

Former police officer Jeffrey Kienlen to sue over wrongful termination

■ By Alana Lackner
Columbia Gorge News

THE DALLES — Former The Dalles Police Officer Jeffrey Kienlen gave notice on July 13 that he would be filing a wrongful termination lawsuit against the City of The Dalles.

Kienlen was terminated on March 5 following Wasco County District Attorney Matthew Ellis' decision to add Kienlen to the county's Tier 1 Brady list — the most severe administrative penalty prosecutors can apply to law enforcement officials — which rendered Kienlen unable to testify in court.

The decision to add Kienlen to the Brady list

followed Ellis' discovery of a disciplinary letter from 2011 in his desk, just a few days after taking over the position as Wasco County District Attorney.

The letter was a Notice of Discipline from the Chief of Police detailing an incident in which Kienlen was to attend a training in Eugene, Ore., with another officer. Kienlen requested a separate room, which the Chief of Police denied. Kienlen then requested to take his city car in order to visit his cousin who lived in Eugene, which was approved.

However, according to the letter, Kienlen told the other officer he would be staying with a cousin near Salem,

Ore. When questioned about where he had stayed, Kienlen told the Chief of Police he had stayed at the Riverview Inn on Monday and Thursday, but would not initially disclose where he stayed on Tuesday or Wednesday.

After further discussion, Kienlen admitted he spent these nights at the Comfort Suites in Salem with a partner. He also admitted his cousin lives in Hubbard and he didn't have a cousin in Eugene.

The letter stated that this was a violation of policy W.1.1.100.040 - Truthfulness. It also mentioned an incident from 2010 in which he was found in possession of a

Stinger.22 pen gun that had been entered into evidence. After this incident, Kienlen was disciplined and told "any further violations of Policy and Procedures may result in further discipline up to and including termination."

On the back of these two incidents, Kienlen was demoted from Sergeant to Officer, according to the letter.

Following the discovery of the letter, Kienlen was placed on administrative leave in January 2021, as the district attorney's office began an investigation into the matter. The letter had not been disclosed to defense attorneys in cases where Kienlen testified, which could've called into

question his reliability as a witness. Upon reviewing cases Kienlen was a state witness in, many open misdemeanor cases were dismissed.

The office found that Kienlen should be placed onto the Brady list at Tier 1 for "intentional and malicious deceptive conduct," rather than Tier 2, which would indicate an intention to deceive that wasn't malicious in nature.

Tier 2 would've required the Notice of Discipline to always be presented at court, but would not have prevented Kienlen from testifying. Because Kienlen was placed on Tier 1, he was thereby unable to testify in court, prohibiting him from being able

to do his job. For this reason, he was terminated.

Kienlen is currently being represented by Thenell Law Group in the pending suit for wrongful termination. The law group announced both the suit and their request for all department material regarding Kienlen from January 1991 to present, so they can compile their case.

City Attorney Jonathan Kara said the city does not comment on pending litigation or litigation expected to be filed, but confirmed they did receive a Tort Claims Notice and Preservation and Public Records Request related to the matter on July 15.

Oregon Dems blast own party for 'arrogant' moves

■ By Gary A. Warner
Oregon Capital Bureau

A pandemic political deal and feuding Democrats have made for a noisy start to the makeover of Oregon's congressional maps in time for the 2022 election.

What was supposed to be a solo slam dunk has turned into a three-way high-speed slam dance.

Not just Democrats vs. Republicans, but Democrats vs. Democrats.

"It's just inexplicable and arrogant," U.S. Rep. Peter DeFazio, D-Springfield, told Politico magazine last month. "Like shooting yourself in the head," said U.S. Rep. Kurt Schrader, D-Salem.

The Democratic duo wasn't hammering former President Donald Trump or

U.S. House Minority Leader Kevin McCarthy, R-Calif.

Their bitter reproach was aimed at Oregon House Speaker Tina Kotek, D-Portland, who had struck a deal to end a slowdown during the 2021 legislative session by giving Republicans a seat on the House Redistricting Committee. It would be an even 3-3 split between parties.

Kotek argued Oregon needed the deal to pass major bills on housing, unemployment, health, and other issues. Besides, Democrats have argued in the past that political parity was good government.

National Democrats called it the latest in a string of state Democrats "unilaterally disarming" their political advantage on redistricting in the

shrinking number of states where Republicans didn't control the Legislatures and governorship.

"In rabid partisan states that are controlled by Republicans, they're carving up left and right," said Rep. Gerry Connolly, D-Virginia.

Will history stick to script? Oregon was supposed to be a bright spot in 2022 — a Democratic-controlled state that was getting a sixth congressional seat.

Democrats need all the help they can get. Since World War II, the party of a new president — Republican or Democrat — averages a loss of 26 seats in the first midterm election. The Senate is harder to forecast because of staggered six-year terms. But the president's party typically loses two Senate seats.

If history sticks to the script, Republicans will wake up the morning after the Nov. 8, 2022, election in control of the House and Senate.

The national political map will have to play itself out.

The big question in Oregon was when the Legislature would get the block-by-block data needed.

On Thursday, the U.S. Census announced the Aug. 15 date for sending packets to the states was on track.

It wasn't supposed to work out this way. Democrats had big majorities in both chambers of the Legislature and fellow Democrat, Gov. Kate Brown, to give her stamp of approval.

There would be none of the partisan tussle of the redistricting for the 2022 election or the forced smile

compromise of the 2012 districts drawn by a power-split Legislature.

Democrats would make the maps and approve the maps. Republicans could make noise, but not much else.

Then came the COVID-19 pandemic and like every other part of life, redistricting plans teetered and fell.

The census count would have fits of stop-and-start. Dates for getting data to the Oregon Legislature were pushed back again and again. Constitutional deadlines were missed. The Oregon Supreme Court had to step in.

It ordered a timeline do-over. But at politically hypersonic speed.

The House and Senate redistricting committees would

receive the data in mid-August. But meeting outside of a legislative session, the "interim" committee could talk and plan.

They had a starting point: round numbers. The new official population of Oregon was 4,237,256.

Each of the 30 Senate districts would include an average of 141,242 people. Nestled within each Senate district would be two House districts — a total of 60 — with an average population of 70,621.

The tougher task will be Congress. With six districts, each would have 706,209 people.

But exactly where and how the changes will be mapped won't be known until next month.

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