



OREGON DEPARTMENT OF JUSTICE INVESTIGATION REPORT SUMMARY MULTNOMAH COUNTY SHERIFF DAN STATON CJD0027-16

SUMMARY OF ALLEGATIONS

The investigation was initiated in response to a February 5, 2016, letter request from Deborah Kafoury, Chair of the Multnomah County Commission, and Rod Underhill, District Attorney for Multnomah County. The letter asked the Criminal Justice Division to review and, if appropriate, to investigate the circumstances surrounding the collection of information on the members of the Multnomah County Charter Review Committee by the Multnomah County Sheriff's Office and whether any threats of violence were made relating to committee members. Additionally, the Criminal Justice Division was asked to review allegations contained in the tort claim filed by Chief Deputy Linda Yankee for any violation of Oregon criminal law.

In April 2016, the Criminal Justice Division learned of an additional allegation alleging that Sheriff Staton offered a promotion to Deputy Matt Ferguson, president of the Deputy Sheriff's Association, in an effort to prevent a vote of "no confidence" by the Association.

INTERVIEWS

JOHN JENKINS, Criminal Justice Division Criminal Intelligence Specialist
Investigated whether law enforcement data bases LEDS and RegJIN were improperly searched for information on Charter Review Committee members. Report dated March 3, 2016

RICH ALLEN, Troutdale City Councilor
Provided information and observations regarding Sheriff Staton. Report dated April 29, 2016


JASON HEILBRUN, MCSO IT Specialist and President of AFSCME Local 88
Saw paperwork with "profiles" of members of the Charter Review Committee; witnessed Sheriff Staton make an alleged threatening remark. Report dated March 1, 2016

LINDA YANKEE, Former MCSO Chief Deputy
Filed tort claim notice alleging misconduct by Sheriff Staton. Report dated April 6, 2016

DAN STATON, MCSO Sheriff

Subject of the investigation.

Reports dated April 8, 2016
and May 3, 2016


*Provided information regarding knowledge of the allegations
and background information on the promise of confidentiality.*

Report dated April 8, 2016

MARY LINDSTRAND, MCSO Captain

*Conducted Google searches on members of the Multnomah
County Charter Review Committee.*

Report dated April 19, 2016

MATT FERGUSON, MCSO Deputy and President of the Deputy Sheriff's Assn.

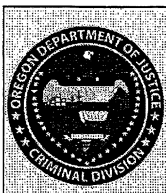
*Sheriff Staton suggested Deputy Ferguson would be promoted
and that the sheriff would retaliate against people who turned
against him in a conversation shortly before a union "no
confidence" vote discussion.*

Report dated April 27, 2016

KEVIN JONES, MCSO Deputy

*Witnessed statement made by Sheriff Staton to Deputy
Ferguson.*

Report dated April 27, 2016



OREGON DEPARTMENT OF JUSTICE
CRIMINAL JUSTICE DIVISION
2250 McGilchrist St., SE, STE 100 • Salem OR 97302
Office: 503-378-6347 • Fax: 503-373-1936
CLASSIFICATION / CRIME(S)

INVESTIGATIVE REPORT

CYBERTIP / REFERENCE NUMBER

REPORT NO.

CASE NUMBER

PAGE / OF

CJD0027-16

1 / 2

CJD UNIT

Organized Crime

REFER / REQUEST / ASSIST AGENCY & CASE NO.

OCCURRED FROM DATE/TIME

February 12, 2016

OCCURRED TO DATE/TIME

February 24, 2016

REPORT DATE/TIME

March 3, 2016

ATTACHMENTS

- ☐ Prop/Evidence
☐ Records
☐ Other

LOCATION OF OCCURRENCE

2250 McGilchrist St., SE, Suite 100, Salem, OR 97302

COUNTY

Marion

ONE SENTENCE SUMMARY OF REPORT

Multnomah County Charter Review Committee LEDS Inquiry

THIS REPORT MAY CONTAIN INFORMATION NOT SUBJECT TO PUBLIC RELEASE. REDACT AS APPROPRIATE BEFORE RELEASING. ☐ AG Subpoena ☐ Juvenile

PERSONS BU-Business LE-Law Enforcement OW-Owner PM-Person Mentioned RP-Reporting Party SB-Subject SU-Suspect V-Victim WI-Witness

CODE	NAME (Last, First Middle)	SEX	RACE	DOB	DRIVER LICENSE / STATE
HOME ADDRESS					PHONE: <input type="checkbox"/> HOME <input type="checkbox"/> MOBILE
BUSINESS / SCHOOL ADDRESS					PHONE: <input type="checkbox"/> WORK <input type="checkbox"/> MESSAGE
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REPORTING SPECIAL AGENT

Wm. Gray

DPSST

APPROVED BY

Mike Loughary

DATE APPROVED

03/04/16

00003

During the week of February 15, 2016, this office conducted an off-line search of the Law Enforcement Data System (LEDS), to determine if any person from the Multnomah County Sheriff's Office (MCSO) had conducted a LEDS search of the following members of the Multnomah County Charter Review Committee:

Kristen Harrington Leonard, DOB: [REDACTED]

David John Robertson, DOB: [REDACTED]

Justin T. Freeman, DOB: [REDACTED]

Michael L. Cummings, DOB: [REDACTED]

Paul Robert Koch, DOB: [REDACTED]

Carol Louise Chesarek, DOB: [REDACTED]

Samantha Eve Alloy, DOB: [REDACTED]

Moses Julian Ross, DOB: [REDACTED]

Mark Douglas Sturbois, DOB: [REDACTED]

Elizabeth Ann Trojan, DOB: [REDACTED]

Jeanna Marie Hall, DOB: [REDACTED]

Keith Joseph Mosman, DOB: [REDACTED]

Juan Carlos Ordonez, DOB: [REDACTED]

John George Vandermosten, DOB: [REDACTED]

Victoria Rose Purvine, DOB: [REDACTED]


John Jenkins, DOJ Criminal Intelligence Specialist, arranged for the inquiry and determined that none of the names had been checked by personnel from MCSO.

In addition, I contacted Kimberly Roark, the RegJIN Global System Administer to conduct a similar search of the RegJIN Database. RegJIN is the Regional Justice Information Network (RegJIN) Records Management System (RMS). RegJIN is a depository for crime related information that is entered and shared by over 40 law enforcement agencies located in the Portland Metropolitan Area, including MCSO.

The inquiry was negative and the timeframe used was September 1, 2015 to February 1, 2016.

REPORTING SPECIAL AGENT Wm. Gray	DPSST	APPROVED BY Mike Loughary	DATE APPROVED 03/04/16
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00004

	OREGON DEPARTMENT OF JUSTICE CRIMINAL JUSTICE DIVISION <small>2250 McGilchrist St. SE, STE 100 • Salem OR 97302 Office: 503-378-6347 • Fax: 503-373-1936</small>		INVESTIGATIVE REPORT		CYBERTIP / REFERENCE NUMBER	REPORT NO.	CASE NUMBER CJD0027-16	PAGE / OF 1 / 2
	CLASSIFICATION / CRIME(S)							CJD UNIT Organized Crime
	REFER / REQUEST / ASSIST AGENCY & CASE NO.		OCCURRED FROM DATE/TIME 03/07/2016 10 a.m.	OCCURRED TO DATE/TIME 03/07/2016 10 a.m.		REPORT DATE/TIME 04/29/2016 11 a.m.		
ATTACHMENTS <input type="checkbox"/> Prop/Evidence <input type="checkbox"/> Records <input type="checkbox"/> Other	LOCATION OF OCCURRENCE 2250 McGilchrist Street SE, Salem, OR 97302							COUNTY [out of state]
	ONE SENTENCE SUMMARY OF REPORT Interview with Troutdale City Councilor Rich Allen							
THIS REPORT MAY CONTAIN INFORMATION NOT SUBJECT TO PUBLIC RELEASE. REDACT AS APPROPRIATE BEFORE RELEASING. <input type="checkbox"/> AG Subpoena <input type="checkbox"/> Juvenile								
PERSONS BU-Business LE-Law Enforcement OW-Owner PM-Person Mentioned RP-Reporting Party SB-Subject SU-Suspect V-Victim WI-Witness								
CODE RP	NAME (Last, First Middle) Allen, Rich		SEX M	RACE W	DOB		DRIVER LICENSE / STATE	
HOME ADDRESS							PHONE: <input type="checkbox"/> HOME <input type="checkbox"/> MOBILE	
BUSINESS / SCHOOL ADDRESS 219 E. Historic Columbia River Highway, Troutdale, OR 97060							PHONE: <input checked="" type="checkbox"/> WORK <input type="checkbox"/> MESSAGE 503-512-8060	
ADDITIONAL INFO (Physical description, email address, online user name, moniker, etc.)							<input type="checkbox"/> SSN <input type="checkbox"/> SID <input type="checkbox"/> FBI	
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REPORTING SPECIAL AGENT W. Gray	DPSST 13993	APPROVED BY Mike Loughary	DATE APPROVED 04/29/16
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00348

On Friday, February 19, 2016, I received an email from Senior AAG J. Tseng, that Troutdale City Councilor Rich Allen, requested to be interviewed, regarding the Multnomah County Sheriff Daniel Staton investigation. I was informed that Mr. Allen had some pertinent information that he wanted to share.

On March 7, 2016, at approximately 10 a.m., Mr. Allen came to the Criminal Justice Division in Salem to be interviewed. I, and Sr. AAG J. Tseng, met with Mr. Allen in a fourth floor conference room.

Mr. Allen said that he felt he was being investigated by Sheriff Staton. Mr. Allen said he knew the sheriff was being investigated for some allegations that he was using official police resources to do profile searches on members of the public. Mr. Allen said he felt he was also a victim of illegal profile searches.

Mr. Allen said that at a public Troutdale Meeting he brought up a citizen complaint that the citizen felt she was improperly treated during a traffic stop conducted by two unnamed MCSO Sheriff Deputies. Mr. Allen also said he publicly voiced his concerns of the merger between MCSO and the Troutdale Police Department. Mr. Allen felt it was not a good financial decision for the merger. Mr. Allen said he felt he may have angered the sheriff for voicing the aforementioned two issues.

Mr. Allen said he was informed, by a friend, after a public meeting, that his friend had observed a member of the sheriff's staff, in possession of a file that had Mr. Allen's name mentioned. Mr. Allen said he would make an attempt to get his friend's name for the record.

Mr. Allen said he received a letter from MCSO Lieutenant Harry Smith indicating he was the subject of an investigation. Mr. Allen said he would find and provide a copy of the letter to me in the near future.

Mr. Allen departed and said he would contact me in the near future.

REPORTING SPECIAL AGENT W. Gray	DPSST 13993	APPROVED BY Mike Loughary	DATE APPROVED 04/29/16
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00349



OREGON DEPARTMENT OF JUSTICE CRIMINAL JUSTICE DIVISION 2250 McGilchrist St. SE, STE 100 • Salem OR 97302 Office: 503-378-6347 • Fax: 503-373-1936		INVESTIGATIVE REPORT		CYBERTIP / REFERENCE NUMBER	REPORT NO.	CASE NUMBER CJD0027-16	PAGE / OF 1 / 2
CLASSIFICATION / CRIME(S)						CJD UNIT Organized Crime	
REFER / REQUEST / ASSIST AGENCY & CASE NO.		OCCURRED FROM DATE/TIME 02232016/1400hrs		OCCURRED TO DATE/TIME		REPORT DATE/TIME 03012016/1128hrs	
ATTACHMENTS <input type="checkbox"/> Prop/Evidence <input type="checkbox"/> Records <input type="checkbox"/> Other		LOCATION OF OCCURRENCE 510 SE Hawthorne Boulevard, Portland, Or 97214					COUNTY Multnomah
ONE SENTENCE SUMMARY OF REPORT Interview with Jason HEILBRUN							
THIS REPORT MAY CONTAIN INFORMATION NOT SUBJECT TO PUBLIC RELEASE. REDACT AS APPROPRIATE BEFORE RELEASING: <input type="checkbox"/> AG Subpoena <input type="checkbox"/> Juvenile							
PERSONS BU-Business LE-Law Enforcement OW-Owner PM-Person Mentioned RP-Reporting Party SB-Subject SU-Suspect V-Victim WI-Witness							
CODE WI	NAME (Last, First Middle) HEILBRUN, Jason R.	SEX M	RACE W	DOB [REDACTED]	DRIVER LICENSE / STATE [REDACTED]		
HOME ADDRESS					PHONE: <input type="checkbox"/> HOME <input type="checkbox"/> MOBILE		
BUSINESS / SCHOOL ADDRESS 510 SE Hawthorne Blvd., Portland, OR 97214					PHONE: <input checked="" type="checkbox"/> WORK <input type="checkbox"/> MESSAGE 503-880-8753		
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CODE	NAME (Last, First Middle)	SEX	RACE	DOB	DRIVER LICENSE / STATE		
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REPORTING SPECIAL AGENT Wm. Gray		DPSST 13993		APPROVED BY Mike Loughary		DATE APPROVED 03/01/16	

On Tuesday, February 23, 2016, I met with Jason Heilbrun, a Multnomah County Employee and the President of The American Federation of State, County and Municipal Employees (AFSCME) Local 88, Portland, Oregon. The meeting took place in Heilbrun's office on the 4th floor of the Multnomah Building at 510 SE Hawthorne Boulevard, Portland, Oregon 97214.

Heilbrun had agreed to meet to discuss notes he had taken during a meeting conducted by Multnomah County Sheriff Dan Staton. Heilbrun said the meeting took place on Monday, January 11, 2016, at the Multnomah Building. Heilbrun said he had received an email request to attend the meeting as the President of AFSCME Local 88. Heilbrun said the email request was from Diane Hutchinson the Legislative Administrative Assistant for Sheriff Daniel Staton. Heilbrun said he was informed that the purpose of the meeting was to discuss the Multnomah County Charter Review Committee. Heilbrun said the County Charter Review Committee was made up of citizens, appointed by members of the legislature every six years, to review the county charter.

Heilbrun said those present at the meeting were Cathy Gorton, President of the Multnomah County Corrections Deputies Union; Jennifer Ott, The Sheriff's Human Resource Manager; Pat Ferguson, President of the Multnomah County Deputies Association; Mary Lindstrand, Acting Chief Deputy of the Multnomah County Sheriff's Office.

Heilbrun said he sat at the conference table, in a chair directly to the left of Sheriff Staton. Heilbrun said the sheriff started the meeting talking about a 2% budget cut the Sheriff's Office was facing, and the impact it would have on various current projects.

Heilbrun then said the sheriff began speaking on the subject of the Charter Review Committee. Heilbrun said he felt that the sheriff was upset with a subcommittee of four members that were discussing changing the charter so that the sheriff's position could be appointed instead of being elected. Heilbrun said that nothing had been determined and that he was sure that nothing had been submitted to get the proposal to the voters.

Heilbrun said that Sheriff Staton said that there were four members on the subcommittee discussing this issue and that Sheriff Staton knew that of the four, one was for, two were opposed, and one was unsure.


Heilbrun then said that Jennifer Ott handed Sheriff Staton a standard size paper folder that contained approximately four pieces of paper documents. Heilbrun said that because of his close proximity to Sheriff Staton he was able to see the documents but was unable to read the text. He did say that he saw some blue ink and outlines on one of the documents.

Heilbrun said the Sheriff said that he "had full profiles done on them."

I asked Heilbrun if he was familiar with the Law Enforcement Data System (LEDS) and if he recognized the documents as LEDS' printouts. Heilbrun said the documents did not appear to be LEDS' printouts. I asked Heilbrun if they more resembled standard internet searches, such as Google, and he said he believed so.

Heilbrun said that one person at the meeting asked the Sheriff what other Oregon Sheriffs might do regarding this subject. Heilbrun said the Sheriff said that they would probably "cap somebody." I asked Heilbrun if he felt threatened by this remark and he said he was not threatened and that he wrote the Sheriff's statement off to what he described as "bravado."

I contacted David Austin, Communications Director, Multnomah County, who told me the names of the Charter Review Committee, Sub-Committee Member discussing the subject of reviewing whether the sheriff should be appointed or elected. The names given by Austin are: Kirsten Leonard, Davis Robertson, Mark Sturvois, Victoria Purview, and Moses Ross.

	OREGON DEPARTMENT OF JUSTICE CRIMINAL JUSTICE DIVISION 2250 McGilchrist St. SE, STE 100 • Salem OR 97302 Office: 503-378-6347 • Fax: 503-373-1936		INVESTIGATIVE REPORT		CYBERTIP / REFERENCE NUMBER	REPORT NO.	CASE NUMBER CJD0027-16	PAGE / OF 1 / 3
	CLASSIFICATION / CRIME(S) <div style="display: flex; justify-content: space-between;"> Official Misconduct Organized Crime </div>							
	REFER / REQUEST / ASSIST AGENCY & CASE NO.		OCCURRED FROM DATE/TIME 03/16/2016, 1328hrs		OCCURRED TO DATE/TIME 03/16/2016, 1328hrs		REPORT DATE/TIME 04/08/2016, 0905hrs	
ATTACHMENTS <input type="checkbox"/> Prop/Evidence <input type="checkbox"/> Records <input type="checkbox"/> Other	LOCATION OF OCCURRENCE 601 SW 2nd Avenue, Suite 2300, Portland, Oregon 97201							COUNTY Multnomah
	ONE SENTENCE SUMMARY OF REPORT MCSO Sheriff Dan Staton Interview							
THIS REPORT MAY CONTAIN INFORMATION NOT SUBJECT TO PUBLIC RELEASE. REDACT AS APPROPRIATE BEFORE RELEASING. <input type="checkbox"/> AG Subpoena <input type="checkbox"/> Juvenile								
PERSONS BU-Business LE-Law Enforcement OW-Owner PM-Person Mentioned RP-Reporting Party SB-Subject SU-Suspect V-Victim WI-Witness								
CODE SU	NAME (Last, First Middle) Staton, Daniel				SEX M	RACE W	DOB	
HOME ADDRESS 501 SE Hawthorne Blvd., Portland, OR 97214							DRIVER LICENSE / STATE PHONE: <input type="checkbox"/> HOME <input type="checkbox"/> MOBILE	
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REPORTING SPECIAL AGENT W. Gray		DPSST 13993		APPROVED BY Mike Loughary			DATE APPROVED 04/08/16	

00201

On March 16, 2016, at 1:30 p.m., Multnomah County Sheriff Dan STATON was interviewed about his role in doing background profiles of members of the Multnomah County Citizens Charter Review Committee. An allegation was made that Staton had used the Law Enforcement Data System (LEDS) in doing criminal background profiles.

The interview was conducted in the law office of Barran Liebman at 601 SW 2nd Avenue, # 2300, Portland, Oregon 97204. Present during the interview was myself, Dan Wendel, Senior Assistant Attorney General, Oregon Department of Justice, Sheriff Dan Staton, and Attorney Paula Barran.

Sheriff Staton was informed that our office was conducting an investigation based on an allegation that Sheriff Staton had used LEDS to conduct background checks on members of the aforementioned committee members.

Sheriff Staton explained that he had not conducted any computer related checks on any members of the committee. He explained that in prior years, when members of the review committee were selected, his office received a list of the members, along with some biographical information on the citizens selected. Sheriff Staton said this time his office received a list of names, but no biographical information.

Sheriff Staton said he did not task anyone in his office to run personal profiles on any members of the committee. Sheriff Staton said he tasked one of his chief deputies, Linda Yankee, any follow up that might be needed concerning any meetings with the review committee. Sheriff Staton said at some time towards the beginning of 2016, he received some documents from Captain Mary Lindstrand that listed some personal background information on the review committee members. Sheriff Staton said the information appeared to have been gathered on the internet and possibly as a result of a Google search.

I showed Sheriff Staton a three-page double-sided document (attached) that listed the review committee members and brief biographical information on at least eleven of the committee members. Sheriff Staton said the document was very similar and appeared to be a copy of the same document that was provided to him by Captain Lindstrand.

Sheriff Staton said that he did not use any department data bases such as LEDS and the RegJIN data base, nor did he task anyone in his office to use these data bases to obtain background information on any of the committee members.

Sheriff Staton was also asked about some allegations made in a Tort Claim filed against him by Chief Deputy Linda Yankee. In the claim, (attached) Yankee mentioned that the sheriff had touched her inappropriately and insisted on hugging her while it was his custom of shaking hands with her male peers. Sheriff Staton said he has known Yankee for many years and considered her a friend. Sheriff Staton said he has hugged Yankee out of friendship and did not realize she was offended by that in any way.

Sheriff Staton was also asked about some alleged statements that he had made at various staff meetings. Yankee said that Sheriff Staton had told members of his staff that he would "slit their throats" if they discussed matters of the meeting with Yankee. Sheriff Staton said he did not recall making such a statement to anyone.

Sheriff Staton was also asked about an alleged statement he made at a meeting regarding the review committee. The allegation was regarding a question to him about other Oregon sheriffs and how they would react if a review committee had suggested appointing a sheriff versus electing a sheriff. The allegation was that he replied that other sheriffs might "pop a cap" (meaning shoot) someone. Sheriff Staton replied that he had no recollection about making such a statement and added that it doesn't even sound like something he would ever say.

Sheriff Staton was also asked about an allegation that the sheriff's office was conducting an investigation into Troutdale City Councilor Rich Allen. Sheriff Staton explained that the investigation was opened into allegations


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00202

made by Allen in a public meeting that members of the sheriff's office had acted improperly with matters concerning the merger between the sheriff's office and the Troutdale City Police Department. Sheriff Staton said he took the allegations seriously and that he initiated a complaint to the MCSO Internal Affairs Unit to investigate the allegations made by Councilor Allen. Sheriff Staton said the investigation was closed, as unfounded, as Councilor Allen would not provide any supportive evidence to the allegation. Attached is a copy of the letter provided to Councilor Allen regarding this matter dated January 11, 2016. Sheriff Staton said at no time was Councilor Allen a subject of an investigation.

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00203

	OREGON DEPARTMENT OF JUSTICE CRIMINAL JUSTICE DIVISION 2250 McGilchrist St. SE, STE 100 • Salem OR 97302 Office: 503-378-6347 • Fax: 503-373-1936		INVESTIGATIVE REPORT		CYBERTIP / REFERENCE NUMBER	REPORT NO.	CASE NUMBER CJD0027-16	PAGE / OF 1 / 2
	CLASSIFICATION / CRIME(S) Official Misconduct							CJD UNIT Organized Crime
	REFER / REQUEST / ASSIST AGENCY & CASE NO.		OCCURRED FROM DATE/TIME 05/03/2016, 1530hrs		OCCURRED TO DATE/TIME 05/03/2016, 1530hrs		REPORT DATE/TIME 05/03/2016,	
ATTACHMENTS <input type="checkbox"/> Prop/Evidence <input type="checkbox"/> Records <input type="checkbox"/> Other		LOCATION OF OCCURRENCE 601 SW 2nd Avenue, Suite 2300, Portland, OR 97201						
		COUNTY Multnomah						
ONE SENTENCE SUMMARY OF REPORT MCSO Sheriff Dan Staton Interview # 2								
THIS REPORT MAY CONTAIN INFORMATION NOT SUBJECT TO PUBLIC RELEASE. REDACT AS APPROPRIATE BEFORE RELEASING: <input type="checkbox"/> AG Subpoena <input type="checkbox"/> Juvenile								
PERSONS BU-Business LE-Law Enforcement OW-Owner PM-Person Mentioned RP-Reporting Party SB-Subject SU-Suspect V-Victim WI-Witness								
CODE	NAME (Last, First Middle)		SEX	RACE	DOB	DRIVER LICENSE / STATE		
SU	Staton, Daniel		M	W				
HOME ADDRESS						PHONE: <input type="checkbox"/> HOME <input type="checkbox"/> MOBILE		
BUSINESS / SCHOOL ADDRESS						PHONE: <input checked="" type="checkbox"/> WORK <input type="checkbox"/> MESSAGE		
501 SE Hawthorne Blvd., Portland, OR 97214								
ADDITIONAL INFO (Physical description, email address, online user name, moniker, etc.)						<input type="checkbox"/> SSN <input type="checkbox"/> SID <input type="checkbox"/> FBI		
CODE	NAME (Last, First Middle)		SEX	RACE	DOB	DRIVER LICENSE / STATE		
HOME ADDRESS						PHONE: <input type="checkbox"/> HOME <input type="checkbox"/> MOBILE		
BUSINESS / SCHOOL ADDRESS						PHONE: <input type="checkbox"/> WORK <input type="checkbox"/> MESSAGE		
ADDITIONAL INFO (Physical description, email address, online user name, moniker, etc.)						<input type="checkbox"/> SSN <input type="checkbox"/> SID <input type="checkbox"/> FBI		
CODE	NAME (Last, First Middle)		SEX	RACE	DOB	DRIVER LICENSE / STATE		
HOME ADDRESS						PHONE: <input type="checkbox"/> HOME <input type="checkbox"/> MOBILE		
BUSINESS / SCHOOL ADDRESS						PHONE: <input type="checkbox"/> WORK <input type="checkbox"/> MESSAGE		
ADDITIONAL INFO (Physical description, email address, online user name, moniker, etc.)						<input type="checkbox"/> SSN <input type="checkbox"/> SID <input type="checkbox"/> FBI		
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BUSINESS / SCHOOL ADDRESS						PHONE: <input type="checkbox"/> WORK <input type="checkbox"/> MESSAGE		
ADDITIONAL INFO (Physical description, email address, online user name, moniker, etc.)						<input type="checkbox"/> SSN <input type="checkbox"/> SID <input type="checkbox"/> FBI		
CODE	NAME (Last, First Middle)		SEX	RACE	DOB	DRIVER LICENSE / STATE		
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BUSINESS / SCHOOL ADDRESS						PHONE: <input type="checkbox"/> WORK <input type="checkbox"/> MESSAGE		
ADDITIONAL INFO (Physical description, email address, online user name, moniker, etc.)						<input type="checkbox"/> SSN <input type="checkbox"/> SID <input type="checkbox"/> FBI		
CODE	NAME (Last, First Middle)		SEX	RACE	DOB	DRIVER LICENSE / STATE		
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BUSINESS / SCHOOL ADDRESS						PHONE: <input type="checkbox"/> WORK <input type="checkbox"/> MESSAGE		
ADDITIONAL INFO (Physical description, email address, online user name, moniker, etc.)						<input type="checkbox"/> SSN <input type="checkbox"/> SID <input type="checkbox"/> FBI		

REPORTING SPECIAL AGENT W. Gray	DPSST 13993	APPROVED BY Mike Loughary	DATE APPROVED 05/04/16
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On this date, May 3, 2016, at 1400 hrs, MCSO Sheriff Dan Staton was interviewed at the law office of Paula Barran, located at 601 SW 2nd Avenue, Suite 2300, Portland, Oregon 97201. Present for the interview was myself, Senior Assistant Attorney General John Tseng, MCSO Sheriff Staton, and Paula Barran.

Sheriff Staton was informed that our office was investigating allegations that the Sheriff may have influenced a union official from holding a no-confidence against him.

Sheriff Staton was asked about a telephone call between him and MCSO Deputy Matt Ferguson, who is also the president of the Multnomah County Sheriff's Association Union. The telephone call, occurred on April 13, 2016, approximately two hours before the vote of no-confidence subject was to be discussed by the union membership.

Sheriff Staton said the purpose of the call was to inform the union president in upcoming personnel changes that would have an effect on the membership due to pending promotions. He further detailed promotions for Captains and Lieutenants without discussing any promotions for Sergeant.

Sheriff Staton was asked about discussing two upcoming Sergeant promotions with Ferguson. Sheriff Staton said he did not discuss the Sergeant promotions with Ferguson during this phone call. He said he believed that he discussed the Sergeant promotions with Ferguson on a subsequent meeting held on the following Monday.

I informed Sheriff Staton that I had interviewed Ferguson and MCSO Deputy Kevin Jones, who was a witness and overheard the phone conversation. I informed Sheriff Staton that both witnesses stated that the subject of the Sergeant promotions was discussed during this telephone call. I then informed Sheriff Staton of the information that I had received concerning this phone conversation and then he recalled some of the conversation about the Sergeant promotions.


Sheriff Staton was asked if he said to Ferguson, after bringing up the upcoming Sergeant promotions, "That should make you very happy." Sheriff Staton said he may have said that, but he qualified the statement by saying it should make members of the union happy. I asked Sheriff Staton if he repeated the statement to Ferguson by emphasizing the word "you." Sheriff Staton denied emphasizing the word "you" meaning that it should make Ferguson personally happy. Sheriff Staton said he was just making a general statement to the union membership.

Sheriff Staton was asked if he reminded Ferguson that he was on the current Sergeant promotion list. Sheriff Staton said he did not recall speaking to Ferguson about his position on the list. Sheriff Staton provided me with a current promotion list which showed that Ferguson was currently the sixth person in line for the current upcoming promotion. Sheriff Staton said based on his experience involving several grievances of the promotion process his office always follow the ranking order to be fair and to avoid grievances and potential law suits. Sheriff Staton said he would not deviate from the current list for any reason.

Sheriff Staton also denied that he spoke with Ferguson about the current DOJ Investigation. He further denied that he commented on possibly suing people that had made false statements about him.

Sheriff Staton was asked about his personal relationship with Ferguson. Sheriff Staton said he did not know Ferguson that well personally and knew that he worked in SIU (Drug Investigations) and that he was the recipient of at least to citations (awards) and at least one unit citation. Sheriff Staton also said he remembered investigating a case several years prior and that during the course of that investigation he interviewed Ferguson as a witness.

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	OREGON DEPARTMENT OF JUSTICE CRIMINAL JUSTICE DIVISION 2250 McGilchrist St. SE, STE 100 • Salem, OR 97302 Office: 503-378-6347 • Fax: 503-373-1936		INVESTIGATIVE REPORT		CYBERTIP / REFERENCE NUMBER	REPORT NO.	CASE NUMBER CJD0027-16	PAGE / OF 1 / 2
	CLASSIFICATION / CRIME(S) <div style="display: flex; justify-content: space-between;"> Official Misconduct Organized Crime </div>							CJD UNIT
	REFER / REQUEST / ASSIST AGENCY & CASE NO.		OCCURRED FROM DATE/TIME 4/18/2016, 1615hrs		OCCURRED TO DATE/TIME 4/18/2016, 1615		REPORT DATE/TIME	
ATTACHMENTS <input type="checkbox"/> Prop/Evidence <input type="checkbox"/> Records <input type="checkbox"/> Other	LOCATION OF OCCURRENCE 2250 McGilchrist St. SE, Salem, OR 97302							COUNTY Marion
	ONE SENTENCE SUMMARY OF REPORT Telephone Interview with MCSO Capt. Mary Lindstrand							
THIS REPORT MAY CONTAIN INFORMATION NOT SUBJECT TO PUBLIC RELEASE. REDACT AS APPROPRIATE BEFORE RELEASING. <input type="checkbox"/> AG Subpoena <input type="checkbox"/> Juvenile								
PERSONS BU-Business LE-Law Enforcement OW-Owner PM-Person Mentioned RP-Reporting Party SB-Subject SU-Suspect V-Victim WI-Witness								
CODE	NAME (Last, First Middle)				SEX	RACE	DOB	DRIVER LICENSE / STATE
PM	Lindstrand, Mary				F	W		
HOME ADDRESS								PHONE: <input type="checkbox"/> HOME <input checked="" type="checkbox"/> MOBILE <div style="background-color: black; width: 100px; height: 1.2em; margin-top: 5px;"></div>
BUSINESS / SCHOOL ADDRESS 501 SE Hawthorne Blvd., Portland, OR 97214								PHONE: <input type="checkbox"/> WORK <input type="checkbox"/> MESSAGE
ADDITIONAL INFO (Physical description, email address, online user name, moniker, etc.)								<input type="checkbox"/> SSN <input type="checkbox"/> SID <input type="checkbox"/> FBI
CODE	NAME (Last, First Middle)				SEX	RACE	DOB	DRIVER LICENSE / STATE
HOME ADDRESS								PHONE: <input type="checkbox"/> HOME <input type="checkbox"/> MOBILE
BUSINESS / SCHOOL ADDRESS								PHONE: <input type="checkbox"/> WORK <input type="checkbox"/> MESSAGE
ADDITIONAL INFO (Physical description, email address, online user name, moniker, etc.)								<input type="checkbox"/> SSN <input type="checkbox"/> SID <input type="checkbox"/> FBI
CODE	NAME (Last, First Middle)				SEX	RACE	DOB	DRIVER LICENSE / STATE
HOME ADDRESS								PHONE: <input type="checkbox"/> HOME <input type="checkbox"/> MOBILE
BUSINESS / SCHOOL ADDRESS								PHONE: <input type="checkbox"/> WORK <input type="checkbox"/> MESSAGE
ADDITIONAL INFO (Physical description, email address, online user name, moniker, etc.)								<input type="checkbox"/> SSN <input type="checkbox"/> SID <input type="checkbox"/> FBI
CODE	NAME (Last, First Middle)				SEX	RACE	DOB	DRIVER LICENSE / STATE
HOME ADDRESS								PHONE: <input type="checkbox"/> HOME <input type="checkbox"/> MOBILE
BUSINESS / SCHOOL ADDRESS								PHONE: <input type="checkbox"/> WORK <input type="checkbox"/> MESSAGE
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CODE	NAME (Last, First Middle)				SEX	RACE	DOB	DRIVER LICENSE / STATE
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BUSINESS / SCHOOL ADDRESS								PHONE: <input type="checkbox"/> WORK <input type="checkbox"/> MESSAGE
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REPORTING SPECIAL AGENT

W. Gray

DPSST

13993

APPROVED BY

Mike Loughary

DATE APPROVED

04/19/16

00330

On April 18, 2016, I contacted Captain Mary Lindstrand, Multnomah County Sheriff's Office regarding the investigation of Sheriff Daniel Staton.

I informed Capt. Lindstrand that I was investigating an allegation that the sheriff had used the Law Enforcement Data System (LEDS) to conduct background checks on members of the Multnomah County Charter Review Committee.

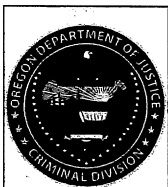
Capt. Lindstrand told me that she was responsible for a public "Google" search on the committee members. Capt. Lindstrand said towards the end of 2015, Chief Deputy Linda Yankee asked her to do some simple research on the members of the committee. Capt. Lindstrand also said she had a conversation with the sheriff on the same matter.

Capt. Lindstrand said she did a simple google search and prepared a five-page document that reflected the results of the search. I asked Capt. Lindstrand to review a document that was provided to this office, and she confirmed that it was the same document she prepared. Capt. Lindstrand said she did provide a copy of the document to the sheriff.

Capt. Lindstrand said she did not believe that doing a Google search was in any way a violation of the law. Capt. Lindstrand said she did not use LEDS to conduct any profile searches.

After speaking with Capt. Lindstrand, using Google, I attempted to conduct google searches on the same committee members. I quickly verified that all the information contained in the aforementioned document was easily obtained as a result of a quick public google search.

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OREGON DEPARTMENT OF JUSTICE CRIMINAL JUSTICE DIVISION 2250 McGilchrist St. SE, STE 100 • Salem OR 97302 Office: 503-378-6347 • Fax: 503-373-1936		INVESTIGATIVE REPORT		CYBERTIP / REFERENCE NUMBER	REPORT NO.	CASE NUMBER CJD0027-16	PAGE / OF 1 / 3
CLASSIFICATION / CRIME(S) Official Misconduct						CJD UNIT Organized Crime	
REFER / REQUEST / ASSIST AGENCY & CASE NO.			OCURRED FROM DATE/TIME 04/20/2016, 1847hrs	OCURRED TO DATE/TIME 04/13/2016	REPORT DATE/TIME 04/27/2016, 1542hrs		
ATTACHMENTS <input type="checkbox"/> Prop/Evidence <input type="checkbox"/> Records <input type="checkbox"/> Other		LOCATION OF OCCURRENCE 12240 NE Glisan Street, Portland, OR 97230					COUNTY Multnomah
ONE SENTENCE SUMMARY OF REPORT Interviews with MCSO Deputy Matt Ferguson and Deputy Kevin Jones							
THIS REPORT MAY CONTAIN INFORMATION NOT SUBJECT TO PUBLIC RELEASE. REDACT AS APPROPRIATE BEFORE RELEASING: <input type="checkbox"/> AG Subpoena <input type="checkbox"/> Juvenile							
PERSONS BU-Business LE-Law Enforcement OW-Owner PM-Person Mentioned RP-Reporting Party SB-Subject SU-Suspect V-Victim WI-Witness							
CODE RP	NAME (Last, First Middle) Ferguson, Matt	SEX M	RACE	DOB	DRIVER LICENSE / STATE		
HOME ADDRESS					PHONE: <input type="checkbox"/> HOME <input checked="" type="checkbox"/> MOBILE [REDACTED]		
BUSINESS / SCHOOL ADDRESS 12240 NE Glisan Street, Portland, OR 97230					PHONE: <input type="checkbox"/> WORK <input type="checkbox"/> MESSAGE		
ADDITIONAL INFO (Physical description, email address, online user name, moniker, etc.)					<input type="checkbox"/> SSN <input type="checkbox"/> SID <input type="checkbox"/> FBI		
CODE RP	NAME (Last, First Middle) Jones, Kevin	SEX M	RACE	DOB	DRIVER LICENSE / STATE		
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BUSINESS / SCHOOL ADDRESS 12240 NE Glisan Street, Portland, OR					PHONE: <input type="checkbox"/> WORK <input type="checkbox"/> MESSAGE		
ADDITIONAL INFO (Physical description, email address, online user name, moniker, etc.)					<input type="checkbox"/> SSN <input type="checkbox"/> SID <input type="checkbox"/> FBI		
CODE	NAME (Last, First Middle)	SEX	RACE	DOB	DRIVER LICENSE / STATE		
HOME ADDRESS					PHONE: <input type="checkbox"/> HOME <input type="checkbox"/> MOBILE		
BUSINESS / SCHOOL ADDRESS					PHONE: <input type="checkbox"/> WORK <input type="checkbox"/> MESSAGE		
ADDITIONAL INFO (Physical description, email address, online user name, moniker, etc.)					<input type="checkbox"/> SSN <input type="checkbox"/> SID <input type="checkbox"/> FBI		
CODE	NAME (Last, First Middle)	SEX	RACE	DOB	DRIVER LICENSE / STATE		
HOME ADDRESS					PHONE: <input type="checkbox"/> HOME <input type="checkbox"/> MOBILE		
BUSINESS / SCHOOL ADDRESS					PHONE: <input type="checkbox"/> WORK <input type="checkbox"/> MESSAGE		
ADDITIONAL INFO (Physical description, email address, online user name, moniker, etc.)					<input type="checkbox"/> SSN <input type="checkbox"/> SID <input type="checkbox"/> FBI		
CODE	NAME (Last, First Middle)	SEX	RACE	DOB	DRIVER LICENSE / STATE		
HOME ADDRESS					PHONE: <input type="checkbox"/> HOME <input type="checkbox"/> MOBILE		
BUSINESS / SCHOOL ADDRESS					PHONE: <input type="checkbox"/> WORK <input type="checkbox"/> MESSAGE		
ADDITIONAL INFO (Physical description, email address, online user name, moniker, etc.)					<input type="checkbox"/> SSN <input type="checkbox"/> SID <input type="checkbox"/> FBI		
CODE	NAME (Last, First Middle)	SEX	RACE	DOB	DRIVER LICENSE / STATE		
HOME ADDRESS					PHONE: <input type="checkbox"/> HOME <input type="checkbox"/> MOBILE		
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00342

On April 20, 2016, at approximately 6:47 p.m., I spoke with Multnomah County Sheriff's Office (MCSO) Deputy Matt Ferguson. Ferguson is also the president of the Multnomah County Deputy Sheriff's Association (MCDSA) Union.

Ferguson said that on April 13, 2016, he received a phone call from Sheriff Dan Staton, approximately two hours before a scheduled union meeting. Ferguson said the purpose of the meeting was to discuss with the union membership a possible vote of no-confidence on the Sheriff. Ferguson said that an email was sent to the membership and that the meeting and the topic was public knowledge.

Ferguson said Staton discussed several upcoming position changes and upcoming promotions. Ferguson said he began taking notes of the conversation, and placed his phone on speaker. Ferguson said another deputy, Kevin Jones, was present in the room and overheard the phone conversation.

Ferguson said at one point in the conversation Staton mentioned that there might be one or two upcoming sergeant positions. Ferguson said Staton then said "that should make you very happy." Ferguson said after a pause, Staton repeated "that should make you very happy" (emphasizing the word: you). Ferguson said he told Staton he would take that information back to the membership. Ferguson said Staton then said "no, that should make you happy. I believe you are on the (promotion) list." Ferguson said he reminded Staton that he was dead last on the list at number six. Ferguson said Staton laughed at this remark.

Ferguson said Staton then said that now that the lawsuit was over he could retaliate. Ferguson said he asked Staton to explain this comment and Staton said he now has the ability to sue anyone who turned their back on him. Ferguson said Staton said he did not want to sound vindictive and ended the conversation by asking Ferguson to let him know how the meeting went.

Ferguson said that after the meeting he spoke with Staton, and Staton asked him "how bad was it", referring to the meeting. Ferguson said he explained to Staton that the union membership was upset and headed in the direction of a no-confidence vote. Ferguson said Staton asked him if the decision was based on the Department of Justice (DOJ) investigation. Ferguson said he told Staton the DOJ investigation had nothing to do with the direction of the union membership.

Ferguson told me that he felt that Staton was trying to entice him with a promotion if he could direct the union membership away from a vote of no-confidence. Ferguson said that he also considered the statements made by Staton to be a threat of a law suit if he did not support Staton.

I asked Ferguson if he felt that that Staton could actually promote him to sergeant since he was number six on the list. Ferguson felt that the sheriff could in fact promote number six if he wanted to. Ferguson said he was number two on the prior sergeant promotion list, and the person that was number one on the list was the past union president. Ferguson said it was common knowledge that Staton was not on good terms with the past union president, and therefore selected Ferguson for the promotion. Ferguson said other members of Staton's staff convinced him that he should not skip the number one person without a valid reason. Ferguson said the number one person was then the person actually promoted. Ferguson said in reality it would be very difficult for the sheriff to deviate from the promotion list order.

Ferguson told me he prepared a written statement as to the aforementioned telephone conversation he had with Staton. Ferguson told me he was to meet with the union attorney on Friday, April 22, 2016, and he would get approval to release his handwritten notes as well as the written statement. On Friday I received a telephone call from Anil Karia, the attorney representing the MCDSA. Mr. Karia provided me a copy of Ferguson's statement and hand-written notes. (Attached)

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00343

On April 21, 2016, I spoke with MCSO Deputy Kevin Jones about being a witness and overhearing the aforementioned telephone call between Ferguson and Staton. Jones told me he had prepared a written statement as to what he remembered. Attached is a copy of that statement

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00344