several trials and hearings. I eventually received the recordings on January 3, 2026 and January 4, 2026.

On December 16, 2025, I arrived at the Tillamook County Sheriff's Office and was provided a private conference room to conduct interviews. The first interview I had scheduled was with Sarah Dentel.

Sarah Dentel

Sarah is the Executive Director of the Tillamook County Child Advocacy Center (CAC). She is also one of three forensic interviewers at the CAC.

I asked Sarah to give me a little information about her professional background and about the CAC. Prior to working as a forensic interviewer, Sarah worked in early child education and then for child welfare at DHS between 2013 and 2018. In her work with DHS, she would

[45] On November 20, 2025, DA Olson issued a press release indicating that she had been advised that the Board of Commissioners had received complaints about her office. DA Olson provided her email address and phone number to the DA's Office and invited the public to report any complaint about her office to her. DA Olson also gave contact information for the Oregon State Bar and a link to a form on OJD's website for victim rights violations. DA Olson also stated the following: "Upon taking office as the Tillamook County District Attorney, I took an oath under which I swore that 'I will support the Constitution of the United States and the Constitution of the State of Oregon, and that I will faithfully and impartially discharge the duties of a District Attorney.' I am driven by this oath every day. I fight hard to uphold and defend citizens' constitutional rights and to seek justice by objectively following the law. Due to the nature of my role in the criminal justice system, I often see cases involving extreme emotions and high expectations. Understandably, people sometimes disapprove of my decisions and/or the outcome of cases if they fail to meet expectations. I appreciate feedback and want to help people understand the inner workings of the criminal justice system. People may reach out with questions and concerns, but please be aware, due to time constraints, I may not be able to respond to each individual person, and I will not be able to discuss pending cases." DA Olson invited the public to attend court appearances and provided a link to the Court's calendar.

participate in the child abuse MDT in Tillamook County. While with DHS she received training on forensic interviewing and then slowly transitioned to conducting child forensic interviews out of the community mental health building. When Sarah left DHS in 2018, she went into real estate before moving back to the child welfare field in the fall of 2022/spring of 2023. At that time, she worked as one of three forensic interviewers with Tillamook Family Counseling Center (TFCC). She then became the program manager while they were still working under TFCC. Through a "grass roots" movement and work with the MDT, they worked toward getting their own facility and establishing their own nonprofit. As of July of 2025 the CAC operates independently of community mental health and she has the role of Executive Director. Sarah explained that in previous years, children had to travel to Juliette's House in McMinnville for forensic interviews and medical evaluations, so it has been very positive to meet the needs of children locally.

I asked Sarah about her participation with the MDT when she was with DHS and she said she was very active in participating, as was her supervisor Tira (McLaughlin). Sarah said that Tira would essentially lead the MDT meetings as it was during the time period when [redacted] would file dependency petitions.[46] Sarah said [redacted] was the [redacted] and she believed DA Porter would occasionally attend. Sarah described the MDT as very active and collaborative, with participants staffing multiple cases at different stages and working together for the best outcomes for children and families. When she returned to working as a forensic interviewer (fall 2022/spring 2023) she began attending MDT again. She described feeling "very disenchanted" with the meetings and feeling that very experienced professionals from the child welfare field, with far more experience than her, were getting "undercut and basically their words [weren't] valued."

I asked about MDT attendance. Sarah said the participants would include DHS case workers and their supervisors, detectives and their sergeant, someone from Tillamook PD, juvenile department probation officers and their supervisor, DOJ attorney Dana Forman, and occasionally the Undersheriff. Sarah said the DA representatives would always appear remotely, as would AAG Forman.

Sarah said the meetings were taking place initially in the DHS office down the street from the Courthouse. At that time, the MDT schedule would come out of victim assistance from the DA's Office, which had always been Sarah's experience at MDT. The DHS supervisor would read the statement of confidentiality and then DHS would essentially lead the meeting. In early 2024, the DA's Office then started releasing the schedule. Around the same time the meeting location changed to a basement room in the Courthouse. Sarah said it was very uncomfortable because they were discussing very sensitive cases and there was an office right next to where they were meeting; the space did not feel private. It was also around this time that Sarah began noticing a real shift in what was being discussed, or more so what was not being discussed. Sarah said the cases being staffed were all tied to prosecution and she noticed "conversations weren't being able to be had" related to larger child safety issues. She explained that a 10 minute conversation among professionals with knowledge and information can go a long way toward helping very vulnerable community members and those conversations started to get really cut down. "'Nope, not having this. Nope … let's get going.' So then our meetings became 25 minute administrative meetings of like, 'Yep, this child's here.' 'This went through, we did a forensic

[46] That work has moved exclusively to the Oregon Department of Justice.

interview. We're moving on to the next one.' 'Oh, this moved on, this was forwarded to the DA's office.' 'This is, we're moving forward with it', or we're not moving forward with it. Just very, very administrative by nature."

Sarah said that the people attending MDT also had a vested interest in the others attending, always used the meetings as a "check in" space for each other, because the work can be difficult, and the meetings were moving away from that as well.

I asked if participation had changed and Sarah said that nobody had been uninvited at that point. Sarah said [redacted] was always present and in person, as well as Kristina Vatne from victim assistance (although she was doing the computer work, like checking the status of cases or other information that might be in a case file). Sarah then spontaneously said, "There was a point in that room where something shifted, and I don't know what. But I remember watching her, Kristina, get talked to in some of the most gross ways, just very like, 'No, I've got this.'[47] And just completely stopping her in the middle. Very, very punitive. Very, very, I don't know. I watched that happen in that room probably three or four times. And then that's a dynamic that continues when we moved to our next location." I asked Sarah who was speaking to Kristina that way. Sarah said, "[redacted] was."

I went back to Sarah's statement that she had made about [redacted]'s treatment of Kristina Vatne being "gross." Sarah reiterated that it was very punitive, and that she had over her career watched perpetrators of domestic violence and people who have an overarching control over somebody else "and that's the only way that I can really come to describe it, is this overarching, I am in control of you and I need you to knock this off right now … in a punitive and very publicly shaming sort of way." Sarah reiterated that it definitely happened more than one time and then described a distinct memory of "being at one spot at the table … sitting next to [redacted] and she had her computer up and she was like, 'No. I've got this. I'm going to do this.' … just very like, hushed her."[48] And another time when "I was sitting directly across from her, because that was the spot, my back was to the whiteboard … And [redacted] had reprimanded Kristina for speaking out of turn, basically."

I asked Sarah whether she ever said anything or interjected on these occasions when she observed [redacted] treat Kristina that way. Sarah said she did not, and explained, "The thing that's at play here is there's a power differential. So the DA's office has the ability, they're kind of at the top of all of these systems that are at play. And I'm sure I will say that while I did not say something, I will tell you that my face probably said exactly what I was thinking." I explained to Sarah that my question was not intended as a judgment, I was just wondering whether anything was ever said. Sarah said she understood and that my question was fair and that in other settings she would normally interject and say, "We're not going to speak to somebody like this." But Sarah felt when she started to attend MDT meetings again that some of these dynamics were already at play. She watched as people exhibited discomfort at the dynamics in the room, professionals shifting in their chair and redness moving up their necks and just being physically uncomfortable. "I think everybody had kind of exhausted their intervening, I think is what had happened." Sarah said if she did intervene it would have been just suggesting

[47] Sarah imitated [redacted] raising her voice when she spoke to Kristina.
[48] Sarah imitated [redacted] raising her voice when she spoke to Kristina.

they move on to the next topic or agenda item. She recalled some meetings where people would leave and have a collective, maybe even non-verbal, moment of "Ok. What was that?"

I asked Sarah if DA Olson ever attended MDT meetings in the basement of the Courthouse and she said she did not. Sarah said DA Olson had actually attended their most recent MDT meeting and said "five times" that [redacted] was [redacted] I asked Sarah if she ever said anything to DA Olson about [redacted]'s behavior and treatment of Kristina and she said she did not. I asked her if she ever considered saying something and Sarah said she had no relationship with DA Olson; she had met her maybe one time, during a Trick or Treat event at the Courthouse (either 2023 or 2024 but she could not say for sure) where Sarah brought her kids. She said their interaction was cordial.

I asked Sarah if she could remember when the MDT meetings became shorter, or as she described them, "robotic." Sarah said it was toward the end of the time they were meeting in the Courthouse basement,[49] and [redacted] started to put time limits like "I have an hour." I asked if she recalled MDT members complaining about long or never-ending meetings and she said she did not. Sarah said that the MDT meeting wasn't being valued or prioritized: "It wasn't something that was being scheduled with a priority. It was like, this has to be done. And so the person that's scheduling it and leading it is not seeing this as a value, but the people around the table are seeing it as a value and know that the value is there." Sarah said that participants began saying in the MDT meetings that they were "ridiculous" and "what is happening here."

Sarah said the MDT meetings then moved to the Sheriff's Office and even though in person attendance had been really good, there was a suggestion, she believed from the DA's Office, to move the meetings fully virtual. Sarah said the DA's Office stopped appearing in person and went to remote appearance, and there were a few meeting where she said some meaningful discussions occurred. She remembered for one meeting, [redacted] was the DA's Office representative, and he said he was preparing for a trial, didn't have time for the meeting, and he was just going to mute himself. So the other participants just used the meeting time to talk about and staff cases.

Sarah described one of the meetings after moving to the Sheriff's Office being "so uncomfortable" because of [redacted] reprimanding Kristina "in the most, holy moly, I don't even remember what it was about, but it was like every single person in this room, kind of like you could hear the air sucked out at the same time." Sarah said [redacted] just "stopped" Kristina, kind of raised her voice at her, and said, "No, we're not going to do that." Both [redacted] and Kristina were appearing remotely. Sarah recalled that it was either about Kristina looking up cases or letting someone into the room (virtually). Sarah said there became this power play with people joining the meeting, and [redacted] would spend the first 10 minutes of each meeting figuring out if someone was supposed to be "in the room." At one point Sarah recalled [redacted] asking why Tira McLaughlin, who is a DHS supervisor, was in the meeting. [redacted] wouldn't let the clinical director of Tillamook Family Counseling Center in a meeting and questioned why one of Sarah's forensic interviewers was in the meeting until Sarah told [redacted] that the interviewer was taking notes for the CAC.

[49] She estimated having about five meetings there before the lack of privacy became an issue.

Sarah said the MDT meetings became very check box.[50] The administrative meeting would officially end and then those who were still in the room would continue talking about and staffing cases, which Sarah acknowledged is "the worst thing" to do even though the value of the information sharing was undeniable. I asked Sarah again, once the meetings moved to the Sheriff's Office and she was observing [redacted]'s behavior, if she ever contacted DA Olson to express any concern. Sarah said she did not.

Sarah said that after she transitioned to the Executive Director role she began looking for a protocol for the MDT because of the requirements of one of her grants from Oregon DOJ. Sarah said her predecessor had been trying to get an updated protocol but it did not happen. Someone from Tillamook PD found what appeared to be the last version of the MDT protocol in effect and it was from 2014. Sarah said she wants to get the CAC accredited, she has requirements for grants, and the protocol needs to be updated. But she said it felt like "going up against the DA" was "terrifying" because it would require an updated protocol and highlighting things that were being done incorrectly. Sarah explained that her predecessor had worked hard to try to get an updated MDT protocol, but had not been successful. The issue had been recently brought up by DA Olson at a meeting.

I asked Sarah if this meeting was at the Sheriff's Office and she said that the MDT meetings had been once again moved and were, as of a few months ago, taking place at the library. For personal reasons Sarah had missed a few meetings but a week prior there was a meeting and it was the first Sarah attended at the new location (the library). Sarah said DA Olson was at the meeting and after some preliminary administrative items, DA Olson said out of the blue, "Well, we're just going to talk about this. I hear that everybody has complaints about me. We're going to just talk about this. Does anybody have anything to say?" Sarah said that nobody said anything. Sarah said the MDT protocol was discussed, and she asked DA Olson if she had seen any of the suggested protocols put out by the State, and DA Olson said she had and that was the end of the discussion. Sarah said she asked DA Olson if they could meet and talk about implementing some of the suggestions from the state protocols, and Sarah said DA Olson agreed to do that. I asked if Kristina from victim assistance was at that meeting and Sarah said she was not, and nobody from victim assistance was there. Sarah said that DA Olson at one point in the meeting commented that her office's victim assistance does not do things the way it's done elsewhere in the state, because the office is too small and it's not possible to do things the way everybody else does. I confirmed that since Kristina was not at that meeting, Sarah could not have seen how [redacted] might have treated Kristina in DA Olson's presence.

I asked Sarah if she ever witnessed [redacted] behave unprofessionally toward another MDT member. Sarah described an incident where a comment was directed toward her, and she could not recall if the comment was from [redacted] or DA Olson, but she remembered the meeting was at the Sheriff's Office and the DA's Office was appearing remotely. Sarah said she had been speaking about a specific case, talking about a family, and when she was done with whatever she was saying either [redacted] or DA Olson asked the group if anyone else had anything to add that wasn't "bitching and complaining." Sarah said she had never been treated so disrespectfully in a professional setting and never felt so embarrassed as she did in that moment. She said she didn't handle the situation well herself, and used the phrase

[50] Sarah said nothing could be added or discussed that was not on the agenda that came out two days before the meeting.

"bitching and complaining" multiple times in the remainder of the meeting. She said that treatment has resulted in her disengaging, and she believes it has resulted in the other professionals in the room doing the same. "I watched those people that I truly respect, that have 20 years of investigative experience, be undercut, and then shut down. I watched that with every single person that has sat at this table, undercut, and shut down. That's not good for a community." Sarah said she didn't have specifics, but watched others get shut down during MDT meetings, including detectives and Valerie Bundy from Tides of Change. "You're wrong and we're not going to talk about that." Sarah said it was done in such an abrasive way too. "To have somebody who is in a power dynamic, there is such a strong power dynamic with the DA's office because for law enforcement, they're having to hand them stuff and then shove things back that doesn't meet their needs." Sarah said there is good work happening in the community, between child welfare and law enforcement, a shared desire to show up for families, but the DA's Office "has the potential to undermine all of this … which is not great for the community." Sarah expressed that good people will eventually leave the job.

I asked Sarah, since she was a forensic interviewer and therefore involved in specific cases, if she had any specific case concerns that she thought I should know about. Sarah said she purposefully did not go in and look at specific cases because she didn't want to identify any children. She said though, that she has notebooks and takes notes, and she had a page in front of her that said "revictimization" and then colon, and then "slap on wrist cases regarding sex abuse." Sarah said she could not think of specifics, but she believed there had been a reduction in cases being prosecuted.

Sarah explained that she understood that the reductions in the number of cases being prosecuted might be related to recent case law, because [redacted] had put on a training Sarah attended where [redacted] talked about recent changes in case law and what was required from investigators.[51] As it related to her work, it was relevant in getting as many specific details regarding incidents of abuse when a child discloses multiple incidents over a long period of time.[52] What was also memorable in the training was that [redacted] used a specific case from Tillamook PD to criticize the report, and Sarah was confident someone from the agency was in the room. Sarah described it as another example of [redacted] publicly shaming someone.

Getting back to her observations around prosecutions, Sarah explained that before calling Makenzie Wier at HR (which was in early September, 2025), she recalled only being subpoenaed for grand jury twice, and not once for a trial since returning to conducting forensic interviews (late 2022/early 2023). I asked her to estimate how many forensic interview she had done during that time (up to present) and she estimated 50 so far in 2025, and 25-35 in 2024. Sarah said one of the grand juries was very recent and I told her I was aware of the case, the child was [redacted] and the case is currently pending. Sarah confirmed that was correct. (See

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[51] *State v. Bravo-Chavez*, 343 Or App 326 (2025).

[52] Sarah took a slight tangent to explain why her recollection of the training might not be the best. She said just before entering the training she learned that her [redacted], who had struggled with addiction, had been stabbed, so Sarah was already distracted. Then, during the training, [redacted] used a hypothetical stabbing case to explain what she needed in the investigation. The hypothetical contained details very similar to Sarah's [redacted] referred to the victim by the name "[redacted]" (which is her [redacted]'s name) and referred to him as a long-time drug user known to law enforcement (also her [redacted]'s situation) and then began calling the suspect "Mr. Stabby." She described the situation as surreal.

#11, Specific Cases, below.) Sarah said the grand jury proceeding involved her simply identifying the video recording of the victim's interview and then the recording was played. Sarah said the victim's interview was very memorable, and the victim just completely "crumbled" after the interview, sobbing and crying for 45 minutes. I asked Sarah if that was information she put in a written report (the child's emotional reaction) and she said they don't do written reports at the CAC. I asked if she shared that information with [redacted], and she said she did not, that there was not really space to do that. I asked Sarah if [redacted] was seeking additional information from her at grand jury, and Sarah said she was "absolutely not."

Sarah said that she has discovered several things that her CAC needs to do to comply with certain legal requirements around child forensic interviews, and to assist her with that she has hired an attorney. She needs to present these issues to DA Olson because she needs to have her buy-in with changes in process and procedure (e.g., requiring the DA's Office to subpoena the recording of the forensic interview under a protective order). She also needs to have the MDT protocol updated and current. She noted when the CAC was being created in Tillamook County, the DA's Office was really not involved. She said she now knows she has to have their involvement and cooperation. I asked Sarah if DA Olson had ever been to her facility. She said she had not. I asked Sarah if she's made it known to the community that her facility is open and she said absolutely. Sarah said one of the other things on her list of things she needs to speak to DA Olson about is using initials in Indictments, as authorized by law, instead of naming the child victim. Sarah said that she got the CAC up and running and is now doing everything she needs to do to bring it in compliance and become accredited, which has included reaching out to other CAC directors around the state.

Sarah then recalled a specific case that she told me about. Her memory was in bits and pieces. She recalled it was before [redacted] did the training about case law changes (so prior to September of 2025). Sarah interviewed the child, then a medical examination occurred at Juliette's House and during that medical examination the child disclosed more. So, Sarah re-interviewed the child. Sarah also believed that a search warrant was served and corroborating evidence located. Sarah said no prosecution occurred, allegedly because there was no physical evidence (was initially what she recalled). Sarah recalled someone (without remembering whom initially) essentially referred to the child as a liar; at the very least it was clear the child was not believed. Sarah said she staffed the case with multiple child abuse forensic interviewers and she recalled the director of Juliette's House, Russell Mark, being appalled and outraged that it was not being prosecuted and saying to Sarah, "I don't understand what the hell is going on in your community?" I asked Sarah some more questions about it and she began to question her memory on whether criminal charges were filed. I asked if she could remember who the DDA was on the case and she said it was [redacted]. Sarah then remembered some more details, that it was investigated by Tillamook PD and during a subsequent staffing she recalled hearing that the child had run away. She recalled thinking to herself, "What do you expect? She shared everything she could and nobody can do anything to keep her safe. She's still the home with the same family. The stepdad is still there. Mom believes she's a liar." Sarah said the case exemplified what she saw with the DA's Office – that as opposed to being aligned with victims, when a parent isn't aligned with their child, it's the parent's voice that's heard by the DA's Office. Sarah additionally remembered that this case would have been from March of 2025.

Sarah then discussed what she observed during a release hearing conducted by [redacted], discussed in #11, Specific Cases, below.

Sarah said she attended a town hall put on by the Sheriff, Chief Troxel, and DA Olson. She referenced a note that she had made during the town hall (her note was, "What the actual fuck?") where DA Olson talked about "not filing things if there's not the ability to win, even if there is beyond the reasonable doubt." Sarah did not know when the town hall started but she had also written down "6 25" which she assumed was the time.

I asked Sarah if there was anything else she wanted me to know, and she mentioned learning about [redacted]'s criminal case through the Oregonian article. This would have been when she started back doing forensic interviews in 2022/2023. She said it was very troubling what she read, and knowing that he is making decisions on child abuse cases. Sarah also explained that DA Olson's [redacted] makes it very difficult to ever talk to DA Olson about a complaint or concern since [redacted]. The [redacted] has had a chilling effect. Sarah said she also got very nervous after calling Makenzie at HR and making her original report. Sarah said she was concerned about possible negative impacts to the CAC, and she was concerned for herself because she does not have any whistleblower protection.

After concluding my interview with Sarah, I spoke with Paul Fournier.

Paul Fournier

Commissioner Fournier is one of three Tillamook County Commissioners. I asked him what he wanted me to know for my investigation. He said that he thought I should have some information for context. He said he previously served as a deputy with the Sheriff's Office. He started at TCSO in 2001 as a seasonal deputy, then became full time, and worked as a detective. He was on the Major Crimes Team, investigated sex crimes, served and on the Child Abuse MDT (mentioning that Sarah Dentel was one of the people he worked with on MDT when she was with DHS). He retired in 2019 but continued to work major cases for the Sheriff's Office and also served as the PIO for the agency.

Commissioner Fournier said, "I know what it's like to work with the DA's office that, I believe, does a standard of care and the standard of work that is acceptable and required, and I feel like this one is so grossly missing the mark." Commissioner Fournier said he had even worked with DA Olson when she worked for OSP, because they worked in the same office, and he "saw her investigation style". He said they were friendly, not adversarial at all during the time they worked together. Commissioner Fournier also said he was and is friends with the prior DA, Bill Porter, who was the DA for his entire law enforcement career. Commissioner Fournier said he did not have any interaction with DA Olson when she was a DDA.

Commissioner Fournier said that from the beginning, there were some signs that the DA's Office under DA Olson was trying to "work in a vacuum" which he said is just not the way to get investigations done. By way of example, he said DA Porter had a practice where detectives and officers were welcome to go speak to any of the DA's and were welcomed in the office. Commissioner Fournier said the DDA's he worked with – Judge John Hill and County Counsel Joel Stevens – whom he affectionately referred to as "My DA's", would be some of the people he could call. He said if he did a traffic stop on a known drug offender, he was expected and encouraged to call the DA's Office and explain what he had and get their advice "for the furtherance of justice, the furtherance of investigation, for the furtherance of protecting victims

in the same way." Commissioner Fournier said he could call the lawyers, ask questions, and make sure they weren't screwing up an investigation. He said under DA Olson the door got locked, officers were told not to come anymore, and appointments had to be made. I confirmed with Commissioner Fournier that the statements about the door being locked were not his personal experience but something he was told by others. He said as the PIO, after DA Olson became DA, he interacted with her in that capacity and "she tried to control the press release." Commissioner Fournier said he had been doing press releases for 22 years, understood what to release and not to release, but "It's all about control for Aubrey." Commissioner Fournier said that DA Olson did not like when "she couldn't control the narrative of us doing a … press release on Facebook" which would create a lot of discussion by the community. Commissioner Fournier said from the beginning all he was hearing was negative.

Commissioner Fournier said he had helped Judge Hill on his campaign so when DA Olson was running she asked him for advice and went to lunch with her and [redacted]). "I just gave her some advice. She didn't take any of it. And that was the end of that. I don't think she was the best choice for the DA. The [redacted], except for [redacted] left because they didn't want to work with her." Commissioner Fournier said that both [redacted] and prior DDA Paul Binford told him they [redacted]. Commissioner Fournier said he didn't want to take a lot of my time, and he knew that what he had was mostly hearsay, but that some people that I was interviewing didn't "know what it was like before" and that while it's ok to have a culture shift when a new DA comes in, "when it starts affecting the way victims are treated, and the way that offenders are held accountable, I think that that's a sharp contrast and I think it borders on dereliction of duty, some of that."

Commissioner Fournier told me that DA Porter made it known he was not running again, and part of that was he was dealing with bar complaints and having to hire attorneys. Commissioner Fournier said DA Olson went to the commissioners prior to him taking office, "because I would never have accepted this," and got the commission to pay for some insurance to pay for legal representation on future "expected bar complaints." Commissioner Fournier also said the prior Board of Commissioners had somewhat of a contentious relationship with DA Porter. Commissioner Fournier said he's a "completely different board member than those before me." Other than [redacted], I asked Commissioner Fournier if he had any other interaction with [redacted] at the office and he said he did not, other than having lunch with [redacted].

Regarding [redacted], Commissioner Fournier said "this is just anecdotal and doesn't mean anything" but when she was hired Commissioner Fournier got a phone call from the Lincoln City Police Chief, David Broderick, whom he knew from working drug cases together, and Chief Broderick said he had heard that the County hired [redacted] and Chief Broderick said, "You guys are fucked." Commissioner Fournier acknowledged that he had never met [redacted] and had no personal information about her, he just received complaints from others. Commissioner Fournier said the people he received complaints from included Valerie Bundy from Tides of Change, personnel from DHS, and Andy Christofferson from OSP (whom Commissioner Fournier described as the "best detective for sex crimes we've ever had").

Commissioner Fournier offered his opinion that DA Olson does not like to litigate and she's afraid to, unlike under DA Porter when the attorney "loved and knew the game" and

understood plea bargains and what would happen if you "roll over in every case like what's happening now." Commissioner Fournier said he saw a case where [redacted] dismissed a case "with prejudice" and he said you don't just "give up like that."[53] Commissioner Fournier said that because of DA Olson's inexperience, because "she was never really that big of an investigator," she doesn't understand "that cops work on probable cause." Commissioner Fournier said, "She's dismissing cases because she can't prove beyond a reasonable doubt, but she also ends investigations." He told me he had an example involving [redacted], and said he was going to give me her name, but it was a situation where the deputy did an initial investigation but had not spoken to the suspect (John Henry), because he's "crazy," and the deputy never got a call from DA Olson asking if the deputy contacted the suspect. Commissioner Fournier said the prior DA "actually wanted to prosecute bad people" and if there was something missing, would call the deputy. Commissioner Fournier said DA Olson just dismisses it. In the case where [redacted] was a victim (he described some of the facts) she was never notified that it was "dismissed."[54]

Commissioner Fournier apologized several times during the interview for jumping all over the place, but I asked if we could talk about a statement he had made about people being afraid or concerned to come forward. Commissioner Fournier said people contacted him because he was in law enforcement and is now a commissioner and asked him what he could do about this. Commissioner Fournier mentioned a detective with TCSO (Chase Ross) who left detectives because of his frustration with the DA's Office. Commissioner Fournier said he was afraid they were going to lose good people and it's hard to find people to fill those shoes. "We have fantastic investigators that are being treated like crap." Commissioner Fournier said he had never in his entire career heard so many complaints about the DA's Office and [redacted] was "rising [to] the top on all these." He said when he starts hearing from people like Sarah Dentel, whom he trusts and knows cares about kids, it's "destroying her to see how victims are being treated and how these cases are being dropped." Commissioner Fournier made some specific references (nothing major if a biological father has sex with his daughter; allowing an offender to go on a cruise because the DA won't issue a warrant) and said it was almost like nobody taught DA Olson, but she "has chosen not to do the right thing."

Commissioner Fournier expressed his frustration at cases not being filed, that in his prior experience as a law enforcement officer cases would be charged and there would be a release agreement, and the investigation was allowed to continue and develop. I asked Commissioner Fournier if he was aware of any specific case where someone was released without being charged and then committed a new crime against the victim, and he said he was not aware of any. He acknowledged that the difficulty with the situation, and with my investigation, is that DA Olson has the authority and discretion to do what she is doing, and her employee (referring to [redacted]) is a County employee but they can't put her on leave because she's under DA Olson. Commissioner Fournier said that DA Olson is elected, and the public needs to know what she's doing, her charging decisions, "because they don't know not to vote for her." Commissioner Fournier went on, "to have a District Attorney that literally is taking the words, 'Protect Victims and Hold Offenders Accountable' off of the mission statement for the Sexual

[53] It is important to point out that once any portion of a trial has begun, and the state moves to dismiss the case, the dismissal must be "with prejudice" because constitutional double jeopardy prohibitions would preclude a retrial.
[54] Commissioner Fournier said he had a hearing "coming up on Friday" and I asked him what kind of hearing and he said it was a stalking petition against John Henry.

Assault Response Team is to me unacceptable and at least has to be known by the public that this person is choosing to make these horrible decisions. So that's why I get so emotional."

Commissioner Fournier said his fellow commissioners were also getting calls from the community, and this has never happened. He said DA Porter was "a pain in the ass to a lot of people" and a lot of people didn't like him and thought he was rough to deal with, but it's never been "every partner from every office" coming forward as it is now with complaints. Commissioner Fournier acknowledged he was getting information third hand but that's why he was bringing it to my attention.

Commissioner Fournier said he believes retaliation is "already happening" and cited the removal of [redacted] from MDT meetings. I asked Commissioner Fournier if he had spoken with Chief Troxel and he said he had. Commissioner Fournier said Chief Troxel called him about the investigation, and has complained about DA Olson to him, that she told him he doesn't know what the hell he's doing from a report he had written. Commissioner Fournier said DA Olson has said that about "every cop" and "that can't be true . . . that every single police report is bad." Commissioner Fournier said Chief Troxel told him he doesn't want to talk to me because he's concerned [redacted] will be "thrown under the bus. Commissioner Fournier said he tried to convince Chief Troxel to speak to me, to support his employees and address his concerns for his community and victims, but he heard Chief Troxel would not speak to me. Commissioner Fournier said that he does know Chief Troxel has concerns and complaints, whether he voices them or not, because Chief Troxel has told him directly.

I told Commissioner Fournier I would reach out to [redacted] to speak about her experience and thanked him for talking to me. Before we concluded the interview he once again expressed that people are concerned about retaliation.

On December 19, 2025, I requested a copy of the stalking complaint Commissioner Fornier told me he applied for during our interview. On January 2, 2026, I received two emails from Judge Hill's judicial clerk Taylor McNutt with documents from 25SK03284, Paul Fornier v. John Henry. The documents included the Petition for Stalking Protective Order as well as a memorandum filed by Commissioner Fournier's attorney in advance of a contested hearing for issuance of a permanent stalking order.

Erik Harth

On Friday, November 21, 2025, I emailed Chief Harth introducing myself and requesting to schedule an interview. I did not receive a response to my email so on Monday, November 24, 2025, I called the Manzanita Police Department. I learned that Chief Harth was not in the office that day. Over the Thanksgiving holiday, I did not receive a response to my email. On December 1, 2025, I called the Manzanita Police Department and left a voicemail introducing myself, referencing my November 21, 2025 email, and requesting a call back. On December 2, 2025, Chief Harth contacted me by phone. He explained that he had seen my email but then forgot about getting back to me due to the holiday week.

Chief Harth stated that he didn't really have problems with the DA's Office and that they send very few cases for consideration. He referenced what he described as "growing pains" when the former DA retired and the new DA took over but said that those had been worked out.

I expressed to Chief Harth that I believed it was important to interview him even if he didn't have any problems or concerns with the DA's Office. He agreed to speak to me and we eventually scheduled the interview for December 16, 2025 at the Sheriff's Office.

Chief Harth told me that he has been with the Manzanita Police Department since 2003 after serving as a reserve deputy with the Tillamook County Sheriff's Office. He has been the Chief of Police since 2009. He said the City of Manzanita has a population of about 600. There are four additional police officers in his department. In addition to the City of Manzanita, his agency contracts with the City of Nehalem, City of Wheeler, and Oregon State Parks as supplemental police services. He said most of the activity done in those cities is traffic related. If a criminal investigation is necessary, his officers typically just respond and wait for a deputy. Because Manzanita is a retirement vacation community, the summers can bring "anything and everything."

I asked him throughout the arc of his career what his interaction had been with the DA's office. He said, "pretty limited." He said he had not submitted a report "in the last three months" to the DA's office. He said the cases they do submit are typically DUII cases, though they have submitted Harassments and an occasional Burglary. I asked if he could estimate how many times he had testified in a trial during his 20 year career and he estimated maybe four times. As to grand jury appearances, he estimated between 15 and 20 during his career. He said that Manzanita does not have 24 hour patrol; he or another officer is on call between approximately midnight and 6:00 a.m.

Chief Harth said when Bill Porter was the DA he might interact with him 3-4 times a year; stop in and visit if he was there for grand jury or court. He said his agency participated in the county's Major Crimes Team and even took lead in 2010 on a murder-suicide that occurred in Manzanita. As to his interaction with DA Olson when she was a Deputy DA, he said maybe "once or twice" but nothing notable. I asked him if he had interacted with DA Olson since she became DA and he said he had, describing it as "overall positive."

He said there was one case in 2023 when his agency was sued civilly. It involved a Trespass and Resisting Arrest charge and the DA's office no-actioned the case. Chief Harth recalled reaching out to DA Olson about her no-action decision and "pretty much the response was, I can make an appointment tomorrow to talk to you about it." He wanted to speak to her urgently, so he said he called her two or three times that night, left her voicemails telling her he really needed to speak to her, and got no response. When she called him back the next morning, "there was some defensiveness at the time to that call on her part." He said they did end up talking about the case that following morning, and he learned [redacted] had reviewed and no-actioned the case. DA Olson told him she needed time to review [redacted]'s decision and after doing so she concurred with the decision. Chief Harth said, "I was satisfied at that point with that answer" and his only concern was the delay it took to have the conversation.

I asked Chief Harth if any of his officers ever expressed any complaints about the DA's office and he said they have only wished they could show up at the DA's office and the "open door policy" (like under DA Porter) was still there. Chief Harth said he was of the opinion that it's her office and if she thinks that works best for her to have it closed down then it's her decision. He said that part did not bother him and he just viewed it as a growing pain or "learning experience" for him and his officers to get used to. It was not negative, just different.

I told him I understood the DA's office had an on-call system and asked him how he believed it was working. He said his agency had not had any problems, to his knowledge. He gave an example of needing a question answered recently and sending a text to DA Olson. She responded asking if they could speak that evening. They ended up having a very informative, half hour conversation and he described DA Olson as "very responsive" and that she gave a "very good answer."

I asked Chief Harth if he could ever recall his agency referring a Measure 11 case to the DA's office and he said no. I asked about domestic violence cases, since he had referenced an occasional Harassment, and he did not believe his agency had referred a domestic violence assault case in the last "three to five years" to the DA's office. He estimated in his time at Manzanita Police Department that they had investigated "maybe three" sexual assault cases but usually detectives from the Sheriff's Office would take lead.

I asked Chief Harth if there was anything else he thought I should know and he said that in the civil suit he had mentioned, the DA's Office provided the body camera footage to the civil attorney and when he tried to talk to DA Olson about that, she "totally shut me down and wouldn't have a conversation." I told him I thought I understood why that was a concern (the DA releasing the body camera footage) but asked him to explain it to me. He said, "It should have been our footage to release at that point and not hers." He said that his agency was going to deny the release under a public records request with a civil case pending. He believed that DA Olson "didn't want to comment" on what her office did or didn't do and it made him think, "Boy, you must feel guilty about something." I confirmed with Chief Harth that he was wanting to speak to DA Olson privately about the issue and he confirmed she would not have an open discussion about whether she should or should not have released the body camera footage. I asked him if that conversation occurred after the conclusion of the civil case and he said it did not.

Chief Harth mentioned that he would attend monthly lunches with DA Olson and other agency heads (Sheriff Brown, Chief Troxel and OSP command) and he found them to be very positive and productive; mainly social with a little bit of business. He did not describe them as tense or uncomfortable in any way. The Sheriff started pushing for quarterly instead of monthly lunches but Chief Harth sometimes can't make them and then months go by without him interacting with the people in Tillamook because he's 35 minutes away. He was more in favor of meeting monthly "to keep a relationship there."

I asked Chief Harth if he ever recalled DA Olson saying at one of those lunches that she wanted people to make appointments if they wanted to talk to her. He said that sounded familiar but he could not say for sure where that came from. He was unsure whether that was for everyone at the DA's office or just for DA Olson.

Chief Harth had nothing more to add and we concluded the interview at that time.

After concluding my interview with Chief Harth, I went to the Tillamook County Courthouse and met with Trial Court Administrator Christopher Hamilton. TCA Hamilton provided me with a tour of the Courthouse and we briefly stopped at Judge Hill's courtroom where I was introduced to Judge Hill and we discussed our mutual acquaintances (since he was a law clerk at the office where I was a prosecutor for over 20 years).

TCA Hamilton also provided me with a printout of some court statistics that he thought might be of interest to me. The printout consisted of slides from a Power Point presentation related to Case Filings from an OJD analyst. I asked TCA Hamilton if OJD also kept statistics related to the number of criminal trials (court and jury) held per county and he indicated he would provide me with links to that information on OJD's website. Later that afternoon I received an email from TCA Hamilton with the OJD links.[55]

According to the OJD statistics I reviewed, statewide criminal filings in Oregon started to decline during the COVID-19 pandemic (2020 – 2022) and the decriminalization of drugs with the passage of BM 110 (effective July 19, 2021). However, decriminalization was short lived when the legislature effectively repealed BM 110 with the passage of HB 4002 (2024 session) which went into effect September 1, 2024. Thus, the period of decriminalization of drugs was approximately 3 years.

In Oregon, the following table represents the number of criminal cases filed by year statewide:

Year	Felony	Misdemeanor	Total Criminal Cases Filed
2018	26,265	54,459	80,724
2019	26,598	51,536	78,134
2020	24,283	40,140	64,423
2021	22,096	36,977	59,093
2022	21,921	36,678	58,599
2023	21,454	38,913	60,367
2024	21,184	45,451	66,635
2025*[56]	17,891	42,726	60,617

In Tillamook County, the following table represents the number of criminal cases filed by year:

Year	Felony	Misdemeanor	Total Criminal Cases Filed
2018	202	762	964
2019	210	650	860
2020	229	580	809
2021	127	406	533
2022	137	352	489
2023	101	438	539
2024	105	342	447
2025*	76	332	408

[55] All of the statistical information TCA Hamilton provided me is available to the public on OJD's website.
[56] The 2025 numbers represent filings through November 13, 2025. I contacted OJD to determine when 2025 statistics will be available and I was told to expect them in March of 2026.

In 2023 and 2024, the number of criminal cases *filed* in Tillamook County was about half of the number of criminal cases filed before the pandemic. That trend was continuing in 2025, where the numbers represented in the table were for filings through November 13, 2025. In 2024, the DA's office filed about 2 felony cases per week. In 2025, the DA's office filed about 1.7 felony cases per week through November 13, 2025. If that average continued for the remaining 7 weeks left in 2025, the total number of felony cases filed for 2025 would be 88.

The OJD statistics also included criminal case disposition information, where counties reported the number of criminal trials (jury trials or court, aka "bench", trials) occurring in each county per year. I confirmed with TCA Hamilton that if a trial commenced, it counted as a jury or court trial, regardless of the outcome. Thus, if the state moved to dismiss its case mid-trial, that case was still counted as a trial. The same was true if the court granted a judgment of acquittal at the close of the state's evidence, or if a mistrial occurred mid-trial or because of a hung jury (meaning the jury was unable to reach a verdict). Thus, to be counted, the case did not have to reach a verdict; it only had to begin as a trial.

I did not review statewide statistics for criminal trials but focused instead on Tillamook County's data. I know from personal experience that during the COVID-19 pandemic (2020-2022), the number of trials was *drastically* reduced due to public health concerns and social distancing requirements.

The following table represents the number of criminal trials in Tillamook County by year:

Year	Felony	Misdemeanor	Total Criminal Trials
2018	19	24	43
2019	15	30	45
2020	6	10	16
2021	13	8	21
2022	13	18	31
2023	3	13	16
2024	4	10	14

Although 2025 information was not available on OJD's website, I contacted TCA Anderson to see if he had those numbers. He was able to provide me with 2025 numbers:

Year	Felony	Misdemeanor	Total Criminal Trials
2025	5	12	17

I also asked TCA Anderson if he could provide me with the specific court docket numbers of the trials that had reportedly occurred in 2023, 2024 and 2025 in Tillamook County. I wanted to look into the court records of the specific trials to determine what types of cases were going to trial, as there is a vast difference between preparing for and trying a multi-week murder

case (which would only count as 1 trial) and a misdemeanor court trial. TCA Anderson provided me with the court docket number of every case that he could find.[57]

I examined the court dockets of each case TCA Anderson was able to provide that reportedly went to trial in 2023, 2024 and 2025. I discovered some irregularities. For example, if co-defendants were tried together or multiple cases against a defendant were joined for a single trial, OJD still counted the cases as separate trials; so the actual number of trials was even lower than reported. I found two cases where it appeared court staff documented that a trial was held when in fact the defendant entered a plea to a charge in exchange for dismissal of others; another case where the criminal charges were dismissed and the defendant proceeded to a court trial on violations (not crimes).

None of the cases that I examined involved a trial longer than three days in length.

- In 2023 there were actually 9 total criminal trials
    - 6 jury and 3 court
    - 7 misdemeanors and 2 felonies
    - 1 trial involved a Class A felony as the most serious charge
    - In 5 of the trials, at least 1 guilty verdict was returned
    - 2 cases resulted in full acquittal at close of state's case (JOA)

- In 2024 there were actually 12 total criminal trials
    - 8 jury and 3 court
    - 6 misdemeanors, 5 felonies, 1 unknown (confidential)
    - 2 trials involved a Class A felony as the most serious charge
    - In 3 of the trials, at least 1 guilty verdict was returned
    - The state moved to dismiss 2 of the cases during trial
    - 3 cases resulted in full acquittal at close of state's case (JOA)

- In 2025, there were actually 16 total criminal trials
    - 9 jury and 7 court
    - 12 misdemeanors and 4 felonies
    - 1 trial involved a Class B felony
    - In 8 of the trials, at least 1 guilty verdict was returned
    - The state moved to dismiss 3 of the cases during trial or after a hung jury
    - 1 case resulted in full acquittal at close of state's case (JOA)

In addition to looking at the specific cases tried between 2023 – 2025, I conducted an eCourt search to try to determine generally what types of felony cases were being charged between 2023 – 2025. Because there were so few trials in those years, cases either had to resolve by a plea or had to be dismissed. I focused my search on domestic violence and sex abuse cases. Many domestic violence cases concluded by a plea, but many were also dismissed by the State. Of the cases that resolved by a plea, I observed it was common that there would be a plea to a

[57] TCA Anderson explained that some cases that appeared on the OJD dashboard were "sealed and confidential" and he tried other means to provide me with docket numbers. For 2023, he was able to provide 12 of the 13 docket numbers. For 2024, he was able to provide all 15 docket numbers but one of the cases was confidential and could not be accessed in eCourt, likely meaning that the defendant was found not guilty and the court ordered the record expunged. For 2024, he was able to provide all 17 docket numbers.

Harassment charge and a more serious charge (Assault, Menacing, or Strangulation) would be dismissed. I found DV cases that were charged by DA's Information and then dismissed after a Not True Bill at grand jury: *State v. Inman*, [redacted] ([redacted]); *State v. Wilson*, [redacted] ([redacted]); and *State v. Jacob Sweeney*, 23CR11989 (DA Olson). I found a DV case dismissed right before the trial: *State v. Brassfield*, 24CR05157. I found a child sex abuse case charged by DA's Information and then dismissed after a Not True Bill at grand jury: *State v. Arnold*, [redacted] ([redacted]). I found a DV case that went to trial at the end of 2024 ([redacted]) where the defendant had been charged with DV Strangulation but [redacted] failed to allege the defendant's two prior aggravating convictions for DV Assault 4 and DV Strangulation: *State v. Rojo*, [redacted]. Additionally, I found two child sex abuse cases that would be commonly referred to as "Jessica's Law" cases.[58] In one case, the state extended a settlement offer of Harassment (A misdemeanor) and Luring a Minor, with a sentence of 5 years probation. *State v. Jewell*, 23CR43518 (DA Olson); in another case, the state extended a settlement offer of 2 years in prison on a charge of Coercion (a non sex offense): *State v. Oge*, [redacted] ([redacted]).[59] Sheriff Brown had mentioned a recidivist sex offender named David Sinohuiz during my interview with him. I located multiple felony person crime cases between 2016 and 2024 in Tillamook County where Mr. Sinohuiz was charged with Rape, Coercion, Strangulation, and Animal Neglect. In 24CR48908, he was indicted for Rape in the First Degree and Sex Abuse in the Second Degree. He had previous felony sex offense convictions for Rape in the Third Degree, Sodomy in the Third Degree, and Sex Abuse in the Second Degree. Although he faced a presumptive life sentence under ORS 137.719, the State agreed to a sentence of 121 months. Given that Mr. Sinohuiz was about 29 years old when he was sentenced, he will be in his late 30's when he is released from prison.

[redacted]

On December 17, 2025, I met with [redacted] at a coffee shop in Hillsboro, Oregon at a pre-arranged time. [redacted] stated her [redacted] is [redacted] I explained to [redacted] that I had been told only that she and her daughter were possibly victims of a crime but that I did not have any other information. I asked [redacted] if she could tell me about the incident.

[redacted] explained that on [redacted], 2025, she was leaving [redacted]'s house in Netarts where she had visited with her daughter. She was driving on Highway 31 at a location where the speed limit was 25 miles per hour. She was deliberately driving slower than the posted speed (estimated at 15 miles per hour) because she was concerned about deer in the area and had learned about some recently being killed. She said that she passed a business (the Upper Bar) and saw a truck with an American flag start to drive in the opposite direction toward her. She recognized the truck as belonging to a person named John Henry. [redacted] said the truck was driving really fast – she approximated the speed over 40 miles per hour – and as it came toward her the truck swerved into her lane almost hitting her. The truck then drove past and she saw John Henry in the driver's seat, and he turned his head to the side looking straight at her as she

[58] "Jessica's Law" was enacted by the Legislature in 2006. It requires imposition of a 300 month (25 year) minimum prison term for a conviction for Rape in the First Degree, Sodomy in the First Degree, or Unlawful Sexual Penetration in the First Degree of a child under the age of 12.
[59] I later spoke with Lacey Larson at Tillamook PD about this case, discussed below.

passed by. [redacted] explained that the road did not have a shoulder or safe spot to turn away from John Henry's truck so she just slammed on her breaks. As [redacted] recounted the incident she was tearful and had to pause, indicating how scary the situation was. [redacted] said her [redacted] year old daughter was in the car with her and was talking on the phone to her grandmother ([redacted]'s mother) when the incident occurred.

[redacted] did not want to continue driving in the same direction for fear that John Henry would simply return and follow her. She called [redacted] and he contacted law enforcement. [redacted] then returned to [redacted]'s residence.

[redacted] spoke to an officer, whom she believed was a deputy sheriff with Tillamook County. She was advised that the officer's report was submitted to the DA's Office for review. She stated that contact was not attempted with John Henry to her knowledge and he was not arrested.

[redacted] explained that [redacted] told her that he had been inquiring with the DA's Office about the case and then eventually told her that "they" were not going to file anything on it. I asked [redacted] if she ever received any communication from the district attorney's office about the case and she said she did not. I asked [redacted] if she ever contacted the DA's Office to inquire about the case, whether the office received reports, whether any charges would be filed, or if no charges would be filed inquire as to why. [redacted] said she did not ever contact the office. She believed that the DA was afraid of John Henry and that the DA did not want to become John Henry's target.

I advised [redacted] that she had a right to contact the office to inquire about these things and that she could still do so. I asked [redacted] to let me know, if she chose to contact the DA's Office, what the response was from the office. I made it clear to [redacted] that I was not asking her to talk to the DA's Office but was just asking her, if she chose to do so on her own, to share the office's response with me.

Shortly after my interview with [redacted] concluded she sent me a text message with the following: "I did forget to tell you one thing, if the DA would have investigated my case, even just a little bit, interviewed John Henry or asked neighbors, etc. he most likely would have admitted it because he did tell, I believe it was an elderly neighbor, that he is going to prison because he tried to hit [redacted] head on with his truck. John Henry believes [redacted] and I are [redacted] but we are not."

Later that day [redacted] sent another text message indicating that she had called the DA's Office but the call went directly to a message so she emailed the DA Olson. [redacted] later forwarded me the email that she sent to DA Olson (at 12:25 p.m.) as well as two emailed responses that she received from DA Olson (at 12:49 p.m. and 1:00 p.m., respectively). In the emails, DA Olson explained why she did not file criminal charges regarding [redacted]'s incident. The emails are attached as **Exhibit 11.**

During my interview with [redacted], he did not mention being in communication with the DA's office on behalf of [redacted]. During my interview with Sheriff Brown, however, he mentioned that [redacted] was aware from his agency that the case had been no-actioned by the DA's Office. It is possible that [redacted] believed [redacted]'s information came directly from the DA's Office. I did not contact [redacted] to confirm one way or the other how he got the information, since

the critical information (that the case was no-actioned) was confirmed by DA Olson in her emails to [redacted]

On December 18, 2025 I received a phone call from a woman who identified herself as [redacted]. My interactions with Ms. [redacted] are detailed in Other Persons Mentioned - Summaries, below.

On December 29, 2025, having not received any response from DA Olson to my December 12, 2025 email, I sent a second email to DA Olson. I immediately received an automated response email advising that DA Olson was out of the office until January 5, 2026.

On the morning of January 5, 2026, DA Olson sent me an email explaining that she had not seen my original email on December 12, 2025 because it had gone to her junk folder. She said she was willing to meet with me, was aware of the investigation, and would make her DDAs available to meet with me as well. After some back and forth emails between myself, DA Olson, and [redacted], we scheduled interviews for Tuesday, January 13, 2026 beginning at 9:00 a.m.[60] I promised DA Olson and [redacted] that I would provide them with a list of the cases I wanted to speak to them about no later than Thursday, January 8, 2026. (I learned [redacted] was scheduled to be out of the office at the end of that week so I provided her a list of 5 cases I wanted to ask her about on the morning of January 6, 2026.) [redacted] sent me an email saying no one was telling him what this was about and wondering if he needed legal counsel. I sent [redacted] an email generally explaining what I was investigating, telling him his name had come up, and telling him any participation by him in an interview was voluntary.

On January [redacted], 2026, I sent an email to [redacted] advising him of three cases I wanted to ask him about. I sent an email to [redacted] advising him of three cases I wanted to ask him about. I sent an email to [redacted] adding one additional case I wanted to ask her about. I sent two emails to DA Olson advising her of the 12 filed and unfiled cases I wanted to ask her about (identifying the unfiled cases by suspect name and agency case number); I also advised her of 8 additional cases I had asked to speak to [redacted] about, in case she wanted to review them.

On January 12, 2026, I received an email from Tillamook County Counsel Bryan Libel, who advised that his office had been contacted by Jeff Hall regarding my investigation. My actions related to Mr. Hall are documented in Other Persons Mentioned - Summaries, below.

Prior to my interviews with DA's Office personnel, I listened to the court records in 5 of the cases I intended to inquire about: #6, #7, #8, #10, and #11 in Specific Cases, below.

[60] I had offered to stay as late as necessary on that date to accommodate schedules. DA Olson preferred the meetings to occur between 9 and 5 and said she would not ask anyone to stay late. DA Olson asked that we meet first before I met with the DDAs. My interview with DA Olson ended up being broken up into two segments that day – 9:00 a.m. to approximately 1:15 p.m. and then again 5:00 p.m. to 6:15 p.m., so that the DDA interviews could conclude before 5:00 p.m.

Aubrey Olson

DA Olson provided her educational and professional background. She graduated from college in 2002 and began working for the Memphis Police Department in the patrol division. She worked in that capacity for six and a half years and decided to go to law school, with no plans to become a prosecutor. She attended the University of South Carolina for one year and then transferred to Lewis and Clark law school to finish her degree in the part time program. She finished law school at the end of 2014 but was listed as a graduate in 2015. She was interested in working as an investigator for the federal government so she returned to law enforcement with the Oregon State Police. She was interested in environmental crimes and became a fish and game trooper. She worked in that capacity for several years but was unfulfilled, and the federal application process was cumbersome and lengthy. She decided to take the bar exam in 2018 and passed. She had interacted with the Tillamook County District Attorney's Office (TCDA) and sought a volunteer position in the fall of 2018 with the hopes of getting hired when a position opened up so that she could get courtroom experience. She was hired as a Deputy District Attorney in 2019 by then DA Bill Porter. When I asked her what motivated her to work at the DA's Office, she stated she was unsure whether she wanted to be a prosecutor, but it was a job where she could get litigation experience.

She became the DUII prosecutor and handled traffic-related crimes, including vehicular homicide. She said that she would seek out cases that interested her and ask DA Porter if she could be assigned or second chair. She described the then-Chief Deputy District Attorney Ray Bassel, a former long time criminal defense attorney out of Washington County with 30+ years of experience, as a mentor. (She later explained that he died of an illness in early 2022.) She did not go into specifics about what responsibilities she handled on cases where she was second chair but did explain that because of her background in film editing she became the go-to person in the office to edit video evidence for trial, mainly for Ray Bassel and another seasoned Deputy District Attorney, Paul Binford.

About eighteen months into her employment (roughly fall of 2020), she was approached to take another job and went to tell DA Porter that she was interested in it. He told her that he thought she should run for DA. She explained that she told him he was "crazy" to suggest it given her lack of experience, but did point out to me that she had been a police officer for 10 years. DA Porter told her he would have over two years to get her ready for the job and he thought she was the best person. She decided to stay in Tillamook County. She filed to become district attorney for the May 2022 primary.

Chief Deputy Ray Bassel became her biggest supporter but he fell ill in early 2022 and eventually died of his illness. DA Porter had to appoint a successor chief deputy and he told DA Olson that he thought it best to appoint [redacted] (instead of her) so that it would be a trial run for him to serve as her Chief Deputy DA. When DA Porter had made it known that he was supporting Olson for the DA job, both [redacted] and DA Paul Binford were upset. When [redacted] was appointed to the chief deputy position by DA Porter, he stayed; DDA Paul Binford immediately started looking for employment elsewhere, and he eventually left. Although experienced and smart, DA Olson described Binford as lazy and unorganized and said his "fire sale" plea offers as trial approached were very common. Regarding [redacted], DA Olson said he was very organized, knew sentencing law well, and was generally dependable. She said he too engaged in "fire sale" plea offers but as he explained to her one time, some times

in DV case you're playing "DV Chicken" – defendants waiting to see if the victim shows up for trial. Also, DV victims will show up and be upset or recant. So as [redacted] told her it's best to get a conviction, which DA Olson agreed with.

DA Olson said that when DDA Binford left his files were a mess, consistent with how he had been as a DDA. She explained she had to go in and "clean" them all up – charge cases, put out plea offers, and respond to defense attorneys. She said she and [redacted] divvied up most of the files. Notably, when I spoke to Valerie Bundy from Tides of Change, she described how DDA Binford was "wonderful" in his work with victims. That was not a strength that DA Olson ever identified.

DA Olson explained that [redacted], DA Porter hired [redacted], [redacted]. She hired a provisional licensee ([redacted]) who stayed for 14 months, but who resigned in lieu of termination. She acknowledged being down a position for a time, like many DA's offices around the state. In [redacted], she hired [redacted]. Although they were technically fully staffed at that point, the provisional licensee was not performing adequately and his departure soon followed by May of 2024. DA Olson hired [redacted] to fill that vacant position but it was not filled until [redacted]. So for over half of 2024, the office was down a DDA.

DA Olson explained that when she took over as DA in 2023, she continued the practice, as DA Porter had done previously, of conducting initial intake review. Upon questioning, she initially estimated reviewing approximately 10 in custody[61] cases per week. When I asked her to estimate how many out of custody[62] cases she reviewed each week, she recalculated the number of total cases (in custody plus out of custody) she would review in a week to be approximately 20 cases.[63]

DA Olson explained that when she began as DA she tried to change the culture of the DA's office because of the workload of DDAs. One way to do that was with intake assignments. She tried to pay attention to when a DDA was in trial or otherwise busy and not assign that DDA in custody intake that might take their focus away from trial. DA Olson explained that her office used a vertical prosecution model – meaning that if a DDA had a case involving a defendant and new intake came in for that same defendant, the case would be assigned to the same DDA. She considered different scheduling issues when assigning intake – like whether grand jury would need to be expedited and whether the DDA assigned could conduct the grand jury themselves (which she believed it was important for the DDA to assess the strength of the evidence in the case such as how witnesses in the case testified).

I asked DA Olson about her process when the case investigation appeared incomplete. She said she emails the officer and the officer's sergeant requesting follow up. She explained that she sometimes receives no response from the agency, sometimes gets an email response, and sometimes just gets a report with the requested follow up. DA Olson estimated that 50-60% of

[61] "In custody" referred to those persons who were held in jail pending arraignment. That may be due to the charges they were lodged on that did not meet release eligibility (e.g., domestic violence charges), or because they were arrested for a new crime while being subject to a release agreement on pending charges.
[62] "Out of custody" was defined as cases for review where no arrest had been made (e.g. warrant requests), or where an arrest had been made and the suspect received a citation or was released from custody on a release agreement.
[63] DA Olson said that her office received between 900-1,000 referrals each year, which would put the weekly average case count between 17 and 19 cases reviewed per week.

the time she receives no response to her email, and 30-40% of the time receives no response whatsoever (i.e. no follow-up investigation). She said in her experience it depended largely on the officer and the agency. When asked to rank the responsiveness of the four law enforcement agencies in her county from best to worst, she stated OSP was the best, Manzanita was essentially tied with OSP because it was so small and the chief was so responsive to her, a "close second" was Tillamook (police department) and the sheriff's office was "dead last."

Upon further discussion regarding the topic of intake, DA Olson explained that one of the things she changed when she became DA was the communication to law enforcement when a case was no-actioned. DA Porter would send a message to the agency stating only that the case was no-actioned, without further explanation. Since she viewed the role of the DA as advising law enforcement, she wanted to communicate the legal decision behind the no-action. She began having her DDAs provide more information in the no-action email which was then sent, through her, directly to the officer. For example, if a search was bad or the officer was incorrect on the law, the memo (in email form) from the DA's office would provide that explanation; some explanations would be longer than others. DA Olson said that at monthly lunch meetings she was having with the heads of the law enforcement agencies in her county (at the behest of the former Chief of Police for the City of Tillamook) she learned that officers were getting "pissed" by the no-action memos. I asked DA Olson if she was told why officers were upset; namely were the officers upset by being told they had conducted a bad search or were they upset by being told the DA's office assessed the case could not be proven beyond a reasonable doubt. DA Olson stated she did not know why officers were upset, and that she recalled saying, "I really wish people would call me and we can talk about this further." She concluded by reiterating that it just kind of "ended up" with officers being upset.

When I asked DA Olson what other changes she instituted in the office when she became DA, she discussed the open door policy under the prior DA. At length, DA Olson described how disruptive it was to her work and concentration to have officers pop in unannounced at any time of the work day. She stated it was also a CJIS[64] violation. She recounted instances where officers[65] would want her attention to review a search warrant or talk about a case and she was due in court; a time during a trial when she returned to her office to find 3-4 officers occupying her space including an officer sitting in the chair at her desk. She said she would seek solace in a lactation room or conference room at the courthouse, or working remotely at her residence. She said she even emailed the County Commissioners to ask for a more private place to work. It was clear from her description that she found the previous DA's "open door" practice to be very personally disruptive to her work practices. She described it as unprofessional, and that it caused her stress and anxiety.

So when she became DA she removed key card access to her office for non-DA employees. She stated that if officers had time to drive over to the DA's office to see someone, then they could call ahead. She explained it as a two way professional courtesy – they would not

[64] CJIS: Criminal Justice Information System, which includes criminal justice information related to arrests, convictions, personal data, etc. Members of law enforcement agencies, including police officers and prosecutors, have access to CJIS information because they need the information to do their job. In my experience, any active duty law enforcement officer and current prosecutor would have CJIS clearance because CJIS requires annual certification (and recertification).

[65] It was not limited to law enforcement, as she identified the juvenile director and justice of the peace also had access to the DA's office.

waste time driving over to find DA's unavailable, and DA's would not have unannounced visitors. She said when she communicated the new policy to law enforcement there was "upset and frustration with me." DA Olson said she recalled someone from OSP saying something like, "Why did you have to slam the door in our face?" She said from her perspective all she did was ask that they knock on the door before entering.

She then began receiving complaints that people could not get a hold of her or her DDAs so she instituted an on-call system where she and her DDAs would share an on call phone to answer law enforcement questions.

When I inquired about the public's access at the DA's office, I noted that there was no receptionist to greet people and that one had to press a button to speak to a live individual. DA Olson explained that as long as she had been at the DA's office it had been that way. DA staff felt exposed and unsafe sitting at the front window of the office and the on-call button worked well to get staff's attention. DA Olson said this setup had not created any problems for her or her staff in terms of the public's accessibility, and she had not received any complaints about accessibility from the public visiting the DA's office.

I inquired of DA Olson about the placement of her office [redacted]. When I went to the courthouse to speak with DA Olson I checked in at the DA's office main window and saw that DA Olson's office was accessed directly from the hallway, but separated from the rest of the office. I advised DA Olson that several people had questioned why [redacted] was located next to hers as opposed to [redacted]. DA Olson said "[redacted] didn't want it" and [redacted] did because it was quieter. She said that [redacted] was "really concerned" about "[redacted]" of [redacted] (and separated from the other attorneys' offices) but DA Olson said she was not concerned (about [redacted]) because they (she and [redacted]) work remotely a lot and [redacted] and while their offices are conjoined they are separate and "you only know [about the offices] if you've been in there".

DA Olson went on to discuss the remodeling of the DA's office and the displacement of people during that period. She said that they switched to a remote work model during the remodel and it had basically remained that way since. I was unaware that her office was working remotely so I inquired further. She said "everybody really likes being able to work remotely because they're so much more productive." She said that remote work has allowed her and other DDAs to avoid a "45-minute commute" and "the stress of having to come in and physically be at the office." She said generally if you did not have court, "you're not coming in." She said Mondays and Fridays tended to be busy with court so people might be in the office but Tuesday through Thursday was "hit or miss." I asked whether the court typically authorized remote appearances and DA Olson said the court now requires a motion to be filed (whereas an email request previously sufficed), but the discretion of whether to allow an attorney to appear remotely was totally up to the court. DA Olson said that she has told her DDAs if they have court approval to appear remotely, they may.[66]

[66] She said she had a process that DDAs were supposed to follow if they wanted someone to cover their court appearances (namely, getting coverage 24 hours in advance and sufficiently preparing the file and briefing the coverage DDA for the appearance).

I asked DA Olson if the County approved of employees working remotely or left that to the discretion of the agency head. DA Olson said it's up to the agency head, that she had never discussed it with the County, that other County employees work remotely at times and that she "would argue that the County doesn't have authority to tell me that DDAs can or can't work remotely." DA Olson reiterated that "it's fully up to the discretion of each attorney when they're here [and] when they're not."

I asked DA Olson what metric she used to determine that DDAs were "so much more productive" working remotely. DA Olson said it was partly from just "listening to them" and that she could see it with herself [redacted] and he made comments about how much more he could get done at home and that he didn't have to rush to get to the office at 8:00 or wear a tie every day and that he could go to the gym after work and wouldn't be exhausted having to drive home from work. DA Olson also said she could monitor things in Carpel, the office's case management system. I asked her if she did that. She said, "You just have to run a report. You have to run a report to see, but I mean you can see like somebody logged on at this time, they were in these files. I can't tell like they were in the, if this file was open exactly what they were doing unless they were filing motions or generating events, but a lot of times people will be researching. For a period of time, I actually did ask people, we did a four month tester where I had people track their time and they hated it because they became prosecutors partly so they didn't have to track their time, but I asked them to track their time so that I could accurately tell. But I also have things in place like if you have, I have policy or I guess procedure guide, I don't know if I should call it a policy, but on timeline to complete reminders, timeline to complete referrals, things like that so that I can gauge, you know, if somebody's not completing their referrals in a timely manner that I know and I'd have to look at my list to remember exactly what those timelines are."

DA Olson then explained that her interaction with [redacted] was very individualized, depending on their preference and her desire to manage her own time and be able to focus on things:

[redacted] – standing meeting [redacted] (though sometimes more frequent)

[redacted] – talk in passing from time to time

[redacted] – talk "all the time"

[redacted] – talk a couple times a week

In order to gauge how attorneys communicated with each other if most or all were working remotely, I asked DA Olson what would typically happen if a defense attorney provided a settlement offer on a case and a DDA needed to staff the offer (as an example of something that happens routinely in DA's offices with inexperienced and very experienced attorneys alike). DA Olson said they use Teams and have an attorney chat group that they are on "all the time." DA Olson then said that she has told everybody they need to be available during hours the office was open to the public, which was either 8:00 to 4:00 or 8:30 to noon and then 1:00 to 4:00. When I repeated the times back to her to make sure I understood she stated, "A lot of people work beyond those hours." When I asked for further clarification about when she required attorneys to be available she said she couldn't remember the exact times but that she closed the office each day at 4:00, and that one attorney was assigned to do arraignments at 4:15 and 4:30, but that she

told the attorneys "after 4:00 is your time unless you're on call." She ultimately struggled to remember if she required attorneys to be available starting at 8:00 or 8:30.

After a short break I asked DA Olson if I could get a little more information about her communication practices with law enforcement. She had previously mentioned shifting away from the open door policy under DA Porter and I had been told that she required law enforcement to set appointments to speak with her. Given that she and her attorneys worked remotely, I asked DA Olson if she could explain to me her expectations of law enforcement reaching her and her deputies.

DA Olson she said she believes "they" (meaning law enforcement) have been the ones to use the word appointment and if she wrote that in an email, she did not recall it. DA Olson said she worked remotely under DA Porter to be able to get work done, and that they all had their cell phones and people could reach them. DA Olson said if someone needed a search warrant reviewed she just expected them to call ahead. If someone is wanting to talk with her specifically, "send me an email or like just each out to me to find out when I'm available."[67] DA Olson said she was trying to avoid people "cold calling and playing phone tag" and that was the message she was trying to send. DA Olson said Sheriff Brown was really upset with her and was "trying to demand a meeting with me early on" even though she had kept her previous caseload. DA Olson said, "I was in trials for I think eight weeks straight and I was like, literally the first time I'm going to have a chance to actually have a meeting is this later date and he was furious … because he's like 'Two elected officials should be able to meet' and blah blah blah." DA Olson said she was "at the mercy of the court" and she was not going to schedule a meeting when she was in trial but offered to meet after hours. DA Olson said that was actually [redacted]'s idea, to invite Sheriff Brown and his wife to a barbeque on the weekend. DA Olson said, "I did extend that olive branch and was ignored." DA Olson continued on the topic, reiterating that picking up the phone and calling just did not work for her and reaching out to ask when she has time to talk does work for her; this was particularly true she said when she first became DA and was facing a steep learning curve on many different things.

At several points during the interview, DA Olson would go back to themes related to her communication preferences, minimizing distractions for her, and having the ability to singularly focus as opposed to being interrupted.

DA Olson also disagreed that she required people or asked people to make appointments (namely, send her an email to inquire of her availability and then schedule a phone call or visit). She said, "I'm not asking them to make appointments. I'm just asking them to give me the professional courtesy of giving me advanced notice unless it's urgent and *almost nothing in our field is urgent*."[68] (Emphasis added) I asked DA Olson if she ever considered that a matter may be urgent from another person's perspective, and from their perspective they need to speak to her right away. DA Olson said she had "thought about that" but that the way she perceived the message sent to her was that "anytime I want to talk to you, it's urgent and you better answer." DA Olson said it did not feel like her thoughts were considered which is why she suggested

[67] During our interview DA Olson explained that her phone was set to avoid interruptions and only texts or calls from her family, or calls for on-call purposes, would come through. She said that was how her phone was set during the work day.

[68] Prosecution is probably the only legal field that requires urgent attention to some things, though not all things. Law enforcement is synonymous with urgency.

sending her an email and explaining, "When do you need to talk to me? Is it now? Do you really need to talk to me now? Can it wait an hour?"

I showed DA Olson an email Sheriff Brown had shared with me, saying it may have been the one she previously referred to. (Included in Exhibit 6) I read Sheriff Brown's July 26, 2023 email asking if they could meet to discuss media inquiries he was getting regarding cases not being charged, and I read DA Olson her response where she did not say she had trials but said her first available date was September 14, 2023 which was 50 days (nearly 2 months) after the Sheriff's email. I asked DA Olson, "I'm wondering from your perspective, if someone receiving that might perceive that you really don't want to speak to them." DA Olson started to tell me how she felt when she received Sheriff Brown's email, that it was right on the heels of declining a case involving a boating fatality, and then went into a recitation of the facts from the boating fatality. DA Olson said she declined prosecution because it was not in the interests of justice[69] and she did not think she could prove it. She said that her colleagues (who she identified as defense counsel, Justice of the Peace, fellow DDAs, and Bill Porter)[70] told her they could not believe the Sheriff's Office wanted her to press charges. DA Olson said that the Sheriff's Office was unhappy about her decision and that the Undersheriff, Matt Kelly "sent me what I believed to be a pretty nasty email. That's how I perceived it." (In the days following our interview, DA Olson sent me several emails, including an email about this incident. I have included the email as part of **Exhibit 12**.) DA Olson said when she received the July 26, 2023 email from Sheriff Brown, her perception was, "It's time that we talk to you about your charging decisions."[71] She believed there was pressure from the Sheriff's Office, that they were going to try to influence her decision making, "So yeah, I was not interested in immediately talking to the Sheriff about my charging decision."

After speaking a little bit about colleagues she consults with, I asked DA Olson if she had any trepidation with her new role as DA making the decision whether to proceed on every criminal case that was referred to her office, given that she did not take the position with "20 years of experience prosecuting cases." DA Olson said she did not because of her confidence in her ability to research the law and confidence in knowing who to reach out to for assistance. She provided as an example that when she became DA there were three pending murders and then a fourth occurred. She said she had been second chair as a DDA on a homicide with DDA Paul Binford, who was the lead. DA Olson then stated, "I had done multiple vehicular homicide cases" and I interrupted her asking for clarification, because she had previously told me she was

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[69] This was expounded upon in an email DA Olson provided to me after our meeting that she had sent to Undersheriff Matt Kelly. The email is included in **Exhibit 12**. She wrote that she did not think the case merited prosecution because "[t]here is no more punishment we can give that this guy isn't giving himself." DA Olson stated the person who drown was the teenage son of the suspect. Familial crimes of a reckless or criminally negligent nature (e.g., killing your child passenger while driving intoxicated; fatally shooting your child while cleaning your gun; leaving illicit drugs in a location accessible to your toddler, causing them to die of an overdose) are difficult and complex cases. However, the relationship between the parties is not a defense to criminal conduct, in the same way that the absence of a familial relationship is not a defense.

[70] I took a detour and asked DA Olson about any mentors. She said she still reaches out to DA Porter, talks to [redacted], talks to defense attorneys "quite regularly" and occasionally she reaches out to other District Attorneys. I asked her of the other 35, could she give me some names. DA Olson said it was not very often that she reached out to them, but there's a handful including Josh Pond (Columbia County), Jenna Wallace (Lincoln County), Kelsey McDaniels (Union), Matt Ellis (Hood River), Kara Davis (Wasco), and Dan Primus (Umatilla).

[71] Later in the interview she described the email from Sheriff Brown as him "demanding a meeting with me to discuss my charging decisions."

a DUII prosecutor. DA Olson told me that in her first year as a DDA she was assigned her first manslaughter case. I asked her if she could tell me before January of 2023, how many vehicular homicides she had been assigned to. DA Olson believed at least four, but said she would have to go back and look, because she has handled "eight or nine" of them now. I asked DA Olson if those were charged cases (not just investigations) and she said, "Yeah. There have been several that weren't actually homicides … found not to be criminal." I asked for clarification differentiating vehicular crashes resulting in a fatality and homicides and DA Olson reiterated that the number was 8 or 9 homicides "and I'd have to look at the numbers to be exact." I asked DA Olson if any of them went to trial and she said no, they all settled.

Regarding the murder cases DA Olson said "to your point of the trepidation" that she reached out to Oregon DOJ and asked for their assistance and got DOJ lawyers assigned on three pending murder cases when she became DA.[72] The cases all resolved and none went to trial.

I referenced the email she had sent to Sheriff Brown in July of 2023 (Exhibits 7 and 12) where she said that "many cases referred to us don't fit [the] standard under office policies." I told DA Olson I had gone to her DA's Office website to look for the statutorily required office policies and did not see any. I asked if she could speak to that. DA Olson said it's "under construction" because the policies posted under DA Porter were "outdated right away in large part because measure 110 was passed." She said there had been several legal changes and she did not want outdated policies on her website, so she pulled them down. I asked her if she was aware of the statute requiring written policies and she said she was. I asked DA Olson, given that she had taken office in January of 2023, whether she believed a two year delay seemed reasonable and she said "In light of everything I've had to do? Yeah. And I do believe the statute gives you five years to get those posted." I suggested to DA Olson that the statute requires the policies to be *updated* every five years, not that you get five years to comply. DA Olson said that when people have reached out to her she's been able to discuss policies she has, it's just a matter of getting them published again, and she has not had the resources for that. I confirmed that DA Porter had a policy manual and she said he did. I asked her when she took office in 2023 if all of his policies were outdated and she said the issue was that his policy manual was "a document that was printed, signed, and then scanned" and she could not find a version that she could update so she had to start from scratch. I asked if the document could have just been re-typed into a Word document and DA Olson said "eventually" and when I asked DA Olson how many pages it was, she said she did not know.

I asked DA Olson how critical she believed it was as the elected district attorney to follow that statutory mandate. She responded saying, "It's high on my priority list, and it is a source of frustration for me that I have had to deal with so many other things that keep me from meeting that responsibility. I've turned down things and I have told people that I am not comfortable having to deal with this one thing over here when I haven't yet met some of my statutorily required duties." I asked DA Olson if she had asked another DA's Office if she could obtain a Word version of their policy manual (to work from) and she said she had not done that.

I asked DA Olson, as it related to her charging policies, if she could speak to me about when cases are charged, what types of cases are prioritized, how domestic violence cases are

[72] DA Olson did question whether there were three, four, or five murder cases, but eventually believed she remembered correctly that there were four.

charged (and negotiated) and how child sex abuse cases are charged (and negotiated), what circumstances would she seek a mandatory minimum sentence (ORS 137.700 aka "Measure 11"). I told DA Olson that I could not quite tell as I looked through cases what her policies are.

DA Olson said the first step is can I prove it beyond a reasonable doubt.[73] She said she had seen counties take measures where they don't prosecute Class B and Class C misdemeanors due to resources, and she did not want to take such drastic measures. "And part of this, I will say, some of these policies have been forming and unless and until I have a solid policy, I'm not going to publish something. So some things are still in the works, and I can tell you generally what it is, but to be able to write it down and publish it, I need to get to that point. And a lot of this is talking it over with my staff, talking it over with my chief deputy so that it's a team approach, to establish a policy. But as far as charging goes, we made the decision, we had been having trouble for years, getting poorly investigated cases or not thoroughly investigated cases, having cases that are just based on probable cause when we know there's more. And so I decided to take the approach, especially with limited resources, that we need to limit what we're going to charge and we're going to strictly charge ... we're going to be very strict as far as it needs to be beyond a reasonable doubt. We're not charging on probable cause alone because in the past, and I inherited a lot of cases that were charged on probable cause alone and the hope was that the law enforcement would be able to get the additional evidence we needed to succeed at trial. And in so many cases that didn't happen and it resulted in dismissal or acquittal at trial because we're playing poker with two sided cards. We're not hiding what we have. We have to disclose our hand. So defense counsel, it's not like we were even bluffing or trying to get a fire sale. They knew you can't prove this at trial. You don't have the evidence. And so lots and lots of cases got acquitted or dismissed."[74]

I told DA Olson that multiple people had expressed concerns that, anecdotally, it seemed like a lot fewer cases were being filed. In particular, people told me about domestic violence cases where the offender is arrested and the following day released without being charged and without a no-contact order on a release agreement, which was concerning. I said to DA Olson that the obvious "nature of this business" is that the investigation often isn't complete at the time of arrest or even 24-48 hours after the arrest. With that backdrop, I asked DA Olson to tell me her philosophy (since there was not a policy to refer to) on victim safety, even understanding that ultimately the case may have to be dismissed at some future time. DA Olson said they had "major issues" over the years with insufficient PC statements and she's worked hard to change that. "But we do take victim safety into consideration." DA Olson then said that she doesn't have the authority to do a "DA ordered release" and that "a long time ago" the jail would give them a release agreement, but that authority is now gone. I asked DA Olson to explain what she could be talking about because the language she was using was not familiar to me in my professional experience. I explained that in my experience I would review a PC statement in the morning, if it reflected the elements of the crime I would charge a District Attorney's Information, and then the person would be arraigned that afternoon and either released by the Court or held in custody. DA Olson said that's the process in Tillamook County as well, but she was describing "a situation where the probable cause is not sufficient." I asked DA Olson if she

[73] Given that the standard of proof is a legal requirement, I would not consider it a policy.
[74] In the end DA Olson did not answer my question about her policies surrounding charging and negotiating domestic violence, child sex abuse, and other Measure 11 person crimes, and how or whether she prioritizes certain cases.

could speak to that scenario, where perhaps a PC statement is lacking but one can infer that the evidence is there and available, it just isn't written in the PC statement. I asked does she try to get the full report, the body camera footage, the photographs, etc. DA Olson said they are "taking steps" and "call if necessary" and "reach out by email". DA Olson said one thing she did that she got "a lot of pushback from" is established a policy giving deadlines to submit information. "If you're taking body cam that night, I need it the next day … I need a report the next day."[75] DA Olson said that "over and over" she has kicked back PC statements that are missing elements and she will lay out the statute. "But we will reach out if it's a public safety concern or we don't want to let a [defendant] out with no release agreement in place." She said she has 36 hours to charge someone, and she has held someone and reached out. "It just depends on the nature of what's in there because, a lot of times these guys worked last night, and I'm trying to get ahold of somebody and I can't get ahold of anybody."

DA Olson said she established the deadline policy, and the Sheriff told her she did not have the authority to establish such a deadline. I asked DA Olson what the Sheriff's explanation was, and she said it was supervisor approval requirements and overtime issues. I asked her, having been in law enforcement, if those reasons made sense to her. DA Olson spoke of her personal experience having to "work until 9:00 a.m." to finish a report when her shift started at 4:00 p.m. the day before. She said, "This is par for the course. If you lodge somebody and the DA needs your report the next day, you stay until your report's done, and your sergeant is standing right there reviewing your report. That's my experience." She said the mentality in Tillamook County that she has experienced, as a trooper for 3 years and a prosecutor for almost 7, is that you get around to your report when you get around to it. DA Olson said she's received reports two months after a case resolved and panicked about the possibility of exculpatory evidence.

I told DA Olson I understood that might have been her experience but I was wondering whether she considered that her experience might not be the same as the Sheriff, Chief of Police, or Sergeant at OSP. DA Olson explained that her experience was her observation of working in the same building as the Sheriff's Office and that "they don't prioritize getting that information to us." DA Olson said her policy provided a caveat and provided for an ongoing investigation, but that "I need stuff from you the next day because we have to make a charging decision and we often can't reach people" because they're sleeping from having worked the night before. I asked DA Olson if these police agencies are even able to upload body camera footage as quickly as she wanted it. I said, "Our largest agency in Marion County was about 180 police officers. They had full-time records people 24 hours a day, but we still waited sometimes weeks to get body camera footage because the amount of time it took them to upload it for us to see it, not that they didn't care, but it just was a massive workload issue. My question to you is, in your experience, if you call over that morning and say, 'Hey, I need body camera footage,' are they able to do it that fast?" DA Olson's response was "they should be able to, it just depends on if the officer uploaded it, which the officers should." DA Olson said with Tillamook PD, their officers can upload the footage but cannot share it; that requires a supervisor or records personnel. She said she has asked officers to login to their account in grand jury to show the footage at grand jury.

[75] My experience has not been in a County the size and population of Tillamook County, so it is conceivable that police agencies in Tillamook County have the staff and resources to *provide* the documentation and evidence DA Olson was referring to. But in my professional experience, police agencies do not. A police agency's sole customer is not the District Attorney's Office, even though it may be a customer that is prioritized.

"And so I know that all they have to do, they can upload it that night. And that's what I've asked. They need to be uploading stuff that night." DA Olson said with the Sheriff's Office, she does not believe there is a delay, and she's had them get it to her "right away." I told DA Olson that I was really trying to get at what was actually happening in practice, as opposed to hearing what a police agency *could* do. I said since her policy requires the report to be completed, was she getting reports accompanying the probable cause statement. DA Olson said some agencies, like Tillamook PD, get her reports the next day and always have, except in limited situations. "City PD has always had a policy that their reports come to us the next day. Sometimes we're waiting on supervisor approval, but when I've reached out to them and said, 'Hey I really need this' I usually get it." DA Olson said she has been "burned" filing charges when she believed gaps were going to be filled in by the officer's report "and it turned out that I wasn't going to be able prove it." In that scenario, I asked DA Olson to help me understand what she meant by being "burned" if she filed charges initially with a good faith legal basis that the evidence was there to prove the charge. She said that she got "burned" by allowing her brain to fill in gaps in the PC statement, and when she got the report, "there was not probable cause." I suggested to DA Olson that perhaps someone may not be a good writer, a good communicator, or might be tired as some of the reasons the PC statement "sucks." DA Olson appeared to agree and reiterated again that they "reach out" to the agency to get more. DA Olson continued repeating essentially the same thing for some time before concluding, "My response to Josh Brown when he's like, 'You don't have the authority to make us file reports.' I'm like, 'No, I don't have the authority to make anybody write a report, but I do have ultimate charging decision authority.'" DA Olson immediately followed that statement with, "Obviously we're not going to let our fighting affect people's safety" while repeating "we also need the cooperation from law enforcement to actually get us what we need, which has been a huge problem for us."

Moving to a different topic, I asked DA Olson about her office's use of grand jury proceedings (since they are recorded) to investigate and fill in some gaps that might exist in police investigations (like if a report was written poorly), particularly as it relates to victims. DA Olson said sometimes, it just depends on "timing and resources." I asked her to help me understand why sometimes she does, but not all the time. DA Olson said it depends on the seriousness of the allegations, that she would not use grand jury for a Class B misdemeanor harassment, and I apologized and said that was not what I was implying. DA Olson then said yes, absolutely they do that, and they have used grand jury process (i.e. subpoena) to get officers to bring reports. I again clarified that I was actually talking about using grand jury to conduct a good interview of victims and witnesses. DA Olson said they do that, because "we have a lot of poor interviewers, we have a lot of officers who will lead interviews and some, it's unfortunate, like Strangulation cases drive us kind of crazy, because we will watch a body cam video and an officer is just leading a victim all the way through it to the point the victim effectively says, 'Yeah, I was strangled,' …and I'm like, 'Well, that's problematic for trial.'"[76] She said in grand

[76] Strangulation requires proof that a person "knowingly impedes the normal breathing or circulation of the blood of another person by (a) applying pressure on the throat, neck or chest of the other person; or (b) blocking the nose or mouth of the other person." ORS 163.187. If an officer is conducting an interview and the person says they were "choked", the person is likely trying to convey that they were "strangled" (since choking is caused by an internal obstruction in the airway as opposed to external pressure being applied to the throat). Additionally, even when describing being strangled, it has not been my experience that victims of strangulation will describe the act using words like "impeding" their breathing or "pressure" to their neck. It is understandable and easily explainable why an officer may use leading questions in an effort to clarify an initial statement.

jury they want to "see how [the witness will] testify, what is their tone, how do they sound, and can they actually describe the elements of Strangulation "without being led there." She said she loves grand jury.

I asked if her DDAs used grand jury as an investigative tool, to ask probing questions that get to the elements and get better evidence for trial. DA Olson said she's never observed [redacted] in grand jury; [redacted] has said she likes to use grand jury for that. Regarding [redacted], she said she taught them how to do grand jury so she knows they can do that. I asked DA Olson if she ever considered that the officer couldn't do something as opposed to didn't do something. "Sometimes they couldn't. Sometimes they just don't know what questions to ask. Sometimes it's that they didn't. But sometimes it's just that, yeah, we just need more. Because I know that I need to be able to specify in more detail or flesh things out for a trial, and they may not have that, or depending on the circumstances surrounding the interview at the time the officers encounter these people, then yeah, it's a different setting by the time we get to grand jury."

Transitioning to a different topic, I said to DA Olson that I heard from several sources that the DA's Office does not advocate for victims, and particularly as it relates to domestic violence cases and child abuse cases. I told her some of the things that I heard:

- People were released from custody without a release agreement,
- Victims have objections to release that are not sufficiently communicated to the court
- Victims do not receive sufficient notice for proceedings
- Release issues are not explained to victims in a trauma informed way.[77]
- There was too much reliance on community partners to provide notice to victims
- There was fear that there would be backlash for victims, as in cases not being filed, if concerns about your office were brought forth to you.

I acknowledged that was a lot of information to give her, but asked DA Olson again if she would explain to me any policies or philosophies she had about her role in victim advocacy in the criminal justice system.[78]

DA Olson said she was going to give me "a little bit of history." She then explained in length and in detail that Kristina Vatne was the Victim Assistance Program Coordinator when she became a DDA; there were three part time people working in victim assistance whom DA Olson said were basically retired and did it for fun. DA Olson said Kristina was "extremely overwhelmed" and particular about how she wanted things done and "I had to learn from her how she was taught about what best practices were, versus what the law actually says." In the summer of 2022, two of the part time employees left and the decision was made to hire a second full time employee, and that was Katie Springs. DA Olson said that when Katie was hired, Kristina had "trouble letting go of some of her responsibilities." DA Olson said what she learned was "some things … the ball was getting dropped on" and DA Olson was having to personally

[77] I gave a simple example, like telling a victim, "Hey, I can absolutely communicate to the judge what you're feeling, but the judge ultimately makes the decision."

[78] Ultimately, after DA Olson told me what she wanted to about revamping her victim assistance program, she did not expressly explain her philosophy as to her role in victim advocacy in the criminal justice system, and did not address the specific concerns, particularly as it related to concerns of potential retaliation against victims.

do things herself. DA Olson also said Katie wasn't getting the "proper training"; there were things Katie was told, "No, only Kristina handles that."

DA Olson said when she was transitioning to becoming DA, she moved victim assistance "over to our main office" so that she could directly supervise Kristina. DA Olson said she also had to take a "direct role over training in the program" and learning what they did and why they did it. "What I learned is that there had been a lot of confusion over what were considered best practices, what was considered a VOCA grant requirement, and what the law required." So DA Olson ended up revamping the program, starting from a baseline of "What are the actual, required victim rights?", and then figuring out how we meet that baseline. DA Olson said they were "all over the map" and not meeting certain requirements (on the baseline) and far exceeding other requirements. DA Olson said there was a collaboration between victim's assistance and Tides of Change, but there was confusion over what had to be done and what was "ambitious." "We have to hit baseline across the board before we can exceed baseline." So DA Olson decided that victim assistance would stop, or at least not prioritize, some services such as court accompaniment. She said there was an "understanding" that the victim advocate would accompany the victim to court and there was a situation where Kristina was going on vacation, there was going to be a "2 or 3 day trial", and Katie was like, "I'm supposed to sit with the victim all day, every day … [and] also make sure all notifications go out and make sure all this gets done?" DA Olson saw the victim had a Tides of Change advocate, and so she said to Katie, "Look, the law requires that they be allowed to be accompanied at trial by a person of their choosing. We're not required to be that person." DA Olson emphasized that she looked at the statute and confirmed it did not need to be someone from the DA's Office.[79] So DA Olson enacted a policy (or practice) that an advocate would accompany a victim to court "only if they're able to do it." DA Olson said this caused some "consternation" with Kristina, who was like, "We have to be there!" And DA Olson said, "Let's step back. We don't have to be there."

I asked DA Olson if she ever had a conversation with Valerie Bundy about that and she said she did not, but it was her understanding that Valerie and Kristina were having conversations, and "I was relying on Kristina because I was, again, so overwhelmed that Kristina would help explain things." DA Olson went off on a tangent to tell me that she recently learned Kristina was "pissed" at her, said "ugly" things about her behind her back (which she repeated three times) when DA Olson was hoping Kristina was actually relaying information (to Valerie).

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[79] The statute DA Olson appears to be referring to is ORS 147.425(2): "A victim of a person crime, who is at least 15 years of age at the time the crime is committed, may select a person who is at least 18 years of age as the victim's personal representative for purposes of this section. The victim may not select a person who is a suspect in, or a party or witness to, the crime as a personal representative." The definition of "personal representative" is someone who "may accompany [a victim] to certain phases of an investigation or prosecution." ORS 147.425(1)(c). This statute was enacted to ensure that advocates could, upon a victim's request, be present during a SANE exam, a police interview, or the taking of photographs, and that fact not be used against the victim at the time of trial. ((7) "The fact that a victim has or has not selected a personal representative under this section may not be used as evidence in the criminal case.") Oregon Courts are open to the public. A victim of a crime, of any age, could have 10 people accompany them to any and all court appearances if they so chose. The victim cannot select a witness in an action as a "personal representative" because there is a separate trial court rule that excludes witnesses if a party requests it (and parties almost always request it). The purpose of the statute was not to provide authority for DA's Office's victim assistance advocates to be in the courtroom; that authority, by virtue of Oregon's Constitution, always existed. Nor does the statute place any requirement on a DA's Office victim assistance program to provide a "personal representative." Accompanying a victim to court when they request it is done in DA's Office's throughout Oregon that prioritize the work of victim advocates and allow victim advocates to prioritize a victim's request.

DA Olson concluded by saying, "I love Kristina. We've had some ups and downs, but we have worked hard together to make what we believe now are great changes to our victim's assistance program to make sure we're hitting the baseline."

DA Olson said for a year she and Kristina have worked on a Victim's Procedure Guide so that when someone new, a legal assistant, or even an attorney needs to know how things are being done or how to handle something, they can use the guide. I asked DA Olson if she would share it with me, and she said, "Sure" but then said she had not reviewed the "final version of it", had not "approved the very final version of it" and then said she would rather "look at it first" and told me "it is on my priority list to make sure I've reviewed that."

I said to DA Olson that she told me court accompaniment was one big change she made and asked if there was anything else she changed. DA Olson said the only other thing she learned, that was brought to her attention, was concern of "inappropriate overstepping conversations between victim's assistance advocates".

DA Olson then stopped herself and said that she's careful to call them "victim assistance advocates" because it's not the same as a Tides of Change advocate, where there is a true confidential relationship that is privileged, "versus our victim's assistance case managers." Given the sidestep by DA Olson, I clarified with her that she identifies her two full-time employees as case managers, not as advocates. She said that was correct. DA Olson said *she* will say "victim's assistance" or "victim's rights advocate" as opposed to calling them "straight victim's advocate" because for her, the definition and roles are different "and it's a big deal with confidentiality." Before she continued I said to DA Olson, "Just so I understand, that's your take on that." She confirmed that was correct. DA Olson emphasized that her employees are "case managers" and they are "victim's rights advocates." I pointed out that the newly enacted advocate privilege (in the evidence code) very clearly excludes advocates in DA's Offices and DA Olson agreed with me. So in order to make sure I completely understood DA Olson's position, I confirmed with her again that she does not view the employees in her victim assistance division (Kristina and Katie) as advocates, and DA Olson said, "Correct."

Returning back to the subject we were talking about before the detour, I reminded DA Olson that she was starting to tell me that she learned of some inappropriate overstepping and then asked her to finish her thought. She said they had Kristina and a "part-timer" and DA Olson learned from Katie that some of the conversations being had, especially by the part-timer, were "overstepping, overreaching." DA Olson said she heard this from [redacted] too, who had concerns that the DA's Office advocates were getting different and "potentially even exculpatory" information from victims through their conversations about case specifics, and then not sharing it. DA Olson said it was concerning, that as DA's Office representatives "they are now getting different information. And exculpatory can be as simple as your story is just different." I stopped DA Olson and asked her if she defined "exculpatory" as "different". She said potentially. She said if you give a different story, that has to be fleshed out to find out if it's materially different, are they trying to recant, is the timeline so far off … it just needs to be fleshed out. DA Olson went on, "I don't know how to even put this lightly, and I want to take caution, because I know all of this is being shared with everybody, and so I want to try to protect people who have shared information with me and didn't want that further shared. But there have been concerns relayed to me about the types of conversations and information that was being shared between Kristina Vatne, a former part-time victim's assistance worker, and the victims,

like sitting in this room in advance of grand jury and just oversharing, going into details about personal lives, just talking in way too much detail about the case and they were effectively being their own investigators about the case, but then not sharing information with us and without ... I'm going to have to gloss over that a little bit to avoid, you know, to try to protect the one person who asked me to be careful." DA Olson said [redacted] found notes of a conversation in a case that were material, and "it's like, okay, now you're a witness. You're my victim's case manager with this specific responsibility for enforcing rights, now you're becoming a witness in a case. Now we need to get law enforcement to help re-interview this person and find out more information." I said to DA Olson, "You saw that as a problem as opposed to something you need to have a process for?" DA Olson said yes, and then it was a resource issue too, and other things were getting ignored because of the level of personal information sharing, and then the amount of vicarious trauma it was causing.

So to reign it in, DA Olson said "we asked them" to "stop going into super detail on cases"; that they didn't need to be their counselor. DA Olson then said they (the case managers) needed to "not have case specific conversations" because she learned they were having "hours long conversations" or victims were just "lashing" and it was causing "vicarious trauma" and "reduction in workload productivity." DA Olson said that the conversations needed to be geared toward what they could do to help and sending them to the right resources. DA Olson said that if someone has new information, they are directed back to law enforcement.

I asked DA Olson if she had sought guidance from other DA's Offices outside Tillamook County, since this office had been the extent of her experience, about how their advocates manage their time and provide direct advocacy to victims so victims feel like the office is advocating for them. DA Olson said she'd talked to a few, especially in light of funding cuts, and that Kristina is close with the Clatsop County Victim Assistance Program Coordinator. DA Olson said she'd also talked with Helen at DOJ and reviewed best practices guides on "what they require." I asked DA Olson if she had a policy in place, and had she trained her advocates, on how they need to notify the assigned DDA when they hear potentially exculpatory evidence. She said yes,[80] then said that people want to "tell us their whole story all over again and they want to just spit it all out." I asked DA Olson if that made sense to her, that a crime victim finally has a voice and wants to speak. DA Olson responded that it did, but then said she felt, with the way my questioning was going, that she was being admonished for the way she was doing things, even if I wasn't saying it directly. She continued saying that of course victims want to tell a person in victim's assistance everything, but that has created challenges, and there's the law and what's required, and there is just a lot going on with personalities in her office and trying to reign them in.

I explained to DA Olson that I was just asking her questions, given what she had told me, like, "Have you considered this?" to see where that fits in with her philosophy or doesn't fit in with her philosophy.

I told DA Olson the reason I wanted to talk to her about her victim assistance program was because of complaints that I had received regarding specifically how [redacted] interact with and treat victims.

[80] DA Olson did not explain to me what the policy was, or how the advocates were trained, or what they were trained to do.

As it related to [redacted], I told her that multiple people had told me that [redacted] will tell a victim, "Don't talk to me. I'm not talking to you about that" when a victim wants to share information, in person or by phone. [redacted] will shut down victims, saying "I'm not talking to you about that." The second thing I had been told about [redacted] related to victim preparedness at trial. I told DA Olson I asked her questions about grand jury proceedings because I had been told that [redacted] asks extremely limited questions at grand jury and does not probe for additional evidence or make any effort to get more helpful information for the case.

I told DA Olson that I was also told that [redacted] will not meet with witnesses and victims to prepare their testimony in a trial. I explained what I meant by "preparing", meaning the attorneys were spending several hours with a victim, maybe over several days or weeks, and going over how their testimony is going to be, and learn additional information that would be critical or helpful to the prosecution.

DA Olson said she could not speak to it because she had not witnessed it. But then she said that [redacted] have expressed "concerns about becoming a witness." DA Olson said she didn't know if it came from [redacted]'s time in [redacted], but she knew that [redacted] had grave concerns with meeting with victims to do trial prep. She said they do meet with witnesses to prep, and she's seen them schedule it, and that from what she's seen, the difficulty they have is actually getting a witness or victim here for trial prep. DA Olson said she had no personal experience with this, and she had not been given any complaint about [redacted] "shutting a victim down." I asked DA Olson if any judge had complained about [redacted]'s behavior in court and DA Olson said no that she's "only heard positive things" about [redacted].

DA Olson reiterated that while she has not sat in with [redacted] during trial prep, she also has not observed anything concerning about their trial preparation or techniques related to talking to witnesses. I told DA Olson if I had been told by someone I interviewed that in a DV Rape in the First Degree case [redacted] did not meet with the victim until the day before trial, and then did not use the meeting to go over the victim's testimony but only to tell her when to be in court and where to park. I asked DA Olson if it would be *her* process to meet with a rape victim multiple times before trial to prepare them. She responded, "Possibly, depending on the case." I emphasized somewhat incredulously that I was talking about a case involving a charge of Rape in the First Degree, where the defendant faced a 25 year minimum sentence. DA Olson doubled down, saying, "Again, depending on the facts of the specific case. [redacted] dismissed that one because he believed ... I know in that particular case that [redacted] explained to me he dismissed that case … for his own moral and ethical reasons. So I don't want to speak anymore to that issue about what the expectations would be just on the nature of the charges because in [redacted]'s situation, I have not spoken to him directly about that case other than what he explained to me briefly once that case was given to me as one of the ones."

I asked DA Olson, with the specific caveat that I was not trying to be insulting, whether she ever tried an adult forcible compulsion Rape in the First Degree.[81] DA Olson said she had

[81] I was very specific about the *type* of sexual assault case I was talking about since [redacted]'s case involved charges of Rape in the First Degree by forcible compulsion (as opposed to some other legal basis for the charge).

not taken one to trial; only a juvenile delinquency case involving a charge of forcible rape (and the victim was a child). To understand her personal trial preparation process, I asked DA Olson if she met with that victim prior to trial, and she said she had "at least twice." She said she had the victim come in and at least see the courtroom. She said she was not going to require them to come in, saying, "This is your story. This is your case." DA Olson said she knows she *met* the victim multiple times because they had had multiple court hearing, and she spoke to the victim on those occasions. DA Olson said she had "chatted" with the victim in the room we were sitting in, and she knew that she'd had the victim come in to show her the courtroom and "go over what her testimony was going to be." She said it was hard for her to remember how many times she met with the victim for trial prep (as opposed to just chatting with her during a court appearance). I asked if she used the trial prep meeting to have the victim tell you the story so that you could hear it from their perspective. DA Olson said, "I will ask them questions and they can answer." I said I was wondering if ever just said, "Tell me what happened. Tell me the narrative." DA Olson said, "I do. I've heard … other DDAs express concern over becoming witnesses or getting new information" but DA Olson will have someone with her from victim's assistance. "If they give me exculpatory information or something's drastically different … we can notate it." I went back to [redacted]'s forcible rape case and asked if she knew whether [redacted] sat down with the victim ahead of time and got information from her about the case. DA Olson said no. I asked her, "As the District Attorney, would that be your expectation from your Chief Deputy District Attorney that they are going to prepare a Class A Felony Rape in the First Degree to the hilt, for lack of a better term." DA Olson said she would and then elaborated with her view on that. "I look at these cases not just from advocating for victims, but ensuring that we are not ... I mean, this is the most extreme. Criminal prosecution, a criminal charge is the most extreme thing a person can get, and especially when you're talking Measure 11, we're taking their liberty away. So it is extremely important to me if I am going to parade somebody in front of a jury and go through and tie up the whole court system and go through these motions that … I've done everything I can to prepare that case." When I asked her who the "someone" was that she was talking about "parading" she said, "A defendant." DA Olson continued, "I mean, that's how I look at it. I am risking someone's liberty. I am taking the most extreme action I can against a person by accusing them of a criminal charge, and especially one of that severity. So yeah, I want to know what my victim is going to say. I want to know how my witnesses are going to testify. I want to know all of it. I've likely also gotten this story. I should have gotten this story at grand jury, right? They would have told the cops or maybe a forensic interviewer, depending on the age. We would have gone to grand jury and we would have had the conversation. But yes, before trial, I do want to hear the story again. I want to know, do they remember the story the way they told it the first time."

I pointed out to DA Olson that she continuously used the word "story" which made me think that she perceives victims as telling her a "story" as opposed to telling her what happened. I asked her if she saw the distinction I was getting at. DA Olson said she sees it as "them telling me their version of events." She continued, "I do not take the same approach as a lot of people of automatically believing what somebody tells me, that they say happened is what happened. I do look at it as this is their version of events. It is their story. Whether it is in fact what happened is for a fact finder to determine."

I returned to my question about her expectations of [redacted] and asked her if she relied on him to train DDAs on how to try cases and prepare for trials. DA

Olson said she did not rely on him to train DDAs even though it's in his job description. I asked her if she could succinctly explain why. She said she knows she's still a younger prosecutor, learning a lot, and she hasn't taken a lot of serious offenses to trial although she has handled a "large gamut of Measure 11" cases, but she's not as seasoned as [redacted]. DA Olson said she and [redacted] are very different and explain things differently. When she [redacted] there were complaints about him from staff, from her, and from other DDAs about "getting advice." DA Olson said, "He will go off on tangents and not really answer your question. He's very opinionated … says a lot of stuff that you're like, 'Okay, that's what I'm not going to do.'" She said it's difficult to tell if he's joking or serious. She said [redacted] tries to keep people from bothering her with things by taking care of things, but DA Olson said she wants to be in the mix on everything and has told [redacted] this. She mentioned a DDA who worked there previously but was not there any longer who [redacted] trained and she said essentially that he trained him wrong. She said she believes [redacted] has been unhappy with her leapfrogging him and that she still needs to "train [redacted] on how I would want him to train others" because she does not trust him to train people the way she wants them trained.

I asked DA Olson again about the rape case [redacted] dismissed mid trial and asked her if she remembered it happening (at the time of the trial) and she said she couldn't recall and would have to go back through her notes. DA Olson said that if a DDA wants to accept a counter offer lower than the state's offer or dismiss a case at the final resolution conference (essentially a pretrial conference about a week prior to trial), she has to approve it. I asked DA Olson if she listened to the recording of [redacted]'s trial, perhaps, to hear what the evidence was or what it could have been, given that his reason for dismissing it was "his own moral, ethical reasons." She said she did not "in that case." I asked if she had ever done it and she said she thought she did it with the DDA who was no longer there (that [redacted] trained). DA Olson said [redacted] "marches to his own drum and he has taken either fire sale deals at the last minute or has dismissed cases at the last minute, which is why I have had to institute a policy." She said [redacted] run things by her, but [redacted] "does his own thing" and she ultimately answered my question about the rape case by saying, "I actually don't recall being told when or how he dismissed that."

I discussed some other complaints with DA Olson about [redacted]:

- They won't go over what the police report says with victims because that might be coaching the victim for trial.
- They won't allow victims to look at their statement from a police report while things are still pending.
- Unless it's in the initial police report, the evidence won't come in at trial.

I asked if any of that sounded familiar to her and she said she didn't think she'd heard them *directly* state those things but that she wasn't surprised to hear the complaints, particularly as it related to "only initial evidence coming in at trial." I asked DA Olson if that concerned her, and she said, "Possibly." She returned to her complaint about law enforcement not following up on requests, her office asking for more information and law enforcement not doing it "to the point that defense investigators ending up getting us stuff, and now there's that new information." DA Olson said the situation where "only the initial evidence" comes in at trial "seems weird." But she said if the additional evidence is coming "from victims tell[ing] us new information, we

should be asking officers to follow up on that and make sure there's not a situation." I asked DA Olson if she trained her DDAs to set up a meeting with the lead detective and have them interview the victim, and if they hear exculpatory information, disclose it. DA Olson did not answer the specific question but said she and [redacted] don't worry about talking to victims or witnesses and disclosing notes if they're taken, because she can't always wait on law enforcement. DA Olson said she recalled a conversation where one of her DDAs called her, said they got information from a defense investigator's report, and the DDA wanted to dismiss it or do something else and DA Olson said she told them, "Call your officer, ask them to re-interview the person" I asked her if she thought that was happening, and she said, "I've never been told that it's happened."

I asked DA Olson if she knew how many cases went to trial in her office in 2025. She said she didn't know, but that they "haven't had a whole lot of cases go to trial." I told her I was provided with some court statistics from 2018-2024 (because the 2025 data wasn't yet available) and there were 14 total trials in Tillamook County in all of 2024, an average of about one trial per month for five prosecuting attorneys; in 2023, the total number of trials was 16 total trials. I told her in 2019 (before COVID), there were 45 trials, and in 2018, 43. I asked DA Olson if she had an explanation for that. She said sure and explained that she had inherited cases from a bunch of other DDAs, and as she's been reviewing "all of our old warrant cases" she found a lot of cases that should not have been filed or were overcharged. DA Olson said previously a lot of cases would get dismissed at the last minute or there would be an acquittal at trial. Another reason she provided was that arbitrary lines would be drawn in plea negotiations ("No, I won't reduce from 10 days jail to 7.") She said, "So where I've come in, the changes I have made, are these changes going to be the best changes somebody might argue? No. But I think they're the right thing based on my experience, what I've seen, the reasons for acquittals, the workloads, the amount of time attorneys spent in trial." She continued by saying she's made "much stronger charging decisions … insisting we have the actual evidence from prosecutors" and that when cases are proceeding to trial, they can be proven at trial. DA Olson also said they've worked hard to resolve cases if someone provides mitigating information, but she cautioned that she did not treat it like negotiating the purchase of a car ("Oh, you're offering 5,000. I'll give you 2,500. Let's meet in the middle."), she wanted mitigation.

I said to DA Olson that the "proof beyond a reasonable doubt" evidentiary standard was very subjective ("What is beyond a reasonable doubt to you may not be beyond a reasonable doubt to me or to Joe down the way."). I said that if I was understanding what she was telling me, she had gone back through older cases and dismissed them if she did not believe charges should have been filed, and that she currently has, as I put it in my own words, "a very high bar for charging cases." I asked DA Olson if the public's view may be that the bar she has set is too high, that it's not actually "proof beyond a reasonable doubt" any more, which is why cases that might be viable prosecutions are not being filed.

DA Olson responded that her "beyond a reasonable doubt" standard is "relying on case law where there's very similar examples where this case was MJOA or something like that."[82] I

[82] MJOA means Motion for Judgment of Acquittal. At the close of the State's case in any criminal trial, a defendant may move for an acquittal on one or more charges because "no reasonable juror, examining the evidence in the light most favorable to the state, could find the defendant guilty." The standard requires the Court to draw all factual inferences in the State's favor, including all questions regarding witness credibility. The law gives the court the

told DA Olson I was honestly confused by that response because of the relatively small number of appellate opinions that challenged a court's ruling on a Motion for Judgment of Acquittal. DA Olson then added more to her response, saying that just that morning she reviewed a PC statement where she concluded that the officer had "conducted an unlawful search" and that the charge was based on evidence gained through "what appears to be an unlawful search" and that she's holding the case to get all the reports because "it's like a glaring unlawful search."[83] I told DA Olson I was not referring to unlawful searches (where the outcome was very black and white – the evidence is unavailable). I told DA Olson I was talking about decisions not to file cases because of her assessment of intangible things that almost always rely on circumstantial evidence, such as evidence to prove intent. I suggested that if the bar was at a certain place for years, and it has now been raised, could she see where the public's perception might be "these cases are not getting filed." DA Olson said that could be the case for some people, and it could be the case for others that people previously charged should not have been. "My answer to your question though about the subjectiveness is sometimes I think it is subjective but sometimes I think it's not. I think there can be case law that's like this assault and injury is this or it's not this. And my fact pattern is very close in line with this case that says not an injury. I'm not going to charge that. The intent issue, this is what my fact pattern is and if it's questionable then we have to look at that … I believe that we're making the right decisions." I asked DA Olson if it was possible that her lack of experience, in terms of the years she had been a prosecutor and lack of experience trying cases, in any way affected or impacted her charging decisions.[84] DA Olson responded that she was not offended by my question and understood what I was asking. She said there were cases she had not tried, but that she had "tried a lot of cases as well." She said her decisions were also shaped by her judges, with one judge in particular repeatedly granting a judgment of acquittal in particular circumstances, such that when a case has those circumstances she knows, "I'm not going to get past it." So in that situation she asks, "Why am I going forward? Especially when I look at the volume. I look at the workload of each attorney … because I'm not going to prosecute every single case that comes through this office." DA Olson said instead of not charging a category of cases like some DA's Offices (she mentioned a trespass charge), she has chosen to draw the line and say, "My bar is high, but I'm going to prosecute everything,[85] and some of that with the bar being high is, 'Hey, officers, I need you to go get me more evidence. I need a little bit more information. This is not enough.'" DA Olson said that she knows the complaints I've told her, where people are "up in arms," are on more serious cases, but that for her, the standard must be "across the board." Speaking again to experience, she said that [redacted] has [redacted] years of experience, and [redacted]; she further said "people shouldn't discredit the law enforcement experience" that she and [redacted] have. "Again, we review the case law and we know how the local courts do and we take all of that into consideration. Does it result in some people still thinking that the bar is too high? It sure does."

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authority to acquit at the close of the state's case if any element of a crime has not been proven to prevent unlawful guilty verdicts, particularly those that might be the result of bias, sympathy, or prejudice.

[83] DA Olson in fact described the same event in the same sentence as an unlawful search, an apparent unlawful search, and a glaring unlawful search."

[84] I tried to craft the question in an inoffensive way and explicitly said I did not mean to be offensive. I said, "[A]fter seven years of being a prosecutor, I lacked a lot of experience that I got in the 18 years that followed. So that's really what I'm referring to is just we all lack experience."

[85] I understood DA Olson to be saying that she was going to potentially prosecute any category of crime, not that she was prosecuting every case.

I asked DA Olson if, related to victims, her office had invited any individuals who conduct training on how to interact with victims, how to speak to them in a trauma-informed way, particularly when delivering bad news. DA Olson said she has not specifically invited anyone but there are trainings out there and she takes every opportunity to send her people to training.

I asked DA Olson if I could ask her some questions from notes I made, warning her that the topics were varied and may not be related. She agreed.

I told her that I had noticed that in charging instruments charging sex crimes, her office did not anonymize (i.e. use initials instead of the name) the victims.[86] DA Olson said they do not, but if a victim *asks* them to leave their name out of an indictment they have done that. She then said that they had "run into issues" with the Court in trying to anonymize a name and then the Court saying they need the victim's name for the release agreement at which point "it's a public record unless we file orders, protective orders and things like that." I pointed out to DA Olson that the statute requires a supplemental confidential document to be filed notifying the Court and defense attorney of the victim's true name. DA Olson said she has relied on whether a victim wants to be anonymized. I confirmed that she does not do it as a matter of practice and DA Olson said, "I tried to and then ran into those issues with the court and even with what you said with the statute, there have been some issues. And so we have pushed that issue if the victim is younger, if the victim is a juvenile." I told DA Olson that I found only one charging instrument with a child victim where initials were used, and it was not an applicable crime because it was Harassment, not a sex crime. She said she would have to look at specific examples "to see why it was done or not done" and referenced again the challenges with the Court. I told DA Olson that each of the cases I had emailed her about that involved a sex crime named the victim in the charging instrument.

I told DA Olson in one of the cases I had emailed her about (#7, Specific Cases, below), a motion for arrest warrant was filed with a declaration that attached an entire investigative report for a child abuse investigation. I asked DA Olson if she had a practice or procedure at the DA's Office for filing documents confidentially. DA Olson did not answer whether she had a practice or procedure but said she would need to go back and look at the document because they had recently discovered that documents they believed were being filed confidentially were not actually being made confidential by the Court.

I asked DA Olson if she had a policy regarding filing felony DV Strangulation. DA Olson said she did not have a specific policy about when to file it as a felony or when to file it as a misdemeanor.[87] She said she allows "for negotiations in certain scenarios", gives "a lot of deference to the DDAs", and allows "discretion to file" by negotiating whether to go to grand jury. In a situation where the case is going to trial, however, "we're going to grand jury." I asked DA Olson if she was satisfied with a misdemeanor in lieu of a felony for DV

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[86] ORS 132.580(2) authorizes a "pseudonym, initials or other signifier instead of the name of a witness" if the witness is also a victim of at least one sex crime alleged in the indictment. The district attorney is required to file a separate confidential document with the indictment and provide that document to the defendant's attorney identifying the name of the person anonymized in the indictment. The law was enacted in 2019 at the urging of the Oregon District Attorney's Association (ODAA) and crime victim organizations.

[87] The law provides discretion for Class C felonies to be treated as a Class A misdemeanor by the Court. ORS 161.705. Thus, a DA may elect to treat a Class C felony as a misdemeanor.

Strangulation[88] and she said she was, explaining "if it looks like the ultimate outcome is going to be a misdemeanor anyway, and based on timing and workload, if it makes sense." DA Olson said they have a lot of tourist crimes and it is "a very big pain in the butt for us" to get victims back to Court, so they negotiate a misdemeanor in lieu of a felony. DA Olson remonstrated that if a Strangulation case gets set for trial, it should be "going to grand jury."

I went back to the case I had sent her (*State v. Anderson*, #7, Specific Cases) where [redacted] went to trial in 2025 on a DV Strangulation as a misdemeanor, not a felony. DA Olson said she would definitely have to go back and look at that case. DA Olson again said [redacted] "marches to the beat of his own drum" and does not discuss charging decision with her like the other DDAs. I asked DA Olson if she had any Equal Protection concerns, stating, "When you tell me your Chief Deputy dances to his own or marches to his own drum, do you have concerns, and I'm not even necessarily referring to the constitutional Equal Protection argument of defendants … my question is, do you have a concern if [redacted] … kind of makes his own decisions distinct from your policies?" DA Olson responded that it was a concern: "This is why creating my policies and making something that I can actually publish on a website is challenging because I'm having to establish some of those policies based on what happens in our office, how it happens. There's things that to me are like, seriously? I have to make a policy about that? Why is that not common sense? It is challenging with [redacted] because in the past, under Bill, it is very, very, very difficult to make change after you've had a District Attorney in place for 28 years, who was also the Deputy DA for 10 years before that. So I'm effectively dealing with almost four decades of practice. So [redacted] did his own thing under Bill and I don't, and then I know there's been consternation because I leapfrogged him, and for me to come in and say, 'I need you to do this or I need you to do that.' It's pulling teeth. It is. I'm not going to even mince that. It has been difficult, and there are a lot of times on the flip side of that, there's deference given to [redacted] and his experience in this office. He was here for five years before I got here. He'd been a prosecutor. I mean, we're the exact same age. I think he's two months older than me. We each had our own life experience before becoming prosecutors, but he's been a prosecutor longer. He's prosecuted a lot of these, and that's what I've said is like, 'I'm going to have to rely on your experience in a lot of these things where I'm lacking.' And so yeah, there's a lot of deference given to [redacted], but there are things that aren't shared with me, things he doesn't share with me, and then I've had to come in and say, 'I need this to happen so that I know what's going on, so that it can be fair, we can be consistent.' Because I have expressed that over and over again, that we have to be consistent in our practices. So yes, there are concerns to me that [redacted] would be doing his own thing that would be contrary to what I would want or expect. But learning about those is difficult because I do not have, I haven't had the time to date to go in and Monday morning quarterback all of my DDAs and every decision they make, unless there are complaints brought to my attention."

I asked DA Olson if she had a policy regarding whether to require a Guilty plea or accept a No Contest plea. DA Olson said she had not given the issue great consideration. She said if

[88] It is noteworthy that the ODAA lobbied the legislature for years to elevate DV Strangulation from a misdemeanor to a felony because of its prevalence and lethality in the context of DV. https://washingtoncountyda.org/da/news/2018/06/22/new-felony-strangulation-law-championed-washington-county-prosecutor. Strangulation was made a crime in Oregon in 2003; it was elevated to a felony in domestic violence situations in 2018.

there is a diversion, "we require a guilty plea". Otherwise, she had not taken the time to really consider it because, "It's a conviction."

I asked DA Olson if she had a policy about when to file a Notice of Intent to Rely on Enhancement Facts. DA Olson said she does not have a policy but that it was something she was chatting with one the DDAs about the week before, trying to remind people that they needed to remember to do that (i.e. file the written notice). She said she wanted to bring that more "to the forefront" to help people remember to do it. DA Olson says she knows [redacted] has talked about it, and that [redacted] hates the form in their system because it's outdated and "nobody has had the time to touch that form" and so it's just addressed "as we go." [89]

I asked DA Olson about the multi-disciplinary teams (MDTs) in the County. She confirmed there is a Sexual Assault Response Team (SART) MDT, the DV Council MDT, the Child Abuse MDT, and then she informed me she also has a Vulnerable Adults MDT. I asked if [redacted] was assigned to the SART, the DV Council, and the Child Abuse MDT. DA Olson said she believed [redacted] was SART and Child Abuse and [redacted] was supposed to be DV and Vulnerable Adults but she could "double check."

I told DA Olson that one of the concerns brought to my attention was the SART MDT's protocol being outdated by 10-15 years, that members wanted to identify a mission statement that specifically talked about accountability and victim advocacy, and that she (DA Olson) voiced an objection to that kind of a mission statement. Exasperated, DA Olson said, "Oh my God, this is so ... I'm sorry. I just feel like all this is so petty in some ways because that is actually still being discussed." She then gave a very lengthy description of taking office, having no experience with MDTs ("as a four year prosecutor doing mostly traffic stuff"), learning that Tides of Change was running the SART MDT, attending a few of the meetings, Tides of Change working to establish a SANE program (through a woman in Kentucky called Anisha), [redacted] being hired and expressing an interest in the SART MDT, and DA Olson saying, "by all means, because for me, the amount of work and all of the things that I was suddenly dealing with was too much" so she was happy to give it to [redacted].

DA Olson said that it then came up that "this Anisha person" was saying they needed to update the protocol, and that [redacted] was wanting her to look at it, and there was a bunch of back and forth where she believed [redacted] was going to "take the reins" but DA Olson eventually said, "Okay, let me look at it." DA Olson said the MDT members had voted on a mission statement, she was included in the emails but not chiming in because it was "noise in the background" and she didn't have time to look at it, and she believed [redacted] was looking at it. DA Olson said when they (she and [redacted]) finally took the time to look at it, [redacted] raised concerns about the mission statement, about it being "victim centered." DA Olson said that she had been seeing incomplete, biased investigations

[89] Under the Oregon Sentencing Guidelines, the court is authorized to impose an upward departure sentence if the state proves (or the defendant admits) that an aggravating factor exists, which is referred under the statute as an "enhancement fact." To be able to lawfully seek an upward departure, the state must provide written notice to a defendant. ORS 136.765 *et seq.* The difference in sentencing outcomes between a presumptive sentence and a departure sentence is substantial; and individual faces *twice* the potential sentence if the state proves an enhancement factor. For example, if a person has 3 prior person felony convictions, that person is an "A" on the sentencing guidelines. The presumptive sentence for Felon in Possession of a Firearm (crime seriousness 6) would be 25-30 months. If the state proved an enhancement factor, the sentence the court could impose would be 60 months (twice the top number).

(presumably on sexual assault cases), where police were ignoring or glossing over potential evidence, not being objective, and defense investigators were finding evidence. She explained, "[T]he approach that we just believe all the victims all the time fails to factor in the constitutional protection that defendants are innocent until proven guilty and that we have to prove them guilty." DA Olson said in the last SART meeting she explained "it's not that we're not supporting victims or providing support for them as they come forward and tell their story … we want victims to feel safe and supported in coming forward, but SART is made up of the range from your Tides of Change victim's advocate who yes, they are believing you even if they tell you the sky is purple. Okay, sure. The sky's purple. And then there's us going, 'No it ain't. Okay. How am I supposed to prove that?' And let's face it, I hate to sound cold about this, but I have seen so many cases where the evidence comes out and looks as though, I don't know that I've ever had a case where it's like adamant that a victim lied or whatever, but I have definitely seen cases where … it sure looks like this victim is lying or has an ulterior motive and so yeah, we're skeptical." DA Olson said investigations must be approached with skepticism because in a courtroom that is what the defense attorney will do, so police have to give her a case that will stand up in Court. DA Olson said investigators are biased in their investigations, "Well, this is the story we got and it must be true. I don't care about all these 10 things that you're telling me that completely negate this or disprove this. I'm latching onto this." She said that taking the approach of "we believe the victims no matter what" sets up the case as biased.

I asked DA Olson if she found MDTs to be valuable. She said she does now. She said because of the SART protocol stuff she has stepped in alongside [redacted]. DA Olson said she had a "very valuable conversation with Valerie Bundy" about SART and the protocol and who would be running the meetings, although they had only talked a couple of times. DA Olson was "disappointed that she wouldn't bring complaints to me because she has never." DA Olson said that she asked Valerie why Tides of Change ended up running SART because by statute, the DA is the "designee" and DA Olson said she asked Valerie if they needed to revisit that but that she (DA Olson) had "no problems with Tides of Change." DA Olson said she and Valerie agreed that specific cases should not be staffed at SART, unlike the Child Abuse MDT, and that the meetings should cover training issues and broader conversations.

I transitioned to the Child Abuse MDT and confirmed [redacted] is on that. I told DA Olson that several members of the Child Abuse MDT described [redacted]'s treatment of Kristina Vatne in those meetings as very punitive, shutting Kristina down, and people being very shocked by [redacted]'s treatment of Kristina. I asked DA Olson if she had seen behavior like that from [redacted], whether she interacts with victims, colleagues, or others rudely or dismissively.

DA Olson confirmed there had been issues "in house" of [redacted] treating Kristina disrespectfully but DA Olson had not seen anything public. I asked DA Olson about her participation in the Child Abuse MDT and she said she'd been more involved in recent months. She said when [redacted] took over for [redacted] she started bringing concerns to DA Olson "right away" about how the meeting was being conducted, that there were often disrespectful sidebar conversations when someone was speaking. DA Olson said during COVID the meetings were remote, then they were trying to get back to in person. When the meetings were at the DHS office there were internet connectivity issues so the DA's Office started appearing remotely ("You want to ask about cases? We need to get into our software."). DA Olson said that people wanted it to be in person, not remote, so it was moved to the Courthouse.

There were space constraints, do an all virtual meeting was proposed, and several members wanted it in person. “It was a big conversation over in person, virtual, all this stuff … and I'm like, ‘This is 2026. There's no reason not to have a virtual option for people.’ The sheriff's office offered their conference room and said, ‘We can hold it in person here, and for anybody who wants to be virtual, we'll be virtual.’ The sheriff's office is like a 10 minute drive, and so with us and court appearances and various things, we were virtual.”

DA Olson continued, saying she attended a meeting where she was “appalled by the conduct of the team members and the timing of it” because it was scheduled for an hour, she had court, and people were “going on … these tangents and there's people just like, they're gossiping about community members unnecessarily, not even case related. They're bringing up people who've been on a caseload or might be on a caseload. It really turned into just like, ‘Oh, I know this family and this and this …’ And I'm like, ‘We're not even talking about cases here. This is inappropriate.’ DA Olson then discussed a specific case brought up at the meeting that [redacted] had presented at grand jury just that morning. “It got [a] No True Bill and everybody was up in arms.” She explained police had arrested the suspect “on PC” and then [redacted] was like, “Ugh, now we have to rush all this stuff” and she remembered there being “really big concerns” about being able to charge it. DA Olson said at the meeting “people were angry,” “blaming and pointing fingers and getting mad at each other and it turned into this disrespectful conversation.” DA Olson said she finally had to interject and say there was 10 minutes left in the meeting and this was all inappropriate.

DA Olson said she and [redacted] were already talking about needing to “rein this group in.” DA Olson said she asked, “Where is the protocol?” and saw that it had not been updated since 2014, that it was outdated, and the meetings had “gone off the rails.” So she got more involved at that point. She wanted [redacted] to take charge but sensed that [redacted] was not comfortable being the one to tell the group, “This is what we’re going to do now and how we’re going to go forward.” So she stepped back in to say this was what they were going to do. DA Olson said the first step was limiting who was allowed at the meeting, and then another thing was limiting time to keep the schedule.

DA Olson then told me that she was disappointed to get what she considered “a nasty email from Matt Kelly about that where he explained to me that he totally disagreed with my process.” She said I probably had that email and I told her I did not, and she said she would be happy to share it with me. She said she tried to come at the issued with the MDT in a positive way as opposed to telling people, “You suck and you suck and you suck,” and then Matt Kelly came at her “in a negative way” and confirmed for her in his email that there were “meetings after the meetings” so she had to bring up the negative things in her response to him. Regarding the MDT meetings currently, DA Olson said they’re taking place at the library, a neutral location, walkable to the Courthouse, at a time everyone agreed on. DA Olson also said that the DHS supervisor told her he stopped sending people to the MDT meetings because of “how bad it had gotten.” She said that he told her, “It seems like some of these people are just talking about things and asking questions to satisfy their own curiosity. They don't even have a role in the investigation.” DA Olson said Sarah Dentel and the juvenile counselors had “all these opinions to make and all these things to say” about cases that do not involve their people, but the DHS supervisor is appreciate of “where we’re going and that the meetings are collaborative again.”

Because the interview with DA Olson had gone long and I still needed to speak to the DDAs, I suggested we take a break and keep going after I had interviewed them, offering to stay late to finish. DA Olson said, "I got to say, I need to be able to put all of this to bed. This has caused so much stress and anxiety. It's starting to affect my health. I'm starting to have headaches, which is not normal for me. I'm losing sleep, so this needs to be done. We need to just be able to move on from all of this. I will not require my staff to stay after five. I support … their lives to the greatest extent possible."

After speaking with [redacted], I spoke with [redacted] and [redacted] sat in on that interview and did interject on several occasions, though I did request that she allow [redacted] to respond. At one point I was asking [redacted] if she recalled how a meeting with candidates for SANE certification came about. [redacted] interjected and said the candidates were looking for a considerable amount of time, that she had a conversation with Anisha about trying to meet with them, there was a lot of "confusion" about how much time the candidates needed, and Anisha had said the candidates were only available "after work hours." [redacted] said that was going to be hard for her office (them suggesting that after 5:00 p.m. or weekends was when they could meet), and the candidates kept changing what they needed from the meeting. I did tell [redacted] at that point that I could follow up with her about her recollection of the attempts to schedule a meeting.

When DA Olson and I resumed her interview, it was just before 5:00 p.m. I asked DA Olson some questions directly related to [redacted]'s interview, in particular [redacted]'s description to me of her practices regarding witness and victim preparation for trial. I asked DA Olson, as the District Attorney, if she had concerns with [redacted] her practices to be, and specifically asked DA Olson, "In your professional experience and training and everything that you've either done as a prosecutor or been trained to do as a prosecutor, do you think that's best practices?" DA Olson's response is discussed in #9, Specific Cases, below.

DA Olson said her office does not share police reports with victims, or share what a victim said to police, because, "We don't want to coach a witness." I asked DA Olson to explain to me how telling a witness what they said before, or showing a witness a report documenting what they had previously said, constitutes coaching a witness. DA Olson responded in a convoluted manner, and never told me how that constituted coaching. She did say she would not tell a witness up front, "You told the officer this" because it could be considered giving them their answer. At one point, in an effort to make sure DA Olson understood what I was asking, I told DA Olson I was not suggesting it was best practice to give a witness a copy of the police report to take with them. I gave DA Olson a very specific scenario, asking her if she had any problem with telling a victim, "Hey, here's what you said to the police" and asking the victim, "Is that accurate? Is there anything more? Is there something they missed?" DA Olson said she did not see any problem with that. So I asked her as the District Attorney, who sets policies and whose deputies serve on her behalf, if she was concerned given what [redacted] had just talked about that in [redacted]'s trial preparation, "she's not talking to victims and witnesses about what they're going to testify to or not going to testify to." DA Olson said, "Possibly." She said that it just makes her want to "flesh out more" and "have further conversations" with her deputies about their trial preparations because [redacted] have been prosecutors longer.

I asked DA Olson if she employed a DA Investigator, believing the answer was no. I was surprised when DA Olson told me her chief medical death investigator (whom she referred to as "MDI" – which stands for medical-legal death investigator, ORS 146.085) was also a half time DA Investigator. She said "instead of going to the county and asking them to fund a part-time investigator, and by the way, I'm not sure if we have enough work for a full-time MDI, why don't we combine the positions and we'll see how it goes." DA Olson said her MDI, Kate, had been working about 8 months and loved the idea of doing DA investigator work, "if there's time." DA Olson says she touches base with Kate but DA Olson has "yet to see that she has had room to fit" in being a DA Investigator. DA Olson said Kate had been spending all her time "developing an MDI program."[90] DA Olson said she does not have a DA Investigator even though "on the books" it looks like she does.

When I mentioned to DA Olson that a DA investigator could be that "person in the room" when talking to a witness, she stated, "That's a huge reason we want one."

I returned to the MDT discussion DA Olson and I had been having previously, and brought up the specific allegations I had covered with [redacted] during her interview regarding her treatment of others. I told DA Olson that multiple people reported to me, independent of each other, and in great detail, how [redacted] behaves. I told DA Olson she works with [redacted] every day, [redacted] when [redacted] responded to the allegations, and I asked DA Olson her thoughts on hearing that multiple people said [redacted] "behaves horribly in these MDT meetings."

DA Olson said, "My first thought is why is this coming out now to me? Why have people not brought this to my attention earlier?" DA Olson then said she has received complaints directly from Kristina Vatne "when there have been in-house issues" and she addressed them. DA Olson said she has personally witnessed how others "have acted inappropriately and unprofessionally in those meetings … to include [redacted], to include Melissa Josie (sp) from the juvenile department, to include Michelle Raymond who just retired from the sheriff's office, Nick Troxell, our chief of police, and just the way things have gone." She said when she's been there with [redacted] she basically runs the meeting and [redacted] does not say much. I told DA Olson people reported [redacted]'s behavior was totally the opposite the times DA Olson was there, and DA Olson said she finds it disturbing and upsetting that the MDT participants did not provide the professional courtesy or respect "to reach out to me about these complaints so that I could actually investigate and address them myself."

I said to DA Olson that I felt compelled, then, to ask her about David Richmond's email to her. I knew DA Olson understood who I was speaking about because she had emailed me her written response to David when we scheduled her interview. I pointed out that David had emailed August 15, 2025 and August 28, 2025 to address his concerns with [redacted] and she did not respond until mid-November. I asked DA Olson why it took so long to respond to his email? DA Olson stated, "In hindsight, I should have responded initially with, 'I'm investigating this and then will respond, to at least give some response, but otherwise I did see, I did not actually read the original email at first and I did see that he sent me that email. Kristina and [redacted] both talked to me about that email and I had been talking to [redacted] and [redacted] had complained to me about David Richmond and his demeanor toward her and her feeling

[90] DA Olson did not tell me that Kate was telling her she did not have time.

disrespected and not heard. The email was very long, and I put it on the back burner and then it kind of got pushed back because I had so many other priorities and I did allow it to get pushed back and I kept like, 'Oh, I need to get to that. I need to get to that. I need to get to that.' So from my perspective, yes, it did get put on the back burner, part of it because I knew how long it was. I did at least know that. I had at least seen like this, like this is going to take a lot of my energy, it's going to be negative. I knew that already and it's going to take my time to investigate. And so I pushed it off because I had so many other priorities. Sure, in hindsight, I should have at least given a courtesy response sooner." I asked DA Olson if she just considered picking up the phone and calling David, as opposed to investigating. DA Olson said no, because she had had other conversations with him, she needed to look into it, and it was "highly accusatory and inflammatory." I asked her what prior interaction she had with David. DA Olson described David reaching out to her when he started in his position, asking her what her expectations were of their cases, and then described the two specific cases that David had talked to me about during his interview (one involving a juvenile, the other involving a theft), even describing their interactions similarly. She then said, "And so in light of all the conversations and the information that had been brought to me from [redacted], from Kristina, seeing that email, no, I did not want to just pick up the phone and call." DA Olson said she also need to give [redacted] a chance to respond to his accusations, she needed to investigate it herself, and that's what she "should have shared with him up front."

I asked DA Olson if the timing of her response to David had anything to do with the County instituting its investigation? DA Olson said when she learned of the investigation, she suspected he was someone who complained, saying, "Okay, that's not good if he complained to the County. I would like to address it. I would like to actually take the time to address that." DA Olson said she spoke to Rachel Haggerty separately, saying she was upset people did not complain to her directly, and Rachel told her that complaints were made and she had not done anything. DA Olson said the "David Richmond thing" was the one thing that she knew about, she had not responded to him, and she was going to make sure she did that. DA Olson said she did talk to Rachel Haggerty separately and told her, "I'm really upset that people haven't brought these complaints to me. " And she claimed that some of the complaints were that they had brought them to me and I didn't do anything. And I was like, "Well, the David Richmond thing is the one thing I know about. That is the one thing that, no, I have not responded to him. I'm going to make sure I do that. I reminded DA Olson of Sheriff Brown reaching out to her in July of 2023 and she told him she wasn't available to speak to him for two months. I asked her if that might have an impact on people's willingness to reach out to her. DA Olson asked if Sheriff Brown shared the "further emails" about his request in July of 2023 and I told her no.[91] DA Olson reiterated that she had offered to get together with the Sheriff on the weekend, and while she heard "what I was saying", she believed it was "crap" if Sheriff Brown complained about that because they did have a sit down and "duke it out" and they did have Command Meeting lunches to hash out information.

I asked DA Olson what she would have done if she had personally received complaints about [redacted]. For example, would she have asked Kristina about it. DA Olson said when she received the summary of the allegations (from the County) she reached out to Kristina, and "she may have asked me to be quiet or she said something, she very much downplayed what

[91] I was actually mistaken. I had misremembered that Sheriff Brown had provided almost all of the emails, but not the email where DA Olson invited him for a barbeque on the weekend.

you described and said, 'Well, there may be a couple of times where she said something to indicate that for Kristina to quiet down or something or to wait and ask about that later or something like that.' But yes, I would have. I would have asked Kristina just because Kristina herself brought complaints to me" about [redacted].

DA Olson said she actually documented "the first instance" (without describing it) in [redacted]'s evaluation. DA Olson said she asked Kristina if she wanted to be removed from DDA [redacted]'s caseload. DA Olson said Kristina said no, [redacted] is "really smart", and [redacted] did not ask for Kristina to be removed. "Instead, it was just, 'How do we get you two to work together better?' And because I've only got the two victims assistance people and so I can't just always, in a small office, I can't just always move people around like that. I have to try to see, can we work together or not. And so Kristina's like, 'No, you guys are helping me understand how I need to deal with this and how to address it.' And then another instance came up basically where it was some things happened this last year, a few months ago that it was back in the summer that Kristina immediately brought to our attention and that I then took to [redacted]. And I again asked Kristina, 'How are you feeling about the working relationship? What changes do you want us to make?' And she's like, 'I can keep working with [redacted] as long as we address these issues.' And the last time I checked in with her to ask her if things had gotten better, she said that things had improved greatly."

I told DA Olson I wanted to switch topics to ask her about notifying victims. For approximately 20 minutes, I tried to get a clear answer to specific questions about victim notification, process, and procedure, and finally had to move on to some other topics. I will summarize what DA Olson told me, but the reader should refer to the interview recording for specifics.

DA Olson said her process is outlined in her Procedures Guide (that was not quite finalized so she could not share it with me) and started with an attempted phone call to a victim. She said they have been asking law enforcement to provide information in pending death investigations (and apparently other investigations) so that her victim assistance can contact next of kin or "victim representatives" and prevent incorrect information being conveyed by law enforcement and "manage expectations." DA Olson said it's easier to have a conversation about a charging decision, particularly when they are declining prosecution, if a rapport has already been built. "They are hearing it from us … as opposed to getting information from law enforcement." DA Olson said she has been trying to meet with all of the law enforcement agencies because there has been "a lot of confusion" about the role of the victim's assistance office and law enforcement shares incorrect information and too much information so that by the time the case gets to her office the victims are "salty." Of law enforcement, DA Olson said, "It's like they've got this disparaged view of the District Attorney's Office and what we might or might not do."

DA Olson said when a case is charged, victim's assistance will start with a phone call if they have a number. DA Olson said a "giant" complaint is that law enforcement does not get accurate information or maybe writes it down wrong, and then they rely on outdated information in their system. So if they have a way to call a victim they start by getting accurate information.

DA Olson went back to law enforcement and said they give victims wrong information about the types of protective orders they can obtain and they give legal advice "that's completely wrong." DA Olson said when they gave trainings to law enforcement in October, the response so

from law enforcement has been grateful, and "from Kristina" has been "Why didn't we do this 10 years ago?"

DA Olson said after initially contacting victims by phone, victim's assistance will tell them, "These are your rights" and then ask how they prefer to be contacted (text, email). DA Olson said they don't rely on postal mail unless they have to. "We will only send out that letter after that initial conversation" and then ask the victim, "What do you want?" DA Olson said they used to mail a "giant packet" and they learned the packets were either "getting returned" or "going to the trash" or "people were so overwhelmed" they didn't look at it. DA Olson did not explain how they learned this information.

DA Olson then said, "I think Kristina … she'll still send them some documentation." DA Olson said, "We try to do it piecemeal so that when they're getting stuff, they're going to be more likely to actually read it and then maybe call us if they have questions, and if they can get it digitally, even better." DA Olson said if they don't have good contact information (i.e. phone number) then they send a letter to the last known address or the best address we can find. She explained that it's a letter, instead of a big packet, and it includes the victim's rights guide, talks about restitution, and asks them to contact the DA's Office. DA Olson said the letter "basically says, 'Please contact us. We will continue notifying you for 30 days. If we do not hear back from you, we will suspend notifications.'" DA Olson said that is because the victim has to request to be notified. If the DA's Office does not hear back, they just move forward.

DA Olson said more recently they've asked law enforcement to do more outreach, and they have put QR codes on the back of the victim's assistance business card, one with the victim's rights guide in multiple languages; the other a link to the DA's Office website.

I told DA Olson that I was told that in DV cases, Tides of Change was being contacted to do a lot of direct advocacy, including court notices being emailed directly to advocates at Tides of Change to ostensibly notify the victim. I asked DA Olson if the process she just described to me is new. DA Olson said the only process that is new is the business card with the QR codes. She said when Tides of Change is a "victim representative in our file, we send them courtesy notices on their request, but we still notify the victims." DA Olson said she could double check that with Kristina, but it was never her intention that victim's assistance not communicate with the victim (unless the victim had a lawyer, in which case they communicate with the lawyer). DA Olson believed they were just sending courtesy notifications to the Tides of Change.

I asked DA Olson about one of the specific cases I had addressed with [redacted] during her interview. A plea agreement was reached the morning of trial, the victim's mom clearly indicated she wanted to make a statement, and according to what DA Olson had already told me, her advocates would not be attending the Court proceeding because the victim already had a Tides of Change advocate. I said in that scenario, is it Kristina, Katie or [redacted] who is responsible for notifying the victim? DA Olson said she had looked at that case and saw they were attempting to notify *the victim* (which she emphasized with the tone of her voice) and then went off on a tangent without answering the question about the DA's Office's procedure in that scenario. Instead, DA Olson said that maybe there have been some "complaints from Tides of Change" that the DA's Office was pushing off responsibility to them. DA Olson said that was not her understanding, and then returned to her decision to stop duplicative court accompaniment. I informed DA Olson that was not what I was asking about but was instead asking about notification. I told DA Olson I was advised that historically the DA's Office would

mail notifications to victims and victim's assistance was not calling people for last minute court appearances. DA Olson again went off on a tangent about how she had to revamp the victim assistance program, how the office switched case management systems four years prior, how there were notification issues with the system, and how the company that runs the case management system wanted to charge extra for an updated notification system. DA Olson ultimately said, "Three years ago when I took office, unless somebody said they wanted a text message and we could send them a text about a notice through Carpel, we were mailing everything … And so I did institute, I don't know what the date was, but I said, if a hearing is in less than seven days, you cannot rely on mail. It will not get to them. You have got to find another way to reach this person to notify them." I seized that moment to say, "That's what I'm trying to get at." DA Olson responded, "I mean, like I said, now we have our procedure where they start with a phone call. If they don't have an address or if they do not have a phone number, then they will mail initially. Then if they reach out to us, it's like, 'How do we reach you?' And we always get a phone number." I responded, "It sounds to me like you have revamped the system, so whatever complaint there was …" and DA Olson said, "Is old." I persisted, asking again about the scenario where the DDA and the defense attorney reach a plea agreement the night before a trial or morning of a trial, asking, "What is your expectation at six o'clock at night, the night before trial when a plea agreement has been reached as to who is calling, texting, or emailing the victim to make sure they know?" DA Olson said, "I don't care who makes the call as long as the call gets made." I told her I understood, but my question was whose responsibility is it? DA Olson finally responded by saying, "The DDA on the case." DA Olson then said that [redacted], [redacted], DA Olson looked in their system at the case and [redacted] "wrote a note that said 'Attempted to notify victim, voicemail was full.' And she made that note. That note did not come from Kristina. And if Kristina had been the one to try to call, I would have been able to tell from the case if [redacted] had asked Kristina to make the call and then Kristina would have made the note about calling the victim. Okay. It would have gone in a totally different spot is how I know. Plus the name shows up of who made the note. So I believe [redacted] actually did try to call and the voicemail was full. Or you would go back to, there are times when you know, 'Hey, I need you to make this call. This is happening.' We send Teams messages, we send urgent reminders if you know that a victim wants to be present."

I asked DA Olson in the scenario where the DA's Office knows a victim wants to be present at sentencing, would they ask the court to re-set the sentencing so the victim could be present. DA Olson said, "I would have said we had already told them they didn't need to be here because of what we were expecting to happen. And so now that it's going to be a sentencing, we're not prepared to move forward, we're not comfortable going forward because the victim expressed desire to be here." I asked if she was certain that's what her DDAs were doing as well, and DA Olson said, "I hope they are. Because I know I have talked about this multiple times in our attorney meetings. I've talked about the procedure guide. I've made sure they know for the victim's assistance office. I've explained where it is. I've given them the link to it so they can find it, so they know exactly what victim's assistance is doing. I've expressed ... I have definitely, because people have asked questions and things have come up where it's like, because sometimes the court wants to just mow through and it's like you need to stop the court and make sure they understand and everybody is always concerned about victim's rights violations. So to answer your question, no. I don't know for sure if they're doing that, but I would like to, and I

don't have the capacity at all to go sit in and observe every hearing to make sure that's happening. But I would like to know if they're not."

I told DA Olson I thought we could move on from the topic of victim notification.

I told her I had sent her two cases where a Not True Bill was issued by the grand jury. The discussion is addressed in #2 and #3 in Specific Cases, below.

I asked DA Olson about another case I had emailed her about, involving a defendant named Brooke Henry. I told DA Olson Sheriff Brown provided me with a copy of a Motion to Dismiss and Declaration in the case, as well as an email from her to Sheriff Brown. I asked DA Olson why she submitted a declaration with her Motion to Dismiss. I told her I had spoken to [redacted] about cases they had dismissed, where they submitted a motion and checked a box with the reason for the dismissal (exculpatory evidence, insufficient evidence, etc.) Specifically, I asked DA Olson why there was so much detail in her declaration. DA Olson responded, "That's the complaint? I try to share information and reach out and ask for a meeting to discuss issues that brought to my attention. And instead I get complained on. Whatever." DA Olson then explained that although Brooke Henry had filed a tort claim notice against the County, and Oregon DOJ wanted her to provide a response, she would answer my question. DA Olson said it was all because they had a judge from Lincoln County who wanted a "more in depth explanation for requesting a motion to dismiss." She went into detail about another case she had in Lincoln County, and how Judge Hill in Tillamook County has expressed a desire "for more" information with a Motion to Dismiss, but she wanted it documented instead of just saying there was exculpatory evidence. "I felt the need to establish that record." DA Olson was frustrated that there was a complaint for her "establishing a solid record for my decision making." I said to DA Olson that "it definitely made the Sheriff's Office look bad" and that in her email to Sheriff Brown, she made multiple references to "police bias." I asked DA Olson what she meant by that. DA Olson responded but said she was light headed and needed to end the interview. "I have had concerns for a long time now, since even before I was the District Attorney, about police bias, meaning that they hear a version of events and that's the version of events that they are going to build their evidence around. Or they believe a story, and that's the story they build their evidence around. And I have seen, there are appearances that they target certain people in this County, and that was one of those situations. They have targeted, it appears as though they have targeted John Henry, and his wife was trying to report a crime to them and they just completely dismissed it." She went on to say she believed the Sheriff's Office did look bad, and that she had been getting reports from "multiple sources" that deputies with the Sheriff's Office are refusing to take reports from people trying to report actual crimes. "These are actual crime victims trying to report crimes and you're dismissing them. And that's what I mean by bias is there's dismissing them, they're not listening to them, they have made up their mind already because if you look at the Brooke Henry case … they had made up their mind before … they went to the door." DA Olson offered to share whatever she had in her file if I wanted to take a look at stuff.[92]

DA Olson said the point of her email to Sheriff Brown was to share "real concerns about the dismissive behavior and immediate conclusions by law enforcement without actually investigating and listening to citizens."

[92] I was unable to follow up with this after DA Olson declined further interview.

The last case I asked DA Olson about involved victim [redacted], and John Henry. I gave DA Olson some brief facts and she recalled the case. I told her I was wondering about the basis she gave [redacted] in her email about "not having sufficient evidence of intent." I said because the crime (Reckless Endangering) had a reckless mental state, I asked her about her thought process. DA Olson said she did not remember using intent in her email, and must have misspoken. She said she knew [redacted] had a temporary stalking order against John Henry that would include third party contact. She recalled writing the email to Ms. [redacted] rather hurriedly to respond to her email, because she realized Ms. [redacted] (the victim) had not been included in the distribution of the no-action decision. DA Olson said she had sent the no-action to law enforcement because it seemed like the report was "missing stuff". She said law enforcement referred a charge of reckless endangering, the evidence was that he was driving and failed to drive within his lane ("swerved over"), [redacted] claimed he was going 55 miles an hour in the opposite direction, but "there's no way if you don't have some sort of instrument to measure speed that you're going to be able to accurately describe" someone's speed. DA Olson also said there was no follow up with John Henry, and "no evidence whatsoever to indicate what his reason for leaving the lane of travel was … I have no idea what the circumstances around him … maybe he was looking at his phone." DA Olson concluded that she did not believe there was enough evidence to prove any "culpable mental state for a crime."[93]

Given the hour, we concluded our interview.

During a break from my interview with DA Olson, I spoke with [redacted].

[redacted]

[redacted] told me that he had been with [redacted] for about [redacted] years. He said he became an [redacted] in [redacted], worked in private practice for about 1 year doing criminal defense work and mostly divorce work and found it horrible. There was a vacancy at [redacted] and [redacted] hired him. He had previously worked in law enforcement for [redacted] with [redacted] which he said lent itself for working in prosecutions because he didn't have to relearn the law, just the prosecution side of it.

I asked if he had any other motivations for becoming [redacted] and he said getting back into public service, and student loan forgiveness was a huge motivator.

[93] I reviewed the police report and recorded phone interview with [redacted]. The police report referred to a separate reported incident (which may have had additional helpful information) but it was otherwise lacking in details necessary to sustain a conviction. Ms. [redacted] did estimate the suspect's speed to be between 50-55 miles per hour but did not describe him as speeding (indicating that the location of the encounter perhaps occurred where the highway speed changed). The investigating deputy did not ask Ms. [redacted] questions that would be very critical to establishing a charge of Reckless Endangering (e.g., the amount of time Mr. Henry's vehicle was in her lane, a description of the movement into her lane, how close Mr. Henry's vehicle got to her car, and what her fear level was that he was going to collide with her vehicle). At the time of the interview, Ms. [redacted] did not express any fear or display any emotion, but at the time I spoke with her on December 17, 2025 it was clear the incident affected her. If I had reviewed that investigative report and the interview, I would have no-actioned the case for insufficient evidence to sustain a conviction, even though I do not concur with DA Olson's opinions about whether a person can provide an estimate of speed.

[redacted] said his caseload since 2021 has largely been DUII cases, with some property crimes and DV cases as well. He said he currently had a vehicular manslaughter case as well. He said the only thing not on his caseload were sex offenses.

I asked [redacted] to estimate his current case load and he estimated that he had between 75 and 80 open cases, not including warrants.

I referenced the email I had sent him with specific cases I wanted to ask him about, and told him that my questions stemmed from my review of the Court records.

I discussed #5 in Specific Cases, below.

I discussed #4 in Specific Cases, below.

After discussing the specific cases referenced above, I asked [redacted] if there was anything that he thought I should know.

[redacted] said he was extremely frustrated with this process, and the Board was doing a great job of sowing "discord and distrust" between the DA's Office and partner agencies, but his first complaint would be to the police officers themselves and their administration. [redacted] said what should have happened was an internal investigation; they should have complained to his boss if he did something wrong, and his bosses (he said he has two) could have done an investigation. He also said people could have complained to the Oregon State Bar if it concerned an ethical violation. He said the Board was a completely invalid source for this investigation.

[redacted] said the investigation was completely political, and if other agencies had complaints they should take them to the Bar, DOJ, OSP or the FBI, not a political body. [redacted] said, "I already came in with a bias towards the Tides of Change advocates, who I believe are continuing their practice of the unlawful practice of law. I witnessed it when I was a defense attorney and heated FAPA restraining order claims where an alleged victim was at Tides of Change and was being fed answers by somebody in the background at Tides of Change. I've seen it happen. I think it completely undermines the process. If they want to be lawyers, they can go to law school or they can hire counsel to come in and counsel these alleged victims that truly do deserve it because they're being misled by people that are emotionally involved and biased."

[redacted] asked if I had spoken to the defense bar and I told him I had not. He suggested for completeness that he believed I should. [redacted] said the defense consortium consists of three attorneys, at least two of which, Kayla Long and Matt Lyon, have been around for a long time. [redacted] believed the defense attorneys could speak to the DA's Office's complaints about how law enforcement investigations are lacking.[94] [redacted] said police

[94] I did not interview any defense counsel as part of this investigation. I did not believe it was necessary for completeness as [redacted] suggested. The role of a defense attorney is to zealously advocate for their client in every criminal case, regardless of how dangerous the client may be or how horrific the crime; a defense attorney is not responsible for victim advocacy and has no obligation to seek justice. I did not believe that the defense attorneys would have any first-hand knowledge of DA Olson's policies or procedures, or any first-hand knowledge of DA Olson's interaction and relationship with law enforcement and other community partners. Defense attorneys do not participate in MDTs. Additionally, although it is possible that the defense attorneys may answer questions candidly about the skill, preparedness and negotiating practices of attorneys in the DA's Office (from a public safety standpoint), I thought it more likely that the defense bar would not bite the hand that feeds them.

officers are conscientious, but that excepting OSP, police don't have the training and experience that one would see in "the Valley" (which I understood to mean a busier or more urban area).

[redacted] said that the training for law enforcement is lacking even though they try hard. He said that since DA Porter retired, "it feels like anything we say toward law enforcement is met with suspicion and a lot of hostility. And some of that has just been because there's a change in leadership here that our relationship has changed."

[redacted] said some of the interviews and interrogations they see are "highly coercive" and "highly suggestive" and the DA's Office has tried to explain that you can't coerce people into confessing. Also, you can't make things "so highly suggestive that you're putting words in a victim's mouth." [redacted] said he believed "a lot of that" was from a lack of leadership and that there has been hostility from the Sheriff's Office administration from day one. "Some of this comes from a Sheriff that, to be quite blunt, was not a very good cop to begin with, because I've seen some of his police reports and they look like they were written with crayon. Which is the same as some of the highly coercive and highly suggestive interrogation techniques that I still currently see. Comes from him. [redacted] asserted that he had "nothing to really establish this" but it appeared to him, that what could come out, is that there is resistance to change, and "highly misogynistic against a female DA." [redacted] said from his perspective it really feels like, "No, let me tell you little girl how the way things are going to be run because I'm the Sheriff. I'm this caveman. I'm going to dominate you and tell you how things run. Rather than collaborating and cooperating."

[redacted] said that the Board did not involve DA Olson, tell her the allegations and let her investigate and report back to them on what happened and take action. He reiterated that it feels politically motivated "in the sense that we're going to show the voters that we're actually doing something or we're going to politically undermine an already duly elected official." [redacted] said he was not resentful of my interview and did not want to come across hostile with me, and I told him I did not take it that way and that I asked the question so he would have an opportunity to respond. He concluded by repeating again that he's very supportive of the police officers and what they do for little pay, but that they're not getting the quality training and experience they need to do their job.

We concluded the interview and I spoke to [redacted].

[redacted][95]

I asked [redacted] to give me some information about his professional background. He said he would introduce himself and began with, "My life story." He entered [redacted] out of high school, served 5 years, achieved the rank of [redacted], and was a squad leader. When he got out he went to college and law school and began his prosecution career in [redacted], Oregon in [redacted]. He was hired in [redacted] in [redacted]. [redacted] promoted him to [redacted] and [redacted] has kept him in that position.

[redacted] advised me that he was anxious because he has a wife and [redacted] kids, his wife [redacted], and he lives paycheck to paycheck. [redacted] said he wanted to

[95] As far as I was aware, [redacted] used his own phone to record our conversation.

make [redacted] a permanent job and get the retirement. He did not want to get "wrapped up in this" but apparently he is, and his anxieties stem from the busy profession and on the spot decisions a prosecutor makes. He said he's learned you'll never please anyone; victims, defendants, and law enforcement are going to be angry. "So I've always kind of felt like if I'm in a situation where everyone's kind of angry, I'm probably right I the sweet spot."

[redacted] said he's worked with a lot of law enforcement and is really good friends with them (mentioning [redacted] when he was a detective, and [redacted]). [redacted] said everything changed when DA Olson became DA and he has had people ask him to [redacted]. [redacted] said, "I don't wany any part of it. I just want to do my job the best I can." He said when DA Olson first came in, he "bumped heads with her" and he thinks that what's currently going on is that she's assertive, and in Tillamook it's "kind of a good old boy club" and if a woman is assertive she can be talked about "as a bitch, as they say."

[redacted] said DA Olson "made huge reforms" by changing the office from paper to digital files. He said it's been chaotic, people were separated with some working at their residences and some at the Courthouse. [redacted] said that "she's putting together protocols finally and policies, stuff that [DA Porter] never had. He didn't have protocols and policies. Whenever the ACLU asked for them, he was like, 'Well here's the statute book.'" [redacted] said he had some "heated moments" with DA Olson but "she's proved me wrong and I think it's starting to run better" and will only improve. [redacted] said DA Olson is onto her "next adventure" of trying to make changes to MDTs "which kind of has people a little upset." [redacted] said if people give it time "they're going to see she has a way of making it go."

I asked [redacted] what motivated him to become a prosecutor. [redacted] told me he had [redacted] who was killed [redacted] and it devastated his [redacted]. When he got to [redacted] he didn't know what he wanted to do but he did a criminal justice minor and thought he would become a police officer. Then when he realized police work didn't really intellectually stimulate him, he decided on [redacted]. So It was a combination of his [redacted] and his [redacted] and the desire to do this.

I mentioned to [redacted] the email I had sent him about some specific cases. I asked him also if he ever had what was referred to as "beef" with Tides of Change." I asked him if he ever used that statement to anyone. [redacted] said he could see himself saying that, and if he did it was probably because "they seemed to have beef with us." He said a lot of the times "they were just a little aggressive" and would come at him in a very adversarial way. I asked if he could provide an example and he said if he met with someone from Tides of Change and tried to explain his thoughts, they would push back, say he was wrong, and get argumentative. [redacted] said he would respond by telling them he was not there to argue with them and that they weren't listening to him.

I asked [redacted] to describe his relationship with the Tides of Change advocates, and if the "aggressive" or "adversarial" interactions with them ever permeated his communications? He said there were a few "key things from year and years ago" but they meet on DV council and things are pleasant. He said "They're doing good work from my perspective" but that there's "a sense that there's a beef that they have with us." He said that was the only way he could articulate it. I asked [redacted] if I could probe that a bit more, him saying they have a beef with the DA's Office. I repeated the example he had given me of meeting with someone from Tides of Change, explaining a decision he's made in a case, and the Tides of

Change advocate arguing with him. I asked him if there was anything else besides that and he said no, that they're advocates and they're supposed to advocate, and that he personally doesn't mind. [redacted] said that "when they seem like they're kind of arguing with me, I'm like, 'Why are you arguing with me? I've given you a rational response. I'm sorry you don't like it.'" He said it has gotten to the point of yelling back and forth two or three times, but he could not recall on which case. [redacted] said he had a tough enough skin, "but you guys want to bring it. I shut you down. Sorry, you might not have as tough of skin. I got no problem to work with you over it." [redacted] gave examples in the legal profession of conflict, saying the whole profession is adversarial, and filled with emotion and intensity, so there's moments every day where things happen.

I asked [redacted] if he recalled any incident where he said in interacting with a victim, "I don't work for you." [redacted] said he didn't necessarily recall using that exact phrase, but that he's had to try to explain to victims that he works for the *State*, and it's his decision for the *State*, because a lot of victims argue and think he works for them, so he'll have to try to explain that. [redacted] said those are the kind of "really tense" meetings he was previously referring to.

I asked [redacted] if he recalled ever telling a victim he was going to "hit the red button" if they kept asking you questions? [redacted] said he did not know what that meant. I said they were words someone conveyed to me that he said to a victim. He inquired, "Like the nuclear button?" And I responded that I did not know, I was only asking about the words. I asked, "So that doesn't sound like something you've said or would say?" He responded by saying he wouldn't even know the context, but that he says a lot of stuff and uses humor for tense situations. He described his sense of humor and his personality as "very weird" and that he probably should have stayed blue collar his whole life and occasionally he uses "colorful phrases that are weird." But, he said, he could never see a situation where he said that. "What would that even mean?"

I asked [redacted] if he ever said to a witness at grand jury that he was "really hungover" as an explanation for how a grand jury proceeding went. He said no, but then said he used to joke about the bad coffee at grand jury, with police officers who were his "buddies", and one of the jokes he used was, "This coffee's only good if you have hangovers. I better get another cup" or some "stupid language like that." He said he would use that type of humor with people he knew and was comfortable with, like police officers. I asked if was actually ever over at grand jury, if alcohol consumption was ever something that affected his job. He said, "I don't think so." He said his employee evaluations have always been outstanding, he's never had any reports of anything like, and since [redacted] he has dealt with [redacted] such that he can't really drink too much because it [redacted] and he has [redacted]. He said his nasty habits are cigars and vaping, but his "drinking days are kind of over." [redacted] said he can sometimes appear hungover because [redacted]. I told [redacted] that the person did not observe you to look hungover, just that you had made a statement about being hungover. [redacted] reiterated that he could see himself "making a joke about the coffee being bad that only if you were hungover." If he said it, it was to try to be funny.

I asked [redacted] about the Christopher Blevins case, which I had emailed him about. See #6, Specific Cases, below.

[redacted] told me he's really good with a jury, and that he's in trial [redacted] and that he has no problem with going to trial and he enjoys them. He said since [redacted] he'd had "at least two trials a month." He described a gathering he attended [redacted] when someone asked him, "Aren't you worried about innocent people you put in prison?" [redacted] said that he told the person it was not his problem, it's how the system worked, but that the more he thought about it he did not like his own response. He said it's when things started to "shift" for him as a prosecutor.

[redacted] told me that when he prepares for trial, he will meet with witnesses but he does not "let them talk" because "you get in trouble ethically if they start telling you new facts." I asked [redacted] why he would think he'd get in trouble. He said "bar complaints have been made and there's case studies. If you learn more facts as they're talking to you, and we go to the trainings now, they vehemently warn us against that. Some prosecutors won't even meet with victims." I asked [redacted] to direct me to what he was referring to. He explained, "So when I meet with them, what I do is I just meet with them and I tell them the questions to expect from me and then I tell them not to answer back. I don't want to know the answer. I just want you to know the questions. And then what I do is I usually tell them what to expect from a defense attorney's questions."

I said to [redacted], "So you said that at the trainings you go to, they're telling you to do this?" [redacted] responded, "Oh yeah." He explained, "Let's say they tell you something about the case that's not in any of the police reports. And then someone up there (on the witness stand) says, 'Well I told that person,' and then suddenly you could become a witness in your own trial." I asked [redacted] if he could just write down and disclose what a witness told him if he had those concerns and he said, "There's … an ethics case on point where even when someone heard something new and they got the detective in the room to do it, I think the State Bar still went after them on that." [redacted] said "whenever we go to the ODAA trainings, I think they make us overly nervous about that."[96]

I asked [redacted] if he spoke to prosecutors from other offices to see what they did to prepare for trials, or if he considered just scheduling trial prep meetings with his detective there if having a witness was his concern. [redacted] said, "That's something to think about. For

[96] [redacted]'s description of ODAA trainings and ethics decisions is completely inconsistent with my professional experience. Although I accept that [redacted] believes that is what he's being taught in ODAA trainings he attends, or believes that's what ethics decisions require, he is mistaken. Ideally, when a prosecutor meets with a witness (including a victim), a third party would be present to document any exculpatory information the witness may provide. However, no law or court ruling requires that process. If a prosecutor ever becomes aware of *any* exculpatory information from *any* source, the prosecutor is required to disclose it. To protect themselves from future bar complaints, a prosecutor would wisely reduce the exculpatory information to writing to make sure evidence exists that the information was disclosed. It would also be prudent to state in a Court proceeding that the exculpatory evidence was disclosed. However, a prosecutor has no obligation to provide inculpatory evidence *per se*, although that is typically done as well in effort to advance plea negotiations. Importantly, a prosecutor is not required to have a witness present when speaking to a witness or victim; the system could not support it. Countless times a prosecutor may need to ask a witness a question (during trial preparation) or clarify some part of that witness's (future) testimony and it's untenable to conclude that a third party witness would need to be present for every one of those conversations. There has never been a case from the Supreme Court or any Oregon appellate court that requires the State to disclose information that may be *different* from what is in a police investigative reports; that is because memories fade, people's ability to recall is impacted by trauma, and the question may not have previously been asked. In my entire career, I spoke to thousands of witnesses preparing for trial without a third party present, and I was never once called as a "witness" in my case.

me … I view it as more of I don't need to know additional information. I need to prepare the witness to be comfortable with what they're going to be asked and then what to expect from me and then from a defense attorney and then also just to tell them like the pre-hearing rulings of the judge." He said when he meets with witnesses he tells them what they can and can't say (don't vouch for another witness, don't use the word "victim", etc.), and that's what he's been doing "pretty consistently." I asked [redacted] if there was such a thing as a perfect interview. He responded, "A perfect interview?" I said yes, and he seemed confused. So I gave the example of a law enforcement interview. [redacted] said for the most part, "I just kind of go with what is given." I suggested that a large body of scientific evidence demonstrated that traumatic events can affect people's memory and their ability to relay information and [redacted] said he agreed. I then asked him if an interview prior to trial to get more information might actually make his case stronger and make him more confident in the facts proceeding into trial. [redacted] said "that's definitely a good idea that I think I could staff with [DA] Olson of what type of cases we want to do that on and whether or not we could collaborate with law enforcement to arrange that type of scenario. I think that would be a good additional policy procedure on big Measure 11 cases." [redacted] said he did not know if he'd support a policy like that on "every theft 3 or theft 2" but on bigger ones that would make sense.

I asked [redacted] in 2025, how many bench and jury trials did he think he had. He estimated 20. I asked him if he would estimate the same number for 2024 and he said it's always been pretty consistent although it used to be a lot more before drugs were decriminalized.

I asked [redacted] about the Shannon Anderson case, #7, Specific Cases, below.

The last case I asked [redacted] about was a case I had emailed him, *State v. Taylor Stanley*, 25CR05714. I had inadvertently left out the docket number and referred to the police incident number, but [redacted] said he was familiar with the case.

I asked [redacted] to explain to me the DA's Office's typical practices and policies related to child abuse cases and how they're negotiated. [redacted] said for this case the offer was driven by "the weight of the evidence." The defendant had admitted to hitting the child once, but nothing more. [redacted] said he had told law enforcement not to make an arrest, that he needed more evidence, but that they made an arrest anyway, and he "took a run at it". [redacted] said he could not remember the exact negotiations except that the defendant did not have any criminal history. He said usually his plea offers "are more severe than other people's" which is why he's in trial more than the others. [redacted] spoke about a few standards DA Olson created related to DUII cases but he did not identify any other standards for plea offers.

I asked [redacted] if there was anything else he thought I should know and he said "being dragged through this" is anxious and weird because Paul Fournier and Sheriff Brown have joked and said unprofessional things too, and it's a shame that people are "digging up dirt and throwing mud at each other because I know some things myself." [redacted] said they need to give DA Olson a chance, stop trying to replace her and find a new DA, stop the "scheming". He said, "I know no one likes it but give it a chance."

[redacted] said DA Olson is "very policy driven" and she's building protocols that "never existed" because DA Porter was amenable to letting "the herd run wild so the herd had no problems with him." He said, "You want to talk about the ethical conundrums I've been in, but I

find myself in an ethical one with her. Aubrey's a pain in the ass. She's on my ass all the time. She won't even leave me alone, always making sure I'm doing the right thing, always trying to make sure law enforcement's doing their standards, putting on trainings. We didn't do trainings with Bill. This is a personality beef because she's a woman trying to make things different and I have no clue why everyone's losing their stuff. And then when she decided to [redacted] run this, change MDT, say, 'Hey, why are you people in here? Here's the statute. I've been to other counties. I see how it runs. This isn't how it runs. We need to reform it.' People don't like it and I'm doing my best at just talking to you because I'm trying not to talk about this to anyone. This is crazy. We already have a system in place. People vote for the DA. If people don't like what the DA's doing, they vote the DA out. That's the process. The process isn't taking money from the district attorney's budget and creating a hostile work environment where people got to be interviewed and everything they've done, studied, and living in threats and not getting sleep and using powers in this way. That's not the process. And it really worries me because I don't know. Should I start looking for another job? Is this the new standard? Because everything that I'm seeing, what's going on with the Sheriff and everyone right now, that's not what this mug means. This is asking us to do other people's biddings. That's her job. And if someone feels differently, then they need to take her job. They can't just force her out like this. And if you talked to me four years ago, I would have said, yeah, burn the witch. But she's wanted me over. And it took about three years to finally correct our office and it runs good now. And if the County would just let her cook, she'll have this place purring. Those are just my thoughts."

We concluded the interview and I spoke with [redacted].

[redacted][97]

[redacted] said she went to law school later in life and became an attorney in [redacted]. She worked for [redacted] for about [redacted] years then moved to Oregon. She worked at the [redacted] for about [redacted] and then came to Tillamook County. She's been an attorney in Oregon [redacted]. She said she started at the Tillamook County DA's Office in [redacted].

I asked [redacted] to describe her current case load and she said she does every type of case from Theft in the Third Degree to sex abuse cases and felony assault. She also does juvenile cases, civil commitments, and behavioral health court.

I referenced the email I had sent her with the list of cases I wanted to ask her about. I asked [redacted] first about *State v. Maximo Menera-Aleman*, 24CR41270. I said my question related to the charged offenses. I said the defendant was originally charged with Harassment, then an amended Information was filed adding Attempted Assault in the Fourth Degree. Strangulation was not charged, and I asked if she could speak to that.

[redacted] took some time to look at her computer and said based on the summary she had, there was no information about any loss of breath or anything that related to

[97] As far as I am aware, [redacted] recorded the interview on her cell phone.

strangulation "whatsoever."[98] I had a discussion with [redacted], where DA Olson interjected as well, about reviewing intake. DA Olson confirmed that she reviews intake, assigns it, and then the assigned DDA makes the charging decision and files the charges. [redacted] said in this case she filed the Information and the Amended Information.

I told [redacted] I wanted to ask her about *State v. Carroll* and *State v. Harding* and she asked if I was done asking her about *Menera-Aleman* and I told her I was, that she had told me she did not believe there was evidence of strangulation, and that answered my question.

We then discussed *Carroll* and *Harding,* #9 in Specific Cases, below. [redacted] told me at one point that she did not like the line of questioning so I would move off the topics she did not want to discuss.

During the discussion of the *Carroll* and *Harding* cases, [redacted] told me her general trial preparation practices as it related to witnesses:

> Q: "Did you meet with him prior to trial? Did you go over his testimony and what it would be at trial so that you would know what he ... was going to say?"
>
> A: "I never do with witnesses because I've been ... My training and experience, I will not go over what your testimony will be at trial. That makes me a witness in my own case."
>
> Q: "Can you explain that a little bit to me? So you don't have pretrial prep meetings with witnesses, victims?"
>
> A: "I do have pretrial meetings with victims and witnesses and so forth. I don't go over, 'If I ask you this question, what's your answer going to be.' I do not do that."
>
> Q: "And your reasoning is because that makes you a witness?"
>
> A: "It makes me a witness and it makes me part of their testimony. I've had officers on the stand be asked by defense attorneys, 'What did you go over with the prosecutor prior to trial?' And that has been used by defense and I've had experiences in that, so I will not go over what their answers will be."
>
> Q: "Do you ever just say, 'Hey, tell me what … happened that day.'"
>
> A: "Never."
>
> Q: "Have you been to trainings national level, local level where that type of trial practice has been suggested?"
>
> A: "That is how … I've been trained as a prosecutor. That is the normal practice."
>
> Q: "Can you tell me by whom, to your recollection?"
>
> A: "I don't have any recollection by whom or which agency. It's always how I've always handled."
>
> Q: "Are you aware of even colleagues in your own office doing things differently?"

[98] It appeared as though [redacted] may not have reviewed the file. The plea offer in the case included an agreement not to pursue a Strangulation charge.

A: "I do not know. I have not discussed, 'Oh, what's your trial prep conversation?' I have not had that discussion with any colleagues."

Q: "Do you think that can be valuable though sometimes to actually have conversations with people in the office like, 'Hey, how do you do this? How do you suggest I do this? How do you ... I've got this pickle here, can you help me get out of it?' Kind of thing."

A: "In any topic, it's always something to talk about with somebody else. Everybody else has a different opinion upon it and how things are done. One way is not necessarily right or wrong in situations."

I asked [redacted] if she would typically advise witnesses who had testified in a trial that she had dismissed the case during trial, or what the verdict was after trial. [redacted] said she would not unless they had asked to be told.

I asked [redacted] if she would generally meet with a victim in a case even if she was not going to call the victim as a witness at trial. She said she would if they wanted to meet.

We then discussed *State v. Neahring*, #8, Specific Cases, below. During that portion of the interview, [redacted] became noticeably upset when I asked her about her charging decision, stating, "Anybody can second guess anybody else." She communicated her unwillingness to answer further questions on the topic by declaring, "Next." I explained to [redacted] that I was following up on complaints I had received and wanted to give her an opportunity to respond to the complaints, and I was not intending to be accusatory with my questions or tone. [redacted] said that my questions were coming across as accusatory.

We then discussed *State v. Butterfield*, #10, Specific Cases, below.

I told [redacted] that I received another complaint about an interaction that occurred the same day as the *Butterfield* grand jury. It involved Detective Rose from OSP who was presenting evidence in a sodomy case he investigated. It was alleged that she stated it wouldn't be a crime for an adult to receive a blowjob from a [redacted] year old because the adult didn't cause the [redacted] year old to perform oral sex, that [redacted] was there and looked up the statute, that Detective Rose said, "So in Oregon you can suck off a [redacted] year old and have it not be a crime?", that she responded saying, "I know. Oregon is wild." When I first started to discuss the facts [redacted] said she had "no idea" what that was a reference to and she did not remember "making any comments whatsoever." I provided more facts, asked her if that "rang a bell," and she said, "Not off the top of my head. It could have been. I don't know." I told [redacted] that the complaint I received was that she did not "know the law" and [redacted] said, "From the sounds of it, I'm not going to comment on that. There's discussions that happen on the hallways you're waiting for grand jury, we're just talking amongst people and such." I asked [redacted] if she felt confident in her knowledge of the law and she said yes, and that she looks up the law all the time to double and triple check herself.

We then discussed *State v. Hart,* #11, Specific Cases, below.

I told [redacted] I received complaints related to her treatment of Kristina Vatne during MDT meetings. I asked [redacted] if she was assigned to the [redacted] and [redacted] She said she was. I asked if Kristina also attended those MDT meetings as the representative of victim's assistance. She said yes. I asked [redacted] if she had interacted

with Kristina the meetings. She said yes. I asked [redacted] if she could recall any time when she told Kristina anything like, "Be quiet. Stop talking." [redacted] said that "one time" she said "that was not relevant information, but not in those terms, no." I asked [redacted] what she meant by "not in those terms" and she said, "I recall one time where she was talking about something and I said, 'That's not relevant,' along the lines of, 'That's not relevant to this meeting.'" I asked [redacted] if she believed her interactions with Kristina during those meetings could be perceived as publicly demeaning Kristina, embarrassing Kristina, or being aggressive toward Kristina. [redacted] said, "No" to all three. I asked [redacted] if she ever to her recollection raised her voice or spoke in a harsh, aggressive tone toward Kristina. [redacted] said, "Not that I can recall." I asked [redacted] if she remembered anybody at these MDT meetings ever reacting to any interaction she had with Kristina and [redacted] said, "No."

I asked [redacted] if she had been asked to meet with three nurses trying to get their SANE certification, and [redacted] said she had but she did not remember when it occurred. I asked if she recalled how the meeting came about and she said the meeting was requested but there "was no timeline" and they just needed to "meet at some point." I noted that [redacted] provided the information about there not being a "timeline" with the request, which was not anything I had asked. She looked to [redacted] and said, "At first they asked for, what was it?" and DA Olson said, "Like a whole day or five hours. A considerable amount of time." Their interaction led me to believe they had spoken about the complaint before the interview.[99] After DA Olson interjected to provide her recollection of the SANE nurses' request, I resumed my questioning of [redacted] by confirming with her that she was the person assigned to meet with the SANE nurses. I asked [redacted] if she recalled it being a long period of time before she was able to meet with them. [redacted] said, "Yes, because the confusion and length of time they need, yes, it could have been." I asked if there was confusion on *her* end and she said, "How much time they needed and so forth and given my availability and their availability." DA Olson interjected again, and I told DA Olson I could definitely follow up with her individually on her recollection but resumed by asking [redacted] if she had any professional experience with SANE certification. [redacted] said she had not ever been through a SANE certification. I then asked [redacted] if she was aware that part of the SANE certification process actually requires the nurse candidates to meet with a prosecutor. [redacted] said "from the vague email that we received from Anisha [the SANE coordinator] saying that they needed to meet with use and then it was very confusing of what they didn't know what they needed and so forth. So no, I do not know what the SANE certification requirements are."

I asked [redacted] to describe her meeting with the three nurses. She responded, "Unremarkable." I asked her if she had ever questioned a SANE at trial, and she said yes. I asked if that was in Tillamook and she said no. I then asked if it was [redacted] and she said, "Nope." I said, "[redacted]?" And she responded, "[redacted]." With that information, I asked if she recalled asking them questions during that meeting about the SANE process and the office's participation in it and things like that. [redacted] said, "Vaguely." I asked if she recalled taking any phone calls during the meeting and she said, "Possibly." [redacted] and

[99] "Failing to act and respond in a timely matter to tasks and responsibilities (i.e. taking an inordinately long time to review necessary materials, conduct meetings with professionals awaiting certification, etc.)" was one of the complaints in the Summary provided to DA Olson in December of 2025.

DA Olson then spoke to each other, and DA Olson said she had called [redacted] and didn't realize it was in the middle of the meeting. Directing back to [redacted], I said the question was not really related to the phone call, but the complaint was that [redacted] had said she had, "Three little nurses" who want to be SANEs in her office, which was overheard when [redacted] took the phone call. [redacted] responded, "I would never have said little nurses. No." I asked [redacted] if she remembered the nurses asking how the DA's Office would prepare them for grand jury or trial and [redacted] said, "Possibly, yes." I asked if she remembered explaining the grand jury process to them and she said she would have if they asked. I asked [redacted] if she remembered saying to them, "Most cases won't move past grand jury because most cases are pled out because tourists don't like to come back to Tillamook and local people usually know the person who did the assault and want to plead out." [redacted] said, "No! Not in those terms" When I asked about the "not in those terms" statement [redacted] said, "I may have relayed that most cases do plead, but I never would have made that comment about tourists don't want to, I do not recall tourists …" and then her voice trailed off. I asked her if it was possible she made the comment and she emphatically said, "No, I do not recall making that comment." I asked [redacted] if she recalled making any comment about jurors, that they're stupid and will do things to try to get out of jury duty. She said, "No, I do not making [sic] those exact comments. No."[100] I asked about anything similar about jurors and she said she may have commented about people trying to get out of jury duty. I told [redacted] that there was a concern that was expressed that you may have a bias against sexual assault cases. Do you agree with that or disagree with that? [redacted] said, "No. Disagree. So disagree. Being a survivor of sexual assault … this is very upsetting to me right now." I asked [redacted] if she remembered the SANE candidates asking what the DA's Office would want them to do if they knew the victim or the offender (given the small community they were working in) and [redacted] said she vaguely recalled that, and she would have said that she hoped a different nurse would take it. I told [redacted] that it was reported that she stated the nurses "absolutely could not take the case" if they knew either party, that it would "tank the case" and it would be better to send the patient to Portland. [redacted] said emphatically, "Never would have said that." She then said she was not answering any more questions "along these lines" and that these were statement she did not say. She added, "Raises my own concerns."

I could sense that [redacted] may not be willing to answer any more questions so I quickly asked about a few additional matters. I told [redacted] the last case I wanted to ask her about was [redacted], a case that settled in [redacted] with Judge [redacted], and [redacted] acknowledged she recalled the case. I asked [redacted] if she remembered parole and probation contacting her after the sentencing. She said yes. I said that there was a concern about the victim's name not being in the judgment, which [redacted] acknowledged, and I asked her if she said to parole and probation that because the victim was a minor, the victim's name could not go in the judgment. [redacted] responded, "I don't recall exactly what I said. There was a discussion about the victim's names."

I then asked [redacted] as a matter of practice when she was [redacted] if that office anonymized victims in sexual assault indictments by using initials. She said she did not recall "one way or the other." I asked her since she's been in Tillamook County had

[100] It appeared as though [redacted] was saying she did not *recall* the comments but listening to her recorded interview she did not use the word "recall."

she personally some that and she said in some situations, so I asked what her practice is in her cases and she responded, "Discretion." She added, "The one case I did, she was five years old." In an effort to ask [redacted] about policies within the office, even though DA Olson was sitting right there, I asked her, "Is there a policy to your understanding about- " and [redacted] cut me off and said, "If there is a policy, I follow the policy." I said "Okay, but in practice-" and [redacted] again cut me off and said, "I'm not going to answer this question. I'm just, I'm really, line of questioning is upsetting to me." I told her that was fine, and that it was all the questions I had about that case.

I asked [redacted] if there was anything that she wanted me to know either related to something we had talked about or anything we had not talked about. She said, "Just in generalized conversations that I take as people are adults and you don't agree with adults sometimes and that's part of your job and you move on. And now I'll be raising more concerns that I have with people, community partners that are raising their voices at me, treating me with disrespect and I'll be bringing those complaints forward." I said, "Anything else?" and [redacted] said, "No."

On January 14, 2026, I received several emails from DA Olson and she referred me to Katie Springs with her victim's assistance office for any questions.

On January 15, 2026, I emailed Chief Troxel and requested information about a child sex abuse case his agency apparently investigated in 2023, resulting in criminal charges in *State v. Matthew Oge*, 23CR41032. I had reviewed the Indictment filed in the case and an Officer Zachary Neubauer testified at grand jury. The defendant was indicted for Rape in the First Degree of a child under the age of 12 ("Jessica's Law" case). Because the police investigative reports were confidential under ORS 419B.035, I asked Chief Troxel if he could provide me information about whether the child victim's account was corroborated by any statements from the defendant or any video/electronic evidence (since Oge was also indicted for Using a Child in Display of Sexually Explicit Conduct and Encouraging Child Sexual Abuse). On January 22, 2026, I spoke with Tillamook PD Executive Assistant Lacey Larson by phone about my request. Our conversation is documented in Other Persons Mentioned - Summaries, below.

Also on January 15, 2026, I emailed DA Olson asking about her availability the week of January 20-23 to conclude our interview. On January 16, 2026, DA Olson emailed me indicating she was available on Wednesday (January 21) or Thursday (January 22) between 9-12, either by phone or in person. On Sunday, January 18, 2026, I emailed DA Olson and told her I would call her Thursday, January 22, 2026 at 10:00 a.m. I did not receive any communication from DA Olson on the Tuesday after the 3-day weekend (MLK holiday) but on Wednesday, January 21, 2026 at 8:05 a.m., I received the following email:

> Katie,
>
> I have given considerable thought to this investigation and how the County has chosen to handle it. I do not believe it is being handled properly; yet, I decided to speak with you in an attempt to be transparent and to learn more about the allegations. The County has refused to provide me with specific complaints or allegations, and I was hoping to learn more specifics through my interview with you. However, I have felt somewhat blind-sided and baffled by the questions posed. It has felt more like a cross-examination than an attempt to objectively gather facts.

> In reviewing the list of cases you provided for discussion with me, I see there are quite a few we have not yet discussed. At this point, I am not willing to continue with an interview unless you or the County provides me with the specific allegations.

About 15 minutes after sending me this email, DA Olson sent me an email with further explanation on the [redacted] case. The email was already provided to me by [redacted] and is in Exhibit 11.

I contacted Kyle Abraham to confirm that the summary I had prepared in December of 2025 was provided to DA Olson. Kyle confirmed by email that DA Olson had been provided with the summary. Kyle suggested I call DA Olson at the scheduled time.

On January 22, 2026 at 10:00 a.m., I contacted the Tillamook County District Attorney's office by phone and after introducing myself asked to speak with Aubrey Olson. The receptionist asked to put me on hold so that she could send DA Olson a message and less than a minute later the receptionist informed me that DA Olson was not available at that time but that she had sent me an email message. I understood that to reference the email I had received from DA Olson the day before indicating that she was not willing to continue with an interview.

I requested a copy of the Sheriff's Office investigative report regarding the investigation involving [redacted]. I received the report on February 9, 2026.

On February 6, 2026 I emailed Katie Springs with the DA's Office Victim Assistance and asked if she was available for an interview. On February 9, 2026 Katie responded and said she would speak to me but her first available date was February 17, 2026. She also requested a SEIU union representative be present. We scheduled an interview via Teams for February 17, 2026 at 9:00 a.m.

Kathryn "Katie" Springs[101]

Katie told me that she is a case manager in Victim Assistance at the DA's Office. She began working there in the summer of 2022 under DA Porter. She had worked previously in healthcare and worked at the Tillamook County Community Health Center. Katie told me that she wanted a change, wanted to help and assist people, and she has experience working with people who have experienced trauma.

Katie said that she is assigned to [redacted] and that she used to be assigned to DA Olson but she is no longer. She said Kristina is assigned to the [redacted] and they mainly just cover the cases of their assigned DDAs unless one or the other is on vacation. I asked Katie if Kristina was her supervisor and she said she is not, and that when she started it was made clear to her that Kristina was "absolutely not" her supervisor and that it was the office manager. Katie said she and Kristina do similar but different things (Kristina does grants, for example), but as it relates to their work on cases, they do the same thing (e.g., notifying victims of their rights, providing referrals to victims for Tides of Change or counseling, providing restitution and CVC information, and accompany victims to court).

[101] Katie had notified me that she wanted Morgan Niles-Stubbs, President of AFSCME Local 2734 to attend and observe the interview. Morgan was present by video and aside from introducing themselves on the recording did not make any comment.

I asked Katie about the Victims Procedures Guide since DA Olson had talked with me about it. Katie said that it's something Kristina has worked on and she does not know if it's completed or not.

I asked Katie if she could walk me through the victim notification procedures in Victim Assistance. Katie said that when a case is filed, they will call the victims.[102] Katie said that getting accurate phone numbers for victims is a "huge problem" because the information in police reports is often incorrect.[103] If they are successful reaching a victim by phone, they will go over their rights, CVC information, restitution, provide referrals to agencies like Tides of Change or counseling organizations. They inquire if the victim wants to assert their rights, documenting the rights they want to assert, and then determine whether the victim wants future notices. They also identify the method the victim wants to receive notification (i.e. by phone call, text message, or email). In the situation where they cannot reach the victim by phone, case information and victim rights information is mailed. The introductory letter notifies a victim that if they don't contact the DA's Office within 30 days, notices will not be sent. The process was similar to what DA Olson had described to me.

I asked Katie if notification was the same or different depending on the classification of the case, for example, the theft of a car versus a domestic violence or sex abuse case. Katie said the notification is the same although for businesses that are frequently victims of crime (i.e. large retail or grocery stores), the DA's Office has their rights on file and notification is not made. I asked Katie if victim assistance prioritizes certain categories of cases (giving examples of domestic violence, sex abuse, Measure 11 offenses) just due to resources. Katie stated, "I mean, I don't know if we have it in the procedure guide about felony level cases, but I know that we both take those very seriously and try to really do a good job. I mean, I always think of myself in these people's positions. How would I feel if this happened to me or this happened to a family member? And that's a big part of it, but crime, it's all bad. It's sad for people. We live in a small town and it's sad because we shop at the stores that get stolen. We know the people that get, it's sad. The whole thing is sad. And I think everybody should get treated, treated the best we can. Now I will say with Tides of Change, we really try to keep the advocates. If they want notifications, we'll put them on. We'll give them notices and it's helpful just so they're kept on the loop."

Katie said that she and Kristina also meet victims in person at grand jury, which is helpful. They go over their rights with them, and some victims inform them they don't want any further notices or communication from the DA's Office, which they honor. Katie mentioned Tides of Change advocates, and if a victim was working with an advocate from that organization,

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[102] Katie said there are some cases where victim assistance has contact with a victim before a case is filed but while the investigation is ongoing. She mentioned "big cases" like a homicide or a rape, where an investigation might take months. Katie said [redacted] is very proactive and good at reaching out to victims with her. Katie said if a victim calls the DA's Office prior to any case being filed, for any type of case, victim assistance may have contact with a victim in that scenario. I asked Katie if law enforcement ever reached out to put a victim in contact with victim assistance and Katie said she could not recall law enforcement ever doing that. I asked Katie if there was a victim assistant on call for after hours and she said no.

[103] As a prosecutor, this was also my experience. Many police report writing systems auto-fill witness and victim information, so addresses and phone number may be outdated. Ideally, law enforcement will at least get an accurate and current phone number for a victim, but in my experience that as not always the case. I could generally rely on a CAD to get an accurate number for a victim or witness since the CAD report will document the phone number the victim or witness called from when calling police.

the Tides of Change advocate would receive "courtesy" notifications on cases. I asked Katie specifically if she and Kristina still call (or text or email, whatever the preferred notification) a victim and notify them of case proceedings even if that victim is working with a Tides of Change advocate. Katie told me they "try to." Katie did say that with Spanish speaking victims they notify the Tides of Change advocates and I told Katie I understood that had been a longstanding practice because the DA's Office did not have Spanish speaking case managers. Katie said she will go "above and beyond" to notify a victim and make sure the victim is aware of the status of the case.

I asked Katie about the Certification notice that was required to be filed in felony cases. Katie referred to it as the "CVN" (Certificate of Victim Notification) and she said that victim assistance completes those. I asked if an amended CVN ever gets filed with the Court and she said that does occur. I asked Katie if she was able to access information from her system regarding *State v. Richard Hart*, #11, Specific Cases, below. I said that I could see (in eCourt) that a CVN got filed in that case (saying the victim had not contacted the DA's Office), but I knew from speaking with the victim that they wanted to assert their rights and had appeared at a release hearing and other hearings on the case. It appeared (via the video) that Katie was looking intently at her computer screen and then Katie said that Kristina had made some notes in the computer, that they were vague, and that she did not know enough about the case to answer my question. She suggested that I would need to ask Kristina or [redacted].

I told Katie that we had spoken about the victim notification process for a case that gets filed, but I wondered what the notification process was for cases that were no-actioned (not filed). Katie said that victim assistance does not see them. She said, "It wouldn't even come to us. It would go just to, it would stay in the DA's office, and the person would be sent a letter, I believe, through the legal assistants. Now, if cases are somewhere along the line, you know, if something happens and they, you know, they … well …. Yeah, I would say at that point, sorry, we don't even get it. It wouldn't even come on our queue." First, I understood Katie to be talking about a task or work "queue" in their case management system. Second, the reader should know that when Katie was telling me this information, it appeared as though she was thinking about what actually occurs when cases are no-actioned, and that victim assistance does not ever know about the no-action, which accounted for some of Katie's hesitation in answering. I asked Katie if the letter sent by the legal assistants was a form letter, hoping she could email it to me, but she said she did not know. It was clear from Katie's description that she was did not have first hand knowledge of the process that occurred when a case was no-actioned.

To make sure I understood what Katie was telling me from a practical stand point, I provided the following hypothetical: Let's say this morning after a 3-day holiday weekend DA Olson had 5 in-custody cases she reviewed, that one of them was a DV assault and DA Olson determined there was not sufficient evidence to charge a case so she no-actions the case. Is it correct that nothing comes to victim assistance about that decision? Katie said that was correct. I provided Katie with another hypothetical where two months ago a mother contacted the DA's Office and said my child was sexually abused, the investigation is still happening, and then at some point the DA's Office gets the case and no-actions it. I asked in that scenario if victim assistance would be told about the no-action so they could reach out to this victim that had already called the DA's Office. Katie said, "Unless we had a direct, they're like reminders. It's like a note basically from a person saying they're wondering about the charging decision and why it didn't get filed, things like that. But usually that's all done through the DA's office,

through the legal assistants. We really wouldn't get involved unless they happened to call right after we saw it. We could tell them that we wouldn't have very much information for them."

I told Katie that was all the questions I had and asked her if she had anything she wanted to let me know. Katie said related to the Child Abuse MDT, she was going to the meetings when she first started at the DA's Office but then asked to be removed from them. Katie said unfortunately it was "just an hour and a half of gossip, small town gossip, it was very ineffective." Katie said the Child Abuse MDT meetings have now "totally changed for the better … and they're quite different." She said the people running it are doing it differently, that in a small town they don't need to hear about whose brother is dating whom and now that's changed. "It's far more cut and dry. Let's get here. We have one hour. Let's cut through this and go. And I've heard some disgruntled people about that. I've attended two recently. But that's one thing that I think is totally, totally different."

I thanked Katie for her time and we concluded the interview.

Specific Cases

1. State v. Clarence Fayerweather, 22CR39716, DA Aubrey Olson
   a. Defendant was charged with Sex Abuse 3 and Harassment. Valerie Bundy recalled that the victim was unable to read and Tides of Change asked for an accommodation and asked that she be called with case updates. Valerie stated that her office requested the accommodation, and the next thing they heard was the case was dismissed.
   b. Valerie stated, "We had a survivor that we were working with … she's developmentally disabled … She can't read or write. We kept expressing [to the DA's Office] 'She can't read or write. You have to call her. You can't keep just doing paper." Valerie was not certain if it was [redacted] or DA Olson on the case but "[i]t was going to trial and we requested that you please meet her prior to trial, that you can't just put her on the stand and never have talked to her before. We couldn't get response and we just kept being sent back to victim's advocates. And so we sent a letter saying this is a reasonable accommodation for someone with disabilities that you need to meet with her beforehand, [and] the case was dropped."
   c. I reviewed the court record and noted the defendant had failed to appear multiple times. He was charged with FTA in 23CR07655. The sex abuse case (22CR39716) and the FTA case (23CR07655) were consolidated for trial scheduled for November 28, 2023. At the final resolution conference on November 20, 2023, DA Olson orally moved to dismiss 22CR39716, stating the defense attorney "provided exculpatory evidence that would question [victim's] credibility and very likely impeach her."
   d. Valerie did not have a current waiver from the victim to speak to me about specifics of the case. I could not determine the investigating agency as this information was not available in eCourt. Because I did not obtain any investigative reports, I was unable to research any facts from the underlying case.
   e. I was unable to ask DA Olson about the *Fayerweather* case as she declined a further interview after our initial interview on January 13, 2026. Although we spoke for over five hours on that date, we had not gotten to questions about this case, even though it was one I had advised her I wanted to ask her about.

2. State v. Cesar Baez Galicia, 23CR11971, DA Aubrey Olson
   a. Valerie Bundy advised me that this DV case involved a victim who was hit in the head with a bat resulting in staples to her head. Valerie told me that DA Olson told the victim and Tides of Change advocate Paulina Ontiveros that the victim's story was all over the place which is why the grand jury did not find the incident was credible for a felony case and DA Olson said that is why she would not move forward with a misdemeanor case either. The advocate reported to Valerie that she felt like the way DA Olson talked to the victim came across as blaming the victim.
   b. The court record revealed that the defendant had been charged with Assault in the First Degree and Unlawful Use of a Weapon by District Attorney's Information. The Information did not allege that the crimes involved domestic violence. The case went to grand jury approximately 5 days after the incident and the grand jury returned a NOT TRUE BILL.
   c. I requested police reports from Tillamook Police Department and was provided with redacted reports with the following information:

- Defendant and victim were in an intimate relationship and had children together.[104]
- Police responded to the ER at the hospital in Tillamook and learned the victim had been transported there by her sister in a private vehicle.
- Police interviewed the sister who said that defendant and victim were in a verbal argument, they had been drinking, and defendant was trying to keep the victim from leaving the house. She heard defendant say, "If you want it the bad way, the bad way you'll have it." Defendant then put the victim on the floor and got on top of her. The sister tried to get the victim to leave with her but she would not, so the sister left the house to go to her car and take the kids somewhere. The victim then came out to the car and was bleeding and stated that defendant had just "hit her in the head with a baseball bat two times". Her sister began driving her to the hospital for treatment when the victim stated, "I don't think I'll make it" and lost consciousness. When they arrived at the hospital, the victim began vomiting. The sister stayed with her at the hospital and told police that the victim told the same information to the treating doctor.
- Medical personnel, including the doctor and treating nurse, were interviewed and the officer's report noted their accounts were the same. The nurse said that multiple times the victim said her husband hit her in the head with a bat.
- The sister said that while they were at the hospital the defendant called her and the officer could over hear them (speaking Spanish) but could not understand. The sister told the officer the defendant was asking about the kids and venting about his relationship with the victim.
- Police contacted the defendant and interviewed him. He said he was in a physical altercation with the victim but denied hitting her with a bat, though he admitted he had one. He admitted he had been drinking and the officer noted a strong odor of alcohol on his breath. The defendant denied knowing the victim was in the hospital. He stated the victim had been cheating on him for about a year and that it made him want to hurt her.
- The officer went back to the hospital to interview the victim and she told him the defendant hit her twice in the head with an aluminum baseball bat. She said they had broken up about a year before but were trying to work things out. They both had been drinking. She said that in 2022 he had strangled her but that he was "not normally violent". She didn't want him to get in trouble because she believed she would be blamed if he was deported.
- A few days later the officer recontacted the victim and took photos, seized the bat, and documented that victim said she felt she was partially to blame because she had been drinking. She said the incident was a blur, she wasn't sure if she'd been hit by a bat, her sister found blood on the kitchen floor, and she had been diagnosed with a concussion.
- Victim signed a release for her medical records.

d. I advised DA Olson by email on Thursday, January 8, 2026 that I wanted to speak to her about this specific case (identifying it by case name and docket number). However, when

[104] It was not clear whether they were married or not but in my experience it would not be uncommon for unmarried people in long term relationships with children to refer to each other as husband and wife. Regardless, they had been involved in an intimate relationship.

I interviewed her on January 13, 2026, she indicated that she would "have to look that one up" as she didn't remember it.

- She repeatedly said she didn't recall the case
- She asked what the question was about the case
- I explained that in my professional experience a Not True Bill was very rare, that I had reviewed the police reports and the evidence of guilt appeared substantial, and so I wondered if she could explain what happened at grand jury.
- DA Olson provided a lengthy description of what grand jury orientation typically looked like, including typically using a Power Point presentation. She confirmed that the grand jury met once a week and they served for two months. She said that treats grand jury like a trial and has the grand jurors ask questions and she emphasizes to the grand jury that it's their investigation.
- When I directed her back to the Baez Galicia case I asked, "Did you drop in and take a look at that case?" and DA Olson said "I did when you first sent it to me, but so much has happened since … I'm drawing a blank." DA Olson wanted to talk about another NTB case I had emailed her about, State v. Israel Pozos Leon, 24CR25944.[105]
- When I returned to asking DA Olson about the Baez Galicia case she was unsure of the facts so I told her it involved a baseball bat to the head and the victim got staples and was interviewed at the hospital. DA Olson said, "This is almost three years ago" and I pointed out that was why I gave her the case ahead of time so she would have a chance to look at it.
- DA Olson said, "I just didn't understand why you would be asking me about the case or what the complaint, what the allegation would be?" I explained at that point that the complaint was how the case resulted in a Not True Bill given the facts. Specifically, did something happen at grand jury that resulted in a not true bill when the police investigation revealed a woman's head got split open by a baseball bat requiring stitches, and there appeared to be evidence that could be admitted under several hearsay exceptions (OEC 803(26) [DV Hearsay], 803(2) [Excited Utterances], 803(4) [Statements for medical diagnosis]. DA Olson remonstrated, "This is so old. I have notes in my case. I remember this fact pattern. I don't have notes about the no true bill [but] somebody complained that there was a No True Bill and they think I didn't do a good enough job at grand jury is what it boils down to." I reiterated to DA Olson that the question presented was really, "What happened at grand jury?" I suggested that because I could not listen to the confidential grand jury proceeding, she could do that and we could discuss the case at a later time. DA Olson continued as she was looking at her computer and said that her brief summary notes indicated he denied hitting her with the bat, which she did remember, but that she had no idea why it was a Not True Bill. I again encouraged DA Olson to listen to the grand jury proceeding to refresh her memory as to how the evidence came out.
- I was unable to ask DA Olson additional questions about the case when DA Olson declined a follow-up interview.

[105] Taking DA Olson's cue, we diverted to the *Pozos* case briefly.

3. State v. Israel Pozos Leon, 24CR25944, DA Aubrey Olson
   a. This case was brought to my attention by TCSO [redacted]. (Item #14 in [redacted] complaints.) [redacted] told me this was a domestic violence case investigated by his partner, [redacted]. [redacted] stated he did not have much first-hand knowledge of the case but knew from working next to [redacted] that he was informed the case was a "Not True Bill" at grand jury and he ([redacted]) had never even been subpoenaed to provide testimony. [redacted] explained that this was another "horrible" example of a case not being properly handled by the DA's office by not having the investigating officer at grand jury.
   b. I requested a copy of the investigative reports from TCSO ([redacted]). I was provided with an initial report by [redacted], including the victim and defendant's statement, and a follow up report documenting the forensic interviews of two of the victim's young children and his interview of four of the older children. I reviewed both reports.
      - [redacted] was contacted by DHS child welfare on May 17, 2024 in connection with a welfare concern. The reporter had indicated that [redacted] (age 46) had a bunch of finger mark bruising on her upper arm and a big bruise on her lower arm. The reporter said on May 14, 2024, [redacted] was grabbed forcefully and shoved by her husband, Israel, during an argument. The incident occurred with several children in the home.
      - [redacted] accompanied DHS to the Pozos residence and spoke to [redacted] She reported that she and Israel were married but she had been sleeping on the couch and he slept in their bedroom with some of their children. [redacted] said Israel had been accusing her of cheating and had done things like screw the windows to prevent men from getting into the house and hiding audio recording devices in the house. On the 14th she was asleep on the couch and awoke to find the door to the bedroom closed. Due to his erratic behavior she was uncomfortable with the bedroom door being closed (with her kids in the room) and it was usually kept partially open. So she got up to open the door but it would not open. She told Israel several times to open the door. Eventually Israel opened the door and told her to leave the room and close the door. [redacted] told Israel she would not close the door and if he wanted it closed, she was taking the kids out of the room. Israel then grabbed her by the arm and pushed her out of the room. She fell into an instrument case and hit her arm on the trim of the door across the hall. Her 19-year old son [redacted] came to her aid and was yelling at his father.
      - [redacted] documented and photographed bruising on her upper arm (tricep) and a 5.5 cm bruise on her forearm. [redacted] said she still had a lump in in the forearm bruise. [redacted] saw the area of the house where the incident occurred and documented the space. He asked [redacted] to rate the pain she felt during the incident on a scale of 1-10 (1 = mild pain, 10 = severe) and [redacted] rated the pain a 7.
      - [redacted] told [redacted] she had an audio recording of the incident which she provided to him. In the recording [redacted] could hear [redacted] asking Israel to open the door, Israel telling [redacted] to get out and shut the door, and [redacted] saying to Israel not to touch her and Israel responding that he wasn't touching her. [redacted] told [redacted] Israel had a hold of her arm when he was telling her

that he wasn't touching her. [redacted] heard a crashing sound and then heard [redacted] crying.

- [redacted] made contact with Israel that day and Israel said that [redacted] had been cheating on him which he discovered with recording devices he left in the home. He acknowledged the incident from a few days earlier saying that the bedroom door was locked, [redacted] wanted him to unlock it or give her the kids, he opened the door and told her to leave, and then closed the door on her. Israel said he did not know what happened when he closed the door. When [redacted] asked Israel why [redacted] had bruises on her arm he said he did not know and he did not touch her. Israel was arrested.
- [redacted] and Israel's children were interviewed. [redacted], [redacted] years old, said he was traumatized by that night and that his mom told him his dad had pushed him. [redacted], [redacted] years old, said she was awakened by her brother [redacted] yelling and cursing and [redacted] came into her room and started crying. [redacted] saw finger bruising on her mom and described her dad as very rude to her mom. [redacted] [redacted] years old, awoke to her brothers talking and her mother crying, but did not see anything. She said she heard her parents argue in the past but not to the degree of that night. [redacted], [redacted] years old, was awakened hearing [redacted] asking their father to explain himself and Israel was denying anything happened. [redacted] said they had a family meeting without their dad to discuss what happened. He said he did not get to sleep until after 3 a.m. so he didn't go to school the next day. [redacted] said that everyone acted like nothing happened the next day. [redacted] expressed concern his father had schizophrenia. [redacted], 19 years old, described being awakened by banging on a door. He heard his mother telling his father to open the door. He could hear them speaking back and forth. He then heard his mother say two times "Stop touching me" and his father deny he was touching her. He then heard a big bang and the door shut. That was when he got up because he thought the noise was because his mother fell. The noise was actually a keyboard that had been knocked over. He escorted his mom to the living room and she was crying. [redacted] said he didn't know what to do and wanted to bang on the bedroom door and ask his dad what happened but he did not. So he went back to his bedroom. His brother [redacted] 21 years of age, got up and got dressed and went to confront their father. [redacted] was very upset and crying. Their father came into their room and denied doing anything. [redacted] described having a family meeting to discuss what had occurred. [redacted] attempted to speak to [redacted] but he never returned his calls.

c. On January 8, 2026, I emailed DA Olson indicating I wanted to speak to her about this case. When I interviewed DA Olson on January 13, 2026, she told me the following:
   - DA Olson brought up the case when I was asking her questions about another NTB case (*State v. Cesar Baez Galicia*, 23CR11971).
   - DA Olson told me that "it was just simply the victim's demeanor and the way she testified … she actually seemed upset the police had been notified … she was very nonchalant, she just didn't establish injury." I asked DA Olson, "Had she established injury when she spoke to police?" DA Olson said it was "questionable" and "she talked about bruising and pain" and "I think there was the way the testimony came out at grand jury, it was questionable whether he pushed her or if she just fell on her own or bumped into something on her own."

- I was unable to ask DA Olson additional questions about the case when DA Olson declined a follow-up interview.

4. State v. Humberto Maciel Suazo, 23CR26390, [redacted]
   a. This case was originally brought to my attention by Valerie Bundy. Valerie used the case as an example of poor communication from the DA's office to victims. She said the advocate from her agency was notified by email on Friday 7/21/23 at 2:30 p.m. that she needed to fill out restitution paperwork and have the information to the DA's office for a hearing on Monday 7/24/23 at 9:30 a.m.
   b. A review of the court record in eCourt confirmed there was a "case management hearing" on July 24, 2023 where the defendant requested a setover. The case was not set for trial, sentencing, or a restitution hearing so it was unclear why such a short deadline would be set for the victim to provide restitution information. The court notes from the July 24, 2023 hearing did not reflect any discussion about restitution.
   c. In reviewing the court record I noted that the matter was set for trial October 24, 2023. At a pretrial conference on October 16, 2023 the defense requested a setover and the trial was rescheduled to February 2024.
   d. On [redacted], [redacted] filed a motion to dismiss the case citing the following reasons: ☒ evidence is insufficient to sustain a prosecution ☐ victim declines to prosecute ☒ in the interest of justice ☐ investigation is continuing ☒ other – exculpatory evidence came to light
   e. I requested and reviewed the investigative reports from TCSO and learned the following:
      - Police contacted the victim at 1:00 a.m. at her sister's residence. She spoke to police using a translator and the interview was recorded on body camera. She said earlier in the night her husband got angry with her for creating a Facebook page. He held a knife to her and told her he was going to kill her. She told him she was going to call her sisters and he said the sisters would be the first people he would stab when they arrived. The defendant took her phone so she ran to her sister's. She asked that police use a secret knock on the door when they arrived so they would know who it was. The victim was described as very frightened, constantly looking around and crying several times. Her greatest concern was for her children. She said that the defendant took her phone to prevent her from calling her sisters, not the police, and that he told her that if she called police, he was going to do something to her "that she would never forget."
      - Having developed probable cause for an offense mandating arrest (ORS 133.055) the officer contacted the defendant and arrested him. The officer was unable to reach a translator to attempt an interview with the defendant, so no statement from the defendant was obtained.
      - In a recorded interview of the victim's [redacted]-year old son a few days later, he said his father was very angry, he saw his father holding a knife, and then he gave police the knife his father used (and it was described as a 12-inch kitchen knife). The child said he did not remember his father saying anything when he was holding the knife but that he just started to cry when he saw it.
   f. On January [redacted], 2026, I emailed [redacted] the case name and docket number and told him I wanted to speak to him about the case. On January [redacted], 2026 I spoke to [redacted]

[redacted] and asked him what exculpatory information came to light leading him to dismiss the case. [redacted] provided the following explanation:

- "I had no doubt that the officer was doing his very best, but when he took defendant's statements, he didn't have a translator available. So based on just what the victim said alone, he made an arrest. Up until trial, I thought, 'I think we still got a great case here' until defense attorney's investigator came forward and said that, well, interviewed another witness that was present when the incident went down and is not biased because it's victim's own brother. Came forward and said, "Nothing happened between these two people besides verbal argument." *Completely* destroying, destroyed my case. My case in chief would have just melted in front of me on the stand, so it completely exculpated the defendant, so that was it. I don't blame the police officer for a shoddy investigation. However, a key witness was not interviewed until defense investigator interviewed him."
- I asked [redacted] if the defense investigator provided a recording of the witness interview and he stated he did not remember but told me that Dustin Johnson was the defense attorney and it was just "attorney to attorney" with Johnson telling him "This is what I've got."[106]
- I asked [redacted] if he contacted the victim and he said that he believed victim assistance reached out but he was not sure. I clarified with [redacted] that I was wondering if he reached out to ask the victim about what her brother allegedly said to a defense investigator. [redacted] said he did not ask the victim about the information. I asked [redacted] why he did not and he said, "Didn't feel that it was necessary." I asked [redacted] if he considered the possibility that the witness (victim's brother) was lying, which seemed to surprise him. [redacted] said, "What if her brother was lying? I consider that everybody's lying. Maybe it's the old cynical cop in me, but I believe everybody's lying until I can get corroborative evidence that you're not." I then confirmed with [redacted] that he did not reach out to the victim and ask her about her brother's alleged statement. I then spoke to [redacted] about the victim's son observing the incident, which he confirmed, and asked if the son testified at grand jury, which [redacted] said did not occur.[107]
- [redacted] said, related to the child, "From my viewpoint, I do not like having children of that age as witnesses in grand jury. Maybe it's the protective side of me, but I want to protect him from potential other trauma or also, you know, getting into the middle of family dynamics and now suddenly he's a witness against dad when that may not be the road that we want to go down."
- I asked [redacted] if he ran the dismissal in the case by either [redacted] or Aubrey? He responded by saying, "All our new complaints go through Aubrey." I asked if the DA suggested he reach out to the victim to ask her about her brother's alleged statement? [redacted] said no. I asked [redacted] if he asked the police to make contact with the victim's brother and interview him. [redacted] said no.

[106] The implication in [redacted]'s statement was that he relied on the representations of the defendant's attorney, not even a defense investigator's written report. It's also important to note that in my experience, defense investigators rarely, if ever, record witness interviews.

[107] [redacted]'s memory was correct, the son did not testify at grand jury. The grand jury proceeding took place June 9, 2023, 6 days after the defendant's arrest. The child's interview occurred in the evening after the grand jury proceeding.

- I asked [redacted], "Looking back on that situation, do you think those are things that you could have done before dismissing the case?" [redacted] responded, "I didn't have any reason to think that I should."

5. State v. Rafael Pozos, [redacted], [redacted]
   a. This case was brought to my attention by TCSO [redacted]. (Item #7 in Exhibit 1 and Exhibit 3) According to [redacted], his agency investigated a sex abuse case involving a [redacted]-year old victim alleging her 18-year old brother (Pozos) "thrust his erect penis between her thighs and against her butt while she pretended to be asleep." [redacted] said the suspect confessed to thrusting his erect penis between his sister's thighs below her vagina and butt, getting up to go to the bathroom, and returning to do it again. [redacted] had two complaints – (1) related to the defendant's release; and (2) related to plea negotiations.[108]
   b. [redacted]'s complaint alleged that after the defendant's arrest he learned the defendant had been released from jail to his brother in Keizer. [redacted] said the DA's office never communicated with the sheriff's office about the release until after it was ordered. [redacted] stated had the DA's office told the sheriff's office that release was being contemplated the sheriff's office could have told the DA's office that they had a brand new investigation regarding the same defendant and two other rape victims. [redacted] believed the lack of communication was incompetence.
   c. When I interviewed [redacted] on November 19, 2025 I did not have the defendant's name or a case number so I had not reviewed any of the court record. During the interview [redacted] told me the following:
      - He explained that the *Pozos* investigation was his partner's, and he was there when his partner received a call from [redacted] advising him that the defendant had been released from jail. [redacted] had just been assigned a separate investigation with Pozos as a suspect where two of Pozos's [redacted] came forward after Pozos's arrest involving his sister and accused Pozos of rape.
      - I asked [redacted] if he ever contacted the DA's office to advise [redacted] that he had another investigation pending against Pozos. [redacted] said he did not. [redacted] said he believed Pozos would be held in custody. We discussed whether judges in Tillamook County will set bail and he acknowledged that occurs. I asked [redacted] if he knew whether Pozos had posted bail, or whether the DA had objected to Pozos's release. [redacted] did not have that information. I confirmed with [redacted] that it was his understanding that release decisions were ultimately up to the court, regardless of the DA's position.
   d. [redacted] said that after submitting his initial complaint to HR (Item #7 above), Pozos's criminal matter regarding the sister resolved. [redacted] then authored a separate complaint to HR which was the document titled, "2025-02953 (Sex Abuse 1)". In that complaint he wrote that the defendant pled guilty to Sex Abuse 3, received no jail time, and stated in his plea petition, "I plead guilty because … I subjected VICTIM … to sexual contact by touching her buttocks." [redacted] believed that "minimized the facts" to say "touched buttocks" because the defendant actually admitted to thrusting *his*

[108] Due to the confidential nature of the investigative reports I did not request or review them. ORS 419B.035.

penis onto her body on two occasions. [redacted] believed that was "gross negligence" on the part of [redacted].

e. During my interview with [redacted] on November 19, 2025, he told me the following:
   - [redacted] provided the connection between his original "Item #7" and the addendum referenced above. (Two separate case numbers were listed so it was very confusing to me initially whether there was any connection.) I understood that Pozos had been charged for sexually abusing his sister. I was trying to determine whether any criminal charges were *filed* regarding the accusations against Pozos by his [redacted]. [redacted] and I eventually were able to accurately communicate about his case (involving the [redacted]) and he told me that his investigation was *submitted* to the DA's office for review in March of 2025 but no charges were filed.
   - [redacted] wanted to discuss the case involving Pozos's sister which he described as "alarming" because Pozos completely "minimized the crime." [redacted] said it was "incredibly alarming" that [redacted] had the defendant sign the plea petition saying he touched the buttocks of a person under 18 when the victim was actually [redacted] "That's not what happened. He didn't, and that is horrible. And it's almost as if he's trying to justify his pleading to sex abuse three with that statement." In trying to nail down [redacted]'s complaint I asked if he was aware who fills out plea petitions and he said he could only speculate that it was "defense, maybe." I also asked if he was aware that in the plea petition the defendant only had to admit the elements of the crime and nothing more, and that the elements of Sex Abuse 3 were in Pozos's plea petition. [redacted] said he understood but "that's our problem. That's a huge part of what I have a problem with this. Why? Why sex abuse three?" I clarified with [redacted] by asking him, "I just want to make sure I understand that the complaint that you have is a disagreement with the district attorney allowing the defendant to plead guilty to a third degree sex abuse as opposed to pursuing a first degree sex abuse?" [redacted] confirmed that was his complaint.
   - I verified with [redacted] that his partner had investigated that case. I asked him if his partner ever complained to the DA's office about the plea offer on the case. [redacted] said he did not because "it's incident after incident" and "our feeling is if we reach out and ask a question regarding a case like this, that bridge is gone. Any chance of it, any bridge being there is destroyed." [redacted] said DA Olson had previously told [redacted], "stay in your lane when asking about cases." He said that statement was made right when [redacted].
   - Eventually [redacted] stated, "We want to know why, and I dunno if I'm out of line, but [redacted] has a history. He was [redacted] because it's a thing that happens and [redacted] when he was a [redacted]. And so when you see something like this, you got to ask yourself a guy who's been arrested for child abuse, here's a child abuse case getting minimized."

f. I researched the case in eCourt. The defendant was charged by District Attorney's Information on March 17, 2025 with two counts of Sexual Abuse in the First Degree and

two counts of Sexual Abuse in the Third Degree.[109] The Information was signed by [redacted]. The charging instrument did not use initials but referred to the victim by name. The defendant was arraigned in custody on the same day and bail was set. On March 24, 2025, the court conducted a release hearing and released the defendant on a third party release agreement. DA Olson appeared for the state. The documents in eCourt did not identify what position the state took on the issue of release.[110] On May 5, 2025, the defendant waived indictment. On September 15, 2025, the defendant pled guilty to Sex Abuse in the Third Degree and was sentenced to probation.

g. During my interview with [redacted] on November 19, 2025, he told me the following relating to the case involving the rape allegations against Pozos that he investigated:
   - I asked [redacted] when he recalled hearing whether a charging decision had been made on the case. [redacted] recalled contacting [redacted] by email for an update on the case around August of 2025 but he received no response. Instead, [redacted] called [redacted]'s partner suggesting they all go to lunch. [redacted] thought that was an inappropriate venue to discuss a sexual assault case. He sent [redacted] another email asking for a case update. He again got no response to his email and [redacted] again just "called his partner" to suggest a lunch between the three of them. [redacted] said this process was repeated at least one more time and he never received a reply to his email or a phone call from [redacted]; he also never went to lunch with him.
   - [redacted] received an email from his supervisor forwarding the DA's office's no-action memo in August of 2025 – about 5 months after the original case submission.

h. On January [redacted], 2026, I emailed [redacted] and told him I wanted to ask him questions about this case. When I interviewed [redacted] on January [redacted], 2026, he told me the following:
   - He said that he did not currently have any sex offenses on his case load and that he doesn't do a lot of sex cases.
   - He said this sex abuse case was "heavily negotiated" between the state and defense and the victim and her mother (who was also the defendant's mother) were "heavily involved" and "were in total lockstep with the negotiations" and "agreed with the outcome." He said if anything they (victims) would have preferred an outright dismissal. [redacted] said he was unwilling to budge when it came to sex offender registration; there were some negative things in Pozos's psychosexual.[111]

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[109] Sexual Abuse in the first degree includes sexual contact of a person under 14 years of age. Sexual Abuse in the Third degree includes sexual contact of a person under 18 years of age. It is unclear to me why both crimes would be charged if the child's age at the time of the crime was not in dispute. The crimes were alleged on a specific date (January 17, 2025), not a date range. One possible explanation would be if the state wanted to have a misdemeanor crime in the charging instrument for plea negotiations.

[110] I did not order the court record of that hearing and listen to it. In my review of multiple cases involving serious charges, including child sexual abuse, the judges in Tillamook County fairly consistently released defendants without bail to a third party, regardless of any objection lodged by the DA.

[111] A psychosexual evaluation is a psychological evaluation conducted by a licensed psychologist. The evaluations typically consist of a battery of standardized, scientifically validated psychometric test for assessing cognitive functioning, personality disorders, and risk of sex offense re-offending.

- I asked [redacted] if he had any guiding policies during plea negotiations for this type of case, particularly since Sex Abuse in the First Degree carriers a mandatory 75 month prison sentence. He said the negotiations were run through his chain of command. He did not remember [redacted] having much involvement with the case but he remembered running a lot of things by DA Olson "to make sure that we're treating people similarly." He said this defendant didn't have a criminal history and was young. [redacted] did not, however, tell me what the negative things were in Pozos's psychosexual evaluation.
- Having referenced the psychosexual evaluation, I asked [redacted] if the reports of the other alleged sexual assaults were provided to the evaluator and he said no, he did not provide them to the defense but believed he may have said something to the defense attorney about another investigation.
- In discussing the case involving the younger sister, [redacted] said the detective who investigated the case was "completely devoid of any emotional involvement in the case." [redacted] said the detective received a report, conducted an investigation, forwarded reports to the DA's office, and then didn't have further involvement.
- By contrast, [redacted] said [redacted] ([redacted]) who conducted the other case (involving the [redacted]) "sent his report with completely uncorroborated second and third hand statements about what occurred between defendant and victim. There was no subsequent follow up with the defendant himself. Now granted, he was represented, but no effort was taken to reach out to [the] defense attorney to arrange an investigation or interview or an interrogation of defendant once the second case was initiated by the sheriff's office. So I was waiting for more information to come in that never materialized. So based on uncorroborated statements, there was nothing, there was minimal, if anything, to take to a grand jury for a second case." I asked [redacted] if there was only one victim in the second investigation (because I had understood there were two) and he said there was only one. He then stated, "However … in the investigation was a third hand report of some other allegations … victim two was telling victim one that 'He also did this to me.' And victim one told that to [redacted], and [redacted] used that as, like I said, an uncorroborated statement as evidence." I asked if [redacted] ever reached out to the second victim to see if she would speak to him and [redacted] said, "It doesn't appear as much, no." [redacted] said, "I mean, if more evidence came to light that showed that he did it, I was fully prepared to take it to the grand jury. However, nothing else came to light." [redacted] did not provide any information about how [redacted] was "emotionally" involved in the case.
- I confirmed with [redacted] that he eventually no-actioned the case. I asked him if he personally reached out to the victim to explain the decision, and whether that was his typical practice when no-actioning a case like this (where a victim may conclude that they weren't believed as opposed to explaining to a victim that there was simply insufficient evidence to convict).[112] [redacted] said there was no request in this case by the victim to meet, but that he liked speaking to victims even though he did

[112] [redacted] had told me that the victim was a classmate of Pozos, and that he believed she was a juvenile. [redacted] had told me she was 18.

not think that was the practice of all the attorneys in the office. He said the only contact he did have on the case was from [redacted], who emailed him asking [redacted]." [redacted] said he did not email him back; he called [redacted] three or four times but the calls were not returned. I asked why he called him and [redacted] said it was to explain what he had just told me (that if there was evidence to show Pozos did it, he would take it to grand jury, but nothing else came to light). [redacted] said he did not want to put that in an email.

- I asked [redacted] if his victim assistance reached out to the victim(s) to tell them the case was no-actioned and he said he did not think they ever did, stating, "part of that was, I believe I waited two or three months and no further information was coming in. It was, 'I'm handing you this steaming pile of crap,' that's what I considered the police report. I'm waiting for more. There's got to be more than this, right? And nothing was ever forthcoming."

6. State v. Christopher Blevins, [redacted], [redacted] [including audio record]
   a. This case was brought to my attention by Valerie Bundy. Valerie discussed this case in the context of the DA's office's response to sexual assault cases in general. Valerie had identified [redacted] as unprofessional, both under DA Porter and DA Olson, and provided this case as one example. The case was an adult domestic violence sexual assault involving a married couple with children. Valerie said that she recalled the time frame from initial charging to trial was approximately 8 months, and that [redacted]'s first meeting with the victim, [redacted], was the day before trial. Valerie said her employee, Tides of Change advocate Monica Bernal, accompanied the victim for a meeting with [redacted]. [redacted] was telling the victim there was "not a lot of evidence", and the victim asked, "Well what about my forensic exam?" [redacted] was unaware such evidence existed. Ms. Bernal told [redacted] she was also present when the sheriff's office took follow-up photos of the victim's injuries and [redacted] said he did not have those either. [redacted] told the victim and Ms. Bernal that he now had to tell the defense attorney, and the defendant was going to get released, and that the advocate should have made sure he had this information.
   b. Valerie explained that she emailed DA Olson and they met by phone when she learned of [redacted]'s statements (about her advocates having some responsibility to convey investigative information). I asked Valerie to tell me about her phone call with DA Olson. Valerie recalled it as one of her first interactions with DA Olson. She said DA Olson listened to her concerns, agreed that's "not how it should have happened" but she "felt like a lot of blame was shifted to the Sheriff's Office for not giving them all of the information they needed." Valerie said DA Olson did agree it was not Tides of Changes' responsibility to get medical records to them. I asked Valerie if she told DA Olson her concerns about [redacted]'s interaction with the victim. Valerie said, "I did express that. I felt like because the victim also came back and I saw her upset and crying, that both the victim telling us and the advocate was like, it very much felt that [redacted] was blaming the victim for the case not being ready. And so I did share, this isn't the victim's fault. She's done everything that you would ask a victim to do, and that the response shouldn't have been that it was her responsibility. So I did express my concerns that the

way he responded or reacted wasn't professional." I asked Valerie if DA Olson, hearing about the conduct of [redacted], agreed that it was not professional? Valerie said, "I don't think she agreed because she wasn't present, nor was I, but said that she would have a conversation with him, and that's all I heard." I asked Valerie if her advocates reported any improvements in the way [redacted] interacted with victims since then and she said no. She commented, "I think that we see less of cases with him since then."

c. I reviewed the court record in the case, including listening to the audio record of each of the court appearances. The defendant was indicted August [redacted], 2023 for two counts of Rape in the First Degree (forcible compulsion) and two counts of Sexual Abuse in the Second Degree constituting domestic violence (as lesser included offenses) from two incidents occurring August 7 and August 8, 2023. The victim testified at grand jury. The defendant was held in custody. Trial was scheduled for March 19, 2024 with a Final Resolution Conference (FRC) the week before. At the FRC, [redacted] asked the court for 30 minutes the morning of trial to meet with out of state witnesses to caution them not to speak about prior abuse incidents. Late in the day on March 18, 2024 the court held a hearing (that was likely special set by the parties) where [redacted] advised the court that he learned of medical records and photographs, and that he is trying to get them to the defense attorney. When asked whether the state was moving to continue the trial, [redacted] said, "I mean the state would like to see those reports and photos" and that a "reasonable juror" would want to know why the state didn't get those photos. [redacted] requested a new trial date "if the court was willing." The defense attorney advocated for his client's release; [redacted] did not advocate for him to remain in custody for the victim's safety. The judge essentially convinced the defendant to consent to a setover because it was in his best interests for his attorney to have all the evidence in the case. Trial was rescheduled for April 16, 2024.

d. I listened to the jury trial, including pretrial motions that took place the morning of the first day and jury selection. I did not find any written pretrial motions from the state,[113] and the record reflected that [redacted] made an oral motion to introduce limited evidence of prior abuse. He cited cases that he stated he "didn't have a chance" to print off for the court.[114] [redacted] called the victim to the witness stand to offer testimony as an offer of proof. It did not appear that she was prepared in any way for the questions. After her brief testimony the judge invited argument, and [redacted] suggested that the judge could just look at "Kirkpatrick" and go to the page where Kirkpatrick talks about this kind of evidence [prior acts evidence]. When the judge asked for the page number [redacted] said, "I don't have the page number." During the defense attorney's argument, [redacted] finds the page in "Kirkpatrick" and later provides it to the judge.[115]

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[113] There have been multiple appellate cases in Oregon where the courts have identified best practices for prosecutors – file pretrial motions to admit "prior bad acts" evidence. The Oregon Department of Justice criminal justice division and appellate division have also urged prosecutors to file written motions on this subject matter.

[114] [redacted] stated, "I apologize I didn't print those for the court … I thought I would have more time … I should have had those."

[115] Kirpatrick on Evidence is a well known legal treatise regarding Oregon rules of evidence. Laird Kirpatrick was a professor at the University of Oregon School of Law and his work is cited throughout the State of Oregon and the United States. He has such rock star status in the legal world that his work is often referred to simply as "Kirkpatrick".

e. After the jury was selected, [redacted] gave his opening statement. It was approximately 6 minutes in length. An opening statement is an opportunity for a party to tell the jury about the case and about the evidence they are about to hear. It's also the first opportunity to persuade, so the language an attorney uses can convey either confidence or doubt in the evidence. [redacted] did not convey confidence. He spoke to the jury telling them "I think" the evidence will be and "I'm assuming" the evidence you'll hear. [redacted] could not tell the jury details of the evidence because he did not appear to know them. Regarding evidence such as the defendant's recorded interview, [redacted] told the jury he "anticipates" they will hear the interview, and regarding photographs of the victim's injuries "we'll go ahead and try to enter some of those photos for you as exhibits." When introducing the nurse who examined the victim, [redacted] stated her name and then said she's a "NR" or an "RN" but that he's "not sure" and "she might have been a nurse practitioner" who did the exam. [redacted] told the jury in conclusion that both since both [redacted] and Christopher Blevins agreed there was sex, the evidence the jury would hear would not necessarily be about sex having occurred but will be about "the forcible stuff."

f. [redacted] called [redacted] as his first witness. His direct examination of the victim was 19 minutes long. His questions lacked empathy, did not provide any relevant background to the jury about [redacted], her family, her relationship with the defendant (except to have her identify him as her [redacted]), or even the crimes at issue. He was rude and abrupt with her when showing her photographs of *her own injuries* from the assault. It was clear [redacted] had never discussed her testimony or prepared her for court in any way. It was particularly painful to listen to how much information Ms. [redacted] likely could have provided had she been asked. After cross examination, [redacted] 's redirect examination was about 2 minutes.

g. After Ms. [redacted] testified [redacted] called witness Cynthia Martinez. She said the defendant and victim were her "[redacted]" and like family. As [redacted] began asking Ms. Martinez questions about what she observed on the day of one of the incidents there was an objection. The court took the matter up outside the jury's presence. [redacted] asked Ms. Martinez questions about what she heard and Ms. Martinez says she heard Ms. [redacted] say "harder" and "hurt me" and that Ms. [redacted] and the defendant had a "dom/sub" relationship. Ms. Martinez denied hearing Ms. [redacted] say stop and [redacted] asked her whether she "said that she heard her say no" at grand jury. Ms. Martinez stated the attorney conducting grand jury wanted her testimony to be a certain way. [redacted] asked, "From what you heard it was consensual?" and then said, "Welp, that doesn't help" and started chuckling. After a recess [redacted] orally moved to dismiss the case and reported that he had told the victim but she was crying and upset and left the courthouse.

h. On January [redacted], 2026, I emailed [redacted] and told him I wanted to ask him questions about this case. When I interviewed [redacted] on January [redacted], 2026, he told me the following:

- He said he remembered the trial and knew it was "going to cause issues." He said the prior DA made him prosecute cases when he did not believe the defendant was guilty. He discussed the Innocence Project and how he has wondered over his career how many innocent people are in prison because of him. [redacted] read me a saying

on his ODAA coffee mug.[116] He said this case was unique because in doing his job for 16 years, "Whenever you get a rape one, law enforcement responds a certain way. And in this case, I didn't see that response. It's almost as if they were disinterested. So that was my first concern." But he explained that he gave the victim the benefit of the doubt until he could no longer, explaining that he believed it was morally wrong to continue with the prosecution.

- I asked [redacted] if he met with the victim before trial and without responding directly to that question he stated "we" usually meet before trial but "I don't let them talk because you get in trouble ethically if they start telling you new facts."[117] I eventually came back to the question and he told me he did not remember meeting with the victim but it would make sense that he did.[118] When we got back on track [redacted] said, "As far as Blevins, I'm not sure what more I can do or say that'll help. I did what I did. I'm sorry. It was a decision I made that I felt was right. And looking back in the past, I guess forestall it, but it was one of those key moments in my career where it went the way it went and I did what I did."
- I asked [redacted] if he remembered telling the victim that there "wasn't really any evidence" and [redacted] acknowledged he did, "besides her testimony."
- I asked [redacted] if he remembered whether the police reports provided information that the victim had a medical exam and he said he did not believe that information was in the police reports. He said that in a case like this, he wouldn't necessarily subpoena medical records because they were a "[redacted]" and "they had sex" (as opposed to a forcible rape where there's "a denial" and "you gotta get the semen" to the lab).
- I asked [redacted] if he told the victim that the defendant was likely to be released from custody after finding out about the photos and medical records and he acknowledged that could have occurred but didn't specifically recall.
- I asked [redacted] if he recalled telling the Tides of Change advocate that they needed to inform his office of medical evaluations and photographs and he responded with, "Yeah, this is one of those things I was saying" without really answering my specific question. He again brought up that he wasn't really seeing law enforcement react consistently with the significance of the case. [redacted] explained that he was trying to salvage things last minute to avoid a setover. When I asked [redacted] if he was aware that Valerie Bundy from Tides of Change had spoken to DA Olson about the role her agency and the advocates had in the case, [redacted] acknowledged that he was aware of that and that DA Olson had spoken to him about it. When I again asked [redacted] if he ever told the Tides of Change advocate that they needed to tell him about evidence like a SANE exam and photographs, [redacted] said that he recalled it being more like "Could you tell me when you get them."

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[116] I was familiar with the saying, from the chief prosecutor on the Nuremburg trials: "The citizen's safety lies with the prosecutor who tempers zeal with human kindness, who seeks truth and not victims, who serves the law and not factional purposes, and who approaches his or her task with humility."

[117] See [redacted]'s statement section for more information on the ethics of preparing witnesses for trial.

[118] [redacted] got sidetracked explaining his frequency of being in trial, how he prepared, how many he averaged each month or year, etc.

- I asked [redacted] if he remembered being asked at multiple court appearances by the judge to state the maximum penalty if the defendant was convicted at trial. [redacted] stated it was 100 months because it was Rape I. I asked [redacted] if he was aware of the Major Felony Sex Crime statute requiring 25 years in prison on a second or subsequent conviction for Rape in the First Degree. [redacted] said, "Yeah. I've always, maybe it's on me. I've always treated that as separate convictions from a different hearing."[119]
- I asked [redacted] about witness Cynthia Martinez's testimony. I specifically asked him if she testified inconsistently at grand jury than her testimony at trial. Instead of directly responding he said, "As far as impeaching her and how to go forward, I did give it some thought." I asked again if she testified under oath at grand jury differently and [redacted] confirmed she did. I asked, "And you decided not to impeach her with prior sworn testimony?" and [redacted] confirmed that was correct, stating he didn't really believe beyond a reasonable doubt.
- I asked [redacted] if he was aware the victim had filed for [redacted].[120] He said he was not and would not typically seek out such information.
- I asked [redacted] if he recalled his opening statement, saying to the jury he assumed they would hear certain evidence and not knowing the professional certification of a key witness (the SANE nurse). Specifically, I asked him if he thought that conveyed the necessary confidence a jury may expect from the prosecutor. He responded with the following: "Well, I think it might demonstrate where I was already, as I said, feeling. I think maybe a lot of what I was saying was, "That's interesting." So it's already showing right there because I'm the type of person that can't really control ... My brain says kind of how I'm feeling, and I would agree with your statement, and I think that would actually make sense, because that would already tell you, I was already at the point where I was starting to think the guy was not guilty, and I was probably internally having a little bit of a freak out, and I think subconsciously it was starting to show. Okay. That's a really good point."

7. State v. Shannon Anderson, [redacted], [redacted] [including audio record]
   a. This case was brought to my attention by Valerie Bundy. Valerie said she was on call[121] for this DV strangulation case and had conducted outreach with the victim by phone when the defendant was arrested (during the weekend). She recalled one of the facts

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[119] ORS 137.690 requires a court to impose a mandatory minimum term of 25 years in prison if a person is convicted of a major felony sex crime (which includes Rape in the First Degree) if the person has one (or more) previous convictions for a major felony sex crime. The statute defines a "previous conviction" to include a conviction in the same sentencing proceeding if the conviction is for a separate criminal episode. Because Blevins was charged with Rape in the First Degree from two separate dates, this sentencing statute applied.

[120] I did a search on eCourt and found that shortly after the defendant's arrest, Ms. [redacted] filed for [redacted]. In the petition Ms. [redacted] asked for custody of their four children and sought no [redacted] or child support. The defendant filed a response while in custody and the trial was scheduled after his case was dismissed and he had been released. He did not appear at the trial, and the court granted Ms. [redacted] sole custody of their four children and ordered no support.

[121] Valerie described that under DA Porter and former DDA Paul Binford they established an "advocacy initiated response" to work with law enforcement. She described Tillamook PD and the Tillamook County Sheriff's Office as "big components of the advocacy" (less so Manzanita PD). The process involved law enforcement contacting an on call advocate from Tides of Change when they responded to DV calls so that an advocate could immediately connect with a victim to provide safety resources and services.

being that the defendant was "waiting for law enforcement with a gun" but that he was so drunk he fell asleep before police arrived.

b. She had received a call from the jail release officer Monday morning telling her that the case was being no-actioned and the suspect was "being led of jail right now". The release officer was asking her if she could call the victim. Valerie said she did and learned that the defendant had already called her and she was on her way to pick him up at the jail and she told Valerie, "I have to go." Valerie said her agency never heard from the victim again but did hear from the release office that charges were later filed, but "they couldn't reach the victim anymore. But husband's been home."
c. Valerie originally told me about this case in response to me asking her if she was aware of any situation where a DV charge had been no-actioned by the DA's office and the suspect was released without a no-contact order and then re-assaulted the victim. At the time of our interview Valerie did not have any information about the suspect or victim's name and only a vague belief that the incident had occurred "in the past year." Also, Valerie did not have information that this defendant had re-assaulted the victim; rather it stuck out in her mind because of how quickly the defendant was able to get back to a victim that she had made a connection with. "I don't know if an assault has happened."
d. On December 8, 2025 I emailed Valerie asking if she could provide me with either a docket number or the defendant's name regarding several cases she had talked about during her interview. On December 10, 2025 Valerie emailed me with the defendant's name (Shannon Anderson) and a docket number (24CR48704).
e. I reviewed the court record in the case, including listening to the audio record of several of the court appearances, including the trial. The incident occurred on August 16, 2024 (which was a Friday). The defendant was charged by District Attorney's Information on September 17, 2024 with DV Strangulation and Harassment.[122] , and he was arraigned on October 11, 2024. He was released subject to a conditional release agreement that day and the "no contact" portion of the release agreement was whited out (so the defendant was not prohibited from having contact with the victim). The defendant was ordered not to possess guns but "may possess guns for purpose of hunting with Richard Leer only."
f. On December 2, 2025 the case was scheduled for a February trial. Judge Hill inquired if the victim had been notified of the hearing and [redacted] says, "by email." After trial was set, the state did not seek an indictment for felony Strangulation. A motion to continue the trial was filed in February and trial was rescheduled to March. At the FRC on March 10, 2025, [redacted] and the defense reported ready for trial, that the case would not resolve, and in response to a question from the court about whether there were any trial issues to discuss, [redacted] said, "I'm gonna say no."
g. On the day of trial, March [redacted], 2025, Judge Hill asked if state was ready to proceed and [redacted] said "We can with the facts" but that "witnesses aren't here yet". After a brief recess the judge resumed the bench and [redacted] said that his witnesses, including the victim, were there. Judge Hill asked [redacted] if he needed a few minutes with his witnesses, and he said, "Uh, sure." When the judge again took the bench he asked [redacted] if there was "a last best offer" and [redacted] recounted the same plea offer (previously recounted at the prior appearances) was still open to the

[122] Strangulation is a Class C felony if it involves domestic violence. This was charged as a Class A misdemeanor. A prosecutor may elect to file felonies as misdemeanors. This was a subject I asked DA Olson about during my interview with her.

defendant. The plea offer included a requirement for the defendant to be evaluated for treatment, and [redacted] said it was "not clear what type of treatment any eval would recommend." [redacted] again told the judge that there were no pretrial matters that needed to be addressed (prior to jury selection or the presentation of evidence).

h. After the jury was selected, [redacted] delivered an opening statement that was 2 minutes and 23 seconds in length. [redacted] told the jury that [redacted] called law enforcement around 10:30 p.m. on August 16, 2024 and that law enforcement responded "to an incident." Ms. [redacted] was contacted and "she alleges she only had one shot" but that [redacted] had been drinking. "She was in bed, he puts both hands on her throat, she couldn't breathe until he let go, and she recounts that to the deputies, uh, there's one photo we are going to enter, showing a slight scratch on the neck, trying to document anything they can of strangulation, and then there's a short video of a conversation with the defendant [redacted] at the scene as well. You're gonna hear from Ms. [redacted] Deputy Cummings. We do have another witness, [redacted] State may or may not call. He is the adult [redacted] lives across the street. Limited involvement. Not quite sure what the testimony would be from him so much, beyond the stuff that occurred prior to him going back across the street and this stuff getting reported." [redacted] said after all the evidence the jury would hear his closing argument.

i. [redacted] called Deputy Cummings first, asking questions that were largely irrelevant to the case (i.e. where he "normally" worked in the county as opposed to the call he ended up responding to). The deputy was unprepared for the questions. The deputy did not have specific times, other than to say the call came in after dark, and [redacted] did not assist him.[123] Deputy Cummings said when backup arrived the [redacted] of [redacted] guided police in, there was a fence that went around the main entry of the trailer, and he went to the main entry of the trailer and that's where they contacted [redacted]. [redacted] asked Deputy Cummings if [redacted] were separated and then asked him to identify a recording of Mrs. [redacted]'s statement. The defense attorney objected at that point and the jury was excused. Then, the defense attorney was permitted to ask Deputy Collins (in aid of his ultimate objection) if he was *present* for Mrs. [redacted]'s interview and Deputy Cummings testified not for the entirety, that Deputy Alt was conducting the interview and he was clearing the defendant's firearm and doing other tasks, but he was present for some of it. The defense attorney objected to the recording being admitted due to a "lack of foundation" and the court sustained the objection on foundation.[124] [redacted] made no further attempt to

[123] Every police agency uses a CAD system (Computer Aided Dispatch) to document exact times of calls, summaries of 911 statements, dispatch and arrival times of police, fire and ambulance personnel, as well as witness names, their statements, and contact information. The CAD report contains a wealth of exact information (because the exact times that events occur are simultaneously entered into the system that generates the report) and is invaluable to assisting witnesses with precise information.

[124] [redacted]'s clearly anticipated the objection because he had told the defense attorney Deputy Alt was unavailable for trial. [redacted]'s arguments related to the requirements of foundation were correct, in that foundational requirements for evidence are minimal. A different judge may have found his foundation sufficient. However, [redacted] also could have called the victim to the witness stand in a foundation hearing, played the entire body cam video for her, and asked her if she was the individual depicted in the video. That would have laid a sufficient foundation.

offer the victim's recorded statement through other means (e.g., the victim herself, her son, another law enforcement officer who may have been there).

j. The judge then asked if the parties were ready for the jury to be brought back into the courtroom and [redacted] stopped him. [redacted] told the judge that the state was not able to get Deputy Alt to trial because he went to Idaho[125] and that his strategy was that he was going to try to get that recorded statement in (through Deputy Cummings). [redacted] then said that with the "sustainment on foundation" and the position the victim has taken, "and I've told this to Mr. Lyon, she's already said she doesn't remember, and so if I couldn't get it in, and I can only get it in impeachment wise … I think the state needs to move to dismiss." [redacted] told the judge he was sorry if the court thinks it's a waste of time but the state thought "I could get this in". [redacted] did not raise this evidentiary issue in a written or oral pretrial motion before the trial. Without calling the victim to the witness stand, it would be impossible to know what she would say under oath, whether she would actually say she did not remember *anything* about the event, or whether she could watch the video of her statement to police and agree that was her on the night in question. She was certainly present for the entirety of her interview with Deputy Alt, even if Deputy Cummings was not. [redacted] also did not call the adult son to testify so it is also impossible to know whether he could have provided the requisite foundation.

k. On January [redacted], 2026, I emailed [redacted] and told him I wanted to ask him questions about this case. When I interviewed [redacted] on January [redacted], 2026, he told me the following:

- I started out by asking [redacted] why he did not charge the defendant with Strangulation as a felony because it was a domestic violence case. He stated, "This was a DV case where the victim didn't really care. She did not want to go to trial. I was forcing her there and I decided to just go the misdemeanor route because I understood what she was saying, okay?" [redacted] explained that there is a practice in Tillamook County of judges, even on serious DV cases, allowing victim contact if victims ask for it. Which means that they can live together, they show up for court together, and there are no more reported incidents. [redacted] explained that this was different than Grant County (where he started his prosecution career) and it had been a frustration of his. "So it's real hard. DV cases here are a little bit hard. And I already kind of knew going forward that I didn't think felony was the angle. My main concern was the assault rifle. I did not like that. I recall, for me, that immediately stood out that when they approached him on the porch, he had that assault rifle … with [a] 30 round [magazine]." I asked whose safety he was most concerned with and he said the victim's and approaching law enforcement. I asked him if he pursued a conviction on felony strangulation if that felony conviction would then prohibit [redacted] from possessing a firearm in the future and [redacted] said that even a DV misdemeanor would prohibit it, "so I guess we get the same result."[126]

[125] I later learned Deputy Alt had left employment with the sheriff's office and took a job in Idaho.

[126] It is a Class A misdemeanor (Unlawful Possession of a Firearm, ORS 166.255) for a person with a conviction for a qualifying misdemeanor (DV offense that involves the use or attempted use of physical force) to be in possession of a firearm. It is a Class C felony for a felon to be in possession of a firearm. ORS 166.270. Furthermore, felon in possession of a firearm is a crime seriousness "6" on the sentencing guidelines. If a defendant had one prior felony person crime conviction and no other criminal history, that person would still be a "D" on the sentencing guidelines and the presumptive sentence for a conviction for felon in possession of a firearm would be 13-14 months in prison.

- [redacted] continued, “I recall ... I already knew the victim didn't want to go to trial, and I'm not sure who complained about this one, because it seems like I did what the victim was asking me to do, so interesting where that complaint came from.” He stated Deputy Alt took employment in another state similar to many other law enforcement officials who had fled Oregon due to law and policy changes (e.g., decriminalization of drugs, invalidating the automobile exception, etc.). [127]
- [redacted] told me his strategy was to introduce the victim’s statement recorded on Deputy Alt’s body camera. I informed [redacted] I had listened to the trial and was aware of what occurred in court. I asked him instead whether he believed the victim would lie. [redacted] did not answer but said the victim “didn’t really want to meet with me at the trial prep.” Going back to my question I asked [redacted] if he put the victim on the witness stand, and asked her, “What happened?”, did he believe she would testify inconsistently with what she had told the police. Before I could finish my question [redacted] said, “So here's what happened, right? I tried to get the body cam in. I got really pissed with Judge.” I again told [redacted] I had listened to the trial. [redacted] continued, “I got really annoyed with Judge Hill. And so he didn't get my DV hearsay in on the body cam because I was going to get that in and then bring her in for cross examination. And now I have substantive evidence that I can … do a good closing and regardless of what the victim says, I can say ‘He did it.’ But right when he knocked it out, I immediately knew I was done. And this occurred right in front of, I think it was Mr. Lyon [the defense attorney] in the hall. She's like, ‘I don't remember anything.’ And so if I call you up there, you're just going to say you don't remember anything? She's like, ‘I don't remember anything.’ And so I was like, okay. So I guess I could have impeached her with it, but then it's not substantive evidence. And I knew I was 15 minutes to a directed verdict. She's asked the case to get dismissed. They've already been living together three or four or five months with no more reported incidents. So I was like … the only people who know what happened there is the defendant and her and the defendant's just like, ‘I was too drunk to know anything.’ And she's like, ‘I don't remember.’ And so I was like, well, she wants it dismissed, I guess I'll dismiss it. [128]

8. State v. Timothy Neahring [redacted], [redacted]
   a. This case was brought to my attention by TCSO [redacted]. (Item #1 in [redacted] complaints.) [redacted] told me no charges were filed involving the child victim, ([redacted]) [redacted], because [redacted] told him, “[redacted] drinking

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The difference between misdemeanor Unlawful Possession of a Firearm and Felon in Possession of a Firearm is significant.

[127] [redacted] briefly took a tangent, stating, “That's why I hate what's going on because I used to have such camaraderie and now I'm getting labeled as part of ... I'm not one of the guys anymore. And so the dynamics of the relationships are shifting.” He appeared to be referring to the investigation.

[128] The rules of evidence account for scenarios where witnesses do not remember statements. There are scenarios where a witness says, “I don’t remember” because it’s preferable to lying, others where a witness says “I don’t remember” because it’s too difficult to answer the question, and still others where a witness says “I don’t remember” because they genuinely do not remember. This is why police officers or other witnesses are allowed to refresh their memories with reports, and it’s why recording interviews is ubiquitous in law enforcement investigations.

makes her a bad witness to felony sex abuse." [redacted] said it did not make sense that [redacted] (adult victim) could be a victim but not a witness to conduct involving abuse of the child victim, [redacted]. When [redacted] questioned [redacted] about her assessment, [redacted] told him, "This is my decision." [redacted] believed it was incompetent to say a person could not be a witness to the crime occurring in front of them but could be a victim for the same conduct, and that it was negligent by not protecting a [redacted] year old. [redacted] also complained because the defendant was not prohibited from going on cruise with [redacted] ([redacted]) because an arrest warrant was not timely issued and there was no charge involving her (thus no prohibition regarding contact).

b. I researched 24CR42397 in eCourt and found that the case was initiated on August 16, 2024 when [redacted] filed a motion for an arrest warrant for Sexual Abuse in the Third Degree and Harassment. I discovered that [redacted] attached approximately 15 pages of police investigative reports to her declaration.[129] I reviewed the reports which revealed the following information:
   - A DHS cross report was made to TCSO regarding an incident that reportedly occurred July 28, 2024. [redacted] began his investigation on July 31, 2024.
   - [redacted] spoke with 21-year old [redacted] on that date. She said that on July 27, 2024 she was at her [redacted]'s residence (Timothy Neahring) and he had given her money to buy alcohol and the two of them were drinking and eventually Neahring's [redacted]-year old [redacted] [redacted] joined in. [redacted] said that for about a year prior to that there had been instances when Neahring would touch her and [redacted] on the "butt" or "boobs" and then would cover with "Oh, I'm sorry" if they moved away. So she was unsure whether these previous incidents were truly accidents. At some point she got into the hot tub with Neahring and [redacted], initially with all of them in swim suits. They got out so [redacted] could "vape" and Neahring suggested they all go skinny dipping. All three of them then got back into the hot tub and both [redacted] and [redacted] were naked; Neahring was standing outside the hot tub, naked, before getting in with them. [redacted] described that he touched her on the breast and then he touched [redacted] on the breast. They both got out of the hot tub to get away from him, take a shower and go to bed. While in the bathroom, [redacted] said Neahring (still naked) kept coming in and she was telling him to get out, she and [redacted] were naked, and he was saying, "Sweetie it's nothing I haven't seen before." [redacted] said she and [redacted] eventually went to bed and she received a text from Neahring saying, "l would love to go down on either one of you or both of you at this point if you change your mind." She texted him back saying, "Wtf[redacted]" and he replied by text, "I am so sorry shouldn't have said that am sorry", "l am so wasted", "That was so wrong of me please forgive me. My auto correct just made me out to be pervert." The text messages were still on [redacted]'s phone. After receiving the text from Neahring, [redacted] called Carla, Neahring's wife who was out of state, and told her what

[129] Since this police investigation involved an allegation of child abuse as that is defined in ORS 419B.005, the reports are confidential. *See* ORS 419B.035. In conducting my investigation, I had no basis to request a copy of the investigative reports from the sheriff's office to review (for this or any other case). When a party files a document in eCourt, the party can elect to file it as a "confidential" document, which would be viewable only by the court and not be viewable by any member of the public (including the attorneys involved in the case). The police reports in this case should have been filed confidentially.

happened. Carla's immediate response was to blame the girls saying, "What are you doing trying to set him up? This is why I don't let him drink." [redacted] left the house with [redacted] and called her brother to come pick her up. She also told her brother's stepmom about what happened because she worked for DHS; she believed that's who reported the incident.

- [redacted] was interviewed at a child abuse center and according to [redacted]'s report said her mind blocks out traumatic events. Notably, it was [redacted] Carla who drove her to the appointment for the forensic interview. [redacted] had seen [redacted] crying in the car before coming into the facility. As part of his investigation [redacted] had [redacted] send a pretext text message to [redacted] and ask her if she remembered Neahring touching her breast and [redacted] said she did.
- [redacted] interviewed Neahring who admitted to being with [redacted] and [redacted], drinking alcohol with [redacted] and [redacted], becoming very intoxicated. Neahring remembered getting into the hot tub with the two girls but initially said he did not remember what occurred in the hot tub. Neahring's was described as laughing at times during his interview, as he acknowledged the convenience of remembering the day up to the time the abuse occurred. When pressed, Neahring slowly acknowledged bits of what happened in the hot tub: [redacted] and [redacted] talking about breast size, [redacted] and [redacted] talking about skinny dipping, him maybe suggesting they skinny dip later in the evening evolving to him agreeing he did suggest it, him acknowledging that he gets "horny" when he's drunk. When confronted with what he had already told his wife Carla (whom police had interviewed), Neahring eventually stated that he remembered being in the hot tub with the girls, he remembered them talking about breast sizes, he remembered suggesting they skinny dip, but he just did not remember touching their breasts. Neahring never denied the allegations of groping them. Neahring also acknowledged that he did send the text message to [redacted] that his reference of "going down" on them was to perform oral sex, and that such a message could not have been an auto correct from his phone.

c. In reviewing the case file, the defendant was initially released with a prohibition of contacting any minors. His attorney filed a motion to modify the release agreement to allow him to have contact with minors because (1) no criminal charges were filed involving [redacted]; and (2) DHS was no longer involved with the family.[130] [redacted] *objected* to the modification of the release agreement. Over that objection, Judge Trevino nonetheless granted the motion to modify the release agreement and the minor contact prohibition was removed.
d. On January 6, 2026, I emailed [redacted] indicating I wanted to speak to her about this case. I also identified this case to DA Olson in an email on January [redacted], 2026.[131] When I interviewed [redacted] on January [redacted], 2026, she told me the following:

[130] Defendant had other minor children residing in the home. The defense attorney's declaration also noted that the DA's office requested the arrest warrant August 16, 2024. The court *issued* the arrest warrant August 19, 2024. The defendant was out of the area on a "preplanned family vacation". The defendant turned himself in on Sunday, August [25], 2024 upon his return from his vacation. The release agreement prohibited contact with any minor.
[131] During my initial interview with DA Olson, she told me that [redacted] wanted her to sit in during her interview. That occurred. On a few occasions when I was asking [redacted] questions, DA Olson interjected with a response.

- I asked [redacted] if she recalled telling [redacted] that [redacted] drinking makes her a bad witness. [redacted] stated, "I could have said in being frank with an officer that if they're intoxicated, not necessarily because it's a sex abuse, but in general, because they're under the influence and their memory and so forth, it could have effect on their ability to be a witness."
- I asked [redacted] if she recalled [redacted] saying it did not make sense to him that [redacted] could be intoxicated and a witness to her own abuse but not to [redacted]'s. [redacted] stated she did not recall whether [redacted] did or did not make that statement to her. When I asked if she remembered telling [redacted] that, "This is my decision" she stated that it may have gotten to the point where she said that based of [redacted]'s demeanor toward her. When I asked about that demeanor she explained, "He is confrontational at times and he questions a lot and he doesn't, you try to explain things, doesn't listen to the explanation and [has] blinders on a little bit." She said she had spoken to his supervisor about it but did not know if it had been relayed to him.
- I asked [redacted] if she recalled any delay in applying for an arrest warrant or having any information about Neahring going on a cruise with [redacted]. [redacted] vaguely recalled something about the defendant leaving the area but said she applied for the arrest warrant and if there was a delay that may have been on the court's end. At that point DA Olson, who appeared to be looking at the case on her computer, was able to give specific dates about the timing of the case in her office, the filing of the case, and the issuance of the arrest warrant.
- I asked [redacted] if she could explain why she did not charge Neahring with any crime involving [redacted]. [redacted] said [redacted] did not say the same things as her 21-year old [redacted], didn't want to talk about it, didn't remember. I asked if there was other evidence that could have led to charges against [redacted] and [redacted] said, "Not that I saw." I referenced the police reports I was able to review in the case and pointed to [redacted]'s statement that Neahring had touched them both on the breast. [redacted] said she evaluated the information she had to see if she could prove it beyond a reasonable doubt and "made the decision that I made." I asked her if she ever personally met with [redacted] or [redacted] to talk with them about the case, what might be remembered or if there may be a reason [redacted] did not remember something. [redacted], "I will never … [she then said she did not talk with [redacted] but did talk with [redacted] but not about the facts] that would be talking about the facts of the case and I … I will not talk about the facts of the case outside of grand jury or inside of trial." [redacted] said she had reviewed the text message between [redacted] and [redacted] but believed they were vague. When I asked her about the text message Neahring had sent the morning of the incident to [redacted] (saying he would "love to go down on either one or both of you") I asked [redacted] if there could be a criminal charge related to "going down on a child." [redacted] abruptly responded, "I'm not going down this line of thinking. You can second guess any charging decision way, way back at the time. These are the charging decisions I made, and that's what it stands as. Anybody can second guess anybody else on ... Everybody has a different point of view." [redacted] then stated, "Next" (which I understood to mean that she was telling me to move on). I stated to [redacted] that my question was not intended to be accusatory, and she replied that it was

"coming across that way." I apologized to her if my tone seemed accusatory, explaining that I was only following up on a complaint, and that I believed it only fair to give her the opportunity to respond to the complaint. [redacted] said that she was willing to talk to [redacted] if they wanted to speak to her, saying "I do it all the time" and she had done it with [redacted]. She added that the Neahring case was from July of 2024 and wasn't fresh in her mind, "I can't remember what I was thinking along those lines at that point in time."

e. On January 13, 2026, I asked DA Olson some procedure questions related to confidential filings and brought the pleading in this case to her attention. DA Olson told me the following:
   - I asked DA Olson about the motion for arrest warrant. I explained that the police reports were attached to [redacted]'s declaration and contained sensitive information regarding a child sexual abuse investigation. I asked DA Olson if she had a "practice or procedure that you ensure your DDAs are filing declarations confidentially when it includes sensitive information." DA Olson responded by saying she would need to "go back and look at that" because her office recently learned in July that documents they believed were filed confidentially were not in fact made confidential by the court (referencing a probable cause statement filed in a homicide case). DA Olson did not state that she had a practice or procedure in her office for filing certain types of documents confidentially.
   - During my interview of [redacted], I asked about the timing of the application for an arrest warrant and whether [redacted] had been made aware of defendant Neahring leaving on a cruise with [redacted] year old [redacted]. DA Olson responded by saying that her office had received police reports on August 8th, filed charges and applied for an arrest warrant August 16th, and an arrest warrant was issued on August 19th, with the warrant being cleared August 25th. DA Olson said that was "very fast in my experience" and "far exceeded" DA Olson's timeline requirements for reviewing cases.

9. State v. Gregory Carroll, 24CR58965 and State v. Johanna Harding, [redacted], [redacted] [including audio record]
   a. This case was brought to my attention by TCSO [redacted]. (Item #4 in [redacted] complaints) and David Richmond, Program Manager with Developmental Disability Program in Tillamook County.
   b. I asked [redacted] to provide me with a brief overview of the criminal investigation so that I could understand the case. I asked David Richmond for case information as well. He explained that his abuse investigator, Kylie Petrie, had the most detailed knowledge of the case so I interviewed Ms. Petrie.[132] Those interviews revealed the following about the facts and investigation:
      - [redacted] was investigating a child abuse case involving a child who lived in the Greg Carroll/Johanna Harding residence (Johanna Harding's teenager, [redacted]). During an interview, [redacted] identified that [redacted] a 62 year old dependent female, lived in their house under the care of Greg and Johanna. [redacted] said that [redacted] was not cared for properly. [redacted] said [redacted] was nonverbal, wore a

[132] I did not obtain or review any investigative reports from the case.

diaper, needed help with bathing and getting food. [redacted] said [redacted] was fed table scraps and rotten, moldy food. [redacted] believed Greg and Johanna hit [redacted]. [redacted] said Greg (who was [redacted]'s stepdad) would yell at [redacted] and say, "That's why we give you cold showers." [redacted] also described that Greg and Johanna left [redacted] in the car for hours at a time seat belted in with a child lock that she can't undo, even referencing specific times this had occurred.

- After receiving this information from [redacted], law enforcement, DHS, and Developmental Disability Services went to Greg and Johanna's house to talk to them. The first time they attempted contact, nobody was home and they learned that the family had gone to a basketball game in Polk County. Concerned about the report they had received that [redacted] was sometimes left in a car, law enforcement asked a Polk County deputy to go to the scene. The deputy found [redacted] alone in the car and was concerned about leaving her there. Apparently a parent advised Greg that a deputy was looking into his car so he left the gym and was sitting in the car with [redacted] when a disabled services employee arrived. [redacted] was not removed from Greg and Johanna's care at that time.
- Law enforcement went to Greg and Johanna's residence on a different day and found them home. [redacted] was there as well. The abuse investigator and law enforcement conducted an investigation and attempted to document the conditions. [redacted]'s "bedroom" was the laundry room. She had a bed and a small table with puzzles on it. There were three doors – one leading to the yard outside that was locked, another leading downstairs that was locked, and a third that into the hallway that accessed the bathroom. That door had a bolt lock on the outside, which Greg explained was because [redacted] would get up in the middle of the night and eat. [redacted] and Investigator Petrie interviewed Greg and Johanna. [redacted] recalled hearing crashing-type sounds from [redacted]'s room and neither Greg nor Johanna got up to check on her. He recalled [redacted]'s diaper being soiled and needing to be changed by disability services. [redacted] was mobile and able to walk on her own, and was ultimately removed from the home that day. There was brief investigation into finances while at their residence but due to Greg's agitation the decision was made to investigate any financial fraud at a later time.
- [redacted] also interviewed Greg's father who said the family (Greg and Johanna's family) would come over to his Tillamook County residence for Sunday brunch or dinner and they would leave [redacted] in the driveway for hours at a time and not go check on her.
- The investigation never confirmed the allegation that [redacted] was fed scraps of food or that she was hit by Greg or Johanna.

c. In [redacted]'s written complaint, he recounted his contact with [redacted] on the day of grand jury. When I interviewed [redacted] on November 19, 2025, he explained that when he appeared to testify at grand jury, [redacted] told him that he should have sent the case to Polk County instead of Tillamook, in a manner that he believed implied she had told him this information previously. He expressed frustration because she had not communicated that to him previously. He said it felt like the "Twilight Zone." [redacted] said that [redacted] told him the Polk County case involved a police officer witness instead of a family member. [redacted] also overheard [redacted] talking to David Richmond and Kylie Petrie and telling them

first that she would not pursue any theft charges because "the trust" was created in California, and then he believed she changed her answer to say that the financial stuff was a civil issue. [redacted] said he testified at grand jury and an indictment was issued.

d. [redacted] described that a day or two before the scheduled trial he had a phone call with [redacted] where she told him he needed to be familiar with abuse investigator Petrie's report (which he said was over 50 pages in length) because the defense would ask him certain questions about it. When he started to say to [redacted] how he would respond to their questions she immediately stopped him by saying, "I don't want to know your answer."

e. [redacted] told me that he testified in the trial but had not been advised that the case was dismissed. He called over to the DA's office at about 4:00 p.m. the first day of trial to ask if he needed to be available the following day. He spoke to [redacted]. She told him he was not needed and the case "resolved itself" and he did not need to come back. He asked her what that meant and she said something that included the words "not guilty." [redacted] said [redacted] did not tell him the state moved to dismiss the case mid trial; he discovered that some time later.

f. On December 5, 2025 I interviewed David Richmond regarding this case. David said he was the program manager in Tillamook County for the Developmental Disability Program and had been in the position in Tillamook County for about 3. He had previously been the program manager in Columbia County for 15 years. He was familiar with [redacted]'s case and his abuse investigator's investigation.

g. He explained that he and Kieley Petrie were invited to grand jury. Before testifying, [redacted] told David and Kieley that she didn't think the case was very strong, that it wasn't going to go anywhere, and that it was a waste of time. [redacted] also said she was not pursuing any crimes related to misuse of trust funds for [redacted]. [redacted] also told them she was only going to ask questions about things that happened in Tillamook County. David expressed disappointment with this because he believed it was "fair" the grand jury should hear about the other incidents (in Polk County and one at a Costco in Marion County). David said he told [redacted] what [redacted] said about the case being week and not presenting evidence of the other events. He described they were disappointed in the lack of communication from [redacted]; if she believed the investigation was weak and there was more evidence to gather she could have communicated that to them. I asked David if [redacted] provided them with any legal explanation as to why incidents outside of Tillamook County may not be admissible and he said she did not. He stated, "Not to a satisfying level. Something about the fact that … it was outside her purview because the incidents occurred outside of county." He said her explanation didn't make a whole lot of sense to him and there was never any letter or follow up email explaining why.

h. David said that after grand jury and before trial he never received any request from [redacted] for further investigation or follow up. He believed about a week before trial he had "maybe" a 20-minute trial prep phone call with [redacted] and another [redacted]). David said that [redacted] told him general things in the trial prep meeting, "make sure you're honest, you make eye contact, you answer just the questions asked of you, that type of thing." She advised him it was a joint bench trial. She cautioned not to bring up things that

happened in other counties or anything about the trust. He said she did not get into content-based questions other than to tell him that she would ask him to explain the Oregon Needs Assessment. David said that at grand jury he purposely talked about "more than just what [redacted] asked us about." I asked David if [redacted] ever talked with him about the charged crimes, and the elements the state had to prove. He said "yes and no" and explained that [redacted] was "focused on these Sunday dinners . . . and the fact that they left [redacted] in the car multiple times or multiple hours." David confirmed that he was aware that the issue in the criminal case was [redacted] being left unattended in a place that was likely to endanger her health or welfare.

i. As to the day of trial, David told me that he told [redacted] they were going to have [redacted] at the courthouse that day, and he thought it was important that the judge see [redacted]. He said [redacted] was adamant that she did not want her there and said, "This is different than a guardianship trial. The judge has to be objective and I don't want her inside the courtroom. I don't want her, she's not going to testify. I'm not going to pull her up there." He said despite that, he had [redacted] brought to the courthouse on the day of trial by her current adult foster provider. David said when [redacted] came out of the courtroom to get him for his testimony (he was the first witness), he told her [redacted] was there and [redacted] and her provider began to walk toward the courtroom to enter with David. [redacted] told them to stop, hold on, and she returned back into the courtroom. David believed the judge was on the bench and on the record. David said about 5 minutes later [redacted] reappeared and stated, "She stays here. She doesn't get to go in. She's not allowed in the courtroom, just you." David said he told [redacted] he thought that was "complete garbage" and they had driven 2 hours to come to court and [redacted] was the victim and "should be in the courtroom." I asked David if [redacted] was independently mobile and he said she was. I asked if she made noise or was disruptive and he said she did make noises, that she would do child puzzles to occupy herself, and that she sometimes would make excited noises. "It's who she is. That's how she communicates." David said he had opinions about what occurred in the courtroom but did not know. I asked him if [redacted] ever told him why [redacted] was excluded from the courtroom and David said that she did not, he was "in her ear" the whole way up to the witness stand voicing his disapproval, and [redacted] ignored him.

j. David said after he testified Kiely Petrie testified as well as his former staff Jacob Harley who was [redacted]'s service provider. He said he was told he had to remain in the hallway because he was a witness, but he believed he wasn't allowed in the courtroom because [redacted] did not want him or others to see what was happening.

k. David said he was trying to get information about whether [redacted] and her providers should stay in the courthouse and he first tried contacting the judge and her staff a little before noon. They directed him to the DA's office so he went there. He was able to talk to [redacted] who told him that they may finish the trial that day, she just needed him to be available by phone, and [redacted] and her providers could leave. David said that [redacted] had already dismissed the case by that point. I asked him when he learned that and he said that afternoon in an email from victim assistance (Kristina Vatne). He said first they got Johanna's dismissal and then Greg's. I specifically asked David if he was certain the state had moved to dismiss the case in the morning before he

had spoken to [redacted] at her office. He said, "Yeah, I haven't got a clear answer on that. It seems apparent that it happened in the morning, and I don't know if I know that for sure. I cannot remember if Ms. Vatne told me that or not, or I'm just believing that was likely." David was also unsure whether the state had moved to dismiss the case or whether it was dismissed by the court (explaining to him that the court can acquit a defendant at the close of the state's case). David explained that he had put all of these questions in the emails he sent to DA Olson, but had not received any response.[133] David also told me that he had spoken to local attorney Dustin Johnson who told him that one of the defense attorneys on the case, who Dustin was friends with, said that [redacted] was "unprepared, unprofessional, and flat out lazy in her preparation."

l. David explained why he decided to send the email to DA Olson. He spoke with his executive director Frank Williams about his concerns with the case and it was Frank's suggestion to reach out to the DA. He sent the original email about 3 days after the trial to Ms. Vatne because she had been the person at the DA's office he had the most contact with. He received a confirmation email from Ms. Vatne that same day that she had shared his email with DA Olson and [redacted]. He had been told by attorney Dustin Johnson that he would not receive a response from either. David gave DA Olsen about two weeks to respond to his initial email and when he received no response, he sent a second email. He confirmed he did not receive a response to the second email either. I asked him if he received a phone call, voicemail, or any other communication from DA Olson or [redacted] about his complaints and he said he did not until November 13, 2025 (after DA Olson was informed of the county's investigation).
m. David said his executive director learned there were other complaints being lodged against the DA's office near the end of August, 2025, so they decided that he would make a formal complaint about the DA's office to Tillamook County human resources.
n. David confirmed that he had left me a message after receiving DA Olson's email on November 13, 2025 asking if he should respond to her email given my investigation. I had told David at the time, and confirmed in the interview, that it was completely up to him how and whether to respond to DA Olson's email. I did ask David to tell me whether he responded to DA Olson's email of November 13, 2025 and he explained that he did, and they exchanged a few emails, which he later provided to me, and which are included in **Exhibit 9**. David confirmed [redacted] never responded to him by email, phone, or text.
o. I reviewed the recording of the court trial (Judge Trevino) that occurred August 12, 2025.[134] Both defendants were charged with Criminal Mistreatment in the First Degree[135] and Criminal Mistreatment in the Second Degree.

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[133] As noted in the statements section of this report, David sent two emails to DA Olson (dated August 15, 2025 and August 28, 2025) which DA Olson did not acknowledge or respond to until November 13, 2025. DA Olson then eventually sent David a letter addressing his questions on December 17, 2025.

[134] [redacted] presented the evidence as co-counsel for the state. It was sometimes difficult to discern which one of them was speaking, but if the court addressed them by name I assumed that was the attorney speaking.

[135] The elements of Criminal Mistreatment in the First Degree are: (1) The act occurred on or between December 1 and December 28, 2023; (2) [redacted] was a dependent person; (3) Defendant assumed the permanent or temporary care, custody and responsibility for the supervision of [redacted]; and (4) Defendant, having assumed the permanent or temporary care, custody, and responsibility for [redacted], knowingly left [redacted] unattended at a place for a period of time as may be likely to endanger [redacted]'s health or welfare.

- During the prepared opening statement, which was being quickly read, [redacted] stated that the defendant Harding was the legal guardian of [redacted], a 62-year old disabled female with developmental disabilities. Defendants Harding and Carroll had assumed the care and responsibility for [redacted] as paid caregivers, and that [redacted]'s disabilities left her dependent on the defendants for her physical needs and safety. [redacted] stated that a lock was placed on the outside of [redacted]'s bedroom door and she was locked in the room for "extended periods of time" alone and without direct supervision or care for her physical needs.
- [redacted] also stated that the defendants left [redacted] alone in a locked vehicle while they attended Sunday dinner with their family. [redacted] stated [redacted] would be alone in the vehicle, restrained by her seatbelt, and that defendants were not able to hear or clearly see [redacted], and thus [redacted] had no support in place for her physical needs.
- [redacted] told the judge she would hear from witnesses. [redacted] did not outline what those witnesses would say. [redacted] did not identify any additional evidence the state intended to present. [redacted] did not explain to the court the state's theory for which described incident (being left in the locked bedroom or being left in the locked car) applied to which crime. [redacted] did not outline the state's evidence to prove that physical care was withheld from [redacted]. For their part, the defense attorneys kept their defense simple and straight forward. They said "as pled" the state would not be able to prove case beyond a reasonable doubt that [redacted] was placed in any sort of situation where necessary and adequate physical care was withheld.
- [redacted] went out of the courtroom to call the state's first witness but then came back inside to advise the court that she had "a matter." [redacted] stated she was not aware that the victim ([redacted]) was present, that the state did not intend to call her as a witness. [redacted] stated she was a victim and had a right to be present if she wished. [redacted] stated that she wanted to make the court aware that the victim does speak out or make uncontrollable noises. The judge asked if she was a subpoenaed defense witness (which she was not) so the judge asked [redacted], "Are you asking to have her in the courtroom?" and [redacted], "As a victim she has a right to be here." It appeared the judge heard some noise from the hallway and asked if that was the victim. When it was confirmed the noise came from the victim Judge Trevino stated, "That will not work." The judge said she would "never exclude a victim from a courtroom" but they needed to have a clear record and they can't have her doing that. [redacted] remained consistent

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The elements of Criminal Mistreatment in the Second Degree are: (1) The act occurred on or between December 1 and December 28, 2023; (2) [redacted] was a dependent person; (3) Defendant assumed the care, custody and responsibility for the supervision of [redacted]; and (4) Defendant, with criminal negligence, withheld necessary and adequate physical care from [redacted].

The indictment alleged that the two counts represented two criminal episodes but it was unclear if that was the state's theory of the case. Criminal Mistreatment in the Second Degree is a lesser included offense of Criminal Mistreatment in the First Degree. The state as relying on separate events ([redacted] being locked in her bedroom and [redacted] being left in a car) to prove its case but it was unclear to me at the conclusion of the opening statement if the state was going to elect one fact pattern to apply to one count or employ some other strategy.

in stating the victim did have a right to be in the courtroom. Judge Trevino excluded the victim.

- David Richmond was the state's first witness and his responses to the state's questions were rather short and he appeared to be breathing heavily as though he was upset. He mainly provided information about [redacted]'s disability though the questioning was minimal; he referenced an evaluation by a "Dr. King" but that person was never a witness at the trial. The state next called Jacob Harley who was [redacted]'s direct service provider at the time she lived with the defendants. He was almost hostile on the witness stand, unhelpful in his responses, and seemed to have a clear dislike of his supervisor David Richmond, which he chose to air out in his testimony.[136] The state's third witness was [redacted] who was asked minimal questions but testified briefly about [redacted]'s living conditions. He was not shown any photographs of her room or the door that was ostensibly bolted shut. The state's fourth witness was Kieley Petrie. While her testimony was the longest, the direct examination questions were incomplete and lacked critical details. Ms. Petrie was asked questions that she did not know the answer to, indicating that she was not adequately prepared for the questions. Ms. Petrie should have been asked additional or clarifying questions on several occasions, but she was not. I did not form the opinion that Ms. Petrie had failed to prepare. Rather, it appeared that Ms. Petrie was not adequately prepared by the attorneys.
- After the lunch break the state called Johanna's father. It was his house where [redacted] was left alone in the car. He repeatedly testified to a lack of memory. It was unclear if he was being intentionally deceptive, but he was definitely unprepared and the DDA asking questions did not expect his responses. He did not testify that [redacted] was left alone "for hours" in the car in his driveway. He said he lived in a rural area, the nearest neighbor was very far away, his driveway was private property, and [redacted] and the car were always within their sight from inside the house. The state then called Johanna's son, [redacted]. His testimony was similar to his grandfather. He stated that the lock on [redacted]'s room was flimsy and that it eventually broke. He stated that they could see [redacted] at all times when she was sitting in the car at the grandfather's house. [redacted] appeared happy to insert testimony that was helpful to his mother and stepfather. He did not testify to any failure on the part of his mother and step father to adequately care for [redacted]. At no time during the questioning was [redacted] impeached by or confronted with a prior inconsistent statement. The state rested its case after [redacted]'s testimony. It appeared the state introduced one photograph in its case in chief.
- For Criminal Mistreatment, a person withholds "necessary and adequate physical care" from a dependent person when the person keeps back from the dependent person those physical services that are necessary to provide for the dependent person's bodily needs. Failure to correct a safety hazard that could at some future time cause harm doesn't apply. *State v. Baker-Krofft, 348 Or 655* (2010) (no evidence that defendant had withheld from her child some physical service necessary to provide for the child's needs; and no evidence defendant failed to protect her child

[136] One of the benefits of meeting with and interviewing witnesses prior to a trial is that it enlightens the prosecutor on the attitude and demeanor of a witness. Countless times in my career I elected not to call a witness because their evidence could be offered through another source and their lousy attitude was not beneficial to my case.

from an immediate harm). *State v. McCants*, 348 Or 655 (2010) (a dirty home with small items that posed potential choking hazards within a child's reach did not constitute mistreatment because there was no evidence defendants had failed to provide for their child's bodily needs or to protect the child from an immediate harm). *State v. Goetzinger*, 262 Or App 220 (2014) ("[A] person withholds necessary and adequate physical care when the person withholds care that is absolutely required to meet a dependent's basic safety and survival needs. That standard can be satisfied by withholding care for a condition that causes or will cause serious physical pain or injury.")

- In other words, criminal mistreatment under a theory of withholding physical care is a very difficult crime to prove because of appellate court decisions. The *Baker-Krofft* case reshaped the landscape of criminal mistreatment prosecutions. Absent specific evidence that the circumstances the defendants left [redacted] in affected her bodily needs, the defendants could not be convicted. It is unclear to me whether the state was aware of the *Baker-Krofft* decision because the state moved to dismiss the charges at the close of evidence. Further it is unclear to me whether sufficient evidence even existed to prove criminal mistreatment because I have not reviewed Ms. Petrie's report or any other investigative reports.
- There was no medical evidence presented regarding [redacted]'s health. No indication that locking her in a bedroom or leaving her belted in the car affected her bodily needs. The testimony from witnesses contradicted what [redacted] said the evidence would show in the opening statement. There could be several explanations for this: (1) That [redacted] was unaware of what the witnesses would testify to (because they weren't interviewed by police or abuse investigators, they didn't testify at grand jury, or they were not sufficiently interviewed by [redacted] during a witness preparation meeting before trial); or (2) That the witnesses had previously provided statements consistent with what [redacted] represented in her opening statement and their testimony was deliberately different or they forgot what they previously stated. At no time during the trial was any state witness impeached by a prior statement or had their memory refreshed by a prior statement. Without reviewing the district attorney's file or the grand jury proceeding, I could not determine which it would be.
- As a general observation, however, it appeared that the state's case lacked focus and preparedness. There were multiple times that questions weren't answered by the witness and [redacted] did not follow through or press the witness to answer the question. There did not appear to be any documentary evidence offered by the state that would likely have been available to the prosecutors (i.e. [redacted]'s medical history, [redacted]'s social and developmental history, photographic evidence of the locations [redacted] was kept, direct testimony from [redacted]'s current daily caregiver, etc.). The witnesses whom the state called from the defendants' family (Harding's father and son) testified wholly inconsistently with how [redacted] advised the court the testimony would come out during her opening, *viz*, that [redacted] was never unsafely locked in her bedroom and that she was always within eyesight of multiple people while she was in the car.
- The state's case did not conclude until *after* the lunch hour. The state rested its case after [redacted]'s testimony and before the defense could move for judgment of acquittal, the state said, "Upon reflection of the testimony that was presented by the witnesses

today the state does not believe it can meet its burden beyond a reasonable doubt on either count and would move to dismiss" Judge Trevino took the motion in stride and did not seem surprised or affected by it.

p. I emailed [redacted] on January [redacted], 2026 and advised her that this was one of the cases I wanted to speak to her about on January [redacted], 2026. During the interview, [redacted] told me the following:
   - I asked [redacted] if she remembered a conversation with [redacted] about sending the case to Polk County. She said she recalled seeing [redacted] talking to witnesses down the hallway, and that she may have told him to refer the case to Polk County, but she did not specifically remember.
   - I asked [redacted] if the opening statement was consistent with the information in the police reports. She seemed a bit annoyed by the question and stated, "As in any opening statement, it would have been the information that you have at that time that would have been from police reports and what was learned at grand jury, because otherwise it would be unethical to present, unless I don't recall exactly what my words were, but it would have been in line with what I thought was going to be presented during trial." I asked her then if the evidence came out differently than she expected and she said yes, "Greatly." She stated that the testimony at trial was different than grand jury, namely "civilian witnesses provided more information, the employees provided different information based upon questions asked by defense attorneys and so forth." I asked if Johanna's son's ([redacted]) testimony was different than what he had said during the investigation. She said yes, "different questions were asked and more information was . . . elicited during trial than what is in grand jury."
   - I asked [redacted] if she had met with [redacted] prior to trial to go over his testimony and she stated, "No, I never do with witnesses because I've been ... My training and experience, I will not go over what your testimony will be at trial. That makes me a witness in my own case." I asked her to explain, and she said she will meet with victims or witnesses pretrial but only to tell them what she intends to ask them. I asked her to explain her reasoning for why she won't ask witnesses prior to trial what their testimony will be. "It makes me a witness" she said, "and it makes me part of their testimony. I've had officers on the stand be asked by defense attorneys, 'What did you go over with the prosecutor prior to trial?' And that has been used by defense and I've had experiences in that, so I will not go over what their answers will be." I asked her in pretrial meetings if she ever just asked a witness, "Hey, tell me what happened that day" and she said, "Never." I asked [redacted] if she had attended trainings on a national or local level where that trial prep method was suggested. She said this was how she was trained as a prosecutor and that it is the "normal practice." I asked if she could recall who trained her that way and she could not. She said it was how she always handled it. I asked if she was aware of how colleagues in her office did things and she said she did not know. I asked her if she thought conversations like that might be valuable and she said everyone "has a different opinion" and one way or another is not necessarily right or wrong. I asked if she or her co-counsel impeached their own witnesses with their prior statements or testimony and she said the witnesses did not lie or say something different, they just provided more elaborate information.

- I asked her after she dismissed the case if she called the witnesses who had testified to share the news and perhaps explain how the evidence came out differently than she expected. She told me, "Not that I can recall." I asked if that would typically be something she would do and she said no, nor would she typically advise people of a verdict unless they expressed a desire to know.
- I then brought up [redacted]'s appearance at the trial and the discussion she had with Judge Trevino. I asked [redacted] if she had ever met with [redacted] prior to the trial. She said she had not. I asked if she ever considered making arrangements to meet her and she said no. I asked why not and she said, "It was my choice" and it would retraumatize her and because of her cognitive level she wasn't going to call her as a witness. I asked if she had considered that it might be helpful to meet [redacted] to be able to convey the extent of [redacted]'s disabilities during the trial. [redacted] said she didn't like the line of questioning because David (Richmond) had been very antagonistic toward her so she wanted to move on. I told her I understood.
- I asked her if she received the email David Richmond sent to Kristina Vatne on August 15, 2025. She did not remember the date but confirmed she received the email. I asked her if she also received the email David Richmond sent at the end of August to DA Olson. She said eventually she also saw that email. I asked her if she ever considered just reaching out to David Richmond to talk to him about his concerns and the case and she said not based on his demeanor toward her. She said David was not "very receptive to responses." I asked if she had ever interacted with David prior to the Carroll/Harding case and she said she had not. Before concluding the topic, I asked if she had seen DA Olson's December 17, 2025 letter to David Richmond. She confirmed she had.
- I asked an additional question about the morning of the trial, giving [redacted] permission to decline to respond if she was done talking about it. Specifically I asked if alternative viewing options had been considered for [redacted] such as a remote viewing area. She said that was not an available option.
- I asked [redacted] if there was anything she would do differently looking back on the case and she said, "the investigation, there were holes in the investigation." She said a report referenced how [redacted] was present for and recorded an interview and she approached it with [redacted] saying, "You're going to get asked why there wasn't a report and recording that I don't have." She said in response he was "very hostile towards me about it and like 'I didn't have to write a report' and so forth." [redacted] did not identify any other holes in the investigation.

q. When I emailed DA Olson (for the second time) on December 29, 2025 requesting an interview, she responded on January 5, 2026 affirming that she was willing to meet with me. She attached emails from David Richmond (those he had previously provided to me) as well as a response letter she wrote to him dated December 16, 2025 (which David had already provided to me on December 19, 2025). During the interview on January 13, 2026, DA Olson said the following related to this case:
   - I asked DA Olson if, as DA, if she had any concerns about what [redacted] described her practices to be; namely that she would not meet with people to prepare their testimony for trial except to tell them the questions she was going to ask. I also more specifically asked whether in her professional experience or anything she had been trained to do as a prosecutor, she believed that what [redacted] was doing

constituted best practices. DA Olson answered circuitously, saying she believed [redacted] had been "burned" in the past, that as a prosecutor you didn't want to be a "witness" in your case. At one point DA Olson said, "A lot of attorneys are taught you do not ever really want to, unless you have another independent witness with you, if you're asking a witness questions, you do just really want to tell them what their questions are going to be." DA Olson said that the admonishment has always been that you don't want to be a witness in your case and that maybe [redacted] has taken that to the extreme. DA Olson said maybe she needed to have "further conversation with her" because in the "Harding" case [redacted] was "pretty mortified" after trial, saying that "witnesses said all this extra stuff that she didn't think to ask at grand jury, the evidence wasn't in the police reports." She said she believed [redacted] learned a lot about what "wasn't done" during that trial (referring to the investigation), "to have the defense counsel effectively cross examine these witnesses and elicit further testimony…." DA Olson acknowledged it was testimony that could have been elicited at grand jury.

10. State v. Timothy Butterfield, [redacted], [redacted] [including audio record][137]
    a. This case was brought to my attention by TCSO [redacted]. (Item #5 in [redacted] complaints.) Unrelated to [redacted]'s complaint, Valerie Bundy told me during her interview about a case where the victim and Tides of Change advocate Erin Richardson were given very short notice for a sentencing proceeding, and that [redacted] essentially yelled at them in the courthouse lobby about making her late. On December 8, 2025, Valerie sent me an email providing me with the name and case number of the incident with her advocate: "2[redacted]/State v. Timothy Charles Butterfield. I did confirm she was able to make it to the hearing to read the victim impact statement."
    b. In [redacted]'s complaint, he said that he appeared for grand jury on this case on March 19, 2025 and he stated to [redacted] in the hallway as they awaited the grand jury's decision that the grand jury proceeding seemed very "trial-esque." He said he had hoped "[redacted] would instruct the GJ panel better during the session." He said that [redacted] stated she would rather a grand jury find No True Bill on this case than go to trial. [redacted] described this as "complete negligence" and that [redacted] was afraid to go to trial. He said the grand jury did indict and the defendant "plead to 60 months of Sex Abuse 1."
    c. During my interview with [redacted] on November 19, 2025, he told me the following:
        - He believed the grand jurors' questions were inappropriate, that they were "investigative" questions.
        - I asked [redacted] if in his professional experience, grand jurors are allowed to ask questions. He confirmed that was true but in his experience it was the DA's job to say, "Listen, this is not trial. This is just a presentation of the facts and it's recorded." He didn't remember the questions the grand jurors were asking but remembered saying to [redacted] after, "Those are questions that a defense attorney would

[137] Defendant was also indicted within the same time frame on a single count of Felon in Possession of a Firearm in a separate case, 24CR65715. That case tracked the sex abuse case and was resolved as part of global plea negotiations.

ask me" and her responding, "Oh yeah, I'd rather they find a No True Bill than go to trial."[138]

- I asked [redacted] about some possible scenarios that might explain that exchange. I asked him if it was possible the grand jurors were actually probing for whether there were additional counts that they could add to the indictment, saying that in my experience grand jurors are quite good at identifying when conduct is really bad. [redacted] stated that was possible but it did not feel that way and he was mainly focused on [redacted]'s statement that she would prefer a Not True Bill to trial because she wanted to "avoid hard work." I asked [redacted] if it was possible [redacted] found value in the grand jurors' questions that "maybe she didn't think of" and that such questions might also be in the minds of trial jurors. He agreed that might make sense, stating "I've had a lot of grand jury experience" and he had situations where a grand juror's question was shut down by a DA or pondered by a DA, and it was great if that happened. But it didn't feel like that was what [redacted] was doing. I asked [redacted] if it was possible he misunderstood what [redacted] was conveying; not that she would like to avoid trial in this case but that she would like to avoid a pitfall at trial by not answering a question the grand jury clearly thought was an issue when she did not. [redacted] said he understood what I was asking but in his opinion, "if confronted with this, that would be her defense" because her track record "speaks differently." He stated, "How many trials has she gone to since she's been here? Why is she no longer working for Lincoln County DA's office? Why do I have [redacted] from Lincoln City telling me, 'Thank God she doesn't work for our county anymore because she pled everything out. We never went to trial.'" I told him I understood he had an opinion, but I asked him if, thinking back on the conversation, it was possible there was a misunderstanding and [redacted] said, "I don't think so." He said he was confident in his recollection of what [redacted] said, that she did not want to go to trial in a case like this.

d. During my interview with Valerie Bundy on December 5, 2025, she told me the following:
   - One of her advocates, Erin Richardson, was told by either Kristina (Vatne) or Katie (Springs) with victim assistance to stop [redacted] prior to the sentencing hearing to let her know that the victim was there to make a statement at sentencing. Erin saw [redacted] and tried to get her attention, and [redacted] was like, "I don't even know who you are and why you're talking to me in the lobby." So Erin explained, "I was told this is the process. To inform you that this is the victim. She has an impact statement." [redacted] basically told Erin that she was making her late for court, that's not how this goes, and told her to go back upstairs (to the victim assistance office).
   - I asked Valerie if [redacted] acknowledged the victim, spoke to her or introduced herself to her and Valerie said, "Nope." Erin described it as a very negative interaction and that [redacted] was basically yelling at them in the lobby.

[138] [redacted] explained, "This is a guy that used a vibrator on his [redacted] and she drew the picture of it with the buttons in detail, like, come on." I did not request or review any police reports. *See* ORS 419B.035.

e. I reviewed the court record, including audio records of the case. The defendant was charged by Information on December 12, 2024 with three counts of Sexual Abuse in the First Degree (child under 14). He was indicted for the same on December 18, 2024. The child victim was identified by name (not initials) in the Indictment as [redacted]. The defendant remained in custody during the pendency of the case.
f. I searched his name in eCourt and found a 1994 criminal case where the defendant was charged with multiple sex offenses involving children (Tillamook County Circuit Court Case Number 941010). He pled guilty to two counts of Unlawful Sexual Penetration in the First Degree and was sentenced to serve 60 months in prison. The incidents occurred, and the defendant was charged, before Ballot Measure 11 was passed in November of 1994.[139]
g. On April 18, 2025, the parties appeared before Judge Hill to set trial. (Trial set July 22-24, 2025.) Judge Hill asked [redacted] if there was a plea offer. [redacted] stated the offer was plead to Sex Abuse 1, 75 months; Att Sex Abuse 1, 30 months consecutive; and Felon in Possession of a Firearm, 30 months consecutive. (The total prison time would be 135 months.) The defense attorney reported that a counter-offer was made and [redacted] said it was rejected. When the judge asked what the maximum penalty would be, [redacted] stated that the maximum penalty was 255 months in prison.[140] [redacted] told the court the state was revoking their offer "at this time" but the defense was still investigating "so if defense provides additional mitigation or investigation I could reconsider by June 2nd."
h. At the FRC on July 14, 2025, the parties reported that there was no resolution in the case and that they were ready for trial. When the judge inquired, [redacted] said there was an offer from the defense to plead to the Felon in Possession of a Firearm charge and dismiss the sex abuse case, which was rejected. The court agreed that the first day of trial would be set aside for jury selection and the state could have its witnesses present on the second day of trial.
i. On the scheduled trial date of July 22, 2025, the audio record reflected that the parties had reached a resolution which, the court announced upon taking the bench at 8:41 a.m. [redacted] informed the court that the victim's parent (Ms. [redacted]) was about "15 minutes out" and she wanted to be present. The court said, "that's fine" and appeared to recess. When the court called the case the defendant entered a no contest plea to one count of Sexual Abuse in the First Degree and a guilty plea to Felon in Possession of a Firearm. The parties' stipulated agreement was a total sentence of 75 months in prison: 75 months for Sexual Abuse in the First Degree (under Ballot Measure 11) and 30 months for Felon in Possession of a Firearm, concurrent.
j. The judge acknowledged that the victim submitted a written impact statement in April of 2025. He asked if she wanted that read into the record and [redacted] appeared to consult with the victim and told the court, "She would like to read it." Judge Hill then invited Ms. [redacted] up to read it. Ms. [redacted] stated the following:

[139]Under Ballot Measure 11 (ORS 137.700), which went into effect April 1, 1995, the minimum sentence for Unlawful Sexual Penetration in the First Degree would be 100 months.
[140] That is incorrect. If the defendant only had the two prior person felony convictions from 1994, he would have a criminal history score of B. Had the state filed a Notice of Intent to Rely on Enhancement Facts pursuant to ORS 136.765 (several would apply), the state could have sought a departure sentence on each of the felony sex abuse counts as well as the Felon in Possession of a Firearm. The defendant's maximum penalty, with departures and consecutive sentences, would have been at 300-330 months in prison.

- "My name is [redacted]" (as she started crying). She identified herself as [redacted]'s mother. She said their "lives have been turned upside down" and that the victim was struggling "with every aspect of her life." From context it became clear that the defendant was married to [redacted]'s [redacted], as she referred to the defendant as "her [redacted]." Ms. [redacted] stated that the defendant offered [redacted] a "phone with Tik Tok to distract her". Ms. [redacted] said the defendant was the only [redacted] figure in *her* life and her own mother passed away just two months prior to this case. Ms. [redacted] stated, "I feel angry, I feel orphaned, I feel alone in this world." Ms. [redacted] begged the judge to impose a sentence long enough for [redacted] to graduate from (high) school and get out on her own, asking Judge Hill to take into consideration how this would affect them for the rest of their lives.

k. The defense attorney alluded to the defendant's prior history as the reason for the plea deal while disagreeing with the allegations. "Our hands were kind of tied in this."[141] She said the defense "made this offer" and "the state accepted it" but the defendant disagreed "wholeheartedly" with what had been stated by the victim.

l. In reviewing the judgment for Sexual Abuse in the First Degree, the defendant was sentenced at Gridblock 8-A (on the sentencing guidelines) to 75 months in prison under ORS 137.700 (Ballot Measure 11). The criminal history score of "A" would indicate that the defendant had 3 or more person felony convictions in his criminal history. It's possible, but unlikely, that the parties stipulated to that gridlock; unlikely because the sentence was pursuant to ORS 137.700. Thus, this defendant either had out of state person felony or misdemeanor convictions, or had qualifying municipal court convictions.[142]

m. I emailed [redacted] on January 6, 2026 and advised her that this was one of the cases I wanted to speak to her about on January 13, 2026. During the interview, [redacted] told me the following:
   - I told [redacted] that the complaints related to this case were that (1) she was afraid to go to trial; and (2) she made a comment at grand jury that she would rather have a not true bill than go to trial and lose.
   - I asked [redacted] if she was afraid to go to trial and she responded, "No. If it's warranted it will go to trial."
   - I asked if she remembered the grand jury proceeding being noteworthy, whether they asked a lot of questions. [redacted] said, "Not that I can recall off the top of my head."
   - I asked [redacted] if she remembered making a statement about preferring rigorous questions from grand jurors, or whether that sounded like something she might say. [redacted] stated, "I mean, I don't recall that comment off the top of my head, but yeah, I'd rather we get as much information out in grand jury to see

[141] It would be extremely unlikely that the state would be able to introduce evidence of the defendant's prior convictions in the trial, as such evidence is rarely admissible under current case law. The convictions would only be admissible at sentencing or to establish the defendant's criminal history score. The state did not file a motion to admit evidence of the defendant's prior convictions and the convictions were too old to be used to impeach the defendant (under OEC 609) if the defendant testified. The defense attorney's comment may have been to benefit a difficult client.

[142] A computerized criminal history (CCH) would provide arrests and convictions from other jurisdictions, military courts, and sometimes even outside the United States. I do not have access to the defendant's CCH but law enforcement and DA's offices routinely rely on them to obtain accurate criminal history information.

what they say versus giving them limited information and then going to trial and more different information, especially if this was charged after *Carroll* and *Harding* situation happened."[143]

- I gave [redacted] a detailed account of the procedural history of the *Butterfield* case (in an effort to save time) and asked if my recitation sounded accurate. She believed it was accurate. I initially stated that a plea deal was reached either at the FRC (final resolution conference) or on the first day of trial. [redacted] quickly responded by saying it was the FRC, not the first day of trial, and that she believed there had been a settlement conference in the case. I then corrected myself and confirmed that a plea deal was reached on the day of trial and [redacted] said, "It could have."
- I asked [redacted] for any information about why the plea offer on the day of trial (75 months in prison) was different than it had been up to that point (135 months in prison). [redacted] responded, "I have not had time or looked into this case to tell you if it's different or not different or what the plea negotiations were in regards to this one. I know there was plea negotiations going back and forth and I'm pretty darn sure this is the one, one of them that went to a settlement conference, and there was talk about that and it might have been discussed in the settlement conference if that was the case and there was discussion about it. I know I discussed this with, I think I did discuss it with [redacted] as well, possibly, but I know I discussed it with Aubrey and on that, the decision was made at that point.
- I asked [redacted] if she recalled someone from Tides of Change contacting her in the hallway, referencing that the victim's mother had very much wanted to make a statement at sentencing, and whether she stated to the advocate, "I don't even know who you are and you're making me late." [redacted] responded, "Do not recall that." I asked if it sounded like something she could have said to somebody and [redacted] said "the first part of that, 'I don't know who you were', yes, but the 'making me late' part of it, I don't recall that part. I don't recall saying that." I told [redacted] that it was reported that she was yelling at the advocate and victim's mother and [redacted] stated emphatically, "No. I would not. No, I don't recall that at all." When I changed the description to raising her voice she adamantly denied that too. I asked her if she recalled any interaction with an advocate from Tides of Change and the victim's mother and she said she "probably" had contact with the mother about her statement.
- I asked [redacted] to just tell me her recollection of the morning of trial and her interaction with the victim's mom. [redacted] continued to be vague in her account stating she "likely" had a conversation "with them" in the hallway. I asked [redacted] if she remembered the mom *not being there* and then calling the mom to come to the courthouse. [redacted] said she could not recall. I asked if she would typically call a victim whom she knew wanted to make a statement at sentencing when it's the morning of trial, the judge needs to get the plea in to excuse the jurors, and there was some urgency. [redacted] said she would, or rather she would have victim assistance call them. I asked on this case if she remembered who

[143] [redacted] and I had just discussed the Carroll/Harding case (discussed in number 9 above), where she said that the defense attorneys had elicited information from the state's witnesses that had not come out at grand jury. The Butterfield grand jury took place in December of 2024; the Carroll/Harding trial occurred in August of 2025.

the advocate was from victim assistance and she said she did not remember. "My assigned person is Kristina, but I'm not sure if she was the one that was there that day or not." I asked [redacted] if she had consulted with the mom about the plea offer and [redacted] said she "would have" and when I asked if it was that morning she stated, "probably the day before, I can't recall." I asked [redacted] if she was sure that she did and [redacted] stated, "I would have. I don't know the timeframe if it was the day before or that morning. I don't know that." I asked [redacted] if she remembered the mom's desire in terms of a sentence and [redacted] stated, "At this point in time, I cannot recall on this one."

- I told [redacted] I had recently listened to the court record. I recounted the mom's statement (that she wanted her daughter to finish school, i.e. become an adult, before the defendant was released from prison) to see if it jogged [redacted]'s memory, saying "the amount of time in custody was really critical from the mom's perspective as to how this had negatively impacted her daughter. Does that ring a bell about the mom?" [redacted] responded, "It rings a bell, yes." I asked [redacted] if she considered the mom's wishes in plea negotiations with the defense attorney, and [redacted] said, "I believe that might have been the first time I heard that from her. She didn't relay that previously. I do remember in that one, the mom was very ... It appeared to me her own past trauma is what influenced her influencing her daughter in regards to the plea offer. Almost to the point, like if it had gotten further, I might have asked for a court advocate for the daughter."
- I asked [redacted] if she considered filing a Notice of Intent to Rely on Enhancement Facts in this case given the defendant's record, and generally what her practice was regarding that. [redacted] responded, "In this county, we hardly file enhancement facts and it would have to be warranted." I asked if she thought it was warranted and she said, "No, not in this one."

11. State v. Richard Vernon Hart, [redacted], [redacted] [including audio record]
    a. This case was brought to my attention by [redacted]. (Item #13 in [redacted] complaints.) Unrelated to [redacted]'s complaint, Tillamook County Human Resources received a complaint from [redacted].
    b. In [redacted]'s complaint, he said that he had attempted to get [redacted] to take the case to grand jury (because there was availability on the schedule) because the victim did not "need to testify at grand jury" because of the suspect's confession and corroborating text messages. He said [redacted] would not respond to his request. The defendant then scheduled a release hearing (the day before the grand jury) and was released. [redacted] raised numerous complaints about the release hearing: (1) [redacted] would not allow him speak to the court even though she had previously allowed law enforcement to speak in other cases; (2) [redacted] "had no objections" to the suspect's release; (3) [redacted] was rude and demeaning to the child victim's mother, [redacted], and was flailing her arms at [redacted] as [redacted] was trying to relay information to her; and (4) [redacted] was "embarrassing." [redacted] complained that the victim and her mother fled back to Utah because of the defendant's release (due to [redacted]'s inaction). He also complained on [redacted]'s behalf that

[redacted] refused to accept medical documentation of [redacted]'s daughter's (victim's) diagnosis and the DA's office refuses to speak to [redacted].

c. In [redacted]'s complaint, she stated that repeated calls to the DA's office went unanswered or unreturned. She would call and ask to speak to the DA and she would be transferred to victim assistance where she would be told the DA would not speak to her. She threatened to go to the Commissioners, the Governor, and the state legislature. [redacted] then called her back. [redacted] complained that she and her daughter were not advised of a release hearing on August 28, 2025, which she had a right to know about and be there. [redacted] said [redacted] refused to speak with her about the facts of the case. [redacted] described [redacted] as very rude. [redacted] described [redacted]'s treatment of her during a release hearing on September 2, 2025 as slapping at her like she was a mosquito. [redacted] described the grand jury process being rushed due to [redacted]'s other commitment. [redacted] said no criminal background checks were done on the people the defendant was released to and [redacted] did not seem to care about the safety of her child.

d. During my interview with [redacted] on November 19, 2025, he told me the following:

- [redacted] had been discussing his observations of [redacted] and DA Olson shutting down ("like watching a parent scold a child") Kristina Vatne from victim assistance. He had also discussed the DA's office's relationships, in general, with victims being poor.
- He said he had an example of what he was talking about but needed to give it some context. It involved a case where the victim was a [redacted]-year old autistic child named [redacted] and her mother was [redacted]. He described the attitude of [redacted] toward the victim as a "shit show". [redacted] said [redacted] had called him and said she had been trying to get ahold of the DA's office and find out what was going on. [redacted] said he emailed Kristina Vatne to try to get information for [redacted] and Kristina responded telling him they had not been able to reach [redacted] by phone, but they had emailed her. ([redacted] had apparently changed her phone number because of harassing texts and phone calls from the defendant's friends.) [redacted] said [redacted]'s last interaction with the DA's office had been at a release hearing where [redacted] had accused [redacted] of not objecting to the defendant's release. [redacted] said that if the DA's office had positive relationships with victims they could have known that [redacted] got a new number (pointing out that [redacted] had contacted him directly when the DA's office would not take her calls).
- [redacted] said he learned that at one point [redacted] tried to give medical documents to [redacted] that documented her daughter [redacted]'s disabilities and [redacted] refused to take the documentation. [redacted] said that [redacted] did not tell [redacted] to provide the medical documents to the sheriff's office; she just refused to take it.
- [redacted] described that there had been a release hearing in the case and he had prepared a statement to articulate why the defendant was a potential danger to the community. He said he told [redacted] there was going to be a release hearing and she may the get the opportunity to speak. During the hearing, when the court asked [redacted] if there was something she wanted to say, [redacted] talked about the defendant's

character, not focusing in on why he was a danger. [redacted] was not critical of [redacted]; he was simply pointing out that she would not know that the defendant's danger to the community would be the court's focus. He stated, "I do." He stated that he tried to get [redacted]'s attention at the release hearing during a break (when the judge was still on the bench but there was a pause in the proceeding), by whispering to her, "Hey [redacted]" and she would not turn around and look at him or acknowledge him whatsoever. The judge had to tell her [redacted] was trying to get her attention. She then turned around and [redacted] told her that he had prepared a statement and he would like to read it and she said that he did not have a right to speak at the release hearing. [redacted] stated that a few months prior [redacted] had asked his partner to speak at a release hearing. "So that's the toxic relationship." He said he went and sat down, the defendant was released, [redacted] was very upset and pointed at [redacted] and told her that she just revictimized her daughter. [redacted] said he tried to calm [redacted] down so [redacted] could leave the courtroom, concluding, "So that's the relationship they have with victims."

- Later in our interview we went back to discussing the *Hart* case in addressing some of [redacted]'s specific complaints.[144] [redacted] explained that he had requested [redacted] quickly set grand jury to keep the defendant in custody. He had arrested the defendant after he confessed to sexual intercourse with his [redacted]-year old [redacted] ([redacted]) on (he believed) Monday, August 25, 2025. The defendant was arraigned the following day, August 26, 2025. [redacted] was scheduled for a forensic interview on Tuesday, September 2, 2025. [redacted] said he called [redacted] either August 25th or 26th to ask her to put the case on for grand jury the following day (Wednesday, August 27, 2025). [redacted] declined to do so, saying she was not ready. [redacted] said the defendant was then released on September 2, 2025 (by the court) and "ironically" grand jury was the following day (September 3, 2025).
- [redacted] again brought up [redacted]'s treatment of [redacted], the victim's mom, during the release hearing, calling it "incredibly belittling and rude" and "so inappropriate." I confirmed with [redacted] that [redacted] was permitted to make a statement, and that the judge made the decision to release the defendant.
- I then asked [redacted] about the 2-page document he had prepared that the County provided to me (**Exhibit 2**) and confirmed this document outlined what happened at grand jury. [redacted] added some details to the information in **Exhibit 2**. He said when [redacted] came out of grand jury to tell him he was not going to be needed that day (about 15 minutes after grand jury was scheduled to take place and about 25 minutes after he had arrived), he looked at his watch (as though to emphasize how much time he had been there) as he said, "You're telling me this now?"

[144] I did not realize at that point in the interview that we had already largely addressed [redacted]'s concerns with the *Hart* case. I was questioning [redacted] about each of the 17 specific paragraphs in his complaint form, and asked him about #13. [redacted] did not connect his complaint to our previous discussion. It was not until [redacted] started talking about the "release hearing" where he was trying to get [redacted]'s attention that I said, "I think we've maybe talked about this one already" and [redacted] said, "Yeah" but there were other things he wanted to mention.

- [redacted] also added that on the day before grand jury, which was the day of the release hearing (September 2, 2025), [redacted] "walked me 15 feet down the hallway next to the defense attorney and proceeded to talk to me about my reports that she reviewed but was not very familiar with." He added that the reason he really wanted to speak at the release hearing was because he had information (which he documented in his report) that Richard Hart and [redacted] were going to run away, that he had convinced her that they could go have their sexual relationship in Alabama and it be legal and no one could stop them, and that they were looking at houses together. I confirmed that the information was conveyed to [redacted] and [redacted] said, "I did in my reports! She had my reports!" [redacted] believed [redacted] had his reports at the release hearing on the 2nd so when she started asking him questions about what he had already documented in a report, he believed [redacted] had simply not read them. [redacted] added, "She tried telling [a grand jury] witness that there were no reports, and I overheard that and that is so inappropriate. We had, just the day prior, discussed my reports being in the case file, but she hadn't reviewed them, but they were there 24 hours, 36 hours ahead of time they were there. And now here we are, 36 hours or whatever later, she's telling a witness outside of grand jury that she has zero reports. No, I called her out on it because that's not okay, that's not okay. I said, 'Yes, hold up, no you did have my reports. We talked about them yesterday, next to the defense!' Fantastic. And she said … 'I got in late last night and didn't review them.'" [redacted] said he did not know what that meant, that if he said it would it mean he was out drinking? He didn't know. [redacted] said this was "one of those moments where you kind of contradict what she's saying and she changes her story completely."
- [redacted] then repeated his complaint about [redacted] "lashing out" at him saying, "[redacted], I will handle it" when he told [redacted] did not know the grand jury wasn't going to be completed that day.
- I asked [redacted] if there was anything more he thought I should know regarding the *Hart* case and he said he did not think so. I asked if he ever complained about [redacted]'s behavior to DA Olson as it related to the case (i.e. the rudeness he observed or his belief that she was dishonest about his reports). He said not directly to DA Olson but he advised his supervisor. He said that his supervisor then met with DA Olson for DA Olson to complain about him.[145] (He did not know but believed his supervisor addressed his concerns with DA Olson.) He said he did not understand [redacted] complaining about *his* behavior because [redacted] is a very tall and large woman who looked like she was ready to be violent and "I kind of saved [redacted] oddly enough by stepping in the middle and sitting down with [redacted]. And so I'm really confused. I felt like I was somehow the painted target when I shouldn't have been, which is really odd. And that's not the first time she has complained about me and actually made up allegations."[146]

[145] He said it was not a formal written complaint, but more a discussion.

[146] [redacted] then gave an example of one of the "made up" allegations from [redacted]. He said at a child abuse MDT meeting he wanted to ask about a case assigned to [redacted] because he had been listening to the defendant's phone calls from jail and the defendant, Michael Clark (24CR41539), was saying he was going to be out in like 10 days (on convictions for Sexual Abuse in the Second Degree). [redacted] said [redacted]

e. During my interview with [redacted] on December 12, 2025, she told me the following:
   - [redacted] said she lived in [redacted] and [redacted] in 2022. She came to be near [redacted] who lived in [redacted], bringing her three children with her. Her oldest, [redacted] (DOB [redacted]) was the [redacted] of Richard Hart, but they had never met and [redacted] did not know him. [redacted] reconnected with Mr. Hart, who lived in Tillamook, and they began dating. [redacted] was [redacted] at the time. In April of 2023 [redacted] decided to return to Utah but [redacted] did not want to leave; she asked to stay and live with [redacted]. [redacted] approved[147] and would come back and visit [redacted] often.
   - In December of 2024, [redacted] started working full time and her visits to Oregon became less frequent. She said during a visit in March of 2025, [redacted]'s behavior appeared different and she seemed more withdrawn; looking back [redacted] believed there were red flags that she did not see."
   - [redacted] said at the end of August, 2025, she received a phone call at work from a man who identified himself as a case worker with child welfare in Tillamook. He was investigating an abuse complaint involving [redacted], saying there had been inappropriate sexual contact between Richard Hart and [redacted]. [redacted] described that her niece worked for vocational rehab, right near the DHS worker's cubicle, so [redacted] was immediately placed with family. [redacted] got on a plane and was in Tillamook that evening. She said [redacted] was hostile toward her. [redacted] said she initially blamed [redacted]'s [redacted] [redacted] which she felt terrible about now.
   - The following morning [redacted] was scheduled for a forensic interview at Tillamook County's Child Advocacy Center (CAC) and [redacted] said the forensic interviewer came out and told her [redacted] did not want to talk to her; she suggested giving [redacted] a few days to see if some time away from her father's influence may have an impact. The interviewer told [redacted] not to speak to [redacted] about anything. [redacted] said she just told [redacted] she loved her and would never stop loving her; she was there for her if she needed her. [redacted] did tell [redacted] that she needed to talk to someone. So they went to Tides of Change and [redacted] was assigned an advocate

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was the DA's office representative at the meeting (appearing remotely by video) and he told her he had a question about Clark's case, even though it was not on the agenda, and [redacted] said it was not her case but looked up some documents in the case and said that Clark was going to be out in 10 days on probation. [redacted] said he responded with "ok" but someone else in the room laughed and said, "If I'm going to commit a crime, I'm going to commit it in Tillamook County." [redacted] apparently went and told [redacted] that [redacted] was talking "shit" about him in the MTD meeting because [redacted] made a complaint to [redacted]'s sergeant Michelle Raymond. He said [redacted] said, "What the fuck is [redacted] doing. If he has anything to say to me he can say it to my face." [redacted] said that his sergeant was in the MDT and knew that did not occur. DDA [redacted] told Sergeant Raymond that [redacted] had just told him [redacted] was talking shit about him. [redacted] said, "Nope. nope. Room full of 20 people. Didn't happen. I have 20 witnesses that say, 'What are you talking about, [redacted]?' That is a wild accusation. You can't do that." He said he went to [redacted]'s office to say to him personally that if did not happen, if he had a problem he would come speak to him, and he would never dress him down in front of others because it's not ok to do that. [redacted] said [redacted] would not tell him what [redacted] said.

[147] [redacted] told me she believed [redacted] would be ok with [redacted]. He had worked at the same job for 35 years, had no criminal history, and had an employer who was willing to support and take care of [redacted]. He also had [redacted] close in age to [redacted] (from a previous long term relationship) who stayed with him ([redacted]).

(she believed the name was Erin), and [redacted] was also assigned an advocate. That person spoke to [redacted] and a few days later [redacted] went back to the CAC and spoke to the forensic interviewer. The forensic interviewer told [redacted] no specifics, only that [redacted] did very well and "this is the information the DA will need." [redacted] became emotional and said that in the months since that interview occurred, [redacted] has told her some of the things that happened to her. She said, "He had her convinced that he was in love with her, that they were going to go to Georgia and get married. He had the original birth certificate. How he got a copy of it, I don't know. But he had the original birth certificate for her that [redacted]." She went on, "He started raping her in January. She told me that she didn't want to, but then after he did it a couple of times, then he convinced her that I would not want her back, that I would not love her anymore."

- [redacted] told me that for some reason [redacted] took a dislike to [redacted]. [redacted] did not know why, but she suspected it was because [redacted] had arrested [redacted]. The day before the second attempted interview at the CAC, she called [redacted] and told him this information. She did not want [redacted] to be uncomfortable and she needed to convey the information. She said [redacted] took it in stride, told her he was not offended at all, that he completely understood, and that [redacted] would never know he was there.
- I clarified with [redacted] that Richard Hart had been arrested before [redacted] disclosed any specific abuse. [redacted] said that was correct. [redacted] said that Hart was sending explicit and raunchy text messages to [redacted] and [redacted] found them on her phone. [redacted] said [redacted] (who was [redacted] at the time) went with a friend to the Tillamook Police Department to try to report it and they sent her to the Sheriff's Office. Hart disabled [redacted]'s car ([redacted] explained using some plug in to the car's computer) but [redacted] made it to the Sheriff's Office first. A search warrant was executed at Hart's residence for electronic evidence. [redacted] confirmed this was on Monday, the same day she got the call from child welfare and flew up from Utah. She said Tuesday was the first visit to the CAC, Wednesday she had to take [redacted] to Salem Hospital for a SANE exam (because they couldn't do it in Tillamook), and then Thursday was the second visit to the CAC. It was Tuesday morning, the day after defendant Hart was arrested, that she first called the DA's office seeking information.
- [redacted] said the first time she called she asked for the DA assigned on her daughter's case and they immediately put her through to victim assistance. She told the person on the phone they sent her to the wrong place and she was trying to get ahold of the DDA and the advocate said, "They send you here to talk to us. Let me see if I can help you." [redacted] said she doesn't remember everything she told the advocate but she did say her daughter had developmental delays, not a typical [redacted]-year-old, the social and emotional development of a 10-year-old. [redacted] said the advocate told her, "I'm not allowed to talk to the DDA … about the case because of the rules. Anything the DDA knows, then they have to tell the defense attorney, so the DDA is not going to talk to you. [redacted] said she continued to call the DA's office repeatedly, "about 10 times" (from a number she got off the Tillamook County web page) and she got "demanding" and "snotty" and said, "Listen, you can tell the DDA that either she speaks to me or I'm going to burn this County to the ground. Okay. I will bring in

every news station, every Google, every I will be on every Tillamook page on Facebook. I will plaster her face and his face everywhere. And I will make sure that everyone knows that Tillamook County does not take care of their children." [redacted] said at that point the DDA chose to speak to me but when she got on the phone she would stop [redacted] every time she tried to talk about anything related to the case, saying, "I'm not going to talk to you about this. I'm not going to talk to you about the case." She said it did not matter what she tried, the DDA would cut her off and say she wasn't going to "talk about this." [redacted] said this was the DDA assigned to the case, whom she described as a "short, nasty little woman." [redacted] said the first time she spoke with the DDA was the day before the release hearing.[148]

- I asked [redacted] if the DDA gave her any explanation as to why she could not talk to her about things. [redacted] said she did not. [redacted] said she was trying to convey to the DDA the extent of her daughter's disability. [redacted] said, "I don't know the laws, but in my mind, somehow assaulting a disabled child should hold more, just more."[149] I asked [redacted] if she could recall any specific questions she was asking the DDA. [redacted] said she remembered asking what the charges were and the DDA responded with, "I'm not going to talk to you about that." [redacted] eventually learned of the charges through [redacted]. [redacted] said she also asked the DDA if it would be beneficial to get [redacted]'s school records with her IQ and autism testing and the DDA told her she needed to "take that up with [redacted]." [redacted] said when she talked to [redacted], he told her, "No, the case is now in the hands of the DA."
- [redacted] also remembered asking the DDA before the "first hearing" (which was the release hearing on September 2, 2025) if [redacted] needed to be there, and the DDA did answer that question telling her that [redacted] did not need to be there. But the DDA told her [redacted] did have to be at the grand jury proceeding. When [redacted] tried to question that, since [redacted] already underwent a forensic interview, the DDA told her she was not going to talk to her about that. When I asked [redacted] if the DDA provided any explanation as to why she needed [redacted] at grand jury, [redacted] said she offered "no explanation whatsoever."
- On the day of the release hearing, [redacted] said the DDA took her outside the courtroom to speak to her, and the DDA told her there was no reason to hold the defendant and there was not much she could do if they asked for his release, "But if you really think that you need to talk to the judge, you go right ahead." [redacted] could not remember the specifics of everything said in the hearing and I assured her I could obtain the recording and not to worry about things she could not remember. [redacted] then explained, "The one thing that will not be in the record is … [redacted] and the employer stood up and wanted to get him released, and they were in the courtroom."

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[148] It is likely [redacted]'s memory is inaccurate about this date because the release hearing happened Tuesday, September 2, 2025, and the day before was the Labor Day holiday. [redacted] believed she called the DA's office "50 times" before she was put through.

[149] [redacted]'s instincts were correct. If an individual's disability is so severe that they are incapable of consenting to sexual intercourse by reason of mental incapacitation, it could constitute Rape in the First Degree. Mental incapacitation is an extremely high bar. Another way the law reflects the egregiousness of crimes against particularly vulnerable victims is in the listed aggravating factors under the sentencing guidelines: "The offender knew or had reason to know of the victim's particular vulnerability, such as the extreme youth, age, disability or ill health of victim, which increased the harm or threat of harm caused by the criminal conduct." OAR 213-008-0002(b)(B).

She explained they were agreeing to supervise the defendant when he was released. "But there was something I wanted to say … there were other children [living on and around their property where the defendant would live and work] … and I stood up and … leaned forward to the DDA, and I said, 'The judge needs to know. The judge needs to know.' And the DDA flips her hands at me and like waves me away … literally waved me away like I was a pesky mosquito." I asked [redacted] how that made her feel and she said, "Like a piece of crap! Like my opinion doesn't matter, like my daughter doesn't matter! I mean she conveyed to me from the very beginning that my daughter didn't matter to her." I asked [redacted] to describe for me how the DDA conveyed that to her. She said, "She had an extremely nonchalant attitude. There was no offense in her. She was not offended by his actions at all. If anything, ok, honestly, in the hearing, she was not putting forth any safety net for him, to keep him from hurting someone. His attorney actually spoke up and made the clauses to his release. Because she was just sitting there. It was appalling." [redacted] and his supervisor were in the release hearing and both said they could not believe the DDA's attitude. When I asked for a description of the DDA's gesture in the courtroom when she tried to get her attention, she said the DDA swatted her away.

- [redacted] confirmed she stayed until the hearing concluded. I asked if she had any interaction with the DDA after the hearing concluded and she said she did say to her, "How could you let this happen?" I asked [redacted] if the DDA acknowledged her statement and [redacted] said she just ignored her and walked out.
- [redacted] said her next interaction with the DDA was at grand jury, which she believed was about a week later.[150] I asked [redacted] to describe the DDA's tone in interacting with her at grand jury and [redacted] said, "condescending." Before the proceeding, in the "blue room", she tried to again bring up [redacted]'s disability and the DDA shut her down again and would not talk to her about it (as she had done when they spoke on the phone the first time). She said with [redacted] the DDA was not quite as condescending but she was short in her communications. [redacted] said the DDA came in, said this is going to be short and sweet, and that she had a hearing at one o'clock that she absolutely had to be at. [redacted] said the DDA introduced herself to [redacted] and told her she would be asking her questions; she did not engage in pleasantries or try to put [redacted] at ease. Then [redacted] was brought into grand jury first. She asked the DDA if [redacted]'s disability was going to be discussed and the DDA said it was not. When the DDA came back and was taking [redacted] into the grand jury room she stood at the front of the room and said, "This won't take long. It'll only take two or three minutes. I have to be upstairs in 10 minutes to a hearing. So this is going to be quick." [redacted] said her first thought was, "Why would you make a schedule like that? Why is my daughter so unimportant in this situation that she only requires two minutes of questioning in this case?"
- Regarding the DDA's refusal to talk to her about [redacted]'s disability and the specifics of the case, I asked [redacted] if the DDA provided any explanation for that at grand jury. [redacted] said she did not, that an attorney friend told her it may be related to discovery and needing to provide information to the defense. I asked if she ever received information about the conclusion of the grand jury proceeding and [redacted]

[150] According to the indictment filed in the case, [redacted] and [redacted] testified on September 3, 2025, the day after the release hearing; other witnesses testified September 24, 2025, the day the indictment was signed.

said she did not, but that there was a hearing on November 4, 2025 and she learned the defendant had been indicted.

- I asked about any further communication from the DA's office since grand jury. [redacted] said they got one letter about the November 4, 2025 hearing but no phone call, email, or further contact about the case.[151] [redacted] said that they got information about crime victim compensation and she contacted victim assistance to see about being compensated for her plane ticket and moving expenses to bring [redacted] back home. The advocate advised her, "I can't talk to you. It's not your case."[152] I asked [redacted] if she ever met an advocate from the DA's office and she said there was an advocate at grand jury and the release hearing, and when I asked her if it was Kristina or Katie she remembered it was Kristina. She said Kristina was also the one she first spoke with on the phone, the one who told her the DDA would not speak to her. I asked her if Kristina was helpful and [redacted] said she was, but that it was clear to her that Kristina was there to protect the interests of the DA, not there for the victim. [redacted] said Kristina defended the DDA at grand jury. [redacted] said, "I got downright nasty in the blue room. I was like, hey, this is ridiculous. There is no reason that you cannot talk to me about my child's disability. And the DDA just turned and walked out of the room and then Kristina started to defend her. 'She's just doing her job.'" [redacted] said she did not agree with Kristina. [redacted] said Kristina was nice to [redacted] at grand jury. I asked [redacted] if that was in contrast with the DDA's interaction with [redacted] and [redacted] said the DDA was not nice. At that point, [redacted] told me that [redacted] was right there and wanted to say something to me. I introduced myself to [redacted]. [redacted] told me the DDA "was an absolute rude ass bitch to me during the grand jury. If you listen to the recording you can hear the questions. And she was not nice at all."
- I asked [redacted] how she would feel contacting the DA's office at this point for information. [redacted] said she would probably just call [redacted], and if he did not know the answer then she would contact the DA's office. I asked [redacted] if she was at all concerned, as the case moved forward, that it may not be handled in an unbiased way. [redacted] said, "I am 100% convinced that she is going to go out of her way to make a deal with this man and get him released." I asked if she had any concerns about plea negotiations occurring without her input or [redacted]'s input and [redacted] said, "Absolutely. We haven't been asked for input on anything at this point." I asked if they were given any documentation and asked to fill it out to exercise any particular rights that [redacted] had as a victim and [redacted] said no.
- I asked [redacted] whether anyone told her that she may be able to appear remotely at court appearances, given that they live out of state. [redacted] said her advocate at Tides of Change told her about that option, and she and [redacted] appeared remotely at the November 4, 2025 appearance.

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[151] [redacted] later corrected herself when she and [redacted] together remembered that they did not actually get a letter notifying them of the November 4, 2025 hearing. The November 4, 2025 hearing was scheduled during the September 2, 2025 release hearing. She said that they actually had to call the DA's office to find confirm it; the DA's office did not notify them by letter about the November 4, 2025 hearing.

[152] [redacted] was under 18 at the time the alleged crimes occurred. "Victim" includes the parent of a minor crime victim. ORS 131.007. The fact that [redacted] is now an adult does not change the fact that she was a minor when the crimes occurred, and her mother would still be considered a "victim" under the law. I have never had a judge rule otherwise in my professional experience.

f. During my interview on December 16, 2026 with Sarah Dentel, Executive Director of Tillamook Child Advocacy Center, I asked her at the end of the interview if there was anything else she thought I should know about. She brought up how earlier in the interview she told me about how [Kristina Vatne] was treated (by [redacted] primarily), and how parents are shushed, and she gave as an example being in a release hearing and watching how [redacted] treated the mother of the victim ([redacted]):
   - "I have been appalled in a courtroom many, many times. I have never been, like I was unable to move with what I was watching happen. I was watching a parent of a child with a developmental disability who was saying, what is happening here? And [redacted] turned around and, "Shh!" Just the most disrespectful … pointing … swung her body back and was like, 'No, you need to get down.' Basically without saying, "Get away from me" it was very, "Get away from me." Which, I have watched situations like that be appropriately handled in a courtroom where, whoever is at the table turns around, says, your Honor, one moment, and then turns around and looks at the, also a victim at that point is the parent of this, and looking at the parent who is caring for a victim who has been through hell and back in the last 24 hours, looking at the parent and correcting the behavior and saying, 'Hold on just one second, I need to finish this piece.'" It was the most yucky … and I watched that happen a couple times in that courtroom."
   - I clarified with Sarah that she had seen courtroom interactions involving interruptions done correctly, and this interaction was not done correctly.

g. I reviewed the court record, including audio records of the case. The defendant was charged by Information on August 26, 2025 with three counts of Incest, three counts of Luring a Minor, and four counts of Sexual Abuse in the Third Degree (child under 18). At the arraignment the defendant requested release but the court had some concerns and declined to release him. She said the subject of release would be addressed at a hearing on September 2, 2025. [redacted] was present for the state and said that she did not anticipate the victim appearing for the September 2, 2025 release hearing and asked to be allowed to appear remotely. Judge Trevino said she could appear remotely but if the victim was appearing, [redacted] had to be there in person. Judge Trevino asked about grand jury and [redacted] said it would not be before September 2nd.

h. At the hearing on September 2, 2025, the defense again asked for release "under very strict circumstances" and had third parties present (defendant's employers) who were willing to supervise his release. The defense attorney told the court several times that they understood there would be a complete bar to any minor contact, and there would be severe consequences to them and the defendant if that term was violated. [redacted] told the court the "victim guardian" was there and wanted to make a statement and [redacted] made a very impassioned, angry, and emotional plea to the court not to release the defendant. [redacted] called the defendant an "imposter of a parent" and told the court if he could not get his hands on her daughter he would find another victim. Judge Trevino asked some questions of [redacted], including where the child was living. [redacted] said the child was with her mother. [redacted] said there were two minors in the defendant's residence when these incidents occurred and there was one alleged victim – she's [redacted] turning [redacted] in [redacted]. [redacted] said she believed the current release conditions were suitable in the case, but she wanted a condition of "no internet access." The judge asked if a plea offer had been made and the

defense attorney said he hadn't even received discovery because he assumed it was voluminous. [redacted] said she had just received "bare bones" evidence "this morning". The defendant was released pursuant to a third party release agreement.

i. The defendant was indicted on September 24, 2025. The Indictment alleged five counts of Luring a Minor, two counts of Incest, two counts of Sexual Abuse in the Second Degree, and three counts of Sexual Abuse in the Third Degree. At the appearance on November 4, 2025, the defendant had hired an attorney who was making his first appearance. [redacted] was present and said the victim had been notified but she did not believe she was present. After the formal arraignment Judge Trevino said, "I'm being told I do have present remotely the victim's mother." The court continued the matter until January.

j. I emailed [redacted] on January 6, 2026 and advised her that this was one of the cases I wanted to speak to her about on January 13, 2026. During the interview, [redacted] told me the following:

- I asked [redacted] if she recalled [redacted] asking if they could kind of rush the case into grand jury because the victim's mom wanted to return to Utah. [redacted] said "not necessarily" though she remembered the mother wanting to leave the state. She said she did remember "the officer being out in the hallway during grand jury while the victim and the victim's mom were in here [the "blue room"] and calling her on the phone I think three times separately and overhearing [redacted] telling the victim wrong information about how she couldn't leave the county or something like that and having to correct them about that. I recall that information."
- I told [redacted] there was a grand jury proceeding on September 3, 2025 and the complaint I received was that there were two Tides of Change advocates sitting outside grand jury and she said to them, "Why are you here and who are you?" [redacted] said she does not know who the Tides of Change advocates are, she knows one by her face, and she only knows the name of two of them. She said if there's someone at grand jury who she does not know, she will often ask who they are. I told [redacted] the complaint was that her tone of voice was rude in questioning these people and I asked her if she believed she was rude in her tone of voice. [redacted] response was barely above a whisper, saying that was not how she intended to come across, but "everybody takes it differently." I then asked [redacted] if she remembered telling [redacted] at grand jury that she would handle the mom's concern about leaving the state and [redacted] did recall "something along those lines." I asked if she recalled her tone when communicating with [redacted] and she said the only thing she could recall was trying to stop him from telling the mom bad information. I said the complaint was that she "lashed out" at [redacted] and I asked her if she would agree with that. [redacted] said "No" emphatically, and said, "In fact, it's funny because he did the same. He actually lashed out to me in court."
- I asked [redacted] if she recalled telling a witness at grand jury that she did not have reports and she said she could not recall if she did or didn't, and there are lots of times when they don't have reports. She then said she did recall some information about someone saying she had given something, not necessarily a report, but it could have been "medical" (which I understood to be medical records). I asked [redacted] if she recalled acknowledging that she had not read reports in advance of

grand jury because she got in late and [redacted] said she did not know, but that could have been true.

- I asked [redacted] if she recalled [redacted] wanting to testify at the release hearing and she confidently said yes, that she did not call him as a witness at the release hearing, and I said there was an allegation that he was not allowed to speak. [redacted] said that was correct. I asked why and she said it was a release hearing, he was not a victim, and he had no right to speak. [redacted] said she asked him "if he had any information" to share and "he didn't provide any information. He just wanted to speak."
- I asked [redacted] if she interacted with the mom at the hearing and she acknowledged she did.[153] I said, "It's been reported that your treatment towards the victim was very rude, that you physically swatted her away with your arm when she tried to get your attention" and [redacted] immediately responded saying, "I would never do that to anybody." [redacted] added, "When [redacted] asked to testify, I was in the middle of a hearing where he interrupted the hearing … I explained to him why he couldn't testify, and then during that hearing … it got very volatile after that hearing, and at one point he raised his voice to me … I talked to his supervisor after that hearing and told my concerns in regards to it. I don't know if those concerns were relayed to [redacted] or his ... or further up the chain or not." I asked [redacted] what she *did* recall about her interaction with the victim in the courtroom. [redacted] said the mom was "very hostile" and she was trying to calm the mom down because the mom was talking to someone else at the hearing. I asked [redacted] if she spoke with the mom *before* the release hearing and she said she could not recall if she did or did not.
- I asked [redacted] if the mom tried to provide her with any information about her daughter's diagnosis on the autism spectrum and [redacted] said "she mentioned some of that" and she instructed the mom to "please give it to law enforcement." She confirmed that would be her standard practice because she does not take information from witnesses and victims, and further confirmed that she remembered telling that to this mom. I asked if the mom was adamant that she have the information about her daughter's diagnosis and [redacted] said, "Adamant? How so?" I asked [redacted] if the mom continued to try to provide her with information and [redacted] said she vaguely recalled that the mom told her she had already given it to the police.
- I asked [redacted] if she recalled the victim calling the DA's office to try to talk to the DDA who was assigned before grand jury and she said she did not recall "off the top of my head." I asked if the victim had called, would she have spoken to her and she said if she had time, yes. "I wouldn't have talked about the facts of the case, but yes, the process and such, yes, I would have talked to her." I asked [redacted] why she wouldn't have talked to her about the facts of the case and [redacted]

[153] I interchangeably used the word "victim" and "mom" and at one point during our conversation I asked [redacted] about her interaction with the victim in the courtroom and [redacted] asked, "The victim?" or "Victim guardian?" I stated to [redacted], "When I'm talking about a victim in a minor case, I'm talking about the parent, the one who's there on behalf of the child."

[redacted] replied, “Again, it's my practice not to talk about the facts of the case in an ongoing case.”

Other Persons Mentioned - Summaries

Christopher Hamilton

Christopher is the Trial Court Administrator for Tillamook County. On December 16, 2025, I met Christopher at the courthouse and he provided me with a tour. He provided me with a print out of a Power Point. I asked if it was possible for him to provide me with trial data for Tillamook County. Christopher said that data is available to any member of the public and he could provide it to me. Later that day I received two emails from Christopher. The first email contained a table with trial data for Tillamook County (2017-December of 2025) and the second email contained links to statewide trial data on OJD's website.

On January 31, 2026 I emailed Christopher with a question regarding anonymized indictments as authorized under ORS 132.540(5)(a), and confidential filings. Christopher called me a short time later in lieu of responding to my email. Christopher said that he suspected my question related to a criminal case, 25CR08761.[154] He said that in his experience, the court has not had any problems with confidential filings. Regarding the case he specifically referenced, he said there was an issue with the judgment because it needed to include the victim's name and the DDA (whom Christopher did not name) wanted to "seal" the whole file. Christopher said that was not possible,[155] but they ultimately arrived at a solution. I thanked Christopher for calling me and we ended the call.

The case Christopher provided me was similar to the situation Lt. Ahnie Seaholm had told me about during her interview, where parole and probation needed to input the victim's name into LEDS so that the no-contact order could be enforced. Lt. Seaholm's example also involved [redacted].

Lacey Larson

Lacey is the Executive Assistant to Tillamook Police Chief Nick Troxel. In Chief Troxel's November 26, 2025 email to me declining an interview, Chief Troxel wrote, "I, as Chief of Police, will assist in any way we can if there is a specific question about a case, a process issue affecting public safety, or a particular interaction involving our agency and the District Attorney's Office. If you identify a specific matter where our input would be useful, please send that request in writing with enough detail for us to review it, and we will respond promptly and in good faith."

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[154] eCourt was down at the time of the call so I was not able to look up the case immediately and determine if it was, in any way, related to my question. When I was able to look at the case once eCourt came back online, I reviewed the case, *State v. Jose Favian Valencia-Benito*. [redacted] was the prosecutor. The defendant was indicted in February of 2025 for three counts of Sex Abuse in the First Degree of a child under 14. The victim was anonymized and identified by initials. The investigating agency was Tillamook PD. The victim did not testify at grand jury. Christopher had told me it was a conflict case and Lincoln County Circuit Court Judge Amanda Benjamin presided over the case. The parties participated in a judicial settlement conference on October 10, 2025 with Lincoln County Circuit Court Judge Sheryl Bachart and the defendant pled guilty to two counts of Attempted Sex Abuse in the First Degree and was sentenced to 2 years in prison on one count and 5 years of probation on another. The victim's name was redacted from the judgment in eCourt.

With that in mind, I emailed a public records request to Chief Troxel on December 16, 2025 for investigative reports from a case. On that same date, I received the reports from Lacey Larson by email.

On January 15, 2026, I emailed Chief Troxel again requesting information on a child sex abuse case his agency investigated that resulted in criminal charges in 23CR41032. I explained in the email to Chief Troxel that "I cannot obtain a copy of the investigative reports as they are confidential. ORS 419B.035. However, I am requesting information from the investigation. I am looking for any information about whether the child victim's account was corroborated by any admissions from the defendant or any video/electronic evidence" since the defendant was charged with Using a Child in Display of Sexually Explicit Conduct and Encouraging Child Sexual Abuse. I said if I could speak directly to the investigating officer (who appeared to be Officer Neubauer from the Indictment), that would be preferable.

I did not receive a response to my email until January 21, 2026 when I received a voicemail from Lacey at 1:07 p.m. In her message she indicated that Chief Troxel had been in training and asked her to follow up on my email request. In her message Lacey advised me Officer Neubauer was no longer with the agency. I was unable to immediately return Lacey's call. At 3:59 p.m. I received a voicemail from Chief Troxel indicating that they had not heard back from me but that they leave at 4:00 p.m. The following day, January 22, 2026, I called Lacey and we were able to speak. I read the portion of my email asking for the details of the investigation, namely, did the defendant corroborate the child's account with admissions or was there video evidence corroborating the child's account. Lacey answered affirmatively, saying there was video evidence that corroborated the child's account. Lacey provided me with case number 23-4735 as the incident number for Tillamook PD. Lacey offered to contact former Detective Neubauer because she believed he would "definitely" remember the case and that he had "some very frustrating times" which she believed contributed to his decision to leave the police department. Lacey also believed Neubauer would be able to speak more freely on the matter. I told Lacey she was more than welcome to provide my contact information (in my email) to Neubauer. Lacey said the Chief wanted to make sure that I had access to the judgment in eCourt. I explained that I did have access, and that I had seen what the defendant was indicted for and how the case ultimately resolved which was what prompted my request for more information. I thanked Lacey for calling me and ended the call.

As of the date of this report, former officer Neubauer has not contacted me.

Rhonda Silveira

Rhonda is the Office Manager for the Tillamook County Sheriff's Office. Rhonda assisted with securing a private conference room at the Sheriff's Office for me to conduct interviews on three separate dates (November 19, December 5, December 16, 2025).

On January 6, 2026, I emailed Sheriff Brown to ask if it would be possible to get records through a request to Rhonda without having to go through the public records process on his website (which would have required a trip to Tillamook to make payment before receiving the records.) Sheriff Brown responded to my email and said he would direct Rhonda to provide me with the records I needed because this was a special circumstance and he considered it cooperation with an ongoing investigation.

On January 6th and 7th, I emailed Rhonda with requests for reports from 5 cases. On February 5, 2026 I emailed Rhonda with a request for one additional case report. Rhonda provided me with the requested reports. I did not request body camera footage or any other evidence.

Jeff Hall

On January 12, 2026 I received an email from County Counsel Bryan Libel informing me that a Mr. Jeff Hall (971-389-4513) called their office because he had heard about the investigation into the Tillamook County District Attorney's Office and wanted to provide information to the investigator. Mr. Hall had been arrested in October 2024 for recording police activity after a bank robbery and according to him, the DA's office charged him Interfering with Law Enforcement only after he filed a complaint about his arrest. Mr. Hall wanted to reveal his perceived injustice.

I looked at Hall's case in eCourt (25CR08187) and saw that it was an open criminal case and he was represented by an attorney. Trial was scheduled for January 27, 2026. On January 26, 2026, I emailed Hall's attorney, Kayla Long, introduced myself and why I was contacting her, and advised her of the following: "I did not contact Mr. Hall and given your representation and his pending criminal case, do not intend to do so. However, I wanted to communicate that to him and did not want to reach out to him directly (although he left his phone number with county counsel). When Mr. Hall's criminal matter and your representation have concluded, he is welcome to contact me directly at the phone number or email address below."

I have not received any communication from Mr. Hall.[156]

[redacted]

On December 18, 2025, I received a phone call from an unknown number. A woman on the other line identified herself and told me that she received my number from Sarah Dentel and then proceeded to animatedly describe a criminal case involving the homicide of her [redacted]. As I was not in a position at that moment to speak to the person, I asked if I could call them back at the number provided. She consented.

Approximately 15 minutes later I called 503-812-8728. A woman answered and identified herself as [redacted] and confirmed she had just called me. I learned from Ms. [redacted] that in 2019 her [redacted] had been killed in Tillamook County. Ms. [redacted] initially implied that her [redacted]'s killer had not been prosecuted (or perhaps I misunderstood what she was communicating) but ultimately after questioning I learned that there had been a police investigation into her [redacted]'s killing, the police had identified a suspect (whom she identified as Michael Blaser), and that the individual was involved with the "PSRB". I know the PSRB is the Psychiatric Security Review Board, an Oregon board responsible for the supervision and

[156] I checked eCourt after the 27th to see if his criminal case concluded. [redacted] was the prosecutor and a jury trial occurred. The defendant was found guilty of one county of Interfering with a Peace Officer. Two days later (January 29, 2026), the state filed a Motion to Dismiss the case despite the record indicating the defendant had been found guilty by a jury. Perplexed, I reviewed the motion and looked closer at the case file. The defendant had been charged with conduct that was no longer criminal (i.e. failure to obey a lawful order). [redacted]'s motion to dismiss stated, "It has come to the state's attention that the charging instrument left out the following necessary language pursuant to the offense: 'acts in a manner that prevents the peace officer from performing the lawful duties of the officer.' The defense attorney certainly should have caught the error and filed a demurrer.

management of individuals found Guilty Except for Insantity (aka "GEI") in criminal cases, as well as individuals committed to the Board pursuant to a civil process after a finding that the person is "extremely dangerous." *See* ORS 426.701.

After some additional questioning I learned from Ms. [redacted] that DA Olson was assigned to or involved with her [redacted]'s case, but it was unclear to me with Ms. [redacted]'s initial information what DA Olson's involvement was. I did confirm that the police investigated his death in 2019, and thus the incident occurred long before DA Olson took office. I explained to Ms. [redacted] that I needed to determine whether her complaint was something that the County wanted documented for my investigation and told her I would get back to her when I had that answer or she was welcome to follow up in about one week.

I conducted an eCourt search for Michael Blaser and found a 2019 criminal case where Blaser was charged with Murder in the Second Degree, [redacted]. Reviewing the indictment, [redacted] was the homicide victim. The case file was straightforward: Blaser was indicted for [redacted]'s murder. He was found unable to "aid and assist" in his own defense (i.e. he was not competent to stand trial) and was committed to the Oregon State Hospital (OSH) for treatment. Over the course of two years, Blaser remained at OSH for treatment and to attempt to attain competency. Much of the records were not available for public viewing, which is common when competency reports are filed with the courts, because they contain medically protected information. Ultimately the court found Blaser never able to assist in his defense (aka, "never able" determination) and dismissed the criminal charge without prejudice. The statutory authority for the court to make such a finding is found in ORS 161.370 and ORS 161.371. Given the original charge (murder) and the restoration attempts, it appeared likely to me that an extremely dangerous petition was then filed for the court to order Blaser to be committed *civilly* to the jurisdiction of the PSRB under ORS 426.701. Unfortunately, records such as those are not viewable in eCourt.

On December 19, 2025, I spoke with Kyle Abraham by phone to inquire whether Ms. [redacted]'s case was something the County wanted me to look into further considering the age of the case. Kyle indicated that he would get back to me after consulting with the County.

On December 29, 2025, Ms. [redacted] called me back. I explained to Ms. [redacted] that I had reviewed her [redacted]'s criminal case online and she confirmed that everything I had viewed and surmised was correct: Blaser had been charged, was found unable to aid and assist, the criminal charge was dismissed, and then an extremely dangerous proceeding resulted in his being committed to the PSRB. I also explained to Ms. [redacted] that I was still waiting to hear back about whether her [redacted]'s case (and thus her complaint) would be included in my investigation. Ms. [redacted] indicated she understood that the investigation may not cover her [redacted]'s case. She wanted to make sure the County was aware, however, that DA Olson was involved in her [redacted]'s case *after* becoming the District Attorney, and that DA Olson made critical decisions related to her [redacted]'s case as the DA. Without prompting Ms. [redacted] told me that she was on the way to the sheriff's office at that moment to follow up on her own criminal case involving property damage in July of "last year". Without my asking Ms. [redacted] said that her property had been damaged, and the police didn't even "write a report" so nobody has been prosecuted and that might not be the DA's fault because police never wrote a report. I explained to Ms. [redacted] that I still needed to find out whether my investigation was going to continue to expand or was just

going to involve the matters I had already documented. Ms. [redacted] told me she understood and we agreed that we would communicate further once I had final directive from the County.

On January 26, 2026 I called Ms. [redacted] to advise her that I had not received authorization to expand the scope of my investigation to matters prior to January 1, 2023 (when DA Olson took office) and Ms. [redacted] appreciated the call back and stated she understood.

Findings and Conclusions

I began this investigation in November of 2025 by gathering information through interviews. I had little to no context for initial information that people were providing to me because I did not have specific case names or numbers, police investigations, or court records. When a witness provided me with generalized information, I would ask the witness to provide me with specific examples if possible: a defendant's name, a police agency number, or the name of the prosecuting attorney handling the case or cases. To the extent I was able, I attempted to investigate the witness's account by looking at and reviewing court records, police reports, recordings of hearings, and further interviews.

There were limitations to the information I was able to gather. For example, Oregon law prohibits the disclosure of child abuse investigative reports except in limited situations, none of which applied to my investigation. In those cases, because I could not review police reports, I examined court records and attempted to get information from interviews. Additionally, grand jury proceedings are secret and although they are recorded, the release of recordings is highly restricted; none of the reasons for release were directly applicable to my investigation. I knew that DA Olson and all of the DDAs working for her had unfettered access, and therefore ability to listen, to any grand jury recording. Also, I did not have access to DA Olson's case management system, a list of cases submitted to her office, the number of cases she has no-actioned since becoming DA, and the reason for those no-actions. It is possible that many no-action decisions that DA Olson has made in her tenure have been reasonable and appropriate exercises of her discretion; either the case could not be proven beyond a reasonable doubt or she had a valid reason not to file a charge. Finally, there were time and resource constraints. I was provided with a select group of cases to examine; not all the criminal cases filed during DA Olson's tenure. To examine the hundreds of criminal cases that have been filed since 2023 would take months or longer to complete.

As I received information related to a complaint and received information about specific cases or incidents related to the complaint, I reviewed the matters through a wide lens. There were times I discovered that the initial complaints led me to information relevant to my investigation. I have tried to point out and explain when those situations occurred.

I was aware from the outset that DA Olson was a new DA, and that she had succeeded a man who had been in the position for decades. I am aware of gender bias, I have observed it and experienced it, and I was therefore watchful and vigilant for any evidence that a complaint was the result of DA Olson's gender. I did not find any evidence from any person I interviewed or any document I reviewed that complaints were motivated or influenced by any bias against DA Olson because of her gender. Both [redacted] expressed opinions that the investigation was because DA Olson is a woman, with [redacted] going so far as to state that it appeared to him the complaints were "highly misogynistic," but I did not find any evidence that was the case.

A district attorney is the state's representative in prosecutions of criminal law violations. The Oregon Constitution describes the prosecutor as the "law officers of the State" and other than a few statutes that place requirements on district attorneys, it is up to the individual discretion of the elected DA in a county to determine what crimes will be prosecuted; the limitations are the laws of the State of Oregon and the Constitutions of Oregon and the United States. Thus, district attorneys have broad discretion. Every case that is reviewed requires a

subjective determination of whether the evidence is sufficient to prove a crime beyond a reasonable doubt. That subjective determination is checked by a grand jury, the courts, and ultimately a jury. The legal standard of proof for a conviction in a criminal case is "proof beyond a reasonable doubt," which is the highest standard of proof. What constitutes "proof beyond a reasonable doubt" is necessarily subjective because it's a standard created and applied by humans; it can be influenced by experience or lack of experience, knowledge of the law and rules of evidence, and personal biases and beliefs.

I considered DA Olson's lack of experience and lack of appropriate mentorship as possible explanations for why cases were not being filed or successfully presented to the grand jury for indictment, cases were being dismissed mid-trial, or plea offers failed to account for the gravity of the offense or appropriately punish the offender. At multiple points during my interview, I asked DA Olson if her lack of experience, possible lack of knowledge, or lack of understanding of certain areas impacted her ability to do her job. At each point, DA Olson denied that her lack of experience as an attorney, as a prosecutor, or as District Attorney impacted her decision making (particularly as it related to charging cases), plea negotiations on cases, or her trial office's trial preparedness.

I was asked to investigate specific allegations and make findings; those are addressed below. Based on information gathered during the investigation, I have also made additional findings. In no particular order, I address them here:

1. Exhibit 1, #10: I cannot sustain a finding that [redacted] stated what [redacted] reported or that his statement was inappropriate.

2. I find that it is ineffective to have supervisors at MDT meetings. Case staffing is only effective if the investigator with first-hand knowledge is able to convey information. Supervisors generally have limited information (because they are, by job description, supervising and not focused on investigating). If there is a concern that a group is too large and unwieldy, investigators can be invited into a meeting to staff their case only. But to rely on third hand information is ineffective and will not lead to the best outcomes, no matter the type of MDT.

3. I find that in no-action decisions that I have reviewed, DA Olson places far too much emphasis on a defendant's version of events. This provides a convenient way to say that a case cannot be proven beyond a reasonable doubt. Specific examples of cases that I discussed in this report include Exhibit 1, #11 (defendant Jeff Gerhardt, victim [redacted] and [redacted], [redacted]'s mother) and Exhibit 1, #9 (defendant Michael Lex, victim [redacted]).

4. I do not find that the DA's Office's inaction on a probation violation described in Exhibit 1, #12 was inappropriate. Mr. Kowalski assaulted Deputy Cloud through his own actions and volition, not because of inaction by the DA's Office.

5. I find the DA's Office's frequency of Not True Bill determinations from grand jury proceedings alarming. One example, *State v. Cesar Baez Galicia*, 23CR11971 (#2, Specific Cases) is discussed at length in this report. It was a DV assault where the victim

was hit in the head with a baseball bat, causing her a significant injury (staples to her head and concussion). DA Olson presented charges of Assault in the First Degree and Unlawful Use of a Weapon to the grand jury, and the grand jury did not indict, issuing a Not True Bill, resulting in the case being dismissed. A Not True Bill finding by a grand jury is incredibly rare. I can only recall a few times in my entire career that I personally had cases where the grand jury did not indict. It's possible to get a rogue group of jurors who simply refuse to follow the law; but if that occurs the DA can seek assistance from the Court to remedy the problem jurors, or they can pull cases from the grand jury's consideration. If I presented a case to a grand jury and they told me they were unsure of the evidence, I brought more witnesses or evidence before them to satisfy the state's burden. What is concerning is the frequency with which I found Not True Bill findings in Tillamook County. In addition to *Galicia*, there was a Not True Bill in another case presented by DA Olson, *State v. Israel Pozos*, 24CR25944 (#3, Specific Cases). When I asked DA Olson about the *Pozos* case she did not describe a rogue grand jury, nor did she describe insufficient evidence; instead she said the victim's demeanor was "nonchalant." She likewise became defensive at the idea that someone would question whether she "did a good job." I reviewed the police reports in *Galicia* and *Pozos* and in my opinion the evidence in both cases clearly and unequivocally established the elements of the charged crimes; the inability to obtain an indictment indicates that all the relevant facts were not presented to the grand jury, either deliberately or negligently, or that the grand jury was possibly influenced to not issue an Indictment. After a cursory search in eCourt of cases filed between 2023 – 2025, I found four more cases that were dismissed after a Not True Bill: *State v. Inman*, [redacted] ([redacted]); *State v. Wilson*, [redacted] ([redacted]); *State v. Jacob Sweeney*, 23CR11989 (DA Olson); *State v. Arnold*, [redacted] ([redacted]). That is an alarming number of Not True Bill cases in a relatively small county in less than a three (3) year period. Due to the secret nature of the grand jury proceedings, I was not able to listen to the recordings from those cases. Only the Court can authorize the release of a grand jury recording.

6. I find that DA Olson's failure to comply with her legal obligation to have a policy manual and to make it available to the public on her website is a clear violation of Oregon law. Prior to the enactment of ORS 8.705 in 2019, many DA's Offices had been operating for years under written policy manuals, while other DA's Offices had consistent policies that may not have been reduced to writing. The purpose behind the law was to expose elected district attorneys' policies to the voting public's scrutiny, related to issues such as charging decisions, plea negotiations, and prioritization of resources. Not only is DA Olson's failure to have a policy manual a violation of Oregon law, residents of Tillamook County are without critical information on the policies of their chief law enforcement official. The other purpose behind the policy manual is for the benefit of the office and the DDAs – to guide them through consistent charging decisions and plea negotiations. While the statute mandates that a policy manual exist, and that it be updated every five (5) years, nothing in the statue provides a sanction for failure to comply. Presumably, the legislature did not believe that would be necessary and that it could count on the chief law enforcement official in each county to follow the law.

7. I find that in many of DA Olson's email communications, she does not request cooperation and collaboration, she demands and dictates process and procedure. If she states in an email that she is open to discussing her position or looks forward to working collaboratively, her actions indicate otherwise. Any person can read the language and tone of the emails attached as exhibits and draw their own conclusion, but I find that DA Olson's communication content and style are not collaborative or collegial. DA Olson dictated to law enforcement that they will comply with deadlines for submitting reports and that failure to do so could result in an in-custody being "released without charge, and a person who was booked and released will have an expired release agreement." At no point in DA Olson's August 19, 2024 email (Exhibit 5) did she mention victims or public safety. DA Olson's report submission policy does not prioritize victims or public safety.

8. I find that DA Olson has a perception problem. DA Olson described two emails from Undersheriff Matt Kelly as "nasty" (referring presumably to the tone of the email). One of the emails is found in Exhibit 12; the other DA Olson could not locate. The reader can draw their own conclusions as to the messaging and tone, but I found Undersheriff Kelly's email to be professional and appropriate by any objective standard. The fact that DA Olson would describe it as "nasty" is shocking. During her interview, there were other examples of DA Olson's perception of situations seeming quite different from reality. *See* DA Olson's statement and recorded interview for details.

9. I find that DA Olson has engaged in retaliatory behavior. At several points in the investigation, individuals expressed concerns of retaliation from DA Olson. Sheriff Brown expressed concern that DA Olson would retaliate against his office and his staff. Chief Troxel told Commissioner Fournier he was concerned about retaliation. Valerie Bundy expressed concern for retaliation against victims for speaking out.

    - First, DA Olson acknowledged that when Sheriff Brown asked to meet with her on July 26, 2023, she did not want to meet with him to discuss a case from his office that she recently no-actioned, so she told him she was not available for a meeting for nearly 2 months.
    - Second, David Richmond complained to DA Olson in August of 2025 regarding [redacted] and the trial he just participated in. David wrote several complaints, none of which were addressed until DA Olson learned that David was one of the people who went to Tillamook County HR. After finally responding to David's complaints in December, DA Olson lodged a complaint against David with his executive director. DA Olson's complaint to Frank Hanna-Williams was made December 17, 2025, four (4) months after David originally complained about [redacted] to DA Olson. In DA Olson's complaint, she claims David's complaints from four months prior (which she was happy to ignore for the first three months) were "highly inflammatory" and that David treated [redacted] "with disrespect" and has brought forth "false information." DA Olson concludes by expressing concern with whether she can call David as a "credible witness" in the future.
    - Third, DA Olson has accused TCSO deputies of unspecified "bias" in a declaration she submitted in a criminal case as outlined in Exhibit 6. A DA has

the power to effectively end the career of a law enforcement officer by finding that the officer is biased, prejudiced, or dishonest. Commonly referred to as a *Brady* determination, DA's Offices around the state have processes in place to comply with the Supreme Court's constitutional mandate to disclose any material, exculpatory information to a defendant in a criminal case, including information related to bias, prejudice and dishonesty of a police officer. Such a determination by a DA's Office (to place an officer on a *Brady* list) can also have consequences to the officer's police certification.

10. I find that DA Olson shifts blame to others and does not take responsibility for her and her office's mistakes. She expressed several times during her interview that people did not bring complaints to her to address, but that was not accurate. Valerie Bundy described calling DA Olson about [redacted]'s behavior toward a victim (#6, Specific Cases) where Valerie told DA Olson that [redacted] was unprofessional and was victim blaming. Valerie said DA Olson would not agree [redacted]'s behavior was unprofessional because she wasn't present for it. David Richmond complained to DA Olson and she ignored it until she was advised of this investigation. DA Olson described [redacted]'s treatment of Kristina Vatne "in house" as a problem, but claimed to be unaware of how [redacted] treated Kristina in public meetings. DA Olson claimed that because [redacted] "marches to the beat of his own drum" that she has been unable to write a policy manual because "I'm having to establish some of those policies based on what happens in our office." Law enforcement has raised multiple complaints to the DA's Office about cases not being charged but DA Olson deflects blame, citing law enforcement's poor investigations. If an investigation is poor or lacking, DA Olson has a part time DA investigator who can complete it, or DA Olson can summon witnesses to grand jury to investigate.

11. I find that DA Olson was unwilling or unable to answer many of the questions I asked her. Throughout my interview with DA Olson, she would refuse or fail to answer the question that I posed to her. With some of the subjects I persisted until she responded, with many others I had to abandon all attempts to get her to respond because she simply would not. I spoke with her for over five hours and that was largely due to her inability or unwillingness to answer questions. Some examples of the questions DA Olson was unwilling to answer included: (1) how she prioritizes the types of cases she will prosecute, how DV and child sex abuse cases are charged and negotiated, and how Measure 11 cases are negotiated; (2) her philosophy regarding her role in victim advocacy in the criminal justice system; (3) when she plans to comply with the requirement of a policy manual.

12. I find that DA Olson's notification to victims of no-action decisions, if any notification actually occurs, is not appropriate and fails to comply with best practice through a compassionate, trauma-informed process. Katie Springs told me that when DA Olson no-actions a case, victim assistance does not even get notified, which means the victim advocates (or as DA Olson refers to them, case managers) do not make notification to a victim. Rather, according to Katie, notification of a no-action decision is done, if it is

done, by DA support staff sending a letter to the victim. I asked DA Olson to describe her victim notification process to me and she gave a long-winded, convoluted answer before eventually describing a process similar to what Katie described. I did not, during my interview with DA Olson, differentiate between filed and no-actioned cases and assumed what DA Olson was describing would be the process in notifying a victim whether the case was filed or not filed. At no time during my interview did DA Olson explain to me that her legal assistants send a letter to a victim.

13. I find that DA Olson's case filings since taking office have reduced sharply, and that the most likely explanation for that is DA Olson's subjective application of what "proof beyond a reasonable doubt" means to her. DA Olson told me that when she became DA she dismissed many cases that had been charged under her predecessor. DA Olson told me that the "bar is high" for the evidence she requires to charge cases across the board, even on "serious cases." DA Olson categorically denied that her lack of experience contributed to her charging decisions, stating instead that she believed they were making the right decisions. She said her charging decisions were based on the judges (claiming one judge routinely acquitted defendants), the workload of the attorneys, and law enforcement not getting her enough evidence. To be clear, DA Olson, as the elected District Attorney, has complete discretion to set the evidentiary bar wherever she sees fit.

14. I find that DA Olson's management of [redacted]'s treatment of Kristina Vatne was wholly inappropriate, and what DA Olson described doing reminded me of a domestic violence/power and control dynamic. DA Olson told me that when she received the summary of allegations from the County she reached out to Kristina. DA Olson stated that Kristina "may have asked [her] to be quiet …[but] she very much downplayed" what I had described to her regarding people's complaints of [redacted]'s treatment. DA Olson said that Kristina told her there may have been a couple times [redacted] told Kristina to "quiet down or something" or to "ask about that later or something." DA Olson then described a prior incident that she was aware of (regarding [redacted]'s treatment of Kristina). DA Olson said she asked Kristina if she wanted to be removed from [redacted]'s caseload and Kristina said she did not, so DA Olson decided "How do we get you two to work together better?" The description DA Olson gave for resolving the conflict between Kristina (a subordinate) and [redacted] (a superior) reminded me of the way DV situations would be resolved by judges decades ago – "Do you promise not to make him mad any more? Do you promise not to hit her any more?" [redacted] was the person with the power and authority and Kristina was being asked to change her work and caseload assignment and was placed in an untenable decision of having to decide how the solve a problem where she was the victim.

15. Although I addressed this in the body of the report, I must emphasize that [redacted]'s and [redacted]'s trial preparation techniques, as endorsed and agreed to by DA Olson, are incompetent. To prevent the introduction of relevant, factual, and truthful evidence of a criminal act because information was not included in a police report is wrong. Police reports are merely a tool a prosecutor can use to reveal the true facts of a situation. Victims and witnesses who have experienced traumatic events should not be expected to provide every relevant fact and detail to a police officer (who may not have

the time or capability to receive it). In the thousands of witnesses I have prepared for testimony, I expected they would not remember everything about an event or remember everything they may have said. When that occurred, I did not necessarily think the witness was lying to me (even though I definitely spoke to witnesses whom I believed were lying to me). When a witness told me something "different" than what was contained in a police report, I did not panic nor was I concerned that I violated a legal or ethical rule, because I did not. I genuinely cannot comprehend how [redacted] came to develop this practice, or how DA Olson could allow it to continue in her office. There are certainly reasons why a prosecutor may not have the time to prepare and develop the testimony of a witness prior to a hearing or trial (generally due to workload constraints in my experience), but to purposely fail to do so is wrong.

Allegations Section A – Complaints related to competency of DA and/or DDAs

- Failing to review pertinent reports

Finding: Not Founded

  - [redacted] alleged that [redacted] failed to review pertinent law enforcement and other investigative reports in advance of grand jury and trial. David Richmond also alluded to this. I do not have sufficient information to find that in that case or in others there has been a failure to review pertinent reports.

- Limiting or excluding pertinent testimony from witnesses at grand jury or trial

Finding: Founded as to *Blevins*, *Anderson*, *Carroll* / *Harding*

  - In reviewing the trials of *Blevins* (#6, Specific Cases) and *Anderson* (#7, Specific Cases, critical testimony was not elicited during the trial.
  - In reviewing the trial of co-defendants *Carroll/Harding*, (#9, Specific Cases), there was minimal evidence elicited from the witnesses who testified about the victim's physical, medical, and mental health condition. A doctor who evaluated the victim was mentioned but not subpoenaed as a witness, without explanation. Witnesses testified inconsistently at trial than with prior testimony at grand jury and were not impeached.

- Failing to call key witnesses at grand jury, hearings, trials

Finding: Founded as to *Blevins*, *Anderson, Carroll* / *Harding*; Not Founded: *Hart*

  - See information above as to *Blevins*, *Anderson*, and *Carroll / Harding*
  - [redacted] complained that he was not allowed to speak at the release hearing in *State v. Hart* (#11, Specific Cases). [redacted] told me that he

was not allowed because he was not a victim and had no right to speak. [redacted] is correct. The fact that a DDA may call a law enforcement witness at a release hearing in one case does not mean that a DDA will call a law enforcement witness in every case. While [redacted] could have requested that [redacted] be allowed to make a statement, it is not an abuse of her discretion not to do so. Additionally, only a victim has a *right* to make a statement at a release hearing so ultimately the judge could refuse to hear from [redacted].

- Failing to present viable cases to grand jury/charge cases

Finding: Founded

- In several cases that I reviewed, there appeared to be sufficient evidence to charge a defendant, obtain an indictment, or charge additional or more appropriate crimes. Prosectors make difficult decisions whether to file criminal charges or not. Those decisions are imperfect. There may be times a prosecutor misses key information or does not have the information. Additionally, there may be differing analyses on cases depending on experience, knowledge of the law, and available resources. With those caveats in mind, the following cases had viable, prosecutable offenses that either were not pursued (and the reason given was not based on resources), were not indicted (Not True Bill), or the crimes charged did not reflect the entirety of the criminal conduct:
  - Michael Lex, DV Assault, #9, Exhibit 1. This complaint from [redacted] was regarding a no-action from DA Olson on a DV Assault case. The basis of the no-action was that "everyone was impaired" and the suspect and victim both said she slipped. The police report documented two witnesses who observed otherwise. One witness, who was with the suspect and victim all night, said that the suspect ripped the victim out of the truck and threw her on the pavement. Another witness who was just driving by and was alarmed enough to call 911 without any knowledge of the people involved said he saw a woman "launch" out of a vehicle as though she was thrown.
  - Christian Hillman, Trespass, #17, Exhibit 1. This complaint from [redacted] was regarding a no-action from DA Olson on a trespass charge. There would be several valid reasons why DA Olson may choose not to pursue a Class C misdemeanor, the most obvious of which is that as a low-level misdemeanor it was not worth the resources the prosecution would take. However, DA Olson's stated reason for not filing the case was insufficient evidence of the mental state required for Criminal Trespass. That mental state is a "knowing" mental state, meaning the evidence has to show the suspect was aware that he did not have permission to be on someone else's property. There was no evidence the suspect was intoxicated, he was running

and fleeing from police, and he ran into the yard of a homeowner without permission and attempted to scale a 6 foot chain link fence on the property to get away. The *only* inference that could be drawn from those facts is that the suspect was aware he did not have permission to be on the homeowner's property.

- *State v. Baez-Galicia*, #2, Specific Cases. This DV case involved a serious assault with a weapon. The victim received an injury to her head requiring stitches in addition to a concussion. There was admissible evidence that could have been presented through several medical professionals who were not witnesses at grand jury. At a minimum, there was evidence of Assault in the Second Degree and DA Olson had actually charged the defendant with Assault in the First Degree. When I asked DA Olson for an explanation as to how a grand jury could render a Not True Bill she was unable or unwilling to provide an explanation. She claimed to have no memory of the case and further claimed that although I had sent her an email listing the case as one I wanted to discuss with her, she had forgotten about it in the intervening 5 days.
- *State v. Maximo Menera-Aleman*, 24CR41270, discussed in fn 21. The investigative reports provided overwhelming evidence of DV Strangulation (which is a felony) and DV Assault in the Fourth Degree (felony). The case was ultimately resolved with the defendant pleading to Harassment. The crime of conviction did not reflect the defendant's conduct or the gravity of his crimes.
- *State v. Timothy Neahring*, #8, Specific Cases. The adult victim was an eye witness to the defendant touching the breast of the minor victim. The minor victim did not deny the conduct, but indicated she "blocked out" traumatic events. The state possessed a text message that the defendant admitted came from his phone describing him committing a sexual act on the adult victim and the minor victim. There was sufficient evidence to charge the defendant with Luring a Minor and Sexual Abuse in the Third Degree against the minor victim.
- *State v. Hector William Rojo*, [redacted]. Trial in December 2024 ended in mistrial. Defendant was charged with DV Strangulation but [redacted] did not allege the defendant's prior convictions for DV Assault 4 in 14CR30691 and DV Strangulation in 23CR31387 which would have elevated the crime seriousness. [redacted] did not file a Notice of Intent to Rely on Enhancement Facts which would have authorized the Court to impose an upward departure sentence.

- Minimizing or mischaracterizing serious sex offenses

Finding: Not Founded

- This is related to a complaint from [redacted] (Exhibit 3)
- The plea petition is required to allege the elements of the criminal offense and nothing more. The plea petition alleged the elements of Sexual Abuse in the

Third Degree. Frequently defendants will minimize or cloak their actual behavior in plea petitions (in this instance the defendant had sexual contact with the minor victim by rubbing his genitals on her body), but the words are not a mischaracterization.

- Misstating applicable criminal statutes and generally not knowing the law on a particular matter

Finding: Not Founded

- This is related to a complaint from [redacted] regarding a statement DDA [redacted] made at a grand jury involving a case of an OSP [redacted]. The statement attributed to her was an erroneous statement of the law. The other examples I found where there was legal error was [redacted]'s misstatement of the maximum penalty in *State v. Blevins*, #6, Specific Cases, and [redacted]'s misstatement of the maximum penalty in *State v. Butterfield*, #10, Specific Cases.
- It is possible that insufficient knowledge of the law has resulted in the significant reduction in case filings as well as criminal cases not being appropriately charged. But I do not find widespread evidence that the DA's Office personnel do not know the law.

- Failing to prosecute theft and financial crimes, claiming the matters are civil

Finding: Not Founded

- This is related to a complaint from [redacted] and David Richmond in *Carroll/Harding*, (#9, Specific Cases).

- Failing to engage in any trial preparation with witnesses, or insufficient trial preparation

Finding: Founded

- Information from multiple sources (Valerie Bundy, [redacted], David Richmond, and Keiley Petrey) demonstrated that witnesses were not appropriately or sufficiently prepared for trial due to [redacted] refusing to speak to them about the facts of the case or their actual testimony, or refusing to investigate additional information from them relevant to the trial.
- [redacted] confirmed they will not talk to witnesses about the facts of the case or their actual testimony, because it would make them "witnesses" in the case.
- DA Olson confirmed she was aware of [redacted]'s trial preparation practices and did not believe they were inappropriate.

- Failing to communicate gaps, flaws, problems with investigation prior to trial to give investigators time and opportunity to possibly find and present additional evidence

  Finding: Founded

  - This was a complaint from David Richmond regarding *Carroll/Harding*, #9, Specific Cases.
  - This is well documented in Exhibit 9.
  - DA Olson and [redacted] believed there was missing evidence and a poor/incomplete investigation before trial. David Richmond, Keiley Petrey, and [redacted] all confirmed that was never communicated to them.

- Failing to be sufficiently prepared for trial

  Finding: Founded

  - In reviewing the trials of *Blevins* #6, Specific Cases, and *Anderson* #7, Specific Cases, and *Carroll/Harding*, #9, Specific Cases, it was clear that [redacted] were not appropriately prepared for trial. In their interviews, as well as DA Olson's interview, [redacted] told me of their trial preparation practices, which are contrary to best practice for a trial attorney: engage in pretrial meetings and interviews of witnesses, learn what information the witnesses could provide relevant to the elements of the crimes, refresh the memory of the witnesses with prior statements or testimony, know the professional title of witnesses, understand and be able to explain or expose the witness's bias, tease out the important facts the witness may have that were not documented in a police report, and assess the witness's memory of an event. It is possible that the evidence was *never* going to be sufficient to get a conviction in *Blevins*, *Anderson*, and *Carroll/Harding* but it is clear the preparation methods of the assigned DDAs was not sufficient.

- Not believing victims, witnesses, and law enforcement without just cause

  Finding: Founded

  - DA Olson's statement that she does "not take the same approach as a lot of people of automatically believing what somebody tells me"; [redacted]'s statement "Everybody is lying until I can get corroborative evidence that you're not."

- Dismissing cases mid-trial

  Finding: Founded

  - *Carroll* / *Harding* – State presented insufficient evidence in its case in chief and would have not survived a Motion for Judgment of Acquittal. It is unclear

whether there was evidence of Criminal Mistreatment from the records I reviewed.

- *Blevins* – State would have survived Judgment of Acquittal but would likely never have sustained a conviction given [redacted]'s failure to properly prepare the victim's testimony, emphasize corroborating evidence, impeach a lying witness, and possess a command of his own evidence.
- *Anderson* – State could likely have survived Judgment of Acquittal if [redacted] had prepared the victim's testimony at trial, had the victim lay the foundation for her statement to police, and called the victim's son to explain the circumstances.

- Making plea offers in cases that result in outcomes that do not sufficiently reflect the gravity of the crime and promote community safety

Finding: Founded

- DA Olson did not identify any policies regarding plea offers; only [redacted] identified standard plea offers for DUII cases
- DA Olson could not identify policies for negotiating Measure 11 offenses, DV offenses, sexual assault, property crimes, or homicide.
- Each of the murder cases I reviewed in eCourt was reduced to Manslaughter in plea negotiations. Multiple DV cases I reviewed were reduced to Harassment in plea negotiations, with Assault and Strangulation counts dismissed. Sexual Abuse cases were reduced to minimal sentences and crimes of conviction. As examples: (1) Recidivist child abuser given minimal sentence (*Butterfield*, #10, Specific Cases). (2) Jessica's Law cases, requiring 25 year sentences for Rape I/Unlawful Sex Pen I/Sodomy I of a child under 12 pled to charges that failed to reflect the crimes and minimal punishment (*State v. Cordon Jewell*, 23CR43518 – Defendant pled to Harassment and was sentenced to 5 years probation, and pled to Luring a Minor and his sentence was deferred; *State v. Matthe Oge*, 23CR41032 – Defendant pled to Coercion and was sentenced to 24 months prison; all sex offenses dismissed). (3) Lifetime sentence for third felony sex offense was not pursued. (*State v. David Sinohuiz*, 24CR48908).

- Downplaying and/or failing to recognize the seriousness of child abuse cases through charging decisions and plea negotiations

Finding: Founded

- See previous section for plea negotiations on child sex abuse cases.

Finding: Not Founded as to #8, Exhibit 1

- *State v. Taylor Stanley*, #8, Exhibit 1. Complaint from [redacted]. Child abuse case where defendant initially charged only with Harassment. [redacted] complained and [redacted] charged Assault in the Third Degree and the defendant pled to Attempted Assault in the Third Degree. I did not have

access to the confidential child abuse reports so it is unclear to me the strength of the assault evidence.
    - #16, Exhibit 1. Complaint from [redacted]. Child suffered severe, inflicted injuries and neither caretaker parent was charged with any crime. [redacted] was involved. I did not have access to the confidential child abuse reports so the evidence is unknown. If the state did not have evidence to prove who inflicted the injuries beyond a reasonable doubt, it would explain why neither parent was charged.

- Failing to file domestic violence cases resulting in concerns for victim and community safety

Finding: Founded

    - Michael Lex, DV Assault, #9, Exhibit 1. In a recent eCourt search for Lex's name, I discovered that in January of 2026, Michael Lex was charged with multiple DV crimes in Multnomah County involving the same victim as the no-actioned Tillamook County case in Exhibit 1. *See* [redacted].
    - Interview with jail commander Lieutenant Silveira where he stated that DV offenders are released without charges with far greater frequency.
    - Statistics from OJD website regarding overall felony/misdemeanor filings.
    - Multiple DV cases resulting in Not True Bill at grand jury: *State v. Baez-Galicia*, #2, Specific Cases*, below; State v. Danelle Inman*, 24CR37122; *State v. Lucas Wilson*, 25CR02325; *State v. Jacob Sweeney*, 23CR11989;

- Failing to file provable crimes

Finding: Founded

    - Michael Lex, DV Assault, #9, Exhibit 1
    - Without a case-by-case review of all of the no-actioned cases, I am unable to determine the extent to which the DA's Office is not filing provable crimes. However, the significant reduction in case filings is indicative of an unwillingness to pursue criminal charges by claiming that the evidence is insufficient to prove the case beyond a reasonable doubt. Additionally, the number of cases dismissed by a grand jury Not True Bill is also indicative of an unwillingness to file provable crimes, even though the cases were clearly initially filed by DA's Information. Without access to the grand jury recordings, it is impossible to know what evidence was presented or not presented to the grand jury, and what legal instruction may have been given by DA Olson, [redacted].
    - The rationale given for not filing a Harassment charge against Deputy Kris Koskela is untenable, just based on DA Olson's no-action email.

Finding: Not founded

    - John Henry, TCSO Case Number [redacted] (victim [redacted])

- Inadequate training and supervision of DDAs

  Finding: Founded

  - DA Olson acknowledged that her [redacted], "marches to the beat of his own drum" and makes his own decisions; she was aware of and failed to correct his charging decisions (i.e. DV Strangulation) and dismissals (e.g., *Blevins*) and did not have any policies that she enforced related to DV cases, or Measure 11 (charging, negotiating, etc.). She is aware of what [redacted] is doing and either cannot or will not correct it.
  - DA Olson acknowledged that [redacted] refuse to discuss testimony with victims prior to trial, refuse to share with a victim/witness a statement from a police report, and refuse to ask questions of victims and witnesses that are not documented in police reports. In other words, neither properly prepares for trial. DA Olson vacillated between claiming on the one hand that their practice was not her practice and that she would meet with victims and prepare their testimony, and on the other hand that what [redacted] were doing could be best practice and that she had not observed anything concerning about their trial preparation or techniques. DA Olson hedged her response to almost every question I posed about trial preparation techniques. She either lacks basic trial preparation skills herself, or refuses to acknowledge that her most senior attorneys do. She was never surprised to hear how they prepared (or more accurately did not prepare) for trial. She is aware of what they are doing and either cannot or will not correct it.
  - DA Olson stated that if a DDA wants to dismiss a case based on evidence provided by the defense she tells them to have police contact and interview the person. [redacted] described dismissing a DV case (*State v. Maciel Suazo*, #4, Specific Cases) based on information provided by a defense investigator, and never asked an officer to contact and interview with witness.

Allegations Section B - Complaints regarding professionalism of DA and/or DDAs

- Hostility, abrasiveness, or rude behavior toward victims, victim advocates, law enforcement

  Findings: Founded:

  - [redacted] displayed rude and abrasive behavior toward [redacted] as reported by [redacted], Sarah Dentel, and [redacted] during a release hearing in *State v. Richard Hart*, #11, Specific Cases. [redacted] behaved insensitively and abrasively toward [redacted]'s daughter victim [redacted] at grand jury ([redacted] described [redacted] as a "rude ass bitch"). [redacted] displayed rude behavior toward two Tides of Change advocates at grand jury. [redacted] categorically denied the reported interaction with [redacted] in the courtroom but three people, independent of each

other, told me that [redacted] swatted [redacted] away with her hand. Regarding the Tides of Change advocates, [redacted] said that may have been their perception (that she was speaking to them rudely).

- [redacted] displayed hostile and rude behavior toward victim assistance case manager Kristina Vatne on multiple occasions at MDT meetings as witnessed and reported to me by three people, Valerie Bundy, Sarah Dentel, and [redacted], independent of each other. [redacted] told me that there was one time where she may have said to Kristina "That's not relevant to this meeting" but otherwise denied telling Kristina to stop talking, denied that she was aggressive, demeaning or embarrassing to Kristina, and "did not recall" ever speaking to Kristina in a harsh, aggressive tone. DA Olson acknowledged [redacted] treating Kristina disrespectfully "in house."
- [redacted] displayed rude, abrasive and shocking behavior toward other MDT members according to Valerie Bundy, cutting them off and declaring, "Nope, the conversation is over" when they were talking about the SART protocol. The behavior was consistent with what had been reported by others about [redacted]'s treatment of Kristina Vatne. [redacted] denied any rude behavior.
- [redacted] shuts down victims from talking about their cases by saying, "I won't talk to you about that." [redacted] admitted that her practice is to refuse to talk to victims about their cases.
- [redacted] displayed rudeness toward Tides of Change advocates, telling them "We have beef" according to Valerie Bundy. [redacted] agreed he could see himself saying that he had "beef" with Tides of Change (explaining advocates were aggressive and argumentative and had beef with him), there were times he yelled "back and forth" with advocates, and he described shutting advocates down and advocates not having a tough enough skin. [redacted] displayed rudeness and insensitivity toward victims by telling them he didn't work for them, although he did not recall using those exact words (as he recalled he would tell victims he works for the state).

- Demeaning behavior toward victims

  Finding: Founded

  - [redacted] displayed demeaning behavior toward [redacted] at the release hearing described above, when she swatted her away "like a pesky mosquito" as [redacted] described it. [redacted] denied the behavior and the gesture but two independent witnesses (Sarah Dentel and [redacted]) described seeing it.

- Failing to respond to community complaints (i.e., in a timely and reasonable manner)

  Finding: Founded

  - DA Olson-David Richmond. David Richmond emailed DA Olson on August 15, 2025 and again on August 28, 2025 raising complaints about [redacted]

[redacted] and a criminal case from her office. DA Olson did not respond to either email with an acknowledgment, a response, or a timeline for responding. DA Olson was advised by the Board of an independent investigation and only then did she send David Richmond an email (November 13, 2025). DA Olson did not respond to David Richmond's specific complaints until sending him a written response on December 19, 2025, 126 days after his original complaint.

- DA Olson-Sheriff Brown. Sheriff Brown emailed DA Olson on July 26, 2023 asking to meet with her about media/victim/public inquiries he had been receiving regarding cases being dismissed. DA Olson told Sheriff Brown that her first available meeting date was September 14, 2025, 50 days later. DA Olson initially told me during her interview that she had "multiple trials" scheduled during that time (July 26, 2023 – September 14, 2025) which was not a factor she cited in her original email to Sheriff Brown. DA Olson then admitted that she was did not want to speak to Sheriff Brown because she believed he was going to question her charging decisions.

- Failing to professionally communicate with community partners

  Finding: Founded

  - As described above, [redacted] acknowledged shutting down advocates and yelling back and forth with them during meetings. Given [redacted]'s position of authority and representation of the community as a public official, it is incumbent on him to maintain decorum and calm.
  - As described above, [redacted] used an aggressive, harsh, and demeaning tone when communicating with victim assistance case manager Kristina Vatne in MDT meetings attended by multiple community partners. [redacted] also displayed rude and abrasive behavior with her language toward community partners in MDT meetings. [redacted] communicated rudely with Tides of Change advocates who were present outside grand jury. [redacted] communicated rudely to a Tides of Change advocate who was accompanying a victim (see #10, Specific Cases, below) to a sentencing. While [redacted] either denied or did not recall the interactions, multiple sources described the behavior. Given [redacted]'s position of authority and representation of the community as a public official, it is incumbent on her to maintain a professional tone at all times.

- Failing to act and respond in a timely manner to tasks and responsibilities (i.e. taking an inordinately long time to review necessary materials, conduct meetings with professionals awaiting certification, etc.)

  Finding: Founded

  - DA Olson has not produced a statutorily required policy manual since assuming office in January of 2023. DA Olson provided several excuses for

not doing so, including not having the time due to other responsibilities and then not having fully formulated policies. DA Olson said that DA Porter's policy manual was on the website, but she took it down some time in 2023 because it was outdated due to law changes. DA Olson then offered the excuse that she could not find a modifiable version of the document.[157, 158]

- DA Olson has delayed the implementation of an updated SART MDT protocol by failing to timely approve the document MDT members have agreed to (describing emails she was included on about protocol language as "noise in the background"). DA Olson is not required to write the protocol, and has expressed her disagreement with certain language the other MDT members have approved, but DA Olson appears to be unwilling to approve the protocol until language she does not agree with is removed.
- DA Olson delayed meeting with SANE candidates, or designating someone to do so (which eventually occurred by DA Olson [redacted]), for nearly a year. DA Olson blamed the delay on the candidates' schedules (because DA Olson would not set meetings after 5:00 p.m. or on a weekend) and "confusion" about what the SANE candidate actually needed. A DA's Office must be willing to work outside of regular business hours to accommodate the needs of community partners. Additionally, it was clear that DA Olson did not understand the necessity of the SANE candidates meeting with a prosecutor (for their certification) and did not prioritize time on her schedule (or a DDA's schedule) to make the meeting happen.

- Aggressive, unprofessional and unwarranted public reprimands of subordinates

  Finding: Founded

  - [redacted]'s behavior toward Kristina Vatne, who as a non-attorney employee would be viewed a subordinate, was aggressive, unprofessional and unwarranted as documented above.

- Engaging in behavior that attempts to silence other opinions and voices

  Finding: Founded

  - It is difficult to identify explicit attempts by DA Olson to silence opinions and voices but several examples support the conclusion that this is a founded complaint.
    - Exhibit 12: Email exchange with Undersheriff Matt Kelly where he professionally raised legitimate concerns with the Child Abuse MDT and DA Olson rejected all of his suggestions. Undersheriff Kelly raised concerns about MDT members not being given an opportunity to effectively participate because of a rigid timeline and agenda. DA

[157] It goes without saying that a PDF can be converted to a word document, or a PDF document can be re-typed into a word document in a relatively short period of time.
[158] As of February 18, 2026, there is no link or reference to a policy manual on the Tillamook County District Attorney's Office website.

Olson described the Undersheriff's email to me as "nasty." DA Olson's response to Undersheriff Kelly's email is best described as a "tit for tat" communication where she clearly has no intent to listen to and consider the opinion of others.

- Several examples have emerged of DA Olson engaging in retaliatory behavior when people have complained to her about her office, her policies, her DDAs, etc. Examples of this retaliatory behavior include: (1) filing a complaint with David Richmond's boss when he complained about [redacted] and the *Carroll/Harding* case and alleging she had concerns about whether "we could call him as a credible witness"; (2) Refusing to schedule a meeting with Sheriff Brown for almost 2 months because he was going to bring forth complaints about charging decisions and dismissals; (3) Filing a lengthy and unnecessary declaration in a Motion to Dismiss (Exhibit 6) and repeatedly referring to Sheriff's Office employees in the pleading as exhibiting bias.
- DA Olson has recently trained law enforcement to direct victim inquiries to the DA's Office once the law enforcement agency has submitted the case. DA Olson stated her rationale for doing this was to prevent victims from being given incorrect and inaccurate information. While it may be true that law enforcement has or would give victims incorrect information or even inaccurate, it is inappropriate for DA Olson to direct law enforcement not to speak to victims at any stage of a case. Katie Springs advised that when DA Olson no-actions a case, victim assistance does not even become involved in victim notification; that is done by legal assistants (if done at all, as DA Olson wrote in Exhibit 11, email to [redacted]). It is only reasonable to expect that victims will contact the one entity they have actually had contact with – law enforcement – to understand why the DA's Office did not pursue criminal charges. If law enforcement is critical of DA Olson's decision, law enforcement has a right to express that to the victim and to any member of the public.

- DDA stating they were "hung over" at a grand jury proceeding as an explanation for why the proceeding did not go smoothly

  Finding: Founded

  - While I find [redacted] more likely than not made this statement, I also find it was meant in jest.

- Making demeaning statements to law enforcement officer

  Finding: Not Founded

- Generally creating a hostile working environment

  Finding: Not Founded

- Systemic failure to communicate case status with victims and agency partners

  Finding: Not Founded (case status on filed cases):

  - I was unable to determine whether the DA's Office systematically fails to sufficiently communicate the status of cases to victims. I received information from one victim ([redacted]) that information on their cases was not sufficiently communicated, but there is insufficient evidence to find a systemic failure.
  - As it relates to notification to law enforcement, I do not find that the DA's Office has an obligation to notify law enforcement of a case's status, though it may be professional courtesy to do so if requested.

  Finding: Founded (case status on unfiled cases):

  - As it relates to victim notification for no-actioned cases, the system Katie Springs advised me of is inadequate. For a no-actioned DV or child sex abuse case, unless the victim expressly called the DA's Office and requested information, the legal assistant is apparently sending a letter. DA Olson did not notify [redacted] and stated in her email to [redacted] that they are not required to notify victims if the case is not filed. Providing a letter to a victim of a person crime in particular, if that is even happening, is not an appropriate, trauma-informed communication method.

<u>Complaints regarding victims/victim rights violations</u>

- Excluding the named adult victim in a case from being personally present in the courtroom during a trial

  Finding: Not Founded

  - This allegation relates to *Carroll* / *Harding* and victim [redacted] Judge Trevino excluded the victim, not [redacted]. However, DDA [redacted] should have just let Ms. [redacted] enter the courtroom and if Judge Trevino took action to remove her, then Judge Trevino could have removed her.

- Failing to present relevant victim testimony at grand jury

  Finding: Not Founded

  - I do not have access to grand jury testimony and recordings. I am unable to determine whether relevant victim testimony was introduced. However, the number of Not True Bill outcomes at grand jury raises significant concerns about the testimony that may or may not be elicited from victims at grand

jury, and witnesses who may or may not be called. DA Olson was unable (because she had not listened to them) or unwilling to answer questions about grand jury proceedings, except for explaining to me in #3, Specific Cases, that "it was just simply the victim's demeanor and the way she testified … very nonchalant" at grand jury that explained the grand jury's refusal to issue an Indictment.

- Failing to present relevant victim testimony at trial

  Finding: Founded

  - See discussion above "Limiting or excluding pertinent testimony from witnesses at grand jury or trial" regarding *Blevins* and *Anderson*.

- Failing to sufficiently notify victims of proceedings

  Finding: Not Founded

  - Although Valerie Bundy provided me with examples of victim notifications that were untimely, I do not have sufficient evidence in the cases I reviewed to find that victims are not sufficiently notified of proceedings. Katie Springs explained the notification process and that she goes above and beyond to try to reach victims.

- Failing to personally (i.e. phone, text, email) and individually notify victims of critical stages in proceedings

  Finding: Not Founded

- Failing to notify the parent of minor (child) victim

  Finding: Founded

  - [redacted] called the DA's Office to get information in a case involving her minor child (#11, Specific Cases) and was told it was not her case. [redacted] is the parent of a victim who was a minor at the time of the crimes; a minor on the autism spectrum that [redacted] tried to communicate to the DA's Office needed daily support and functioned at the level of a 10 year old. Oregon law (ORS 131.007) broadly defines a victim to include "persons who have suffered financial, social, psychological or physical harm as a result of a crime and includes … in the case of a minor victim, the legal guardian of the minor." The fact that [redacted] ([redacted]'s daughter) turned 18 after the criminal case was filed does not change the fact that she was a minor victim (at the time of the crimes).

- Failing to provide sufficient notice to victims of restitution deadlines

  Finding: Not Founded

  - Although Valerie Bundy provided an incident where a deadline was given to a victim on a Friday to provide restitution information by the following Monday (which was corroborated by court records in eCourt), there is not sufficient evidence to find that this is an ongoing or consistent problem.

- Failing to provide victims with sufficient information and assistance to apply for CVC

  Finding: Not Founded

- Failing to provide victims with sufficient information and assistance to be prepared for grand jury, hearings, and trials

  Finding: Founded

  - The DA's Office will not speak to victims and provide them information about their case. Victim advocates tell victims that DDAs will not talk to them about their case. [redacted] said they do not talk to victims about their testimony unless in grand jury or the trial, so no preparation takes place. DA Olson is aware of [redacted] 's practices and she cannot or will not change them.

- Failing to provide victims with information related to charging decisions, case dismissals, or case outcomes in a trauma-informed, emotionally sensitive way

  Finding: Founded

  - DA Olson responded to an email from [redacted] after [redacted] was unable to reach DA Olson immediately by phone. In the two emails (Exhibit 11), DA Olson displayed a lack of empathy by failing to acknowledge the traumatic event from [redacted] 's perspective, by deflecting blame on law enforcement, and by informing Ms. [redacted] she was not required to advise her of the no-action decision. Even if DA Olson's statements are true (that she does not "have control over" investigative decisions by law enforcement, and that Oregon law does not expressly require her to notify a victim of a no-action), the content and tone of the email are both telling and representative of other practices at the DA's Office by the attorneys that are not trauma-informed or emotionally sensitive to victims.
  - DA Olson informed victim [redacted] that a case involving her minor child was going to be dismissed. DA Olson documented her communication in an email to [redacted] and [redacted] documented what DA Olson said to her in an email to [redacted]. (Exhibit 4). First, barring an inability to meet due to distance or other constraints, conversations with victims should

be in person. Second, telling a victim that you could lose your bar license, (or that they can sue civilly as was the case with [redacted]), does not address their trauma.

- When I spoke to Katie Springs, she advised that if a case is no-actioned (not filed) by DA Olson, the case "wouldn't even come to us" (i.e. victim assistance) and to Katie Springs' knowledge, legal assistants send a letter to victims informing them of the no-action decision. If this is the process, and it's unclear that it is (DA Olson did not tell me anything about it, no other witness told me that was the process, and DA Olson's email to [redacted] confirms that the DA's Office sometimes chooses not to inform victims when prosecution is declined), it is not best practice, it is not trauma informed, and it is not emotionally sensitive to victims.

- Making victims feel insignificant in the criminal justice process by refusing to speak with them about their case, refusing to listen to information they want to provide, and simply refusing to take their calls

  Finding: Founded

  - As discussed above in the sections titled "Demeaning behavior toward victims" and "Hostility, abrasiveness, or rude behavior toward victims" [redacted]'s treatment of [redacted] (mother of minor victim in #11, Specific Cases) made her feel "like a piece of crap" and [redacted] is concerned that her daughter's case will not be handled appropriately, and that the defendant will not be held sufficiently accountable. [redacted] also described repeatedly calling the DA's Office and [redacted] refusing to take her call. [redacted] described that Kristina told her [redacted] will not talk to her. When [redacted] finally spoke to [redacted] on the phone [redacted] repeatedly refused to speak to [redacted] about her daughter's case. [redacted] told me she does not speak to victims about "the facts of their case" and will only talk about process.
  - Valerie Bundy described the experience of advocates from Tides of Change that victims are told by attorneys from the DA's Office that they will not talk to them about their case. Both [redacted] confirmed that is their practice, and DA Olson confirmed she is aware of it and condones it (at a minimum by failing to correct it).

- Being unprofessional towards victims as outlined in section above entitled "Complaints regarding professionalism of DA and/or DDAs"

  Finding: Founded, ***see above***

- Failing to consider as a primary consideration the safety of the victim and of the community in release recommendations

  Finding: Founded

- DA Olson told me, when I asked for her philosophy on victim safety, that they "do take victim safety into consideration." DA Olson did not tell me that victim safety (or community safety) was the primary consideration or a priority. DA Olson's primary consideration seemed to be having law enforcement comply with report submission deadlines, as outlined in Exhibit 4.
- It is notable that at no time during the *Hart* release hearing (#11, Specific Cases) did [redacted] *emphasize* the victim's safety or community's safety on the record. It is possible that discussion occurred in chambers, and that the judge had already essentially made a release decision. In my interview with [redacted], he expressed frustration with the judges routinely releasing DV offenders and then removing the no contact provision of release agreements if victims request it. In my review of court records, [redacted]'s description of the Court's practice is accurate. However, it is unclear to me whether the Court takes that action due to a lack of advocacy on the part of the DA's Office for the victim's personal safety.

- Failing to be a voice and an advocate for victims in the criminal justice process

  Founded:

  - At no time during my interview with DA Olson did she ever address any desire to be a voice and advocate for victims. I asked her what motivated her into prosecution and she said she did not really even know if she wanted to be a prosecutor. In the 5+ hours that we spoke she never expressed any desire or motivation to be an advocate for victims. When I asked her to explain her philosophy regarding victim advocacy, she did not do so. It is also telling that she is opposed to the proposed "victim centered" SART protocol language.
  - DA Olson does not recognize the employees in her victim assistance division as "victim advocates" but instead refers to them as "case managers" and "victim's rights advocates." Although she claimed that was due to not wanting them to be confused with advocates who enjoy a legal privilege (i.e. Tides of Change advocates), DA Olson ultimately acknowledged that her employees are expressly exempted from the advocate privilege, and it was simply her choice not to refer to them as "victim advocates."
  - DA Olson appears more of an advocate for a defendant than a victim. Defendants have attorneys and people to advocate for them. While the DA represents the people, they are the only party that can and should advocate for a victim. When DA Olson was describing what she expects of her attorneys preparing for trial on the most serious cases (we were discussing *Blevins*, #6, Specific Cases), she said she would expect them to do everything they could to prepare for the case before "parading" the defendant before a jury and potentially taking their liberty. While it is true that a prosecutor should always be mindful of the severity of taking someone's liberty, DA Olson was not focused on the preparedness of the victim for the trial, the trauma the victim may experience, and how she would want her DDAs to be as prepared as possible for the victim's safety and for the community's safety. DA Olson

appeared most concerned with inconveniencing a defendant, and less concerned on the impact to a victim.
    - Likewise, in my interviews with [redacted], none of them expressed any desire or motivation to be a voice for victims in the criminal justice system.

- Not believing and supporting victims

  Finding: Founded

    - DA Olson's admission that she does "not take the same approach as a lot of people of automatically believing what somebody tells me"; [redacted]'s statement "Everybody is lying until I can get corroborative evidence that you're not."
    - DA Olson does not support victims in her refusal to consistently anonymize victims of sexual abuse as the law allows. It should always be done as a matter of practice; if a victim wants to be named, they can be named. DA Olson's practice is to do the opposite, but she provided no information as to how a victim would be informed that they could request to be anonymized.

- Not carrying out responsibility of notifying victims and shouldering others with the responsibility

  Finding: Founded

    - Valerie Bundy stated that under DA Olson her advocates seemed to be doing much more direct advocacy. Katie Springs explained that victim assistance does notify victims if there is a criminal case filed, and that Tides of Change is simply notified by courtesy copy. In a criminal case, Katie said there is not an expectation that Tides of Change advocates will do all of the notification.
    - However, Katie also said that victim assistance is not involved, and never even gets notified, if a case is no-actioned. That shoulders Tides of Change or law enforcement with victim notification. [redacted] described that victims call him for case updates, so he calls the DA's Office, and that's how victims learn about no-action decisions. The only exception to this is what Katie explained – if they have received a specific request from a victim to be notified of a charging decision, then victim assistance would get notified if a case was no-actioned.
    - It should not be the responsibility of law enforcement or community advocacy groups to notify victims that the DA's Office is declining prosecution.

- Lack of empathy toward victims

  Finding: Founded

    - In my investigation, I found that DA Olson and one or more of her DDAs acted or failed to act in the following ways, all of which show a gross lack of empathy toward crime victims:

- Failing to speak to victims of crime in a trauma-informed way
- Refusing to take victims' calls
- Telling victims they will not talk about their case
- Refusing to prepare victims appropriately for trial
- Failing to anonymize victims of sex abuse in Indictments to help prevent further trauma and embarrassment, even though the law allows for it
- Never expressing any motivation to advocate for victims
- Being skeptical of a victim's trauma and experience
- Failing to utilize a trauma-informed procedure for notifying victims of a no-action
- Telling victims that filing a criminal charge could result in an ethical violation by the Oregon State Bar
- Failing to establish clear and consistent policies with regard to the charging and negotiating of person crimes, particularly domestic violence, sexual assault, and child abuse
- Telling victims they can sue an offender civilly
- Failing to properly supervise DDAs leading to inconsistency in how cases are handled in the DA's Office

- Indifference to the work of criminal justice partners

  Finding: Founded

  - MDT meetings have become check box to meet statutory requirements. The meetings are not staffed by individuals doing the work (i.e. excluding [redacted] who do the investigation or case workers interacting with the family); only [redacted] are allowed to attend so that the statutorily mandated partners are present. Limiting meetings to a specific time frame shows a rigidness and lack of flexibility in an area that requires much flexibility. The DA's Office wields great power in the makeup of the MDTs and the discussion at meetings; the current makeup and procedure is indicative of the DA's Office's indifference to the work of agency partners and an unwillingness to consider other purposes for the MDTs. Furthermore, DA Olson's objection to protocol language for the SART ("victim advocacy" and "offender accountability") fails to acknowledge the important work of community justice partners (i.e., advocacy centers, parole and probation, etc.).

- Lack of care or concern for particularly vulnerable victims

  Finding: Founded (lack of care):

  - [redacted] never met or attempted to meet vulnerable adult victim [redacted]. [redacted]'s reason was because it was her "choice", she did not intend to call [redacted] as a witness, and she did not want to retraumatize her. The fact that [redacted] was not going to testify did not change her status as a victim, who was entitled to be treated with dignity

and respect by acknowledging who she was as a person. If a caretaker had told [redacted] that a meeting with [redacted] was inappropriate, or would be traumatizing, then the failure to meet would be reasonable and explainable. [redacted]'s disability makes her particularly vulnerable, and merits additional care and concern. When I asked [redacted] if meeting [redacted] would have given her invaluable insight as to the extent and severity of [redacted]'s disabilities (which were key to proving the criminal case), [redacted] refused any further questions on the subject. It was inappropriate not to have met with the victim.

- Valerie Bundy identified a case with an intellectually disabled adult (#1, Specific Cases). Valerie said Tides of Change repeatedly communicated to the DA's Office that the victim could not read or write, and that the victim needed to receive information by phone. Tides of Change also insisted that the DA assigned on the case needed to meet with the victim and prepare her for trial, not just put her on the witness stand. Tides of Change requested an accommodation from the DA's Office for the victim's disability (i.e. an inability to read) and the DA's Office dismissed the case. As far as Valerie was aware, the DA's Office did not change its practice of notifying the victim by phone and did not meet with the victim. When I reviewed the court record from the case, DA Olson was the prosecutor and told the Court she was dismissing the case (at the FRC 8 days before trial) because of "exculpatory evidence" provided by the defense attorney "that would question [victim's] credibility and very likely impeach her." The case had been pending for over a year at that point. I had notified DA Olson that I wanted to ask her about the case when I interviewed her, but we ran out of time. DA Olson agreed on that date to continue the interview so that I could ask her more questions, but later declined further interview, so her response to Valerie's complaint cannot be considered.

- Failure to accommodate victims with protected disabilities

  Finding: Not Founded

  - As described above and in #1, Specific Cases, Valerie Bundy said Tides of Change requested an accommodation from the DA's Office for a victim's disability (i.e. an inability to read) and DA Olson dismissed the case. Valerie was unable to provide me with the accommodation request due to confidentiality. When I interviewed DA Olson on January 13, 2026, we ran out of time and I was never able to ask her if she received a request for an accommodation in this case, and what action she took.

EXHIBIT 1A

COUNTY COUNSEL BRYAN LIBEL EMAIL CORRESPONDENCE

EXHIBIT NOTE - Redacted and reformatted email correspondence from County Counsel Bryan Libel concerning subpoenas, County response to subpoenas, conflict and recusal issues, appointment of outside counsel or a Special Deputy District Attorney, the County's investigation, June 2026 Board proceedings, and related matters.

4 PAGES

EXHIBIT 1A

COUNTY COUNSEL BRYAN LIBEL EMAIL CORRESPONDENCE

EMAIL 1 of 4 - REDACTED AND REFORMATTED COPY

From: Bryan Libel, County Counsel
To: [REDACTED]
Date: Monday, August 3, 2026, 2:43 PM
Subject: RE: EXTERNAL: Questions

[REDACTED] —

The DA recused herself when the County pointed out she had a conflict of interest in issuing criminal subpoenas that demanded information about the DA's Office and its personnel and appointed the criminal defense attorney as a SDDA (Note, the DA lacks the authority to order the County to pay for SDDA legal services). The attorney then promptly — and rightfully — went to court to dismiss the criminal subpoenas against the County, which is the outcome the County sought in opposing the subpoenas. The attorney soon thereafter withdrew as SDDA.

As I understand, the court retroactively appointed the criminal defense attorney because the attorney accepted the initial DA appointment in good faith and provided legal services expecting of being compensated. The court was well within its ORS 8.710 statutory authority to appoint him as SDDA and order the County to pay. The County would have lost.

Because the cases with criminal subpoenas involved the DA's Office and the County, the Tillamook County Circuit Court presumably requested an outside judge. Judge Pratt from assigned.

You will want to direct your last question to the District Attorney.

Bryan Libel
County Counsel
Tillamook County
Central Services Department
201 Laurel Avenue
Tillamook, OR 97141
Phone: (503) 842-1805
Mobile: (503) 812-6512
Bryan.Libel@tillamookcounty.gov

EXHIBIT 1A - COUNTY COUNSEL BYRAN LIBEL EMAILS - 1 of 4

EMAIL 2 of 4 - REDACTED AND REFORMATTED COPY

From: Bryan Libel, County Counsel
To: [REDACTED]
Date: Tuesday, August 4, 2026, 4:39 PM
Subject: RE: EXTERNAL: Re: EXTERNAL: Questions

[REDACTED] —

The County retained Ms. Ashley Cadotte on May 4, 2026, to represent it and respond to the District Attorney's subpoenas.

The DA served the County with a grand jury subpoena on April 15, 2026, and two other criminal subpoenas on April 27, 2026.

In late September or early October 2025, the County retained Kyle Abraham of Ogletree Deakins to assist with the complaints HR received regarding DA Office personnel. Kyle then in October or November 2025 as an investigator to investigate the complaints.

Bryan Libel
County Counsel
Tillamook County
Central Services Department
201 Laurel Avenue
Tillamook, OR 97141
Phone: (503) 842-1805
Mobile: (503) 812-6512
Bryan.Libel@tillamookcounty.gov

EXHIBIT 1A - COUNTY COUNSEL BYRAN LIBEL EMAILS - 2 of 4

EMAIL 3 of 4 - REDACTED AND REFORMATTED COPY

From: Bryan Libel, County Counsel
To: [REDACTED]
Date: Wednesday, August 5, 2026, 11:18 AM
Subject: RE: EXTERNAL: Fwd: EXTERNAL: Questions

[REDACTED] —

On June 10, 2026, after I briefed the Board of Commissioners at a public meeting on events since the investigation into District Attorney Office complaints, they suggested various preparedness for their consideration, which were a vote of no confidence, removal of the County stipend, refusal to pay for a criminal defense attorney to represent the State in Tillamook [unless directed otherwise] and refusal to pay professional liability insurance for the District Attorney.

On June 17, 2026, the Board, at its public meeting, voted no confidence in the District Attorney and, as part of its County budget approval, it voted to remove the County stipend and professional liability insurance for the DA and any criminal defense attorney compensation.

On June 29, 2026, the District Attorney provided the Board with public comment, recommending approval of two claim vouchers the DA's Office submitted for payment, one for criminal defense attorney and the other for professional liability insurance for the DA and DDAs. The Board was scheduled to consider these vouchers at its July 1, 2026, public meeting and voted to disapprove payment of the first and approve payment of the second for the DDAs only. Later, on July 1, 2026, the DA filed motion to retroactively appoint the criminal defense attorney as SDDA and for the County to pay for his legal services.

Bryan Libel
County Counsel
Tillamook County
Central Services Department
201 Laurel Avenue
Tillamook, OR 97141
Phone: (503) 842-1805
Mobile: (503) 812-6512
Bryan.Libel@tillamookcounty.gov

EXHIBIT 1A - COUNTY COUNSEL BYRAN LIBEL EMAILS - 3 of 4

EMAIL 4 of 4 - REDACTED AND REFORMATTED COPY

From: Bryan Libel < bryan.libel@tillamookcounty.gov>

Date: Tue, Oct 6, 2026 at 2:22 PM

Subject: RE: EXTERNAL: Request for Additional Information Regarding Litigation Involving Sheriff Brown, the Sheriff's Office, and Tillamook County

To: [REDACTED]

[REDACTED]

The subpoenas the DA's Office issued to the County related to its outside investigation and two criminal cases, 25CR47787 and 19CR50958. The Special Deputy District Attorney withdrew (i.e., vacated) both subpoenas in June. The first case remains open, the second is closed. To obtain records on these cases, you will want to visit the Oregon Judicial Department's website: OREGON JUDICIAL DEPARTMENT - Online Records Search

The Board of Commissioners addressed the outside investigation's findings with decisions made at the June 17th Board meeting. The County has no additional records that are releasable and responsive to your request.

Bryan Libel | County Counsel

TILLAMOOK COUNTY | Central Services Department

201 Laurel Avenue

Tillamook, OR 97141

Phone (503) 842-1805

Mobile (503) 812-6512

Bryan.Libel@tillamookcounty.gov

END OF EXHIBIT 1A - COUNTY COUNSEL BYRAN LIBEL EMAILS - 4 of 4

EXHIBIT 2

TILLAMOOK COUNTY BOARD OF COMMISSIONERS
RESOLUTION OF NO CONFIDENCE R26-013

Tillamook County Board of Commissioners
Resolution of No Confidence R26-013
concerning District Attorney Aubrey Olson.

3 PAGES

Tillamook County, Oregon
06/22/2026 3:30:00 PM
Commissioners' Journal
CJ2026-00225

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR TILLAMOOK COUNTY, OREGON

In the Matter of Proclaiming No Confidence in Aubrey Olson, District Attorney for Tillamook County	)))	RESOLUTION #R-26-013

This matter came before the Tillamook County Board of Commissioners on June 17, 2026, at the Board of Commissioners' own request. The Board, being fully apprised, finds as follows:

1. An outside, independent investigator substantiated 35 complaints against the District Attorney's Office, to include:
    a. Poor victim and partner agency engagement practices, including not believing victims' testimony, retaliatory behavior, and hostility toward victims, victim advocates and law enforcement.
    b. Failing to adhere to Human Resources (HR) policies and prosecuting best practices, including inadequate training and supervision of Deputy District Attorneys; unwarranted public reprimands of subordinates; and failure to respond to community complaints in a timely manner.
    c. Deficient charging, preparation and trial practices, including the handling of child abuse and domestic violence cases, resulting in concern for victims and community safety; and failing to present viable cases to grand jury or bring charges on serious crimes.
    d. Incompetent trial preparation techniques, failing to call key witnesses at grand jury, hearings, and trials, and making plea offers in cases that result in outcomes that do not sufficiently reflect the gravity of the crime or promote community safety.
2. Aubrey Olson, as District Attorney (DA), improperly used a criminal process by issuing three subpoenas to Tillamook County seeking information unrelated to a criminal case or charge, to include:
    a. Complaints against the DA and the DA's Office made by the Board of County Commissioners, Tillamook County Circuit Court, the Sheriff's Office, Oregon State Police, and Tillamook City Police, among others;
    b. Communications about the DA and the DA's Office made by the Board of County Commissioners, the Tillamook County Circuit Court, the Sheriff's Office, Oregon State Police, and Tillamook City Police, among others;
    c. HR personnel records of certain law enforcement officials, and how the

County was funding its investigation; and

d. Investigator notes, communications, and interview recordings related to the County's investigation into complaints against the DA's Office.

3. DA Aubrey Olson instructed a Deputy DA to send an email to a criminal defense attorney that disparages a County whistleblower and their credibility by questioning their competence and truthfulness after they cooperated with the County's investigation into the DA's Office, which is tantamount to retaliation by sabotaging their ability to perform their law enforcement duties.

4. The following entities, community partners, and individuals have expressed no confidence in DA Aubrey Olson:

   a. Tides of Change

   b. To be added

   c. To be added

NOW, THEREFORE, IT IS HEREBY RESOLVED that:

5. The Board of Commissioners has no confidence in Aubrey Olson:

   a. Possessing the morals and core values to serve as District Attorney of Tillamook County;

   b. Pursuing justice with commitment to fairness, offender accountability, community safety, and victim support;

   c. Successfully working with law enforcement and community partners and rebuilding the trust and relationships she has broken with them; and

   d. Effectively leading the District Attorney's Office and the County employees assigned there to be highly regarded and skilled, and proficient in their work.

//

//

//

Dated this 17th day of June, 2026.

BOARD OF COUNTY COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON

	Aye	Nay	Abstain/Absent
Paul Fournier, Chair	✓		
Mary Faith Bell, Vice-Chair	✓		
Erin D. Skaar, Commissioner	✓		

ATTEST: Christy Nyseth, County Clerk

By: _____
Special Deputy

APPROVED AS TO FORM:

_____
Bryan Libel, County Counsel



EXHIBIT 3

TIDES OF CHANGE PUBLIC STATEMENT

Public statement and related victim advocacy materials concerning victims, victims' rights, domestic violence and sexual assault.

1 PAGE

hope. safety. support

TIDES OF CHANGE

Tides of Change Board of Directors' Public Statement

Approved 6/16/2026

Tides of Change is an organization whose mission is to provide hope, safety and support to those impacted by gender-based violence and to shift cultural norms through advocacy, education and community collaboration. Our role is to advocate for and to be a voice on behalf of survivors of domestic and sexual violence.

Tides of Change recognizes and acknowledges the fear, anger and grief that many survivors and their families have felt throughout their experience with our local District Attorney's Office. Survivor's inherent fears of not being believed contribute significantly to domestic and sexual assault being among the most underreported violent crimes. In a small community such as Tillamook County, it does not take long for survivors to learn that they have no voice and will not be believed.

We are aware that the criminal justice system has limitations specifically in domestic and sexual violence related crimes, and that often our advocates need to support survivors in managing and redefining their expectations of "justice". While we understand that the criminal justice system was not built for victims, we do believe the system has an ethical obligation to treat them with dignity, providing procedural fairness, transparent communication and meaningful agency throughout the process.

Tides of Change staff participated in the investigation into the practices within the Tillamook County District Attorney's Office in hopes that the findings would lead to meaningful change and improvements; however, at this time there appears to be lack of accountability in regards to the findings of the investigation. The Tides of Change Board of Directors supports the Tillamook County Board of Commissioners Resolution in Proclaiming No Confidence in Aubrey Olson, District Attorney for Tillamook County.

We stand with survivors in our community and will continue to listen, advocate and seek a fair and equitable justice system. We believe that Tillamook County should be a community where everyone, especially our most vulnerable, are safe and thriving. Thriving communities have meaningful engagement and collaboration amongst the community partners that is based in respect. In order to have a safe community, we need to hold offenders accountable for their behaviors and believe survivors.

1902 2nd Street, Tillamook, OR 97141 503.842.9486 503.842.6458 (fax)

EXHIBIT 4

LAW ENFORCEMENT RELATIONS, PROSECUTORIAL PRACTICES, AND ADMINISTRATION OF JUSTICE - CROSS REFERENCE

Law Enforcement and Criminal Justice Information — Cross Reference. The supporting information referenced in this section is contained in the independent fact finding investigation and June 10 and June 17, 2026 Tillamook County Board of Commissioners proceedings identified in Exhibit 1.

EXHIBIT 5

TILLAMOOK COUNTY CIRCUIT COURT CASE No. 25CR00208

Grand Jury Indictment – 4 pages
Amended Indictment – 4 pages
Petition To Plea Guilty – 4 pages
Court Judgment – 3 pages

Verified Correct Copy of Original 1/8/2025.

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF TILLAMOOK

STATE OF OREGON Plaintiff vs. JEREMY RICHARD DAVIDSON DOB: 02-17-78 Defendant	**INDICTMENT** Court No. 25CR00208

COUNT 1

The above-named Defendant is accused by the Grand Jury of Tillamook County, State of Oregon, by this Indictment of the crime of **RAPE IN THE FIRST DEGREE (ORS 163.375 a Class A Felony) (Crime Category 9) (BM 11)** committed as follows:

Defendant, on or about January 1, 2025, in Tillamook County, Oregon, did unlawfully and knowingly, by forcible compulsion, engage in sexual intercourse with Skyler Kennedy,

COUNT 2

The above-named Defendant is accused by the Grand Jury of Tillamook County, State of Oregon, by this Indictment of the crime of **RAPE IN THE THIRD DEGREE (ORS 163.355 a Class C Felony) (Crime Category 6)** committed as follows:

TILLAMOOK COUNTY DISTRICT ATTORNEY
201 Laurel Avenue Tillamook OREGON 97141
(503) 842-3410 FAX (503) 842-1802

Verified Correct Copy of Original 1/8/2025

Defendant, on or about January 1, 2025, in Tillamook County, Oregon, did unlawfully and knowingly engage in sexual intercourse with Skyler Kennedy, a child under sixteen years of age,

COUNT 3

The above-named Defendant is accused by the Grand Jury of Tillamook County, State of Oregon, by this Indictment of the crime of **COERCION (ORS 163.275 a Class C Felony) (Crime Category 7)** committed as follows:

Defendant, on or about January 1, 2025, in Tillamook County, Oregon, did unlawfully and knowingly compel Skyler Kennedy to engage in conduct from which Skyler Kennedy had a legal right to abstain, to wit: sexual intercourse, by means of instilling in Skyler Kennedy a fear that if Skyler Kennedy refrained from the conduct compelled, defendant would unlawfully cause physical injury to Skyler Kennedy,

COUNT 4

The above-named Defendant is accused by the Grand Jury of Tillamook County, State of Oregon, by this Indictment of the crime of **ASSAULT IN THE FOURTH DEGREE (ORS 163.160 a Class A Misdemeanor)** committed as follows:

Defendant, on or about January 1, 2025, in Tillamook County, Oregon, did unlawfully and knowingly cause physical injury to Skyler Kennedy,

Verified Correct Copy of Original 1/8/2025

COUNT 5

The above-named Defendant is accused by the Grand Jury of Tillamook County, State of Oregon, by this Indictment of the crime of **FURNISHING ALCOHOL TO PERSON UNDER 21 YEARS OF AGE (ORS 471.410 a Class A Misdemeanor)** committed as follows:

Defendant, on or about January 1, 2025, in Tillamook County, Oregon, did unlawfully give alcoholic liquor to Skyler Kennedy, a person who was under the age of 21, defendant not then being the parent or guardian of Skyler Kennedy,

contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon.

The State further alleges that each of the above referenced counts was a separate episode and course of conduct from the other counts.

The above referenced offenses were committed by the same person or persons, and (applicable provision(s) are marked):

☒ they are of the same or similar character.

☒ they are based on the same act or transaction.

☒ they are based on two or more acts or transactions connected together or constituting parts of a common scheme or plan.

Verified Correct Copy of Original 1/8/2025

Dated 1/8/24.

Witnesses examined before the Grand Jury:

Kyle Howard – In person.
Nicole Kennedy – In person.
Skyler Kennedy – By simultaneous television transmission.
Michelle Raymond – TCSO – In person.
Detective Kris Wood, TCSO – In person.

A TRUE BILL

FOREMAN

Jeremy S. Dietrich
Chief Deputy District Attorney
OSB #093301
Jeremy.Dietrich@tillamookcounty.gov

$50,000 Full Cash
Security Amount $26,000/$2,600.

1/8/2025 3:15:00 PM

Circuit Court Judge Jonathan R. Hill

Defendant: Jeremy Richard Davidson DOB: 02-17-78
Agency: TCSO

FPN:

Verified Correct Copy of Original 1/22/2025

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF TILLAMOOK

STATE OF OREGON Plaintiff vs. JEREMY RICHARD DAVIDSON DOB: 02-17-78 Defendant	**AMENDED INDICTMENT** Court No. 25CR00208

COUNT 1

The above-named Defendant is accused by the Grand Jury of Tillamook County, State of Oregon, by this Indictment of the crime of **RAPE IN THE FIRST DEGREE (ORS 163.375 a Class A Felony) (Crime Category 9) (BM 11)** committed as follows:

Defendant, on or about January 1, 2025, in Tillamook County, Oregon, did unlawfully and knowingly, by forcible compulsion, engage in sexual intercourse with Skyler Kennedy,

COUNT 2

The above-named Defendant is accused by the Grand Jury of Tillamook County, State of Oregon, by this Indictment of the crime of **RAPE IN THE THIRD DEGREE (ORS 163.355 a Class C Felony) (Crime Category 6)** committed as follows:

TILLAMOOK COUNTY DISTRICT ATTORNEY
201 Laurel Avenue Tillamook OREGON 97141
(503) 842-3410 FAX (503) 842-1802

Verified Correct Copy of Original 1/22/2025

Defendant, on or about January 1, 2025, in Tillamook County, Oregon, did unlawfully and knowingly engage in sexual intercourse with Skyler Kennedy, a child under sixteen years of age,

COUNT 3

The above-named Defendant is accused by the Grand Jury of Tillamook County, State of Oregon, by this Indictment of the crime of **COERCION (ORS 163.275 a Class C Felony) (Crime Category 7)** committed as follows:

Defendant, on or about January 1, 2025, in Tillamook County, Oregon, did unlawfully and knowingly compel Skyler Kennedy to engage in conduct from which Skyler Kennedy had a legal right to abstain, to wit: sexual intercourse, by means of instilling in Skyler Kennedy a fear that if Skyler Kennedy refrained from the conduct compelled, defendant would unlawfully cause physical injury to Skyler Kennedy,

COUNT 4

The above-named Defendant is accused by the Grand Jury of Tillamook County, State of Oregon, by this Indictment of the crime of **ASSAULT IN THE FOURTH DEGREE (ORS 163.160 a Class A Misdemeanor)** committed as follows:

Defendant, on or about January 1, 2025, in Tillamook County, Oregon, did unlawfully and knowingly cause physical injury to Skyler Kennedy,

Verified Correct Copy of Original 1/22/2025

COUNT 5

The above-named Defendant is accused by the Grand Jury of Tillamook County, State of Oregon, by this Indictment of the crime of **FURNISHING ALCOHOL TO PERSON UNDER 21 YEARS OF AGE (ORS 471.410 a Class A Misdemeanor)** committed as follows:

Defendant, on or about January 1, 2025, in Tillamook County, Oregon, did unlawfully give alcoholic liquor to Skyler Kennedy, a person who was under the age of 21, defendant not then being the parent or guardian of Skyler Kennedy,

contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon.

The State further alleges that each of the above referenced counts was a separate episode and course of conduct from the other counts.

The above referenced offenses were committed by the same person or persons, and (applicable provision(s) are marked):

☒ **they are of the same or similar character.**

☒ **they are based on the same act or transaction.**

☒ **they are based on two or more acts or transactions connected together or constituting parts of a common scheme or plan.**

TILLAMOOK COUNTY DISTRICT ATTORNEY
201 Laurel Avenue Tillamook OREGON 97141
(503) 842-3410 FAX (503) 842-1802

Verified Correct Copy of Original 1/22/2025

Dated 1/22/2025.

Witnesses examined before
the Grand Jury:

Kyle Howard – In person on January 8, 2025.
Nicole Kennedy – In person on January 8, 2025.
Skyler Kennedy – By simultaneous television transmission on January 8, 2025.
Michelle Raymond – TCSO – In person on January 8, 2025.
Detective Kris Wood, TCSO – In person on January 8, 2025.

A TRUE BILL

FOREMAN

Jeremy S. Dietrich
Chief Deputy District Attorney
OSB #093301
Jeremy.Dietrich@tillamookcounty.gov

Security Amount $ 50,000 FULL CASH and $26,000/$2,600

1/22/2025 3:01:50 PM

Circuit Court Judge Jonathan R. Hill

Defendant: Jeremy Richard Davidson DOB: 02-17-78
Agency: TCSO

FPN:

Verified Correct Copy of Original 6/12/2026

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF TILLAMOOK

STATE OF OREGON, Plaintiff,
v.
JEREMY RICHARD DAVIDSON, Defendant.

Case No. 25CR00208

Citation No. _____

PETITION TO PLEAD GUILTY/ NO CONTEST/CONDITIONAL GUILTY PLEA

I am the defendant in this case, and my initials and signature below indicate that I have read or have had read to me, understand, and affirm all of the following:

1. My full true name is Jeremy Richard Davidson, but I also am known as _____.
2. I am 48 years old. I have gone to school through some college. Within the past 2 days, I ☐ (have taken) ☒ (have not taken) alcohol, medication, or a drug (whether prescribed for me, over-the-counter, or illegal) that could affect my ability to make decisions. My ability to make decisions is not affected by injury, illness, or disability.
3. ☒ My lawyer's name is Richard L. McBreen III. ☐ I choose not to have a lawyer (see *Waiver of Counsel*).
4. I have told my lawyer everything I know about the charge(s) against me. My lawyer has talked with me about the charge(s), possible defenses, and legal challenges I may have in this case. ☐ I am satisfied with the advice and help my lawyer gave me.
5. I know I have the following rights at trial: (1) to have a jury trial or, if I choose not to have a jury trial, the right to have a trial by a judge; (2) to see, hear, and question all people who testify against me; (3) to remain silent about all facts of the case; (4) to call witnesses and enter evidence; (5) to testify; (6) to have the jury told, if I do not testify, that it cannot hold that decision against me; and (7) to require the district attorney to prove my guilt and all sentence enhancement facts to a jury or court beyond a reasonable doubt.
6. I understand that I give up all of the rights listed in paragraph #5 above when I plead either "Guilty" or "No Contest." I understand that I also give up: (1) any defenses I may have to the charge(s); (2) objections to the consideration of evidence concerning my guilt; and (3) challenges to the accusatory instrument.
7. I understand that a plea of "Guilty" or "No Contest" will result in a final conviction for the charge(s) listed in paragraph #8 below. I understand that if I plead "Guilty" or "No Contest," the judge may impose the same punishment as if I pleaded "Not Guilty," had a trial, and was convicted.
8. I want to plead:

☒ Guilty ☐ No Contest
Count # 5: Furnishing Alcohol to Person Under 21, ☐ Violation / ☒ Misdemeanor / ☒ Felony, Grid Block: ____,
Presumptive Sentence: N/A, Post-Prison Supervision: N/A, Maximum Sentence: 364,
Maximum Fine: $6,250, Minimum Sentence: N/A, Mandatory Fine: $100.

☐ Guilty ☐ No Contest
Count # ____: _____, ☐ Violation / ☐ Misdemeanor / ☐ Felony, Grid Block: ____,
Presumptive Sentence: _____, Post-Prison Supervision: _____, Maximum Sentence: _____,
Maximum Fine: _____, Minimum Sentence: _____, Mandatory Fine: _____.

☐ Guilty ☐ No Contest
Count # ____: _____, ☐ Violation / ☐ Misdemeanor / ☐ Felony, Grid Block: ____,
Presumptive Sentence: _____, Post-Prison Supervision: _____, Maximum Sentence: _____,
Maximum Fine: _____, Minimum Sentence: _____, Mandatory Fine: _____.

☐ Guilty ☐ No Contest

Count # ____: _____, ☐ Violation / ☐ Misdemeanor / ☐ Felony, Grid Block: ____,
Presumptive Sentence: _____, Post-Prison Supervision: _____, Maximum Sentence: _____,
Maximum Fine: _____, Minimum Sentence: _____, Mandatory Fine: _____.

☐ See attached sheet for additional counts.

If there are multiple charges or I am already serving a sentence, I understand that the judge may order me to serve the sentences at the same time (concurrently) or one after the other (consecutively) unless prohibited by ORS 137.123(5).

9. I agree that my criminal history is accurately reflected on the attached sheet provided by the district attorney. I have noted any convictions with which I disagree on that form. I understand that the judge may use this information to determine and/or enhance my sentence.

10. I understand that, in addition to other fines, the judge may order me to pay ☒ restitution or a ☐ compensatory fine to the victim ☐ totaling $ 4,609.45, or ☐ an amount to be determined by the judge.

11. I understand that any sentence imposed in this case can be added to any other prison or jail sentence that I have not finished serving.

12. ☐ I understand that the conviction(s) for these charges will result in special sentencing provisions marked on Attachment #1.

13. In addition to the sentence imposed, I understand that there may be other significant consequences if I enter a "Guilty" or "No Contest" plea, including, but not limited to:

- ☒ Deportation/removal, exclusion from future entry into the United States, or denial of naturalization, if I am not a United States citizen;
- ☐ Revocation of my probation or parole, which may require me to serve any sentence(s) imposed or executed in any such case(s) consecutively to the sentence that is imposed in this case;
- ☐ Registration and reporting as a sex offender;
- ☐ Providing a DNA sample;
- ☐ Suspension, revocation, or permanent loss of my driving privileges (see Attachment #1);
- ☐ Test for HIV or other communicable diseases;
- ☐ Prohibition from leaving the state without first requesting transfer of supervision under the provisions of the Interstate Compact for Adult Offender Supervision;
- ☐ Forfeiture of any firearm or deadly weapon that was possessed, used, or available for use during the crime;
- ☐ Loss of my right to possess, receive, ship, or transport any firearm or firearm ammunition if I am convicted of an offense involving domestic violence, as defined by ORS 135.230. This conviction may negatively affect my ability to be employed in law enforcement or serve in the Armed Forces of the United States.

14. Other than what is contained in this plea petition, I affirm that no one has promised me anything to enter my plea of "Guilty" or "No Contest." I also affirm that no one has threatened me or forced me to enter this plea.

15. ☒ I understand that the district attorney agrees to make the following recommendation to the court about my sentence and/or other pending charges: see attached

I understand that the court is not bound by any plea agreement I have made with the district attorney unless made pursuant to ORS 135.432(2) (court approved plea agreement). This recommendation ☐ (is) ☐ (is not) made pursuant to ORS 135.432(2). This recommendation ☐ (is) ☐ (is not) made pursuant to ORS 135.405(5) (early disposition program). I understand that if this agreement includes recommendations to be made at

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sentencing, these recommendations may depend upon my true criminal history. I understand that the district attorney will not be bound by this agreement if I willfully fail to appear for sentencing. ***I acknowledge that everything that has been agreed to is included in this document or incorporated by reference.***

16. ☐ I understand that I may be asked to relate the circumstances surrounding the criminal activity that is the subject of this plea to a pre-sentence investigation writer.

17. ☒ **I PLEAD "GUILTY"** because in Tillamook County, Oregon, I did the following: On January 1, 2026 I gave alcoholic liquor to S.K., a person who was under the age of 21, and I was not S.K.'s parent or guardian.

18. ☐ **I PLEAD "NO CONTEST"** because I understand that a jury or judge could find me guilty of the charge(s). I prefer to accept the plea offer or plead to the charge.

19. ☐ I am entering a **CONDITIONAL PLEA** pursuant to ORS 135.335(3) and reserve for appeal the following pretrial rulings: _____

20. **APPEAL RIGHTS:** Unless this is a conditional plea, I understand the right to appeal my conviction is limited and that I may appeal only if I can make a colorable showing that the sentence exceeds the maximum allowed by law or is unconstitutionally cruel and unusual. If I am financially eligible for court-appointed counsel, I may apply to the court to appoint an attorney to represent me on appeal, to request a transcript of this proceeding, and to have my trial attorney give the Office of Public Defense Services the information necessary to pursue my appeal. I know that I must serve and file the notice of appeal not later than **30 days** after the judgment of conviction is entered in the register, and I may ask my attorney to help me do this. Copies of the notice of appeal must be served on the district attorney, the trial court transcript coordinator (if a transcript is required), and the clerk of the trial court. The original notice and proof of its service must be filed with the clerk of the court to which I am appealing.

21. ☒ I agree that if I withdraw or if a court later reverses, vacates, or sets aside my plea of "Guilty" or "No Contest" in this case, the court will reinstate any charge(s) that were dismissed in return for my plea and the district attorney no longer will be bound by any promises made to me in exchange for my plea. If the court reinstates the charge(s), I waive the statute of limitations and any statutory or constitutional speedy trial or double jeopardy rights applicable to the dismissed charges.

22. I am signing this plea petition and entering this plea voluntarily, intelligently, and knowingly with full understanding of all matters set forth in the charging instrument and in this petition.

23. I declare that:

☒ I can read, speak, and understand English.

☐ This form was read to me by (print name): _____

June 12, 2026 _____
Date Reader's Signature

☐ This form was sight translated to me by (print name): _____

_____ _____
Date Translator's Signature

June 12, 2026 _____
Date **Defendant's Signature**

7023 SW 158TH AVE BEAVERTON OR 97007
Mailing Address City State Zip

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CERTIFICATE OF COUNSEL

I am the attorney for the defendant in this proceeding and I certify that:

1. I have fully explained to my client the named offenses and lesser-included offenses contained in the charging instrument, and the possible defenses that may apply in this case.
2. I have personally examined the attached *Petition to Plead Guilty/No Contest*, explained all its provisions to my client, and discussed fully with my client all matters described and referred to in the petition.
3. I have explained to my client the maximum penalty and other consequences of entering a guilty or no contest plea, including possible immigration consequences.
4. To the best of my knowledge and belief, my client's decision to enter this plea is made voluntarily, intelligently, and knowingly.
5. I have told my client that if he or she is eligible for court-appointed counsel and wishes to pursue an appeal, I will transmit the information necessary to perfect the appeal to the Office of Public Defense Services.

June 12, 2026		104475
Date	Attorney's Signature	OSB No.

Case No. 25CR00208

FINDINGS

The court makes the following findings regarding the defendant's plea of ☒ Guilty ☐ No Contest:

☒ Defendant's plea is made voluntarily, intelligently, and knowingly.

☐ Other: _____

ORDER

DEFENDANT'S PLEA PETITION IS HEREBY ACCEPTED.

6-12-2026		
Date	Circuit Court Judge	Print, Type, or Stamp Name of Judge

Verified Correct Copy of Original 7/8/2026

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF TILLAMOOK

State of Oregon,
Plaintiff

vs.

Jeremy Richard Davidson,
Defendant

Case No.: 25CR00208

JUDGMENT

Case File Date: 01/02/2025

DEFENDANT

True Name: Jeremy Richard Davidson
Date Of Birth: 02/17/1978
Fingerprint Control No (FPN): JTIL125001926

Sex: Male
State Identification No (SID): 22705197OR

HEARING

Proceeding Date: 07/07/2026
Judge: Eric J. Bergstrom

Defendant appeared in person and was not in custody. The defendant was represented by Attorney(s) RICHARD L MCBREEN, III, OSB Number 104475. Plaintiff appeared by and through Attorney(s) Aubrey M Olson, OSB Number 181492.

COUNT(S)

It is adjudged that the defendant has been convicted on the following count(s):

Count 5 : Furnishing Alcohol to Person under 21

Count number 5, Furnishing Alcohol to Person under 21, 471.410(2), Misdemeanor Class A, committed on or about 01/01/2025. Conviction is based upon a Guilty Plea on 06/12/2026.

Sentence Instructions

Defendant shall:

- E-6 E-8 E-25 E-33 E-34 E-36 E-37 shall be returned to Jeremy Davidson if he/she takes possession of these items 30 days after the release from custody. These items are forfeited to the seizing agency if not picked up by date indicated. Victims property to be returned to owner.

Verified Correct Copy of Original 7/8/2026.

Incarceration

Defendant is sentenced to the custody of County Jail, for a period of 90 day(s). Defendant is to report to Supervisory Authority by 07/07/2026 at 7:00 PM. Defendant may receive credit for time served.

The Defendant may be considered by the supervisory authority for any form of alternative sanction authorized by ORS 423.478.

COUNTS DISPOSED WITH NO CONVICTION

Count # 1, Rape in the First Degree is Dismissed.

Count # 2, Rape in the Third Degree is Dismissed.

Count # 3, Coercion is Dismissed.

Count # 4, Assault in the Fourth Degree is Dismissed.

If convicted of a felony or a crime involving domestic violence, you may lose the right to buy, sell, transport, receive, or possess a firearm, ammunition, or other weapons in both personal and professional endeavors pursuant to ORS 166.250, ORS 166.291, ORS 166.300, and/or 18 USC 922(g).

Verified Correct Copy of Original 7/8/2026.

Payment Schedule

Payment of the fines, fees, and/or attorney's fees noted in this and any subsequent Money Award shall be scheduled by the clerk of the court pursuant to ORS 161.675.

Payable to:

Tillamook County Circuit Court
201 Laurel Avenue
Tillamook, Oregon 97141
P: 503.842.2596
F: http://courts.oregon.gov/tillamook

Dated the 7 day of July, 2026

Signed: _____
Eric J. Bergstrom

EXHIBIT 6

TRANSCRIPT OF AUDIO FILE - CASE No. 25CR00208 SENTENCING HEARING

Written transcript of the sentencing hearing in Case No. 25CR00208, including proceedings concerning the minor victim and matters addressed during sentencing. The transcript was prepared from seven (7) separate digital audio recordings obtained from the Tillamook County Circuit Court, identified by the following file numbers:

20260707-1520
20260707-1525
20260707-1530
20260707-1535
20260707-1540
20260707-1545
20260707-1550

40 PAGES

EXHIBIT 6

Audio file

Courtroom 224_20260707-1520_01dd0e24278ba152.mp3

Transcript

00:00:00 DA Aubrey Olson

Your Honor, this is District Attorney Aubrey Olson, and I'll call the case for the court.

00:00:04 DA Aubrey Olson

This is State of Oregon v.

00:00:05 DA Aubrey Olson

Jeremy Richard Davidson.

00:00:07 DA Aubrey Olson

We have case number 25CR00208.

00:00:12 DA Aubrey Olson

There's also two other case numbers.

00:00:15 DA Aubrey Olson

If you'll bear with me, I'll get those.

00:00:17 DA Aubrey Olson

We have 25CR.

00:00:20 DA Aubrey Olson

25031, which is a failure to appear in the first degree.

00:00:23 DA Aubrey Olson

I'm getting a little feedback from the microphone, so I need to adjust myself.

00:00:27 DA Aubrey Olson

Please let me know if you're not hearing me or not not picking up on the record.

00:00:30 DA Aubrey Olson

I hear you fine.

00:00:32 DA Aubrey Olson

And then finally we have.

00:00:39 DA Aubrey Olson

I'm sorry, I don't have.

00:00:40 DA Aubrey Olson

I'm not seeing there's a another case number that's a 26CR case number that we filed additionally for a sexual abuse in the second degree charge.

00:00:50 DA Aubrey Olson

And I don't know, do you have that case number?

00:00:54 Defense Attorney Richard McBreen III

Yeah, I was just having to write this all down.

00:00:56 Defense Attorney Richard McBreen III

26CR31804.

00:01:01 Defense Attorney Richard McBreen III

So that's the case we entered the plea on and the other matters will be dismissed pursuant to the plea agreement.

00:01:08 Defense Attorney Richard McBreen III

I just forwarded the final resolution between the parties, not the plea petition, which I could also forward, but the

00:01:18 Defense Attorney Richard McBreen III

the attached plea agreement.

00:01:20 Defense Attorney Richard McBreen III

I just forwarded to the Brooks Remediation e-mail and copy Miss Olsen.

00:01:26 Judge Eric Bergstrom

If you did that, I can open up my other laptop and look at that real quick.

00:01:30 DA Aubrey Olson

Thank you, Your Honor.

00:01:31 DA Aubrey Olson

And for the record, that's Richard McBreen, the third, who is counsel for defense.

00:01:37 DA Aubrey Olson

He and his client are here in person.

00:01:39 DA Aubrey Olson

And Your Honor, we here in this courtroom, we're always instructed to remain seated for audio.

00:01:45 Judge Eric Bergstrom

Please stay seated.

00:01:46 Judge Eric Bergstrom

Yes, yes, yes, that's totally fine.

00:01:48 DA Aubrey Olson

Just want to make

00:01:48 DA Aubrey Olson

you're apprised of that, that we're not ignoring standard courtroom decorum.

00:01:53 Judge Eric Bergstrom

No, I'm good.

00:01:54 Judge Eric Bergstrom

I am good with that.

00:01:58 Judge Eric Bergstrom

But Rich, I didn't I have not gotten anything on my e-mail.

00:02:04 Judge Eric Bergstrom

When did you send it?

00:02:06 Defense Attorney Richard McBreen III

As you were speaking prior.

00:02:07 Defense Attorney Richard McBreen III

So like one minute ago, it might be another minute.

00:02:10 Defense Attorney Richard McBreen III

Okay.

00:02:11 Judge Eric Bergstrom

I will wait and hope that it pops up.

00:02:15 Defense Attorney Richard McBreen III

And then what I could add, Your Honor, is

00:02:19 Defense Attorney Richard McBreen III

We did, you'll remember, we did the settlement conference.

00:02:23 Defense Attorney Richard McBreen III

There was a little bit more negotiating to be done.

00:02:27 Defense Attorney Richard McBreen III

We followed your advice and sent the DA a letter that got us to the resolution everyone was content with.

00:02:35 Defense Attorney Richard McBreen III

We came and entered the plea.

00:02:38 Defense Attorney Richard McBreen III

I believe that was around June 10th or so.

00:02:43 Defense Attorney Richard McBreen III

I could get you an actual date or the 12th maybe.

00:02:48 Defense Attorney Richard McBreen III

Um, so about a month ago and then we attempted to do a sentencing that day.

00:02:52 Defense Attorney Richard McBreen III

It was eventually decided that it would be best if your honor could reside over the sentencing and, and that's why we're here.

00:03:01 Judge Eric Bergstrom

Great.

00:03:02 Judge Eric Bergstrom

All right.

00:03:02 Judge Eric Bergstrom

And are we, remind me, are we on a one count sentence on a sex abuse two or remind me one count?

00:03:10 Defense Attorney Richard McBreen III

Uh, sex abuse two on the new information for which we waived indictment and then, um,

00:03:17 Defense Attorney Richard McBreen III

We are asking when your honor assuming your honor is willing following the agreement to put credit for time served and and putting the two dismissed case numbers into the judgment, making sure that all the time is captured on those other matters.

00:03:36 Judge Eric Bergstrom

And then because I still wait, hold on, give me one second here.

00:03:42 DA Aubrey Olson

Well, and we actually are reserving any time on the sex abuse too.

00:03:46 DA Aubrey Olson

So all credit for time served would be on the furnishing waiver to a minor.

00:03:51 Defense Attorney Richard McBreen III

Oh, I, so I did misspeak.

00:03:53 Defense Attorney Richard McBreen III

There are two plea petitions.

00:03:55 Defense Attorney Richard McBreen III

Is that, isn't that correct?

00:03:57 Defense Attorney Richard McBreen III

We did the, okay.

00:03:58 DA Aubrey Olson

Yes, it's, it had to be confusing.

00:04:02 Defense Attorney Richard McBreen III

We're not dismissing 25 CR00208.

00:04:06 Defense Attorney Richard McBreen III

That one there is gonna be a, there was a plea to count five furnishing alcohol.

00:04:13 Defense Attorney Richard McBreen III

The same principle would apply for the credit for time served.

00:04:17 Defense Attorney Richard McBreen III

Obviously that case isn't being dismissed.

00:04:20 Defense Attorney Richard McBreen III

So there are the two matters that will be sentenced on just the matter ending in 25031 would be dismissed, but putting it in the judgment for the credit for time served purposes only.

00:04:37 Judge Eric Bergstrom

All right, I just got your e-mail and

00:04:45 Judge Eric Bergstrom

So he pled guilty to sex abuse in the second degree, stipulated to a 9i grid block, and then count five furnishing alcohol to a minor, and then I

Audio file

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Transcript

00:00:00 Judge Eric Bergstrom

Got the agreement under both.

00:00:05 Judge Eric Bergstrom

So real quick, we're sentencing on both today.

00:00:17 DA Aubrey Olson

That's correct, Your Honor.

00:00:19 Defense Attorney Richard McBreen III

Yes, the sex abuse two in the 26 CR case and the furnishing alcohol in the 25 CR00208.

00:00:28 Judge Eric Bergstrom

Great.

00:00:29 Judge Eric Bergstrom

All right.

00:00:30 Judge Eric Bergstrom

I think I'm up to speed and ready to go.

00:00:33 Judge Eric Bergstrom

So, Ms.

00:00:33 Judge Eric Bergstrom

Olson, on behalf of the state.

00:00:35 DA Aubrey Olson

Thank you, Your Honor.

00:00:38 DA Aubrey Olson

As Your Honor is aware, we did enter a judicial, we engaged in a judicial settlement conference by which we provided significant information to Your Honor in order to understand the facts of this case.

00:00:54 DA Aubrey Olson

The state in defense had

00:00:59 DA Aubrey Olson

large disagreements over the actual facts of the case.

00:01:02 DA Aubrey Olson

There was quite a disparity in each side's understanding of what happened.

00:01:09 DA Aubrey Olson

The allegations were that the defendant forcibly raped a 15-year-old girl.

00:01:18 DA Aubrey Olson

However, evidence was strongly contradictory to those allegations within the actual investigation itself.

00:01:29 DA Aubrey Olson

There was a sufficient amount of information developed through the defense investigation that led to discredit the alleged victims statements and allegations.

00:01:42 DA Aubrey Olson

Those were going to cause some considerable hurdles for the state in order to be able to prove the allegations as they were indicted.

00:01:55 DA Aubrey Olson

What we do believe we could get to was proving sex abuse in the second degree based on the evidence we did have, which included DNA evidence of epithelial cells from the defendant on the alleged victim's person.

00:02:11 DA Aubrey Olson

Now, as we discussed in our settlement conference, it would have been challenged how exactly those, how exactly that DNA evidence was found on the victim.

00:02:23 DA Aubrey Olson

whether it was planted or whether the acts did in fact occur.

00:02:29 DA Aubrey Olson

But I do think it is instructive and helpful that the defendant has made some admissions through a an evaluation that was performed and shared with the parties.

00:02:42 DA Aubrey Olson

And I do believe that a sex abuse in the second degree charge could be proven at trial and does adequately relay the facts as we understand them.

00:02:54 DA Aubrey Olson

This would have actually resulted in a lower sentence based on the presumptive guidelines, but the defendant was willing to stipulate to a 9l, which actually places him at a higher spot on the grid.

00:03:09 DA Aubrey Olson

It allows us to get to 60 months of formal probation with all the general conditions of probation.

00:03:15 DA Aubrey Olson

And it allows a higher

00:03:20 DA Aubrey Olson

amount of prison time available should the defendant not be successful on probation and ultimately have his time revoked.

00:03:28 DA Aubrey Olson

Because of those reasons, we were willing to stipulate that any time that would be served in jail for the sex abuse in second degree would actually be reserved.

00:03:38 DA Aubrey Olson

So there would not be an actual jail sanction on that charge up front because we would reserve all that time so that should his probation be revoked,

00:03:48 DA Aubrey Olson

he could serve up to 36 months in prison on the back end of that.

00:03:53 DA Aubrey Olson

So I think that is a pretty big stick hanging over, if you will.

00:03:59 DA Aubrey Olson

But the conditions would include random searches of person, vehicle, property, or premises upon the direction of the supervising officer, no direct and direct or attempted contact with Skyler Kennedy, no entering onto her premises,

00:04:16 DA Aubrey Olson

This would require we we understand and the defendant has been amenable and admitted that alcohol abuse is a huge root cause of all of this.

00:04:27 DA Aubrey Olson

And so there would need to be recommended and evaluation and complete recommended alcohol as well as sexual offender sex offender treatment program at the defendant's expense.

00:04:38 DA Aubrey Olson

It would require a waiver with the treatment provider to allow them to report to the court, probation department, and the DA's office with written proof of completion to the court, requires compliance with all rules and directives of any treatment program, including participation and completion of any aftercare follow-up, not consuming or possessing or attempting to use or possess alcohol.

00:04:58 DA Aubrey Olson

However, we did carve

Audio file

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Transcript

00:00:00 DA Aubrey Olson

Outt an exception due to the defendant's work.

00:00:02 DA Aubrey Olson

He does work in the restaurant industry, and so we agreed that he may possess not to consume alcohol during the course of employment if required.

00:00:12 DA Aubrey Olson

However, the court may remove that exception at a later time at its discretion should there be problems with that down the road.

00:00:22 DA Aubrey Olson

Further, the defendant would not be allowed to enter bars, taverns, OLCC outlets or other establishments

00:00:26 DA Aubrey Olson

whose primary business is the sale of alcohol, except of course during the course of employment if required as part of his employment, and the court could remove that exception at a later time as well.

00:00:37 DA Aubrey Olson

The agreement does allow for the submission of blood, breath, saliva or urine tests at the defendant's expense at random at the direction of a supervising officer, and he would be required to stipulate to the admissibility of those tests at any probation violation proceeding.

00:00:55 DA Aubrey Olson

There is restitution to the victim's mother, who is present by the way and on video, but restitution in the amount of $4,609.45.

00:01:08 DA Aubrey Olson

There is a small part of that is that is payable to crime victims, survivors and services department that was paid on the victim's mother's behalf.

00:01:19 DA Aubrey Olson

Those were parsed out in the separate restitution filing that was made.

00:01:24 DA Aubrey Olson

So I would just ask court staff to, I can refer back to that for the judgment specificity.

00:01:32 DA Aubrey Olson

There's a stipulation that we do here in, we call it the Bergland stipulation, if you will, that if a probation violation is filed prior to the termination of the probation termination date, that it actually told that PV filing would toll the termination of probation.

00:01:48 DA Aubrey Olson

So let's say defendant gets

00:01:50 DA Aubrey Olson

you know, to month 59 and we get a PV and we file it, his probation would be extended.

00:01:55 DA Aubrey Olson

Although I realize that the maximum time of probation would, I believe, be 60 months.

00:02:00 DA Aubrey Olson

So there is that caveat that I understand.

00:02:05 DA Aubrey Olson

There are sex offender conditions that are outlined in paragraph 14.

00:02:11 DA Aubrey Olson

I'm not going to read through those conditions since I know Your Honor has those in front of me.

00:02:18 DA Aubrey Olson

And then when we get to the furnishing liquor to a minor charge, which is count 5 of 25 CR00208, we've agreed to 90 days flat time in jail on that charge with credit for time served in that case.

00:02:33 DA Aubrey Olson

And I believe there was the FTA case.

00:02:36 DA Aubrey Olson

I believe there was some credit for time served in that case as well, but it should have been

00:02:41 DA Aubrey Olson

They should have hopefully been joined.

00:02:43 DA Aubrey Olson

Whatever time he served in the FTI case should have also been for this case, the the case ending in 208.

00:02:55 DA Aubrey Olson

We did ask that the following we listed out property that would need to be returned to Mr.

00:03:00 DA Aubrey Olson

Davidson.

00:03:02 DA Aubrey Olson

Hopefully the court staff has that so we can enumerate that on the judgment.

00:03:08 DA Aubrey Olson

We send that judgment out to the investigating agency so that it makes it easier for them to be able to handle evidence disposition.

00:03:18 DA Aubrey Olson

Any property belonging to the named victim may be returned to the property owner.

00:03:22 DA Aubrey Olson

There was a sufficient amount of property there.

00:03:24 DA Aubrey Olson

I did not enumerate that, but the investigating agency can reach out to us if they need some clarification.

00:03:33 DA Aubrey Olson

But all remaining evidence would be forfeited to the seizing agency.

00:03:37 DA Aubrey Olson

And then we agree the state would be moving to dismiss all remaining counts in the case ending in 208 and then the entire case which is just the one count of FTA of 25 CR 25031.

00:03:51 DA Aubrey Olson

This as you're aware as I've already stated this was heavily negotiated through a judicial settlement conference.

00:03:58 DA Aubrey Olson

Considering the significant amount of mitigating information defense is provided to the state, I believe this is a reasonable agreement and I would ask that Your Honor follow it.

00:04:09 DA Aubrey Olson

Thank you.

00:04:10 Judge Eric Bergstrom

All right.

00:04:10 Judge Eric Bergstrom

Thank you so much, Miss Olson.

00:04:12 Judge Eric Bergstrom

Mr.

00:04:13 Judge Eric Bergstrom

McBreen.

00:04:14 Defense Attorney Richard McBreen III

Thank you, Judge.

00:04:15 Defense Attorney Richard McBreen III

We are asking that you follow this agreement.

00:04:18 Defense Attorney Richard McBreen III

I don't think I have much to add to what Miss Olson has already told you that all

00:04:26 Defense Attorney Richard McBreen III

is consistent with our understanding.

00:04:30 Judge Eric Bergstrom

Just to to touch on some things we would expect, we anticipate restitution would be paid from the bail that is already on deposit.

00:04:40 Defense Attorney Richard McBreen III

So that will hopefully be taken care of without any further efforts.

00:04:46 Defense Attorney Richard McBreen III

Mr.

00:04:46 Defense Attorney Richard McBreen III

Davidson and his mother, the surety, have signed some motions to assign bail where that would

00:04:54 Defense Attorney Richard McBreen III

assign the remaining balance after restitution and maybe court fines and whatnot.

Audio file

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Transcript

00:00:00 Defense Attorney Richard McBreen III

are taken care of that that balance would be refunded back to our law firm.

00:00:04 Defense Attorney Richard McBreen III

I'm just hoping your honor could sign those orders today as well.

00:00:09 Judge Eric Bergstrom

Um, and Mr.

00:00:10 Judge Eric Bergstrom

Green, can you just speak up a little, a little bit louder?

00:00:14 Judge Eric Bergstrom

Um, I heard that last part and then it trailed off, which was, it had to do with, um, uh, he's paying restitution out of bail and then you hope that your honor and then it trailed off

00:00:27 Defense Attorney Richard McBreen III

the important part.

Um,

00:00:27 Defense Attorney Richard McBreen III

Well is willing to sign the orders assigning bail to our law firm and there are three because we did one for each case number.

00:00:37 Defense Attorney Richard McBreen III

There's some there's we just want to be sure given the concurrent conditions among all three cases.

00:00:45 Judge Eric Bergstrom

I hear you.

00:00:46 Judge Eric Bergstrom

Happy to do that.

00:00:47 Defense Attorney Richard McBreen III

Beyond that, we just ask that your honor follow this agreement.

00:00:53 Defense Attorney Richard McBreen III

There was mention of Mr.

00:00:54 Defense Attorney Richard McBreen III

Davidson's

00:00:55 Defense Attorney Richard McBreen III

struggles with alcohol, we would want the court to know.

00:00:59 Defense Attorney Richard McBreen III

Of course, it did become a condition that he engaged in, I think, at least four meetings a week or a month.

00:01:07 Defense Attorney Richard McBreen III

And he's done that since the inception of the FTA case, which was just two months after the initial case started.

00:01:15 Defense Attorney Richard McBreen III

He initially went to an inpatient program, which he completed.

00:01:19 Defense Attorney Richard McBreen III

After the inpatient program, he completed an outpatient treatment program, and those are all in the records that were being submitted to the release office along the way.

00:01:29 Judge Eric Bergstrom

Yeah, I remember all that.

00:01:30 Defense Attorney Richard McBreen III

And then he is prepared to keep up his sobriety and ready to show the court that he's able to maintain all that.

00:01:42 Judge Eric Bergstrom

Great.

00:01:43 Judge Eric Bergstrom

Anything that anyone else needs to say for the state?

00:01:49 Judge Eric Bergstrom

Ms.

00:01:49 Judge Eric Bergstrom

Olson.

00:01:50 DA Aubrey Olson

Thank you, Your Honor.

00:01:50 DA Aubrey Olson

I would just, Ms.

00:01:52 DA Aubrey Olson

Kennedy is available by video, and I know that she had previously submitted a victim impact statement, which I understand Your Honor has had a chance to read.

00:02:04 DA Aubrey Olson

But I would just, I don't know if she has anything else that she would like to add today.

00:02:10 DA Aubrey Olson

And I would like to give her an opportunity to be heard if she would like to be.

00:02:14 Judge Eric Bergstrom

Ms.

00:02:15 Judge Eric Bergstrom

Kennedy, anything you'd like to say?

00:02:18 Ms. Kennedy (Mother of the victim)

Not at this time, Your Honor.

00:02:19 Ms. Kennedy (Mother of the victim)

Thank you.

00:02:19 Judge Eric Bergstrom

All right.

00:02:20 Judge Eric Bergstrom

Thank you very much for appearing.

00:02:24 Judge Eric Bergstrom

All right.

00:02:24 Judge Eric Bergstrom

Anything further on behalf of the defense, Mr.

00:02:28 Judge Eric Bergstrom

McBreen?

00:02:28 Judge Eric Bergstrom

Anything Mr.

00:02:29 Judge Eric Bergstrom

Davidson wants to say.

00:02:30 Defense Attorney Richard McBreen III

I believe he has no statement.

00:02:33 Defense Attorney Richard McBreen III

Just ask that the court follow the recommendation and thank you to Your Honor for presiding over the matter.

00:02:40 Judge Eric Bergstrom

All right, then in.

00:02:46 Judge Eric Bergstrom

The sex abuse in the second degree is the 25 CR 00208 case.

00:02:50 Judge Eric Bergstrom

Is that correct?

00:02:52 Defense Attorney Richard McBreen III

The opposite.

00:02:52 Defense Attorney Richard McBreen III

That's the furnishing matter.

00:02:56 Judge Eric Bergstrom

Give me the number.

00:02:57 Judge Eric Bergstrom

I'm not sure.

00:02:58 Judge Eric Bergstrom

I'm just seeing it in front of me for the sex abuse case.

00:03:02 Defense Attorney Richard McBreen III

26 CR 31804.

00:03:08 Judge Eric Bergstrom

Okay.

00:03:09 Judge Eric Bergstrom

In the 26 CR 31804 case,

00:03:14 Judge Eric Bergstrom

And remind me what count, is it a single count?

00:03:18 Judge Eric Bergstrom

Is that the info and waiver on sex abuse too?

00:03:20 Judge Eric Bergstrom

That's correct, Your Honor.

00:03:21 DA Aubrey Olson

It's a single count.

00:03:23 Judge Eric Bergstrom

On sex abuse in the second degree, it is a 9I grid block.

00:03:27 Judge Eric Bergstrom

It is a presumptive sentence of 60 months of formal probation with the imposition of general conditions of probation, including to abide by the directives

00:03:40 Judge Eric Bergstrom

of or truthfully and completely answer any reasonable inquiries of the PO and that any violation may result in revocation.

00:03:48 Judge Eric Bergstrom

Further, the defendant stipulates to the admissibility of statements made to the PO at any time to any subsequent probation violation hearing and criminal proceeding.

00:03:59 Judge Eric Bergstrom

There is no incarceration on this count.

00:04:01 Judge Eric Bergstrom

All time is reserved for potential probation violations and/or revocation.

00:04:06 Judge Eric Bergstrom

Defendant must submit to a blood or buccal sample

00:04:09 Judge Eric Bergstrom

He must submit to random searches of his person, vehicle, property or premises upon the direction of the supervising officer.

00:04:16 Judge Eric Bergstrom

There is no direct, indirect or attempted contact with Skyler Kennedy, and that's probably the most important part of any sentencing in cases like this.

00:04:26 Judge Eric Bergstrom

He cannot enter into premises identified as any residents of Skyler Kennedy.

00:04:30 Judge Eric Bergstrom

And if he walks into any random, you know, restaurant, store, etcetera, where Skyler Kennedy is, it's upon.

00:04:38 Judge Eric Bergstrom

him to leave the premises, not her.

00:04:40 Judge Eric Bergstrom

So in the unlikely event that happens, but it can happen.

00:04:44 Judge Eric Bergstrom

If you see Ms.

00:04:45 Judge Eric Bergstrom

Kennedy in a place, you got to remove yourself.

00:04:48 Judge Eric Bergstrom

She's not on probation.

00:04:50 Judge Eric Bergstrom

You are.

00:04:50 Judge Eric Bergstrom

So that's how that goes.

00:04:53 Judge Eric Bergstrom

The defendant is to undergo any evaluation as approved by the court and or community corrections department.

Audio file

Courtroom 224_20260707-1540_01dd0e26f2ba88c0.mp3

Transcript

00:00:00 Judge Eric Bergstrom

Enter in to complete any recommended alcohol and sex offender treatment program.

00:00:04 Judge Eric Bergstrom

I know he has done many of those himself, but upon any order of the PO, he has to do those as well and sign a waiver to the treatment provider to allow them to report to the court or probation department of how he's doing.

00:00:20 Judge Eric Bergstrom

Must comply with the rules or directives of any treatment program, including aftercare.

00:00:27 Judge Eric Bergstrom

Consume, possess, or attempt to use or possess alcohol.

00:00:32 Judge Eric Bergstrom

Defendant may possess but not consume alcohol during the course of employment if required as part of the employment.

00:00:37 Judge Eric Bergstrom

So we all recognize the defendant works in bars and restaurants and taverns.

00:00:44 Judge Eric Bergstrom

He can possess alcohol for the purpose of serving it to others, can't consume it himself.

00:00:50 Judge Eric Bergstrom

He must submit to blood, breath, saliva, or other urine tests at the direction of the PO.

00:00:57 Judge Eric Bergstrom

and stipulate to the admissibility of any results at any PV hearing.

00:01:01 Judge Eric Bergstrom

There is restitution in the amount of $4,609.45, which I will impose.

00:01:09 Judge Eric Bergstrom

And Ms.

00:01:09 Judge Eric Bergstrom

Olson, remind me, I think part of that went to victims, the victims group in Salem, and then part of that goes to the victim herself or her family.

00:01:21 DA Aubrey Olson

Yes, Your Honor.

00:01:24 DA Aubrey Olson

$4,580 to Nicole Kennedy.

00:01:29 DA Aubrey Olson

And then $29.45 goes to the criminal injuries compensation account.

00:01:36 Judge Eric Bergstrom

Great.

00:01:37 Judge Eric Bergstrom

So 4580 to Nicole Kennedy and then the $29.45 to the crime victims group.

00:01:44 Judge Eric Bergstrom

And then there's I'm I'm assuming in my queue I'll have a thing to sign for that.

00:01:48 Judge Eric Bergstrom

I will waive any other financial obligations.

00:01:52 Judge Eric Bergstrom

including fines, fees, assessments, given the amount of restitution.

00:01:59 Judge Eric Bergstrom

If a probation violation is filed prior to the probation's termination date, that filing tolls the probation period.

00:02:09 Judge Eric Bergstrom

There are the standard sex offender conditions, including submitting any psychosexual evaluation, et cetera, submitting to polygraphs, having no contact with minors,

00:02:20 Judge Eric Bergstrom

and not going to places where minors are, not possessing pictures, audiotapes, videos, et cetera, no form, can't engage in any romantic relationships unless written approval from the PO and must require, if required by law, must register as a sex offender if he must.

00:02:45 Judge Eric Bergstrom

I think that concludes everything under the

00:02:49 Judge Eric Bergstrom

26 CR 31804 case.

00:02:52 Judge Eric Bergstrom

On the 25 CR 0020 case, 208 case, I will impose 90 days jail in Tillamook County Jail with credit for time served and alternative sanctions allowed by law.

00:03:06 Judge Eric Bergstrom

For all counts, the following property is to be returned to Mr.

00:03:09 Judge Eric Bergstrom

Davidson.

00:03:12 Judge Eric Bergstrom

And these are the numbers on the property receipts.

00:03:15 Judge Eric Bergstrom

E6 the green pants from the laundry basket, E8 blue and yellow sleeping bag, E25 gray Oregon Dutch sweatshirt, E33 green pants Mr.

00:03:25 Judge Eric Bergstrom

Davidson was wearing, E34 blue shirt, E36 hat, and E37 blue sweatshirt.

00:03:32 Judge Eric Bergstrom

And also the property belonging to the named victim may be returned to the property owner.

00:03:37 Judge Eric Bergstrom

All remaining evidence is forfeited to the seizing agency.

00:03:42 Judge Eric Bergstrom

The state agrees that the remaining counts in 25 CR 25031 are dismissed pursuant to the agreement.

00:03:50 Judge Eric Bergstrom

And then let me look through my notes and make sure I am not missing anything.

00:03:57 Judge Eric Bergstrom

And I'll ask you guys each that in a minute.

00:04:00 Judge Eric Bergstrom

I will sign an order as submitting, assigning bail to the law firm for Mr.

00:04:07 Judge Eric Bergstrom

McBreen and after

00:04:09 Judge Eric Bergstrom

Whatever amount of bail is used to pay the restitution.

00:04:15 Judge Eric Bergstrom

And I think that covers everything.

00:04:17 Judge Eric Bergstrom

Let me know if I missed something.

00:04:19 Defense Attorney Richard McBreen III

The only thing I caught is that it should say state agrees to dismissing remaining counts in 25 CR00208 and the 25031 case in its entirety.

00:04:36 Judge Eric Bergstrom

And you agree with that Miss Olson?

00:04:37 Defense Attorney Richard McBreen III

Yes, I do.

00:04:39 Judge Eric Bergstrom

All right.

00:04:40 Judge Eric Bergstrom

I will dismiss all the remaining counts in both cases that were not already dealt with as part of the sentencing.

00:04:45 Judge Eric Bergstrom

Anything else you think I missed, Ms.

00:04:47 Judge Eric Bergstrom

Olson.

00:04:48 DA Aubrey Olson

No, Your Honor.

00:04:48 DA Aubrey Olson

Thank you.

00:04:50 Judge Eric Bergstrom

All right.

00:04:51 Judge Eric Bergstrom

And then as to the clerk of the court, for the things I need to sign, are you going to put that in my queue?

Audio file

Courtroom 224_20260707-1545_01dd0e27a58fefd0.mp3

Transcript

00:00:01 Court Clerk

I can put it in a few for you.

00:00:05 Judge Eric Bergstrom

That would be great.

00:00:06 Judge Eric Bergstrom

The other thing I can suggest, let me know, is I have two days remaining in Plan B.

00:00:12 Judge Eric Bergstrom

One is Thursday the 16th.

00:00:17 Judge Eric Bergstrom

I will be in Lincoln County, but when that's over, I will be driving to Clatsop County and would be passing through Tillamook County and

00:00:26 Judge Eric Bergstrom

time allowing, if I get there before five, I could possibly just come in person and sign those.

00:00:32 Judge Eric Bergstrom

Tell me if that works better.

00:00:37 Court Clerk

Judge, whatever is easiest for you, we can make happen.

00:00:41 Judge Eric Bergstrom

All right, let's do this.

00:00:43 Judge Eric Bergstrom

Let's plan on me trying to sign that on Thursday.

00:00:47 Judge Eric Bergstrom

And if it doesn't work, then let's put it in my queue.

00:00:53 Judge Eric Bergstrom

(Court Clerk)

Perfect.

(Judge)

All right, great.

00:00:54 Judge Eric Bergstrom

Anything else I need to do?

00:00:58 Court Clerk

Judge Bergstrom, we do need a date for when items need to be picked up for forfeiture and when restitution needs to be set up by.

00:01:09 Judge Eric Bergstrom

Okay.

00:01:09 Judge Eric Bergstrom

I saw that.

00:01:10 Judge Eric Bergstrom

I meant to.

00:01:11 Judge Eric Bergstrom

I saw you put that in there and I forgot to respond.

00:01:15 Judge Eric Bergstrom

What's a reasonable time for those things to be returned?

00:01:20 DA Aubrey Olson

We usually say 30 days, Your Honor.

00:01:24 Judge Eric Bergstrom

OK, 30 days works for me.

00:01:25 Judge Eric Bergstrom

Does that work for you, Mr.

00:01:26 Judge Eric Bergstrom

McGreen.

00:01:27 Defense Attorney Richard McBreen III

The only concern I have is that Mr.

00:01:29 Defense Attorney Richard McBreen III

Davidson's expecting to go into custody and his his mom could go pick up the stuff probably today or very soon.

00:01:38 Defense Attorney Richard McBreen III

But if we could, if we could say 30 days after his release, knowing that she's likely the bomb is likely to pick them up as soon as she can.

00:01:47 Defense Attorney Richard McBreen III

That would make me feel comfortable about it.

00:01:49 Defense Attorney Richard McBreen III

I just don't know how to get.

00:01:51 Judge Eric Bergstrom

Yeah, so pick up items within 30 days of release, but possibly she's going to be able to do it sooner, but then they're going to need some time to gather those things too, I'm guessing.

00:02:01 DA Aubrey Olson

Well, and the next thing is if the judgment isn't going to be signed today.

00:02:06 DA Aubrey Olson

Is that going to cause that might cause a problem even with turn?

00:02:09 DA Aubrey Olson

We didn't address turn self in.

00:02:13 Defense Attorney Richard McBreen III

Is there not?

00:02:13 Defense Attorney Richard McBreen III

I was actually going to ask if this county does a temporary or we just wait around for the judgment.

00:02:19 DA Aubrey Olson

I have not seen a temporary one, but if we're talking about because usually we would wait to get it signed.

00:02:25 DA Aubrey Olson

This is a unique situation.

00:02:28 DA Aubrey Olson

So it usually the jail won't take them if they don't have a judgment.

00:02:34 DA Aubrey Olson

But we have someone from jail staff here saying correct that if there's not a judgment signed, the jail is not going to accept him.

00:02:42 DA Aubrey Olson

So do we want to do it?

00:02:44 Judge Eric Bergstrom

All right.

00:02:44 Judge Eric Bergstrom

Well, let me ask this.

00:02:45 Judge Eric Bergstrom

Was it his intention to go into jail today?

00:02:49 Defense Attorney Richard McBreen III

Yeah, it is.

00:02:49 Defense Attorney Richard McBreen III

And as much as I'd love to delay my clients going into jail, it's he's traveling out out here for, I think, Beaverton.

00:02:56 Defense Attorney Richard McBreen III

Right.

00:02:57 Defense Attorney Richard McBreen III

So it is kind of a hassle to get.

00:02:58 Judge Eric Bergstrom

Yeah.

00:02:59 Judge Eric Bergstrom

So if he's ready, is there is there a judge there that could sign this today on my behalf?

00:03:05 DA Aubrey Olson

I don't think so, Your Honor.

00:03:06 DA Aubrey Olson

I'm sorry.

00:03:08 Judge Eric Bergstrom

Okay, is there, I'm really bad at the queue, but I can figure it out.

00:03:14 Judge Eric Bergstrom

Can it be in the queue today that I can sign it?

00:03:16 Court Clerk

Yes, I can probably get it to you in about 15 minutes max.

00:03:23 Judge Eric Bergstrom

Okay, I can sign the judgment.

00:03:25 Judge Eric Bergstrom

And so if he can wait around, I can sign it and then he can go in today with that.

00:03:30 Judge Eric Bergstrom

If that works.

00:03:31 Defense Attorney Richard McBreen III

That would be ideal.

00:03:32 DA Aubrey Olson

And if his time is 90 days with credit for time served, I don't have a problem with saying set up a rest.

00:03:40 DA Aubrey Olson

I mean, you have to set up a payment plan.

00:03:42 DA Aubrey Olson

I mean, the time you're incarcerated doesn't even count.

00:03:44 DA Aubrey Olson

So I think I would ask that either within, we could say either within 90 days or within 30 days of release.

00:03:54 Judge Eric Bergstrom

Yeah, just set up a payment plan within 30 days of release if that works.

00:03:58 DA Aubrey Olson

That that works for me.

00:03:59 Defense Attorney Richard McBreen III

Yeah.

00:03:59 Defense Attorney Richard McBreen III

And that, yeah, it should be taken care of by then.

00:04:01 Defense Attorney Richard McBreen III

Hopefully it should.

00:04:02 Judge Eric Bergstrom

It sounds like it's going to come right out of bail.

00:04:05 DA Aubrey Olson

Oh, that's right.

00:04:05 DA Aubrey Olson

I forgot about that part.

00:04:06 Judge Eric Bergstrom

Yeah.

00:04:07 Judge Eric Bergstrom

Yeah.

00:04:07 DA Aubrey Olson

So that shouldn't.

00:04:10 Judge Eric Bergstrom

OK, great.

00:04:11 Judge Eric Bergstrom

Anything else we need to consider?

00:04:16 DA Aubrey Olson

Should we say turn self in by today just to make sure that's clear?

00:04:21 DA Aubrey Olson

Does the jail need that?

00:04:23 Court Clerk

Or we can just put remanded into custody.

00:04:26 Speaker 6

That would work too, actually.

00:04:28 DA Aubrey Olson

Remanded into custody.

00:04:30 Defense Attorney Richard McBreen III

Either works.

00:04:34 DA Aubrey Olson

What's fewer?

00:04:35 DA Aubrey Olson

What's easier for you to type?

00:04:37 DA Aubrey Olson

OK.

00:04:40 Court Clerk

And then did we pick a date for forfeiture pick up?

00:04:44 DA Aubrey Olson

Let's just say within 90 days.

00:04:47 DA Aubrey Olson

I think that's the easiest.

00:04:49 Court Clerk

And the victims?

00:04:53 Court Clerk

The other part of the restitution, who was that for?

00:04:55 DA Aubrey Olson

Oh, it's.

Audio file

Courtroom 224_20260707-1550_01dd0e285865f320.mp3

Transcript

00:00:00 DA Aubrey Olson

Would it be easier?

00:00:01 DA Aubrey Olson

It's in the file.

00:00:02 DA Aubrey Olson

We did file it in the case, the restitution, but if I can read it out to you if it's easier.

00:00:11 DA Aubrey Olson

But it was the criminal injuries compensation account is the second part.

00:00:15 Court Clerk

Thank you.

00:00:16 Court Clerk

That's all I need.

00:00:17 DA Aubrey Olson

OK.

00:00:38 Speaker 3 (Unconfirmed)

All right. (Hot mic mumbling)

00:00:46 Judge Eric Bergstrom

It sounds like we are good and I just need to sign the judgment that will be in the queue and I might need your guys help with that.

00:00:59 Judge Eric Bergstrom

So I will e-mail you if I have trouble.

00:01:02 Judge Eric Bergstrom

But otherwise, I think for court purposes, we are all good to go unless somebody tells me otherwise.

00:01:08 Defense Attorney Richard McBreen III

I think we're all set.

00:01:10 DA Aubrey Olson

I think we just, if the court staff is going to put remanded into custody, we'll need to stick around until that is officially signed.

00:01:17 Court Clerk

Yeah.

00:01:17 Defense Attorney Richard McBreen III

Okay.

00:01:17 DA Aubrey Olson

Because he'll need the paperwork and then he'll go with the deputy.

00:01:21 Defense Attorney Richard McBreen III

Yep.

00:01:21 Court Clerk

We just might have you guys sit in the gallery while we do our restraining order.

00:01:26 Court Clerk

But then we'll get it all.

00:01:29 Judge Eric Bergstrom

And I couldn't hear that last part.

00:01:31 Judge Eric Bergstrom

Sorry.

00:01:32 DA Aubrey Olson

We were just discussing, I mean, whether it's remanded into custody or if he puts a, I think if it's remanded into custody, then the deputy would actually transport him.

00:01:39 DA Aubrey Olson

If it's turned self in, he could drive himself.

00:01:42 DA Aubrey Olson

But either way, we would need to wait for you to sign the judgment so that he could get the paperwork to leave with him.

00:01:51 Judge Eric Bergstrom

Great.

00:01:51 Judge Eric Bergstrom

So it sounds like we want to do remanded into custody.

00:01:54 Judge Eric Bergstrom

Is that the easiest?

00:01:56 Defense Attorney Richard McBreen III

Makes sense, yeah.

00:01:56 Judge Eric Bergstrom

Because he's planning on going.

00:01:58 DA Aubrey Olson

He is planning on going.

00:01:59 DA Aubrey Olson

I'm impartial.

00:02:00 DA Aubrey Olson

He's going today.

00:02:02 DA Aubrey Olson

So whether he goes with the deputy right after we leave or if he goes on his own.

00:02:07 Defense Attorney Richard McBreen III

I mean, it doesn't matter.

00:02:08 Defense Attorney Richard McBreen III

The judgment's being signed today.

00:02:09 Defense Attorney Richard McBreen III

It doesn't really matter to me.

00:02:10 Defense Attorney Richard McBreen III

It remanded seems like the best move just because that was what everyone anticipated.

00:02:14 DA Aubrey Olson

But why don't we say, why don't we say turn self in today?

00:02:20 DA Aubrey Olson

By 7 PM just to make sure we have enough time.

00:02:23 Defense Attorney Richard McBreen III

Is that okay?

00:02:24 Judge Eric Bergstrom

Okay, makes sense to me.

00:02:25 Judge Eric Bergstrom

And then I will follow up with court staff and get everything signed.

00:02:31 DA Aubrey Olson

Sounds good.

00:02:32 DA Aubrey Olson

Thank you.

00:02:32 Judge Eric Bergstrom

All right, I am gonna go off of WebEx and then I will then kind of communicate by e-mail with court staff to make sure I get everything signed, but I will stay on until I get things signed.

00:02:46 DA Aubrey Olson

Thank you, Your Honor.

00:02:47 DA Aubrey Olson

Enjoy your retirement.

00:02:48 Judge Eric Bergstrom

All right.

00:02:49 Judge Eric Bergstrom

Good luck, everybody.

00:02:50 Judge Eric Bergstrom

Thank you very much.

00:02:51 Defense Attorney Richard McBreen III

Thank you.

EXHIBIT 7

TILLAMOOK COUNTY PIONEER NEWS ITEM CONCERNING DEFENDANT'S ARREST AND VICTIM'S MEDICAL TREATMENT

Tillamook County Pioneer news item concerning the defendant's arrest and information relevant to the minor victim's need for immediate medical treatment.

1 PAGE

EXHIBIT 7

Tillamook County Pioneer Publication Concerning Defendant's Arrest, and Victims Medical Treatment

Tillamook County Sheriff's Office Investigation Leads to Arrest of Rapist in Pacific City

Posted on January 14, 2025 by Editor

On January 1st, 2025, Tillamook County Sheriff's Office Detectives responded to a report of Child Sex Abuse. The juvenile victim required immediate medical care. Detectives were able to identify and locate the suspect, Jeremy Richard Davidson, 46, of Pacific City.

"We felt we needed to move fast with this investigation to preserve evidence," said Detective Kris Wood, lead investigator. "Thankfully we had Deputies to secure the house until the following morning so Detectives could conduct a thorough investigation."

Working expeditiously through the night and into the early morning, TCSO Detectives obtained a search warrant for the suspect's home. That search revealed evidence of the crime.

Jeremy Richard Davidson was arrested on charges of Rape I, Rape III, Coercion, Assault IV, and furnishing alcohol to a minor. Rape I is a Measure 11 crime and comes with severe prison time if convicted. On January 8th, 2025, the case was brought before a Grand Jury panel, and Jeremy Davidson was indicted on all charges.

LINK TO TILLAMOOK COUNTY PIONEER PUBLICATION
https://www.tillamookcountypioneer.net/tillamook-county-sheriffs-office-investigation-leads-to-arrest-of-rapist-in-pacific-city

EXHIBIT 8

TILLAMOOK COUNTY BOARD OF COMMISSIONERS BOARD ORDER 25-063

Tillamook County Board of Commissioners Board Order 25-063, adopted October 15, 2025, concerning authorization for County supported legal services and related matters addressed in Section IX.

2 PAGES

Tillamook County, Oregon
10/15/2025 12:42:29 PM
Commissioners' Journal
CJ2025-00381

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR TILLAMOOK COUNTY, OREGON

In the Matter of Establishing a Procedure for Engaging Outside Legal Counsel	)))	ORDER #25-063

This matter came before the Tillamook County Board of Commissioners on October 15, 2025 at the request of Rachel Hagerty, Chief Administrative Officer. The Board of Commissioners, being fully apprised, finds as follows:

1. By Order #14-070, the Board of Commissioners established a contract policy which was set forth as Exhibit A in that Order.

2. A recent assessment of the county's legal services revealed the absence of a formal policy governing who has the authority to engage outside, independent legal counsel on behalf of the county.

3. To mitigate risks and enhance efficiency, consistency, and fiscal responsibility of the county's legal operations, the Board desires to have a single point of decision-making. This centralized approach will ensure coordinated communication, uniform legal strategy, and better oversight of legal expenditures.

4. The Chief Administrative Officer serves as the county's delegated Contract Officer and supervises the Office of County Counsel.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT, effective immediately:

5. The following subsection is hereby added to Section C. Delegation of Contracting Authority and Procedures of the County Contract Policy:

   1.10 Notwithstanding the foregoing, only the Chief Administrative Officer or designee has the authority to enter into any contract for legal services. If contracts for legal services are entered into by a county representative other than the Chief Administrative Officer or designee, the legal services shall not be supported by county funds.

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DATED THIS 15th day of October 2025.

THE BOARD OF COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON

	Aye	Nay	Abstain/Absent
Erin D. Skaar, Chair	✓		
Paul Fournier, Vice-Chair	✓		
Mary Faith Bell, Commissioner	✓		

ATTEST: Christy Nyseth,
County Clerk

By: _____
Special Deputy

APPROVED AS TO FORM:

_____
William K. Sargent,
County Counsel

EXHIBIT 9

COUNTY FINANCIAL, PROCUREMENT, AND RELATED COMMUNICATIONS

County financial, procurement, payment, authorization, voucher, and related communications and records relevant to the procurement card matter.

EXHIBIT NOTE - Recipient and questioner identifying information has been redacted, and email platform, security, routing, logo, image, and printing information has been omitted for presentation. The substantive content of the original correspondence has not been altered. Original wording, numbering, grammar, and apparent typographical or numbering inconsistencies have been retained.

EXHIBIT 9A - COUNTY TREASURER DEBRA JACOB EMAIL CORRESPONDENCE

EXHIBIT 9B - CHIEF ADMINISTRATIVE OFFICER RACHEL HAGERTY EMAIL CORRESPONDENCE

EXHIBIT 9A

COUNTY TREASURER DEBRA JACOB EMAIL CORRESPONDENCE

Redacted and reformatted email correspondence from Debra Jacob, appointed County Treasurer And Director of Financial Services, concerning procurement card policies and procedures, Board Order 25-063, blocked merchant categories, attempted legal services transactions, transaction declines, subsequent voucher and payment procedures, County approval requirements, and related County actions.

6 PAGES

EXHIBIT 9A

COUNTY TREASURE DEBRA JACOB EMAIL CORRESPONDENCE
EMAIL 1 OF 2 - REDACTED AND REFORMATTED COPY

From: Debra Jacob Debra.Jacob@tillamookcounty.gov
To: [REDACTED]
Date: Friday, July 24, 2026, 2:52 PM
Subject: Re: EXTERNAL: Counties credit card policies and procedures

Good afternoon, [REDACTED],

Absolutely. Tillamook County utilizes a procurement card program that is managed by the Treasurer's Office/Finance Department. Cards are requested by department head/elected official and authorized department personnel.

Each card carries per-transaction and monthly limits, set by the department's Elected/Approving Official. Cards are issued to individual employees, not to a department generally, so each cardholder signs their own Agreement and is accountable for their own card's use. Cardholders are expected to follow County procurement and payable procedures when making purchases with procurement cards. Procurement program rules have been set to ensure compliance in the following categories.

Certain vendor categories are blocked system-wide (attempted transactions are declined automatically) via Merchant Category Codes (MCC): bars, liquor stores, alcohol vendors, banks, ATMs, and financial institutions; and movie theaters/entertainment vendors. Cash-type transactions (cash back, money orders, ATM withdrawals) also prohibited and treated as a policy violation if attempted.

In 2025, with Board Order 25-063, purchases coded as legal services are also blocked via MCC and separately routed through contracted-services and legal services procedures rather than the procurement card.

I have staff monitoring procurement card activity daily for compliance, we can see pending transactions and are able to contact US Bank to reverse or dispute if needed. US Bank also has fraud detection services that will alert us to activity.

Departments voucher the charges on their procurement cards; the Treasurer's office reconciles vdebra.jacob@tillamookcounty.govouchers to the administrator (county wide) statement monthly for payment for procurement card charges once all charges are documented and audited to be allowable under county purchase and procurement policies.

Should violations occur, progressive disciplinary actions for violations are: written warning, limit, suspension and permanent loss of card privileges.

Let me know if you have any follow up questions.

Thanks,

Debra Jacob | Director of Financial Services
TILLAMOOK COUNTY |
201 Laurel Avenue
Tillamook, OR 97141
Phone (503) 842-3425

EXHIBIT 9A EMAIL 1 of 2

EMAIL 2 OF 2 - REDACTED AND REFORMATTED COPY

From: [REDACTED]
Sent: Monday, July 27, 2026, 6:48 AM
To: Debra Jacob Debra.Jacob@tillamookcounty.gov
Subject: EXTERNAL: questions

Good Morning. First, is there a reason you don't have your title as Appointed Treasurer, not Financial Director? Bear with me. I'm trying to get a thorough understanding regarding this issue that was brought up at a commissioner board meeting so I have many additional questions.

1. What information are you able to see when a procurement card transaction is attempted?
2. Is your office able to determine why a transaction was declined?
3. Are procurement card holders required to follow County purchasing and procurement policies when using their cards?
4. Does every cardholder sign an agreement acknowledging those requirements?
5. Are department heads and elected officials subject to the same procurement card rules

Board Order 25-063

8. Did Board Order 25-063 add legal services to the list of merchant categories that are automatically blocked?
9. Was that Board Order in effect when the District Attorney attempted these purchases?
10. Under that policy, are transactions coded as legal services automatically declined by the procurement card system?
11. Does the decline occur automatically without anyone in the Treasurer's Office making an individual decision?
12. Once a legal-services transaction is declined, what approval process is required before payment can be made?
13. Did your office observe the District Attorney's attempted procurement card transactions?
14. Were there two separate attempted transactions?
15. Were both automatically declined?
16. Did your office know why they were declined?
17. Did you or anyone in your office communicate that reason to the District Attorney?
18. What did you tell her?
19. Did she ask whether the transactions could be overridden?
20. Did she indicate she believed she already had authorization?
21. After the procurement card transactions were declined, did the District Attorney ask the Treasurer's Office to pay the invoices by another method?
22. How long after the declined transactions did she make that request?
23. What documentation did she provide?
24. Before payment was processed, did your office determine whether the required County approvals had been obtained?

25. Who was responsible for determining whether those approvals existed?
26. Did the Board of Commissioners approve payment before the invoices were processed?
27. Does the Treasurer have independent authority to approve payment for outside legal services?
28. Is Board approval required before payment for contracted legal services may be processed?
29. If required approval has not been obtained, what is the Treasurer's Office's normal procedure?
30. Has that procedure been followed consistently with other departments?
31. Because your office monitors procurement card activity daily, were these attempted transactions identified immediately?
32. Were they documented as attempted purchases of a prohibited category?
33. Does County policy treat an attempt to use a procurement card for a prohibited purchase as a policy violation?
34. Was this incident documented as a procurement card policy violation?
35. If not, why not?
36. Were any disciplinary procedures initiated?

38. Are procurement card holders provided written procurement card policies?
39. Are they trained regarding prohibited purchases before receiving a procurement card?
40. To your knowledge, had the District Attorney signed the procurement card agreement?
41. Had she received the procurement card policies governing prohibited purchases?
42. When the District Attorney came to your office after the transactions were declined, what exactly did she tell you about why she believed the County should pay those invoices?

Thank you. [REDACTED]

END OF QUESTIONER EMAIL

RECIPIENT RESPONSE

From: Debra Jacob Debra.Jacob@tillamookcounty.gov
Sent: Monday, July 27, 2026, 10:24 AM
To: [REDACTED]
Subject: RE: EXTERNAL: questions

Good morning, [REDACTED],

Thank you for asking, it looks like I hadn't updated my default signature line. Now updated.

My answers are below. Let me know if you have any follow up.

1. What information are you able to see when a procurement card transaction is attempted?
   a. We can see the cardholder name, the date and time of the transaction attempt, the vendor, the amount, and the decline reason for declined transactions.
2. Is your office able to determine why a transaction was declined?
   a. Yes, decline reason is provided on procurement card program transaction report.

3. Are procurement card holders required to follow County purchasing and procurement policies when using their cards?
   a. Yes, procurement card purchases must follow all other purchasing and procurement policies.
4. Does every cardholder sign an agreement acknowledging those requirements?
   a. Yes, all cardholders sign an agreement acknowledging the requirements and their responsibilities as a cardholder.
5. Are department heads and elected officials subject to the same procurement card rules?
   a. Yes, all procurement card holders, including department heads and elected officials follow the same procurement card rules, procedures and agreements.
8. Did Board Order 25-063 add legal services to the list of merchant categories that are automatically blocked?
   a. Yes, immediately following the adoption of Board Order 25-063, the Treasurer's Office added the additional MCC block for legal services, MCC 8111 on all cards.
9. Was that Board Order in effect when the District Attorney attempted these purchases?
   a. Yes, the Board Order was in effect when the DA attempted the purchases.
10. Under that policy, are transactions coded as legal services automatically declined by the procurement card system?
    a. A transaction under a blocked MCC, including 8111 - Legal Services, are automatically declined by the rules of the procurement card program.
11. Does the decline occur automatically without anyone in the Treasurer's Office making an individual decision?
    a. Correct, it declines automatically without anyone in the Treasurer's Office making an individual decision.
12. Once a legal-services transaction is declined, what approval process is required before payment can be made?
    a. For legal services, the department has to go through the proper approval process (Chief Administrative Officer and/or County Counsel review/approval) before it can be processed.
13. Did your office observe the District Attorney's attempted procurement card transactions?
    a. Yes, my staff flagged that the charges were attempted and had been declined as expected. I logged in and confirmed.
14. Were there two separate attempted transactions?
    a. Yes, there were two attempted transactions.
15. Were both automatically declined?
    a. Yes, both were automatically declined with decline reason "Unapproved merchant category".
16. Did your office know why they were declined?
    a. Yes, the decline reason was stated on the transaction report.
17. Did you or anyone in your office communicate that reason to the District Attorney?
    a. Yes, I communicated the reason to the District Attorney.
18. What did you tell her?
    a. I informed that the declines were due to the automatic merchant category code block on legal services and referred her to BO #25-063 for the proper process for legal services.
19. Did she ask whether the transactions could be overridden?
    a. She did not, she thanked me for the information.
20. Did she indicate she believed she already had authorization?
    a. No.

21. After the procurement card transactions were declined, did the District Attorney ask the Treasurer's Office to pay the invoices by another method?
    a. Following the declined procurement transactions, a voucher was submitted following our regular accounts payable processes to pay the vendor by check. This voucher did not have the CAO signature as required and was also held by my office to follow BO # 25-063 and in accordance with the BOC decision not to pay.
22. How long after the declined transactions did she make that request?
    a. The following day.
23. What documentation did she provide?
    a. A voucher, invoice and W9.
24. Before payment was processed, did your office determine whether the required County approvals had been obtained?
    a. The voucher was held and not paid; forwarded to CAO and County Counsel for approval.
25. Who was responsible for determining whether those approvals existed?
    a. My office is responsible for determining if approvals exist. The signature of either the County Counsel or CAO is our usual determinant and neither of those were present. When neither CAO nor County Counsel signature was on the voucher, my office removed the invoice from processing and referred to CAO and County Counsel.
26. Did the Board of Commissioners approve payment before the invoices were processed?
    a. The invoice has not yet been paid. It is in process for payment this week following CAO and Counsel approval with instructions from court order to do so.
27. Does the Treasurer have independent authority to approve payment for outside legal services?
    a. No.
28. Is Board approval required before payment for contracted legal services may be processed?
    a. No, per BO #25-063, CAO/County Counsel approval is required. Depending on the amount of the contract, Board approval may be required as well if the amount is such that County contract policy and Oregon Minimum Standards for procurement contract thresholds applies.
29. If required approval has not been obtained, what is the Treasurer's Office's normal procedure?
    a. The voucher is removed from processing and forwarded to County Counsel and CAO for authorization.
30. Has that procedure been followed consistently with other departments?
    a. This procedure has been followed consistently since the adoption of BO #25-063.
31. Because your office monitors procurement card activity daily, were these attempted transactions identified immediately?
    a. Yes, they were identified the same day as the attempts.
32. Were they documented as attempted purchases of a prohibited category?
    a. Yes, the declined transaction came through as an attempted purchase under an unapproved merchant category.
33. Does County policy treat an attempt to use a procurement card for a prohibited purchase as a policy violation?
    a. Attempting blocked merchant category transactions is a violation of policy.
34. Was this incident documented as a procurement card policy violation?
    a. Yes.
35. If not, why not?
36. Were any disciplinary procedures initiated?
    a. Cardholder education of the procurement policy, including referral to BO #25-063 was communicated, Counsel and CAO were informed, and Cardholder limits were reduced.

37. Are procurement card holders provided written procurement card policies?
    a. Yes, prior to procurement card issuance, employees must read the policy handbook and take a test to verify understanding and then sign an agreement of understanding.
38. Are they trained regarding prohibited purchases before receiving a procurement card?
    a. Yes, but, with BO 25-063 only recently being adopted, the handbook has not yet been updated to include the new blocked merchant category. This would fall under the cardholder knowing and following all purchasing and procurement policy and procedures.
39. To your knowledge, had the District Attorney signed the procurement card agreement?
    a. Yes, the DA had signed a procurement card agreement.
40. Had she received the procurement card policies governing prohibited purchases?
    a. Yes, the procurement card, purchasing, and procurement policies are available to staff at anytime on County intranet. BO 25-063 is not currently listed in the procurement card handbook, but is also available on the intranet to all staff for purchasing policy reference.
41. When the District Attorney came to your office after the transactions were declined, what exactly did she tell you about why she believed the County should pay those invoices?
    a. The DA did not share beliefs on why the County should pay with my office.

Thank you,

Debra Jacob | Director of Financial Services
Appointed County Treasurer
TILLAMOOK COUNTY |
201 Laurel Avenue
Tillamook, OR 97141
Phone (503) 842-3425
debra.jacob@tillamookcounty.gov

END OF EXHIBIT 9A EMAIL 2 of 2

EXHIBIT 9B

CHIEF ADMINISTRATIVE OFFICER RACHEL HAGERTY EMAIL CORRESPONDENCE

Redacted and reformatted email correspondence from Rachel Hagerty, Chief Administrative Officer, concerning communication of Tillamook County Board of Commissioners Board Order 25-063, County procedures concerning legal services, and related County matters.

2 PAGES

EXHIBIT 9B

CHIEF ADMINISTRATIVE OFFICER RACHEL HAGERTY EMAIL CORRESPONDENCE

EMAIL 1 of 2 - REDACTED AND REFORMATTED COPY

From: Rachel Hagerty Rachel.Hagerty@tillamookcounty.gov
To: [REDACTED]
Date: Monday, August 3, 2026, 4:26 PM
Subject: RE: EXTERNAL: Re: Board Order 25-063-Procurement card authorization for legal services

[REDACTED],

I do not recall emailing Ms. Olson a copy of Board Order #25-063.

This type of information is generally communicated with county leadership through the board meeting agenda posting (October 10) and during the board meeting when it was taken (October 15).

Please direct your question regarding the retention of a criminal defense attorney to County Counsel Libel.

Thank you,

Rachel

Rachel Hagerty | Chief Administrative Officer
TILLAMOOK COUNTY | Central Services Department
201 Laurel Avenue
Tillamook, OR 97141
Phone (503) 842-3404
Mobile (503) 812-3465
rachel.hagerty@tillamookcounty.gov

EXHIBIT 9B EMAIL 1 of 2

EMAIL 2 OF 2 - REDACTED AND REFORMATTED COPY

From: Rachel Hagerty <Rachel.Hagerty@tillamookcounty.gov>
Date: Tue, Aug 4, 2026 at 8:08 AM
Subject: RE: EXTERNAL: Re: EXTERNAL: Re: Board Order 25-063-Procurement card authorization for legal services
To: [REDACTED]

Leadership is notified, along with the media, that the agenda has been posted. They need to engage from there.

Rachel

Rachel Hagerty | Chief Administrative Officer
TILLAMOOK COUNTY | Central Services Department
201 Laurel Avenue
Tillamook, OR 97141
Phone (503) 842-3404
Mobile (503) 812-3465
rachel.hagerty@tillamookcounty.gov

END OF EXHIBIT 9B - EMAIL 2 of 2

EXHIBIT 10

MAY 2026 ELECTION AND PUBLICATION TIMELINE

Three (3) Tillamook County Pioneer publications documenting the May 19, 2026 Primary Election timeline, ballot returns as of May 8, 2026, and the May 8, 2026 public release of information concerning the completed independent fact finding investigation conducted by Katie Suver Law, LLC, into complaints regarding Tillamook County District Attorney Aubrey Olson and the administration and operations of the Tillamook County District Attorney's Office.

DOCUMENTS INCLUDED:

1. **Tillamook County Clerk: Important Dates for May 19, 2026, Primary Election**
   Published April 27, 2026 — 1 page
2. **Tillamook County Pioneer's Voters Guide: Questions for Candidates; Letters to Editor; 11% of Ballots Received to Date**
   Published May 8, 2026 — 1 page
3. **Tillamook County Board of Commissioners: County Concludes Investigation into Employee and Public Complaints Regarding Tillamook County District Attorney's Office**
   Published May 8, 2026 — 1 page

TOTAL: 3 PAGES

TILLAMOOK COUNTY CLERK: Important dates for May 19, 2026, Primary Election

Posted on April 27, 2026 by Editor

May 19, 2026, Primary Election
April 2026
28 – Voter registration/Change Party affiliation deadline (Registration cards postmarked April 28, 2026, are valid)
29 – First Day ballots will be mailed and Dropsites Open

MAY 2026
8 – Certification Test of the Ballot Counting Machine
14 – Last Election Official to mail replacement ballots
19 – Election Day

June 2026
15 – Last day to certify election results

LINK TO TILLAMOOK COUNTY PIONEER PUBLICATION
https://www.tillamookcountypioneer.net/tillamook-county-clerk-important-dates-for-may-19-2026-primary-election



TILLAMOOK COUNTY PIONEER'S VOTERS GUIDE: QUESTIONS FOR CANDIDATES; LETTERS TO EDITOR; 11% of ballots received to date – VOTE by May 19th

Posted on May 8, 2026 by Editor

Here is the updated ballot returns from the Tillamook County Clerk's office for May 8. 2026

BALLOT RETURNS

Received = total number of ballots cast.

Accepted = total number of ballots without challenges. A challenged (unaccepted) ballot is one where the signature does not match the Voter record OR a voter did not sign the ballot return envelope.

DATE:	May 8. 2026 12:27 PM
BALLOTS RECEIVED/ACCEPTED:	2,544 Received/2,501 Accepted
% OF TURNOUT:	11.7% Received/ 11.5% Accepted

LINK TO TILLAMOOK COUNTY PIONEER PUBLICATION
https://www.tillamookcountypioneer.net/tillamook-county-pioneers-voters-guide-questions-for-candidates-letters-to-editor-vote-11-of-ballots-received-to-date

EXHIBIT 10

Ballot and Election and Timing Documentation - Tillamook County Pioneer

TILLAMOOK COUNTY BOARD OF COMMISSIONERS: County Concludes Investigation into Employee and Public Complaints Regarding Tillamook County District Attorney's Office; From over 50 Complaints, 35 Complaints Determined to be Founded, No Civil or Criminal Wrong-doing

Posted on May 8, 2026 by Editor

(TILLAMOOK, OR – May 8, 2026) – Tillamook County has concluded its independent investigation into complaints submitted to the county's Human Resources department by members of the public and county employees regarding the Tillamook County District Attorney's (DA) office

It is standard procedure to examine allegations following official complaints filed with the county's Human Resources department. In total, 7 people submitted formal complaints in September 2025. The complaints focused on concerns about professionalism; prosecution of crimes; treatment of victims, their family members and criminal justice partners within the DA's office; and interactions between county law enforcement and DA's office employees.

The investigation was conducted by an independent legal investigator to ensure a thorough and impartial review. Following a comprehensive evaluation, 35 specific concerns were determined to be founded, and 16 specific concerns were determined to be unfounded.

District Attorneys are publicly elected officials of the Oregon Department of Justice, and their roles are not subject to county oversight or policies. DA deputies and office staff, including victim advocates, are county employees, who are managed by the DA. As a result, the investigation was primarily focused on county employee performance, conduct and interactions with victims in the DA's office. It is the DA's responsibility to manage these staff and ensure adherence to county HR policies.

While the investigation found no instances of civil or criminal wrongdoing, the county is sharing a brief summary of the 35 complaints that were verified as founded:

- Poor victim and partner agency engagement practices, including not believing victims' testimony, and hostility toward victims, victim advocates and law enforcement.
- Failing to meet human resources policies and prosecuting best practices, including inadequate training and supervision of Deputy District Attorneys; unwarranted public reprimands of subordinates; and failure to respond to community complaints in a timely manner.
- Deficient charging, preparation and trial practices, including the handling of child abuse and domestic violence cases, resulting in concern for victims and community safety; and failing to present viable cases to grand jury or charge cases.

The report has been shared with DA Olson. The county looks forward to working with the DA's office to address the concerns identified in the report, including county employee performance and victim assistance and protection.

LINK TO TILLAMOOK COUNTY PIONEER PUBLICATION
https://www.tillamookcountypioneer.net/tillamook-county-board-of-commissioners-county-concludes-investigation-into-employee-and-public-complaints-regarding-tillamook-county-district-attorneys-office-from-over-50-complaints-35-c