

JUL 05 2019

☆ FILED ☆

Verified Correct Copy of Original 7/5/2019

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MARION

**BRIAN J. BOQUIST,**

Plaintiff,

v.

**STATE SENATOR PETER  
COURTNEY**, *the President of the Oregon  
State Senate, and appointing authority of  
employees of Office of the President,  
Legislative Counsel, Legislative  
Administration (HR Employee Services and  
Information Services, and subcontracted  
legislative services*

Defendants.

Case No. **19CV29374**

**RIGHT TO INSPECT PUBLIC RECORDS  
(ORS 192.427)**

**IMMEDIATE  
INJUNCTIVE RELIEF COMPELLING  
RELEASE OF REQUESTED RECORDS  
BASED ON PUBLIC SAFETY AND  
THREATS OF VIOLENCE**

**FILING FEE: \$105**

**NATURE OF ACTION**

1.

Plaintiff Brian Boquist brings this petition under ORS 182.427 and ORS 192.411 to compel the Defendant Peter Courtney, elected official, President of the Oregon State Senate, appointing authority to all non-member staff in the Legislative Branch, including but not limited to Dexter Johnson, Legislative Counsel, Jessica Knieling, Employee Services, and all employees in the Office of the President, Legislative Counsel, Legislative Administration including Information Services, and legal supervisor to outside contracted personnel services being performed by Brenda Baumgart of Stoel Rives LLP, to release public records involving the Plaintiff duly requested, denied,

19CV29374  
CM  
Complaint  
11312018



hidden and blocked from release by Legislative Counsel, and the named aforementioned individuals operating under the direct appointing authority and daily supervision of the Defendant.

**PARTIES**

2.

Plaintiff is a citizen of Polk County residing at 17080 Butler Hill Road, Dallas, Oregon 97338, considered in this matter as an employee of the legislative branch of the State of Oregon. Plaintiff is additionally an elected Oregon State Senator. Plaintiff is married with children whose lives have been directly threatened by the actions and inactions of the Defendant documented in Polk County Sheriff's Case No. 19-1490.

3.

Defendant Peter Courtney is an elected State Senator serving as the President of the Oregon State Senate located at 900 Court Street NE, Salem, Oregon 97301, and is paid a double legislative salary to be the fulltime administrator of the Oregon State Senate. Defendant is the appointing authority under the law of all non-member non-caucus employees of the Legislative Branch a political subdivision of the State of Oregon.

4.

Defendant Peter Courtney is the direct elected senior supervisor and appointing authority for all non-member non-caucus employees and contractors including but not limited to the following individuals named in the original sixteen (16) item public records request submitted under the law to Legislative Counsel on July 1, 2019; Jessica Knieling

1 of Employee Services, Brenda Baumgart personnel services contactor, Dexter Johnson  
2 the Legislative Counsel, and Betsy Imholt of the Office of the Senate President.  
3

4 **RELEVANT OREGON REVISED STATUTES**

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6 5.

7 ORS 192.427. Procedure to review denial by elected official of right to inspect  
8 public records. In any case in which a person is denied the right to inspect or to receive a  
9 copy of a public record in the custody of an elected official, or in the custody of any other  
10 person but as to which an elected official claims the right to withhold disclosure, no  
11 petition to require disclosure may be filed with the Attorney General or district attorney,  
12 or if a petition is filed it shall not be considered by the Attorney General or district  
13 attorney after a claim of right to withhold disclosure by an elected official. In such case a  
14 person denied the right to inspect or to receive a copy of a public record may institute  
15 proceedings for injunctive or declaratory relief in the appropriate circuit court, as  
16 specified in ORS 192.401 (Records of health professional regulatory boards, Health  
17 Licensing Office), 192.411 (Petition to review denial of right to inspect state public  
18 record) or 192.415 (Procedure to review denial of right to inspect other public records),  
19 and the Attorney General or district attorney may upon request serve or decline to serve,  
20 in the discretion of the Attorney General or district attorney, as counsel in such suit for an  
21 elected official for which the Attorney General or district attorney ordinarily serves as  
22 counsel. Nothing in this section shall preclude an elected official from requesting advice  
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1 from the Attorney General or a district attorney as to whether a public record should be  
2 disclosed.

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4 ORS192.401 (Records of health professional regulatory boards, Health Licensing  
5 Office) (1) and 192.427 (Procedure to review denial by elected official of right to inspect  
6 public records), any person denied the right to inspect or to receive a copy of any public  
7 record of a state agency may petition the Attorney General to review the public record to  
8 determine if it may be withheld from public inspection. Except as provided in ORS  
9 192.401 (Records of health professional regulatory boards, Health Licensing Office) (2),  
10 the burden is on the agency to sustain its action. Except as provided in ORS 192.401  
11 (Records of health professional regulatory boards, Health Licensing Office) (2), the  
12 Attorney General shall issue an order denying or granting the petition, or denying it in  
13 part and granting it in part, within seven days from the day the Attorney General receives  
14 the petition. (2) If the Attorney General grants the petition and orders the state agency to  
15 disclose the public record, or if the Attorney General grants the petition in part and orders  
16 the state agency to disclose a portion of the public record, the state agency shall comply  
17 with the order in full within seven days after issuance of the order, unless within the  
18 seven-day period it issues a notice of its intention to institute proceedings for injunctive  
19 or declaratory relief in the Circuit Court for Marion County or, as provided in ORS  
20 192.401 (Records of health professional regulatory boards, Health Licensing Office) (3),  
21 in the circuit court of the county where the public record is held. Copies of the notice  
22 shall be sent to the Attorney General and by certified mail to the petitioner at the address  
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1 shown on the petition. The state agency shall institute the proceedings within seven days  
2 after it issues its notice of intention to do so. If the Attorney General denies the petition in  
3 whole or in part, or if the state agency continues to withhold the public record or a part of  
4 it notwithstanding an order to disclose by the Attorney General, the person seeking  
5 disclosure may institute such proceedings. (3) The Attorney General shall serve as  
6 counsel for the state agency in a suit filed under subsection (2) of this section if the suit  
7 arises out of a determination by the Attorney General that the public record should not be  
8 disclosed, or that a part of the public record should not be disclosed if the state agency  
9 has fully complied with the order of the Attorney General requiring disclosure of another  
10 part or parts of the public record, and in no other case. In any case in which the Attorney  
11 General is prohibited from serving as counsel for the state agency, the agency may retain  
12 special counsel.  
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17 **ALLEGATIONS COMMON TO THE PETITION FOR PUBLIC RECORDS**

18 7.

19 On Sunday, June 30, 2019, Oregon State Senator Floyd Prozanski came to my  
20 State Senator office on the last day of legislative session in the late afternoon. He  
21 informed me that a Senate Conduct Committee would meet on July 8, 2019 to consider a  
22 Legislative Rule 27 complaint to potentially censure and bar me from the Oregon State  
23 Capitol reference threatening activities that allegedly occurred on June 19, 2019 per Brenda  
24 Baumgart of Stoel Rives LLP, contractor. Ms. Baumgart allegedly issued a then one-  
25 page letter titled ‘Senator Brian Boquist/Interim Finding & Recommendations’ on page  
26

1 11 of Exhibit 1. Senator Prozanski provided a second page, a draft agenda for the  
2 scheduled public hearing on Monday, July 8, 2019, which is page 10 of Exhibit 1.  
3 Senator Prozanski provided a third page titled 'Legislative Administration, Interim  
4 Findings and Recommendations' which is page 11 of Exhibit 1. The Senator informed  
5 me he knew nothing else other than the three pages but would get back to me with details.  
6 I pointed out to Senator Prozanski that I had heard news reports and rumors, but, I had  
7 received absolutely nothing officially on this complaint or investigation, despite the  
8 requirement under state and federal due process, and the stated Personnel Rule 27, there  
9 were over a dozen legal steps required before he received the report from the interim  
10 Human Resources Director and contract attorney. See pages 7-8 of Exhibit 1. Clearly,  
11 none had transpired. He stated he would attempt to find out himself, as he only knew  
12 about what was in the file he handed me containing three one-sided pages. Senator  
13 Prozanski was very polite and professional but simply knew virtually nothing at that time  
14 as the Chairman of the Senate Conduct Committee. Senator Prozanski is not in  
15 possession of any more documents than myself to my knowledge, and not subject to my  
16 petition request.  
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21 8.

22 On July 1, 2019, the next day, I filed a sixteen (16) point public records request to  
23 Jessica Knieling of Employee Services under the Legislative Administration, and her  
24 contract investigator, Brenda Baumgart of Stoel Rives LLP, and Cameron Miles the  
25 public records lawyer in Legislative Counsel. See pages 5-6 of Exhibit 1.  
26

9.

1           Between July 1, and July 2, 2019, it became apparent there had been zero due  
2 process, and if any real legal due process existed, it had been taken by legally conflicted  
3 staff, and Oregon State Senators, conflicted under both state and federal laws. I did learn  
4 the so-called report had been generated or issued to someone, on June 25, 2019, before or  
5 after, it was intentionally leaked to the media. Despite having received nothing official,  
6 the media coverage of was quite spectacular based on the leaked letter authored by Stoel  
7 Rives LLP on the alleged complaints and threats fanned by legislators and the media. My  
8 family received multiple death threats, formal cases were opened with law enforcement.  
9 Neighbors reported late night prowlers. And the death threats continue as do the  
10 harassing telephone messages. Both myself, and my staff, have been threatened based on  
11 the complete failure of due process and blockage of public records even as of today.

12           On July 2, 2019, at 10:53 am, Senator Prozanski sent me an update of his  
13 understating of the situation. Again, quite polite and professional. See pages 4 of Exhibit  
14 1. His new, or clarified, understanding was there was not a complaint at all. Neither  
15 informal or formal. It was a report generated, again without due process, theoretically  
16 based on edited news media reports and videos, and input of some sort from a news  
17 reporter who had interviewed me in public with more than a dozen witnesses. This was  
18 unconfirmed, and the Plaintiff believes incorrect. After receiving the update, it was clear  
19 that zero due process had existed, and that very clearly a large stack of public records  
20 existed someplace, as the news media had records on the 25<sup>th</sup>, contacts had been let,  
21 phony investigations conducted, hearing scheduled, committee members consulted,  
22 creating the whole endangering situation. I resubmitted the same public records request to

1 Senator Prozanski, Cameron Miles of Legislative Counsel, Lorey Freeman the Deputy  
2 Chief Legislative Counsel, as Dexter Johnson the formal Legislative Counsel has a stack  
3 of legal conflicts of interest with me, and copied Ginger McCall the State of Oregon  
4 public records ombudsman, and Paige Clarkson the Marion County District Attorney as  
5 at the time I thought the District Attorneys could legally assist in getting public records.  
6

7 10.

8 Sen Prozanski later confirmed a modified version of paragraph 9 above, but  
9 yet again had no details. He did clarify his understanding was there was no informal or  
10 formal complaint, and the term 'reporter' was a news reporter. I clearly stated this looks  
11 like political retribution coupled with a complete failure of due process that was  
12 endangering the lives of my family. Senator Prozanski would later inform me it was an  
13 Oregonian newspaper reporter, but it was and is unclear if the said reporter was really  
14 involved, and I consider this heresy, but reference was made to a threatening email thus  
15 documents exist or rumor to exist. I did have email correspondence with the said reporter  
16 who authored a story Senator Prozanski officially posted, and the Marion County District  
17 Attorney was copied on the email. I suggested the said reporter contact the District  
18 Attorney reference the legalities of false arrest especially using illegal force as the  
19 Governor, Senate President, Senate Majority Leader convey to Senate Republicans. The  
20 same reporter is in possession of a stack of legal documents regarding the criminal  
21 implications of illegal arrests outside the state courts, and false imprisonment on the  
22 federal side. Given the now cross boarder nature of the situation, federal criminal  
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1 charges would influence an illegal arrest attempt now, which, is confirmed with federal  
2 authorities.

3 11.

4 On July 3, 2019 at 1:43 pm, Miles Cameron of Legislative Counsel provided the  
5 public records response, LC 8000, from Jessica Knieling of Employee Services. Zero  
6 public records were provided based on the sixteen (16) point request of July 1, 2019.  
7 Instead, a three-page Word document was provided with mumble jumble and excuses and  
8 back peddling allegedly authored by Jessica Knieling. There is no author or identity on  
9 the document. See pages 3-6 in Exhibit 2.  
10  
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12 12.

13 The Plaintiff sees the actions of those involved outside the Senate Conduct  
14 Committee, as intentional outright political and employer retribution that continues to  
15 endanger the lives of my wife, a state employee, my children, and neighbors. The whole  
16 issue was raised as Governor Brown, President Courtney, and others were negotiating  
17 votes, payoffs to districts, and the 'end-game' at the Oregon Legislature. I was  
18 personally present. They again attempted to illegally weaponize the Oregon State Police,  
19 as they attempted in November 2018 in the State Capitol, for which formal police reports  
20 exist. The legal conflicts of interest run very deep.  
21  
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23 13.

24 The court should know, as a member of leadership at the time of the Senate sexual  
25 harassment scandal in August 2018, I attended a meeting in offices in Portland, on  
26 August 17, 2018, in which a cover up plan to block the release of documents to the

1 Bureau of Labor & Industries was outline by other individuals. I am in possession of  
2 certain records, despite a Multnomah County Court order, that relate to female employee  
3 abuse that were in fact not turned over to BOLI per the court order. The Defendant, and  
4 Dexter Johnson, and other unnamed individuals involved in this petition for public  
5 records were, and are, involved in standing complaints. In regard to that meeting, and  
6 other conflicts, the plaintiff has a formal Oregon State Bar complaint in process against  
7 Dexter Johnson named in the petition. OSB CAO Intake LDD 1900351.  
8

9  
10 14.

11 The court should know, the Plaintiff filed numerous public records requests and  
12 complaints in regard to the failed legislative pay equity analysis on behalf of over 100  
13 employees. Those public records requests continue to be stalled, or blocked by the  
14 Defendant, Dexter Johnson of Legislative Counsel, and Jessica Knieling, the interim HR  
15 Director in Employee Services. These commenced in September 2018 continuing until  
16 today.  
17

18 15.

19 The court should know, that the Defendant, Dexter Johnson, and other non-named  
20 individuals in this petition are named with prejudice in the BOLI report  
21 STEMSH180801-11138 dated January 3, 2019. The settlement cost the public \$1.3  
22 million-dollars, for which, it came out of the legislative budget. It was ineligible for  
23 payment by the risk fund. The legality of the non-appropriated expenditure remains in  
24 question as the check was issued on instructions of the Defendant without a legal  
25 appropriation per lawyers. The Plaintiff has formal ongoing requests with BOLI to  
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1 acquire the list of aiders and abeters, if not perpetrators, that were protected, and remain  
2 in the Oregon State Capitol.

3 16.

4 The court should know, the Plaintiff filed a formal complaint and censor motion  
5 that is in the Senate records against the Defendant, State Senator Peter Courtney. By law  
6 the complaint should have been processed, investigated, and acted upon, either way. The  
7 same as is presently before the Senate Conduct Committee, for which the Plaintiff is  
8 requesting the court order the release of public records. Senate Resolution 1 was filed on  
9 March 3, 2019, which by law should have gone to the Senate Conduct Committee, was  
10 instead sent by the Defendant to the Senate Rules Committee to block any investigation  
11 of himself.  
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14 17.

15 The court should know, the Plaintiff was subpoenaed and deposed as a hostile  
16 witness against the Defendant, and actions of Legislative Counsel, and Employee  
17 Services, in a current pending case before the courts. The Defendant and Legislative  
18 Counsel remain named in multiple other pending cases before the court.  
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21 18.

22 The court should know, in the past five days, the Superintendent of the Oregon  
23 State Police, the Marion County Sheriff, and the Marion County District Attorney have  
24 confirmed in writing to my State Senator office that they are completely unaware of any  
25 threats, reports, or concerns of safety or security at the Oregon State Capitol except for  
26 their own observations in the media, and a copy of the records request, and Ms.

1 Baumgart's report I provide to them. For the record, the Oregon State Police are the  
2 contracted law enforcement and security of the Oregon State Capitol with offices on the  
3 first Floor of the building. No reports.

4  
5 19.

6 The facts of the present situation, and continued endangerment of my family and  
7 staff, merit an immediate court order directing the release of withheld public records, to  
8 establish the facts of the matter. The records are required for further state and federal  
9 court filings, and state and federal civil complaints already in progress. Further, in early  
10 December 2018, I was advised by anonymous staff there was a 'leadership' policy to  
11 delete public records after a request was made if the request did not ask specifically ask  
12 for deleted records. This was documented in writing, and shared with select members of  
13 the media. An immediate injunctive order is required to prevent the destruction of public  
14 records.  
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17  
18 **CLAIM FOR RELIEF**

19 (Petition to Compel Defendant and Et Al to Produce Copies of the Requested Public  
20 Records ORS 192.427 and 192.411)  
21

22 20.

23 Plaintiff may be entitled to an award of its costs and disbursements herein as the  
24 Defendant wrongfully denied the Plaintiff the public records causing irreputable harm to  
25 the Plaintiff and his family.  
26

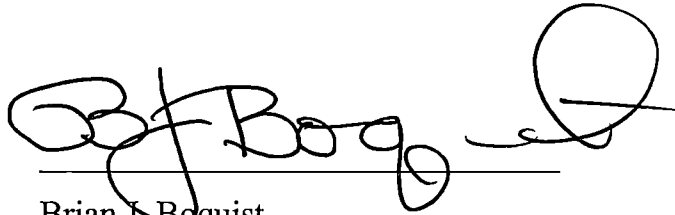
WHEREFORE, Plaintiff prays for an immediate order and general judgment as follows:

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1. Court order and direct the Defendant and all named individuals, and legislative employees to produce 100% of the requested public records identified as #1 to #16 on Pages 6 and 7 of Exhibit 1 within 48 hours of the court order free of charge to Plaintiff.
2. Any other relief the court determines is just and proper under the totality of the circumstances to inspect and acquire the requested public records.

DATED this 5<sup>th</sup> day of July, 2019

Respectfully submitted,


 A handwritten signature in black ink, appearing to read "B. J. Boquist", written over a horizontal line. The signature is stylized and includes a large circular flourish at the end.

Brian J. Boquist  
 Oregon State Senator  
 17080 Butler Hill Road  
 Dallas, Oregon 97338  
 (503) 623-7663  
[boquist@aol.com](mailto:boquist@aol.com)

## Sen Boquist

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From: Paige Clarkson <PClarkson@co.marion.or.us>  
Sent: Wednesday, July 03, 2019 3:34 PM  
To: Sen Boquist; KRON Michael C  
Cc: Joe Kast; Brecht Justin; thampto@osp.oregon.gov  
Subject: Re: FW: Public Records Request LC 8000 (2021)

Follow Up Flag: Flag for follow up  
Flag Status: Flagged

Dear Senator:

I am in receipt of several emails sent by you today regarding a public records request that you have made to officials at the Legislature.

If I am understanding your correspondence correctly, it appears that you are asserting that you have been denied public records in full or in part from a state agency and you wish to file a petition to review the denial.

Pursuant to ORS 192.411, this petition must be filed with the Attorney General. Pursuant to ORS 192.415, I handle all petitions to review related to denials by non-state agencies within Marion County. Should it be determined that the public records at issue have been denied by an elected official, pursuant to ORS 192.427 a petition would need to be filed directly in Marion County Circuit Court.

For the sake of further clarity in this matter, as we have previously discussed, the Marion County District Attorney is not in possession of any reports or documentation regarding this recent issue. We have not been consulted or asked to review any criminal reports or potential charges, nor were we made aware of any review by Stoel Rives in advance of its publication by the media.

I hope this information is helpful to you. Please advise if I have misunderstood your request here.

Sincerely,  
Paige Clarkson

Paige E. Clarkson | District Attorney  
Marion County  
503.588.5222

>>> Sen Boquist <Sen.BrianBoquist@oregonlegislature.gov> 7/3/2019 2:33 PM >>>  
Ms. Clarkson & Mr. Kron:

The request is to which every is first under the law. Ms. McCall really has no authority.

**So who is first since it is legislative staff; AG or DA? Believe one of you must act before I can go into court.**

Please advise,

Brian J. Boquist  
Oregon State Senator

**From:** Sen Boquist  
**Sent:** Wednesday, July 3, 2019 2:30 PM  
**To:** MCCALL Ginger \* PRC <Ginger.MCCALL@state.or.us>; Paige Clarkson <pclarkson@co.marion.or.us>; KRON Michael C <Michael.C.KRON@state.or.us>  
**Cc:** ALBERT Todd \* PRC <Todd.ALBERT@state.or.us>  
**Subject:** FW: Public Records Request LC 8000 (2021)

Ms. McCall, Mr. Albert & Ms. Clarkson:

**This is a formal request under the law for public records acquisition in possession of state employees.**

Legislative Counsel and HR Employee Services staff in the Legislative Branch are refusing to release public records to me. These are employees of the State of Oregon not elected members. You can see the response attached and request below.

Ms. McCall may or may not have a sway but since I believe some of this may be criminal in nature I doubt they will provide them without a District Attorney or court order. Please note I have an OSB complaint against Dexter Johnson plus am a hostile witness in a legal case against him and HR Employee Services in the building. There are further formal complaints too. All pre-dating this issue.

Request the assistance of the District Attorney or Attorney General in acquiring these public records.

Sincerely requested,

Brian J. Boquist  
Oregon State Senator

**From:** Sen Boquist  
**Sent:** Wednesday, July 3, 2019 2:17 PM  
**To:** Miles Cameron <Cameron.Miles@oregonlegislature.gov>  
**Cc:** MCCALL Ginger \* PRC <Ginger.MCCALL@state.or.us>; Paige Clarkson <pclarkson@co.marion.or.us>; KRON Michael C <Michael.C.KRON@state.or.us>  
**Subject:** FW: Public Records Request LC 8000 (2021)

Counsel:

You are unresponsive for the following reasons; You have provided a three page piece of paper attributed to nobody. It is utterly worthless in a courtroom or hearing on Monday. Whomever wrote it obviously did not coordinate it with Chair of the Senate Conduct Committee as his responses do not match. None-the-less, where are the documents? Where are 100% of the correspondence on this complaint between Ms. Knieling, Ms. Baumgart, Mr. Johnson, and 100% of everyone else involved? Ms. Baumgart did not do this on her own, and Senator Prozanski got this somehow? It is in the news so something must exist.

Think we agree, under the law, while I will ask Ms. McCall to try to mediate, the Marion County District Attorney is the first appeal level correct?

Sincerely,

Brian J. Boquist

Exhibit 1.  
Page 2 of 12.

Oregon State Senator

**From:** Miles Cameron  
**Sent:** Wednesday, July 3, 2019 1:43 PM  
**To:** Sen Boquist <[Sen.BrianBoquist@oregonlegislature.gov](mailto:Sen.BrianBoquist@oregonlegislature.gov)>  
**Subject:** Public Records Request LC 8000 (2021)

Sen. Boquist-

Attached is a letter regarding your July 1, 2019 public records request related to complaints filed against you and responses provided to you by Jessica Knieling regarding your requests for specific records.

Thanks,

Cameron D. Miles  
Staff Attorney  
Office of Legislative Counsel  
[cameron.miles@oregonlegislature.gov](mailto:cameron.miles@oregonlegislature.gov)  
(503) 986-1243

\*\*\*\*\*CONFIDENTIALITY NOTICE\*\*\*\*\*

This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee or it appears from the context or otherwise that you have received this e-mail in error, please advise me immediately by reply e-mail, keep the contents confidential, and immediately delete the message and any attachments from your system.

**From:** Sen Boquist  
**Sent:** Tuesday, July 2, 2019 12:26 PM  
**To:** Sen Prozanski <[Sen.FloydProzanski@oregonlegislature.gov](mailto:Sen.FloydProzanski@oregonlegislature.gov)>  
**Cc:** Miles Cameron <[Cameron.Miles@oregonlegislature.gov](mailto:Cameron.Miles@oregonlegislature.gov)>; Freeman Lorey <[Lorey.Freeman@oregonlegislature.gov](mailto:Lorey.Freeman@oregonlegislature.gov)>; MCCALL Ginger \* PRC <[Ginger.MCCALL@state.or.us](mailto:Ginger.MCCALL@state.or.us)>; Paige Clarkson <[PClarkson@co.marion.or.us](mailto:PClarkson@co.marion.or.us)>  
**Subject:** RE: Formal Complaint Records Request - 48 Hours

Senator Prozanski:

Have reviewed

Hopefully, you will find time to call before this is in a courtroom this week.

**The below public records request stands. Further, I want 100% of the correspondence and materials in possession of Ms. Baumgart and Ms. Kneiling in regard to the fulfillment of Stoel Rives LLC contract that involves me in any manner what-so-ever. 100%. LC needs to issue the appropriate documentation as required under the Oregon Revised Statute. And answer the below. If they have a problem with this then lets see it in writing so Ms. McCall and the Marion County District Attorney may get engaged per the records laws.**

Please be reminded, any investigation, is in fact covered under Senate Rules, Legislative Rule 27 and Oregon law. Ms. Knieling, Ms. Baumgart, and Mr. Johnson are obligated to follow the law. It is obvious they have not. And apparently you are unaware of the facts in this regard that will come out shortly.

Again, strongly recommend we talk through the legal process on the telephone. Just you and I.

Sorry again you are caught up in this challenge.

Exhibit 1.  
Page 3 of 12.



Brian

503-623-7663

503-559-3436

**From:** Sen Prozanski <[Sen.FloydProzanski@oregonlegislature.gov](mailto:Sen.FloydProzanski@oregonlegislature.gov)>

**Sent:** Tuesday, July 02, 2019 10:53 AM

**To:** Sen Boquist <[Sen.BrianBoquist@oregonlegislature.gov](mailto:Sen.BrianBoquist@oregonlegislature.gov)>

**Cc:** Knieling Jessica <[Jessica.Knieling@oregonlegislature.gov](mailto:Jessica.Knieling@oregonlegislature.gov)>

**Subject:** Re: Formal Complaint Records Request - 48 Hours

Good morning Brian --

After reading your "Formal Complaint Records Request" dated July 1, I feel I need to try to clarify a statement I made to you in your office on Sunday, June 30.

I used the term "complaint" when I should of used the term "report." I believe this has raised a level of confusion that needs to be clarified.

As I mentioned to you on Sunday, I'm a novice in the area of employment law. As you know, as a prosecutor, my law practice is exclusively limited to the area of criminal law. Accordingly, I'm not as familiar with the terms used in the employment law arena. I'm truly sorry for any confusion this has caused you.

Here's what I learned in my telephone conversation with Ms. Baumgart.

Currently, there are no formal or informal complaints before the conduct committee for consideration. Ms. Baumgart is reviewing the reports that she has received to determine if they will move forward as complaints and if so, as formal or informal complaints.

In the meantime, she issued "Interim Finding & Recommendations (IFR)" dated June 25, 2019. It is my understanding that she did so because some of the reports she is reviewing allege that the reporters have raised concerns of personal safety in the workplace, the state capitol, based on your statements of threatened violence.

As stated in her IFR, Ms. Baumgart issued her IFR after reviewing the videos involving your floor statement of threatened violence directed to President Courtney and the subsequent statement to the media of threatened violence directed at the Oregon State Police that occurred on June 19.

Accordingly, this coming Monday's hearing is exclusively limited to what, if any, steps need to be taken at this time to ensure that the State Capitol is a safe and free of threatened violence to individuals working or visiting the building during the ongoing investigation of the reports made to HR or other responsible personnel. The committee will not be considering any formal complaints since none have been filed at this time. The committee would only consider those following the process outlined in LBPR 27 including a final investigative report.

As chair of the Senate Conduct Committee, I hope this e-mail clarifies the state of the ongoing investigation and the purpose of Monday's hearing. Please let me know if you have any questions.

Thank you,

Floyd

**From:** Knieling Jessica  
**Sent:** Monday, July 1, 2019 1:30 PM  
**To:** Sen Prozanski  
**Subject:** FW: Formal Complaint Records Request - 48 Hours

Jessica N. Knieling  
Interim HR Director  
Desk: 503.986.1370  
Mobile: 503.480.9504

**From:** Sen Boquist  
**Sent:** Monday, July 1, 2019 9:19 AM  
**To:** Baumgart, Brenda K. <brenda.baumgart@stoel.com>; Knieling Jessica <Jessica.Knieling@oregonlegislature.gov>  
**Cc:** Hampton, Travis L <thampto@osp.oregon.gov>; Paige Clarkson <PClarkson@co.marion.or.us>; SHEPARD Duke <duke.shepard@state.or.us>; Linn Davis <LDavis@osbar.org>; Brocker Lori L <Lori.L.Brocker@oregonlegislature.gov>; Miles Cameron <Cameron.Miles@oregonlegislature.gov>  
**Subject:** Formal Complaint Records Request - 48 Hours

Ms. Kneiling & Ms. Baumgartner:

This is a formal legal request for 100% of the correspondences, emails, documents, notes, electronic communications, and telephone records related to the attached alleged complaints.

**This State Senator learned of the alleged complaint from media reports.** The official documentation this State Senator possess is attached, kindly provided by the Senate Conduct Committee Chairman, yesterday, Sunday, June 20, 2019.

This whole alleged complaint process to date is either a display of massive total incompetence on the part of Employee Services, Legislative Administration, and Legislative Counsel, prior to presentation to the Senate Conduct Committee Chairman, or outright political retribution.

**For the record, this is a 'committee' action which means 100% of the above are fully accessible to members immediately upon request. There is no in-session exemption now. There is no law enforcement hold per the appropriate state officials yesterday afternoon. There is no court action filing on record as of this time.**

You will note at the end of this email the extract of Legislative Rule 27 you should have legally followed but did not.

Attached is the total documents received on this matter from the Chairman of the Senate Conduct Committee. It is two pages with your names on them plus a Committee agenda for July 8, 2019. The Chair of the Senate Conduct Committee informed me that was the total knowledge he possessed as of late Sunday afternoon. He clearly stated he did not know the origination of the alleged formal complaint other than what is attached.

Given the massive failure on your part to follow the Senate Rules, Legislative Rules, Oregon Revised Statutes, the Oregon Constitution, and U.S. Constitution, do not forget to provide the following items:

1. Copy of the formal complaint including name, persons involved in harassment, parties & witnesses, conduct or discrimination or harassment, date or time period, and potential remedy requested per Rule 27(6)(b).
2. Provide your best documentation clearing the Human Resource Director from any conflicts of interest since this State Senator over a month ago served notice to the HR Director of pending pay equity complaints against her with BOLI, and a two pre-existing Rule 27 complaint is still standing involving her failures. Reference Rule 27(6)(a).
3. Provide documentation of what immediate action was taken to protect the alleged complainant per Rule 27(6)(d).
4. Provide the complete and entire list of members and employees who allegedly cooperated with the alleged investigation per Rule 27(6)(f).
5. Provide your notice you allegedly gave to this State Senator that you had received a formal complaint and were initiating an investigation against me per Rule 27(6)(g).
6. Provide a copy of the draft findings you allegedly provided to this State Senator per Rule 27(6)(i).
7. Provide a copy of the notice you allegedly gave to this State Senator outlining my right to review the draft investigation and request modifications prior to the final report per Rule 27(6)(j).
8. Provide a copy of the final findings you allegedly gave this State Senator, the so far unnamed complainant, and the appointing authority per Rule 27(6)(k).
9. Provide a copy of the notice provided to the highest-ranking caucus member per Rule 27(6)(c)(A) and Rule 27(6)(c)(A).
10. Provide a copy of the presiding officers notification to this State Senator per Rule 27(6)(c)(F).
11. Provide a copy of the suspension of Senate Rule 6.40 related to the Ms. Baumgartner's one page narrative provide to me attached. Reference Senate Rule 6.40. Reference Senate Rule 1.01(12).
12. Ms. Baumgartner's one page attached alleges criminal threats, therefore, provide 100% of the communications in regard to this matter with the Oregon State Police and the Marion County District Attorney. Please note there is no such record of any complaint with the Oregon Judicial Department per their records as this time. Additionally, as of Sunday afternoon there was no known action to the Oregon State Police. Further, the Marion County District Attorney has raised none of these alleged criminal issued with this State Senator at this time. All are copied.
13. Two Oregon State Senators allege either you two, or those involved in the process in the Legislature, attempted, clearly for political reasons, to get a temporary restraining order against this State Senator, therefore, provide 100% of this documentation or deny in writing such documents exist or such action was attempted.
14. Provide the name of the individual who provided this to the media while you failed to notify this State Senator of anything.
15. Provide 100% of the documentation and communications with Dexter Johnson and Betsy Imholt related to this alleged complaint.

16. Again, this is a formal legal request for 100% of the correspondences, emails, documents, notes, electronic communications, and telephone records related to the attached alleged complaints.

For the record, be reminded Dexter Johnson and myself are in legal conflict before the Oregon State Bar at this time. As to why he has not recused himself from any matter involving me is a serious legal question. This will be added to the bar complaint against Mr. Johnson today.

Additionally, please provide a copy of the Labor Commissioner's exemption from the BOLI settlement that allows Dexter Johnson who has a stack of conflicts of interest to participate in the process in direct violation of the settlement signed by Tina Kotek and Peter Courtney.

**Lastly, the hearing on this matter is formally scheduled per that attached for July 8, 2019 which is seven days. I expect to receive 100% of the requested documentation with in forty-eight (48) hours.**

Sincerely demanded,

Brian J. Boquist  
Oregon State Senator

Reference:

Legislative Branch Personnel Rule 27: Harassment-Free Workplace (Extract)

(6) Formal complaint process.

(a) A member of the Legislative Assembly or employee of the Legislative Branch may, within one year of the date of the harassment, initiate a formal complaint process by submitting a complaint with the Human Resources Director. In the event of a conflict with the Human Resources Director, the member or employee may initiate a formal complaint process with a representative from Employee Services or the Chief Deputy Legislative Counsel.

(b) A formal complaint shall be in writing and include: (A) The name of the complainant; (B) The name of the person or persons alleged to be involved in the harassment; (C) The names of all parties involved, including witnesses; (D) A description of the conduct that the member or employee believes is discriminatory or harassing; (E) The date or time period in which the alleged conduct occurred; and (F) A description of the potential remedy the member or employee desires.

(c) The office or person that receives the complaint may require that an incomplete complaint be supplemented by the complainant to correct deficiencies.

(d) When a formal complaint is submitted, Employee Services or the Office of Legislative Counsel shall immediately take appropriate action to ensure that the complainant has a safe and nonhostile work environment.

(e) The persons who receive a formal complaint shall, within 10 days after receipt of the complaint, appoint an investigator. In all instances in which the person alleged to be involved in the harassment is a member of the Legislative Assembly, the investigator may not be an employee of the Legislative Branch and shall have experience conducting investigations of harassment. With respect to any other complaint, the persons who receive the complaint shall appoint an investigator who is an employee of Employee Services, an employee of the Office of Legislative Counsel or an investigator unaffiliated with the Legislative Branch with experience conducting investigations of harassment.

(f) All members and employees involved in the investigation shall cooperate with the investigation and keep information regarding the investigation confidential. However, certain Legislative Branch records are subject to public records requests under ORS 192.410 to 192.505. (g) The person alleged to be involved in the harassment shall be notified that a formal complaint has been received and an investigation has been initiated.

Exhibit 1.

Page 7 of 12.

(h) The investigator shall conduct an investigation and present a draft findings of fact and recommendations within 60 days of appointment under paragraph (e) of this subsection. The investigator may be granted an extension of time by the Human Resources Director or the Office of Legislative Counsel to complete the investigation.

(i) Notification and copies of the draft findings of fact and recommendations will be given to the Human Resources Director, the Office of the Legislative Counsel, the complainant and the person alleged to be involved in the harassment.

(j) Within five days after notification under paragraph

(i) of this subsection, recipients may request modifications to the findings of fact. Any requests to modify the findings of fact must be made in writing and must explain the reason for the modification. Requests for modification may be granted at the discretion of Employee Services and the Office of the Legislative Counsel.

(k) Within 10 days after receipt of the final report, the Human Resources Director or the Office of the Legislative Counsel shall submit the investigator's final findings and recommendations report to the complainant, the person alleged to be involved in the harassment and the appointing authority of the person alleged to be involved in the harassment.

(L) The appointing authority shall act on recommendations received as soon as practicable after receipt. 5

(m) Even if no formal complaint process is initiated, Employee Services, in consultation with the Office of the Legislative Counsel, shall investigate instances of severe or pervasive harassment or discrimination based on a protected class, which may result in corrective action against a member or employee who engages in harassment as described in this rule.

(8) Formal complaints against members.

(a) If the person alleged to be involved in the harassment is a member of the Legislative Assembly, the final report shall be given to the respective special committee on conduct of the chamber in which the member serves. Special committees on conduct are established as prescribed in subsection (12) of this rule.

(b) When a special committee on conduct receives an investigator's final findings and recommendations report, the committee shall schedule a public hearing and give notice to the complainant and alleged harasser of the date and location of the hearing. The hearing may not be set for a date that is less than 14 days nor more than 45 days after the committee receives the investigator's final report.

(c) At the hearing, the complainant and the alleged harasser, or their attorneys, may present documents or other evidence and may suggest witnesses. Only committee members may question or otherwise address witnesses. Committee members shall limit the scope of their questions to topics that a court in this state would deem relevant in a civil action involving the same conduct.

(d) The committee shall deliberate on the investigator's final report, testimony and other evidence presented at the hearing and report a recommendation. The committee may recommend: (A) Reprimand; (B) Censure; (C) Expulsion; or (D) That the committee take no further action.

(e) The committee shall report its recommendation to the complainant and the person alleged to be involved in the harassment. The complainant and the person shall each have 10 days to request that the committee review the recommendations. A request for review shall be in writing and shall state the requester's objections to the recommendation. A copy of the request for review shall be given to the other party, who shall have five days to respond in writing to the request for review. The committee shall consider the request for review and response and report its 7 recommendation within 10 days after the date for the filing of the response to a request for review.

(f) At the end of any review period under paragraph (e) of this subsection, the committee's recommendation shall be made to the chamber for which the committee serves. The chamber shall take action on the recommendation on the next day that it convenes. Any sanction considered by a chamber shall be adopted by the chamber only upon receiving at least a two-thirds majority vote in favor of adoption of the sanction.

6.40 Discipline. If a member is called to order for words spoken in debate, the member objecting shall immediately repeat the words to which objection is taken and they shall be recorded in the journal. However, if any other member has spoken or other business has intervened after the words were spoken and before the objection was made, the member shall not be held answerable or subject to censure.

6.01 Definitions. (12) "Remonstrance" may be considered as a "protest" under section 26, Article IV of the Oregon Constitution.

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This message has been scanned for virus content by Symantec Anti-Virus, and is believed to be clean.  
Viruses are often contained in attachments - Email with specific attachment types are automatically deleted.  
If you need to receive one of these attachments contact Marion County IT for assistance.

\*\*\*\*\*

Original Date: 7/5/2019  
\_ Verified Correct Copy of Original



Staff:  
Brett Hanes, LPRO Director  
Patsy Wood, Committee Assistant

Members  
Sen Floye Prozanski, Chair  
Sen Tim Knopp  
Sen James Manning Jr  
Sen Kim Thatcher

## SENATE SPECIAL COMMITTEE ON CONDUCT

Oregon State Capitol  
900 Court Street NE, Room 453, Salem, Oregon 97301  
Phone: 503-986-1515  
Email: [scon.exhibits@oregonlegislature.gov](mailto:scon.exhibits@oregonlegislature.gov)

### AGENDA

#### MONDAY

**Date:** July 8, 2019  
**Time:** 9:00 A.M.  
**Room:** HR B

**Organizational Meeting**  
Adoption of Committee Rules

**Public Hearing and Possible Work Session**  
*Invited testimony only*

Consideration of Interim Finding and Recommendation from Outside Counsel Related to Sen. Boquist

**Send materials or presentations to the email at the top of the agenda 24 hours in advance of the meeting date. All submissions will be posted and made public on the Oregon Legislative Information System (OLIS).**



LEGISLATIVE  
ADMINISTRATION

Employee Services

June 25, 2019

TO: Senate President Courtney  
Senator Baertschiger, Senate Republican Leader  
Senator Prozanski, Chair Senate Conduct Committee  
Senator Knopp, Senate Conduct Committee  
Senator Manning Jr., Senate Conduct Committee  
Senator Thatcher, Senate Conduct Committee

FROM: Jessica Knieling, Interim HR Director

RE: Interim Finding and Recommendation

Senators,

Today, Legislative Counsel, Dexter Johnson and I received a memo from an outside counsel with an interim finding and recommendation in response to numerous Rule 27 reports and complaints related to Senator Boquist.

The independent investigator issued a finding of a Rule 27 violation by Senator Boquist. The independent investigator further recommended Senator Boquist be removed from the workplace to mitigate risk during the pendency of the remainder of the investigation and advised that applicable law and Rule 27 prohibit him from engaging in retaliation.

Today I spoke with Senator Baertschiger as the highest ranking member of the caucus and advised him of the report and the recommendation. I inquired as to whether there was an opportunity for voluntary compliance. He did not see an opportunity to request voluntary compliance. I advised him I would be forwarding to the Presiding Officer as well as the Senate Conduct Committee.

The independent investigator, Legislative Counsel and Legislative Administration have no authority to implement the independent investigator's recommendations to ensure employees are safe and the threats will not be carried out or incite others to violence. My understanding is that only the full senate can undertake any such action. As such I am providing the interim finding and recommendation to you for your consideration and action.

Exhibit 1.





**CONFIDENTIAL MEMORANDUM**

June 25, 2019

**TO:** JESSICA KNIELING, INTERIM HR DIRECTOR  
DEXTER JOHNSON, LEGISLATIVE COUNSEL

**FROM:** BRENDA K. BAUMGART

**RE:** Senator Brian Boquist/Interim Finding & Recommendations

---

As you know, I have been assigned to handle numerous Rule 27 matters related to Senator Brian Boquist. One of the categories of reports pertains to both Members and staff raising concerns about Senator Boquist's comments on the Senate floor on Wednesday, June 19, 2019, and subsequent media comments. I have reviewed (and watched) these public statements made by Senator Boquist, which include in relevant part:

- A statement on the Senate floor directed to President Courtney: "If you send the State Police to get me, hell is coming to visit you personally."
- A statement to the media directed to the Oregon State Police, "I am quotable, so here is the quote... Send bachelors and come heavily armed. I am not going to be a political prisoner in the State of Oregon, it's just that simple."  
<https://twitter.com/PatDooris/status/1141464157574684673>

Senator Boquist's statements are public and irrefutable. On their face, they constitute credible threats of violence directed at the Senate President and the Oregon State Police. These threats of violence directly have caused Members and Branch employees to report concerns, including for the safety and well-being of themselves and others and that they have been subjected to an intimidating and/or hostile work environment. Reports are that people are fearful and scared to come to work. These reports are credible.

Accordingly, and given the gravity of the situation as it pertains to threats of violence in the workplace, I issue an Interim Finding that Senator Boquist's indisputable, public threats of violence violate Rule 27. I recommend immediate measures be taken to ensure that the Capitol is free from threats of (or actual) violence and intimidation. The customary and best practice is to not allow the person who has threatened violence to return to the workplace until the employer

## Sen Boquist

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**From:** Miles Cameron  
**Sent:** Wednesday, July 03, 2019 1:43 PM  
**To:** Sen Boquist  
**Subject:** Public Records Request LC 8000 (2021)  
**Attachments:** lc8000 acknowledgement.pdf; lc8000 responses.pdf

Sen. Boquist-

Attached is a letter regarding your July 1, 2019 public records request related to complaints filed against you and responses provided to you by Jessica Knieling regarding your requests for specific records.

Thanks,

Cameron D. Miles  
Staff Attorney  
Office of Legislative Counsel  
cameron.miles@oregonlegislature.gov  
(503) 986-1243

\*\*\*\*\*CONFIDENTIALITY NOTICE\*\*\*\*\*

This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee or it appears from the context or otherwise that you have received this e-mail in error, please advise me immediately by reply e-mail, keep the contents confidential, and immediately delete the message and any attachments from your system.

\_ Verified Correct Copy of Original 7/5/2019. \_

Dexter A. Johnson  
LEGISLATIVE COUNSEL



900 COURT ST NE S101  
SALEM, OREGON 97301-4065  
(503) 986-1243  
FAX (503) 373-1043  
www.oregonlegislature.gov/lc

STATE OF OREGON  
LEGISLATIVE COUNSEL COMMITTEE

July 3, 2019

Senator Brian Boquist  
900 Court Street NE S311  
Salem OR 97301

Re: Public Records Request LC 8000

Dear Senator Boquist:

In accordance with ORS 192.324 (2), this acknowledges our receipt of your public records request dated July 1, 2019. Your request tracking number is LC 8000. Please reference this number in future correspondence.

Legislative branch staff will search for the records and make an appropriate response as soon as practicable and without unreasonable delay. You will receive an estimate of any fees to be charged for responding to your request before your request is processed. See ORS 192.324.

Very truly yours,

DEXTER A. JOHNSON  
Legislative Counsel

A handwritten signature in black ink, appearing to read "CS 2".

By  
Cameron D. Miles  
Staff Attorney

1. Copy of the formal complaint including name, persons involved in harassment, parties & witnesses, conduct or discrimination or harassment, date or time period, and potential remedy requested per Rule 27(6)(b).

**I do not have a copy of a formal complaint related to the documents you attached.**

2. Provide your best documentation clearing the Human Resource Director from any conflicts of interest since this State Senator over a month ago served notice to the HR Director of pending pay equity complaints against her with BOLI, and a two pre-existing Rule 27 complaint is still standing involving her failures. Reference Rule 27(6)(a).

**The HR Director, consistent with prior communications and Rule 27 can receive reports and complaints, but then must forward any report, informal or formal complaint to outside counsel. I received and forwarded consistent with the BOLI agreement and Rule 27. You have never filed a Rule 27 complaint with me. You have stated you are aware of harassment and discrimination which I have treated as reports and requested outside counsel contact you for intake. My understanding is none of those reports have resulted in a Rule 27 complaint filed by you.**

3. Provide documentation of what immediate action was taken to protect the alleged complainant per Rule 27(6)(d).

**Please see memo from the Presiding Officers outlining options for employees who are concerned about safety and health in the Capitol sent on Thursday, June 20. There was a subsequent email sent out by me to the branch on Friday, June 28. Rule 27 (6) applies to formal complaints which was not the impetus for this memo. Nonetheless, these communications were to ensure employees had a safe and nonhostile work environment.**



Capitol Health and  
Safety\_June 20 2019

4. Provide the complete and entire list of members and employees who allegedly cooperated with the alleged investigation per Rule 27(6)(f).

**Ms. Baumgart's June 25 memo clearly states her finding and recommendation are based upon public statements. My understanding is there was no need for members or employees to cooperate as the statements were public.**

5. Provide your notice you allegedly gave to this State Senator that you had received a formal complaint and were initiating an investigation against me per Rule 27(6)(g).

**No such notice exists. Again, this memo was not borne out of a formal complaint.**

6. Provide a copy of the draft findings you allegedly provided to this State Senator per Rule 27(6)(i).

**No such notice exists. Again, this memo was not borne out of a formal complaint.**

7. Provide a copy of the notice you allegedly gave to this State Senator outlining my right to review the draft investigation and request modifications prior to the final report per Rule 27(6)(j).

**No such notice exists. Again, this memo was not borne out of a formal complaint.**

8. Provide a copy of the final findings you allegedly gave this State Senator, the so far unnamed complainant, and the appointing authority per Rule 27(6)(k).

**No such notice exists. Again, this memo was not borne out of a formal complaint.**

9. Provide a copy of the notice provided to the highest-ranking caucus member per Rule 27(6)(c)(A) and Rule 27(6)(c)(A).

**No such notice exists. Again, this memo was not borne out of a formal complaint. However, I did contact the highest-ranking caucus member in an effort to explore options for voluntary compliance or other alternatives on June 25. Senator Baertschiger was also not at the Capitol. I reached out to his Chief of Staff and was provided with a number where I could reach him. Senator Baertschiger was not able to offer any options so I advised him I would be providing notice to the Presiding Officers and Conduct Committee as he didn't feel he could reach you or resolve the concern.**

10. Provide a copy of the presiding officers notification to this State Senator per Rule 27(6)(c)(F).

**No such notice exists. Again, this memo was not borne out of a formal complaint. You already attached what the Committee Chair provided to you in advance of his calling of the July 8 meeting.**

11. Provide a copy of the suspension of Senate Rule 6.40 related to the Ms. Baumgartner's one page narrative provide to me attached. Reference Senate Rule 6.40. Reference Senate Rule 1.01(12).

**Any Senate Rules questions would be best answered by the Secretary of the Senate.**

12. Ms. Baumgartner's one page attached alleges criminal threats, therefore, provide 100% of the communications in regard to this matter with the Oregon State Police and the Marion County District Attorney. Please note there is no such record of any complaint with the Oregon Judicial Department per their records as this time. Additionally, as of Sunday afternoon there was no known action to the Oregon State Police. Further, the Marion County District Attorney has raised none of these alleged criminal issued with this State Senator at this time. All are copied.

**I do not see where Ms. Baumgart's letter alleges criminal threats. Which records are you seeking?**

13. Two Oregon State Senators allege either you two, or those involved in the process in the Legislature, attempted, clearly for political reasons, to get a temporary restraining order against this State Senator, therefore, provide 100% of this documentation or deny in writing such documents exist or such action was attempted.

**I have not attempted to get a restraining order against you and don't know why any state senator would allege otherwise. I believe any attempts at a restraining order would be available through the courts.**

14. Provide the name of the individual who provided this to the media while you failed to notify this State Senator of anything.

**I do not understand what name you are requesting. I haven't spoken to the media.**

15. Provide 100% of the documentation and communications with Dexter Johnson and Betsy Imholt related to this alleged complaint.

**This request would need to go through Cameron Miles in Legislative Counsel. Again, the memo was not borne out of a formal complaint.**

16. Again, this is a formal legal request for 100% of the correspondences, emails, documents, notes, electronic communications, and telephone records related to the attached alleged complaints.

**We forward all records requests, which I believe this to be, to Legislative Counsel for proper handling. You have copied Cameron Miles so I will await his guidance.**



LEGISLATIVE  
ASSEMBLY

---

900 Court St NE  
Salem, Oregon 97301

**To:** Capitol Staff and Occupants

**From:** Peter Courtney, Senate President  
Tina Kotek, Speaker of the House

**Date:** June 20, 2019

**Subject:** Capitol Safety and Health Concerns

*Peter Courtney*  
*Tina Kotek*

Recently, concerns for the safety and wellbeing of our staff and the public have been brought forward. We want to assure you that each and every one of these concerns is being taken seriously. There is no greater priority than the safety of our staff. As most of you know, we are fortunate to have the Oregon State Police in the building. We are taking all reports to OSP and requesting their expertise in ensuring safety and security at the Capitol. While we don't discuss specific security measures, we want you to know OSP is assisting us to take all necessary steps to address specific concerns. In addition, we want to encourage anyone who has a concern to discuss the concern with your supervisor or Jessica Knieling in Employee Services at 503.986.1370. We have options and tools available to assist you.

While we have confidence everything is being done to ensure safety and security in the Capitol, you need to feel safe at work. Please let us know what we can do to support you. OSP is also a resource for you to address any safety concerns and they can be reached at 503.375.3555.

Finally, this session the legislature has prioritized changing the culture in the Capitol with a focus on making this building a place where everyone feels safe and welcome. While we work to modify our rules and policies, we know that any real change comes from each of us choosing to behave in a way that promotes this change and finding the courage to report and challenge the behaviors of individuals whose actions serve to intimidate, degrade or devalue others.