



FOR IMMEDIATE RELEASE

KLAMATH FALLS, OR – January 29, 2024. On Friday, January 26, 2024, a federal jury of 7 people unanimously decided in favor of the City of Klamath Falls, former Klamath Falls Police Chief Dave Henslee, former City Councilor Kendall Bell and former City Manager Nathan Cherpeski regarding allegations of civil rights violations based upon racial discrimination leveled against them by the former and current owners of a local bar, El Palacio.

The jury took just two hours to fill out and return the 13-page verdict document after the trial which began on Monday, January 22, 2024 before Federal Judge Karin Immergut in Medford.

The lawsuit arose after repeated attempts by Henslee to work with then owners Antonio and Elizabeth Cisneros to try to reduce the alcohol related crimes occurring in and around their business. Ultimately, the Oregon Liquor Control Commission suspended their serving license. They sold the business to their son and current owner, Carlos Faiers. He applied for a liquor license from the OLCC and, as with all applications for liquor licenses, the matter came before the Klamath Falls City Council in November of 2017 for a recommendation to be sent to the OLCC for consideration. The City Police recommended denying the application due to the history of crimes related to the bar and the failure to curb those crimes by the previous owners. Ultimately, the Council voted in favor of recommending that the OLCC grant a conditional license to the business, which the OLCC did.

During the public hearing on that issue, some community members insinuated that the previous owners' race was at the heart of the unfavorable recommendation by the City Police. Because of those accusations, both Cherpeski and Bell wrote a statement and a letter, respectively, defending Henslee's actions. Due to their public support of the former Chief, they were included in the lawsuit.

After the implementation of the conditional license to El Palacio, alcohol related crimes in the area did decrease.

Kenny Montoya of Montoya Law in Salem represented the City and the named defendants. Christopher Cauble of Grants Pass and Kellie Furr of Portland, both with the Cauble & Whittington firm represented the plaintiffs.