

Fear, Intimidation and Justice

CASES ALLEGE RACIAL DISCRIMINATION BY THE SPRINGFIELD POLICE DEPARTMENT

By Brianna Murschel

In July 2020, Ashley Carr and her friend Kinaya Haug were sitting in Haug's car in front of Carr's home in Springfield when they were detained by Springfield Police Officer Joseph Burke. Burke questioned whether Carr actually lived there and if she and Haug were a part of the "mob," referring to Black Unity or Black Lives Matter. He also asked why they were looking at the skeleton hanging from a noose hung on a tree displayed as a "Halloween decoration."

A noose has a loop with a running knot and is historically connected to lynching and racial murders in the U.S. creating social control over African Americans by whites.

Carr and Haug are African American and members of Black Unity, an organization formed in June 2020 distinct from Black Lives Matter Eugene. Carr has participated in Black Unity protests, rallies and marches.

Carr, former police investigator Scott McKee and Carr's attorney wonder if there are more racist incidents that have gone unreported. Both Carr and McKee have filed complaints against the city alleging racial discrimination on the part of Springfield police.

When it was brought to Carr's attention that the noose had been on display, she was shocked. "Ms. Carr's perception was that the noose was racially motivated and meant to scare her," says her Sept. 22, 2021, complaint against the city of Springfield and Burke, badge number 365.

The civil action seeks \$250,000, including "damages and attorney fees, violation of Fourth Amendment right to be free from unlawful detention, violation of First Amendment right to associate and redress of grievances, and violation of Fourteenth Amendment right to equal protection under the law."

Eugene City Councilor Greg Evans has testified in hearings at the Oregon Senate and the Oregon House to pass legislation banning nooses as signs of intimidation and terror. He wrote a passage for Carr's complaint. "In the United States of America, the noose is a symbol

of terrorism, not unlike the swastika. It is the very visualization of a murder method preferred by those intent on intimidating and destroying African Americans." He writes, "My uncle, Walter Graham, was just seventeen years old when he was brutally murdered by lynching" in December of 1915.

The day after she found out about the noose, Carr posted on her personal Facebook page that if she were found dead and appeared to be self-inflicted, it was not her own doing and wasn't thinking of taking her own life.

The complaint says the police harassment didn't stop after the incident with Burke. According to the complaint, police frequently drove by and slowed past Carr's home. Her children were intimidated by their presence and by the noose hanging in their neighbor's yard. Fearing their safety, the children stayed with their father.

Due to fear for her and her children's safety, Carr moved away from her home. And her children's father gained full custody.

This is not the first time someone has alleged racial discrimination by Springfield police officers.

McKee filed two tort notices against the Springfield Police Department (SPD) and specific agents. The first one from June 3, 2019, alleges "A continuous pattern of harassment, retaliation, and discrimination in working conditions" from around September 2018 to December of that year and then "continuing through the present."

McKee was an SPD lieutenant, and from March 2015 through 2018, he was an internal affairs and criminal investigator who exposed one Springfield officer who used his position to exploit women for sex and another whose misconduct in an investigation led to a 13-year reduction in a prison sentence in an attempted murder case.

McKee was previously known his work in Eugene investigating fellow officers Juan Lara and Roger Magaña for raping women while on duty.

McKee's employment with Springfield ended Sept. 3, 2020, through a separation agreement describing it as "a

retirement." As a result, the city paid him \$133,515.20, the equivalent of one year's salary and two years of benefits, as severance and paid his legal fees. McKee also received retiree and full family insurance coverage, including medical, vision and dental health insurance. He is now a licensed private investigator in Oregon for Q² Investigations & Consulting, LLC.

His second tort notice was filed January 18, 2021, Martin Luther King Jr. Day. It reads, "On September 11, 2020, following his employment with the City of Springfield as a police lieutenant, Scott McKee discovered a racial epithet permanently penned to the back of a framed lithograph image of Dr. Martin Luther King." The lithograph hung on McKee's office wall within the SPD's Investigations Services Division, which is law enforcement access only. The note read, "Lt. WIGGER."

"The discovery of this hate message is the culmination of a continuous pattern of harassment, retaliation, and discrimination by individual employees within the Springfield Police Department targeting Scott McKee both as an employee and private citizen," the document continues.

"The men and women of the Springfield Police Department are hardworking individuals. For the most part, they are men and women of integrity," McKee says, "but what I found was at the top of the organization, there was a philosophical difference of opinion about what policing should look like."

An attorney for the city of Springfield was not available to comment before *Eugene Weekly's* print deadline. See EugeneWeekly.com for updates.

Eugene attorney Brian Michaels, who represents Carr, asks anyone to come forward if they have experienced racial abuse, discrimination or profiling by the Springfield Police Department. ■

Brian Michaels Law Office is at 259 East Fifth Avenue, in Eugene. Call 541-687-0578, email Brian@brianmichaelslaw.com or fax 541-686-2137.



Drop the Baggage.

Learn more at:
eugenerecycles.org

