

State's first public records advocate to quit

By **Claire Withycombe**
Oregon Capital Bureau

SALEM — Oregon's first-ever public records advocate is resigning from her post on Oct. 11.

Ginger McCall, appointed by Gov. Kate Brown in early 2018,

to boost transparency and openness in state and local government, said she was stepping down after what she called "meaningful pressure" from the governor's office to represent its interests in her role on the state's public records advisory council.



McCall

Willamette Week first reported McCall's resignation.

McCall sent two resignation letters: one to the advisory council, and a second to Gov. Kate Brown.

In her letter to Brown, McCall wrote that she believed she and the governor's office had "conflicting visions" of the public records advocate's role. She felt the role should have "a high degree of independence and serve the public interest," she wrote in her letter, but said the governor's office didn't agree. She wrote that she was pressured to represent the interests of the governor's office, "even when those interests conflict with the will of the council and the mandate of the Office of the Public Records Advocate."

"I have not only been pressured in this direction, but I have been told that I should represent these interests while not telling anyone that I am doing so," McCall wrote. "I

believe these actions constituted an abuse of authority on the part of the General Counsel, and are counter to the transparency and accountability mission that I was hired to advance."

McCall said she "made multiple attempts to find a workable solution, but at this point I no longer believe these conflicting visions of my role can be reconciled."

In a resignation letter to the state Public Records Advisory Council, of which she was a member, McCall was less explicit, but alluded to her concern that the role be independent.

"This office serves an essential role in connecting the public with the government," McCall wrote. "In order to do this, though, the office must be independent, operating to serve the public and not partisan political interests. I hope that the council will dedicate itself to protecting that independence and select a candidate who is equally devoted to that goal."

Acting independently

In a statement the afternoon of Monday, Sept. 9, McCall said that it had been a "pleasure serving the people of Oregon" and expressed pride for the work of the council. She said she is going to take a job with the federal government in Washington, D.C.

McCall also provided two memos of recent meetings with governor's office staff.

McCall met with Brown's general counsel, Misha Isaak, and Emily

Matasar, the governor's government accountability attorney on Jan. 15.

Isaak told McCall that he interpreted state law to mean that the advocate works for the governor's office, McCall wrote in a memo penned the day after the meeting.

"None of this had previously been conveyed to me," McCall wrote. "In prior conversations with multiple parties, including the governor's office, it had been stated that the advocate was intended to be independent. When I had asked in Spring 2018 who I would report to, the Governor's office replied that I did not report to them."

Isaak told her that the independence was limited to the day-to-day operations of the office, but that "for political matters and matters of policy, the advocate worked for the governor and the governor's office is free to intercede."

Isaak also "implied" that it was McCall's job to "control what proposals were put forth to the council and, ultimately, what proposals were agreed upon by the council, and in doing that, I should be operating with the governor's office agenda in mind," McCall wrote.

"I stated my discomfort with being put in the position of advocating for an agenda which I was not free to disclose or discuss with the council," McCall wrote. "This objection was not really discussed."

Toward the end of that January meeting, Isaak told McCall that "I should be less ambitious, not move so fast, and recognize that I do not

know about the politics or nuance of Oregon."

"Thus, I should 'listen' and not attempt to propose reforms about things I did not fully understand. I should, instead, rely on the Governor's office to make decisions about these things. This part of the meeting felt both demeaning and condescending. Nowhere in this discussion was an acknowledgment that I am a professional, with a decade of specialized experience in politics, reform, public records, advocacy and government. It was both disrespectful and unnecessarily hostile."

Isaak then told her that he was concerned that McCall would leave the meeting and call a reporter from The Portland Tribune and "tell him that the Governor's office is trying to censor me."

"This conveyed to me that I was expected to keep this meeting, including the fact that the Governor's office interpreted (state law) to mean that I report to them, a secret," McCall wrote. "This expectation of secrecy made me feel uncomfortable. It felt both unethical and dishonest."

On Aug. 30, the governor appointed Isaak to the Oregon Court of Appeals, effective Nov. 1.

McCall documented a second meeting, with Matasar, on June 6, at a café in Salem.

Matasar "expressed extreme unhappiness" with an email McCall had sent in late May to the records council about the office's budget. McCall had sought feedback from the council on her concerns about the

proposed budget for the office.

Matasar recommended that McCall not "send out emails or make statements that make it look like I am 'opposed to' or 'outside' of the governor's office," McCall wrote.

When Matasar told her she didn't like a bill that the council had proposed, and that she didn't think the council should have proposed it, McCall told her that the council was a "democratic body" that McCall did not have control over. McCall asked Matasar what she was supposed to do in a scenario where the governor didn't agree with a bill the council proposed, and Matasar said to "tell them that the bill is unacceptable."

"I expressed that it was not my intention to alienate anyone or create conflict," McCall wrote, "But that it was my impression that I was meant to act independently."

Matasar recommended McCall meet with other state government directors who "have better managed their relationships with the governor's office, especially" the head of the state's ethics commission.

In a statement issued Monday, Brown said: "I agree with Ginger that the Public Records Advocate should be truly independent. I look forward to meeting with Ginger immediately to hear directly from her how the Council will develop recommendations to the legislature to create a truly independent position."

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Union County searching mountains for missing plane

The Union County Sheriff's Office Search and Rescue team was in the Blue Mountains northwest of Anthony Lakes this morning searching

for a single-engine airplane reported missing en route from Richland, Washington, to Ontario.

An alert notice was issued late

Tuesday for the Piper PA32, tail number N6300X, according to the Federal Aviation Administration.

Lt. Col. Mark Young, commander

of the Civil Air Patrol's National Radar Analysis Team, said a radar track indicates the plane went down around 10 a.m. on Sunday about 35

miles northwest of Baker City.

Young said a relative of the male pilot, who was believed to be alone, reported the plane being overdue.

COUNCIL

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Councilor Lynette Perry said she expects that Laakso won't be the only resident wanting to build a deer-resis-

tant fence, and she suggested the Council review the current fence standards, which limit fences to 6 feet high.

Perry said she believes deer that live in town pose a potential hazard, as they

walk down streets and sometimes act aggressively toward people.

"We do have a problem in Baker with the deer and there's going to be other people facing the same situa-

tion," Perry said.

Similar concerns expressed last year prompted the City Council to approve in late June an ordinance prohibiting residents from intentionally feeding deer.

City Manager Fred Warner Jr. said residents can call the local office of the Oregon Department of Fish and Wildlife, 541-523-5832, if they have concerns about aggressive deer.

Brian Ratliff, district wildlife biologist at the agency's Baker City office, told councilors last year that the population of deer living inside the city year-round has increased over the past two decades.

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