

Congress of the United States
Washington, DC 20515

July 14, 2020

The Honorable William Barr
Attorney General
U.S. Department of Justice
Washington, D.C. 20530

The Honorable Chad Wolf
Acting Secretary
Department of Homeland Security
Washington, D.C. 20528

Dear Attorney General Barr and Acting Secretary Wolf:

We write concerning the role of, and recent actions by, Department of Justice (DOJ) and Department of Homeland Security (DHS) officers in Oregon responding to local demonstrators. We are deeply concerned by these officers' presence and actions and the seeming lack of on-the-ground coordination between agencies and departments.

In recent weeks, the federal government has deployed to Portland a number of DOJ and DHS officers. This politically driven federal response is intolerable. The apparent lack of operational coordination between agencies, departments, and offices, and the violence perpetrated by federal personnel is particularly concerning. Their presence and lack of coordination raises urgent concerns about how those engaging in illegal use of force against demonstrators will be held accountable.

On Saturday, July 11, 2020, a federal agent, whom we understand to be a member of the DOJ U.S. Marshal Service Special Operations Group (SOG), deployed at the Hatfield Federal Courthouse in Portland, Oregon, fired a potentially deadly crowd-control munition in apparent violation of commonly employed training tactics that direct officers to aim below the head and face area. An Oregonian suffered a resulting critical head injury and since undergoing surgery is now hospitalized. This use of force appeared, from recorded accounts, to be an unnecessary escalation on the part of federal agents.

We are further concerned that this SOG may be taking direction from leaders outside of Oregon. The U.S. Marshal Service website describes SOG as "...a self-supporting response team capable of responding to emergencies anywhere in the United States or its territories. ... The SOG also maintains a small, full-time operational cadre stationed at the Marshals Service Tactical Operations Center at Camp Beauregard, LA."

We unequivocally condemn such acts of violence and any effort to target, attack, or silence those peacefully exercising their First Amendment rights. To help us understand how such an incident

could occur and how federal agencies are communicating with each other and local authorities, please respond to the following questions no later than July 21, 2020:

- Which federal agencies, departments, or units under DOJ and DHS have been deployed or authorized to conduct law enforcement activity in response to protests in Oregon? Please include the number of personnel from each. Please include any Border Patrol Tactical Units (BORTAC), Homeland Security Investigations Special Response Teams (HSI SRT), U.S. Marshal Special Operations Group (SOG), and any other federal units deployed to Oregon to address protest operations. Please include each entity's mission of operation as it relates to protest response.
- Are officers identifiable by badges with names and personnel numbers? What uniforms, identification, and equipment do personnel participating in these deployments wear and carry? Please provide any relevant policies and procedures with your response.
- Who is in charge of the DOJ and DHS federal response on the ground in Portland, Oregon? What is the chain of command at the relevant agencies and/or departments? Specifically, to whom does the SOG report? Are there federal law enforcement officers in Oregon under the purview of DOJ or DHS who do not report to leadership on the ground in Oregon or Region X staff in Seattle? If so, to whom do they report?
- In which Oregon cities are these DOJ and DHS entities conducting protest operations?
- How do DOJ and DHS entities involved with the Portland protest operations communicate with each other and with Oregon-based law enforcement?
- What guidance have DOJ and DHS personnel received on standing operating procedures for engagement with protestors, members of the press, and other civilians? Please include federal guidance on the use of gas and other munitions, use of force and use of lethal force. Does every DOJ and DHS agency and unit follow the same engagement protocols for use of force, gas, and other munitions?
- What are the protocols that undercover officers embedded with protestors must follow and when/how do they decide to make arrests? Which agencies employ these undercover officers and how many are doing this work in Oregon? Please describe their mission and relevant training. Is this a common practice across the country?
- What training and guidance have federal officers, agents, and marshals received on how to interact and respond to protestors? Does this training include nonviolent means of de-escalation? Please provide copies of rules of engagement with protestors, including policies and emails. In particular, please identify policies that authorize violence against peaceful protestors.
- Please confirm if the officer who fired the munition that struck the protester on Saturday, July 11 has been identified, and if so whether this officer will face professional

investigation, sanction, or other action. If an investigation is underway, which agency is conducting it and when do you expect it to be completed?

We look forward to your prompt response.

Sincerely,



Ron Wyden
United States Senator



Jeffrey A. Merkley
United States Senator



Suzanne Bonamici
Member of Congress



Earl Blumenauer
Member of Congress