

# Former Springfield officer Scott McKee files another notice of lawsuit against city and police department

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Register-Guard

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A former Springfield police lieutenant has filed a second notice of intent to sue the city and police department.

The tort notice was filed by Scott McKee at the end of January, about four months after he left the department. It alleges a culture of discrimination with the Springfield Police Department and retaliation following whistleblower activities.

*You can read the full notice at the end of the story.*

A copy of the tort notice was obtained by The Register-Guard at the end of January. The city confirmed this week that it is the same as the copy officials received.

In the tort notice, McKee says he discovered a "racial epithet permanently penned" to the back of an image of Dr. Martin Luther King Jr. that had been in his office while he was on paid leave. The message had not been there before McKee went on leave, he said.

"This discovery of this hate message is the culmination of a continuous pattern of harassment, retaliation and discrimination by individual employees within the Springfield Police Department targeting Scott McKee both as an employee and private citizen," the notice reads.

In a statement emailed Friday, the city said officials took the allegation that a city employee had penned the message seriously and investigated, but weren't able to link anyone in particular to the act.

"We do not condone or tolerate racism," spokeswoman Amber Fossen said in the statement. "This behavior is unacceptable, extremely disappointing, and does not reflect our values and expectations."

## **McKee, city settled first claim**

The tort notice is the second McKee has filed against the department in recent years.

He also filed a notice of intent to sue during the summer of 2019, six months into a lengthy paid administrative leave.

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That tort notice alleged corruption and retaliation within the department and said Springfield police Chief Richard Lewis failed to address "significant shenanigans."

McKee claimed to have images of two officers entering his office while he was on leave and said a personnel file for an officer went missing during an internal investigation.

At that time, Lewis disputed most of McKee's claims, noting he was on leave "pending an investigation into the truthfulness of his testimony at a recent arbitration hearing."

## Read about the first claim: Springfield officer on leave files notice of lawsuit against city and police department

McKee was placed on administrative leave for what he alleges in the first tort notice is retaliation for his internal investigation of claims against another officer.

An independent investigation cleared McKee, but he remained on paid leave until reaching a settlement agreement with the city over the first notice.

That agreement ended his employment with SPD and granted him one year of salary, two years of benefits and payment of his legal fees. The city paid the salary and benefits, and the city's insurer paid for legal fees, Fossen said.

## **Finding message 'troubling in so many ways'**

After the settlement, Springfield officials boxed up everything personal in McKee's office and brought it to his house.

Among those belongings was a picture of King delivering his "I Have a Dream" speech.

He found it while going through a box of awards and certificates and "inadvertently discovered" someone had written "Lt. Wigger" on the back.

"Wigger" is an offensive slang term used to refer a white person who tries to emulate or acquire cultural behavior and tastes attributed to Black people, according to Merriam-Webster. The term, which combines white and the N-word, is a pejorative term that became widespread the early 1990s to describe white kids who steep themselves in Black culture.

Finding that message on the back of the photo of MLK caused McKee and his family "great anguish," he writes in the tort claim.

In an interview, he described it as "sort of a kick in the nuts."

"To think that somebody there is so shallow and has a hidden hatred for me to the extent that they would write that in permanent ink on the back of that frame ... is troubling in so many ways," he said.

More: 2 men who say Springfield police used excessive force will get \$150,000 combined in settlement

McKee reported the message to the city. He said the city manager was "appropriately appalled" and said they would start an investigation.

That took a bit to start, he said, and he isn't sure what's happened.

The city says the investigation didn't turn up any suspects.

"We took this allegation very seriously and immediately investigated," Fossen wrote in her emailed statement. "No Springfield Police Department employees have been identified as being involved and the investigation was unable to determine when it occurred."

McKee has a different take on it.

"I have my own opinion that I'm not a priority," he said.

## **Thinks employment ended because he 'rocked the boat'**

McKee's claim alleges his separation from the city was retaliation for his participation in internal affairs investigations and for raising concerns about a 2017 case involving an unhoused Black man.

He writes that his colleagues harassed him and created a hostile work environment through their actions, including printing a racist meme and placing it in his office.

McKee said after he made a whistleblower report while on paid leave, the city starting offering only proposals to separate "for no other reason that I could figure out other than that I had rocked the boat."

McKee hopes his tort notice sends a message to the city and the police department that "employees who have opinions that fall on the side of caution for constitutional rights should not be marginalized."

He also wants to see someone held accountable.

If that can't happen McKee said, maybe his grievance will "shine a light on some dark spaces at SPD."

**More: Disgraced former Springfield police officer granted conditional admittance to Oregon State Bar**

McKee already won't get one thing he wanted — his departure was "not the way I had intended to leave law enforcement."

He didn't need "accolades and a marching band," he said, but the process that did happen has been upsetting and disruptive to his family.

The picture of MLK now sits in his office at home, a reminder that "as far as we've come, look how far we've actually gone — not very far."

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