

## State of the Legislative Equity Office

- Financial
  - As of April 12, 2021 – unpaid balance to outside investigator Stoel Rives: \$76,691.93
  - As of April 12, 2021 – unpaid balance to outside investigator Jackson Lewis: \$131,092.65
  - There were two other times where unpaid balances ballooned in May 2020 and September 2020.
  - The unpaid balances have resulted in paused work multiple times. This has impacted every investigation.
  - Contractual caps were reached for Jackson Lewis on April 12, 2021 resulting in the Rep. Witt investigation taking longer. This has happened at other times for both firms.
  - There is no RFP or plan in place to do formal bidding, contracts have been amended multiple times, which is inappropriate. Original amounts were below the formal bidding process but have ballooned to over \$500,000 for each firm to continue to do their work. The responsibility lies with the Legislative Equity Officer to conduct the RFP process to correct this.
- Case Documentation
  - A Conduct Complaint brought forward by 30 House Democrats against Rep. Nearman was incorrectly assigned that all impacted parties decided not to move forward. The email correspondences and conversations since show not all individuals were process counseled and if they were, the withdrawal of their names is not true.
  - There were no case files on April 12, 2021. All case files now are ones I developed to begin puzzling together all the past cases.
  - There is no data collection. There is no tracking of patterns of behavior.
  - With ongoing litigation, there should be serious concern about the lack of any documentation including case notes, filed conduct reports or complaints, and correspondences with Respondents and Complainants/Impacted Parties to demonstrate the Rule is being followed.
  - The Joint Conduct Committee is responsible for developing record keeping policies for the LEO.
- Cases
  - On April 12, 2021, multiple cases had not been facial reviewed and taken months to get responses to those impacted parties. There is a track record of individuals reporting and cases being unheard.
  - On April 12, 2021, there were 4 previous cases that were under investigation. As of today: 2 are in final report, 1 is in draft report, and 1 is awaiting Complainants signature per Rule 27. The only case brought to investigation in my short tenure was completed in 34 days, which was extended due to nonpayment of bills and contractual caps.
  - There are multiple emails and other information with individuals waiting months to hear from the LEO or have not heard at all. I was unsuccessful in being able to cover every email and identify those individuals.
  - I can determine there are at least 4 cases that may come forward soon resulting in the need for serious action by the Legislature.
- Trainings

- There are minimal records for those who have completed trainings. It would take considerable time to determine who has completed trainings as required in Rule 27
- The training requirement determines that online training is a last resort. This policy would not work in the pandemic and construction environment of the Capitol building.
- Exit Interviews
  - No exit interviews were done or forms developed. This is a requirement under Legislative Branch Rules for the Officer to do exit interviews with staff members. I put together a Survey Monkey Exit Interview that is available now.
- Summary
  - This is only a small part of the deficiencies in the Legislative Equity Office. The sole authority on oversight of the office is the Joint Conduct Committee. The consequences of this office's failures are astonishingly serious. The BOLI agreement created this position with mandates to ensure the Capitol was a safe place for all. The failures of the Legislative Equity Office, not only cost taxpayer funds, but ensure the culture of harassment lives on in the Oregon Capitol.
- Recommendations
  - Do not hire anyone for the Legislative Equity Officer role until a thorough evaluation of the office is conducted.
  - Develop a strategic plan and vision for the office for the next Officer to be successful and have a starting place.
  - Be honest with everyone in the Capitol community and provide an outlet for those seeking to come forward, again because their cases may have not been heard.
  - Conduct a capitol culture survey immediately. There are many tools and resources to do this correctly.
  - I noticed a dismissive culture in the building of staff members. "They are crazy" was said a lot. I would encourage accountability of all appointing authorities, managers, and members. No one should be dismissed on their case for "being crazy." Have anyone who is assisting those in need be unaffiliated with the branch because they will be dismissed as "crazy."