

Sent: Friday, January 3, 2020 2:45 PM
To: Nordlund Jan <Jan.Nordlund@oregonlegislature.gov>
Subject: Concerns regarding Melissa Healy

Dear Chair Fahey and Members of the Committee,

Thank you for giving me an opportunity to share my experience with you on December 18th at the hearing.

I would like to share my concerns through this process about the supposedly impartial nature of the investigating attorney, Melissa Healy. During the hearing it became apparent that she has a conflict of interest and even though I'm not writing this email to ask for a new investigator as I genuinely feel confident in your judgement, I would like to have an opportunity to express the reasons as to why I feel this way. Thank you so much ahead of time for taking the time to read through my concerns.

During my only meeting with Ms Healy, I did not at any time feel that her role was to impartially investigate and make a determination about what happened. Prior to my meeting with her, she had already met with Representative Witt and I felt throughout my interaction with her, that she was there to serve as Witt's attorney and to convince me to drop the complaint. When I shared what happened during the house floor session on May 6 with her, she kept trying to explain his side to me and convince me that what happened was not problematic.

She did not want to know more about what I felt was the most egregious incident that occurred in his office on May 9th and clearly did not spend much time investigating that incident.

She did not interview aides or office staff in any of the adjoining offices to Representative Witt who could have provided additional insights to the interactions and things that may or may not have been said after we left or before we arrived. I asked her multiple times to do this during our meeting and through email correspondence but she did not follow through on it.

Before the final report was submitted, I asked her if she could edit it to focus on Representative Witt's conduct in his office. She replied a week later saying that she understood me and took it into account. When I received the report the day before the hearing, I noticed no changes that I requested were made.

She did not review the written testimony that myself and two other witnesses submitted to Representative Nathanson via Carissa Bonham.

She never spoke with Carissa, who testified in the hearing outlining her reasoning for why she felt Representative Witt was targeting me and my group based on our national origin. Instead, she reviewed an emotional Facebook Live video that Carissa made in May expressing her opinions about Representative Witt's actions toward me and my group. Carissa's video was not created for the purpose of sharing impartial facts about the incidents and to treat it as if it were and as if it might be an appropriate substitute for an interview with her is inappropriate.

She only interviewed one of the five witnesses I requested that she interview. She did not interview any of the witnesses who came and testified in the December 18th hearing even though I had asked her to and all the witnesses had told me they would have been willing to do an interview with Ms Healy.

Because she did not interview any of the witnesses who testified at the hearing and because during my interaction with her, she spent most of her time trying to convince me that my complaint had no validity, she received new information in the hearing that she did not have when she created her report.

I appreciate Representative Sprenger asking about if Ms Healy felt it was a close call - because in my opinion, the information presented at the hearing made it really clear that the discrimination was based on our national origin.

Here is where the conflict of interest became apparent:

- Ms Healy had already written a report saying the evidence did not substantiate my complaint before the hearing.
- New information was presented in the hearing Ms Healy attended that she had not previously received because she did not interview all of the witnesses before drafting the report.
- If she were to admit that the new (to her) information presented may have changed her opinion, would have also been admitting that her investigation and report were not adequate.
- In addition to the personal embarrassment this may have caused, she potentially would have run the risk of compromising her law firm's contract with the State of Oregon by admitting that.

Thank you again for your time in hearing my concerns in regards to Mellisa Healey.

Juliya Gudev