

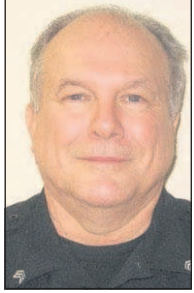
# Details of Barnett agreement released after sudden exit

**Former longtime officer received \$20,000, benefits**

By R.J. Marx  
Seaside Signal

A veteran Seaside police officer who retired Wednesday, March 9, received a cash payment from the city.

The city agreed to pay Steve Barnett, a former lieutenant who served the Seaside Police Department for more than 32 years, \$20,000 in addition to medical, vacation and sick leave benefits.



Steve Barnett

The payment was described as “good and valuable consideration” for the terms of a retirement agreement signed in February.

According to the agreement, obtained by The Daily Astorian through the state’s open records law, Barnett was on paid administrative leave until his retirement became effective Wednesday.

Barnett released Seaside Police and city officials from any future legal actions, including civil rights and labor standards lawsuits, and waived claims for future pay.

Both the city and Barnett agreed to “mutual duties of nondisparagement.”

Barnett agreed to “not engage in any actions or make any statements to any person or entity” — including the news media and any other governmental bodies — that disparage or impugn Seaside officials.

If Barnett breaches the nondisparagement clause, he would be required to return settlement funds and pay additional costs.

The city agreed that City Manager Mark Winstanley and Police Chief Dave Ham will remain silent regarding Barnett’s “character or reputation,” and are similarly barred from conversations with the media or governmental agencies.

According to the agreement, Seaside may not restrict the First Amendment privileges of city employees, however.

## Dismissal may be linked to federal appeals case

By R.J. Marx  
Seaside Signal

A lawyer representing Seaside police Lt. Steven Barnett said he could not “make any comment” on the sudden dismissal of Barnett from his post as second in command at the department.

Sean Riddell, the Portland-based attorney who is representing Barnett in an appeal of a 2014 court decision, said his client signed a “nondisparagement request” regarding what the city called the “retirement” of Barnett, effective Wednesday.

In 2013, Riddell filed a First Amendment retaliation claim against Clatsop County District Attorney Josh Marquis, and Clatsop County Chief District Attorney Ronald Brown.

“We filed a First Amendment retaliation claim claiming Josh Marquis refused to work with Steven Barnett because Steven Barnett wrote a letter (to the Daily Astorian) critical of Josh Marquis,” Riddell said Tuesday. “Marquis claimed prosecutorial immunity and the Circuit Court judge in Portland agreed with him. We appealed to the Ninth Circuit. We’re waiting to hear the date that we get to make oral arguments in front of the Ninth Circuit.”

From the 2013 brief, Barnett alleged Marquis informed the Seaside Police Department he could not vouch for Barnett’s credibility.

According to the brief, Marquis had stopped accepting cases for

prosecution investigated by Barnett, would not call Barnett to the witness stand and would not direct the attorneys under Marquis’ supervision to do the same.

Barnett alleged Marquis directed the Seaside Police Department to determine Seaside police officer he would work and communicate with, excluding Barnett.

The case was dismissed in May 2014.

An appeal to that decision was filed in June 2014.

Marquis’ lawyers replied to the complaint by stating “Absolute immunity to a prosecutor’s performance of a prosecutorial function even when the challenged conduct is ‘inept or malicious,’ and ‘intent should play no role in the immunity analysis.’”

In an August 2014 response they argue the district court correctly concluded that Marquis and Brown are “entitled to qualified immunity.”

“We appealed to the Ninth Circuit, filed briefs, and are waiting for the date of oral argument,” Riddell said.

Riddell said the Ninth Circuit “can make a decision on the briefings alone, or they can say ‘We want to hear oral arguments.’ Right now the briefings are in and we’re waiting to hear if they’re going to make a decision on the briefings or hear oral arguments.”

“We’re looking forward to the Ninth Circuit decision and I can’t make any comment on the Seaside case,” Riddell added.

If the city violates its portion of the agreement, Barnett could receive additional fees.

Barnett, who was promoted to lieutenant last year, had previously served as the department’s lead criminal detective investigator for 17 years before

returning to a patrol sergeant position.

The lieutenant position is the patrol division commander and serves as acting police chief in the absence of the chief.

Barnett ran unsuccessfully for county sheriff in 2012.

# Trial set for man accused in wild police chase

By Kyle Spurr  
EO Media Group



Donald Sanders

A trial date is set for the Seaside man accused of leading police on a wild chase last fall through a Cullaby Lake neighborhood.

Donald Allen Sanders, 35, is scheduled for trial beginning June 7 in Clatsop County Circuit Court. The trial is expected to last two to three days.

He is accused of eluding police, crashing into a yard, breaking into a deputy sheriff’s home and assaulting the deputy’s wife before being arrested.

He pleaded not guilty to 15 counts. The charges include first-degree burglary, first and second-degree assault, fourth-degree felony assault, attempt to elude, attempted unauthorized use of a vehicle, reckless driving, unlawful entry into a motor vehicle, recklessly endangering another person, first-degree criminal mischief and driving under the influence of intoxicants.

The October incident started when law enforcement witnessed Sanders speeding in Seaside, heading northbound on U.S. Highway 101.

Sanders continued on to the Cullaby Lake neighborhood. He drove through barricades and went over lawns and down walking paths. He caused more than \$1,000 in damage, according to the indictment.

He then stopped and allegedly tried to steal a Clatsop County Parks Department pickup truck, but the keys were not inside the vehicle so

he returned to his 1995 Nissan Maxima.

Sanders lost control of his car, crashed near the deputy sheriff’s house and ran on foot. He broke into the house on the 33000 block of Cullaby Lake Lane and assaulted the deputy’s wife by slamming her into the corner of a wall, the indictment states.

The deputy sheriff grabbed Sanders and Warrenton Police Chief Mathew Workman arrested him.

Charges against Sanders have aggravating factors since the deputy’s wife was not provoking him, and he allegedly committed the assault in front of the woman’s child.

Sanders’ defense lawyer Squire M. Bozorth said he hopes to negotiate a resolution to the case before trial, but has not received any plea offer from the prosecution.

After setting the trial date Wednesday, Clatsop County Circuit Court Judge Cindee Matyas said both sides can continue negotiating until June.

“Just because we are setting a trial date does not mean that we cannot continue resolution discussions up until trial,” Matyas said.

Sanders remains in custody on \$200,000 bail.

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