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City of Portland Risk Management 7/14/2023

July 14, 2023

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**VIA USPS FIRST CLASS MAIL, USPS C.R.R.R.,
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LiabilityClaims@portlandoregon.gov

Certified Mail Article Number:
Return Receipt Tracking Number:

City of Portland
c/o Risk Management/Liability
1120 SW 5th Ave.
Suite 1040,
Portland, OR 97204-1912

**RE: PPB Sergeant Freddie Jackson
Tort Claim Notice Pursuant to ORS §30.275**

To Whom it May Concern:

This firm represents PPB Sergeant Freddie Jackson (“Jackson”) in the matter of his claims against the City of Portland (“City”) via the Portland Police Bureau (“PPB”). These claims are regarding the City and PPB’s discrimination against Jackson in retaliation for opposing tactics used by the PPB Focus Intervention Team (“FIT”) that Jackson believed were racist and had previously been used by PPB teams that had been disbanded for issues with their tactics. Jackson also believes that the City and PPB discriminated and embarrassed him for an incident involving his stepdaughter. Jackson’s claims include, but are not limited to, violations of ORS 659A.030; ORS 659A.199 and ORS 659A.203 whistleblower retaliation; and violation of ORS 659A.230 discrimination for initiating or aiding in a criminal proceeding.

This notice of claim is given within 180 days of the injury as required under ORS 30.275(2)(b).

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Notice of Claims:

1. Jackson's name and relevant employment history is known to the City and PPB because Jackson is employed as a Sergeant by the City via the PPB.
2. Please send correspondence to Employment Law Professionals NW, 20015 SW Pacific Hwy., Suite 221, Sherwood, OR 97140. Telephone 503-822-5340 and fax 503-433-1404.
3. The City and PPB is a public employer under ORS §659A. The City and PPB is a local public body for purposes of ORS §30.275.
4. Jackson alleges that the City and PPB discriminated against him in the terms of his employment in regards to his race, reporting concerns regarding the tactics and strategies being use by PPB FIT team, and discrimination

Circumstances Giving Rise to Claims:

Jackson has been employed by the City and PPB for over sixteen (16) years, since June 14, 2007.

There are facts and situations that give additional context to the behaviors and experiences that Jackson has faced during his time with PPB. Some of these facts and situations happened to long ago to be currently actionable, but help to demonstrate Jackson's state of mind, beliefs, and responses.

Details of an incident that involved a PPB member using force against Jackson is detailed in PPB Case No. 2008-77503. Attached to this Tort Claim Notice as Exhibit 1 is a true and accurate copy of a "Special Report" generated by Jackson in 2008 regarding an interaction with fellow PPB members. Following this incident in 2008, Jackson met with PPB Training (William Hubner ("Hubner") and Officer Doug Matthews ("Matthews")), North Precinct Commander Jim Farris ("Farris"), Lieutenant William Walker ("Walker"), PPB Hotspot Enforcement Action Team ("HEAT") Captain Tony Passadore ("Passadore"), then Sergeant Passadore, and HEAT Officers Jared Laws ("Laws") and Cody Berne ("Berne"). During this meeting, Laws told his version of the stop of Jackson. Laws' version completely contradicted the version of the incident told by Berne. Walker asked Jackson why Jackson did not destroy the Special Report he wrote as Jackson was instructed to by his Field Training Officer ("FTO"). Jackson responded that destroying the Special Report would be a policy violation and would result in Jackson being terminated. Walker then informed Jackson that Walker was going to destroy the Special Report. Farris told Jackson to record this whole incident in a memo.

Following this 2008 incident and Special Report that Jackson authored, Jackson was harassed until around 2010. Laws and Berne would frequently stop by traffic stops that Jackson and his partner Justin Thurman ("Thurman") were on. Laws and Berne's presence was a



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distraction and a hinderance which created serious safety issues for Jackson and Thurman. Jackson believes that Laws and Berne were trying to intimidate Jackson. Additionally, PPB GET members conducted several traffic stops of Jackson's two (2) brothers (Frank Ross ("Ross") and Jesse Jackson ("J. Jackson")). Neither Ross nor J. Jackson have a criminal record nor history of being involved with gangs.

At the time of his demotion, Jackson had been serving, since October 20, 2021, as a PPB Sergeant selected to supervise the FIT.

Prior to accepting the position as a Co-Sergeant on FIT, Jackson approached Lieutenant Ken Duilio ("Duilio") regarding Sergeant Bradley Kula ("Kula") who has applied for one of the two (2) Co-Sergeant positions with FIT. Jackson had prior interactions with Kula at East Precinct that involved bullying, unethical practices, and allowing Officers to undermine Supervisors. At this time, Duilio assured Jackson that Sergeant James Townley ("Townley") would be the Co-Sergeant of FIT with Jackson. After Kula was notified that he did not receive the Co-Sergeant appointment, Kula, through the Union, grieved the hiring process and contacted former PPB Assistant Chief Jami Resch ("Resch"). This grievance failed.

In January 2022, FIT was stood up. FIT included twelve (12) PPB Officers and two (2) Sergeants. After only a few weeks of FIT beginning patrols, newly promoted PPB Lieutenant Norm Staples ("Staples"), Sergeant Kula, Sergeant Carl Weldon ("Weldon"), and Sergeant Ryan Bren ("Bren"), began investigating FIT Officers and FIT Leadership (Sergeants). Staples, Kula, Weldon, and Bren made claims that FIT Supervisors did not supervise their FIT Officers and FIT would not be successful if "Sergeant Freddie Jackson" continued to supervise them.

In order to advance their allegations, Staples sent an email to all of the East Precinct afternoon shift Sergeants requesting their input on FIT supervision. A copy of this email from Staples is attached as Exhibit 2 to the Tort Claim Notice. Staples requested input from the City Bureau of Emergency Communications ("BOEC"). On information and belief, Staples created a word document of all his concerns with FIT. Staples met with Duilio and discovered that FIT Officers did not have a clear or direct mission statement. After the meeting, Duilio spoke with Jackson and Townley and provided a copy of Staples' word document. Duilio then in short expressed that Jackson was the problem. Jackson reached out to Staples Command Staff (Commander Erica Hurley and Captain David Abrahamson) and expressed the damage caused by Staples.

In March 2022, Jackson was informed that Kula was going to work with FIT as a detached Sergeant. Jackson again expressed his concerns regarding Kula and working with Kula. FIT Officers Adi Ramic ("Ramic"), Whitney Anderson ("Anderson"), Chris Baton ("Baton"), and Michelle Petty ("Petty") also expressed their concerns regarding Kula. Ramic, Anderson, Baton, and Petty are all minorities that had negative experiences with Kula.



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Jackson then met with East Precinct Sergeants to discuss their concerns with FIT Supervisors and Officers. Jackson's intent was to try to address any concerns, issues, disputes, or misunderstandings at the lowest possible level, an expectation of the City and PPB. At this time, Bren apologized to Jackson being involved in the "FIT Sergeant Witch Hunt." Bren informed Jackson he was wrong and sincerely asked Jackson for forgiveness.

Jackson then addressed his concerns regarding Kula with Kula directly at the police contact officer on NE 102nd Ave and NE Sacramento St. Jackson spoke to Kula about Kula's bullying and addressing individuals in a sarcastic and demeaning manor. Jackson also expressed to Kula that FIT Officers were selected and wanted to the work FIT was doing. Jackson told Kula that several FIT Officers had concerns about disrespectful comments Kula has made to the newer female Officers and also concerns about how Kula and Weldon treated Officer Amy Li ("Li"). Kula denied the allegations and comments. Kula did not respond to the way Jackson personally witnessed Kula bullying Sergeant Kevin Hogan ("Hogan") in the East Precinct Sergeant Office a month before the FIT hiring process. Following Jackson's conversation with Kula, Jackson spoke with Duilio again to express Jackson's continued concerns about Kula and the work environment.

After the FIT members were notified, that Kula would be working with FIT, there was a FIT meeting. During this meeting, Duilio was given the opportunity to hear the Officers expressing their concerns regarding Kula. Jackson expressed his concerns for a fourth time in March 2022 to Duilio regarding Kula being part of FIT. Jackson again expressed that other FIT members shared Jackson's concerns. Duilio informed Jackson that he could not do anything about this and that Duilio was getting directions from the Chief's Office. Jackson expressed that Jackson did not agree with this and that it could be a very toxic and hostile environment.

After this last conversation with Duilio, Jackson informed the FIT Officers regarding the last conversation with Duilio. Several of the FIT members were upset. Jackson informed the FIT members that the decision was made by individuals above their pay grades and the team would have to figure it out.

In September 2022, Kula was "temporarily" detached to FIT. Later that month, Jackson was informed that Kula was going to be reassigned to FIT as a third Sergeant. Prior to Kula getting reassigned to FIT as the third Sergeant, Jackson spoke with Duilio for a fifth time. During this conversation, nothing changed and it seemed as if Duilio did not want to hear Jackson's concerns. At this time, Jackson began inquiring about leaving FIT. Jackson spoke with Duilio and Commander Arthur Nakamura ("Nakamura") about leaving FIT. At this point, Duilio began addressing Jackson as if Jackson had the issues and that Jackson should be more concerned about Officers leaving FIT because of Jackson. Duilio then informed Jackson that Officer Anderson was leaving FIT because of Jackson. Duilio told Jackson that Jackson needed to be more inviting, personable, and approachable to the Officers. Jackson inquired for an example, however, Duilio could not provide one. Duilio then suggested that Jackson meet with Duilio weekly so that Jackson



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can “be more like him.” Jackson inquired what “be like him” meant. Duilio informed Jackson that Duilio was going to document that Officers wanted to leave FIT because of Jackson in Jackson’s Employee Information System (“EIS”) file. On information and belief, Nakamura told Duilio not to document anything in Jackson’s EIS file because there was no evidence or examples to support the documentation.

The following week Duilio requested Jackson to meet Duilio in Duilio’s office for their first discussion about “being more like him.” Jackson told him “I don’t think this is a good idea. I have been successful at being myself for 44 years.” Jackson did not understand what he meant by being more like him and took this to be a racist comment. Jackson is a black male and Duilio is a white male.

After meeting with Duilio, Jackson had a conversation with North Precinct Acting Lieutenant Israel Hill (“Hill”) about Duilio’s comment about “being more like him.” Jackson’s conversation with Hill reminded Jackson about an interaction that Jackson was not present for, but heard of at North Precinct between Duilio and Hill. The incident surrounded a comment Duilio made to Hill as Hill arrived at the North Precinct for a shift wearing all blue clothing. Duilio asked Hill if he was a Crip today. Hill’s observations of Jackson’s situation were similar to how Jackson was feeling. Hill advised Jackson to leave FIT before Jackson was forced out.

In addition to the above incidents of suspected racism by Duilio, Jackson observed Duilio screaming at the top of his lungs and threatening to arrest an elderly (80 plus) black women on her own property at the scene of a shooting injury in North Portland. Jackson stepped in to attempt to ABE (Active Bystandership for Law Enforcement training) Duilio. Following the incident, several FIT members approached Jackson and thanked Jackson for stepping in. The situation was very tense and uncomfortable. Jackson’s exact words were, “Lt. I got this. I am tapping you out.” As Jackson walked past Duilio, Duilio said, “No. You’re not. She is not going to bully me.” When Duilio made the aforementioned statement, Duilio placed his hand on Jackson’s right shoulder as Jackson attempted to walk by Duilio. By Duilio doing this it allowed Duilio to walk in front of Jackson and forced the situation to escalate more. Duilio continued to walk towards the elderly women, rather than head towards the street.

In the meantime, Jackson had a conversation with Officer Anderson regarding why she was leaving FIT. At this time, Anderson revealed to Jackson that she was leaving FIT because she recently became a PPB Special Emergency Reaction Team (“SERT”) operator and Anderson did not want to be on both teams at the same time.

Once Kula was the third FIT Sergeant, it became clear that Duilio was not giving Kula the same instructions Duilio gave Townley and Jackson when we started FIT. Duilio was not being fair or impartial and treated Kula with “kid gloves”. It appeared that Duilio did not have any expectations for Kula. There was a huge communication issue with PPB Enhanced Community Safety Team (“ECST”) and FIT. Both are supervised by Duilio. ECST Supervisors noticed the FIT



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team did not have a team identity and did whatever Duilio wanted FIT to do that evening. Jackson made several request prior to this discovery to Duilio to send out a Standard Operating Procedure (“SOP”) for FIT to the Precincts. Throughout this year the FIT team became School Resource Officer, Rapid Response Team, Homeless Camp Patrol, Funerals Security and etc. No clear mission or focus. This became extremely stressful for officers and created a divide amongst the team.

Below are examples of how Jackson was treated differently from Kula by Duilio:

Lt. Duilio’s instructions for Sergeant Townley and myself:

“FIT should be primary on all injury shootings that come out when we are on duty.” A “FIT Sergeant needs to voice that over the radio” and let the Precinct Sergeants know we will be doing the follow up. We should be taking the SFIR and doing the interviews to help ECST detectives with their investigation.

Lt. Duilio’s instructions for Sergeant Kula:

“It’s depends. If the precinct Sergeant is there and has it under control you don’t need to voice that we are primary. If you have Sergeant like “Steve Wuthrich that loves writing SFIR’s, I don’t mind if you let them do the SFIR.”

Community Meetings (Focused Intervention Team Community Oversight Group (“FITCOG”))

Duilio would have Townley or Jackson attend these community meetings and address the FITCOG and media. All the FIT officers and supervisors did this from the start. However, Kula was not selected by the FITCOG and did not address them during these meetings for nearly two months. This increased the workload on Townley and Jackson.

FIT Trainings:

Townley and Jackson had to attend a two-week training prior to them patrolling with FIT. This training was critical and covered a wide range of topics from this history of gangs in Portland, DNA recovery, medium risk traffic stops and etc. However, Kula did not have to attend this training prior to becoming a FIT Supervisor.

On January 6, 2023, Jackson attempted to speak with Kula about how Kula interrupted Jackson while Jackson was speaking with Officers Petty and Ramic regarding them not responding inappropriately on the radio when Jackson was requesting their assistance. Kula was invited to this conversation with Officers Petty and Ramic because Kula was their new detail Sergeant. Jackson was their previous detail Sergeant. Jackson had established a good rapport with Officers Petty and Ramic and Jackson wanted Kula to witness the conversation. Jackson began the conversation with your not in any trouble and I just want to improve as a Sergeant. Jackson asked Officers Ramic and Petty, “How can I communicate better with you two, to get you all to understand that your



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help is needed.” They both gave Jackson a reasonable response that Jackson was comfortable with but Kula felt as if he needed to interpret their response to Jackson. Jackson informed Kula that Jackson understood what they were saying. Kula continued and he took this calm conversation way off base. Jackson ended the meeting and informed Officer Petty and Ramic that Jackson would speak with them at a later time Jackson spoke with Kula about the above incident in the Sergeants Office. Kula became very defensive and loud. Sergeant Chuck Greulich (“Greulich”) and other ECST Sergeants heard Kula yelling at Jackson and telling Jackson that FIT Officers did not like Jackson and are afraid of Jackson. Kula continued on to say that the younger FIT Officers are too afraid to ask Jackson questions and they just do whatever Jackson wants to avoid having a problem with Jackson. Jackson inquired how Kula knew that. Jackson believes that Kula was asking Officers about Jackson’s supervisory skills just as Kula did at East Precinct.

In the summer of 2020, Jackson’s family went through a very traumatic incident. Jackson’s stepdaughter, [REDACTED] now 20 years old, was a victim of gun violence. [REDACTED] was [REDACTED]. It was unclear what occurred during the incident, but it was later discovered that Hilton Falls (“Falls”) was involved. [REDACTED] was afraid of Falls and [REDACTED] did not want to participate in the investigation because of her fear of Falls. [REDACTED] is also a victim of domestic abuse. Jackson was working night shift in East Precinct when [REDACTED] was shot. Jackson notified his direct chain of command and spoke with PPB Commander Timothy Robinson (“Robinson”), then Captain Robinson. Jackson’s family began working with an EAP counselor to figure out how to move forward after the incident. The shooting was investigated by PPB Specialized Resources Division ECST. Jackson spoke with Sergeant Mark Friedman (“Friedman”) and PPB Detective Megan Burkeen (“Burkeen”) several times about the incident. Jackson’s wife was in contact with Burkeen. Falls’ involvement was unclear, and he was not charged with a crime related to the incident. Jackson had made at least three (3) reports or conversations with Duilio regarding the potential conflict of interest and the fact that Jackson’s family was personally involved with an incident potentially involving Falls. Jackson spoke with ECST Officers regarding Falls in March 2022, and several times after. Jackson believed that all, or most all, of PPB knew of the incident with his stepdaughter being shot.

On January 17, 2023, ECST and FIT was planning a mission to execute an arrest of Falls. Jackson was assigned the mission to plan quickly. Jackson ran the mission plan by SERT Sergeant Don Livingston (“Livingston”). ECST Sergeant John Billard (“Billard”) searched the PPB system for a report involving [REDACTED] shooting. While Billard was searching, Jackson was asking and answering questions from Livingston and Billard. During this planning, Jackson heard Kula making jokes about Falls and Falls’ name. Jackson found Kula’s behavior and demeanor traumatic and disturbing. Billard and Jackson’s search did not return any results for any report connecting Falls to [REDACTED] shooting.



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During the mission briefing, Duilio's description of Falls as a "nice guy" and respectful in previous encounters was offensive to Jackson. Jackson also believed that Jackson needed to raise awareness to the FIT members that Falls may be connected to a known shooting so caution should be had. During this time, Kula continued to joke about Falls' name while sitting at Kula's desk which was next to Jackson's. This conduct made Jackson clearly distracted and frustrated with the work environment. The mission was scrapped after Billard and Kula spoke about it. Kula informed Jackson that no FIT Officer even left the precinct.

The evening of the scrapped arrest mission, Kula started spreading disrespectful rumors that insinuated Jackson was reckless, deceptive, and that Jackson put the entire PPB at risk. Jackson spoke with a mentor about Kula's conduct and eventually sent Duilio a text message requesting that Duilio act as a mediator between Jackson and Kula. Jackson hoped that Duilio would prevent Kula from being disrespectful and intimidating. When the meeting took place, it was not as Jackson had planned nor hoped. Duilio and Kula teamed up and took turns berating Jackson for not taking any accountability for the hostile work environment they had caused. Kula referred to Jackson as "Rampart and Mike Stradley" describing Jackson as a dirty Police Officer. Kula yelled, "You're just mad because I caught you!!" Jackson asked what Kula caught Jackson with? Kula did not answer. Duilio spoke up and said, "I haven't heard you accept any accountability for any of this." Jackson informed Duilio that he had spoken to Duilio on several occasions about this incident. At this point, Jackson asked Kula why he did not come to Jackson with concerns about Falls. Kula responded that he did not know what to do and freaked out.

Jackson believes that if he made comments or acted similar to Kula, that Jackson would have been removed from FIT, and/or placed on administrative leave. Duilio indicated to Jackson that Jackson would likely receive a letter of expectations for Jackson's involvement and due to Jackson not reminding them of Falls' involvement in the shooting of Nash.

On January 20, 2023, Jackson was contacted by Commander Chris Gjovik ("Gjovik") on Duilio's phone. Jackson was on speaker phone with Gjovik, Captain Jacob Jensen ("Jensen"), and Duilio. Gjovik informed Jackson that Jackson was being removed from FIT and being transferred to Central Precinct. Gjovik indicated that the transfer was based off the previous few days.

On March 16, 2023, Jackson was interviewed in PPB Internal Affairs ("IA") Case No. 2023-B-0001. This IA case contained two (2) allegations. One, "Sergeant Freddie Jackson [REDACTED] was not considerate of his peers, supervisors, and subordinates when he did not share officer safety information regarding the subject of the arrest mission (CONDUCT) (Directive 310.00 – Professional Conduct and Courtesy)." Two, "Sergeant Freddie Jackson [REDACTED] lead an arrest mission in which he had a personal conflict. (CONDUCT) (Directive 311.30 – Off Duty Responsibility of Officers)."



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On June 6, 2023, Jackson received a Notice of Potential Discipline: Written Reprimand from Commander Craig Dobson (“Dobson”). This notice concludes that Jackson violated Directive 310.00 and 311.30 and that a Written Reprimand was being recommended.

As offered in the Notice of Potential Discipline, Jackson met with PPB Assistant Chief Jeff Bell (“Bell”) to discuss the potential discipline. On information and belief, Bell lowered the Written Reprimand to a Command Counseling.

As a result of this discrimination, Jackson has been removed from FIT which resulted in not only a reduction in pay and benefits (take hour car, unlimited overtime, bonus pay for being on FIT and supervising detectives, etc.), but also caused irreparable harm to Jackson’s creditability and reputation. Jackson also fears that because of this discipline being in his 201 file, it could harm promotional prospects and selections to other PPB special units and assignments.

Violation of ORS 659A.030 Race Discrimination

Under ORS 659A.030(1)(a)-(b):

It is an unlawful employment practice:

(a) For an employer, because of an individual’s race, color, religion, sex, sexual orientation, gender identity, national origin, marital status or age if the individual is 18 years of age or older, or because of the race, color, religion, sex, sexual orientation, gender identity, national origin, marital status or age of any other person with whom the individual associates, or because of an individual’s juvenile record that has been expunged pursuant to ORS 419A.260 (Expunction) to 419A.271 (Appointment of counsel), to refuse to hire or employ the individual or to bar or discharge the individual from employment. However, discrimination is not an unlawful employment practice if the discrimination results from a bona fide occupational qualification reasonably necessary to the normal operation of the employer’s business.

(b) For an employer, because of an individual’s race, color, religion, sex, sexual orientation, gender identity, national origin, marital status or age if the individual is 18 years of age or older, or because of the race, color, religion, sex, sexual orientation, gender identity, national origin, marital status or age of any other person with whom the individual associates, or because of an individual’s juvenile record that has been expunged pursuant to ORS 419A.260 (Expunction) to



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419A.271 (Appointment of counsel), to discriminate against the individual in compensation or in terms, conditions or privileges of employment.
ORS 659A.030(1)(a)-(b).

Jackson alleges that he was discriminated based on his race as a black male. Jackson believes that he was treated differently by the City and PPB in issuing discipline as opposed to PPB members of other races (Kula is a white male). Jackson also believes that he was not heard when making complaints against Kula because of Jackson's race versus the race of Kula. Jackson believes that this discrimination on the basis of Jackson's race led to Jackson being removed from FIT causing a harm to Jackson in the form of a reduction in pay and benefits (take hour car, unlimited overtime, bonus pay for being on FIT and supervising detectives, etc.), but also caused irreparable harm to Jackson's creditability and reputation. Jackson believes that because of this discrimination, Jackson is entitled to relief under ORS 659A.885.

Violation of ORS 659A.199 and ORS 659A.203 Whistleblower Retaliation

Under ORS 659A.199(1):

It is an unlawful employment practice for an employer to discharge, demote, suspend or in any manner discriminate or retaliate against an employee with regard to promotion, compensation or other terms, conditions or privileges of employment for the reason that the employee has in good faith reported information that the employee believes is evidence of a violation of a state or federal law, rule or regulation.

ORS 659A.199(1).

Under ORS 659A.203(1)(b):

(1) Subject to ORS 659A.206 (Effects of ORS 659A.200 to 659A.224 on employees), except as provided in ORS 659A.200 (Definitions for ORS 659A.200 to 659A.224) to 659A.224 (Short title), it is an unlawful employment practice for any public or nonprofit employer to:

(b) Prohibit any employee from disclosing, or take or threaten to take disciplinary action against an employee for the disclosure of any information that the employee reasonably believes is evidence of:



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- (A) A violation of any federal, state or local law, rule or regulation by the public or nonprofit employer;
- (B) Mismanagement, gross waste of funds or abuse of authority or substantial and specific danger to public health and safety resulting from action of the public or nonprofit employer; **or**
- (C) Subject to ORS 659A.212 (Policy on cooperation with law enforcement officials) (2), the fact that a person receiving services, benefits or assistance from the state or agency or subdivision, is subject to a felony or misdemeanor warrant for arrest issued by this state, any other state, the federal government, or any territory, commonwealth or governmental instrumentality of the United States.

ORS 659A.203(1)(b) (emphasis in original).

Jackson alleges that he was discriminated against and retaliated against for making good faith reports of misconduct in strategies previously employed by PPB that the community rejected, and PPB ultimately disbanded special teams over. FIT was supposed to be evidence-based policing, and Jackson felt that was not happening. After raising these concerns, Jackson was removed from FIT causing a harm to Jackson in the form of a reduction in pay and benefits (take home car, unlimited overtime, bonus pay for being on FIT and supervising detectives, etc.), but also caused irreparable harm to Jackson's creditability and reputation. As defined in ORS 659A.200, the City and PPB is public employer for purposes of ORS 659A.203. Jackson believes that because of this discrimination, Jackson is entitled to relief under ORS 659A.885.

Violation of ORS 659A.230 Discrimination for Initiating or Aiding in Criminal Proceeding

Under ORS 659A.230(1):

It is an unlawful employment practice for an employer to . . . in any manner discriminate or retaliate against an employee with regard to promotion, compensation or other terms, conditions or privileges of employment for the reason that the employee has in good faith reported criminal activity by any person . . . , [or] has in good faith cooperated with any law enforcement agency conducting a criminal investigation

Jackson alleges that in reporting the shooting incident involving [REDACTED] Jackson was discriminated against. Jackson was removed from FIT causing a harm to Jackson in the form of a



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reduction in pay and benefits (take hour car, unlimited overtime, bonus pay for being on FIT and supervising detectives, etc.), but also caused irreparable harm to Jackson's creditability and reputation. Jackson believes that because of this discrimination, Jackson is entitled to relief under ORS 659A.885.

As a result of the herein-described circumstances, Jackson alleges that the City and PPB has retaliated and discriminated against him in violation of ORS 659.030, ORS 659A.199, ORS 659A.203, and ORS 659A.230. This is intended to serve as notice of potential legal claims against your office and the resulting damages for which Jackson is entitled to recover.

This letter is being sent to you via Certified Mail Return Receipt Requested and First-Class mail to provide notice of claims to your office, pursuant to ORS 30.275. If you need additional information regarding the nature of potential claims, or the circumstances underlying those claims, please contact our office at your convenience.

Please direct any communication intended for Jackson related to this incident and/or facts to Employment Law Professionals at the addresses or phone numbers listed above. Please do not attempt to communicate with our client directly regarding these matters without contacting our office first.

Best regards,

EMPLOYMENT LAW PROFESSIONALS

ANDREW T. MITTENDORF

ATM:RJH

Encl.

cc: Randy J. Harvey (w/ Encl.)
Client (w/ Encl.)