



DEPARTMENT OF JUSTICE
GENERAL COUNSEL DIVISION

November 2, 2022

SENT VIA EMAIL: [REDACTED] **and** [REDACTED]

Sandy Chung
Executive Director
ACLU of Oregon

Kelly Simon
Legal Director
ACLU of Oregon

Re: *OPDS Retaliation and Pay Equity Investigation*
DOJ File No.: 404001-GL0165-21

Dear Ms. Chung and Ms. Simon:

I am responding to your letter to the Office of Public Defense Services (OPDS) dated October 5, 2022, in which you asked for information about the status of the ongoing investigation that was brought forward by the ACLU in the fall of 2021. I will answer your questions below, to the extent that I have information. As you know, the investigation has been conducted by an outside independent investigator, Jill Goldsmith of Workplace Solutions Northwest.

The investigation was paused because of a delay in OPDS producing information responsive to Ms. Goldsmith's requests. Within the last month, OPDS produced the records. I have since spoken with Ms. Goldsmith about the status of the investigation. She confirmed she has now received all the information responsive to her requests. She explained that the records include a large amount of data which she is in the process of reviewing and analyzing. She said she will most likely conduct one or more follow up interviews prior to completing her investigation. At this time, Ms. Goldsmith does not have a firm completion date.

As to other inquiries in your letter, Ms. Goldsmith confirmed that the scope of the investigation is the same as when she started the investigation, and she is not accepting new information or new complaints. She has kept the names of complainants confidential unless the complainants authorized her to release their names to OPDS. To date, no complainant names have been provided to OPDS by Ms. Goldsmith. Retaliation is not permitted because of an individual's participation in this investigation. If retaliation concerns have been raised to your attention, please direct them to OPDS Human Resources Director, Wendy Heckman at [REDACTED] or by email at [REDACTED]

Finally, Ms. Heckman has recently updated the Chair and Vice-Chair of the Commission regarding the investigation status. There is a shared objective among the Commission, OPDS and as we understand, your office, to bring this investigation to conclusion. If there are any

November 2, 2022

Page 2

substantive findings from the review or remedial measures recommended by Ms. Goldsmith, these will be reviewed by leadership for appropriate action.

Don't hesitate to reach out to me directly if you have questions.

Sincerely,

/s/ Margaret J. Wilson

Margaret J. Wilson
Senior Assistant Attorney General
Labor & Employment Section

MJW:kt2/603501447

c via email only to: Wendy Heckman, OPDS HR Manager
Jessica Kampfe, OPDS Executive Director