



DEPARTMENT OF JUSTICE

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November 10, 2015

Nkenge Harmon Johnson
President and Chief Executive Officer
Urban League of Portland
10 North Russell Street
Portland, Oregon 97227

Dear Ms. Harmon Johnson, Mr. Chamberlain, Mr. Santos-Lyons, Mr. Jama, Mr. Richardson, Mr. Rodgers, Mr. Hardesty and Mr. Allen,

First and foremost, thank you for taking the time to write to me. I share your concerns, and I wish to assure you that I am actively working to respond to and address this incident. To have an act of profiling happen to a close and trusted member of my team is—and continues to be—deeply troubling to me.

To summarize:

I recently became aware that an investigator in my Criminal Justice Division had engaged in profiling. This investigator was apparently using an online search tool on a trial basis to perform a search of selected Twitter hashtags, one of which was #BlackLivesMatter. He chose to search #BlackLivesMatter in a particular geographical area. This search resulted in finding a Twitter account of a member of my Executive team. The results of the search were disclosed to my Chief Deputy, who alerted me to the conduct.

When I initially heard about this incident I was appalled. I immediately ordered the Criminal Justice Division to stop the use of this online search tool, or any other similar tool. I also shared the information I had received with the member of my team who was the subject of the profiling. To my knowledge, the materials generated by this inquiry were not distributed or used beyond the Oregon Department of Justice. But this raises many troubling questions.

As you know, I am leading a statewide task force to look at law enforcement profiling throughout our state. I have heard from Oregonians from various parts of the state about their experiences with police profiling. The stories are powerful and disheartening, and will

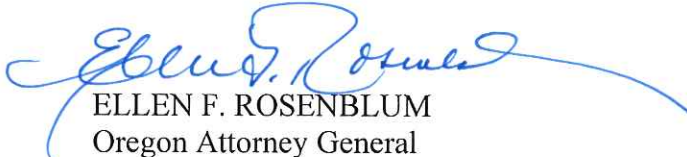
meaningfully shape the report that the task force will send to the Oregon State Legislature on December 1, 2015. My leadership role on this issue underscores the need for my Department to be held to the highest standards of accountability and transparency. As a result of this incident, I am more committed than ever to eliminating law enforcement profiling throughout our state. In this spirit, I want to update you on the additional steps we have already taken in this matter.

- Immediately upon learning of this incident I called for an HR investigation. From the beginning, my staff has been working on the process necessary to conduct an investigation.
- I have asked Carolyn Walker with Stoel Rives LLP to serve as a Special Assistant Attorney General (SAAG) to conduct an investigation into any improper conduct by any Criminal Justice Division employees with regard to their compilation, analysis, monitoring and use of digital information, including Twitter feeds. I have asked the SAAG to make recommendations about the Criminal Justice Division's workplace that are deemed necessary, such as additional training, policy changes, and other work related measures.
- I have placed one Criminal Justice Division employee on paid administrative leave while the investigation is underway.
- I am prepared to take appropriate action in response to the investigation, including personnel actions.

I want to especially thank you for sharing my sentiment that issues of profiling within an organization or agency should be addressed openly and in a transparent process. My door is open to you and your stakeholders, and I look forward to sitting down with you to discuss how to collaboratively resolve this very serious issue.

On a personal note, I have now seen firsthand how devastating profiling can be – written on the face of a member of my team. It must not continue.

Sincerely,



ELLEN F. ROSENBLUM
Oregon Attorney General