



LANE COUNTY

PUBLIC SERVICE BUILDING / 125 EAST 8TH AVENUE / EUGENE, OR 97401 / (541) 682-4203 / FAX (541) 682-4616

February 9, 2026

CONDENSATION OF ATTORNEY INVESTIGATION REPORT

On February 1, 2026, Mountain Lakes Employment Investigations, LLC (“MLEI”) issued its final Investigation Report (“MLEI Investigation” or “Investigation”) concerning allegations that Commissioner David Loveall violated Lane County policies against retaliation.

The MLEI Investigation was conducted at the behest of Special Counsel to Lane County under attorney-client privilege so that Special Counsel can provide advice to the County.

What follows is a condensation of significant facts at issue or found to have occurred in the MLEI Investigation. This condensation is provided pursuant to ORS 192.360 and does not waive any privilege that applies to the MLEI Investigation and materials considered in that investigation.

I. Brief Statement of the Scope of the Investigation

Special Counsel requested that MLEI conduct factfinding relating to allegations by three County employees that they experienced retaliation by Commissioner Loveall for having raised complaints on matters that Lane County Policy protects. One of the Complainants was the County Administrator. The two other complainants were County employees.¹

During the Investigation MLEI conducted interviews with 15 County employees or elected officials, and considered several hundred pages of documents.

Throughout the Investigation MLEI maintained complete independence as to the outcome of all investigatory questions reached. Neither Special Counsel nor any County employee or official attempted to unduly influence the investigation.

¹To protect the privacy of the two employees they will be referred to in this condensation as Employee 1 and Employee 2.

II. Brief Statement of the Ultimate Findings of the Investigation

The Investigation found that with respect to each of the employees who raised concerns, Commissioner Loveall violated Lane County policies prohibiting retaliation “against an individual who 1) files a complaint or who reports harassment, discrimination, mobbing, or whistleblowing; or 2) testifies, assists, or participates in any manner in an investigation.” Lane County Administrative Procedures Manual, Nov. 6, 2023, Ch. 3, Section XII, page 6.

III. Timeline of Events at Issue in the MLEI Investigation

While the retaliatory conduct at issue in the Investigation occurred between June and December 2025, the Investigation found that much of the retaliatory conduct arose out of the protected activities of Employee 1 and Employee 2 in May 2025.

May 7, 2025 — Meeting between Commissioner Loveall and Employee 1.

- Commissioner Loveall, Employee 1 and another county employee met for coffee to discuss a grant that the County had not been selected for. Employee 1 alleged that during the meeting, a certain community partner who has worked with the County on issues related to the grant was mentioned during the conversation.
- During the meeting, Commissioner Loveall stated words to the effect of, every time he thought of that community partner, “I think of a stripper on a stripper’s pole, her hands moving like this.” The comment caught Employee 1 by surprise, but neither Employee 1 nor the other County employee objected to Commissioner Loveall’s statement in the moment.

May 14, 2025 — Employee 2 complaint about religious language

- Employee 2 submitted to the County a formal complaint objecting to Commissioner Loveall engaging the employee in conversations about religion. Employee 2 reported having experienced “religious trauma” and preferred not to engage in any conversations about religion in the workplace.
- In the Complaint, Employee 2 noted that on several occasions, Commissioner Loveall had repeatedly used “Christian religious language, specifically terms like ‘Kingdom work,’ which he wrote while signing my birthday card.”

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May 29, 2025 — Employee 1 complaint about “stripper pole” comment

- Employee 1 reported to County officials that Commissioner Loveall had made the “stripper pole” comment. In the report to the County, Employee 1 stated that Commissioner Loveall had used potentially discriminatory language when he described a community partner as appearing like a “stripper on a strip pole.”

June 5, 2025 — Employee 1 meeting with Commissioner Loveall

- Employee 1 met with Commissioner Loveall virtually. During the meeting, Employee 1 expressed the belief that the “stripper pole” comment was “very inappropriate” and made Employee 1 “very uncomfortable.”
- Employee 1 informed the Commissioner that the matter had been brought to the attention of Human Resources (“HR”).

June 13, 2025 — County Official Met with Commissioner Loveall

- A County official met with Commissioner Loveall to “flag” for him an HR intake from Employee 2 and to advise him that religious language in the birthday card was a trigger and should be avoided.
- During the conversation, Commissioner Loveall volunteered additional personal context about his connection to Employee 2’s family. Commissioner Loveall described to the County official that Employee 2 was “estranged” from that family in part over religion.

June 17, 2025 — Commissioner Loveall meeting with County Administrator

- Commissioner Loveall went to the County Administrator’s Office and closed the door. During the meeting Commissioner Loveall stated to the County Administrator:
 - “I’ll warn you this isn’t going to be a pleasant conversation.”
 - Commissioner Loveall told the County Administrator that complaints from County employees needed to stop. The County Administrator asked him what he was supposed to do to make the complaints stop.

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Commissioner Loveall said, “Tell the employees to fuck off, commissioners can do what they want and there’s nothing anyone can do about it.”

- Commissioner Loveall continued, “This is your responsibility. You’re allowing these people to make these complaints, so you need to stop them from making these complaints or I’m going to deal with it.”
- Commissioner Loveall also stated, “Tell employees to stop it. There’s nothing they can do to stop commissioners from saying and doing whatever they want. You are not doing your job, [County Administrator]. I’m really upset. And if you don’t fix this, then you and I have a problem and I am going to do everything I can to get rid of these people.”
- The County Administrator reported the incident to County officials.

June 23, 2025 — Second meeting between Commissioner Loveall and the County Administrator.

- Commissioner Loveall and the County Administrator met one-on-one. Commissioner Loveall made the following statements, or similar words to the same effect during the meeting:
 - “Are we recovered from last week? When I stormed into your office?”
 - “We need a culture shift.” Commissioner Loveall stated that Employee 2 “should have never gone to HR. It’s not an issue.”
 - “Can someone give me a list of bad words that I can’t say? We need a culture change. This DEI thing is over the top. Words like blessings and spinster are triggers?”
 - “Yes – I called [the community partner] a ‘stripper.’ So did [another community partner]. [The person referred to as a stripper]’s behaviors and gestures are weird.”
 - “Why doesn’t the employee just come to me? Why do they have to go to HR?”

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- The County Administrator documented the June 23 interaction in a detailed, contemporaneous email on June 24.

July 2, 2025 — Telephone meeting between Commissioner Loveall and Special Counsel.

July 9, 2025 — Scheduled meeting between Commissioner Loveall and County Administrator was cancelled or did not occur.

July 14, 2025 — Commissioner Loveall received a written memorialization of the July 2 meeting and admonishment from Special Counsel.

July 16, 2025 — Meeting between Commissioner Loveall and Employee 1.

- Employee 1 and Commissioner Loveall met at a community location. During the meeting, Employee 1 asked the commissioner whether he had been hearing concerns from neighbors/businesses about the community program operating in the community location.
- Commissioner Loveall responded he would “hold off on sharing” identifying information, referencing that he had shared in the past and been “bitten.”
- Employee 1 documented the interaction in writing, expressing concern that programs could be adversely impacted based on Employee 1’s earlier complaint. Employee 1 told their supervisor that it would be in the best interest of relevant programs and projects if Employee 1 did not meet with Commissioner Loveall going forward.

July 23, 2025 — Scheduled meeting between Commissioner Loveall and County Administrator was cancelled or did not occur.

August 21, 2025 — Commissioner Loveall appeared on “Captive Audience” podcast

- Commissioner Loveall appeared publicly and discussed matters in a way that: referenced and characterized the complaints by Employee 1 and Employee 2 and the County Administrator, and internal processes without identifying any

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County employees by name. During the interview, Commissioner Loveall publicly discussed:

- The religious phrasing used on the birthday card to Employee 2.
- The “stripper” issue and complaint dynamics. And,
- The County’s internal handling of the complaints and HR/legal involvement.

August 25, 2025 — Scheduled meeting between Commissioner Loveall and County Administrator was cancelled or did not occur.

August 26, 2025 — Commissioner Loveall scored the County Administrator a 1 out of 5 on his annual performance review.

- The Investigation further found that Commissioner Loveall’s comments regarding his reasons for scoring the County Administrator a 1 on his performance evaluation to be unsupported by documentation and internally inconsistent.

August 27, 2025 — Employee 2 complained about “Captive Audience” podcast appearance

- Employee 2 emailed County officials requesting further action, referencing “strict rules around retaliation” and asserting the intent of the podcast appearance was to cause harm/retaliate in response to Employee 2’s complaint.

September 3, 2025 — County Administrator email to Commissioner Loveall regarding workplace concerns

- The County Administrator sent Commissioner Loveall a detailed email outlining workplace conduct concerns spanning a multi-year period. The email included details of the June 17 and 23 interactions with Commissioner Loveall. The County Administrator shared the email with the other Commissioners and County officials.

CONDENSATION PURSUANT TO ORS 192.360

September 8, 2025 — Scheduled meeting between Commissioner Loveall and County Administrator was cancelled or did not occur.

September 18, 2025 — Commissioner Loveall text to former County employee.

- Commissioner Loveall texted a former County employee seeking information. Commissioner Loveall wrote:

“I’d love to chat sometime before Saturday my time if possible. [County Administrator] has dropped an email to torpedo my reelection campaign and I’d like some background if you’re up for remembering some county toxicity? It’s come to lawyers and a battle I’d like to get some offense going, but I totally get it if you want to do this later. No worries. Thank you for response!”

November 17, 2025 — County Administrator email to County officials alleging disparagement by Commissioner Loveall.

- The County Administrator wrote that he was:

approached by a local business owner who is actively involved in local government and political circles. This person said ‘I need to give you a heads up about what David Loveall is telling people about you.’

* * * *

‘David is indiscriminately telling people that he is just trying to get his third vote and then he is getting rid of you on day one, even if he has to pay \$500,000. I don’t know where he got that number, but that’s what he said. He is telling people he will be completely exonerated by the investigation. * * * They have told their supporters that they have already identified the person that they want to replace you.”

November 20, 2025 — Commissioner Loveall email to County Administrator

- Commissioner Loveall responded to the County Administrator’s September 3, email. In the email Commissioner Loveall asserted:

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- The County Administrator had sent the September 3 email “to circumvent the confidentiality laws for executive session and attorney/client communications.”
- On September 7, 2022, the County Administrator had stated to then Commissioner-elect Loveall “well I guess it looks like I can't trust you going forward from now on, doesn't it?” because Commissioner Loveall had met with the County's Capitol Improvement Director about the Community Benefits Agreement.
- The County Administrator had failed to assist Commissioner Loveall and Commissioner Ceniga's assumptions of their positions in derogation of Lane Manual article 2.050.386, "Transition Orientation."
- The County Administrator violated ORS 192.374 by orchestrating the public release of confidential information relating to Commissioner Loveall.
- Commissioner Loveall asserted that the complaint of Employee 2 was a “direct attack on a person's first amendment rights.” Commissioner Loveall wrote, “This is what brought me to your office in such a huff on June 17, 2025. The gist of your account of what was said is relatively close, exaggerated in some parts to benefit you, and surely yes, I could've said a few less 'f-words' in airing my frustrations.”
- Commissioner Loveall asserted non-retaliatory reasons for giving the County Administrator a 1 out of 5 on his performance evaluation.

November 24, 2025 — the County Administrator sent an email to the Investigator rebutting Commissioner Loveall's November 20 email.

- The County Administrator asserted that Commissioner Loveall's accusations amounted to continued threats against the County Administrator's employment and potential defamation if repeated publicly.

December 29, 2025 — Commissioner Loveall appearance on “Get Real with Rick Dancer” podcast

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- During the podcast Commissioner Loveall discussed CleanLane at length.
Rick Dancer asked:

“So that if the permission was given to the County Administrator to take care of this from there on out from the other three county commissioners, when that changed, I’m, I would be assuming and I don’t know this for a fact, but I’m assuming that would be the County Administrator. Why didn’t he bring that back to all five county commissioners and say ‘We have a big change in this contract. We need to look at this?’ But instead, who, who approved it?”

- Commissioner Loveall responded:

“That’s a question I keep asking. The County Administrator is only authorized by Board order to bear \$250,000 worth of liability that he doesn’t have to come back to the board for approval. Now, obviously this was a lot more than that. So, again, my question, why didn’t we hear about this?”

IV. County Policies at Issue

The Investigation examined “allegations that Loveall engaged in potential whistleblower retaliation against Lane County employees” including Employee 1, Employee 2 and the County Administrator.

The Investigation based its primary findings on provisions of Lane County’s Administrative Procedures Manual addressing “Harassment, Discrimination, Mobbing and Retaliation.” That policy protects acts of whistleblowing based on “an employee’s good faith and objectively reasonable belief of a violation of federal, state or local law, rule or regulation.” The policy further prohibits “retaliation in any form against individuals who report harassment, discrimination, mobbing, or whistleblowing, or who testify, assist, or participate in any manner in an investigation.”

The Investigation applied a generally accepted workplace standard for retaliation. Retaliation occurs “when an employer takes an adverse action against an employee in response to an employee engaging in protected activity; the adverse action can be

CONDENSATION PURSUANT TO ORS 192.360

tangible (*e.g.* firing, demotion, pay reduction) or more subtle (*e.g.* exclusion from meetings, harassment) and according to the Society for Human Resource Management, encompasses **any action that could dissuade a reasonable employee from reporting wrongdoing.**" (Emphasis added.)

V. Sustained Findings

Applying the County policy prohibiting retaliation against whistleblowers, the Investigation found that Commissioner Loveall retaliated against Employee 1, Employee 2, and the County Administrator.

EMPLOYEE 1

With respect to Employee 1, the Investigation found that Employee 1 had engaged in protected activity when Employee 1 reported to County officials and Commissioner Loveall the employee's objection to the commissioner's reference to a community partner as looking like a "stripper on a strip pole."

The Investigation found that Commissioner Loveall took adverse actions against Employee 1 that could dissuade a reasonable employee from reporting wrongdoing, in that (1) Commissioner Loveall stated to the County Administrator on June 17, words to the effect of, "And, if you don't fix this, then you and I have a problem and I am going to do everything I can to get rid of these people;" and (2) refusing to share relevant information with Employee 1 during their July 16 meeting.

The Investigation found a causal link between Employee 1's protected activity and the adverse actions, and therefore sustained the allegations as violations of County policy.

CONDENSATION PURSUANT TO ORS 192.360

EMPLOYEE 2

The Investigation found that Employee 2 engaged in protected activity when Employee 2 submitted a formal complaint regarding Commissioner Loveall's use of religious language in communications with Employee 2.

The Investigation found that Commissioner Loveall took adverse actions against Employee 2 that could dissuade a reasonable employee from reporting wrongdoing, in that (1) Commissioner Loveall stated to the County Administrator on June 17, words to the effect of, "And, if you don't fix this, then you and I have a problem and I am going to do everything I can to get rid of these people;" and (2) making statements to the media publicly objecting to and belittling the complaints of Employee 2.

The Investigation found a causal link between Employee 2's protected activity and the adverse actions, and therefore sustained the allegations as violations of County policy.

COUNTY ADMINISTRATOR

The Investigation found that the County Administrator engaged in protected activity in multiple ways including by participating with other officials in the County's response to the protected activities of Employee 1 and Employee 2; and by reporting to County officials that that Commissioner Loveall instructed him that the County should retaliate, punish, or otherwise discourage employees from coming forward with complaints.

The Investigation found that Commissioner Loveall took adverse actions against the County Administrator in several ways including (1) threatening the County Administrator's job on June 17 and 23, and November 20; (2) scoring the County Administrator a 1 out of 5 on the County Administrator's performance review; (3) cancelling one-on-one meetings with the County Administrator; (4) making critical remarks about the County Administrator's performance to the media; (5) soliciting unfavorable information from a former County employee in a September 18 text message; and (6) disparaging the County Administrator to members of the public.

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CONDENSATION PURSUANT TO ORS 192.360

With respect to each of those adverse actions, the Investigation found a causal link between the actions and the County Administrator's protected activity and therefore sustained the allegations as violations of County policy.