

## OUR VIEW

Trooper  
shooting

*State fails duty to Alaskans  
by keeping facts under wraps*

**W**as trooper Jesse Osborn justified in shooting Casey Porter to death during an encounter in January 2003?

That's an open question.

Was the state of Alaska justified in refusing to release the report of its investigation of the shooting?

No.

Why did it take a lawsuit and an attorney for the plaintiffs to make this information available to the public?

That's a good question.

The state doesn't have a good answer.

Litigation and concerns for the privacy of trooper Osborn don't outweigh Alaskans' right to know the details of this case. Trooper Osborn, like any sworn law enforcement officer, has the authority and means to use deadly force on citizens of Alaska. When he chooses to use that force, his right to privacy takes a back seat to his accountability to the people of Alaska.

If no lawsuit had been filed in this case, there would still be questions about the shooting — but we'd be further from answers than we are today because the troopers, under the command of Col. Julia Grimes, and the Department of Public Safety, led by Bill Tandeske, decided to keep this investigation in house. Justifiable homicide was the troopers' conclusion; a Kenai prosecutor signed off on that and it was supposed to be case closed.

It's as if they said to Alaskans: "We won't tell you what we know, but this shooting was justified. Take our word for it."

Won't tell Alaskans? The troopers work for Alaskans. The troopers are accountable to Alaskans.

Case closed, don't ask for details? That works in police states, not for police in free states. The use of deadly force has to be justified, and the investigation of it to that end has to stand the light of day. A civil lawsuit can't be an excuse for stonewalling the public.

Not only did the state stonewall, but when the attorney in the lawsuit released the information, the state turned on him in court. Fortunately, a judge found no misconduct on the part of attorney Bill Azar and refused the state's request for what amounted to a gag order in the case.

This bent for secrecy, from closed caucuses in the Legislature to the Anchorage School District to the Alaska State Troopers, is a warp in the wrong direction. These agencies are not powers unto themselves. All working for them work for the people of Alaska, and their first duty is to Alaskans.

The Alaska State Troopers have a tough job and a hard-earned, excellent reputation. But they make their job tougher and undermine that reputation when they seek to keep fellow Alaskans in the dark about use of deadly force.



Col. Julia  
Grimes