

Congress of the United States
Washington, DC 20510

July 22, 2020

Michael E. Horowitz
Office of the Inspector General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, D.C. 20530

Joseph V. Cuffari
Office of the Inspector General
U.S. Department of Homeland Security
245 Murray Lane SW
Washington, D.C. 20528

Dear Inspector General Horowitz and Inspector General Cuffari:

We write to urge the U.S. Department of Justice (DOJ) and Department of Homeland Security (DHS) Offices of Inspectors General (OIG) to immediately open investigations into the deployment of federal law enforcement entities to Portland, Oregon apparently in response to protest activity.

We are still working to confirm the entities that have been deployed, but it appears to include the U.S. Marshals Service Special Operating Group (SOG), the Department of Homeland Security Investigations Special Response Team (HSI SRT), and the Customs and Border Protection Tactical Unit (BORTAC). Documented reports and video footage of violent tactics used by federal law enforcement officers against civilians raise a number of questions about the intent and purpose behind this escalation, as well as the chain of command, if any, that has been established for the agents who are operating on the ground and engaging with protesters.

On July 11, 2020, a 26-year-old man standing in a public street was shot in the face with an impact munition, apparently by an officer in the DOJ SOG unit. This incident raises alarms about the escalation of tactics and violence that further provoke conflict and intensify tensions, rather than quell discord. The young man has serious injuries and underwent facial reconstructive surgery and remains in serious condition.

On July 13, 2020, President Trump made a series of comments about Portland, indicating that “we very much quelled it, and if it starts again, we’ll quell it again very easily. It’s not hard to do, if you know what you’re doing,” appearing to encourage further escalation of use of force by federal agents.

On July 15, 2020, video footage surfaced of unidentified agents apprehending a civilian by putting him into an unmarked car. As of the date of this letter, the video has been viewed more than 12 million times, increasing fear and concern in our communities. Until CBP claimed responsibility for this incident, it was unclear with which federal response unit these agents are affiliated, and in at least some of these instances, these anonymous law enforcement officers appear to be indiscriminately arresting anyone in downtown Portland. There has been no indication as to what federal offense the civilians were suspected of having committed that would justify arrest or detention by federal agents, and it remains unclear if federal entities other than CBP have deployed the same or similar tactics.

On July 16, 2020, in response to the tension-inflaming and likely unconstitutional militarized tactics used by federal forces, local officials requested that these recently deployed federal agents leave Portland. These tactics have only served to inflict violence on civilians, escalate tensions,

Congress of the United States
Washington, DC 20510

significantly increase the number of protesters, and render the city less – not more - safe. Acting Secretary Chad Wolf, however, refused this request, and instead arrived in Portland on July 16, 2020. The same night, federal officials responded to protests with more gas, smoke, and impact munitions.

The American people deserve transparency and accountability. We live in a democratic republic, not an authoritarian police state. The repeated use of federal force against civilians warrants urgent investigation and raises serious questions about the directives behind this effort and misuse of force that has an apparently political motivation. Moreover, these tactics echo those that were used in Lafayette Square Park on June 1, 2020, for which a DOJ OIG investigation has also been requested.

We respectfully request that you immediately open full and comprehensive investigations into the deployment of federal law enforcement agents in Portland, Oregon and provide a detailed explanation about: the chain of command that governs these tactical response teams; their training and safety protocols on use of crowd control tactics and weaponry; their directives to apprehend civilians in downtown Portland; their coordination with local law enforcement officials and elected representatives, if any; and the intent of these tactics, which appear to be motivated not by reducing tensions between the people of Portland and law enforcement agencies but instead by a desire to demonstrate unfettered power over the people of Oregon.

We look forward to your prompt response.

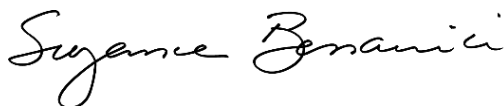
Sincerely,



Jeffrey A. Merkley
United States Senator



Ron Wyden
United States Senator



Suzanne Bonamici
Member of Congress



Earl Blumenauer
Member of Congress