

*Remarks by Ashland.news Executive Editor Bert Etling at the Jan. 31, 2022, Ashland City Council study session review of a proposal to establish a policy on news media attendance at executive sessions*

I'm here to speak to the agenda item regarding Media Access to Executive Sessions.

I've been in Ashland since 2014, when I came here to edit the Ashland Daily Tidings.

My professional journalism career started in 1982. Before editing the Tidings, I edited a community biweekly, a community weekly, and served as assistant city editor at a daily newspaper, working for national newspaper publishers Knight Ridder and McClatchy along the way.

I'm currently employed as editor-in-chief of the Applegater newsmagazine and executive editor of Ashland.news, a new, independent, nonprofit, community newspaper.

We are incorporated as a nonprofit public benefit corporation with the state of Oregon, and have an application in with the IRS for 401(c)(3) nonprofit status

We have a professional staff, including myself and a reporter, who has a graduate degree in journalism and over a decade of experience as a reporter for established newspapers, as full-time, paid employees.

We regularly publish news articles about Ashland on our website, Ashland.news.

I'm familiar with Oregon Public Meeting law mandating that "representatives of the news media shall be allowed to attend executive sessions," with some exceptions.

The Ashland City Council executive session agendized for Jan. 18, however, was listed as being regarding a real property transaction, which is not one of the listed exceptions to the law.

So it came as a surprise to learn our reporter, Holly Dillemath, was not given access to the meeting, as required by law. Having just heard nothing back, she interpreted it as just someone dropping the ball.

We learned later, however, that a representative of the Ashland Chronicle had similarly requested access and had not heard back. In the staff report for this item, that is attributed to a lack of “evidence to substantiate that this person was a representative of the news media.”

We were unaware that that was a requirement, and would have provided such evidence, though that is not a statutory requirement, if it had been requested, but it was not.

In the 2016 state attorney general opinion included in the staff report, the attorney general writes: “A news media entity is institutional if it is formally organized for the purpose of gathering and disseminating news.” That is the prima facie case with Ashland.news.

My question regarding the idea of formulating an Ashland policy along the lines of those of Salem, Oregon City and Cottage Grove, is, just what problem are you trying to solve? Whatever the problem is, is it worth the effort that would go into adopting and policing such a policy, just so the City Council can pick the journalists it feels comfortable with monitoring its behavior?

If you are not responsive to any requests, as on Jan. 18, there’s no one there to fulfill the expressed intent of the law, as shown by its legislative history, to ensure governing bodies stick to permissible purposes while in executive session.

That may not be the intent of the proposed policy, but it makes it possible. That does nothing to encourage the kind of openness and transparency a public body should abide by when conducting the people’s business.

We at Ashland.news are here to provide a needed local service: timely, accurate, trustworthy reporting on civic issues. This proposed policy would be a hindrance to that service.

My feeling is you have better uses of your time than to clamp down on public oversight of how you're doing the people's work. You have more to lose than to gain by keeping reporters out of executive sessions.

Journalists serve a watchdog function in a civil society, comforting the afflicted, afflicting the comfortable and speaking truth to power.

Watch dogs can't do as good a job when leashed. I implore you, do not try to leash the watchdog.