



January 27, 2026

Andrew Fraieli
Email: andrew@fraieli.com
Transmitted via email

Re: Your Open Records Request No. R002304-011226

Mr. Fraieli:

I am the custodian of the records you have requested from the Town of Castle Rock (the "Town"). This letter is in response to your request (Request No. R002304-011226) to review certain records under the Colorado Open Records Act, C.R.S. § 24-72-200.1, *et seq.* In particular, you requested "[t]he investigation report related to Joseph Sutherland being terminated for cause from Castle Rock Fire & Rescue on 6/13/2[5]." This request is respectfully hereby denied.

Pursuant to C.R.S. § 24-72-204(3)(a)(XIII), these records are subject to the deliberative process privilege, as these documents are so candid and personal that public disclosure is likely to stifle honest and frank discussion within the Town, causing substantial injury to the public interest. Attached is the sworn statement and description of each document withheld as required by C.R.S. § 24-72-204(3)(a)(XIII).

Sincerely,

Amy Jacob

Town of Castle Rock

HR Manager

I, Amy Jacob, as custodian of record for the requested records for the Town of Castle Rock, in response to the records request by Andrew Fraieli (Request No. R002304-011226), for "[t]he investigation report related to Joseph Sutherland being terminated for cause from Castle Rock Fire & Rescue on 6/13/2[5]," hereby swear and affirm that the following documents are subject to the deliberative process privilege as set forth in C.R.S. § 24-72-204(3)(a)(XIII):

DOCUMENT	BASIS OF DELIBERATIVE PROCESS PRIVILEGE	SUBSTANTIAL INJURY TO PUBLIC INTEREST
Notes created by the Town's Human Resources Director from interviews regarding complaints made against Joseph Sutherland, dated June 2025.	This document includes candid, frank personal opinions and evaluations made by Town employees regarding Mr. Sutherland's performance. This information is pre-decisional and directly informs the Town's decision to retain or terminate Sutherland. The information is therefore deliberative in nature and contains individual personal opinions and evaluations related to the job performance of Town employees.	This document includes opinions of fellow employees, including supervisors, of public employees. The release of this document would stifle the frank exchange of ideas and opinions critical to the Town's decision-making process concerning employment of Town employees. Disclosure of this information would discourage candid discussion related to the reporting of complaints from Town employees about other Town employees, undermining the Town's ability to honestly evaluate employees.
Internal concurrence memo signed by the Castle Rock Fire Department and the Town Manager, reflecting the recommendation for termination of Mr. Sutherland.	This document includes candid, frank personal opinions and evaluations made by Town leadership regarding Sutherland's performance and discussions about that performance. This information is pre-decisional and directly informs the Town's decision to retain or terminate Sutherland. The information is therefore deliberative in nature and contains individual personal opinions and evaluations related to the job performance of Town employees.	This document includes opinions of fellow employees, including supervisors, of public employees. The release of this document would stifle the frank exchange of ideas and opinions critical to the decision-making process of Town leadership concerning employment of Town employees. Disclosure of this information would discourage candid discussion related to the reporting of complaints from Town employees about other Town employees, including discussion of such complaints by Town leadership, undermining the Town's ability to honestly evaluate employees and make

		employment decisions in the best interest of the Town.
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HR Manager

Title

1/27/2026

Date