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2022-013927-28

LIANI REYNA
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July 8, 2023

City of Portland
Office of City Attorney
Attn: Robert Taylor
1221 SW 4th Avenue, Room 430
Portland, OR 97204
Email: cityattorneysoffice@portlandoregon.gov

via email and certified regular mail

City of Portland
Risk Management
1120 SW 5th Avenue, Room 1040
Portland, OR 97204
Email: liabilityclaims@portlandoregon.gov

Re: Tort Claim Notice Pursuant to ORS 30.275
Infliction of Emotional Duress: Negligent and Intentional
Sara Fox, Gregory Moore, Rachael McDonald, Kristina Jones, Fallon Niedrist, Johns
and Janes Doe

Dear Risk Management,

This letter is intended to serve as the appropriate Tort Claim Notice pursuant to ORS 30.275.

Notice of Claims

1. My name, address, and telephone number are known to the City of Portland as I am a former employee of the Portland Police Bureau (PPB).
2. Please send correspondence to Liani Reyna (REYNA) by email only at:
cougar1225@yahoo.com.

Location of Events- Portland Police Bureau Justice Center located at 1111 SW 2nd Avenue, Portland Oregon 97204.

Private residences of PPB employees

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Background

The Portland Police Bureau (PPB) is a law enforcement agency with the duty to receive and investigate allegations of criminal conduct, violations of law, violations of PPB and city policies.

All Portland City employees are mandatory reporters of child abuse. City personnel are required to be trained in their duty to mandatorily report allegations of child abuse.

The city of Portland's Office of Management and Finance Bureau of Human Resources has a Mandatory Reporting of Child Abuse (MRCA) Policy.

The PPB has internal policies of 310.00 Conduct Professional and 315.30 Satisfactory Performance mandating officers perform their duties.

ORS 419B.010 Duty of Official to Report Child abuse.

(1)

Any public or private official having reasonable cause to believe that any child with whom the official comes in contact has suffered abuse or that any person with whom the official comes in contact has abused a child shall immediately report or cause a report to be made in the manner required in [ORS 419B.015 \(Report form and content\)](#).

The duty of city employees to report child abuse is 24 hours a day, 7 days a week, and applies whether the employee is on duty or off duty.

As a condition of their employment PPB employees are mandatory reporters. The city of Portland has a duty to train and a duty to supervise its employees. The City of Portland is strictly liable for failure to train and failure to supervise.

The scope of representation of Portland City attorneys is for the City of Portland. City attorneys do not represent individual city employees and are not allowed to counsel them or provide legal advice.

Officer Sara Fox (FOX) is PPB employee with more than 20 years of service to the City of Portland. FOX is or was a certified Field Training Officer (FTO) responsible for training new PPB employees on state law and city policies. As an FTO FOX has power and authority over PPB personnel she trained whether by full time assignment or intermittently.

Officer Rachael McDonald (MCDONALD) is believed to be a former trainee of FOX and is a PPB employee with at least 5 years of service. MCDONALD shares a residence with FOX in Tigard, Oregon.

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Sergeant Gregory Moore (MOORE) is believed to be a former trainee of FOX and is a PPB employee with at least 12 years of service. MOORE is a PPB sergeant with power and authority over others.

Commander Kristina Jones (JONES) is a PPB employee with more than 20 years of service. JONES has power and authority over others.

Fallon Niedrist (NIEDRIST) Oregon State Bar #145146 is an attorney assigned to the Portland city attorney's office.

John and Jane Doe (DOE) are believed to be city employees.

At all material times, FOX, MOORE, MCDONALD, JONES, NIEDRIST, and DOE were employees of the City of Portland and subject to ORS Mandatory Reporting Laws.

REYNA was a police sergeant for the PPB and has a minor child (MINOR CHILD). FOX is the other parent of the MINOR CHILD.

Time, Place and Circumstances Giving Rise to Claims

On or around March 18, 2019, REYNA served the City of Portland with a statutorily required tort claim notice via her attorney, alleging violations of state law and violations of PPB policies and city policies against the Portland Police Bureau, its employees, and the City of Portland.

On or around May 28, 2019, REYNA served the City of Portland with a statutorily required tort claim notice via her attorney, alleging violations of state law and violations of PPB policies and city policies against the Portland Police Bureau, its employees and the City of Portland.

On or around October 11, 2019, REYNA served the City of Portland with a statutorily required tort claim notice alleging violations of state law and violations of PPB policies and city policies against the Portland Police Bureau, its employees, and the City of Portland.

On or around April 2, 2021, REYNA served the City of Portland with a statutorily required tort claim notice via her attorney, alleging violations of state law and violations of PPB policies and city policies against the Portland Police Bureau, its employees, and the City of Portland.

On information and belief, FOX, has never received corrective action or discipline for failing to follow policy, procedure and for violation of state laws.

In the Fall of 2015, REYNA was notified by the MINOR CHILD that FOX's then boyfriend, PPB Police Officer Gregory Moore (MOORE) had been [REDACTED] for a period of ten months. The MINOR CHILD was 8 years old. REYNA reported the matter to PPB Officer Parik Singh (SINGH). SINGH failed to notify the child abuse hotline, failed to write a police report and failed to notify a supervisor.

On January 31, 2016, PPB Sergeant Jeremy Price (PRICE) documented in a memo sent to his supervisor, Lieutenant David Golliday (GOLLIDAY), that REYNA had concerns that child abuse was occurring and the suspects of that abuse were FOX and MOORE. PRICE noted in his memo REYNA believed future

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acts of child abuse would occur and REYNA intended to report the acts of child abuse to law enforcement, stating specifically,

“Sergeant Reyna said if their daughter comes home with any type of bruises or marks she would file a police report.”

On information and belief, Portland city attorneys and PPB managers did not want REYNA to report acts of child abuse to law enforcement and retaliated against her. City of Portland attorneys and managers would have known and should have known based upon the memo that future acts of child abuse would take place.

On September 9, 2016, REYNA notified a circuit court judge that FOX’s father was a danger to the child. FOX lied to the court denying the assertion.

On or around November 28, 2016, REYNA informed a licensed counselor FOX’s father was a danger to the MINOR CHILD and should not be left alone with the child. FOX witnessed this disclosure and agreed she and REYNA had been told not to leave the MINOR CHILD alone with FOX’s father. FOX Followed up by sending REYNA written correspondence that FOX would not leave the MINOR CHILD alone with FOX’s father. On information and belief, FOX on many occasions, thereafter, did leave the MINOR CHILD alone with her father.

Over the next several years, the MINOR CHILD reported to her parents and to her therapist FOX’S father engaged in acts of [REDACTED] commencing when the MINOR CHILD was 5 years old. FOX never notified the child abuse hotline or local law enforcement. Based upon early complaints and concerns, additional acts of abuse to the MINOR CHILD were predictable and preventable.

On December 14, 2017, the City of Portland notified a PPB employee that it:

“may regulate [the] off-duty conduct” of its officers and that

“off duty conduct does not have to be criminal in nature in order for the Bureau to become involved.”

On July 9, 2019, REYNA filed complaints with the PPB Internal Affairs Division and the Bureau of Human Resources (BHR) alleging child abuse as reported by the MINOR CHILD in 2015, and additional child abuse fomented by FOX and MOORE which occurred on August 3, 2018. PPB IAD and BHR failed to investigate and failed to conduct interviews with MOORE AND FOX.

On or around November 25, 2019, REYNA reported acts of possible child abuse to PPB detectives. The PPB assigned internal case number 2019-D-0031 and criminal case number 19-803955.

On or around November 26, 2019, PPB sergeant Ron Mason (MASON) instructed PPB Detective Karna Barnard (BARNARD) to file a report of abuse with the Child Abuse Hotline. On information and belief, PPB Detectives never followed up on the allegations and never forwarded materials to the Washington County Sheriff’s Office for investigation.

On December 30, 2019, REYNA reported to Becky Chiao (CHIAO) City of Portland Risk Management, her belief child abuse was taking place.

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On December 31, 2019, CHIAO acknowledged REYNA's concerns of abuse stating,

"I am very sorry to hear that your daughter is having problems. Of course her well-being should be paramount for everyone involved."

Having acknowledged child abuse may be occurring and the MINOR CHILD's well-being should be paramount, CHIAO failed to notify the child abuse hotline and make a report with local law enforcement. CHIAO, as a city employee, failed to prevent future acts of child abuse.

Commencing in March 2020, REYNA was notified the MINOR CHILD was experiencing [REDACTED] by engaging in acts of s [REDACTED], [REDACTED], was not [REDACTED], not [REDACTED], was experiencing [REDACTED] and [REDACTED]. All of these indicators are consistent with a person experiencing sexual abuse. FOX and MCDONALD should have been trained to recognize the signs and symptoms of child sex abuse.

On July 26, 2020, REYNA discovered possible child sex abuse involving the MINOR CHILD had been taking place at FOX and MCDONALD'S residence. REYNA, who was then living in Florida, contacted FOX to notify her of the criminal conduct which occurred in FOX's jurisdiction. FOX and MCDONALD would have known and should have known sex abuse was taking place inside their residence. The MINOR CHILD was 13 years old.

On July 30, 2020, FOX corresponded with REYNA indicating there had in fact been sexual abuse. FOX obtained identifying information of the suspect to include his name, phone number and email address. FOX failed to immediately report the sexual abuse to the Child Abuse Hotline or local law enforcement.

On July 30, 2020, REYNA contacted FOX and asked her if she reported sexual abuse to the Tigard police department. REYNA notified FOX there were multiple suspects involved in sex abuse toward the MINOR CHILD. FOX refused to immediately notify the Child Abuse Hotline or local law enforcement.

On August 1, 2020, REYNA corresponded again with FOX explaining follow up with the MINOR CHILD. REYNA notified FOX she confirmed the name of the suspect, and learned he was living with a convicted felon with residences in Tigard and Tualatin, Oregon. The suspect was an adult male. The MINOR CHILD was 13 years old. **REYNA told FOX "the police need to be notified."**

On August 1, 2020, FOX contacted REYNA stating she was considering contacting the suspect at his residence. FOX indicated she had not contacted the police and was unwilling to do so. REYNA'S frustration was mounting. FOX's inaction caused extreme emotional duress on REYNA.

On August 3, 2020, REYNA messaged FOX and asked her, "Have you contacted local law enforcement?"

That same day, FOX messaged REYNA back that she verified there had been an [REDACTED] between the adult suspect and the MINOR CHILD.

FOX stated, "Why do you want the police involved?"

On August 4, 2020, REYNA messaged FOX a reply, **"You are a Portland Police Officer which places you in a fixed position. You are required by law to report any allegation of sex abuse..... You are not required to investigate yourself, but you are obligated to report immediately to the child abuse hotline."**

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On August 5, 2020 at 11:42 am, REYNA contacted the Oregon Child Abuse Hotline to report the sexual abuse of the minor child since FOX refused to do so. REYNA spoke to Lucy. The Child Abuse Hotline notified the Washington County Sheriff's office which opened a criminal investigation identified as case number GO 50 2020-719.

On August 6, 2020, FOX informed REYNA she and another person, whom REYNA believed to be MCDONALD, drove to the Tualatin address to contact the suspect. On information and belief, FOX's intention was to aide and abet the destruction of physical evidence, to cover and conceal the sexual criminal conduct, and to avert criminal prosecution. FOX's interference obstructed justice and criminal prosecution. The Washington County Sherriff detective assigned to the case informed REYNA the suspect got rid of the evidence, by the time the Sherriff attempted an interview.

On or about June 16, 2021, a second complaint of child sex abuse was reported to the Washington County Sheriff's office and given case number 50-21-8687. Again, the modus operandi was similar to the 2020 criminal case. The same MINOR CHILD was abused in similar circumstances and FOX destroyed evidence to cover, conceal, and avert criminal prosecution of the suspect. The MINOR CHILD was 14 years old.

In 2022, REYNA took the U.S. Center for SafeSport (the CENTER) Core course on child abuse. The CENTER was created in 2017 by Congress to address sexual abuse in Sport, but also defined acts of emotional and physical abuse. All adult participants governed by the United States Olympic Committee and National Governing Bodies are required to take SafeSport training. The training was created by subject matter experts in law enforcement, district attorneys, social workers and persons working in child welfare agencies. The training validated concerns REYNA had been reporting to the PPB for years.

On October 26, 2022, REYNA made a public records request for all material related to her reports of child abuse. NEIDRIST attempted to block public records disclosure to REYNA so REYNA had to file a petition with the Multnomah County District Attorney. Upon receiving materials from the Public Records Request, REYNA discovered NEIDRIST likely obstructed the criminal investigation, by deterring PPB's files from the Washington County Sheriff's Office.

In December of 2022, REYNA became certified in SafeSport best practices by taking numerous courses on child abuse and related topics. REYNA learned about the psychological damage done to children by sustained acts of sexual and emotional abuse. REYNA believes the MINOR CHILD, having been subjected to pervasive acts of abuse fomented by FOX, is displaying signs and symptoms of psychological trauma related to that abuse. Having reported since 2015, acts of abuse, REYNA believes the trauma to the MINOR CHILD was predictable and preventable.

On or around January 28, 2023, REYNA reported violations of state law, city of Portland policies and PPB policies related to child abuse to PPB Commander Kristina Jones (JONES) via email and via U.S. Mail. REYNA corresponded with Christopher Paille (PAILLE) in the chief's office who also received a copy of the complaint and informed REYNA he forwarded the complaint to JONES. REYNA notified JONES of the continuing acts of child abuse. REYNA copied the Independent Police Review (IPR).

To this day, JONES has not communicated with REYNA, and on information and belief, nor has she initiated an investigation.

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On April 13, 2023, REYNA filed another complaint against FOX and directed it to top tiered city leaders to include, Mayor Ted Wheeler, City Attorney Robert Taylor, Chief Charles Lovell, Commander Tina Jones, and Captain James Crooker. FOX continues to engage in a severe and pervasive pattern and practice of not following laws, rules and orders. Again, JONES refused to communicate and on information and belief, refused to open an investigation. On information and belief, FOX has never been held accountable for refusing to follow state law, city policies and PPB Directives.

On April 19, 2023, FOX notified REYNA the MINOR CHILD was continuing to exhibit signs of mental duress and the mental duress was escalating. Based on her training and experience REYNA believes the mental duress is related to sustained acts of child abuse.

On May 1, 2023, FOX informed REYNA she intended to enroll the child in expensive outpatient therapy and was having trouble finding treatment facilities that would take the City's insurance.

REYNA spoke to the MINOR CHILD who informed her the mental duress was related to the abuse she experienced in 2020 and 2021. The MINOR CHILD is now 16 years old and has sustained ongoing abuse in the residence of FOX and MCDONALD.

Throughout the duration of REYNA's complaints, NEIDRIST was the City attorney assigned to the PPB. On information and belief, NIEDRIST instructed PPB employees to cover and conceal acts of misconduct REYNA reported to IA, BHR and IPR. On information and belief, NIEDRIST instructed PPB employees not to share reports of abuse with the Washington County Sheriff's Office. On information and belief, the Washington County Sheriff's Office never received reports of abuse from the PPB related to the MINOR CHILD.

The City of Portland has in its possession dozens of reports over the last 8 years documenting incidents of child abuse by members of FOX's inner circle and within her household. City of Portland attorneys, managers and agents failed to prevent, mitigate, notify, and stop child abuse. City of Portland employees refused to hold persons accountable for child abuse.

All acts of child abuse were predictable and preventable through the policies of the City of Portland, Portland Police Bureau and State Law.

SUMMARY

On information and belief, FOX granted sexual predators access to the MINOR CHILD and then failed to mandatorily report sexual abuse. FOX further aided and abetted the destruction of evidence to avoid criminal prosecution.

On information and belief, MCDONALD was aware child abuse was taking place and failed to mandatorily report it, prevent it and stop it.

The city of Portland and its agents failed to train and failed to supervise city employees in mandatory reporting of child abuse, recognition, prevention, and mitigation.

The MINOR CHILD for years has been displaying signs and symptoms of severe emotional duress related to child abuse. The negligence of the City of Portland, FOX, MOORE, MCDONALD, NEIDRIST, and other

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city agents has caused severe psychological trauma. The MINOR CHILD has been irreparably harmed and will require lifelong therapy.

Portland City employees knew abuse was taking place, was likely to continue in the future and failed to prevent it.

Damages

As a result of the City's negligence the MINOR CHILD and REYNA have suffered non-economic damages in the form of severe emotional duress, humiliation, loss of esteem and impairment of reputation.

REYNA and the MINOR CHILD have suffered the loss of enjoyment of life and are entitled to compensation as determined by the court.

REYNA seeks punitive damages on behalf of herself and the MINOR CHILD

REYNA seeks compensatory damages for costs of medical treatment for herself and the MINOR CHILD.

REYNA may pursue any and all State and Federal claims for relief.

Sincerely,

A handwritten signature in black ink that reads "Liani Reyna". The signature is written in a cursive, flowing style.

Liani Reyna