

September 20, 2021

thegraystage@gmail.com

VIA EMAIL ONLY

Re: Recent requests for data in the Crowley investigation

Dear Crowley Data Requester:

In 2015, the Apple Valley Police Department (“AVPD”) assembled a packet of public data once the AVPD determined there was no one to charge at that time. The public data included the police reports, investigator observations and photos of the scene, all data which had been created by the investigating team. Release of this data complied with Minnesota Statute §13.82 subd. 7. The AVPD released data to a variety of requesters including appropriate family members of the decedents. In January/February 2021 the AVPD responded to a request for a few very specific photographs.

The AVPD received additional data requests between the dates July 26, 2021 through September 6, 2021 from a total of four requesters all of whom have previously received the aforementioned data from the AVPD. These requests include the digital reports of data the AVPD extracted from the decedents’ private electronic devices. Data on individual’s private electronic devices is protected by Article I, Amendment 10 of the Minnesota State Constitution: “The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated * * *.” Also see State v. Barajas, 817 N.W. 2d 204, 215-216 (Minn. Ct. App. 2012) rev. denied. The AVPD was required to obtain a search warrant before examining the family’s electronic devices.

The Constitution protected the Crowleys’ personal electronic data from collection by the AVPD while the Crowley’s were alive thus their personal electronic data would have been classified as private while they were alive. Under §13.10, that data is now classified as private data on decedents.¹ The AVPD will not be releasing any data from the decedents’ devices because it is private data on decedents.

We are reviewing the remainder of the recent requests to determine whether there is any additional data the AVPD can release. Also, a document entitled “Examination Report” which was allegedly written by AVPD Detective Shane Klokonos was

¹ An “individual” means a natural person. §13.02 subd. 8. “Data on individuals” means all government data in which any individual is or can be identified as the subject of that data * * *.” §13.02 subd. 5.

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provided to the AVPD by one of the recent requesters. Thank you for bringing this absolutely false document to our attention. Enclosed please find an affidavit by Detective Klokonos affirming this is a fraudulent document.

Very truly yours,

/s/ Christine J. Cassellius

Christine J. Cassellius
Apple Valley City Attorney

cc: AVPD