



Oregon Department of Public Safety Standards and Training
Professional Standards Complaint Form

F-100

The mission of DPSST is to promote excellence in public safety by delivering quality training and developing and upholding professional standards for police, fire, corrections, parole and probation, and telecommunications personnel, in addition to licensing private security providers and private investigators in Oregon. To achieve this mission DPSST works in partnership with public safety agencies across the state.

DPSST's review is limited to standards identified in OAR 259-008-0070 and OAR 259-009-0070, after conviction of a crime or separation from employment involving alleged misconduct.

When DPSST receives a complaint about a currently employed public safety professional or fire service professional it is our policy to forward the complaint to the employing agency for follow up. DPSST will provide you with a copy of our letter to the agency requesting a review of received complaint.

Today's Date: 07/20/2015

Who is your complaint against?

☒ Police Officer

☐ Corrections Officer

☐ Parole and Probation Officer

☐ Telecommunicator

☐ Emergency Medical Dispatcher

☐ Fire Service Professional

☐ Other (please be specific): _____

Your Contact Information: -or- ☐ I wish to remain anonymous

Your Name: Dustin Alexander Stone

Mailing Address: [REDACTED]

City: Clatskanie

State: Oregon

Zip Code: 97016

Day Time Phone: [REDACTED]

Email Address: [REDACTED]

Best way to contact you: ☐ By mail ☒ By phone ☐ By email

Information about the Incident:

Incident Date: 06/25/2015

Incident Time: Appx. 1700 Hours

Incident Location: [REDACTED]

City: Clatskanie

State: Oregon

Zip Code: 97016

Name of the employee your complaint is against: Chief Marvin Hoover

Agency where the employee works: Clatskanie Police Department

Do you believe this incident occurred while the employee was: ☒ On Duty -or- ☐ Off Duty

If you were Arrested, name of arresting agency: _____

If you were Convicted, name/location of court: _____

Witnesses to the Incident:

Name: Ofc. Dustin Alexander Stone

Contact Info: [REDACTED]

Name: K-9 Ofc. Zack B. Gibson

Contact Info: [REDACTED]

Name: Sgt. Shaun McQuiddy

Contact Info:

Name:

Contact Info:

What steps have you taken to resolve this complaint?

- | | | | |
|--|-------------------------------------|------------------------------------|-----------------------------------|
| <input type="checkbox"/> I have contacted the employee | <input type="checkbox"/> In writing | <input type="checkbox"/> In person | <input type="checkbox"/> By phone |
| <input type="checkbox"/> I have contacted the employee's supervisor | <input type="checkbox"/> In writing | <input type="checkbox"/> In person | <input type="checkbox"/> By phone |
| <input type="checkbox"/> I have contacted the employee's agency head | <input type="checkbox"/> In writing | <input type="checkbox"/> In person | <input type="checkbox"/> By phone |
| <input type="checkbox"/> I have contacted the district attorney | <input type="checkbox"/> In writing | <input type="checkbox"/> In person | <input type="checkbox"/> By phone |
| <input type="checkbox"/> Nothing | | | |
| <input checked="" type="checkbox"/> Other: See Additional Pages | | | |

**Please describe what happened in detail. Include as much information and documentation as possible:
(You may attach additional pages if needed)**

Please Mail Completed Forms To:

DPSST, Attn: Professional Standards, 4190 Aumsville Hwy SE, Salem, Oregon 97317

F-100/Incident Report

Officer D. Alex Stone

On 062515, at about 1645 hours, I arrived at the Clatskanie Police Department located at 195 SE 2nd Street in Clatskanie, Oregon, for my regularly scheduled shift. Present at the Police Department were Chief Marvin Hoover, Sgt. Shaun McQuiddy and K-9 Officer Zack Gibson. Both Chief Hoover and Sgt. McQuiddy were on duty and in uniform. K-9 Officer Gibson was in civilian attire.

As shift change approached, approximately 1700 hours, Chief Hoover, Sgt. McQuiddy, K-9 Ofc. Gibson and I began discussing the day's events in the breakroom located inside of the P.D. During this informal debrief, K-9 Ofc. Gibson suggested I notify Chief Hoover about an Agency Assist involving Rainier Police Department which occurred on 062415.

On 062415, I was dispatched to an Agency Assist in Rainier, Oregon, in order to assist in the arrest of a disorderly person. The Arrestee during this incident was a female African-American who accused both the Rainier Police Officer and I of racism and discrimination. The Arrestee told both the Rainier Officer and I that she was going to file lawsuits against us and our departments. As I began to inform Chief Hoover of the particulars of the incident, I relayed several of the arrestee's remarks such as, "When you look at me, my black skin and my nappy hair, all you see is an animal." Immediately after relaying these remarks, Chief Hoover interrupted me. The following best reflects my memory of the event.

Chief Hoover interrupted me and said, "That's what she is." Chief Hoover then began to act like a monkey. Chief Hoover placed his hands in his armpits and began scratching them. Chief Hoover also started making loud monkey sounds: "Hooo...hooo.....hooo....hahahaha...hooo.....haaah" While Chief Hoover was scratching and chanting, he started to move around the room, in a dance or jumping fashion. While jumping and moving about the room Chief Hoover momentarily beat his chest like Tarzan.

As Chief Hoover was comparing African-Americans to monkeys, I began to become extremely uncomfortable. I have never been in a work environment where a manager, especially an executive officer, is openly racist. Although extremely uncomfortable and angered by his words and actions, I attempted to proceed with my brief until Chief Hoover interrupted me again. This time Chief Hoover said, "That's what they deserve." Chief Hoover then started to sing the words to Dixieland: "In a land of cotton...old times they're not forgotten...look away...look away...look away...Dixieland." While singing, Chief Hoover knelt on his right knee and began to make a punching motion with his right fist. While making a punching motion, Chief Hoover had his left hand in front of him in a gripping motion, as if he was holding a person by the shirt collar. In addition, while singing the words "look away" Chief Hoover moved his head back-and-forth to his left and right as if he was looking over his shoulder. After Chief Hoover finished singing, he laughed and then left the room.

After the incident I spoke with K-9 Officer Gibson and told him that I was going to file an official complaint. K-9 Officer Gibson agreed and said he wanted to file a complaint as well. On

070215, I spoke with Sgt. McQuiddy regarding the incident. (Both Sgt. McQuiddy and I were both on duty and in uniform.) I told Sgt. McQuiddy that I was offended, not a racist, and wanted to file an official complaint. Sgt. McQuiddy got extremely quiet and unresponsive. Sgt. McQuiddy offered no guidance on filing a complaint. After notifying Sgt. McQuiddy, I asked him how he would respond if he was questioned regarding the incident. Sgt. McQuiddy told me that he would not lie.

On 070215, I notified my (TEAMSTER) Union Representative about the incident and that K-9 Officer Gibson and I were going to file a complaint against Chief Hoover. My TEAMSTER representative told me that I could rely on the TEAMSTERS support. He then suggested I follow procedure. I informed my TEAMSTER representative that I notified management, Sgt. McQuiddy.

Over the following two weeks, I call the Oregon Department of Justice, DPSST, the ACLU and the NAACP for guidance on filing a complaint. The OR DOJ suggested DPSST conduct the investigation. The General Counsel of the Portland ACLU told me they would represent Sgt. McQuiddy, K-9 Ofc. Gibson, and I at no cost. They also told me they wanted to be kept apprised and contacted regularly. The NAACP also offered us there full support and resources. Lastly, I contacted DPSST and spoke with Leon Colas and Kristen Hibberds who instructed me how to proceed with an official complaint.

After contacting these listed resources, I informed Sgt. McQuiddy that K-9 Officer Gibson and I were going forward with a complaint and asked if he would jointly file. Sgt. McQuiddy told me he didn't believe anything would happen to Chief Hoover and that the City would make life hell for us for doing this. Sgt. McQuiddy said it would "be hell" at least three times during our last conversation. I almost felt as if I was being dissuaded from pursuing a complaint. I then told Sgt. McQuiddy that I was not a racist...that I love black people and would not stand for Chief Hoover's behavior. I then reminded Sgt. McQuiddy that the City of Clatskanie hired me on the premise that I would be unbiased, ethical, moral and lawful. I then told Sgt. McQuiddy that what Chief Hoover did was unethical and immoral and demanded a response.

D. Alex Stone

K-9 Officer Zack Gibson

On June 25th 2015 at approximately 1630 hours I stopped by the Clatskanie Police Department in civilian attire to check my email and also spoke with Officer Stone who was just coming on duty to relive Chief Hoover and SGT McQuiddy who worked day shift together. I asked Officer Stone if he briefed Chief Hoover or Sgt McQuiddy on the incident he was involved in during the custody of a black female in Rainier, OR and he said he had not so this is what started the conversation between him and Chief Hoover involving the incident.

While the four of us were situated in the patrol room Officer Stone was giving the back story of the incident to Chief Hoover and explained that the lady said she was going to sue on the basis of racism. Officer Stone explained that she said, "When you look at my black skin and nappy hair all you see is an animal". After Officer Stone made that statement, Chief Hoover placed his hands under his armpits and started making sounds like a monkey and beating his chest while dancing around the floor pretending to be a monkey. Officer Stone brushed aside the antic but I could observe that it bothered him. At the same time I was in disbelief that the Chief of Police was acting in such a manner while an officer is concerned he may be accused of racism.

Officer Stone continued to explain the incident and Chief Hoover interrupted him and started singing the Dixie song and sung these lyrics. "In a land of cotton old time they are not forgotten" however when he got to the part where the chorus says "Look away, Look Away Look away, Dixie land he took modified knee and with his left hand acted like he had someone around the collar punching them with his right hand while looking around and singing the song.

I knew Officer Stone was bothered by the incident and I spoke with him about it and he felt the chief was racist and that his actions proved it that day. I told Officer Stone that I did not disagree with him and that he needed to contact the union immediately and see what avenues of approach the bargaining unit could attain.

Officer Stone told me that he spoke with Sgt McQuiddy about the Chief actions and was going to file a complaint and that Sgt McQuiddy told him that he would tell the truth about the Chief actions on that day.

I spoke with Sgt McQuiddy about the incident and he was in agreement that something needed to be done but was concerned about telling the city manager Greg Hinkelman about the incident in fear of retaliation or nothing being done at all.

Officer Stone told me he was directed to call the Department of Public Safety Testing and Standards. (DPSST) Officer Stone told me he contacted DPSST and spoke with someone from there and was told to file a complaint online. We had reservations about that because it stated that the incident would be turned over to our agency for investigation and with us only being a 5 man department could create a hostile work environment.

Officer Stone told me that he spoke directly with a supervisor from DPSST and that they would conduct a full scale investigation into the matter but give the city manager Greg Hinkelman the opportunity to investigate the matter.

Zack Gibson