

# Whistleblower plans to sue lottery over alleged retaliation

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Capital Bureau

SALEM — A former employee has filed notice he intends to sue the Oregon Lottery for retaliating against him for blowing the whistle on the agency's leadership for questionable management practices.

Trinh Tran, a former lottery procurement officer, resigned from the agency in

October, several weeks after then-acting Lottery Director Barry Pack took disciplinary steps against him, according to a tort claim notice filed Dec. 6.

Tran claims the disciplinary action came after he reported issues concerning Jack Roberts, who at the time Tran filed his report was director of the lottery.

Tran alleged that Pack pursued disciplinary action

against him despite an internal investigation of Tran that found "no evidence of inappropriate conduct or violations of policy." The investigation, initiated by Pack in May, alleged that Tran engaged in "intimidating" and "belittling" behavior toward his colleagues.

"In short, any purported concern with Mr. Tran's 'management style' was a pretext for an investigation

that was simply and blatantly a witch hunt in retaliation for Mr. Tran's raising and escalating his concerns about official misconduct," the tort claim states.

The Oregon Lottery had no comment on the pending litigation, said Joanie Stevens-Schwenger, a lottery spokeswoman.

Tran's allegations are similar to those of Roland Iparraguirre, deputy director

of the Oregon State Lottery. Iparraguirre resigned Aug. 31, the same day the tort claim says Pack placed Tran on a disciplinary plan.

"Mr. Iparraguirre's placement on administrative leave was a blatant act of retaliation for whistleblowing by former Director Roberts," wrote Loren Collins, Iparraguirre's former attorney, in a letter to state officials. The letter requested that the state officials

reinstatement Iparraguirre to his job.

Collins said Tuesday, Dec. 20, he is no longer representing Iparraguirre and had no comment on Tran's claim.

Tran and Iparraguirre both played roles in the April 26 termination of Roberts, a former state labor commissioner and Republican gubernatorial candidate, as lottery director.

## MOTA: Team ended season winless, scoring only five goals

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He says the words almost as if reciting them at a 12-step meeting, realizing how close he came to self-destruction. He acknowledges that "all the guys I hung out with in high school are behind bars or dead."

Mota, of Hispanic descent, was born in California, but headed to Mexico to be with family after dropping out. His road to redemption started soon after meeting Alicia in a beach resort town called Manzanillo. They married and moved back to California five years later in time for the birth of their first child.

Mota opened a sporting goods store that specialized in soccer, a sport he played as a young boy and continued to love.

"I had very little experience, but I was always a fan of the game," he said.

His shop sat across the street from a high school. One day, the varsity soccer coach purchased some uniforms and asked if Mota would be interested in coaching the junior varsity boys soccer team. Mota became "Coach Mota."

Mota closed the store after a slow year in 1998 and his father convinced him to go back to school, offering help with tuition. Mota earned a bachelor's degree in kinesiology, making him the first person in his family to graduate from college. By 2013, he had a masters in sports psychology. He coached men's and/or women's soccer at three

schools — Linn Benton Community College, Willamette University and Chemeketa, all in the Salem area.

In 2016, he headed to Pendleton to coach soccer and work at the Hermiston center as a student success coach. Soccer recruiting season had already started and Mota had a late start building BMCC's first-ever women's soccer team. The roster featured all Oregon athletes except one, including six from Hermiston and Boardman.

Mota told his players he expected success both in the classroom and on the field. He refers to his players as "student athletes."

"Education has to be a priority," he said. "Soccer is not going to put food on the table. You need to get an education."

On the field, Mota has a hands-off game day philosophy.

"Game day is the student athlete's time to shine. Hopefully they'll execute the game plan in the best manner possible," he said. "As coaches, our job is done behind the scenes during practice."

This season unfolded differently than he expected. Early on, a parent complained to college administrators in a letter about Mota's coaching technique. Another critic posted to the college's website. Mota was not a guiding force during games and he was sexist. BMCC President Camille Preus said an in-house investigator interviewed

players and coaches. Mota was cleared, but agreed to a plan of improvement. Preus continues to believe that Mota is the man for the job.

"When we extended an offer to Art to come to BMCC, it was because he had rich experience," she said.

The team ended the season winless, scoring only five goals to opponents' 158. Mota let his players know they would need to try out for next year's team.

Swirled into the disheartening season were two family deaths — Mota's sister-in-law, of an illness in October, and a nephew killed in a motorcycle accident a month later. Mota comforted his wife, who remains in Albany with their 16-year-old son and 23-year-old daughter, over the phone until he could get home. He missed games to spend time with family.

The season left Mota shaken.

"Did I know there were going to be challenges? Absolutely," he said. "Did I know the number and the extent of the challenges? I did not."

Mota said he drew support from athletic director Brett Bryan, the college as a whole, his family and his faith in God. Self-examination left him resolved to move forward.

"Some of the decisions I made with the team might not be to everyone's liking, but I'm not here to make everyone happy," he said. "You have to be able to weather the storm and

maintain your composure. As long as you're open and honest and transparent, you should be alright."

Mota brightens when he talks about next season. This time, he will have the full number of months for recruiting. An identification clinic for men and women revealed plenty of local talent. He will focus on local players and move outward in scope as necessary.

"Our goal is to recruit local players which creates more interest and more support from the community," he said. "We've already identified a talented (local) young man who is potentially the first-ever recruit for the men's program."

BMCC athletic director Brett Bryan said he thinks Mota will find his groove.

"We got Art hired late which put him behind in regards to recruiting," Bryan said. "This time he'll have a full year to recruit for men and women. I'm excited to see both of our programs next fall. We'll have a better idea of what soccer is going to look like at Blue Mountain Community College."

As he goes forward, Mota plans to follow the advice he gives students in the student success program.

"Don't let anything or anyone keep you from achieving your goals," he said. "If you have a setback, just get up and keep plugging away."

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## POLICE: City typically has low person crime rate, high property crime rate

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including a detective lieutenant specializing in arsons, an additional school resource officer and a training officer/evidence technician.

The detective lieutenant will be a partnership with the fire department, Edmiston said.

"The fire department will pay the city \$12,000 a year for that position," he said. "The detective lieutenant will take an existing detective slot and turn it into a supervisor position in partnership with the fire department," he said.

Detective Randy Studebaker will take on the role in July, but before he does he will attend a national fire academy course for two weeks to learn about arson investigation.

"Any suspicious fire — Randy will have the proper knowledge to investigate," Edmiston said. "Currently there are only five or six arson investigators in Oregon, and they're all Oregon State Police. ... By making it a lieutenant, we can avoid overtime, and can throw that person into on-call rotation."

Edmiston said the new position would save the department some money and also create a good partnership with the fire department. He said he hopes that as Studebaker learns more about suspicious fires, he will be able to assist other detectives around Eastern Oregon.

In addition to Studebaker, the department has two general detectives and one detective assigned to the drug task force.

The other structural

change, Edmiston said, is a second school resource officer. Several duties were moved around and re-assigned so that one officer could become a full-time school resource officer. Edmiston said there has been a desire and need for several years to increase the presence of officers in the schools. Since 2009, he said, there has only been one officer assigned to the entire district.

The restructuring also led to another revised role — a training officer and evidence technician who will be trained on assessing evidence out in the field.

Edmiston also discussed the year-end crime report for 2016, which will be released in January. He said that overall, things have been fairly calm, but he anticipates there will be a couple of notable increases — in the categories of aggravated assault and rape. But he added that because the rate of those incidents in Hermiston are typically low, one or two additional incidents can skew data.

"Hermiston typically has a low person crime rate, and high property crime rate," he said. "When you're dealing with 5 incidents (for rape) compared to 20 (for aggravated assault), a swing of one can increase the percentage."

He said that while those types of personal crimes will likely show an increase in the 2016 report compared to 2015, he expects that over a longer period, the rate is about the same.

"I think as compared to the 10-year average, we will probably be in the normal range," he said.

## CLUB: Majority of workout machines no longer functional

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system. The insurance company doesn't want to pay for that.

"The insurance company wants to rebuild exactly as it was at the moment before the fire, but the state says no," Watkins said. "We can't rewire with 1970s-era wiring; it needs to be ADA accessible."

The process of negotiating over every piece of what needs to be rebuilt has been extremely slow, Watkins said. Adding things like elevators and handicapped-accessible showers will take up extra space the club doesn't have, so they would rather rebuild completely. But the insurance company has yet to give them a final answer on whether it will pay for a complete rebuild instead of tearing everything down to the studs then remodeling.

From the outside, the building looks usable, but inside the upper floor where the fire started is charred. Light shines through small holes dotting the roof and puddles of melted snow collect underneath. Steel beams around the point of origin are warped.

Down below, the former locker rooms have been stripped down to the wooden studs and the pool has been drained. The pool's pump equipment and the vast majority of the club's workout machines are no longer functional after the corrosive influence of smoke, soot and fire suppression chemicals. The free weights have already rusted for the same reason.

"All this machinery is now ruined," Watkins said. "It's not salvageable."

In areas not damaged directly by fire or water, black marks fan out from electrical sockets and other breaches in the drywall, showing where the smoke that billowed through the walls tried to escape. The



A power strip plugged into this wall is believed to have caused a June 20 fire at the Columbia Court Club.

popcorn ceiling texture, which had previously been painted over to seal in the asbestos, had to be scraped clean at a cost of \$67,000.

In the farthest reaches of the club, sections of drywall have been torn out of the racket ball courts in a "selective demo" by the insurance company looking for damage. The hardwood floor in the courts and the gym have gaps between the floor and wall where the floor contracted as a result of months without heat.

The fire started upstairs on June 20, in a storage area adjacent to the childcare area and a mirrored fitness classroom. It was ruled accidental, caused by an electrical short in a power strip.

Watkins and office manager Mary Marsing said they are extremely grateful it happened in the afternoon, after the senior citizens and children who were there in the morning had already left and before the after-work rush. At the time, they estimated about six gym

members were present.

Watkins said he was working on a repairing a drinking fountain when the music went out, then the lights. Loud bangs (likely exploding cans of treadmill lubricant stored near the point of origin) sounded from upstairs, causing Marsing to start shouting for Watkins, asking if he was alright. As smoke filled the club they realized there must be a fire and started ushering everyone out.

Watkins returned inside twice before the fire department arrived; once to retrieve a woman who was still showering in the dark and smoke ("She must have been in shock") and once to find a man's keys so he could move his truck from in front of the entrance.

"I was coughing when I came out," he said.

Marsing said court club members do not need to worry that their year-long contract will automatically renew. No one has been charged for membership fees since the fire, she said,

except for some past due accounts that a collection agency continued to pursue.

"At the current pace, we will not be reconstructed by June 2017 and if by some chance we were able to accomplish that task, we would always take the honorable high road and ask our old members to rejoin the new facility anyway," she wrote in an email. "This business philosophy is what helped us sustain 38 years of service to the Hermiston market."

Until the weather got too cold, the club paid its staff members to conduct free fitness classes at McKenzie Park so that its members would have another option for continuing with their fitness goals.

Updates on the status of the club's insurance claims can be followed on their Columbia Court Club Commit To Be Fit page on Facebook.

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## LAB: County's emergency manager backed commissioners

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amount of major crimes that do occur here in Umatilla County, and they are a great assistance to us," he said. "... It would be a major loss for us not to have that at hand."

Closing the Pendleton lab, he continued, would mean technicians from Clackamas or Bend would drive hours before reaching a local crime scene. And the recent weather, he said, would make that wait longer.

He also said those same technicians would have to appear in court here, and they would not want to drive all day round trip to deliver 15 minutes of testimony.

Umatilla County undersheriff Jim Littlefield added losing the lab would be a major blow to crime work in Eastern Oregon. Tom Roberts, the county's emergency manager, added his voice to the chorus backing the commissioners.

The three member board was unanimously in favor of the resolution. Commissioner George Murdock after the meeting said it was time for the state to stop putting a target on the lab.

"We're really going to be aggressive on this," he said.

In other public safety actions, the county board approved the sheriff's office spending \$6,994.89 for 30 batteries to provide back-up power to 9-1-1 equipment. Computer Power & Service, Inc., Pendleton, won the bid to provide and install

the car-sized batteries and remove the old ones.

Sheriff's Lt. Kathy Lieuallen, who oversees the emergency communications center, reported 9-1-1 went down twice in the last month, and the battery system bridges the gap until the generator kicks on. She also said she budgeted for the batteries.

And emergency manager Roberts received the OK to pursue two grants and obtain letters of support from the board for each.

One grant is a joint submission with Morrow County to receive at least \$90,000 to purchase two all-terrain vehicles with equipment and trailers for transporting patients.

"Our hope is this will increase our capabilities during mass casualty events, such as the bus crash in 2012," Roberts said.

And the second is a \$20,000 grant to buy a remote-piloted aerial vehicle, or drone. While the sheriff's office search and rescue unit uses drones, Roberts said he is looking at a "robust" machine capable of flight in high winds and with interchangeable cameras.

Roberts also said his office might go after a third grant to fund a study of regional emergency communications.

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