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September 4, 2024

**VIA USPS CERTIFIED MAIL RETURN RECEIPT REQUESTED,  
FIRST-CLASS MAIL, AND EMAIL**

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Deschutes County Sheriff's Office  
Attn: Mr. Cary Colaianni  
63333 West Highway 20  
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**Re: Deschutes County Sheriff's Office Sergeant Kent A. Vander Kamp  
Tort Claim Notice Pursuant to ORS 30.275**

To Whom it May Concern:

Please accept this letter as Deschutes County Sheriff's Office Sergeant Kent A. Vander Kamp's ("Vander Kamp") Tort Claim Notice ("TCN") to the Deschutes County Sheriff's Office ("DCSO") and Deschutes County (the "County"). Vander Kamp is investigating whether to file a Complaint for: damages, declaratory and injunctive relief regarding retaliation and discrimination stemming from political retaliation against Vander Kamp, association with other members of DCSO, protected union activity, reporting misconduct, and other potential violations of federal and/or Oregon law. Vander Kamp expects that the County and DCSO will take this letter as notice of a potential lawsuit and therefore suspend any document destruction policy and retain any documents, communications, records, etc. related to Vander Kamp's employment, termination, discipline, applications for positions, interviews, etc.

1. For this claim, Vander Kamp's address is the address of this law firm: Employment Law Professionals Northwest, LLC, 20015 SW Pacific Hwy., Suite 221, Sherwood, OR 97140.

2. Please address all correspondence to the address listed in the above paragraph.

3. Vander Kamp was hired by the County as a DCSO Deputy on October 1, 2008. Prior to this, Vander Kamp had been a Reserve Deputy with DCSO since August 23, 2004, and a volunteer since 2002.

4. On or about September 1, 2017, Vander Kamp was promoted to Sergeant.



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5. On or about November 23, 2022, Vander Kamp was informed that DCSO administration was told by DCSO Lieutenant Joe V. DeLuca ("DeLuca") that Vander Kamp was intending to run for Deschutes County Sheriff.

6. On or about November 23, 2022, DCSO Lieutenant Ty E. Rupert ("Rupert") informed Vander Kamp that Rupert confirmed with DCSO Lieutenant Michael G. Sundberg ("Sundberg") that DeLuca made an announcement in a meeting with DCSO Lieutenant William W. Bailey ("Bailey"), Wall, DeLuca, and Sundberg, that Vander Kamp was going to run for Deschutes County Sheriff.

7. In the beginning of 2023, it was well known by DCSO members and employees that DCSO Sheriff L. Shane Nelson ("Nelson") would be retiring at the end of Nelson's current term. Quickly it became apparent that Bailey had taken over most of the internal office responsibilities because Nelson was absent from his duties. It was also clear that Bailey was being groomed by Nelson to take over as Sheriff once Nelson retired.

8. During that time, Vander Kamp observed:

- a. Promotional processes being pre-determined and filled by those who closely aligned with Bailey and the future command staff.
- b. Special assignments appeared to be filled by those who would show little to no resistance to Bailey and the future command staff.
- c. Spending on "Health of the Force" went out of control and appeared to be a tactic to sway internal support for Bailey in the upcoming election.
- d. DCSO members with strong personalities and operational experience started to be persecuted by Bailey and the future command staff.
- e. Strong operational leaders that were seen in opposition to Bailey and the future command staff were placed in positions where they had less influence and would ultimately be silenced.
- f. SWAT team members were scrutinized and seen as non-compliant because of their lack of support/or neutral stance towards Bailey being Sheriff.

9. In or around July 2023, Nelson officially announced his retirement and his support for Bailey for Sheriff. After this announcement, Nelson became even less involved in DCSO operations and Bailey's involvement increased.



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10. On or about July 22, 2023, Vander Kamp had a conversation with another DCSO member regarding out of control spending that Vander Kamp was observing in DCSO, emails not being compliant with federal statute for retention, budget reserves being diminished, a \$18,000.00 contract for a homeless consultant (Kevin Dahlgren ("Dahlgren")), no background check was run Dahlgren before being hired<sup>1</sup>, and Bailey being allowed to campaign for Sheriff while on duty.

11. On or about August 22, 2023, Vander Kamp learned that Bailey was calling other DCSO members, including DCSO Sergeant James A. McLaughlin ("McLaughlin"), about an incident that occurred. Vander Kamp believes that Bailey was attempting to create a false narrative and storyline against Vander Kamp. Additionally, Vander Kamp believes that Bailey was trying to get DCSO member's support and threatening them with discipline if they did not pledge support.

12. On or about August 25, 2023, Vander Kamp received the esteemed Federal Bureau of Investigation – Law Enforcement Executive Development Association ("FBI-LEEDA") Trilogy Award. The FBI-LEEDA Trilogy Award is awarded to those who complete the Supervisor Leadership Institute, the Command Leadership Institute, and the Executive Leadership Institute. On information and belief, Vander Kamp is the first and only CODE member and/or DCSO recipient of the FBI-LEEDA Trilogy Award.

13. On or about August 29, 2023, Bend Police Department Michael P. Landolt ("Landolt") told Vander Kamp that Landolt heard through DCSO Captain Paul B. Garrison ("Garrison") that Nelson did not want Vander Kamp writing the Central Oregon Drug Enforcement Team ("CODE") press releases anymore. Vander Kamp believes this was to prevent Vander Kamp from interacting with the public in order to reduce Vander Kamp's exposure to voters and thereby harming Vander Kamp's campaign for Sheriff.

14. On or about September 14, 2023, Bailey formally filed paperwork to run for Deschutes County Sheriff and publicly announced his candidacy. In public photos posted on Bailey's Sheriff Campaign Facebook page, Sheriff Nelson is shown with Bailey as Bailey filed his candidacy paperwork. This clearly shows that Sheriff Nelson had endorsed Bailey.<sup>2</sup>

15. On or about September 26, 2023, Landolt told Vander Kamp that Garrison was inquiring about who and how Central Oregon Drug Enforcement ("CODE") Team presentations are made to the public. In particular, Garrison asked if Lieutenants should be the only CODE management that does presentations. Landolt told Vander Kamp it was clear that DCSO did not

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<sup>1</sup> Dahlgren eventually was indicted on multiple felonies.

<sup>2</sup> According to campaign finance records, Sheriff Nelson has personally donated to Bailey's campaign.



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want Vander Kamp to make any presentations to the public to limit Vander Kamp's pre-election public exposure.

16. In or around October 2023, a Facebook page named "DCSO Follies" was created. This Facebook page focuses on past and present issues at the DCSO. The Facebook page has a satire spin but dives deep into some unethical behavior by past and present command staff and the out-of-control spending by DCSO. The authors of this website are unknown.

17. On or about October 31, 2023, Garrison published a memorandum titled "Political Activity by DCSO Members."

18. On or about November 9, 2023, a DCSO employee informed Vander Kamp that they were questioned about their friendship with Vander Kamp and if Vander Kamp was responsible for the DCSO Follies Facebook page. The DCSO employee also informed Vander Kamp that Sheriff Nelson is planning to "burden [Vander Kamp] with an administrative albatross" as punishment for running for Sheriff against Bailey.

19. On or about December 1, 2023, Vander Kamp met with Bailey, Deschutes County Counsel, and the Deschutes County Clerk. This meeting was to review campaign rules and regulations. Vander Kamp took this opportunity to remind Bailey that Vander Kamp was not behind the DCSO Follies Facebook page.

20. In or around January 2024, Bailey headed an all-supervisor meeting in the MAC Center at DCSO. This was a period when he was unofficially performing the duties of Sheriff while Nelson was absent from his duties. During this meeting, Bailey addressed the DCSO Follies Facebook page. Bailey ordered the supervisors that they were not allowed to view the DCSO Follies Facebook page on or off duty and the content of the page should not be discussed at any time. Vander Kamp and many other DCSO members and supervisors were shocked that Bailey and DCSO were trying to control what they did on their own time.

21. Between January 2024 and February 2024, on information and belief, Bailey and Bailey's friend Derek Jones using a pseudonym "Carlos Esparza", created a fake Facebook profile and began releasing the location of the CODE team and Vander Kamp's office. This created a dangerous situation for the covert law enforcement operation and its staff, including Vander Kamp.

22. On or about January 21, 2023, Vander Kamp met with a DCSO member. Vander Kamp was informed that the feeling of the DCSO administration has changed. Vander Kamp was warned that Bailey and Garrison have a personal vendetta against Vander Kamp because of Vander



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Kamp's other off-duty businesses and thought that someone should look into Vander Kamp's businesses. Additionally, Vander Kamp was informed about the following:

- a. Garrison is working on investigating Vander Kamp. On information and belief, Garrison does not like Vander Kamp.
- b. A golf cart being paid for on behalf of Bailey at the Deschutes County Fair. DCSO would pay for them on the backend by reducing staffing charges to the fair. This conversation took place with the Fair Director Geoff Hinds.
- c. Sheriff Nelson admitted that Sheriff Nelson was publicly campaigning for Bailey at the fair while on duty. Sheriff Nelson carries business cards from the Bailey for Sheriff campaign in his pocket.
- d. Illicit Marijuana Detectives received a new vehicle every 6 months. No explanation of where the money comes from and not part of the prepared budget.

23. On or about February 20, 2024, Vander Kamp was notified about a complaint submitted by Mandi Puckett ("Puckett") to DCSO. Puckett is a previous employee of a non-profit organization that Vander Kamp sat on the Board of Directors with. Puckett claimed she was not satisfied with the severance agreement she received weeks earlier. Sheriff Nelson and Puckett are personal friends, and Sheriff Nelson introduced Vander Kamp to Puckett and had previously asked Vander Kamp to assist her. As the Executive Director, Pucket, CLEAR Alliance also funded and designed several public service advertisements co-branded with DCSO. These services ended with Puckett's departure. In response to this complaint, Vander Kamp submitted dozens of board records, the company's attorney contact information, and hours of video recordings of meetings.

24. On or about February 21, 2024, Garrison emailed Vander Kamp and said "I appreciate last night's and today's emails with the board minutes, as well as the professional approach you have had in dealing with this situation."

25. On or about February 23, 2024, DCSEA President and DCSO Deputy Jeffrey D. Pope ("Pope") informed Vander Kamp that Sheriff Nelson asked Pope about "the speech" Vander Kamp gave at the Association Awards Banquet. Sheriff Nelson pushed Pope and asked if Vander Kamp influenced Pope to provide Vander Kamp the microphone. Vander Kamp never gave a speech at the Association Awards Banquet.

26. On or about March 6, 2024, Garrison sent Vander Kamp an email with the subject



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line "Complaint Update." This email stated, "I wanted to provide you an update from our conversation on February 20th regarding Ms. Puckett's allegation about you. Ms. Puckett, as of February, has continued to make allegations regarding you violating state law and or DCSO policy. As I previously mentioned DPSST received her initial allegation, which was referred to us for review. The latest allegations have also been sent to DPSST where she has requested an investigation into her allegations of you, which will result in a continued review. As of this writing this remains an inquiry as I have not substantiated any of her claims to make a determination of a policy violation." As of the date of this Tort Claim Notice, Vander Kamp has not been contacted or updated regarding the status of this investigation or allegations.

27. On or about March 22, 2024, Vander Kamp and other DCSO Sergeants submitted a letter of interest to Pope. This letter stated, "I designate the Deschutes County Sheriff's Employees' Association ("DCSEA") as the exclusive bargaining representative for the purposes of collective bargaining with Deschutes County. I understand that my signature may be used to obtain certification of the above-named labor organization as the exclusive bargaining representative, without an election."

28. On or about May 20, 2024, DCSO filed a lawsuit against the City of La Mesa ("La Mesa") in the Superior Court of the State of California County of San Diego – Central Division, initiating Case No. 37-2024-00023287-CU-MC-CTL. This lawsuit is over DCSO's perceived withholding of documents by La Mesa.

29. On or about May 28, 2024, Vander Kamp received an email from Garrison explaining that Garrison received a Public Records Request ("PRR") from Calista Songstad ("Songstad"). Songstad is a friend of Puckett and a previous contract employee of CLEAR Alliance. In particular, Garrison reported a complaint about a 2019 shooting on Crooked River Ranch. Vander Kamp had no recollection of this case and was told about being verbally reprimanded for an unknown reason. Vander Kamp asked about not having a copy of the Complaint in Vander Kamp's personnel file. Garrison explained that DCSO does not store complaints in personnel files. Vander Kamp found this odd since there was a 2011 unfounded complaint in the copy of the personnel file that Vander Kamp obtained in early 2024. Vander Kamp requested the Complaint and Garrison produced a form not signed by a supervisor or the employee. The Complaint was vague and did not include the actions of any particular person. The only person who signed the form was Garrison. Within minutes of the Songstad PRR being fulfilled by Garrison, the same material was posted on a strange third party website. This was the same website being used by Sheriff Nelson as the "source of information" for the La Mesa, CA lawsuit.

30. On or about August 15, 2024, Vander Kamp was issued a Notice of Internal Affairs



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Investigation 2024-IA-0006 from Sheriff Nelson. The Notice goes on to state:

On February 27, 2024, the Deschutes County Sheriff's Office received a letter from a third-party complainant, formally requesting an investigation into your conduct, alleging you had violated Deschutes County Sheriff's Office policies and or laws of the state of Oregon. The allegations include information that you did not disclose prior law enforcement employment related information during the background investigations originally conducted as part of your employment with the Deschutes County Sheriff's Office."

This Notice goes on to schedule an Internal Affairs Investigation Interview with Vander Kamp on Friday, August 23, 2024. However, Vander Kamp is not scheduled to work on this day and DCSO knows that Vander Kamp has several campaign events that day.

31. On or about August 16, 2024, Vander Kamp through legal counsel requested that DCSO reschedule the Internal Affairs Investigation Interview to a different date.

32. On or about August 26, 2024, Sheriff Nelson approved DCSO Policy 6.60 "Speech and Expression." This policy discusses limitations and restrictions on DCSO members' speech and constitutionally protected rights.

33. On or about August 29, 2024, Nelson and DCSO, through their California attorneys, used public funds to file a motion against the City of La Mesa, California to get Vander Kamp's personnel records.

As a result of all the above, Vander Kamp is evaluating if the County, DCSO, and other employees of the County and DCSO engaged in violations of federal and/or Oregon law by exposing Vander Kamp to unequal conditions or privileges, unduly scrutinizing Vander Kamp, and ostracizing Vander Kamp. Vander Kamp is also evaluating other potential violations under ORS 659A.

Additionally, as a result of the above, Vander Kamp is evaluating if the County and DCSO engaged in violations of ORS 659A.199 and ORS 659A.203 by exposing Vander Kamp to unequal conditions or privileges and unduly scrutinizing Vander Kamp because Vander Kamp made good faith and reasonable reports of conduct that is a violation of a state or federal law, rule or regulation.

Furthermore, as a result of the above, Vander Kamp is evaluating if the County and DCSO violated ORS 236.350 for conduct connected to the Internal Affairs Investigation and subsequent actions taken by Bailey, Garrison, Nelson, etc.



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Finally, as a result of the above, Vander Kamp is evaluating if the County and DCSO violated the United States Constitution and/or the Oregon Constitution in discriminating and/or retaliating against Vander Kamp based on Vander Kamp's association with other DCSO members and union members, including union activity. Vander Kamp was one of the first DCSO Sergeants to sign the letter to DCSEA expressing desire to unionize. Additionally, for violations of Vander Kamp's rights connected to his campaign for Sheriff.

As a result of the above actions from the County, DCSO, and DCSO Command Staff and employees of the County and DCSO, Vander Kamp has been harmed in the form of economic damages, non-economic damages (emotional distress, physical distress, damage to reputation, and embarrassment and harassment). Accordingly, Vander Kamp is intending to file a complaint with the United States Equal Employment Commission ("EEOC") and with the Oregon Bureau of Labor and Industries ("BOLI") and subsequently a Civil Action for damages against the County, DCSO and several individually named Defendants.

As previously stated above, please accept this letter as Deschutes County Sheriff's Office Sergeant Kent A. Vander Kamp's Tort Claim Notice to the Deschutes County Sheriff's Office and Deschutes County. Vander Kamp is investigating whether to file a Complaint for: damages, declaratory and injunctive relief regarding retaliation and discrimination stemming from Vander Kamp's decision to run for Deschutes County Sheriff, association with other members of DCSO, protected union activity, reporting misconduct, and other potential violations of federal and/or Oregon law.

Vander Kamp expects that the County and DCSO will take this letter as notice of a potential lawsuit and therefore suspend any document destruction policy and retain any documents, communications, records, etc. related to Vander Kamp's employment, termination, discipline, applications for positions, interviews, etc.

If you have any questions or concerns, do not hesitate to contact me.

Best regards,

**EMPLOYMENT LAW PROFESSIONALS  
NORTHWEST LLC**

**ANDREW T. MITTENDORF**  
Attorney at Law