City of West Linn, Oregon
April, 2008

CONFIDENTIAL

Investigation of Citizen Complaint

Prepared by Rod Brown
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Executive Summary

This report summarizes the investigation of allegations levied by Eric Losness, a resident of West Linn, against Chief Terry Timeus, West Linn Police Department. Losness delivered the allegations on February 12, 2008. In a 24 page document that was hand delivered to West Linn City Hall. The format of the complaint document utilized form F-100 of the Oregon Department of Public Safety Standards and training. (See Attachment A)

The complaint specifies 17 acts or omissions ranging in severity from improper individual officer judgment and policy violations to potential criminal conduct. Each allegation articulates an occurrence, or series of occurrences, and includes purported known witnesses, potential witnesses, persons involved, victims and others involved or having varying degrees of knowledge.

The complaint document also provides a list of individuals, agencies, and organizations to which the same information was provided. Statements in the complaint suggest that the allegations should be investigated by the Oregon Department of Justice, the department of Public Safety Standards and Training, and the Oregon Governmental Standards and Practices Commission. The statement suggests the investigations be conducted by one or more of these entities, individually or collectively.

Subsequent inquiries to these agencies as to their receipt of, or actions in regards to, these allegations revealed no record of having received the complaint. However, Eric Losness was able to provide me with copies of E-mail records showing that he made several attempts to inquire about the progress of his complaint with both Theresa King and Marilyn Lowrance of the Department of Public Safety Standards and Training. The E-mail strings were all from Losness to DPSST, but there were no return E-mails acknowledging receipt of the original complaint.
This report will provide findings of facts for each allegation in the chronology in which they are listed in the complaint; narrative discussion of what was discovered during the course of the investigation from interviews and written documents; and conclusions to findings of fact for each allegation will be listed as Sustained, Not Sustained, Unfounded, or Exonerated. Description of these findings is herein explained:

1. Sustained - The alleged actions did occur as described in the allegation and is independently confirmed.

2. Not Sustained – There is insufficient information to either confirm or deny the allegation.

3. Unfounded – There is sufficient information to deny the alleged action(s) occurred.

4. Exonerated – Information confirms the alleged action(s) occurred but the actions(s) were either proper or not found to be in violation of any statute, ordinance, policy, or rule.

**Allegation 1:**

"Possessing, using and being in the presence of illegal narcotics; Allowing the use of illegal narcotics; Engaging in prostitution, allowing Prostitution to occur; Official Misconduct."

**OPINION:**  Unfounded

**Allegation 2:**

"Driving a police vehicle under the influence of intoxicants; being intoxicated while on duty, allowing a subordinate officer to be intoxicated on duty and DUI, and willful violation of the department's drug and alcohol policy."

**OPINION:**  Unfounded
Allegation 3:
“Disorderly Conduct, Menacing, Conduct Unbecoming an Officer, Official Misconduct.”

**OPINION:** Unfounded

Allegation 4:
“Disorderly Conduct, Conduct Unbecoming and (sic) Officer, Making anti-homosexual remarks, engaging in prostitution and Federal Witness Tampering.”

**OPINION:** Not Sustained

Allegation 5:
“Official Misconduct, Theft, Federal Witness Tampering, Misuse of LEDS/NCIC databases, Conduct Unbecoming an Officer, Having sex while on duty with a prostitute-informant, having sex while on duty in a police vehicle with fellow ROCN member’s wife.”

**OPINION:** Not Sustained

Allegation 6:
“DUII, Pointing a Firearm at Another, Reckless Endangering, Attempted Assault, Criminal Mischief, Menacing, Furnishing Alcohol to a Minor and Lying during an official Internal Affairs Investigation.”

**OPINION:** Exonerated

Allegation 7:
“Official Misconduct, Abuse of position, Untruthfulness, Altering or deleting letter of reprimand, retaliation against officer for purpose of denying Sergeant’s promotion.”

**OPINION:** Unfounded
Allegation 8:

"Sexual relationships with subordinates and co-workers."

OPINION: Exonerated

This allegation arises from a personal romantic relationship Terry Timeus had at one time with Wendy Svaren, a non-sworn member of the Lake Oswego Police Department serving as a Community Service Officer. At the time of the relationship, Timeus was serving in a command position in the operations area of the police department. Svaren’s Community Service Officer duties were positioned under a services section or division of the department. During this time, Timeus never had either direct or indirect supervision over Svaren or any of her supervisors.

The relationship between Timeus and Svaren became known to Chief Duncan who, along with Assistant Human Resources Director Janis Deardorff, counseled both Timeus and Svaren about the awkwardness of the relationship and potential for rumors and damage to their careers. The relationship did not last for very long and was amicably ended.

Timeus admits to the relationship as well as a potential lack of judgment. The relationship, however, had no impacts on either Timeus or Svaren in their official job duties.

Allegation 9:

"Degrading Suspects while in custody, Conduct Unbecoming an Officer, Unlawful search and seizure. Contempt of court – willfully violating search warrants."

OPINION: Not Sustained

Allegation 10:

"Timeus abused his position of authority and as a supervisor, and did not caution, nor discipline officers for allowing and watching a possible live sex show while on duty. Officers allowed Public Indecency to be committed, as well as implied
Bribery via sexual or extremely passionate activity. Officers unlawfully detained driver and passenger by delaying DUII investigation until Timeus could respond to ‘watch’.

**OPINION:** Sustained

**Allegation 11:**

“Covering up alleged on-duty domestic disturbance between then Officer Darryl Wrisley and girlfriend, now wife Denise Wrisley (and possibly Lisa Wrisley). Failure to discipline Wrisley for any past misconduct. Compromising Wrisley’s termination proceedings because of Timeus’ own misconduct, leaving the city no choice but to have to reverse Wrisley’s termination. Tampering with or omitting CAD records.”

**OPINION:** Unfounded

**Allegation 12:**

“Conduct unbecoming a police officer. Publicly degrading a well known Domestic Violence Victims Advocate – Sgt. Anne O’Dell, San Diego PD. Continually joking about Domestic Violence victims.”

**OPINION:** Unfounded

**Allegation 13:**

“Constantly making sexually inappropriate comments, Gay bashing – degrading comments about his own sister, who is homosexual. Showing sexually inappropriate photos to other police officers. Using city resources – computer/internet and printer to view sexually explicit and other personal web sites.”

**OPINION:** Partially Sustained/Partially Not Sustained

**Allegation 14:**

“Racism, Anti-Semitism.”
**OPINION:** Exonerated

**Allegation 15:**
"Unexcused absence, Official Misconduct, Untruthfulness, Falsifying or altering Time Sheets (Forgery), Theft of public funds unapproved, undocumented, paid time off."

**Opinion:** Unfounded

The basis for Losness’ allegation is a statement reportedly made to him by Officer Jon Harrington of the Lake Oswego Police Department. It is unknown when Harrington made the supposed statement to Losness, but the time frame regarding the misconduct was sometime during the summer months of 2000. The allegation purports that Timeus either came to work late or left work early and did not report his time away on any time sheets. Losness further alleges that Timeus asked Harrington to stay on duty after his (Harrington’s) regular shift to cover for Timeus as the Officer In Charge. Lastly, Losness said that Harrington was not compensated for his extra work on behalf of Timeus with either overtime pay or compensatory time off.

During an interview with Officer Jon Harrington, Harrington flatly denied the truth to the occurrences as well as flatly denying ever telling Losness any information that could be loosely construed to indicate this ever occurred.

Chief Duncan also advised me during an interview with him that Timeus would have had the authority to adjust his shift as he saw fit to compensate for long hours on some work days by working fewer hours on other days and having the authority to do so without reflecting those schedule adjustments on any time sheets.

**Allegation 16:**
"Conflict of Interest, Conduct Unbecoming an Officer."

**OPINION:** Exonerated
This allegation stems from a traffic crash of a Lake Oswego Police Department patrol car into a commercial building on August 6, 2007. Lake Oswego Police Department requested the West Linn Police Department to investigate the crash as is normal protocol to ensure objectivity in the investigation and to remove the appearance of internal bias. KATU Television covered the scene and ultimately posted a still-photograph on their web site (www.KATU.com) showing Timeus talking with another officer at the scene and it appears that Timeus is laughing. Losness felt this would unprofessional conduct.

Those photographs were obtained from the web site and are included in Attachment C of this report. It is my opinion the photographs do not portray any form of unprofessional conduct on the part of any person.

*Allegation 17:*

*Retaliation against three officers, resulting in one termination, and two unwilling resignations. Possible retaliation or sexual harassment against a LOCOM dispatcher of LOCOM supervisor, resulting in both of their resignations.
Covering up alleged affair between then-Sgt. Darryl Wrisley and LOCOM dispatcher. Initiating unwarranted Internal Affairs investigations against three officers for purpose of retaliation via termination or forced resignation."

**OPINION: Exonerated**

**Facts and Findings**

The interviews with complainant Eric Losness suggests he is a person who is 1) embittered by the loss of his employment as a police officer with the City of Lake Oswego; 2) is seeking revenge against the Lake Oswego Police Department and certain members who he thinks are either responsible or susceptible to allegations; 3) has already lost formal remedies for revenge through a loss in litigation favoring the defendants (City of Lake Oswego) when his case was outright quashed in a Motion for Summary Judgment; 4) seeking alternative
retribution by filing a complaint against Terry Timeus with other complaints against additional LOPD personnel likely to follow; and 5) is very susceptible himself to believing rumors and innuendos espoused by others who are equally in dislike of the police department and certain personnel. The complaint filed by Losness with the City of West Linn is a “shot-gun” approach that raises allegations almost entirely based on information from other sources ranging from second to fifth hand information. The list of witnesses or others who might have information relative to a particular allegation was very extensive and, as I came to learn, extremely speculative on his part. Throughout the various allegations made by Losness, he included the names of 125 people that he believed to have information.

This investigation, particularly during the interview with Losness, attempted to identify the exact source of the information that was the foundation for each of the allegations, i.e. first person witness. When directly asked, the majority of individuals listed by Losness were far reaching speculation as to their knowledge. For example, Losness listed certain individuals because they were either neighbors or friends of Timeus and therefore were possibly told about certain incidents. Others, even more remote possibilities, were neighbors of neighbors. Most of the remote possibilities were removed from the list of witnesses as not being direct sources of information. Those that were a direct source, or at least connected to the direct source, were then interviewed for information.

Many of those interviewed were very direct and candid with their responses. Others were sensed to be making guarded or politically correct replies to questions posed to them. A few others simply refused to make any statement. The two primary sources of information to Losness, and upon which he premised the majority of his allegations, were Jeff Grant and Jerry Ross, both former police officers with the City of Lake Oswego and both having left under less than desirable circumstances. Neither Grant nor Ross would agree to an interview or, perhaps more accurately, they would not return calls or re-contact me after the purpose of my inquiry was explained to them.
Below is a summary of the interviews conducted with those individuals who were identified as being direct sources of information or principals in the allegations.

*Losness Interview*

I conducted interviews with Eric Losness on March 20 and March 21, 2008. The interview occurred at the Embassy Suites Hotel – Portland Airport. I first inquired of Losness as to whether he was represented by legal counsel and he replied that he was not. He said that he had retained the services of a Portland attorney Glen Soloman for a claim he had filed against the City of Lake Oswego, but that case had already been disposed of and Soloman no longer represented him. This fact had already been confirmed by me through a telephone contact with Glen Soloman on March 13, 2008.

I also inquired as to whether Losness had consulted with any attorney regarding this interview and he said he had not. I asked if he wished to make any contacts with legal counsel before proceeding and he said he did not.

I then advised Losness that it would be necessary for me to interview a significant number of individuals, almost all of which he had listed in his complaint document, to ensure the matter was fully investigated. I added that there may be difficulties in conducting some of the interviews with current or past employees of the City of Lake Oswego due to the language of his separation agreement with the City. I told him I had not seen or read a copy of that agreement but it had been indicated to me by legal counsel for Lake Oswego that it may be an issue. I asked Losness if he would be willing to sign a release agreement which would allow current and former employees of the City to discuss their knowledge of the incidents contained in the complaint document. Losness agreed and signed the release agreement which is attached to this report as Attachment D.

I also asked if Losness would be willing to allow me to review his personnel file with the City of Lake Oswego for material that might be relevant to his complaint.
Losness again agreed and signed a release agreement allowing me access to his personnel file. This release is also found in Attachment D.

I then asked Losness if he had any complaint or grievance with Timeus since the time he was appointed as the Chief of Police for the City of West Linn or if all of the incidents related to his allegations were a result of Timeus' employment with the City of Lake Oswego. Losness said the only incident time frame involving the City of West Linn was Allegation 16. Allegation 16 relates to Timeus being filmed at the scene of an automobile crash of a police vehicle during which Timeus was observed laughing while talking with another police official. Losness felt this was unprofessional. See Attachment C.

I asked Losness about the distribution list he provided at the end of the narrative of his complaint indicating a substantial number of agencies and individuals that his letter said he was going to release the complaint information to. Losness said he released full copies of the DPSST complaint form and narrative allegations to the City of West Linn, West Linn Mayor Norm King, his former attorney Glen Soloman and the Department of Public Safety Standards and Training. Losness continued that he provided copies of the DPSST complaint form without the attached narrative of the allegations to The Oregonian, the Portland Tribune, The Willamette Week, The Lake Oswego Review and the West Linn Tidings. Losness said he has had several E-mail exchanges with Rick Bella of the Oregonian who was requesting additional details before he wrote an article about the allegations. Losness said he referred Bella to the Department of Public Safety Standards and Training for information because he did not want to do anything that would jeopardize an investigation. Losness provided me with copies of the E-mail exchanges he had with Bella and they are included with this report as Attachment B.

I interviewed Losness on each allegation in the order he presented them in his letter of complaint. I read aloud to Losness the verbiage of his complaint and provided a synopsis paraphrase description of the events described in the
allegation. I then covered each person listed by Losness as having knowledge or information in support of his allegation and requested that he be specific in identifying whether that named person had first hand information, hearsay or rumored information, or if Losness simply speculated that the person may have information based on friendships, other forms of relationships such as being a neighbor or having worked together with Timeus at some point in time, or if the allegation was based on direct observation by Losness himself. Many of the potential 125 people named by Losness were eliminated during this phase simply because their placement in the written complaint was speculation by Losness that they "might" know something.

The foundation for allegation #1 by Losness was a conversation he says he personally had with Timeus in late 1997. The allegation claims that Timeus made statements regarding a party aboard a yacht in Portland sometime during the early 1990's that was catered to members of the Regional Organized Crime Network (ROCN). Losness alleges that Timeus told him there were drugs and prostitutes aboard the yacht which were provided to the ROCN members complimentary by either former Sheriff John Bunnell or the producers of the COPS television program. Losness admitted that Timeus never admitted to having personally partaken of the drugs or prostitutes, but rather just bragged that the event occurred and that he (Timeus) was there.

Subsequent interviews with several other informed people, including former ROCN members, dispelled the validity of Losness' claim. The party aboard the yacht was reportedly a huge rumor that rose through embellishments as the story was retold from one officer to another. In essence, neither the party nor the yacht ever occurred.

Allegation #2 purports that Timeus and Wrisley arrived to work a day shift patrol at the Lake Oswego Police Department while they were still under the influence of alcohol from drinking too late the night before. According to the complaint filed by Losness, both Timeus and Wrisley subjected themselves to a self-
administered Intoxilyzer test and each of them reportedly had a blood/alcohol level above a .08 at that time. Both Timeus and Wrisley were said to have then taken their patrol cars to the City Shops where they waited out of sight until they believed their blood/alcohol levels were within a permissible range.

The information provided by Losness supposedly came from Jerry Ross. Other individuals were mentioned in Losness’ complaint, but he reported to me that they were second and third-hand sources of information or that the inclusion of a name was speculation on his part as to their possibly having knowledge. Ross was uncooperative in submitting to an interview and any information attributable to him is discounted as unsubstantiated and unreliable. Interviews with both Timeus and Wrisley resulted in flat out denials that anything of this nature ever occurred. During Wrisley’s interview he added that he and Timeus never worked a patrol shift together where this allegation could be remotely true.

Allegation #3 is in regard to an incident that reportedly occurred in 1993 at a Stuart Anderson Restaurant in Milwaukee. Losness reports that he was told by Jeff Grant that Timeus was intoxicated at the time of this incident and created a disturbance at the restaurant during which he displayed his badge and a handgun. Police were supposedly summoned to the restaurant but Timeus has disposed of his handgun in a dumpster before the arrival of the police. Losness reported that Deputy Jerry Veracruz of the Clackamas County Sheriff’s Office was the responding officer to the scene.

Attempts to interview Jeff Grant, who reportedly made this statement to Losness, was unsuccessful due to his lack of cooperation and any information attributable to him is discounted as unsubstantiated and unreliable. Former Clackamas County Deputy Jerry Veracruz (now with the Oregon Department of Justice) was interviewed regarding this incident and he said he would have remembered any incident of this type if it had ever happened, that Timeus would have received no special treatment because of his position as a police officer, and further that he believed the report of this incident to be a fabrication.
Allegation #4 entails suggestions that Timeus, during his assignment with the ROCN team during the late 1980's, had an intimate relationship with a female who was reportedly both a drug addict as well as an informant for two other ROCN detectives. Timeus is reported to have made a disturbance in the lobby of a downtown Portland motel while trying to get a room to be with the female, made improper remarks to the clerk about homosexuality, and had a minor confrontation with the Portland police officers who were called to the scene.

The details of this incident were told to Losness by Jeff Grant and Jerry Ross. Neither Grant nor Ross would cooperate in being interviewed and any information reportedly being provided by them is considered as unsubstantiated and unreliable. Losness did not provide any other sources of information direct to him, but suggested certain Portland police officers might remember the incident.

During my interview with Timeus he indicated that he did date a female who later became an informant after which he had no further contact with her. Timeus denied the allegation of the incident at the hotel and said that he had never heard of any Riverside Motel in Portland. (Note: I researched the Portland directory and internet for a Riverside Motel in Portland and was unable to find any such establishment, albeit 20 years after the incident reportedly occurred).

All other named persons in allegation #4 by Losness were admitted to be speculation as to their knowledge.

Allegation #5 suggests that Timeus was “kicked off the ROCN team” for “gross misconduct and borderline criminal conduct” due to his (Timeus’) supposedly compromising four federal drug cases. Losness’ information was provided to him by Jeff Grant. Grant is said to have told Losness that federal prosecutor Doug Ratto was familiar with the circumstances and would be able to provide information.
Allegation #5 also suggests that Timeus improperly used the surveillance equipment of the ROCN team to spy on his wife (from who he was finally divorced) because he thought she was having an affair with a Portland police officer. This information was supposedly provided to him by Jerry Ross who received it from Lee Ferguson of the Lake Oswego Police Department.

I interviewed several principal people relative to the first part of the allegation to include Doug Ratto (Ratto is a full-time employee of the Multnomah County District Attorney’s Office and served as a federal prosecutor for the ROCN drug cases at that time), Chuck Fessler (Supervisor of the ROCN team at that time), and Les Youngbar (Chief of Police for the City of Lake Oswego at that time). Doug Ratto said the allegation that Timeus jeopardized or otherwise compromised any drug cases that were pending prosecution was an absolute false statement. Fessler told me that Timeus was transferred back to his regular assignment at the Lake Oswego Police Department shortly after he became supervisor at his recommendation. Fessler said that Timeus had been assigned to the team for several years at that point and he had become “too comfortable” and that his work was becoming “sloppy.” Fessler said he called Chief Youngbar and suggested that Timeus be replaced on the team. Fessler said he knew nothing about any cases be compromised because of Timeus. My interview with former Chief Les Youngbar resulted in Youngbar’s concurrence with what Fessler had said.

Information for the second part of allegation #5 was provided by Jerry Ross. It is emphasized here that any statements made by Grant or Ross are considered to be unsubstantiated and unreliable because of their failure to cooperate in being interviewed.

A supposed direct source of some of the information provided to Grant and/or Ross concerning information in this allegation was provided by Lee Ferguson, currently serving as a detective with the Lake Oswego Police Department. I interviewed Ferguson on April 2nd, 2008 at the Lake Oswego Police Department.
Allegation #5 by Losness asserts that Ferguson made three direct-source comments to Jerry Ross that was then in turn provided to Losness by Ross. The specific portion of Allegation 5 is found in paragraph 5 where Losness suggests that, while assigned to ROCN, the ROCN team would "...assign an OSP Trooper just to watch Timeus to make sure he did not steal any drugs, money or property from the residence or location of the search warrant." Ferguson stated he was given this information directly by Detective Lenny Olson of the Oregon State Police. Ferguson said the manner in which he received the information was accurate; however he said he never made any such comments to Ross about this information.

Paragraph 6 of Allegation #5 purports that certain members of the ROCN team were "furious" with Timeus because he jeopardized "...4 or 5 federal cases they worked on for months because Timeus was having sex with a prostitute-informant drug addict that was directly involved in those cases." Ferguson confirmed that he was aware of this information but, again, does not recall ever having said anything to Jerry Ross about it. The suggestions of having federal drug cases compromised by an intimate affair by Timeus with an informant has been quashed through the statements of Russ Ratto, Multnomah County Deputy District Attorney and appointed federal prosecutor for ROCN cases, denying that any such compromises occurred.

Also contained in paragraph 6 of Allegation #5 is a statement that "Ferguson also stated that he and Lt. Doug Treat of LOPD would always talk about the stories they heard about Timeus when they were in ROCN." Ferguson denied ever having any such conversations with Lt. Treat.

Paragraph 7 of Allegation #5 states that "Ferguson told Jerry Ross that Chief Dan Duncan – LOPD told him that he did not trust Terry Timeus nor Darryl Wrisley." Ferguson flatly denied ever having made any such statement to Ross.

Follow-up interview contacts were made with Lenny Olson and Bill Gray to verify or refute the information provided by Ferguson. Lenny Olson was contacted by
telephone on April 15th, 2008 and the purpose of the contact was explained to him. Olson was very uncooperative and said that he would not provide any information without a Grand Jury proceeding or other form of court subpoena. Gray was also contacted by telephone and advised of the purpose of the contact. Gray was asked if he ever heard of any conflict involving Timeus and his personal relations with any informants. Gray said he heard of rumors about that activity, but had no direct knowledge. Gray said he did not feel they were valid complaints.

Gray was also asked if he ever complained about Timeus jeopardizing any of his cases, by relations with informants. Gray said "not that I can remember". Gray was told of information attributed to him by officer Ferguson and asked if he knew Ferguson and he said he did know him. Gray was asked if Ferguson was mistaken or lying if he told such information, concerning Timeus, and Gray said, "I think I'd remember". Gray was asked if he thought Ferguson was being untruthful, if he was crediting Gray with reporting the bungled cases due to Timeus' conduct, and that Gray was credited with having given that information to Ferguson. Gray responded again that he thought he would remember that but did not remember it.

Gray was provided with details from the Losness complaint describing the issues of Timeus locating pornography and playing the videos. Gray stated that you can hardly do a meth search warrant without finding porn and, on occasion, somebody would likely put discovered porn videos into a player during a search. Gray commented that searches used to be a lot different and police are now more accountable. He would not further elaborate.

The issue of playing homemade pornography in front of suspects and making fun of them was explained to Gray from the Losness complaint form. Gray was adamant stating that never happened. He said he would not tolerate that conduct and would stop it or report it to a supervisor if it were to happen.
Gray said he never heard about drinking problems associated with Timeus and impacting his work performance nor had he heard of any use of prostitutes. He stated he never heard of any misconduct involving Timeus using ROCN equipment or information sources.

Allegation #6 reports an incident told to Losness by Jerry Ross involving Timeus and Kim Klusmann. The incident involved off-duty conduct involving the excessive consumption of alcoholic beverages and the discharge of a firearm, reportedly at traffic signs. This incident was investigated by the Lake Oswego Police Department during an Internal Affairs investigation. The investigation confirmed the details of the event and Kim Klusmann was disciplined for his actions. Klusmann left the LOPD shortly after this time and accepted a position with the Clackamas County Sheriff’s Office where he is still employed as a lieutenant. The specifics of Losness’ allegations suggest greater complicity by Timeus and the statement that both Timeus and Klusmann lied during the investigation.

Ross would not cooperate in the conduct of an interview and any information attributable to him is considered as unsubstantiated and unreliable. Timeus confirmed the details of this event during my interview with him and it correlated with the official reports of the Lake Oswego Police Department as well as through an interview with Kim Klusmann. Timeus is exonerated regarding this allegation.

Allegation #7 reports an incident during 2002 involving the police department copy of the personnel file of Lee Ferguson. Ferguson had been involved in an investigation that required he leave the City of Lake Oswego for follow-up at which time he recovered a stolen auto at a motel in the City of Tualatin. Ferguson later found a letter of discipline in his police department personnel file placed there by Sgt. Jeff Grant without his knowledge which is a violation of personnel practices. The file was in the possession of Timeus at the time as the commander of the section where Ferguson was assigned. The disciplinary letter was supposedly placed in the file after a significant amount of time had elapsed.
from the actual incident. Ferguson believed Grant had placed the letter there at Timeus’ request. Timeus denied this allegation during the course of my interview with him and, when confronted by Ferguson about the letter, had it immediately removed.

This same allegation suggests the reason for the late placement of the disciplinary letter in the file of Lee Ferguson was an attempt to sabotage Ferguson’s chances of competing in an upcoming promotional process. Ferguson said this allegation was absolutely false because he did not compete, nor even consider competing, in a promotional process.

Allegation #8 complains of Timeus having a personal relationship of a subordinate in the Lake Oswego Police Department. Timeus was a Captain with the police department at the time this conduct is alleged to have occurred and the female with whom he had the relationship was a Community Service Officer. Under normal protocols, having an intimate relationship with a person under your supervision, direct or indirect, would be considered unprofessional.

Timeus confirmed that he did indeed have an intimate relationship for a short time with Wendy Svaren of the Lake Oswego Police Department. Timeus said he was a Captain at the time and Svaren was a Community Service Officer. Timeus said that at no time did he have direct or indirect supervision of Svaren because she was assigned to a different division within the department. He continued that his relationship provided no personal or professional benefit to Svaren or himself. Timeus said both he and Svaren were counseled by Chief Dan Duncan and Human Resource Director Janis Deardorff about the relationship.

While such a relationship might not be in the best interest of the individuals or the department because of the perceptions it might create, the private lives of employees can only be controlled to a reasonable level. If it does not have a demonstrable impact on the performance of the individuals or agency, the agency must acquiesce to their right to privacy.
Allegation #9 has Losness as the direct source of information for the complaint. Losness alleges that Timeus made statements directly to him about finding pornographic tapes during the course of a search warrant and then playing the tapes in the presence of the suspects who were already in custody. The purpose of playing the tapes was to embarrass and humiliate the arrestees. The reported witnesses to these events include Bill Gray and other members of the ROCN team. These allegations have already been disproved as noted in the narrative of allegation #5.

Allegation #10 complains of Timeus’ inaction and condoning of unprofessional conduct on the part of officers under his supervision during the course of a traffic stop. The incident being complained about occurred in 2004 when a Lake Oswego Police Officer stopped a motor vehicle for a traffic offense and the vehicle contained a female driver and female passenger. The two females were reportedly gay and, during the time the officer was in contact with them, they began to perform sexual acts on one another. The primary officer called a second officer to the scene to watch and they supposedly attempted to contact Timeus so he too could respond. Timeus was unable for response. The primary officer finally arrested the driver of the vehicle for driving under the influence of intoxicants and transported her to jail.

Losness claims that Timeus later made the statement to the two officers that if something like that ever occurred again and they didn’t get in touch with him so he could respond, he would terminate them.

It was confirmed that this incident did occur and the officers involved were correctly identified by Losness. During an interview with Timeus, he did not refute the alleged statement made to the two officers at the scene but he could not specifically remember it. He said he undoubtedly made the statement in jest.

A second part to allegation #10 complains of unprofessional conduct of several officers of the Lake Oswego Police Department involving certain male members of the department lusting over one of the newer dispatchers in the
communications unit. Timeus was present along with other officers who supposedly all made comments about how “sexy” this female was.

No one interviewed refuted either part of this allegation. In my professional opinion, the lack of corrective action for the two officers in the first portion of this allegation is akin to negligence on the part of the supervisor. The second portion of the allegation, while it is unacceptable behavior in any public or private entity during the current times, it is also not unusual and can be found anywhere there are both genders working in the same environment. This does not justify the behavior and it is incumbent upon every supervisor to correct such behavior, it is nonetheless a fact of life and this allegation is sustained.

Allegation #11 implies that Timeus covered-up an on-duty domestic dispute that occurred between Officer Wrisley and his wife and further that Timeus somehow erased the record of the event from the Computer Aided Dispatch Log. This event supposedly occurred in 1998. Losness said he received the information from Officer Manley who was a neighbor at a later date with Officer Wrisley. Officer Quick of the Lake Oswego Police Department (now with the Portland Police Bureau) is said to have responded to the call.

Both Timeus and Wrisley denied this event ever occurred. Wrisley added that neither he nor his wife at that time ever lived at the location suggested in Losness’ complaint. From my own experiences as Director of a regional 911 Center I can attest to the near impossibility of anyone gaining control of a specific dispatch digital record log and in any way modifying it. Lastly, contact was made with Officer Quick of the Portland Police Bureau who is reported to have responded to this incident.

Quick was asked if he ever responded to a domestic disturbance call involving Officer Wrisley as a participant of the disturbance, at a specified address. Quick said he did not. Quick was read a portion of the complaint describing the call and the apparent involvement of Timeus. Quick said he had no involvement in such a call.
Quick said it was common knowledge at the time in question that Wrisley had domestic relationship problems on more than one occasion, but he was never involved in any calls dealing with either Wrisley or Timeus’ personal problems.

Quick said Timeus, nor anyone else at Lake Oswego, deterred him from police action on any domestic disturbance call.

Allegation #12 has Losness being the primary source of information for the complaint. Losness states that during a police department briefing at which he was in attendance that Timeus bragged that he refused to allow his wife to use their personal car to travel to the Portland Airport to pick up a female sergeant from the San Diego Police Department who was arriving to teach a class on domestic violence. Timeus’ wife at that time was a deputy with the Clackamas County Sheriff’s Office. Timeus reportedly made disparaging remarks about the female sergeant from San Diego. Losness claims that Sergeant Mike Hammons (now a Captain with the LOPD) of the Lake Oswego Police Department ended up having to drive to the airport to transport the guest instructor.

A second part of the same allegation continues Losness’ claim that Timeus made comments at other times regarding non-empathy for victims of domestic violence. Losness did not include any additional contacts for the first portion of this allegation other than Sergeant Mike Hammons. I interviewed Hammons who stated the information provided by Losness was totally baseless and untrue. Hammons said he had never met Sgt. O’Dell other than setting through the class she was teaching on domestic violence. Hammons continued that he cannot ever remember a time when he heard Timeus saying anything disparaging about O’Dell.

The second portion of the complaint was supposedly recorded by Jerry Ross. Ross refused to cooperate for an interview and any information attributable to him is considered to be unsubstantiated and unreliable.
Allegation #13 again has Losness being the primary source of information regarding unprofessional conduct by Timeus because of grossly inappropriate remarks about homosexuality and the use of city computer and internet to view sexually explicit web sites. There are multiple sections to this allegation as well, one of which cites Jerry Ross as the primary source of documentation and any information attributable to Ross is considered to be unsubstantiated and unreliable.

Losness claims that Timeus made frequent remarks about "...subordinate male officers needing to perform oral sex on him to get on his good side." Losness used an example of a photograph of himself during a "pig bowl football game" where he was kneeling down to get the ball with his mouth open and Timeus remarked that he must be practicing for his next trip under his (Timeus') desk. Another example cited by Losness was a comment Timeus made during a briefing session when he observed Losness eating a banana and saying that he (Timeus) was "getting turned on..." and said Losness could practice on him.

Losness also claims that Timeus made derogatory remarks about his own sister who is Lesbian calling her a "Bull dyke carpet muncher."

Losness' claims of Timeus using the city's computer to access inappropriate web sites was in regard to Timeus displaying a digital photo from the internet of his ex-wife at a motorcycle rally in Sturgis, South Dakota participating in a wet T-shirt contest.

During my interview with Timeus he stated he had no recollection of making the remarks toward Losness during the briefing sessions, in essence not being able to confirm or refute that it did or did not happen. Timeus denied making any derogatory statements about his own sister being a Lesbian even though he admitted that she was. Regarding the wet T-shirt web site viewing, Timeus said he was told of the digital photo by another officer and he pulled it up just to see what was there but he did not print it or otherwise advertise it.
The first portion of this allegation was not refuted; those parts attributed to Ross were disregarded as unreliable; Timeus denies the remarks regarding his sister making that portion of the allegation as not sustained; and the last part of the allegation of web site viewing is confirmed through admission and therefore sustained. As mentioned in other portions of this report, it is my professional opinion that the behavior cited is improper and should be corrected but it is not so egregious as to warrant anything farther than a corrective comment by an officer senior to Timeus about the proper use of City equipment.

Allegation #14 suggests that Timeus has made racist and anti-Semitism remarks. The racist allegation stems from a supposed conversation Losness had with Timeus where Timeus asked Losness if he knew what the term "NILQ" stood for. Timeus reportedly went on to tell Losness that it was an acronym for "Nigger in Lake Oswego." During interviews with other officers of the Lake Oswego Police Department I asked the same question and many of them had heard of the term, but conditioned their response that they had not heard it used in many years. Several of them added that there was also a term used in the past of "MILO" meaning "Mexican in Lake Oswego." No one I spoke with could remember the terms being used in the recent past and several said that it would be unacceptable conduct in today's policing environment and would not be tolerated.

Losness' claim of anti-Semitism stems from an incident of a cross burning in the lawn of a Jewish family. This incident was reported to Losness by another former Lake Oswego police officer, Bryan Witt. Witt told Losness that Timeus made the suggestion that perhaps the reported victim did it herself. During my interview with Timeus, he confirmed the conversation that he had with Witt as being accurate and stood by his suspicion at the time that he thought it was possible the victim had committed the act herself and he was simply raising the possibility for consideration to the investigating officer. Timeus denied the purpose of his suggestion as being anti-Semtitist.
Other portions of allegation #14 were in regard to other officers of the Lake Oswego Police Department and had nothing to do with Timeus and were therefore not pursued any further.

Allegation #15 cites Officer John Harrington of the Lake Oswego Police Department as being the primary source of information. This allegation implies that Timeus had unexcused absences from work and falsified or altered time sheets to cover his absences. Harrington's part of this allegation, according to Losness, is that Harrington was directed by Timeus to act as Officer in Charge when Timeus would leave work without using any kind of accrued time off. Timeus' actions, according to Losness, therefore were a form of theft of public funds because he was being paid to be on-duty and his unauthorized absence while still being paid was akin to stealing.

I interviewed Officer John Harrington regarding these allegations. I questioned Harrington about any times that he may have been asked by Timeus to cover his (Timeus') shift as the Officer in Charge while Timeus left work without having noted his departing time on the time records. I also asked if Harrington had made any agreement or arrangement with Timeus to work that time as unrecorded on his own time record when he would otherwise have been eligible for either overtime or compensatory time off.

Harrington told me there was never any incident or time when he was asked to work in the place of Timeus, nor did he have any knowledge that Timeus took undocumented time off from the department, nor has there ever been a time when Harrington worked any overtime without having been compensated according to the Collective Bargaining Agreement, generally drawing pay rather than accumulating time off.

I asked Harrington if he had ever told Losness that he had worked in Timeus' place or that he (Harrington) had performed any work for which he was not fully compensated through overtime or compensatory time off. Harrington said he
had never made that statement or anything like it to Losness because it simply was not true.

I also spoke with Chief Duncan about this allegation and he informed me that as a command officer with the department that Timeus had the full authority to flex his shift schedule at any time he so chose. Command officers are often called upon to work during periods of the day that are not part of their regularly assigned shift and are therefore granted great latitude in adjusting their work schedule as make-up time for the other portions of the day that they worked.

Allegation #16 is the only complaint regarding Timeus since he has become an employee of the City of West Linn. This complaint alleges conduct unbecoming an officer because Timeus was photographed at the scene of a police car crash and appeared to be laughing at the time. The photo was taken by KATU Television in Portland and posted on their web site. I checked that web site and found the photographs Losness referred to and downloaded copies which are included with this report in Attachment C.

The photographs do indeed picture Chief Timeus engaged in a conversation with an unknown officer at the scene of a patrol car crash into a business. Chief Timeus can be seen either smiling or possibly laughing in the photograph. The picture in no way indicates that Chief Timeus' smile or laughter is in regard to the car crash. From all appearances the event is largely over and it appears Chief Timeus is engaged in a non-related conversation that can in no way be interpreted as making light of the crash incident. This allegation is exonerated.

Allegation #17 states that Timeus engaged in retributive behavior against several officers and a dispatcher while he was employed at the Lake Oswego Police Department. Part of this allegation suggests that Jerry Ross was forced to resign as a result of retaliatory actions by Timeus. During my inquiries I learned that Ross had become the subject of an internal investigation and, when he learned of it, he left work without notification and returned all of his department property by mail. He was subsequently terminated for abandoning his job.
Another part of this allegation is in regards to letters being sent to the spouses of Officer Wrisley and a dispatcher in the communications unit telling the spouses that Wrisley and the dispatcher were having an affair. During my interview with Wrisley he confirmed that letters were sent by unknown persons to both his wife and the husband of the dispatcher. He said the allegations were so outrageous that he and his wife met with the dispatcher and her husband and discussed the matter and decided to keep it quiet to see if whoever wrote the letters would surface or some other way leak information that they were responsible. Wrisley said that the person who wrote the letters was never identified and that the relationships each had with their own spouses was not affected in any way.

The remainder of the information contained in this allegation is not primary to Losness and could not be otherwise verified. They are considered to be not sustained.

*Timeus Interview*

I interviewed Chief Terry Timeus of the West Linn Police Department on March 10th and March 11th, 2008. The interview was conducted in Timeus' office at the police department.

Timeus was already aware of the allegations being brought by Eric Losness after having met with City Manager Chris Jordan. Timeus said Jordan had allowed him to briefly read the complaint but he was not provided a copy of the document for his own use.

Timeus was questioned regarding his knowledge and actions or inactions for each of the seventeen allegations. Timeus was fully cooperative in answering all questions, although he did state that his actions while in an off-duty status that were of a personal or private nature, that he felt these were not bona fide areas for inquiry for this review. I afforded Timeus the option to decline discussion in those areas he felt were private/personal and did not otherwise affect his performance or duties as a police officer.
Timeus categorically denied allegation #1 as a long rumored fabrication. This allegation was substantially unfounded through interviews with others as well. This allegation was found to be Unfounded.

Timeus also categorically denied allegation #2 as being a fabrication. This allegation was also substantially unfounded through interviews with others. This allegation was found to be Unfounded.

This allegation (#3) was another event that was categorically denied by Timeus and was substantially unfounded through other interviews. This allegation was found to be Unfounded.

Timeus admitted to dating a female at one point while assigned to the ROCN unit (allegation #4). He said that female later became an informant for other officers in the unit and he discontinued his relationship with her. Timeus said he never did anything that jeopardized or compromised any of ROCN's investigations. Timeus reported his reason for leaving the ROCN team was that he was participating in a promotional process at the time so he finished the cases he was working on and left to return to his original assignment.

Allegation #5 implies that Timeus committed thefts from suspect residences during search warrants while assigned to ROCN, tampered with a witness in a federal prosecution of a drug case, misused state data-base information for personal use, and had an illicit relationship with a female in a ROCN owned vehicle while on-duty. Much of the information contained in this allegation originates from Jeff Grant or Jerry Ross and is therefore deemed to be unreliable. During my interview with Timeus, he flatly denied all of the allegations.

In regard to allegation #6, Timeus admits he was present with Kim Klusmann when this incident occurred but he did not take any actions that resulted in his own discipline. He said that he did talk with Klusmann after his own Internal Affairs interview and before Klusmann was interviewed. He told Klusmann that
he had best be truthful during that interview and tell them exactly what had happened.

Timeus admitted that the circumstances alleged in #7 did occur but differently than that reported by Losness. Timeus said he was unaware that a letter of discipline had been placed in the file of Lee Ferguson until Ferguson confronted him with the information. Timeus said he immediately had the letter removed. Timeus added that the letter had nothing to do with any promotional process that was pending.

Allegation #8 refers to a personal relationship Timeus had with Wendy Svaren while both worked for the Lake Oswego Police Department. Timeus was a lieutenant at the time the relationship began and Svaren was a Community Service Officer. Timeus stated during his interview that he never had direct or indirect supervision of Svaren. Timeus continued that the relationship ended when he was promoted to captain.

Timeus also stated that his relationship with Svaren never interfered with the performance of himself or Svaren and that she was never given any special considerations or undue favors as a result of the relationship. Timeus admitted that both he and Svaren were counseled about the wisdom of the relationship by Chief Dan Duncan and Human Resources Director Janis Deardorff. Timeus’ stated that he felt his personal activities during non-duty times were not subject to review or control by the police department provided they had no bearing on his performance as a police officer.

During my interview with Timeus, he admitted that pornographic tapes were sometimes found during the course of conducting search warrants on drug suspects (allegation #9). Timeus said he thought he knew of the incident to which Losness was referring and stated that it was a Portland Police Bureau search warrant and it was the Portland officers who viewed the tape in the presence of the suspects. Timeus denied having ever intentionally degraded any suspect.
Timeus was questioned in regard to allegation #10 which purports that he became aware of two officers who allowed/watched a performance by two Lesbians in the act of love making subsequent to a traffic stop and did not take proper corrective action. The allegation also suggests that Timeus threatened the two officers that they would be fired if they ever allowed that to occur again and did not notify him so he could respond to the scene.

Timeus admitted that the incident reported in this allegation did in fact happen and that he probably did make the comment about threatening the officers if they did not call him if something similar ever occurred again. Timeus said his comment to the officers was in jest and was taken out of context by those who heard it. Timeus did not have an explanation for why other types of corrective actions were not taken in regard to the officer's actions in allowing the performance to go on before finally arresting the driver for driving under the influence of intoxicants.

Timeus flatly denied any knowledge of any on-duty domestic disturbance involving Officer Wrisley and his wife and further stated that he never responded to any kind of similar event (allegation #11). Timeus added that he has very little knowledge of the workings of the 911 log controller for the Computer Aided Dispatch system and would never have tampered with those records even if he were aware of how to access them.

In regard to allegation #12 that he publicly disparaged a female domestic violence instructor from the San Diego Police Department while she was in Oregon to present a training class, Timeus stated that he doesn't even know who the person is and had no involvement in whether she was picked up or not picked up at the Portland Airport. Timeus denied any knowledge of the events of this allegation.

In response to allegation #13, Timeus stated he had no recollection of the events or reported comments he supposedly made to Losness during a patrol shift.
briefing. Timeus did not deny the allegation; he simply stated he could not remember it.

Timeus did deny, however, having ever made any disparaging remarks about his sister being a Lesbian or hating her for being one.

Timeus continued in his interview that he was told by another officer of a picture on a web site of the motorcycle rally occurring in Sturgis, South Dakota every year showing his ex-wife in a wet T-shirt contest. Timeus said he did bring up the web site to see what the officer was referring to but did not otherwise display or print the material. While the action my technically be improper use of the City’s property, it is not so egregious as to warrant anything further than a corrective comment by a supervisor.

Timeus stated that he never personally used the term “NILO” (allegation #14) even though it preceded him at the department and that he had heard other officers use it many years ago. He said the term is just not used any longer. When told about the anti-Semitism allegation, Timeus said he was briefed about the incident by the investigating officer, Bryan Witt. Timeus said he reminded the officer that it could be possible that the victim committed the offense herself in an attempt to get attention. His remark was intended to be instructive to the officer in considering other options and not intended to be anti-Semitic.

When questioned about the allegation of unexcused absences from work (allegation #15), Timeus replied that he never had an unexcused absence, had not asked Harrington to act as Officer in Charge, and that command officers were authorized flex time in their schedules according to the amount of work they had to perform outside of their regularly scheduled hours. Command officers do not receive overtime pay in compensation for added hours worked and therefore are allowed discretion in their scheduling.

Timeus was only superficially questioned in regard to allegation #16 relating to his photograph on the KATU Television web site showing him either smiling or
laughing at the scene of a patrol car crash into a business front. Timeus said he had responded to the scene of the accident and had been engaged in a conversation with someone at the time that had nothing to do with the accident and the expression on his face was mischaracterized by Losness in his complaint. This allegation is considered as exonerated.

Timeus said he had very little to do with the activities mentioned in allegation #17 involving the separation of employment by several employees of the Lake Oswego Police Department. He said he was aware of the personnel processes that were occurring but beyond that was not involved.

During my interviews with Timeus I found him to be forthright with his responses. He is obviously upset by the allegations as would be normal of most any person being accused of wrongful behavior which they believed to be unwarranted. Some of the allegations are sustained as having actually occurred and deemed to be improper, or at least questionable in judgment in retrospect.

Ross Interview

I attempted to contact Jerry Ross by telephone and the last number I could find for him had been disconnected (503-631-8751). The most recent address listed for Ross was 18595 Redlands Road, Oregon City. I drove to that address on April 1, 2008 to try and make contact with him. When I arrived I noted a lady exit a vehicle parked at the head of the driveway get out of her car and unlock a gate to the property and then drive in. I followed her on to the property and inquired if Jerry Ross lived there and whether he was at home or not. The lady would not identify herself other than someone who was watching over the property during the time Ross was out of town. She said Ross was currently out of state and did not expect him to return for another 10-14 days.

I briefly explained who I was and asked if I could leave contact information with her because she also stated she had Ross' E-mail address where he was now and she would pass the information along to him. She would not give me that
contact information however. I provided the information to her and immediately left the property.

I received an E-mail from Jerry Ross on the evening of April 2, 2008, inquiring as to who I was and what my purpose was in wanting contact with him. The E-mail also admonished me that his property was posted for "No Trespassing" and that unless otherwise authorized, I was not welcome to go on to his property. The E-mail was sent from jerry.ross@netzero.net. I responded to that E-mail with the purpose of my contact and requested that he respond so I could talk with him about any information he might have relative to the allegations made by Eric Losness.

On April 3, 2008, I received a telephone call from a Greg Ross who is reportedly the son of Jerry Ross. G. Ross also inquired as to my purpose for coming on to their property on the 1st. I explained that I simply needed to speak with his father regarding information he might have that could assist me. G. Ross admonished me three times that the property was posted for "No Trespassing" and that I was not welcome there. I explained my original contact was simply to inquire as to whether Jerry Ross lived there and was present at that time; that I have left contact information for Jerry Ross to get back in touch with me and I immediately left; and lastly that I had no intention of going back to the property unless I was invited. The totality of the conversation with G. Ross was less than cordial.

As of the time of this report I have not been contacted by Jerry Ross nor have any further way to reach him for an interview. His refusal to cooperate in an interview during our phone conversations as well as his failure to contact me since that time, all information attributable to Ross is considered as unverified and not usable to substantiate or refute any of the allegations made by Losness.

Grant Interview

I was able to locate both a phone number (503-655-2426) and an address for Grant (2610 LaFave, West Linn, Oregon). On the evening of March 31st, 2008, I
called Grant’s phone number and spoke with a woman who said she would provide my contact information to Grant when he returned home.

On the morning of April 1, 2008, I received a call from Grant and I explained the purpose of my contact and my interest in any information he might have relative to the inquiry being made in response to the allegations of Eric Losness. Grant said he did not have time to meet with me at that time because he was packing to leave the state for at least the next week and had to get to the Portland Airport. I asked if it would be possible to conduct some of the inquiry via the telephone and Grant responded that he did not even have time for that at the moment. Grant said he would have some “sit-around” time at the airport after he arrived there and would call me at that time. Three days later and I have received no further contact from Grant as he indicated he said he would.

As of the time of this report I have no further way to get into contact with Grant. Grant’s refusal to speak with me on the date he was contacted as well as his failure to re-contact me lends any information attributable to him as unverified and therefore not useable to prove or refute any of the allegations made by Losness.

_Duncan interview_

Chief Duncan advised me that he would not talk about anything directly related to Eric Losness or any past or current member of the Lake Oswego Police Department other than Terry Timeus and that concession being made at the request of Timeus to bring closure to these allegations. Duncan also indicated there were other members of the police department who indicated they would not communicate with me regarding this investigation. Duncan explained that he and several others fully expected Losness to file complaints against them and he would be willing to fully cooperate at that point but, at the present, he did not want to say anything that could eventually be used by Losness against him. Explaining the Attorney-Client Privilege and the confidentiality of this work product was non-persuasive in gaining Duncan’s cooperation.
Les Youngbar was the Chief of Police for the City of Lake Oswego during much of the time concerning the allegations being brought by Eric Losness. The last 24 months of Youngbar’s employment with the City of Lake Oswego he served as the Director of Public Safety which included both the police and fire services and Helen Bicart was officially titled as the Chief of Police.

Youngbar said that he had never been made aware of any of the misconduct accusations being brought by Losness against Timeus. Youngbar said he did not have much direct contact with Timeus while he served as Chief of Police other than through Timeus’ supervisors.

I asked Youngbar about the reasons for the City Manager’s decision to reinstate Darryl Wrisley after he had been terminated. Youngbar said the City Manager held the required hearing for the Step 3 appeal and held testimony from both sides. Youngbar said he did not use any legal counsel to promote his side of the issue but Wrisley had two labor attorneys present for his cause. Youngbar said he disagreed with the City Manager’s ultimate decision but also understood the rationale based on Wrisley’s work history as well as the counsel of three independent labor attorneys who assured City Manager Schmitz that the termination would be overturned by a court. He said that Wrisley has made a dramatic turn-around in his personal and professional life and is an excellent officer today, a lieutenant in fact.

I questioned Youngbar about his decision of removing Timeus from the ROCN assignment and his return to the police department. Youngbar said Timeus’ rotation was up at ROCN and he (Youngbar) was unaware of any allegations regarding Timeus. Youngbar added that he was a member of the ROCN governing board and he would have been advised had there been any misconduct issues. Youngbar also said that he personally knows US Deputy District Attorney Ratto and believes Ratto would have advised him if there were
questions about Timeus’ ability to investigate crimes or testify in court due to compromises in Timeus’ credibility from misconduct.

I also asked Youngbar about the incident involving shots being reported fired from a vehicle containing Timeus and Officer Klusmann. Youngbar said there was truth to the event and the case was fully investigated. He said the case was submitted to the Clackamas County District Attorney for prosecutorial review but no actions were taken by that office. He said that Klusmann was disciplined for his actions. Youngbar stated Klusmann had many, many other performance and conduct issues that ultimately caused him to resign from the police department.

Youngbar assured me that had there ever been any indication of criminal conduct on the part of any employee of the Lake Oswego Police Department that the incident would have been fully and independently investigated and prosecuted. He also said he would have taken aggressive investigatory actions and discipline for any conduct related offenses within the police department.

Fessler Interview

I interviewed Chief Chuck Fessler of the King City Police Department on March 20, 2008. During the period of time relative to this investigation, Fessler was the Undersheriff of Multnomah County and serving as the Director of the Regional Organized Crime Network (ROCN). ROCN is a multi-agency task force that primarily investigates major controlled substance crimes in the Portland-Metro area and consists of officers assigned from most of the Portland area police agencies. Timeus was assigned to ROCN during a portion of this period and Fessler was the Director at that time and was most likely the primary influence resulting in Timeus’ reassignment back to the Lake Oswego Police Department.

Fessler told me that he contacted then Chief Youngbar of the Lake Oswego Police Department and told him he thought it was time that Timeus be rotated out of ROCN and back to the police department. Fessler continued that the reason for his decision was simply an administrative and supervisory judgment on his part. Fessler said Timeus’ time of service was nearing the
natural rotation date plus he felt Timeus had become too “relaxed” in his duties and his work was beginning to get “sloppy.”

Fessler said there was never a question of misconduct, dishonesty, or any other form of behavior that caused him concern or contributed to his recommendation that Timeus be rotated out.

Fessler added that Timeus would have been transferred out, fully investigated, and arrested/prosecuted had there ever been any suggestion of criminal behavior. Relative to the other allegations against Timeus while serving as a member of ROCN, i.e. drugs and prostitutes aboard a yacht on the Willamette River, Fessler was incredulous to the suggestion and said he personally knew John Bunnell as well as the producer of the COPS program and most assuredly would have known about any parties aboard a private yacht.

One last comment that Fessler added was that he was contacted by Rick Bella of the Oregonian who asked questions about Fessler’s knowledge of the allegations. Fessler said he and Bella have known each other for a lengthy period of time and it was not unusual that Bella would call him for information. Fessler said he told Bella that there was nothing to the allegations or rumors.

*Harrington Interview*

I interviewed Officer Jon Harrington of the Lake Oswego Police Department on March 20, 2008 at the police department where he was just coming on shift. I questioned Harrington about any times that he may have been asked by Timeus to cover his (Timeus’) shift as the Officer in Charge while Timeus left work without having noted his departing time on the time records. I also asked if Harrington had made any agreement or arrangement with Timeus to work that time as unrecorded on his own time record when he would otherwise have been eligible for either overtime or compensatory time off.

Harrington told me there was never any incident or time when he was asked to work in the place of Timeus, nor did he have any knowledge that Timeus took
undocumented time off from the department, nor has there ever been a time when Harrington worked any overtime without having been compensated according to the Collective Bargaining Agreement, generally drawing pay rather than accumulating time off.

I asked Harrington if he had ever told Losness that he had worked in Timeus’ place or that he (Harrington) had performed any work for which he was not fully compensated through overtime or compensatory time off. Harrington said he had never made that statement or anything like it to Losness because it simply was not true.

Ratto Interview

I interviewed Russ Ratto on March 27, 2008. Ratto was listed in Allegation 5 as being the prosecutor for the United States District Attorney’s Office in Portland for cases arising from ROCN and served in that capacity during the time Terry Timeus was assigned to that unit. The allegation further states that Ratto is reported as having said that Timeus had compromised four federal drug cases because of improper conduct of having sexual relations with an informant and that Ratto had said that he would not prosecute any cases involving Timeus.

Ratto is actually a Deputy District Attorney for Multnomah County but is also designated as a Deputy US District Attorney while being assigned to ROCN.

Ratto said he remembers his service in ROCN during that period of time when Timeus was assigned as a member of the team. He said he had no knowledge, direct, rumored, or insinuated that Timeus was having any kind of an intimate affair with an informant or any other person for that matter. He further stated that at no time did he refuse, or say that he would refuse, to prosecute a case involving Timeus.

Wrisley Interview

I contacted Lieutenant Darryl Wrisley of the Lake Oswego Police Department on April 1, 2008, to inquire about his knowledge of any of the allegations made by
Eric Losness, particularly those allegations naming Wrisley as having been directly involved or potentially having information about them. Wrisley was fully advised of the purpose of the interview before it commenced.

Wrisley was named in Allegation #1 as someone who may have information relative to a party on a yacht in the Portland area wherein only ROCN members were invited and they were afforded access to free alcohol, controlled substances, and prostitutes. Wrisley’s response was that he never heard anything about a party on a yacht.

Allegation #2 asserts that both Timeus and Wrisley arrived at work on day shift patrol while still being under the influence of alcohol due to them partying late the night before. The allegation continues that Timeus and Wrisley self-administered an Intoxilyzer test on themselves and found they both still had measurable quantities of alcohol in their systems and they then spent at least a part of their shift hidden away at the City Shops until they sobered up. The scenario described by Losness in this allegation would place Timeus and Wrisley on day-shift together and having Timeus as the supervisor over Wrisley.

Wrisley said “Nothing like that ever happened.” He said that Timeus was never his supervisor where they would have worked together as suggested by Losness. Wrisley added that he has never consumed alcoholic beverages within 8 hours prior to the beginning of his shift as a police officer and he has never taken an Intoxilyzer test while on duty. Wrisley did admit that he was arrested, charged, and underwent an Intoxilyzer examination for Driving Under the Influence of Intoxicants in July, 2000, but that was an out-of-town off-duty occurrence.

Allegation #5 lists Wrisley as possibly having information about Timeus using publicly owned vehicles to do surveillance of his wife’s (now ex-wife) activities. Other possible acts of misconduct suggested the improper access for personal use of the Law Enforcement Data System (LEDS), Oregon Department of Motor Vehicle (DMV) records, and the National Criminal Information Center (NCIC).
Wrisley said he had never heard of those occurrences or anything even close to it.

Allegation #6 suggests, again, that Wrisley may have knowledge of an incident involving Kim Klusmann and Terry Timeus where shots were fired from a handgun from one of their private vehicles during a time when the two were in an off-duty status. Wrisley said that he really didn’t even know Klusmann because Klusmann had left the Lake Oswego Police Department before his arrival. Wrisley said he had only heard rumors about the incident but was not able to recall where he heard the information and added that he did not even know there was an Internal Affairs investigation into the matter.

Allegation #11 asserts that sometime in 1998 Wrisley was involved in a domestic disturbance with his now ex-wife at the Forest Lake Apartments in Lake Oswego. Wrisley was reportedly on-duty at the time of the domestic, that Portland Police Officers responded as well as Timeus who was supposed to be the Officer-in-Charge for the Lake Oswego Police Department at the time, and that the incident was covered up by Timeus.

There are a couple of conflicting pieces of information in this allegation to begin with. If the altercation had occurred in Lake Oswego, it is highly unlikely Portland Police Bureau would have responded unless LOPD was already saturated with calls and otherwise unable to respond. The event supposedly occurred in the early morning hours of the day which further makes the likelihood that LOPD officers would not have been available. Second, Wrisley already stated that he and Timeus did not work together on patrol shifts where Timeus would have been the supervising officer. Losness also suggests that the Computer Aided Dispatch Records documenting this call were somehow deleted from the records which is practically impossible because the records are double recorded, they are stored in a secure location with extremely limited access to authorized personnel only and then only with the knowledge and approval of the 911
Director, and lastly it would have left “fingerprints” of having been tampered with if a record were deleted from the middle of the digitized file.

Beyond the reasonable doubt to the allegation from the above paragraph, Wrisley stated that neither he nor his ex-wife ever lived at the Forest Lake Apartments; they never had a domestic disturbance and they certainly never had any kind of confrontation while Wrisley was on duty that could even be loosely interpreted as a domestic disturbance.

Allegation #14 indicates that Wrisley had direct-source information on at least a portion of the accusation of misconduct. The supposed misconduct in this allegation is for racial prejudice and anti-Semitism. The racial allegation is reportedly derived from Timeus’ use of the acronym “NILO” which is contended to mean “Nigger in Lake Oswego.” Wrisley said he has heard of the term but wasn’t clear on who or where the source of the acronym was because he’s only heard it once or twice in the entire time he has been with the department. The direct-source statement by Losness attributed to Wrisley was a conversation reportedly overheard by former officer Bryan Witt, and subsequently told to Losness, that involved Witt overhearing a conversation among four LOPD officers during a break at a training event. Wrisley was supposed to be one of the four engaged in this conversation. A comment was made by one of the four that Timeus had ended a relationship he had with a Community Service Officer at the LOPD because she was a “nigger lover.” Wrisley flatly denied this conversation ever took place. Additionally, Timeus was neither present nor aware that any conversation could have even taken place and therefore had no responsibility for what may have been said, ergo no misconduct culpability.

The last allegation suggested that several employees of the Lake Oswego Police Department had either been disciplined or discharged as a result of Timeus targeting them in retaliation for sending anonymous letters to Wrisley’s wife and the husband of Tara Dye, another LOPD employee, that Wrisley and Dye were having an intimate relationship. Wrisley confirmed that the letters to his wife and
to Tara Dye’s husband were indeed sent but the two couples had discussed the motivations of whoever was sending the letters and dismissed the legitimacy of the accusations. Beyond that, Wrisley was unaware of any other actions taken.

Ferguson Interview

I interviewed Lee Ferguson at the Lake Oswego Police Department on April 2nd, 2008. Ferguson had already been briefed by Chief Duncan on the purpose of the interview and he had no further questions of me relative to the events that were being reviewed.

Ferguson was named in six of the allegations submitted by Losness. Four of them were supposition that Ferguson might have information and two of them cite Ferguson as having direct knowledge or being the source of information.

Regarding allegation #1 which purported ROCN members were invited aboard a yacht in the Portland area where alcohol, drugs, and prostitutes were provided for their personal pleasure, Ferguson said he had heard stories being rumored about the ROCN office long after the event reportedly occurred, but he had no first hand information or any reason to believe the stories were other than just that. I asked he could recall who might have told him about the stories and he said it most likely would have been Timeus, not necessarily indicating that the stories were true, but only that those are the kinds of stories that were told around the office.

Allegation #3 is another supposition by Losness that Ferguson might have information regarding a supposed altercation at a Stuart Anderson’s Cattle Company Restaurant in Milwaukie that Timeus was involved in and reportedly displayed his badge and firearm. Ferguson said he had no knowledge or information regarding this incident.

Allegation #4 by Losness suggests Ferguson may have knowledge of an intimate relationship Timeus had with an informant/prostitute while working on the ROCN detail thereby compromising several drug cases. Ferguson said he had been
told directly by Bill Gray, formerly of the Portland Police Bureau and now working at the Oregon Department of Justice, and Dirk Anderson, also formerly of the Portland Police Bureau and now working for the Oregon State Police in their Fish and Game Division. Ferguson said Gray and Anderson had told him the female was their informant. Ferguson said Timeus made some form of comment to responding Portland Police patrol officers "You know who I am, get out of here." Ferguson added that he had also been told that this incident, according to Gray and Anderson, "killed the drug case." Beyond attributing the sources of the information to Gray and Anderson, Ferguson said he did not have any further information regarding this event.

Allegation #5 by Losness asserts that Ferguson made three direct-source comments to Jerry Ross that was then in turn provided to Losness by Ross. The specific portion of Allegation 5 is found in paragraph 5 where Losness suggests that, while assigned to ROCN, the ROCN team would "...assign an OSP Trooper just to watch Timeus to make sure he did not steal any drugs, money or property from the residence or location of the search warrant." Ferguson stated he was given this information directly by Detective Lenny Olson of the Oregon State Police. Ferguson said the manner in which he received the information was accurate; however he said he never made any such comments to Ross about this information.

Paragraph 6 of Allegation #5 purports that certain members of the ROCN team were "furious" with Timeus because he jeopardized "...4 or 5 federal cases they worked on for months because Timeus was having sex with a prostitute-informant drug addict that was directly involved in those cases." Ferguson confirmed that he was aware of this information but, again, does not recall ever having said anything to Jerry Ross about it. The suggestions of having federal drug cases compromised by an intimidate affair by Timeus with an informant has been quashed through the statements of Russ Ratto, Multnomah County Deputy District Attorney and appointed federal prosecutor for ROCN cases, denying that any such compromises occurred.
Also contained in paragraph 6 of Allegation #5 is a statement that "Ferguson also stated that he and Lt. Doug Treat of LOPD would always talk about the stories they heard about Timeus when they were in ROCN." Ferguson denied ever having any such conversations with Lt. Treat.

Paragraph 7 of Allegation #5 states that "Ferguson told Jerry Ross that Chief Dan Duncan – LOPD told him that he did not trust Terry Timeus nor Darryl Wrisley." Ferguson flatly denied ever having made any such statement to Ross.

Ferguson was listed in Allegation #6 as someone who might possibly have information related to an off-duty shooting incident involving Kim Klusmann and Terry Timeus. Ferguson said he had heard stories a long time ago about the incident but could not recall the details or who had told him the information.

Allegation #7 asserts that a post-dated letter of reprimand was placed into the personnel file of Ferguson that he was unaware was even there and the reason for the placement of the reprimand was to put Ferguson at a disadvantage in an upcoming sergeant’s promotional examination. Ferguson said the statement that a letter of reprimand by Sergeant Jeff Grant was indeed placed into his personnel file without his prior knowledge and that error was corrected by Timeus at Ferguson’s request. He said the suggestion that it was intended to put him at a disadvantage in an upcoming sergeant’s promotional exam was not true because he did not, and never had intention of, participating in that promotional process. Nevertheless, the allegation for this paragraph’s event does not rise to the level of misconduct but rather a miscommunication and an administrative error that was immediately corrected upon notification.

Ferguson did not offer any further information relative to this investigation.

*Quick Interview*

On 04/15/2008, I left a phone message for Quick on his agencies’ voice mail for him to call me, and in the message I identified myself and the nature of my inquiry. Repeated calls were made to Quick, his supervisor, the Bureau’s IA
office and Union representative, in an attempt to contact Quick. Quick telephoned me on 04/18/2008, at about 2030 hrs. He stated he originally was ignoring my calls, not wanting to talk to me but had reconsidered.

I indicated that I had a few questions concerning his tenure as an officer at Lake Oswego and he said he would respond to those questions.

I asked Quick if he ever responded to a domestic disturbance call involving Officer Wrisley as a participant of the disturbance, at a specified address. Quick said he did not. I read a portion of the complaint to Quick, describing the call and the apparent involvement of Timeus. Quick said he had no involvement in such a call.

Quick said it was common knowledge at the time in question that Wrisley had domestic relationship problems on more than one occasion, but he was never involved in any calls dealing with either Wrisley or Timeus' personal problems.

Quick said Timeus, nor anyone else at Lake Oswego, deterred him from police action on any domestic disturbance call.

I asked Quick if he recalled any instances that he felt Timeus as his superior compromised or tried to compromise his duties. Quick said "no". Quick said that he viewed Timeus as being a good supervisor, likely the one of the better ones at Lake Oswego.

Quick said with his move to Portland PB, that he has maintained no contact with past Lake Oswego officers and has moved on in his career.

No further information was received from Quick.

*Hammons Interview*

I contacted Captain Mike Hammons of the Lake Oswego Police Department on April 1, 2008. The purpose of the contact was to confirm or unfound the statement made by Eric Losness in his allegation that Timeus was gender-
prejudiced, made derogatory comments regarding women in general but, more specifically Sgt. Ann O'Dell of the San Diego Police Department. Losness' allegation states that Timeus refused to allow his then-wife, a Clackamas County Deputy Sheriff, to use their personal vehicle to pick up Sgt. O'Dell from the Portland Airport and transport her to a multi-agency training class she was teaching in the area. The quote provided by Losness, who he attributed to Timeus as having said, was "That CUNT (Anne O'Dell) isn't riding in my car!" The allegation continues that "Sgt. Hammons" then had to travel to the airport to provide the transportation.

Captain Hammons stated the information provided by Losness was totally baseless and untrue. Hammons said he had never met Sgt. O'Dell other than setting through the class she was teaching on domestic violence. Hammons continued that he cannot ever remember a time when he heard Timeus saying anything disparaging about O'Dell.

*Klummann Interview*

On 04/15/2008 I made arrangements to meet with Lt. Klummann at his office, on 04/17/2008, at 1300 hrs. He was aware of the purpose of my contact and agreed to speak with me. We met in private, in his office.

Klummann is currently a Lieutenant employed by the Clackamas County Sheriff Department. He is assigned to the Department's Internal Affair/Professional Standards office, conducting employee complaints of misconduct. Klummann has served in law enforcement as a sworn officer since 1979. He was employed first as a deputy in Josephine County (4 yrs), a patrol officer for Lake Oswego (9 yrs), moving to the Clackamas Sheriff's dept in 1993. Among Klumman's assignments and responsibilities, he has served in patrol functions, criminal investigations, narcotic investigations (not part of ROCN), and now in personnel investigations. While at Lake Oswego, Klummann was also the union president for the officer bargaining unit. Klummann said that while he worked at Lake
Oswego, he believed Timeus held a supervisory rank of either a corporal or sergeant. Klusmann said Timeus never supervised him.

Klusmann told me he considers himself to be a friend of Terry Timeus. Both worked together at Lake Oswego PD, and since Klusmann moved to the Sheriff’s dept. the two have remained friendly. Klusmann characterizes the friendship as being one of being low key, such as to chat if they meet at a training function. About once a year or so, they will engage in a social event involving motorcycle riding with a group of people.

Klusmann indicated that he might feel uncomfortable with some questions about their relationship. He told me he would not lie to me, but may opt to not answer some questions.

I indicated that I had a series of allegations to discuss with him that covered a period of time, while Timeus worked at Lake Oswego. Klusmann stated that he imagined an ex-employee from Lake Oswego, named Jerry Ross, initiated this complaint. I told Klusmann, that was a name involved in this issue and we would talk about him later. I then reviewed allegations of this complaint as they were connected to Klusmann. The information was discussed, as separate incidents, as described in the initial complaint.

**Allegation # 1:**

Klusmann stated that during his tenure as a Lake Oswego officer, and later at the Clackamas Sheriff’s Dept. he has heard of references to the “coke boat”. This was a reference to a yacht that was apparently owned by some friend or acquaintance of a Multnomah Sheriff’s deputy, John Bunnell. Bunnell was a narcotics officer who ultimately also became involved in some media productions, involving law enforcement activity being portrayed. According to Klusmann, the rumors that he remembered were that the “coke boat’ was owned by a Portland business man who was very established in the pornography and strip club business, and a friend of Bunnell. Klusmann said the rumors would be
discussed almost as if they were legend. He said the topic would come up with any number of people who may have ever been associated with ROCN or drug work. The stories centered on extravagant parties. Klusmann said the stories seemed to just be vague big party stories. He said he never heard specific information that would lead him to believe that the parties involved prostitution or drug use by attendees.

Klusmann said he would recall the party topic to include that there was lots of drinking, and added that drinking was rampant amongst several officers, and ultimately was at the root of other issues for individuals.

Klusmann said that in his conversations with Timeus that Timeus never talked about the parties on the yacht, beyond that they were wild parties. He said that Timeus never boasted that he used prostitutes or drugs at parties, or saw other officers doing so. Klusmann said that Timeus has always had "an eye for women", but would not imagine him openly using prostitutes as described in the boat parties.

Klusmann said that the rumors were always expanding, as people seemed to try to exaggerate or out do a previous story. Klusmann said that he knows that Timeus was friends with John Bunnell, and that this created guilt by association, because Bunnell did seem to have his own baggage and that other officers had not liked conduct of Bunnell, and this created "guilt by association" for Timeus.

**Allegation # 2**

Klusmann said he has never heard of any incident that occurred when Timeus and officer Wrisley came to work intoxicated. I read portions of this complaint to Klusmann, citing names of individuals with apparent knowledge.

Klusmann said that at some time around when this was alleged to have occurred that Grant had been demoted, having "run afoul" of Timeus, as a result of Grant being charged with an incident involving domestic violence. Klusmann said he recalled this occurred about four or five years ago. Klusmann said that ultimately
Grant's charges were reduced and received a diversion for his offenses that enabled him to not lose his certification.

Klusmann said that he was aware of issues involving Wrisley. Wrisley had come from Washington County Sheriff's Dept. to Lake Oswego. Wrisley had been the subject of a sexual assault investigation, that ultimately was not pursued, but he was terminated. Wrisley and Timeus were friends and Timeus essentially sponsored or supported Wrisley in obtaining employment at Lake Oswego PD.

Wrisley was later arrested for a domestic violence offense in Albany, during a softball game. According to Klusmann, Wrisley's wife would not cooperate and charges were dropped.

Klusmann said that during his time at Lake Oswego, he, Timeus and the current Chief, Duncan were all friends and said we “were all power drinkers”. He said that they would binge drink, but were selective in that they drank on days off. He said he never experienced a time when they would drink in a fashion that would leave them with alcohol on their breath or otherwise under the influence at duty time. Klusmann said this drinking behavior continued up to the late 1980's.

Klusmann said a time came when he recalls actually telling Timeus and Duncan that he could not continue with the drinking events. Klusmann said that he recalled that at the time of Timeus' last divorce, that Timeus made “a good run at getting sober”. Klusmann said he recalls that Timeus checked into an alcohol rehabilitation clinic, thinking it was either Serenity Lane or Twelve Step.

Klusmann said that he still sees that Timeus drinks, having seen him drink at some social functions. Klusmann said he has not seen that Timeus is out of control with drinking, describing that it appears to be a matter of a beer or so and being social.

Klusmann said that in regard to the managerial climate of the lake Oswego PD, at the time, he could not imagine that being drunk on duty would go unnoticed and certainly not go unpunished.
Allegation #3:

Klussmann said he never heard from any officers at Lake Oswego or Clackamas County of the event at Stuart Anderson. Klussmann said that Timeus has never told him about that incident, if it did occur.

Klussmann had a startled look about him when I mentioned this event.

Allegation #4:

Klussmann said he had learned of this incident from Timeus. Klussmann provided information to me without a description being given by me, which would suggest that Klussmann has specific knowledge of the event.

Klussmann said that Timeus had told him of having a relationship with an informant that was working for law enforcement. As Klussmann tried to decide how to describe the nature of the relationship, from romantic to sexual, he settled on using the description of “intimate” as being the relationship between Timeus and the informant.

I had described while addressing the complaint it having occurred at a motel. Klussmann said he recalled it occurred at a nicer place, maybe a hotel and that it occurred in Portland, and he knew that Portland Police had been called to a disturbance. Klussmann described the event as he learned it from Timeus:

Timeus had gone to a hotel with the informant and attempted to rent a room for the two. The clerk charged for double occupancy and Timeus began arguing about wanting the charge to be for a single occupancy. As the two argued, according to Klussmann, Timeus began making unflattering comments to the clerk, who according to Klussmann, was described by Timeus as being “obviously — outwardly gay”. Klussmann said Timeus described the argument becoming a “pissing contest’ between the clerk and Timeus, and that the clerk called the Portland Police.
Portland Police came to the hotel including an officer (Sue Fachinni). According to Klusmann, Timeus said Fachinni was obviously a lesbian, based upon her hairstyle, and Timeus apparently included Officer Fachinni, in Timeus' comments about homosexuals. Klusmann said it sounded like Timeus had a pretty "unpleasant" exchange with the Portland Police, which led to Officer Fachinni initiating a complaint through her agency to Lake Oswego.

Asked about the nature of the informant and cases involved, Klusmann said he has no firsthand knowledge of the event, other than what he was told by Timeus. Timeus told Klusmann that the involved informant was his informant and he was using her in a narcotic case that Timeus was the lead agent on. The case was apparently compromised and as a result this incident led to Timeus being removed from ROCN. Klusmann said the story "was out there" amongst narcotic investigators.

Timeus maintained the story was "over blown" in proportion and that the clerk and Portland PB had overreacted to the incident. Klusmann said that Timeus has never denied the event to him, nor had he denied the relationship with an informant. Only that it was blown out of proportion.

Klusmann said that Timeus acknowledged to him that he had displayed his police badge to the clerk during the argument, but not to get a free room, but to haggle over double or single occupancy.

Klusmann said he never heard anything from Timeus about whether or not he kept seeing the informant and Klusmann never asked. Klusmann said he never heard of any other relationship issues with informants and he never asked.

Klusmann said he was surprised that Timeus was not terminated from Lake Oswego over this incident. He said he would not have viewed Timeus as being part of an inner circle at the department, as a way of getting favored treatment, and said that he viewed Timeus as being very lucky in retaining his job. Klusmann expanded by saying that an "inner circle" clearly existed at the
organization, in that promotions and internal movements, were clearly based on favoritism within management circles. He said later that Timeus did move higher in rank and was endorsed by then Sgt Grant for advancement, and that ultimately Timeus passed Grant in rank, and that this caused friction for Grant in his ability to get along with Timeus.

Allegation #6:

At the time of Timeus' removal from ROCN, Jeff Grant was Timeus' supervisor at Lake Oswego PD. Klusmann said he has no personal knowledge of what wording was on any transfer or disciplinary document involving Timeus' removal from ROCN.

Klusmann said he would characterize Grant as a good supervisor and that he held his subordinates accountable for conduct. He said he would not picture Grant word smithing or minimizing conduct as a cover-up. He did add that at the time Grant and Timeus were friends.

Klusmann said he has never heard of any comments from Timeus or other personnel, that Timeus was using departmental data sources for checking out driving or criminal records on associates of Timeus' wife. Klusmann also said he had no knowledge of any use of government vehicles for personal surveillance purposes on the part of Timeus.

Klusmann said he has never heard Timeus brag about tossing people's homes during search warrants, to look for pornography, abusing suspects during searches, or in any way being suspected of misconduct involving theft etc.

Allegation #6:

Initially Klusmann said he would not respond to this complaint. He then said he would. Klusmann said the event did occur. Klusmann said this was a very painful event for him. He said both he and Timeus were questioned as part of an internal inquiry at Lake Oswego. Klusmann said it would be accurate to say that
Klusmann was entirely truthful in responding to the complaint, that he was appropriately disciplined and that he was the "primary problem", not Timeus. Klusmann said he was suspended from duty for two weeks without pay and received a last chance notice as part of the discipline.

Klusmann said it was this event that led him to quit drinking with Timeus and Duncan, he had described earlier in our interview.

Klusmann said the last portion of this complaint is not true. I had Klusmann read the actual portion of this complaint. Klusmann said at the time he was the union president at Lake Oswego. Klusmann had engaged in a series of discussions with members and that the then chief demanded access to the contents of the discussions and that Klusmann refused to cooperate. Ultimately a significant dispute took place that involved the union attorney, Daryl Garretson. This issue was resolved with as Klusmann described, the involved materials being secreted by the City attorney, and the parties agreeing the issue 'never happened'.

Klusmann said he had been applying at several other police agencies, because he figured his career was going to go nowhere at Lake Oswego. He had not applied at Clackamas County, and no one had suggested he do so, or would facilitate his hiring there. He said he had talked to a Lake Oswego police cadet who was applying at Clackamas and decided to test with that person and ultimately got hired. After about a year or so working at Clackamas County he was notified he was being investigated for lying on his job application and he learned that someone at Lake Oswego had reported this earlier described incident to Clackamas County, which was supposed to have been kept confidential. Ultimately this incident was resolved, but Klusmann learned during that ensuing investigation, that Jeff Grant, not anyone else had leaked the information to his current employer. He said he had no idea why Grant would do that other than to speculate that Grant is a bitter person.

I asked Klusmann if he worked with Grant, Ross or Losness. Klusmann did not know Losness. Klusmann said he is a friend with Ross.
Klusmann said that Ross has expressed to him that Ross feels that Duncan and Timeus gave him a 'raw deal' when he left Lake Oswego as an officer. According to Klusmann, Ross had some injuries and was trying to deal with a worker’s comp. claim, and he had no performance issues, but that Duncan and then Captain Timeus were conspiring to screw Ross out of his job.

Klusmann said he would listen to Ross’ version and would also talk to Timeus and that Timeus described trying to work with Ross, but that Ross was always argumentative. Klusmann said he has only seen Ross two or three times in the last five years.

Klusmann said Ross “views the world as a conspiracy”.

Klusmann characterized Grant as a “friend to his face, but a backstabber”. He cited his earlier problem with Grant providing information to Klansman’s employer. He viewed that as being nothing but a mean-spirited attempt to cause problems for Klusmann. Klusmann said that Grant had sponsored Timeus for advancement within the Lake Oswego organization, but passed by Grant with promotions. As Captain, Timeus demoted Grant from Sergeant to Corporal. Klusmann does not know any details of the demotion.

No other information was received from Klusmann; he facilitated my later contact with Deputy Veracruz.

Veracruz Interview

On 04/15/2008, I left a message for Veracruz to contact me. Veracruz is a retired Clackamas County Deputy Sheriff, who is re-hired as a part time exempt Civil Deputy. I spoke with Veracruz on 04/18/2008, at about 1245 hrs, when he returned a telephone call to me. I identified myself and the purpose of my call and he agreed to speak with me.

Veracruz served 24 years as a Clackamas County Deputy Sheriff, retiring as a Sergeant. Veracruz said he knows who Timeus is, as a result of his employment
and interacting with law enforcement agencies within the county. He is not a
personal friend of Timeus.

I asked Veracruz if he ever recalled any negative contact with Timeus on or off
duty and he said he did not. I described an event to Veracruz, Allegation # 3.
Veracruz told me that during the time this event was alleged to have occurred he
was a patrol sergeant and would have responded to such a call as a supervisor
or cover officer.

Veracruz said he has no recollection of the event. He added that he believes he
would remember if it occurred, because such a call, involving a police officer
would get people’s attention.

Veracruz said if he had responded on such a call, Timeus would have gotten no
special treatment. If a crime were involved he would have made an arrest.
Veracruz said as I described the incident in question, that he would picture
himself dealing with Timeus one way or another. If no arrest was appropriate,
Veracruz said he would have personally seen to it that Timeus ended up at his
police agency and was handed over to a supervisor for dealing with a personnel
issue. Veracruz said nobody at the sheriff’s office would walk away from a call
like that.

I asked Veracruz if he was telling me that he handled this complaint in that
fashion and he said “no – the call did not happen”, as far as he knew, but he was
telling me how he would deal with it if presented with the issue. Veracruz said he
never heard of this incident from co-workers and believed such an event would
have made news at his agency.

Veracruz said he has no social interactions, except that his children and Timeus’
attended some of the same functions, and that he knew Timeus enough to say
hello or comment about school things with him. Veracruz said he and Timeus
and have not worked together.

No other information was received from Veracruz.
Gray Interview

On 04/15/2008, I contacted Gray by telephone and he agreed to meet with me for the purpose of an interview and an appointment was made for 04/18/2008 at 1100 hrs. I met him at his Salem office and we spoke in private in a conference room.

Gray was a Portland Police Officer for 26 years and upon retirement was employed at the Oregon Department of Justice as an Agent. Gray worked assignments including patrol, detectives (drug/vice) and assignment at ROCN from 1994 to 2007. Gray has been a detective and ROCN supervisor, including dealing with misconduct investigations of subordinates.

Gray said he was not at ROCN at the time Timeus was assigned to the unit. Gray worked at PPB's drug/vice unit during that time. He stated cases might become conflicted with other agencies including ROCN, as that is common in the business of drug investigations. While Gray worked in drug/vice, he was acquainted with Timeus. Timeus was assigned to Gray's unit temporally to gain investigative experience in drug cases. PPB arranges for officers from other agencies to come and gain such experience. He said he has no clear recollection, but said Timeus would have assisted on case management, informant handling and execution of search warrants.

I asked Gray if he ever heard of any conflict involving Timeus and his personal relations with any informants. Gray said he heard of rumors about that activity, but had no direct knowledge. Gray said he did not feel they were valid complaints.

I asked Gray if he ever complained about Timeus jeopardizing any of his cases, by relations with informants. Gray said "not that I can remember". I described information attributed to him by an officer Ferguson and asked if he knew this Ferguson and he said he did know him. I asked if Ferguson was mistaken or lying if he told such information, concerning Timeus, and Gray said, "I think I'd remember". I told him I could not imagine a police officer not remember getting...
screwed over on a case by another officer. Gray replied, that he thought he would remember also. I asked Gray if Ferguson was a liar, if he was crediting Gray with reporting the bungled cases due to Timeus' conduct, and that gray was credited with having given that information to Ferguson. Gray responded again that he thought he would remember that but did not remember it.

I asked Gray if he knew Jeff grant. Gray said he did, just to say hello, and not beyond that.

I described the complaint issues of Timeus locating pornography and playing the videos. Gray stated that you can hardly do a meth search warrant without finding porn and on occasion, somebody would likely put discovered porn videos into a player during a search. Gray commented that searches used to be a lot different and police are now more accountable.

I described the issue of playing homemade porn in front of suspects and making fun of them. Gray was adamant, stating that never happened. He said he would not tolerate that conduct and would stop it or report it to a supervisor, if it were to happen.

Gray said he never heard about drinking problems associated with Timeus, impacting his work performance, not had he heard of any use of prostitutes. He stated he never heard of any misconduct involving Timeus using ROCN equipment or information sources.

Gray said he recalled that Timeus was "invited" to leave ROCN, but did not know why. I asked Gray again about whether or not he ever had said that Timeus had compromised any cases due to relations with informants and he again said not that he remembered. I indicated that some people had said that was the case, and he would only respond by asking who had said so. I provided a name to Gray (given to me by Anderson), as a case jeopardized. Gray said that had been his case and could not recall it being compromised by Timeus, as suggested by Anderson. Gray said he recalled arrests were made.
I asked gray about the parties on a yacht. He said he recalled vague references to parties on a boat and said he thought john Bunnell lived on a houseboat. Gray said that if anyone had problems with a cop and compromised cases it would have been Bunnell, but that was another story.

I asked gray if he had talked recently with Dirk Anderson and he said he talked last evening, and that Anderson had called him. I asked if they talked about this investigation and he said he did not recall all of the conversation and asked if it was wrong for them to talk. I asked him if he and Anderson discussed what Anderson told me and he said they did not do so.

No other information was received from Gray.

Anderson Interview

On 04/15/2008, I left a message for Anderson to call me in regard to this complaint. He returned a call to me on 04/17/2008, at about 2100 hrs. I identified myself and the purpose of my call and he agreed to speak with me. I asked if I could make an appointment to talk with him and he said we could talk now, that he knew he did not have a lot to comment on.

Anderson is currently employed as a game officer by OSP, having retired from the Portland Police Bureau. He said he had also worked at OSP for 3 years prior to going to Portland. During the course of Anderson’s career with Portland he worked in detectives, assigned to ROCN

Anderson said his assignment to this unit was after Timeus had left the organization. Anderson’s partner while in ROCN was Bill Gray, a Portland detective, who now works for Oregon DOJ. Anderson said most anything he knows about Timeus is in the form of rumor or conversation with other ROCN members, including Gray.

Anderson said he had heard from Gray that Timeus had a sexual relationship with an informant, which resulted in Timeus’ departure from ROCN, and that this relationship had jeopardized cases ROCN was dealing with. As I asked
Anderson to expand on what he had heard, Anderson told me he would rather not, citing that he was confident that Gray would be truthful with me, because Gray had told him and he felt the information should come from Gray.

Anderson gave me a name of either the involved informant or the case name jeopardized and said Gray can expand on it because it was Gray’s case.

No other information was received from Anderson.

On 04/15/2008, I left a message for Anderson to call me in regard to this complaint. He returned a call to me on 04/17/2008, at about 2100 hrs. I identified myself and the purpose of my call and he agreed to speak with me. I asked if I could make an appointment to talk with him and he said we could talk now, that he knew he did not have a lot to comment on.

Anderson is currently employed as a game officer by OSP, having retired from the Portland Police Bureau. He said he had also worked at OSP for 3 years prior to going to Portland. During the course of Anderson’s career with Portland he worked in detectives, assigned to ROCN

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No other information was received from Anderson.

**Schmitz Interview**

I interviewed Doug Schmitz via telephone on March 21, 2008. Schmitz was the City Manager of Lake Oswego at the time Officer Darryl Wrisley was reinstated to his position on the police department after having been terminated for Driving Under the Influence of Intoxicants and Domestic Violence – Assault IV arrest in Linn County, Oregon. Schmitz is now the City Manager for the City of Los Altos, California.

I briefed Schmitz as to the purpose of my inquiry noting that it had been alleged that Wrisley's reappointment was largely influenced by information Wrisley had regarding misconduct on the part of Timeus and his threat of divulging that information to the media if he were not reinstated. Schmitz emphatically denied there being any truth to the allegation.

Schmitz said that he received a Step 3 appeal from Wrisley regarding his termination from the police department. Prior to the required hearing of the Step 3 Appeal, Schmitz said he had no contact with either Wrisley or either of Wrisley's attorneys and no threats were made or implied by anyone. Schmitz said his decision for reinstatement was predicated on a number of factors that included that Wrisley had no prior complaints or discipline; Wrisley was considered as a good employee and a good police officer as noted by his performance appraisals and testimony received during the hearing; Wrisley had already voluntarily entered a diversion program for the Driving Under the Influence of Intoxicants charge and the Domestic Violence – Assault IV arrest had been dismissed by the Linn County District Attorney. Schmitz said he then contacted three independent labor attorneys and explained the entire situation to them and sought legal guidance as to the proper course of action he should follow. Schmitz said all three labor attorneys provided identical
recommendations. They told Schmitz that if he upheld the termination that it would be overturned in court and the City would be forced to reinstate Wrisley anyway. Schmitz said he felt the more prudent decision was to ensure that Wrisley was rightfully disciplined for his actions through a suspension without pay for a period of 30 days and left to his position rather than losing the case in court and having to reinstate him with back pay anyway.

Schmitz said that was the totality of his decision criteria and was not influenced by any other outside source other than that provided through legal counsel.

Deardorff Interview

I interviewed Janice Deardorff on March 19, 2008 regarding her knowledge of the incidents evolving to the filing of complaints by Eric Losness. Deardorff was the Human Resources Manager for the City of Lake Oswego during the time periods of the allegations and Deardorff now works in the administrative offices for the City of Beaverton.

Information from Losness' allegations pertinent to Deardorff (allegation 7) was that Deardorff was aware of at least two letters of reprimand that had been placed into employees personnel files in the police department without their knowledge. One letter related to Officer Ferguson and was purported to be a back-dated letter by Sgt. Grant. The other was a letter regarding Losness that was placed in his file without his knowledge, again by Sgt. Grant.

The files were in the possession of Timeus and the added documents were found by Ferguson and Losness when they requested to review their files. In both instances the error was immediately corrected by Timeus and Sgt. Grant received corrective discipline for his actions.

The gist of wrong-doing by Timeus was the conspiratorial theory that, because it happened on two occasions with officers not popular with Timeus, Timeus was aware of the documents being in the file and, in fact, had directed Sgt. Grant to place them there after the fact and pre-date them. Deardorff flatly denied any
connection between the documents and said it was a coincidence. The events occurred at different times, albeit both involving Sgt. Grant. Sgt. Grant’s corrective discipline in these matters addressed the “wrong-doing” and according to Deardorff did not have any implication on Timeus.

Deardorff was also asked about her knowledge, having been the Human Resources Director for the City of Lake Oswego, regarding the termination and reinstatement decision made by City Manager Doug Schmitz involving Darryl Wrisley. Deardorff responded that Schmitz conducted a full hearing with both parties presenting the cases and the hearing was recorded. She said that Schmitz carefully weighed all of the information, consulted with expert legal counsel regarding the matter, and made the decision to reinstate Wrisley with a suspension without pay rather than upholding a termination he believed would be reversed by a court.

Deardorff said there was no coercion or other undue influence placed on Schmitz in his decision. She also added that nothing in this incident had anything to do with Terry Timeus, before, during, or after.

Garretson Interview

Darryl Garretson is mentioned in Allegation 6 as having made a direct comment to Eric Losness about the reasons Officer Klusmann left the Lake Oswego Police Department. Garretson is a labor attorney who represents the Lake Oswego Police Officer’s Association (LOPOA).

I met with Garretson on March 12, 2008. I had already provided general information to Garretson as to the purpose of our meeting and requested he try to gain discretionary authority from the President of the Police Association to speak with me relative only to those issues raised by Eric Losness in his complaint and that might otherwise be Attorney-Client privileged information. Garretson was afforded that discretionary authority from Gary Anderson of the LOPOA.
Allegation 6 involves an off-duty shooting incident wherein Klusmann reportedly fired his handgun from a vehicle in which he and Timeus were riding. The shot was supposedly toward a road sign, albeit the whole episode would have been considered as careless and negligent. I determined that Klusmann was investigated for this incident, was going to be disciplined, and ultimately resigned from the Lake Oswego Police Department. Garretson said he encouraged Klusmann to pursue this option because it was the most advantageous route for his future career as opposed to being terminated for cause and having his police officer certification revoked. Beyond that recommendation, there is no further substance to Losness’ allegations, especially involving Timeus and the suggestion of collusion between him and Klusmann during the Internal Affairs investigation.

Conclusion

The allegations contained in the Losness complaint span a period of time of approximately 20 years. They imply conduct ranging from nothing, i.e. no official improper conduct other than it was something Losness personally disagreed with, to unprofessional conduct and commission of criminal activities. While initial perception of sustainability of events according to the number of potential witnesses provided by Losness seems overwhelming, further inquiry shows the majority of those names to be included as mere speculation on the part of Losness that one of them “might” know something because of varying degrees of relationships between the named person and the principals of this investigation. In other words the majority of the names provided by Losness have no foundation for providing any meaningful information to further the inquiry into these events.

Additionally, Losness relied upon two people as the primary basis for his allegations – Jerry Ross and Jeff Grant. Both Ross and Grant left the Lake Oswego Police Department under less than desirable circumstances and
therefore would be expected to have a slanted perspective regarding one or more command persons in the LOPD. Nonetheless, my attempts to interview Ross and Grant met with resistance and they would never permit an interview to occur. Any information attributable to them as the source is therefore deemed to be unsubstantiated and unreliable. The fact that many of the allegations made by Losness cite them as his source of information therefore makes his allegations on those counts largely moot.

Seven of the seventeen allegations were determined to be "Unfounded," i.e. they did not occur (allegations #s 1, 2, 3, 7, 11, 12, and 15). That determination was made for each of these allegations based upon contradictory information provided by more than one person.

Another five of the seventeen allegations (#s 6, 8, 14, 16, and 17) were classified as "Exonerated," i.e. the event alleged actually occurred but there was nothing improper about the activity. Again, exoneration of allegations was premised upon contradictory information provided by more than one person as well as the determination that the action had no impropriety even though it did occur.

Three other allegations (#s 4, 5, 9), and part of a fourth allegation (#13), were determined to be "Not Sustained," i.e. there was insufficient information to confirm or refute the allegation. Allegations that are termed as "Not Sustained" should not be considered as detriments to the respondent. It simply means the information provided was equally distributed on both sides of the equation as to right or wrong or that there was insufficient information upon which to make an affirmative finding.

One of the allegations (#10) and a portion of another (#13) were classified as "Sustained." This finding signifies that the allegation is correct, the event did occur, and that the actions of the respondent were improper.
There are, however, valid caveats that should be taken into consideration in determining the meaning of any of these findings. As noted at the outset of this conclusion section, the allegations implied by Losness occurred over a period of time spanning 20 years. What is absolutely unacceptable and intolerable in today's public policing environment, was common and tolerated 20 years ago. That is not to say that the behavior was correct or even acceptable, it simply states a fact of what formerly existed. The attention to these issues brought about by continuous strides toward professionalism in the law enforcement industry has caused a transition away from tolerance of some of these behaviors and greater accountability of supervisors to correct subordinate actions.

Another consideration must be the very nature of the internal law enforcement environment, i.e. the "behind the scenes" culture within any particular police department. The dialogue often found in the back-rooms of police departments would most often be offensive to a person outside of the industry. Again, this is not to justify or condone any particular behavior, but rather to simply state a fact of what does indeed exist. The kinds of "black humor" expressed in the back rooms of police departments has been determined by noted psychologists and other mental health experts to be similar to the "black humor" expressed in many military units who have been engaged in combat situations. The "black humor" is a form of release, making light of those people or situations we would otherwise find repugnant. Those times are becoming less frequent, even in the back-rooms, as the industry continues to try to professionalize itself but there are instances of relapse or of tenured employees who have not yet transitioned to the new world of policing.

Those allegations termed to be "Unfounded," "Exonerated," or "Not Sustained" should be discounted in their validity. The one that was determined to be "Sustained" (#10) and a part of another (#13) are issues that should have been dealt with at the time of their occurrence by command officers overseeing Timeus' performance. The internal environment of police departments that contribute to this type of behavior was explained in the paragraphs above but
they are nonetheless unacceptable. The consequence of such behavior, had it been corrected at the time, would have most likely been in the range of verbal counseling to a verbal or written reprimand. That statement is based upon my own experiences and professional opinion. Repeated offenses would have resulted in increasing levels of discipline, but short of that there would most likely have been nothing injurious to Timeus' career advancement.

These findings and conclusions complete this investigation.
### Oregon Department of Public Safety Standards and Training (DPST) - Professional Standards Complaint Form

**DATE: 02/11/2008**

#### How do we contact you?

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**How should we contact you?**

- **By phone**: [ ]
- **By mail**: [ ]
- [ ] I wish to remain anonymous

#### Information about the Incident

**Date of the Incident**: 01/31/2008

**Time of the Incident**: 11:30 AM

**Location of the Incident**: Portland, Oregon

**Time of Arrest**: 11:30 AM

**Name of arresting officer**: Tim Thompson

**Agency where the incident occurred**: Portland Police Department

**Do you believe this incident occurred while the officer/dispatcher was on duty?**: [ ] Yes [ ] No

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**F-100 Complaint Form**

**DATE: 02/11/2008**

**How do I make a complaint about an Oregon public safety officer (police, correctional, parole and probation, telecommunicator or emergency medical dispatcher)?**

The Oregon legislature has given the Department of Public Safety Standards and Training (DPST) the responsibility to establish reasonable minimum standards for Oregon's public safety professionals. DPST's jurisdiction over matters of officer or dispatcher conduct is limited to standards identified in ORS 181.610 and OAR 230-006-0000 – 010.

An individual may make a formal complaint directly to the local agency that employs the officer. If DPST receives a complaint about a currently employed officer, it is our policy to forward the complaint to the employing agency. As a general rule, complaints must be processed through the employing agency first before DPST will further investigate.

**How do we reach you?**

**DATE: 02/11/2008**

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**Do you believe this incident occurred while the officer/dispatcher was on duty?**: [ ] Yes [ ] No
Dear DISSTP,

February 11, 2009

My name is Glad Linneman, and I am a 32 year veteran police officer in Oregon. I began my career at the Woodburn Police Department in September of 1969. In September of 1998, I left Woodburn PD and went to work as an officer for the Lake Oswego Police Department until April 2008.

During my tenure as a Lake Oswego Police Officer, I became exposed to a network of unethical and immoral officers and supervisors who worked there, specifically, Terry Timas, who was in the rank of Captain at the Lake Oswego Police Department until he became the Chief of the West Linn Police Department, his current position.

Over the years I worked as an officer for the Lake Oswego Police Department, I learned of and was told about numerous incidences of misconduct and even alleged criminal activity regarding Terry Timas. I have taken active and conducted informal interviews of several current and former Lake Oswego Police Officers and Supervisors who have told me of several incidents where Terry Timas has been involved in alleged gross misconduct and alleged criminal activity. Timas even told me first hand about some of the misconduct he was involved in throughout his career, and I have personally witnessed several incidents that I have documented.

All of the below incidents are allegations of gross misconduct and unethical and immoral behavior involving Terry Timas. Several of the current and former officers I spoke with told me that DISSTP, DSS, and at least one investigation on Timas, they would not be the first. Other people, when I asked to be sworn in, I believe I am sworn in present Timas, that administration has failed. I have not told Chief Timas, but I believe that they are doing what they believe is right. I will never say who is doing this to his person. Any conclusion of this document, I will provide the list of names of the current and former officers and supervisors that can provide information and documentation for these allegations. At the conclusion of the investigation into the end of the career of Terry Timas, citizen's that have never had a contact with gross misconduct, substantiation, illegal criminal activity and will stand by these.

I believe that Timas has had his position for personal gain for virtually the entire career with respect to sexual harassment, discrimination, and protecting officers the line. I believe that Timas has taken or treated any officer any other that the line, and additionally, that with excessive force, that, why didn't it have very likely been some of the issues. I agree that Timas has not suffered any consequences or disciplinary action, and as a result, has left the Lake Oswego PD and West Linn PD. I am also confident that the cooperative witness Nam can provide information and documentation for these allegations which will be handled with care and first hand witness accounts.

In the below allegations that are made to the citizen that have never been law enforcement officer, the first reason there is a habit of egging in medical and

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It is the below allegations that are most troubling because each one shows a sworn law enforcement officer, who for some reason has a habit of engaging in unethical activity.
Toxicology analysis up to and including misconduct and/or alleged criminal activity. These allegations, if sustained, should result in Tony Timans being a police officer in the State of Oregon and constitute the revocation of his law enforcement certification.

Both allegations have been compiled over the course of 10 years, by notes, memory, and by speaking with other current and former Lake Oswego Police officers both sworn and in the past duty at the LOPD.

Below is a summary of the allegations that have been compiled. I have also included the names of involved parties and witnesses to each incident.

**Allegation #1 – Possessing, using and being in the presence of illegal narcotics: Abusing the use of illegal narcotics, engaging in prostitution, allowing prostitution to occur; Official Misconduct.**

In late 1997, I was a patrol officer for the Lake Oswego Police Department and Timans was Sergeant for the time. We were riding in the same patrol car together and Timans began to tell me about a private party he attended on a yacht on the Willamette River when he was assigned to ROCN (Regional Organized Crime Narcotics Task Force). Timans said the yacht belonged to a sponsor of COPS or former Multnomah County Sheriff Jim Bannell’s American Detective television show. Timans said that only members of the ROCN team were invited to the party on the yacht. Timans told me that when he boarded the yacht, it was made clear to him that if he paid for prostitutes and he could have sex with any one of them he wanted. Timans also disclosed to me that there were various types of food such as lobsters, filet mignon, crab, and all the free alcohol you wanted.

Timans said that many of the ROCN members engaged in sex with the prostitutes and used narcotics on the yacht. I object to this statement. Timans has been declared to counsel me when I object to this statement. He himself was not in the office. He said that there were various types of food such as lobsters, filet mignon, crab, and all the free alcohol you wanted.

While still a young officer, I was surprised to say the least to be hearing this story from a superior who did not know me well. I asked Timans for every single piece of food that was on the yacht and Timans told me that there were various types of food such as lobsters, filet mignon, crab, and all the free alcohol you wanted.

**Possible witnesses or persons who may have been told about the incident by Timans or another ROCN member:**

Former Sgt. Jeff Gain – LOPD
Detective Lee Ferguson – LOPD
Office John Brent - LOPD
Former Officer Jared Ross - LOPD
Detective Joel Manley - CCPO (former LOPD)
Sp. Matt Chudzik - Firefighter FI (formerly LOPD)
Lt. Daryl Wisley - LOFD (former RONC)
Chief Dan Dixon - LOFD
Lt. Doug Feut - LOFD (former RONC)
Lt. Tim Manuele - CCPO (former LOPD)
Steve Chilman - U.S. Customs, Seattle (former LOFD & former RONC)
Det. Maj. Granger - LOFD (former RONC)
Sp. Lt. Mark Blau - LOFD (former RONC)
Lt. Bob Lowe - CCPO (former RONC)
Det. Rick Sweeney - LOFD
Gary Garlach - Former LOFD
Harry Bostred - Former LOFD
John Deard - Former RONC
Sp. Mike Boyd - West Lake FD (possibly former RONC)
Glenn Stoll Jr. - Former LOFD
Mike Leach - CCPO - Forensic Tech.
Capt. Dan Foran - LOFD
Capt. Ed Harman - LOFD

Allegation 1 - Deliberately a police vehicle under the influence of intoxicants being utilized while on duty, allowing a subordinate officer to be intoxicated while on duty and DUTI, and willful violation of the department's drug and alcohol policy.

It was reported to me by former Officer Jared Ross, and confirmed by Joel Manley, that sometime around 1997, Terry Timmira, then a Sergeant with the Lake Oswego Police Department (LORD), was working at the West Lake Fire Station when he was called to one of the Lake Oswego lakes. He was working the night shift and was about to be relieved by a new firefighter. The new firefighter was a different one from the one who was working the night shift the previous night, and Timmira was not aware of who the new firefighter was. The previous night's firefighter was a young man who had been working for the department for less than a year. Timmira was relieved by the new firefighter and then left for his home. He arrived home and immediately went to bed and fell asleep.

Later that night, Timmira woke up with a headache and felt nauseous. He tried to get up and go to work, but he was too sick to drive. He called in sick and was excused from work. The next day, Timmira went to the hospital and was diagnosed with a viral infection and was told to rest for a week. Timmira was relieved of duty and given a disability leave.

Allegation 2 - Driving a police vehicle under the influence of intoxicants while on duty and DUTI, and willful violation of the department's drug and alcohol policy.

It was reported to me by former Officer Jared Ross, and confirmed by Joel Manley, that sometime around 1997, Terry Timmira, then a Sergeant with the Lake Oswego Police Department (LORD), came to work on the day shift, 0900 hours with then Officer Daryl Wisley. Both Timmira and Wisley had been drinking alcohol very heavily the night before and were still under the influence of the alcohol when they arrived at the station. Timmira and Wisley showed up to work and put on their uniforms and began their shift. Sometime before leaving the police station, Timmira and Wisley went into the stairwell area and both blew into the machine to see if their Blood Alcohol Levels were at the time. Both Timmira and Wisley were below the legal limit for driving and both showed results of 0.08% or more. Timmira and Wisley then got into their separate patrol cars and proceeded to drive to the City Maintenance Facility and "bull out" until they both sobered up and were able to continue their shift.
Alligation #4 - Disorderly Conduct, Conduct Unbecoming and Officer, Making anti-homosexual remarks, engaging in prostitution and Federal Witness Tampering.

I learned that sometime in the late 1990’s or early 1990’s, Timmern, while assigned to the ROCH Task Force, showed up at the Riverside Motel in downtown Portland with a female who was identified as a prostitute-informant. It is alleged that Timmern had a sexual relationship with this woman and this was one of the reasons Timmern was kicked out of the ROCH Task Force. While in the lobby of the hotel, Timmern was filling his badge trying to get room for him and the woman without paying any money for the room. Timmern was reportedly drunk and calling the desk clerk homosexual names and threatening a sexual act. Several Portland Police Officers showed up on scene after the desk clerk called police on Timmern, and it is unknown what the disposition of the call was. It has been said that Timmern was extremely drunk and began making filthy and vulgar comments about the responding officers upon their arrival. The Portland Police Officers who reportedly responded and would remember the incident details are:

Officer Mike Wise - PPB
Sgt. Sue Fanacci - PPB
Officer Joe Harnack - PPB
Officer Jim McDaniell - PPB
Former Officer Gina Hoekly - PPB (and ex-wife of Timmern)

Possible witnesses:
Officer Ron Hoekly - PPB
Jeff Grant - former LOPD
Allegation #5 - Official Misconduct, Theft, Federal Witness Tampering, Misuse of LEDS/NIC databases, Conduct Unbecoming an Officer, Having sex with an exotic dancer with a prostitute--informant, having sex while on duty in a police vehicle with a former ROCN member's wife.

I spoke with former Sgt. Jeff Grant in the summer of 2007 and he told me that Tony Timas was kicked out of the ROCN Task Force for alleged profligate conduct and borderline criminal conduct. Grant advised me that a Federal Prosecutor by the name of Russ Ratto refused to prosecute any cases that Timas was directly involved in because it was common knowledge that Timas had sex with confidential informants which compromised at least 4 federal arrest cases, resulting in them having to be dismissed because it was discovered that Timas had sexual relationships with at least one confidential informant, possibly more.

Grant told me that he was Timas' supervisor when he was kicked out of ROCN. He stated that specific reasons weren't given for Timas' dismissal, other than Timas was going through a difficult divorce and he was considered a liability to ROCN. Grant also told me that the rest was kept because Timas go from ROCN because of the many incidents of misconduct. Grant said that he was kept quiet because the senior ROCN members did not want to jeopardize their federal funding or risk having the ROCN team disbanded due to corruption issues in the news media. Grant told me that he was sent to pick up Timas from the ROCN office the day he was let go and he brought him back to the Lake Oswego Police Department. Jeff Grant and Chuck Fender (King City PD) threw Timas out of ROCN.

Timas personally told me that when he was in prison for assault, Gina Nightly, a dating online, he would follow her around in an undercover ROCN car while on duty and used LEDS/NIC to check license plates that were parked in front of residences she would go.

Allegation #6 - Official Misconduct, Theft, Federal Witness Tampering, Misuse of LEDS/NIC databases, Conduct Unbecoming an Officer, Having sex while on duty with a prostitute--informant, having sex while on duty in a police vehicle with a former ROCN member's wife.

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He told me that he used other ROCN surveillance equipment to catch Gina with a Kim Person of PPB.

Great told me that when Timmies split up with his wife, he moved into the home of fellow ROCN member Bob Lowe—Chinle County S.O. Bob Lowe was married to Kim Lowe (eventually became Kim Timmies—Chinle County S.O.) Timmies and Kim Lowe began to have an affair while renting the house to Timmies and Bob Lowe to be closer with Timmies for a very long time. Former Sgt. Great, former Officer David Rote and David Boteeman, an employee with Lake George City Maintenance, all have stated that Timmies helped them about having sex with Kim while she was still married to Bob Lowe within on duty in a ROCN surveillance van.

Jerry Ross told me that in August of 2003, he had a long conversation with Detective Lee Ferguson—LOPD, and he told Ross that Timmies was kicked out of ROCN for gross misconduct. Ferguson said that the reason Timmies was kicked out of ROCN was because the ROCN guys were afraid they would be dismissed if they refused to partie in. According to Ferguson, the reason Timmies' misconduct was kept quiet was because the ROCN guys were afraid they would be dismissed if they refused to partie in. Ferguson went on to tell Ross that when Timmies would serve search warrants with other ROCN members, they would have to assign an OSP Trooper just to watch Timmies to make sure he did not steal any drugs, money or property from the residence or location of the search warrant. Ferguson said that Timmies had been suspected of theft for some time while working for ROCN. Jerry Ross of OSP told Ferguson about Timmies being a thief. Bill Gray—PPB told Ferguson that Timmies jeopardized his cases by having sex with informants.

Ferguson told Ross that an OSP Sergeant and some PPB Officers that were assigned to ROCN were ház of sight because they blew 4 or 5 federal cases they worked on for months because Timmies was having sex with a prostitute-informed drug addict that was directly involved in drug cases. Ferguson said that he and Lt. Doug Trat of LODP would always tell about the stories they heard about Timmies when they were in ROCN. Bryan Witt stated that he even heard Doug Trat say several times that he couldn't believe what Timmies had gotten away with while he was at ROCN.

On October 27, 2003 about 300 hours, Ferguson told Jerry Ross that Chief Dan Dumas—LOPD told him that a fellow officer Tony Timmies and Dezi Weidley were practicing their handling and Weidley after several incidents of misconduct. Ferguson and the Dumas told him in an Incident report, 1 year prior (February 2000) when Timmies and Weidley failed a drug test with approximately $400. Ferguson told Ross that Dumas and Weidley in the incident was made and the money was never accounted for.

My guess is that there is much more to this than stated above. I have listed names below of possible witnesses and people who can give better and more accurate information.

Chief Daniel Dumas—LOPD
Former Sgt. Jeff Gross—LOPD

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Former Office Jerald Rose – LOPD
Former Chief Lee Youngblood – LOPD – Ret.
Former Chief Helen Brown – LOPD – Ret.
Former Captain Mark Galloway – LOPD – Ret.
Captain Don Forrest – LOPD
Captain Michael Hammon – LOPD
Detective Lee Perryman – LOPD
Bryan Witt – Former LOPD
El May – OIP
LeRoy Olson – OIP
Bob Peterson – Graham PD
Dick Anderson – PPD
Bill Grig – PPD
John Backman – MCSD
Lynn Hanes – Retired PPD & Commander of ROCN
Randy Spang – MCSD
Burt Foyster
Charlie Bell – MCDA – ROCN prosecutor
Jennie Hall – MCDA – new DOJ
Mia Miller – KEO
Joe Bollman – Chisago County
Sgt. Tim Truax – Chisago County SO
Detective Robert Lee – LOPD
Lt. Douglas Sorensen – Former LOPD
Lt. Deryl Swanson – Former ROCN
Ron Rice – Former MCDA
Chief Chuck Kowalski – King City FD / Former ROCN
Glen Reed – Former PPD
Det. Jim Harrington – LOPD (former ROCN)
Sgt. Scott Thomas – LOPD (former ROCN)
Off. Mike Brown – PPD
Dee Alford – Retired LOPD
Ron Yeager – Retired LOPD
Bart Finkle – Retired LOPD
Bruce Smith – US Customs (former LOPD and former ROCN)
Off. Lee Reed – PPD
Kirk Forrest – PPD
Gary Stedman – former LOPD
Robert King – PPD (former LOPD)
Lt. Kim Klasson – CSSO
Sgt. Mike Boyd – West Line PD (possible former ROCN)
Officer Steve Bennett – LOPD
Al Criddle – OIP (retired)
David Baten – Lake Osprey Maintenance mechanic
MCDA Michael Schunk
Allegation #6 – DUII, Possession of a Firearms at Another, Reckless Endangering, Attempted Assault, Criminal Mischief, Menacing, Furnishing Alcohol to a Minor and Lying during an official Internal Affairs Investigation.

Former Officer Jerald Ross told me that when Timm was still an Officer at LOPD, Timm and then Officer Tim Kleinman were not drinking one night off duty.

Agreed, Timm and Kleinman were extremely drunk and they were in Timm’s truck with his exchange brother who was also reportedly drunk.

At some point, Timm brandished a knife at his truck and Kleinman led another truck at a highway sign.

Timm ended up being questioned about the incident and according to former Officer Ross, Tim Kleinman told him that Timm was interviewed before him about the incident. After Timm was interviewed, he was told to speak to nobody about the incident, especially Tim Kleinman.

Ross said that Kleinman told him that as soon as Timm got out of the interview, he was directed to a pay phone and told that Kleinman would take care of everything and to not get in trouble with any crime for the incident.

Ross told me that it appeared that Kleinman was not forgiven for the incident, and Timm was no longer in the department.

Ross said that Kleinman continued to abuse, and Kleinman was excommunicated by the church.

Former Captain Eric Powers, Ret. (the former Captain involved in the investigation) stated in an email to me in November 2006 that Kleinman was excommunicated in 2005 for removing the police badge, and was not allowed to be investigated.

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Agreed, Timm and Kleinman were extremely drunk and they were in Timm’s truck with his exchange brother who was also reportedly drunk. At some point, Timm leaned out of the window of his truck and fired a handgun either at a brick wall or at a highway sign.

Timm ended up being questioned about the incident and according to former Officer Ross, Tim Kleinman told him that Timm was interviewed before him about the incident. After Timm was interviewed, he was told to speak to nobody about the incident, especially Tim Kleinman.

Ross said that Kleinman told him that as soon as Timm got out of the interview, he was directed to a pay phone and told that Kleinman would take care of everything and to not get in trouble with any crime for the incident. It is unknown if there ever was an “official” investigation into the incident.

Ross told me that it appeared that Kleinman was not forgiven for the incident, and Timm was no longer in the department.

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Possible witnesses:

Former Officer Jerald Ross
Lt. Tim Kleinman – Clackamas County S.O.
Former Chief Lee Younger – LOPD – Ret.
Former Chief Helen Black – LOPD – Ret.
Former Captain Eric Powers, Ret. (the former Captain involved in the investigation)
Dep. Joel Bradley – CCSO
Dep. Matt Cokle – Beaverton PD
Officer Jasa Harvey – LOPD
Lt. Daryl Wisby – LOPD
Chief Dan Demoe – LOPD
Det. Lee Ferguson – LOPD
David Alpert – Retired LOPD
Ron Burger – Retired LOPD
Dep. Chief Charlie Bidwell – Woodburn PD (Retired LOPD) – may have interviewed Timm, Kleinman and Donna McDougal – LOPCOM dispatcher
Donna McDougal – LOCOM dispatcher
Sp. Jim Scott – LOPD

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Donna McDougal – LOPCOM dispatcher
Sp. Jim Scott – LOPD
Allegation 87 - Official Misconduct, Abuse of position, Untruthfulness, Altering or deleting letter of reprimand, retaliation against officer for purposes of denying Ferguson's promotion.

In about August of 2002 Lee Ferguson told then-Officer Arnold Rose that he had gone into the supervisor’s office and confirmed that in early Times reporting his personnel file. Times was noted to or would be discovered a “back dated” letter of reprimand from Sgt Jeff Grant condemning his being outside the city while in the Office of the Chief. This was regarding an incident where Lee Ferguson had captured a wanted kidnapper on Interstate 15. Ferguson was upset with Times since the Ferguson's examination was coming up. Ferguson felt his letter had been placed in his file to cut off his job. Then Rose was told by the Supervisor that Lee Ferguson still had a copy of the original letter for his own protection.

Times knew about the back dated letter of reprimand and wanted it until Ferguson replaced the document. Lee eventually took the back dated letter out of Ferguson's file and replaced it with a different letter. This letter was a letter of commendation for capturing the wanted kidnapper. Times told Ferguson that he would like to remove this letter from his file. Ferguson knew that the Human Resources Director, Assistant City Manager, John Daedoff and complained to him. Ferguson explained to Daedoff that 10 times had actually submitted a letter from Ferguson that was not the back dated letter of reprimand. Ferguson also asked him if the alleged misconduct was the reason for his not being able to meet the requirements for the DRCN Task Force. Daedoff said that Ferguson had been informed he would be turned in as a detective. However, he was turned in as a detective. Ferguson was never turned in as a detective. Ferguson never made any mention of this when he went to Arbitrator on January 1, 2004. Ferguson was told that Ferguson's letter was not the reason for Daedoff turning him in as a detective. Daedoff denied it if they were trying to keep him quiet about what he knew about Times.

In early 1999, Times was told by Inspector Jeff Grant to put a backdate (by about 1 month) letter of reprimand in his file advising me that I wasn't conforming to DRCN's FIEP expectations, and that I was essentially no longer on FIP. This was without any other notice or due process. When Times showed me the letter, I had told him and City Davey that he had been backdated by about 6 months. He asked the letter be backdated to its original date. The letter was then backdated back to its original date. Times was concerned that it was a way to keep him quiet about what he knew about Times.

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Yoougha quash it because either he had directed Jeff to put the letter in my file, or because he owed Jeff because Jeff had gotten demoted about 2 years prior.

Witnesses:

Janice Dershoff (Former LD Amt. City Manager)
Det. Lee Ferguson (LOPD)
Jen Ross — Former LOPD
Jeff Grant — Former LOPD
Marc Galloway — Former LOPD
Helena Hunt — Former LOPD
Chief Dave — LOPD IT Spec.
Officer Mike Rudy — LOPD
Sgt. Dale Smith — LOPD
Det. Jim Huntington — LOPD
Officer Ken Ingram — LOPD
Dan Sprengel — Former LOPD

Allegation #8: Sexual relationships with subordinates and co-workers.

Shortly after Chief Daniel Dunson promoted Timm to Captain, Timm began having a well-known relationship with Wendy Swanson, a Community Service Officer at the LOPD.

Numerous members of the LOPD confirmed that Timm’s track (and “4th Monogram Truck” with License plate “NO COP”) would be parked at PSD Swanson’s home in Lake Oswego overnight on several occasions. During this time, PSD Swanson was allowed by Timm to pick her daughter up from school in her marked police department vehicle and bring her to work at the LOPD where her daughter sat at the computer in the school work. PSD Swanson was given preferential treatment by Timm, as she was a subordinate to the chief officer and COO. Swanson’s car and desk were merged into the chief officer’s, and she was given an upgrade in her call similar to his in the first weekend of the new offices. She was in the police department, not at the police department, and she was not a sworn officer at the police department.

Additionally, PSD Swanson was assigned to the 50% COO and 50% Evidence Tech. Sprengel finally told her to help the citizen in the lobby. Later, Timm clarified that PSD Swanson was now 100% Evidence Tech, and should not be assigned any COO duties, even if she was already on the 50% and no other COO was available.

Many officers were aware of Timm and Swanson’s relationship and felt that Timm included Swanson’s new duties as a full-time evidence tech because he was dating her.

Daryl Widdow was then President of the Lake Oswego Police Officer’s Association (LOPOA) and he had just negotiated a new contract which included a very good health insurance plan. Swanson’s new employee, mostly non-combat staff were complaining that they weren’t receiving as good a plan. Widdow handed down and told them that they should belong to a better union. Widdow became aware that Timm was upset because he had handled the records staff and was present when Widdow was laughing and telling the story to the crowd halfway of the LOPD. Widdow said out loud,
"Who the f**k is Tery!! He's lucky he even has a job! He's fucking a CSOI" (indicating Swann).

Jeff Grant told me on the phone, in the Summer of 2007, that it was very likely Timex also had a sexual relationship with Pam McGuire, a dispatcher in LOCOM, and that Timex may have had something to do with his sudden resignation in 2005. Grant also told me that Timex very likely had a sexual relationship with Kathie Alfred, Administrative Captain for LOBD, in charge of LOCOM, and that Timex may have also had an impact on her sudden departure in 2005.

Witnesses:
Dep. Chief Charlie Brevin – Woodburn FD
Lt. Daryl Wisbey – LOPD
CSO Sandy Swann – LOPD
Pam McGuire – former LOCOM
Kathie Alfred – former LOCOM
Officer Mike Brady – LOPD
Chief Dan Dunne – LOPD
Rodelle Swann – Sandy Swann’s daughter (would be 18 years old now)


Timex bragged several times in front of me and directly to me about finding homemade porn tapes and sex toys belonging to suspects in custody while serving search warrants with RCO. On one occasion, then-Sergeant Jeff Grant was present and we were in briefing for supervised shift. Timex began talking about how funny and entertaining it was to serve search warrants on "Tweeders" (tobacco smokers) and meth labs. He told me that after the suspects were in handcuffs, he would search their residence for homemade porn tapes and sex toys, under the premise that the suspects may have hidden their meth lab operation. Timex would then watch the homemade video tapes to "look for evidence" and reveal to the suspects any videos of the people he had in custody. Timex said all of the officers in the subdivision would gather around and watch the homemade sex videos in front of the handcuffed suspects just to laugh at them. Timex said that he liked to make embarrassing questions such as what their parents might think of this, how they got into a meth lab position, or if they were sexual toy users. Timex said that the video would reveal the same way -- with the nude suspect looking into the camera lens while the suspect would also be naked. Timex would laugh as to the blind view in the room would be heard. Timex also said that he liked to find sex toys like vibrators and dildos, even though they had no evidentiary purpose were they tossed in the search warrants. Timex stated that he liked to embarrass the suspects when he found them spitting them out on a table or on the floor in plain view of everyone in the room while they were watching the suspect's homemade sex videos.
Possible witnesses:  
All former ROCN member—especially Ed May, Leslee Olson, Lisa Froman, Jan McDaid, Bert Royce, Chuck Peeler, Bill Gray.

Allegation 80—There was no sign of such activity as in a supervisory role, nor discipline officers for allowing and watching a possible live sex show while on duty. Officers allowed Public Indecency to be committed, as well as implied bribery via sexual or extreme passionate activity. Officers unlawfully detainted driver and passenger by delaying DUI investigation until Times could respond to "watch".

Summary: In 2004, Officer Ryan McIlvain stopped a Jeep Wrangler on Juan Rd. near Bryan Elementary School for suspected DUI. He contacted the female driver, whose last name was RAZ, (relative of RAZ Transportation). He observed Ms. RAZ to be intoxicated, as well as female passenger. He later learned to verify everyone in LCPD that both females were hi-seamed strippers and were very attractive. He explained that they began making out and foisting around. He was working with Officer Jay Rodger and Sgt. Dale Jaragman. McIlvain told Rodger and Jaragman to "go it." Officer Jaragman had reported relatively. McIlvain did not want Jaragman because he was very conservative and would not approve of the females foisting around. McIlvain told Jaragman that he was not needed. While McIlvain was watching the Jaragman to arrive, McIlvain continued to observe the females and possibly the methods and methods of Jaragman. As one point, they invited him to join them, and one said "We like dick, too!"

Jaragman arrived, and instead of controlling the situation by ordering McIlvain to arrest both females, he attempted to contact Lt. Terry Times to come watch. Times responded back, possibly by phone, that he was at a event. Jaragman pleaded with him again to respond, that he would really want to see this.

Ultimately, McIlvain and Jaragman ordered RAZ only, for DUI. Passenger was not arrested, and the driver was charged with Public Indecency. Jaragman explained that RAZ became a "little bit" when she found out she was being arrested. McIlvain told everyone that females probably thought they would be let off because of the public show that they had put on, which was essentially false.

Times later found out about the incident and was aware that he had missed it. He joked with Jaragman after the event and said sorry if you ever have something like that again and you DON'T invite me to watch, YOU'RE FIRED!!! Jaragman said he and Times both smiled and laughed. There was no indication that Times or Jaragman were ever cautioned for allowing a public sex display or for sexual activity in front of an elementary school. The story was repeated numerous times over the next several months by Jaragman, McIlvain, and Times during briefings in front of both male and female officers. Officer Ryan McIlvain and Lt. Dale Jaragman have each personally
told me this story at least twice. I am confident that many other officers who have worked up past with Jorgensen and McDowell can corroborate this incident. I believe that police reports, CAD logs, and Ms. Ras and her passenger can corroborate this as well.

Dale Jorgensen saw "nothing" nor (snickering) to go inside Lacom to check out Ron McDonald's very attractive friend, Erin. This was in about six months at Lacom. Jorgensen and McDonald were sitting in the driver's side window behind the back of a car. She watched her (snickering) and politely asked to leave. Jorgensen, McDonald, and McDowell marched during the day into Ron McDonald's car. Ms. Ras and her passenger were sitting in the back of the car. Jorgensen and McDonald were very close to them. I believe that it was highly likely that Jorgensen may have attempted to have a relationship with her (Erin).

Witnesses:
- Lt. Dale Jorgensen – LOPD
- Officer Ryan McDonald – LOPD
- Officer Ray Rodgers – LOPD
- Ms. Ras (possible first name "Kelli")
- Ms. Ras' passenger
- Lt. Daryl Wrisley – LOPD
- Karen – former LOPD
- Chief Dan Dunham – LOPD
- Officer Jeff Olson – LOPD

Sgt. Jerry Douglas

Allegation #11: Covering up alleged on-duty domestic disturbance between then Officer Darryl Wrisley and girlfriend, now wife Denise Lacom (and possibly Lisa Wrisley). Failure to discipline Wrisley for any past misconduct. Compromising Wrisley's termination proceedings because of Timunas' own misconduct, leaving the city no choice but to have to reverse Wrisley's termination. Tampering with or omitting CAD records.

In late 1994, a domestic disturbance was reported at the Forest Apartments in Lake Oswego, very early in the morning—approximately 5:00 AM. Timunas was notified. In the summer of 1995, Darryl Wrisley was reported for an alleged traffic violation, and asked her out on a date. They began dating, apparently without the knowledge of Lisa Wrisley, because a short time later, LOPD officers were dispatched to a Domestic Disturbance call at the Forest Apartments. In June 1995, police officers (including police chief) and Alan Timunas, allegedly heard Darryl Wrisley and his girlfriend talking to each other in the car, and then left the area. LOPD officers discovered that a LOPD vehicle belonged to Darryl Wrisley and was involved in an on-duty domestic disturbance with his then girlfriend, now wife Denise Lacom, or possibly with the then estranged
with Lisa Winstead, who had caught Winstead and House together at her apartment.

Allegedly, Timore was the supervisor on duty and sent the two responding officers away
upon his arrival since it was Winstead. The two responding officers were mostly likely
former LODF Officers Alan Aman and Robert Quick, both Portland Police
officers. It is unknown whether their actions were sanctioned or if Timore called in a
crime involving Daryl Winstead. An attempt was made to locate the call through old
CAD records, but records were unable to locate the call and it appeared as if it had been
removed from the files for obvious reasons.

Possible witnesses:
- Rob Quick - FB (former LODF)
- Alan Aman - FB (former LODF)
- Joel Manley - LODF (former LODF)
- Sgt. Scott Hennes - LODF
- Det. Joe Huntington - LODF
- Matt Basso - LODF
- Officers Matt Condon (may have been located in a Barstow PD office, but was still
  working with Daryl & Lisa Winstead)
- Chris Schwegler - WSCO deputy (Witnesses with Winstead)

Any reported officers in Barstow/Fallon of 1998 might have information.

Jerald Rose - former LODF

Lisa Winstead
LOCOM dispatcher
Natalie Alford - former LODC supervisor

Winstead/Time history:
Daryl Winstead and Terry Timore worked on RCON together when Winstead was a
Washington County Deputy and SWAT member. Winstead told me personally that he had
been to WCO because of a sexual assault complaint that a woman made against him. He said that it was his ex-girlfriend, but the woman voluntarily recanted. The case
is not even stored as a police officer position.

Winstead, Manley, and Matt Condon were all neighbors in Sherwood, as well as Chris
Schwegler, a Woodburn PD officer, and later a WSCO deputy. Winstead was
promoted to Police Officer at LODF, he became involved in several investigations that were
investigated by Timore, who apparently did not take any disciplinary action.

In about 1997, Joel Manley and Daryl Winstead were returning to Lake George from
canine training in Salem. They were riding in Winstead's marked police vehicle, a Jeep
Cherokee, and Winstead was driving. Manley was in the passenger seat. Somewhere near
Woodburn on I-5, another motorist changed lanes and pulled in front of them, causing
Winstead to become iritated. Manley told me that the motorist didn't do anything
wrong. It did not affect Winstead and Manley, so they weren't bothered. Winstead
had still had about "F*ck YOU!"
Manley told me that the motorist called and complained about Whisley's behavior. He said that Timex had the complaint and just worried the up. He was fairly certain that Whisley was not disciplined in any way.

Allegation #12 - Construct unbecoming a police officer. Publicly degrading a well known Domestic Violence Victims Advocate - Sgt. Anne O'Dell, San Diego PD. Continuously joking about Domestic Violence victim.

(about 2002, weekday, 1400 hrs) Training Sgt. Mike Hannum was required for LAPD members to attend training in Cheyenne. The training was Domestic Violence Investigation training, and was lead by CSO. Timex then told Sgt. Kim Timas, was a domestic violence detective for CSO. Sgt. Anne O'Dell, San Diego PD, was speaking at [training on] domestic violence victims' advocates. Timex was very outspoken of his hatred for Ms. O'Dell.

Timex was a lieutenant for LAPD. Lt. Timex begged in briefing, with the door open, to swing shift officers, including myself, that his wife asked him if he could pick up Ms. O'Dell from the airport in their vehicle, and transport her to the DV training. Timex begged that his wife told Timex that O'Dell (Lt. O'Dell) is not in his very rant and he laughed. Sgt. Hannum ultimately had to pick up Ms. O'Dell because Timex hated him so badly.

Cenabosing incident:
On or about October 14, 2003 at day shift briefing - LAPD
Briefing by Lt. Spiring
Presenter: Bob Lee, Jerry Rose, Joel Gray, Wendy Suren, Kevin Webb, Lt. Timex
Jerry Rose documented this incident – He told me that Spiring said training information on FBI Data had not been processed. He then told about harassment and Hannums being recorded at Amerso. The officer stated that the fact that the number of Assaults, especially in Domestic Disturbances appears artificially high.

Timex said, "Yeah, that's probably the book Anne O'Dell out and carried around with all the Domestic Violence Cases. She's a marketing genius. He asked and "That's my opinion" Spiring made fun to stop or remove Timex, or made it right in front of Kevin Webb, a then newly hired officer who was 21 years of age.

Timex once joked to me about seeing a photo of a female domestic violence victim who had a black eye, and said "We must not have beat her the first time when she told her to shut up."' Then he laughed. His attitude towards women and particularly, domestic women, is sickening.

When I left the department's Traffic unit in January 2004, I talked to then Sgt. Mike Hannum about why Timex, who had a well known record of past misconduct, had been promoted to the Traffic unit. Hannum told me that Timex told me that the motorist called and complained about Whisley's behavior. He said that Timex had the complaint and just worried the up. He was fairly certain that Whisley was not disciplined in any way.
Wisco is "Susa's main hook", and nobody above them cared about their part because they had changed their ways. Harrisman did not even deny the fact that other officers had a problematic past.

Allegation #13 Continuously making sexually inappropriate comments, Gay bashing - degrading comments about his own sister, who is homosexual. Showing sexually inappropriate photos to other police officers. Using city resources - computers/internet and printer to view sexually explicit and other personal web sites.

Times never passed up a chance to joke about subordinate male officers needing to perform on sex ads or to get on his good side. He once saw a photo of an event in a football game in our annual Turkey Bowl piolice football game, and I was handling a new main cop at a seeing she had the ball in the game. Times told me that I was passing for my next trip under Joe's desk. Office Mike Reality was present.

Once we were in a briefing, Times told everyone in the briefing that he was getting turned on watching me eat it, because he knew that I was giving him a hard time. He said that I could handle him, Officer Jerry Ross was present and the whole room was very uncomfortable with Times making those comments.

Times hated his own sister, who is a lesbian. On numerous occasions, he explained to everyone that she was a "bull dyke carpet muncher". He has said numerous times that he hates his sister because she is a "snore biter" and Times has openly displayed his hatred for homosexuals.

Jerry Ross told me that Times once told a story while in briefing about the "dyke" sister caused a big fight at his parents' house. He supposedly called her a "fat fucking, ugly dyke." The story was long and included several accounts that "she had been there" and "we would have [had] a war." He denied that he had a homosexual and the story went on for the majority of his moments and comments.

Times told me personally many times how he had talked about the sister. His ex-wife who was unfaithful to him - Times once told that Chris was "basically a walking, breathing vagina." Times passed around a picture of Chris Hoody in the police participating in a wet t-shirt contest. He explained that he had used the police department's computer and went on the Sturgis web site, where he located Chris. He printed the photo and Ms. Hoody's breasts were clearly visible in the photo. Very shortly after that, I was allowed to use the computer to search with Sgt. Jerry Douglass in the supervisor's office. I checked the Sturgis web site, and it was mostly all pornographic or sexually inappropriate content. I also saw a website related to Fred AND Traina, which likely only Times would've visited. I also saw a Redwine.com, which was always selling people about how much he liked that site.

Wisco's rich sense of sexual humor and gay bashing, woman-bashing humor is very well known at LOPD. Likely every member of LOPD who has ever worked with Times may
recall a sexually inappropriate remark or incident, or a gay bashing or woman bashing comment that he made. He is unapologetic about anti-Semitism and women. He has, without question, offended the way he has treated these groups in performing his job.

Corroborating Incident:
Briefing August 5th, 2002.
Briefing by Lt. Timma
Present: James Peterson, Jim Strong, Ross, Sworn, Jim-Cpt, Duanon, Brian Hughes.
Officer Jerry Ross documented this incident. Speaking about Rafe/Abduction of two high school girls in L.A. Strong asks "Did they get raped?" Timma replies, "Might as well RAZE both. Everybody including Duanon should be.

Highly private, Timma and others [Peterson] ask him about D.U.I. stop with liquor flavored gum. Timma says something about "Seven Flavor Gum."

Corroborating Incident:
Briefing 18-04-02
Briefing by Lt. Timma
Present: Timma, Scott Werner, Jim Strong, Jan Grant, Wendy Sworn, and Jerry Ross.

Officer Jerry Ross documented this incident. Discussion about Helen Bland's daughter, Gina, being at Subway with a young boy. Timma said, "Regarding Gina being with a young boy, she was probably having a date." Everybody laughed. Sworn smiled at Timma and said, "You're so bad!"

Witnesses / Possible witnesses:
Jerry Ross - Former LOPD
Scott Werner - Former LOPD
Jim Strong - Former LOPD
Jan Grant - LOPD
Jeff Gran - Former LOPD
Wendy Sworn - CSO-LOPD
James Fischer - LOPD
Dan Duanon - LOPD
Bob Rich - Former LOPD, new Portland PD
Sgt. Jerry Douglas - LOPD
Mike Brady - LOPD

Allegation #15 - Racist, Anti-Semitic

Timma has been referred to by many officials as a Bipo and a Racist. Timma is very well known for his "off color" humor and is known to use the word "nigger" as a term to describe African Americans. Timma even asked Ross one time if he knew what a "Nigger L.O." was. He said no, and Timma responded, "Nigger in L.O."
After a short time dating, Timmae broke up with Swann apparently because she was attracted to black men. Former Officer Bryan Witt told me that he attended Tactical Leadership Training with former Lt. Charles Blevins, then Sgt. Darryl Weasley, Dale Jorgenson and Sgt. Jerry Douglas at the Milwaukee Police Department in about March of 2004. Bryan Witt told me that during a break from the class, a large group of officers attending the training gathered outside in the hallway.

Witt told me that Blevins, Weasley, Jorgenson and Douglas were standing in a small circle and he walked past them and overheard Blevins say to them laughing, "Timmae dumped Swann because he said she was a nigger lover." Witt told me that Weasley, Jorgenson and Douglas all laughed out loud after Blevins told them this, as well as Blevins, who has a very distinct, loud, high pitched laugh. Witt also stated that he was never bothered when he heard Blevins say this and he was sure that officers from other departments within about four blocks of Blevins' "racial comment. Witt told me that he was embarrassed because he was standing next to them in class and everyone knew they were from LODP. Witt expressed his concern to the officer of LODP that he is in class and that it is a complete with former Racine police regarding superior advertisement at LODP. Witt told the above example in addition to several others that he perceived to be inappropriate verbal and racial comments by supervisors at the LODP. It is unknown if the Assistant City Manager Jason DeIlloff ever did an investigation since many of the named witnesses were never interviewed. It appears that the prejudice because of LODP's dislike for Jerry Ross, especially Dee Damus, Tony Timmae, and Darryl Weasley, who all despised Ross for being vocal about Weasley's domestic violence arrest.

In the summer of 2004, a Jewish family in Lake Country had a van burned into their front yard. Former Officer Bryan Witt was the investigating officer. During the case, Timmae was a Captain at LODP and also the Public Information Officer. Witt told me that Timmae called him into his office within a day of the crime being reported to ask him details about the case. During their conversation, Timmae asked Witt if he thought the victims lived on I-794 (referring to burning a car in the lane) and Witt told Timmae that he did not believe that were the case. Timmae replied to Witt, "I wouldn't surprise me if she went out there at night and burned it in the lane herself just for the publicity." Apparently, Timmae attended a meeting where he had contact with the victim and they did not see eye to eye. Former Officer Bryan Witt told me this shortly after he made two arrests in the case.

Carl Bell Civil Lawsuit against CCSO — Timmae may have coerced payoffs to Carl Bell.

Carl Bell (Civil Lawsuit against CCSO) — Timmae may have coerced payoffs to Carl Bell. He bragged in briefings, the day after he testified about all of the dirty things he testified that Bell did at LODP — called in a 7-11 robbery, etc. He really disliked Bell, and Bell's attorney, Helen Dzubka, may have made a complaint about Timmae's testimony for either being spread about Bell, exaggerated, or untrue. Timmae later bragged that Ms. Dzubka was very upset with him about the testimony. Lee Youngberg's testimony in the trial did not appear to coincide with a single incident that Timmae recalled.

Witnesses:

Carl Bell — former LODP
Bryan Witt — former LODP
Allegation #5 - Unauthorized absence, Official Misconduct, Uxertruthfulness, Falsifying or altering Time Sheets ( Forgery). Theft of public funds unapproved, undocumented, paid time off.

Jon Harrington told me that Times used to ask him to stay an OIC until 2am, and he would let him get paid overtime, nor would he let him submit a request for comp time. Times never would document his time off, and would let Harrington have time off without documenting it. This was in about the Summer of 2002, and was approximately the same time as Times separated from his wife, and not a department wide e-mail stating that he was an alcoholic, and Darryl Wisley was removed for Domestic Assault and DUI. I am confident that Jon Harrington told the truth to corroborate this.

Witness:
Jon Harrington - LOPD

Allegation #6 - Conflict of Interest, Conduct Unbecoming an Officer.

000507 - 1315 hrs.
Photo in KATU.com of Times laughing at police car crash into framing shop.
After LOPD Officer Matt Gill crashed into Framed By Design store, KATU.com showed photos of Times and LOPD Officer Mike Brandy standing in front of the shop laughing while Times' good friend, Chief Dan Donan, looks at the damage. To believe was unusual, even though Officer Gill was 100% at fault, and Gill was not given a urine test for drugs or alcohol.

Allegation #7 - Retaliation against three officers, resulting in one termination, and two unwilling resignations. Possible retaliation or sexual harassment against a LCOM dispatcher and LCOM supervisor, resulting in both of their resignations. Covering up alleged affair between then-Sgt. Darryl Wisley and LCOM dispatcher, initiating unwarranted Internal Affairs investigations against three officers for purpose of retaliation via termination or forced resignation.

Allegation #8 - Unauthorized absence, Official Misconduct, Uxertruthfulness, Falsifying or altering Time Sheets ( Forgery). Theft of public funds unapproved, undocumented, paid time off.
Office Jerry Ross resigned over an internal affairs investigation initiated by Timos regarding alleged letters sent to the spouses of Sgt. Daryl Wesley and LOCOM dispatcher Tom Dye, informing them of an alleged affair between Wesley and Dye. US mail is private, and no violation of department policy was committed if the "letters" were actually mailed. Two additional officers were reprimanded regarding the letters, resulting in one termination and one resignation. Both of these cases are still in litigation. I can explain more in person after consulting with the former officers' attorney, including providing the names of a police candidate who may have been provided a job in exchange for a favorable recommendation at either LOFP or WLOD in exchange for damaging or even false testimony against the officer who was terminated.

I believe that it is also very likely that Timos assigned then Lt. Don Forman to interview the then-girlfriend of Jerry Ross, Tobi Tomassi, to attempt to ascertain damaging information about Ross, as well as to find out who wrote the "letters." Ms. Tomassi personally told me shortly after Ross resigned in 2005 that Don Forman asked to meet her for a drink at Harolds in Lake Oswego, and she met him there. Forman arrived on his motorcycle, asked her a lot of intrusive questions about Ross. Ultimately, it was unknown if letters even existed, and if so, what department policy was violated.

Witnesses:
- Tom Dye - LOCOM dispatcher
- Sgt. Matt Dye - Milwaukee PD (ex-husband of Tom Dye)
- Pam McLennan - former LOCOM
- Kate Allen - former LOCOM supervisor
- Lt. Daryl Wesley
- Don Forman
- Tobi Tomassi
- Jerry Ross
- Denise Wesley

To allow Chief Timos to continue to possess his police certification without a thorough investigation by DPSST, DOI, and Ethics Commission into his alleged past gross misconduct would constitute an affront to the dignity of the citizens of West Linn, Lake Oswego, and the State of Oregon.

I affirm or attest that all of the above allegations that occurred in my presence did occur exactly as I've stated, and I will sign a sworn affidavit, under penalty of perjury. All of the allegations that did not occur to my presence. There is no reason to believe that they did not occur to my knowledge. I am aware of all the above allegations that occurred in my presence.

[Signature]
2-11-08
Tom W. Lenmay
DPSST #26663
2-11-2008
Attachment B
Hi Eric,

I have not been able to get a copy from Westlake, but I have requested one.

Meanwhile, DFSST tells me they have not received your complaint.

-- Rick

---

Eric

--- Original message ---

From: "Rick Bela" <rickbelanews.com>

Hi Eric,

I have not been able to get a copy from Westlake, but I have requested one.

Meanwhile, DFSST tells me they have not received your complaint.

-- Rick

--- Original message ---

From: "Rick Bela" <rickbelanews.com>

Hi Eric,

It would be easier for me if I can see what you have been telling DFSST.

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http://newscenter.com/press/2007052100.06/F9482281.250/908/3/202008

http://newscenter.com/press/2007052100.06/F9482281.250/908/3/202008
Attachment D
AUTHORIZATION FOR RELEASE
OF PERSONNEL FILES

I, [Full Name], authorize the City of Lake Oswego
to release the contents of my personnel file to investigator, Rod Brown and the City
of West Linn.

I understand and agree that the information contained in my personnel file may be
used to prepare an investigation report addressing the allegations I have raised
against the City of West Linn's Chief of Police, Terry Thieson. By signing below, I
authorize the use of information contained in my personnel file for that purpose.

By signing below I acknowledge that I had the opportunity to consult with my legal
counsel before granting authorization for the use of any and all information
contained in my personnel file for that purpose.

[Signature] 2-20-08

[Signature] 2-20-08
AUTHORIZATION FOR RELEASE OF INFORMATION

I, Eric Loscocco, (print name) authorize all employees of the City of Lake Oswego, whether past or present, to release information related to my employment with the City of Lake Oswego and the separation of my employment with the City of Lake Oswego. I understand and specifically agree that this authorization is intended to supersede any previous records released or represented, including but not limited to any counterclaims or defenses in my Separation Agreement and Release of Claims dated April 16, 2006.

I specifically authorize all employees of the City of Lake Oswego, whether past or present, to release any and all information deemed to be relevant to the investigation of the allegations raised in my Oregon Department of Public Safety Standards and Training (ODSST) F-100 Professional Standards Complaint Form dated February 11, 2008 and my attached letter to the ODSST dated February 11, 2008. I understand that the investigation being conducted by the City of West Linn shall have the exclusive right to determine what is relevant to such investigation.

I further understand and agree that the information provided by each employee may be used to prepare a written report addressing the allegations I have raised against the City of West Linn's Chief of Police, Terry Timmons. By signing below I authorize the use of any and all such information for that purpose.

By signing below I acknowledge that I had the opportunity to consult with legal counsel before granting authorization for the use of any and all such information for that purpose.

Date: 2-20-08

EG Loscocco

Date: 2-20-08

EG Loscocco
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