Newberg-Dundee Police Department
401 E Third Street
P.O. Box 970
Newberg, OR 97132
Phone: (503) 538-8321 / Fax: (503) 538-5393

EVENT

Report Date:	Beg DT:	End DT:
01/16/2022 13:38:35	01/16/2022 13:38:35	

Location: 401 E Third St Newberg, OR

Case Status: P::Pending

Offense(s)

Offense:	ORS:	Level:
INFORMATION REPORT/ OTHER REPORT	INFO_OTHER	

Business(s) Involved

Business Name:	Involvement Type:
NEWBERG-DUNDEE POLICE DEPARTMENT	

Address:	Phone:
401 E Third St Newberg, OR	503-538-8321

Persons Involved

Misc. Associated Names

Name:	AKA:
MARTELL, CAREY RAY	

DOB:	Age:	Race:	Sex:	Height:	Weight:
[redacted]	39		M	""	

Address:	Phone:	Cell Phone:
29955 NE BENJAMIN RD Newberg, OR 97132		

Employer Name:	Employer Phone:	Employer Address:

Name:	AKA:
MOORE, TAI	

DOB:	Age:	Race:	Sex:	Height:	Weight:
				""	

Address:	Phone:	Cell Phone:
,	[redacted]	

Employer Name:	Employer Phone:	Employer Address:

Property

Description:	Quantity:	Value:	Type:
MEDIA CD WITH PICTURES AND AUDIO	1	#Error	

Status:	Make:	Model:	Serial Number:

Narrative

Initial **By: Eubanks, Joe 51033**

I am forwarding this report to request DA's review for any possible criminal charges:

Narrative:

On January 14, 2022 at around 8 pm Mrs. Tai Harden-Moore left me a voicemail about her concerns over a recently published article on the internet, which mentioned her and others in a manner she considered to be a threat. She said she was reaching out to me to see if it came close to being a criminal threat. She said she took the statement to be a call to action against her by the writer, Carey Martell, for his followers to hurt her and others that were mentioned in the article.

Mrs. Harden-Moore said, "So again we're stuck in this place where we need help, and it seems like the police department doesn't want to help us, until something bad happens to one of us, and that's just not a risk were willing to take. So, I'm wondering if anything can be done with that."

On 1/16/2022, I called her back to get more information about this most recent concern. It is worth noting that this has been an ongoing issue that Mrs. Harden - Moore has called me about in the past on several occasions, related to what she called "online harassment" about her stance on issues related to the Newberg School Board. Her previous concerns and our conversations centered around a man named Carey Martell, who has been publishing articles on a blog called "Yamhill Advocate". The articles Mr. Martell writes are mostly centered on exposing opinions of people he doesn't agree with politically or socially, whom he believes are trying to change community. In those previous conversations Mrs. Harden - Moore expressed concerns that anyone who follows and agrees with Mr. Martell's articles may want to bring harm to her, due to him highlighting her political beliefs. Based upon my review of Mrs. Harden - Moore's previous concerns and complaints I could not establish any threats had been made or that crimes had occurred. It was clear to me that she was fearful of the possibility that someone might want to harm her due to the way that Mr. Martell was bringing attention to her personal opinions and political beliefs, by writing about it in a public forum.

For this most recent concern Mrs. Harden - Moore provided me 2 cell phone screen shots of a social media platform, Facebook, showing images of conversations that she believed were relevant. Those were added to the case file. She also provided a link from a website operated by Carey Martell, where the statements in question could be viewed.

https://www.yamhilladvocate.com/2022/01/exposing-the-supporters-of-kristen-stoller/

In the above referenced link Mr. Martell wrote an article titled, "Exposing the supporters of Kristen Stoller", about a Newberg business owner and local area resident, Kristen Stoller. In the article he published a list of local people who he claimed were supporting and defending behavior by Ms. Stoller, which Mr. Martell has deemed to be, "child grooming". Mrs. Harden - Moore said in the article Mr. Martell said he didn't care what happens to them as a consequence of their exposure, because they're evil. She said those named in the article took what Martell said as a call to action, as if he's wanting others to do harm to them.

Listed below is one excerpt from Mr. Martell's article on Mrs. Stoller, which Mrs. Harden - Moore believes to be criminal.

The claims I have made are 100% true, because the claims are literally quoting what she and they have said publicly.

So, let me make this crystal clear to everyone

If a person supports child grooming in any capacity, such as by defending Kristen Stoller's actions, helping her fundraise for her events designed to exploit minors, and other participation in anything that benefits her goals to change the voting "culture" of Newberg via exploitation of children by introducing them to fringe sexual fetishes, then they will be exposed by the *Yamhill Advocate*.

Period.

And I don't care what happens to them as a consequence of their exposure. Whatever happens to them, they deserve, because they are doing evil.

This is not about a person's right to marry, have a sexual orientation or whatever they attempt to distract with. We are not talking about the decisions made by adults in their own personal lives and which only impacts themselves.

I am not a politically conservative person; I am a moderate. I don't have issues with the legality of gay marriage or homosexuality, and although I may disagree with it, if an adult wishes to modify their body they have a legal right to do it. That is not the issue here.

What I have a problem with is a group of adults thrusting their nonsense onto children because those adults see the children as an asset to exploit for their own ends.

This is about the exploitation of children solely because a fringe group of evil people believe they will gain more political and financial power in a small rural community via the exploitation of children, primarily those of other families whose children are being subject to this exploitation often without those families being aware.

Many are betraying the trust of children to gain social clout with their friends in the NEEd cult. This will ruin those children's lives.

I hope law enforcement and other activist groups investigate all of them, thoroughly.

As far as I am concerned any child anywhere near this group and its membership is in danger.

The downloadable spreadsheets for members of Newberg Equity in Education and Progressive Yamhill can be obtained by clicking here. Many of the people mentioned in this article here are members of one or both groups, although it should be noted they have gained around 100 additional members since the creation of this list. I have not yet updated it.

(**Edit:** As some of the people included in this list have made erroneous claims that it is somehow illegal for a newspaper to republish their own publicly made statements and information, I direct you to the legal disclaimers clause of my original investigative report about many of these individuals from last year.

Facebook posts, being a social media platform, is not private information and per United States v. Meregildo, you have no reasonable expectation of privacy when you use it to communicate with others. Anything you publish on it is public information – even that which you publish in so-called "private" Facebook groups.

Furthermore, **ORS 31.150 Special motion to strike** is the state's anti-SLAPP law, which prevents Strategic Lawsuits Against Public Participation. The *Yamhill Advocate* is a newspaper that has provided detailed investigations into an organized group of people who have done and said the things showcased in these screenshots, as well as other articles on the *Advocate*.

Oregon case law is clear that you cannot use lawsuits to censor a news outlets right to freedom of speech when reporting on individuals and events of the public interest, and your images can be reproduced (Mullen v. Meredith Corporation, 271 Or App 698, 353 P3d 598 (2015))

This article is of the public interest and consequently protected speech.)

Contents hide

22 William Webb Thomas
23 Beth Rankin
24 Heather McDuffee Birtcher
25 Nick Banta
26 Kristen Findley
27 Matt Perry
28 Nathan Roberts
29 Cherice Bock
30 Jeff Musall
31 Robert Soppe
32 Ryan Howard
33 Ellen Bilodeau
34 Windy Gormand
35 Beth Woolsey
36 Allie Peak
37 Jordan Marie

Listed below is an explanation from Mr. Martell's web page, referencing the statements he made. He states he is only referring to social consequences.

No threat has been made by me against him or anyone else. What I have done is explain that anyone who defends the activities of Kristen Stoller and her associates that are designed to exploit children will be exposed by the *Advocate*, and that I do not care what happens to them as a result. Because I don't.

The *Advocate* does not encourage violence and I am not responsible for the actions of other people. The consequences I am referring to are, obviously, social ones.

None of this is also voter intimidation, because it has nothing to do with how he votes.

Nick Banta is just upset that his efforts to gaslight people are not being as successful as he wishes and so now he thinks he can try to encourage people to waste their money filing SLAPP lawsuits against the *Yamhill Advocate* for exposing him and his associates.

After reviewing these statements I did not find them to be specific or imminent in nature, as required by statute to support a criminal charge. I wanted to make sure that I was being accurate in my assessment of the case so I contacted the on call DDA, DDA Harmon, to get a professional legal opinion. I wanted to see if there were any applicable crimes that might fit based upon the information and quotes known to me at that time. After sharing this information with DDA Harmon she told me the nature of the statement was too vague, not a specific threat, and it also was not imminent due to the the parties being physically separated, with the communication happening over the internet.

I called Mrs. Harden - Moore and shared with her my findings. I did not try to diminish Mrs. Harden - Moore's personal feelings or safety concerns, I was only addressing the fact that it did not meet the criminal elements of crimes like harassment or intimidation. Mrs. Harden - Moore was very upset and said she wanted to speak to the DDA, because she believed the DDA had it wrong. She went on to mention cases in other states where people had been charged with crimes for similar incidents. She did not seem to accept what I was telling her about the laws as they are written in our state. She told me she didn't accept that there wasn't something else that I could do. I told Mrs. Harden - Moore that I was happy to document what she had reported and submit it to the Yamhill District Attorney's Office for a formal review. She stated that is what she wanted. She asked if I would tell her what the outcome is. I told her I would share the outcome with her, as soon as I was aware that a formal opinion had been rendered.

Local attorney Ryan Howard called and wanted to report he had been mentioned in the article, named as a supporter of child grooming and also had his address posted as well as a picture of him and his wife. He said as an attorney he understands the reality of what he (Martell) is allowed to get away with. He said he wanted to make sure it was recorded, so if it continues there was a record of it, and if anything came of it, so he could be involved as well. I left two voicemails with Mr. Howard, but he did

not return my calls.

Nick Banta was also listed in the article and he called me directly. He told me he had heard from Mrs. Harden - Moore that I would probably want to speak to him. I told him I had not requested to speak to him, but I asked him if he had any relevant information, beyond the published article. He told me he had some screen shots of a social media conversation he had with Mr. Martell where they both made threatening statements to one another. Those screen shots were added to the case file as well. The statement in these screenshots that Mr. Banta believed was a threat is Mr. Martel saying, "I have no problems saying this to your face if you ever see me around town." This was in reference to Mr. Martell inferring Mr. Banta, as a fellow veteran, is desecrating the memory of veterans by his political stance. I could not see any crimes that could be charged, related to these statements.

Case status: Submitted to the Yamhill County District Attorney's Officer for review of any applicable criminal charges.

Case #22-105

J. Eubanks #51033

Officer(s)

Officer:	Involvement Type:	Involvement Date:
Eubanks, Joe 51033	Reporting	
Officer:	**Involvement Type:**	**Involvement Date:**
Eubanks, Joe 51033	Approving	02/05/2022 14:53:07

CONNECTING CASE NO.

_____

_____

TIME STAMP

_____

NEWBERG-DUNDEE POLICE DEPARTMENT
PROPERTY RECORD

PAGE 1 OF 1

CASE NUMBER: 22-105 DATE RECOVERED: 1/14/22 – 1/16/22 TIME RECOVERED: _____

INCIDENT TYPE: HARRASSMENT

'22 FEB 5 PM 2:25:31

CRIME CLASS	PROPERTY CLASSIFICATION	
☐ FELONY	☒ EVIDENCE	You must retrieve any prisoner property within 30 days if seized by the Newberg-Dundee Police Department or it will be disposed of as provided by law. **THIS WILL BE YOUR ONLY NOTICE.**
☒ MISDEMEANOR	☐ PROPERTY	X _____
☐ VIOLATION	☐ FOUND PROPERTY	

OWNER or VICTIM: CAREY MARTELL / TAI HARDIN MOORE DOB: _____

~~SUSPECT(S)~~: _____ DOB: _____

ITEM#	ITEM & LOCATION	SEIZED BY	BAR CODE	BIN#
1	MEDIA CD, CONTAINS PICTURES + AUDIO	JE		

CUSTODY ASSUMED BY	REASON RECEIVED	ITEMS RECEIVED	DATE	TIME

REPORTING OFFICER: J. EUBANKS DPSST# 51033

PROPERTY IN CUSTODY REPORT

ITEM #	DATE/TIME	

WAIVER:

I hereby waive the rights afforded to me as provided in ORS 98.025. I hereby turn the found property over to the Newberg-Dundee Police Department for appropriate disposition.

_____

Signature

Received by me this _____day of _____ 20____. By: _____

Officer

FINAL DISPOSITION

I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING NUMBER OF ITEMS _____ FROM THE POLICE PROPERTY ROOM ON THE _____ DAY OF _____ 20____. TIME _____.

_____

Name Address Phone

Property disposed of pursuant to law: Date: _____ Time: _____ Witnessed: _____

Property disposed of pursuant to law: Date: _____ Time: _____ Witnessed: _____