

# Woman plans to sue police, DA for malicious prosecution

By Garrett Andrews  
WesCom News Service

BEND — Gretchen Marie Miller, the Bend woman once accused of embezzling nearly \$200,000 from the painting company where she kept the financial records, plans to sue Bend Police and the district attorney for defamation and malicious prosecution.

On Friday, Miller's Portland-based civil attorney Dennis Steinman sent a notice of tort claim to Bend Police, the Deschutes County District Attorney's Office and Bend Police Detective Russell Skelton asserting investigators and Deschutes County District Attorney John Hummel erred numerous times pursuing a felony embezzlement case against Miller.

"The defendants committed multiple acts of unlawful conduct against (Miller) in violation of state and federal law," reads the notice. "Defendants acted with malice in the prosecution of (Miller) and with an improper purpose."

Under Oregon law, a notice must be sent to government agencies prior to litigation.

Miller's tort claim notice states she intends to seek economic and non-economic damages for, among other claims, withholding evidence that clears her name and gender-based discrimination. It also includes new details about her case.

In late 2017, Bend Police started investigating a complaint by Bend Painting Company owner T.J. Iams, who told detectives Miller stole money from his business and falsified records during her four years with the company, Bend Police said at the time.

Miller had left Bend Painting in December 2016, and Iams told police her alleged embezzlement scheme came to light after a new bookkeeper discovered financial irregularities.

Miller was interviewed by police in her home, and she denied wrongdoing.

She claimed some money had come to her in the form of gifts from

Iams, with whom she said she was having an illicit affair, according to court documents.

At the time, Miller was a single mother who "struggled financially," and Iams was married with children.

Miller turned over her phone to investigators, but they were unable to find evidence on it of an affair between Miller and Iams, the court documents state.

She was asked to take a polygraph test but declined on the advice of her attorney.

Miller was arrested Dec. 22, 2017.

Facing a decade or more in prison, she pleaded not guilty to 15 criminal counts and hired prominent Portland defense attorney Stephen Houze.

Miller's tort claim includes more details on information previously filed in court.

As her trial date approached, Houze sent Hummel's office information that one of the state's key witnesses — the office manager said to have discovered the supposed financial irregularities — had recanted

much of her testimony, according to the tort claim.

An attorney from Houze's office also informed Hummel that Iams had engaged in improper contact with a person serving on the grand jury hearing Miller's case.

On Oct. 23, Hummel filed a motion to dismiss charges against Miller.

He issued a press release stating his reason was the tainted grand jury process.

In her tort claim, Miller accuses Bend Police and Hummel of omitting a description of the exonerating information in Miller's case, "in order to hide their conduct and further harm (Miller)."

Reached Tuesday, Hummel denied he dropped charges against Miller because he didn't think she'd be found guilty.

"I dismissed the criminal charges due to the fact the alleged victim communicated with a grand juror about the facts of the case when the grand jury was considering whether to charge Ms. Miller," Hummel said.

He said he declined to charge Iams for jeopardizing the investigation due to "insufficient evidence."

When The Bulletin reached Iams in January, he said the "No. 1 defense" for women accused of embezzlement is falsely claiming an affair with the male owner.

But according to Miller's tort claim, Iams professed to her their alleged relationship was "more than an affair."

He routinely provided Miller financial assistance with Bend Painting funds, usually by directly paying monthly expenses and giving cash gifts, the claim states.

Miller said Iams became increasingly controlling, and when she alluded to her desire to terminate their relationship, he responded with gifts of greater sums of cash.

According to her tort claim, Miller left Bend Painting in an effort to cut off all contact with Iams.

One week before her arrest, Miller reported to police seeing Iams "prowl[ing]" around her home.

## OREGON IN BRIEF

From wire reports

### Lane County unveils proposed \$252 million courthouse

EUGENE — A proposed new Lane County courthouse carries an estimated price tag of a quarter-billion dollars.

The Register-Guard reports the county unwrapped the \$252 million project Tuesday as elected commissioners took the first tentative step toward asking voters in May to approve a bond measure that would likely pay for the majority of the cost.

The county is counting on state lawmakers chipping in \$94 million toward the project. Lawmakers have already committed \$6.4 million, and Gov. Kate Brown's budget proposal includes another \$87.6 million, subject to lawmakers' approval during next year's legislative session.

That leaves \$158 million in local funding that county officials must secure for the project to move forward.

The proposed courthouse would be built on the former Eugene City Hall lot and accommodate 18 state-run courtrooms, up from the current 15, as well as the district attorney's office, parole and probation, victim services and sheriff's office. At 297,000 square feet, the proposed building would be more than double the size of the current facility.

### Oregon white nationalist clashes with antifa activists

PORTLAND — A man seen as a fixture in Oregon's white nationalist movement was hospitalized after an altercation with anti-fascist activists in Corvallis.

The Oregonian/Oregon-Live reports Corvallis police on Tuesday said 65-year-old Jimmy Marr of Springfield suffered from a "medical event" during the Monday incident.

Marr is known for driving a pickup truck around the state with racist and anti-Semitic messages emblazoned on the sides.

Police say a fight involving Marr and five other people erupted in downtown Corvallis around 4 p.m.

Corvallis police Lt. Dan

Duncan said four people were jailed on suspicion of disorderly conduct and later released. Duncan said he doesn't know what prompted the fight.

In an interview with the newspaper last year, Marr advocated for the extermination of Jewish people.

His condition was unknown, and he did not respond to calls or an email.

### Portland man sentenced to prison for distributing child porn

PORTLAND — A 28-year-old man was sentenced to five years in prison after authorities say they found hundreds of images and videos of child sexual abuse at his Portland home.

The Oregonian/Oregon-Live reports Jordan Prentice was sentenced Tuesday after he pleaded guilty to one count of distribution of child pornography.

Federal prosecutors say Prentice was identified after an undercover police investigator in Vancouver, Washington, downloaded multiple files of young children being sexually abused from a file-sharing network.

Investigators traced the files to Prentice's address, leading to agents from Homeland Security Investigations executing a search warrant at his home in January 2016.

Agents seized multiple electronic devices from the home, finding more than 600 images and 126 video files.

Prosecutors say Prentice admitted to viewing and

downloading child pornography for years.

### 17-year-old convicted of sexually assaulting 2 girls

SALEM — A former Oregon high school student and football player has been sentenced to 4 years in prison for sexually assaulting two girls.

The Statesman Journal reports 17-year-old Tyler Desemple, of Salem, was arrested in January as an adult on Measure 11 first-degree sexual abuse charges. He was convicted in adult court and sentenced Thursday.

Desemple's attorney declined to comment on the sentence and conviction.

Desemple pleaded guilty to the lesser, non-Measure 11 offenses of attempted first-degree sexual abuse and second-degree sexual abuse.

Desemple was convicted of attempting to sexually abuse a 12-year-old girl and sexually abusing a girl under the age of 14.

Desemple was sentenced to four years for attempted first-degree sexual assault.

He was sentenced to five years probation for second-degree sexual abuse. He will be required to register as a sex offender and undergo sex-offender treatment.

### Ex-restaurant owner sentenced for forced labor

PORTLAND — A former owner of Thai restaurants who fraudulently obtained visas to bring cooks from Thailand and then compelled them to work long hours with minimal pay has been sentenced to more than three years in federal prison.

The Oregonian/Oregon-Live reports Paul Jumroon pleaded guilty in February to forced labor, conspiracy to commit visa fraud and making and subscribing a false federal income tax return in 2013.

Jumroon owned Curry in a Hurry in Lake Oswego and Teriyaki Thai in Ridgefield, Washington.

U.S. District Judge Anna J. Brown said she didn't believe his actions were premeditated but were the result of Jumroon's "ignorance of the

United States laws" and his drive to succeed economically.

He apologized in court Tuesday.

### Nurses accuse Bend hospital of unfair labor practices

BEND — Nurses working at St. Charles Bend have alleged that the hospital threatened them after they raised concerns about workplace staffing and participated in union activities.

The Bulletin reports that last week, three local nurses filed unfair labor practice charges with the National Labor Relations Board, a federal agency that oversees and enforces laws related to organized labor. Representatives from the hospital denied engaging in unfair labor practices, describing the charges as a negotiating tactic.

However, nurses and representatives from the Oregon Nurses Association described the situation as a harmful workplace environment that's only getting worse.

The charges are the latest foray in a prolonged labor dispute between the Bend

hospital and the approximately 900 nurses who work there. Lisa Goodman, public information manager for St. Charles, said St. Charles has not engaged in any unfair labor practices and the safety of patients and staff continues to be the hospital's highest priority.

### Pedestrian crash on interstate in Portland proves fatal

PORTLAND — A pedestrian was hit and killed by a car on Interstate 84 eastbound in Portland, temporarily shutting down the area and hindering the morning commute Wednesday.

KOIN reports Portland police said officers responded to the crash shortly before 3 a.m. Wednesday and found a man lying on the shoulder of the freeway. He was pronounced dead shortly after.

Officers believe the driver of the vehicle was traveling east on I-84 when they hit the pedestrian, who was on the road at the time. The driver remained at the scene and is cooperating with authorities.

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