



29 June 2021

Attorney General Ellen Rosenblum
1162 Court Street Northeast
Salem, Oregon 97301

Madam Attorney General:

In November 1923, 34-year-old Adolf Hitler staged a conspiracy known as the Beer Hall Putsch. This conspiracy intended to take over Germany through violent revolution. Afterward, Hitler was charged with treason and sentenced to 5 years in prison. In prison, he wrote Mein Kampf, which would later galvanize the views of the Nazi Party. Despite his sentence, he served less than 9 months in prison. This outcome was a slap on the wrist; it did nothing to dissuade Hitler or his followers from doubling down on their convictions. Within 8 years of his release from prison, Hitler would become Chancellor. He never caused violence by his own hand, but we all know what happened from there.

We bring this up because history is repeating. We are seeing the same kinds of treasonous activities in the United States today, largely incited by domestic terror groups. We won't go into the details of the attack on the Federal Capitol on January 6, but Oregon experienced its own episode of treason two and a half weeks earlier when now expelled Representative Mike Nearman followed through on a conspiracy to let armed, violent protestors into the Oregon Capitol. We know that Mr. Nearman has connections to domestic terror organizations in Oregon, including the Proud Boys, Oath Keepers, Three Percenters, and 1776 2.0.

If these people did not intend to cause violence, why were they carrying bear mace? We can't imagine a scenario where anyone would have reasonably anticipated meeting a bear on the Capitol grounds. We are left in a situation where a state representative fomented a violent uprising, and months later, has still not apologized or seen the error of his ways. Instead, he has blamed Leader Kotek, the Governor, the courts, the police, and myriad others—and now he's using his perceived martyrdom to enrich himself through the solicitation of donations.

It is very clear to us that Marion County District Attorney Paige Clarkson has charged Mr. Nearman with what amounts to a slap on the wrist. At most, he faces less than a year in jail. If convicted, we are convinced Oregon will see a reprisal of Operation Hall Pass. Nearman's cult following is already clamoring that he be reappointed to the seat from which he was expelled. The charges brought against him are not sufficient to answer for the fear, chaos, and injury his actions caused to police, to his colleagues and their staff members, and to the other workers in the building, all of whom have a reasonable expectation of safety in their workplaces. They are not enough to dissuade him from doubling down on his dangerously misguided convictions.

From what we can tell, none of Mr. Nearman's co-conspirators have been charged, and only four of more than 50 people who forced their way into the building have been arrested or charged. Of those, one pleaded down and two—like Nearman—have been charged only with misdemeanors. The message is loud and clear: if you participate in violent insurrection in Oregon, you'll likely not even be investigated, let alone charged.

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This kind of criminal activity has no place in civilized society. We can't allow this moment to pass us by without ferreting out Nearman's criminal accomplices. If we do not, we will likely find ourselves less than a decade from now with Mr. Nearman holding higher office, surrounded by his accomplices, bringing harm to those most vulnerable who are guilty of nothing more than leading an existence with which they simply disagree.

We realize that it is not an easy thing that we are asking of you, but it is imperative for the cause of justice, and for the safety and protection of all Oregonians, that you take over the investigation and prosecution of Operation Hall Pass and expand its scope to include any and all individuals who participated in any element of the crime. We must not stand by and allow history to repeat itself.

Sincerely



Kelie McWilliams, Executive Director

Additional Signers:

Danny Jaffer, Rural Engagement Project Board Member
Bernadette Hansen, Rural Engagement Project Board Member
Aryeh Frankfurter, Rural Engagement Project Board Member
Larry McCool, Rural Engagement Project Board Member
Oregon Working Families Party via Danita Harris, Interim State Director

Darcy Long-Curtiss	Cole Brecheen	Philip E. Higgins
Mary McGinnis	Debra Jean Murdock	Danita Harris
Andrea Smith	Catherine Patty	Janet & Larry Sipe
Beth Vaughn	Lori Cole	Sandra Abascal
Mary Ann Carr	Sandra Clay	Michael Hill
Steven Moore	Denise Nunez	Phil Plaza
Taryn Bazurto	Carolyn Mayers	Callan Sullivan
Lin Bauer	Hilary Boyce	Carol & Bob Christ
Jill Coleman	Kari Forbes	William Harrod
Jeena Huntzinger	Michael Lind	Lisa Milliman
Debra Nord	Gaynelle O'Neil	Carol Shaw-Slife
Tyler Shockley	Jan & Sharon Thornagle	Barbara & Josh Cronin
Susan Graham	Rebecca Jay	Rocco Lieuallen
Julianna Pilafian	Kevin Davenport-Rackham	April Fisher
Paige Jenkins	Michelle Curanzy	Paige Hook
Kimberly Sherman		



DEPARTMENT OF JUSTICE
CRIMINAL JUSTICE DIVISION

July 2, 2021

Kelie McWilliams
Executive Director
Rural Engagement Project
P.O. Box 393
Independence, Oregon 97351

Dear Ms. McWilliams,

Thank you for your letter to Attorney General Rosenblum about the pending criminal charges against Mike Nearman. Like you, she is very concerned about violent extremism becoming normalized in our politics. And we at the Oregon Department of Justice Criminal Justice Division (CJ) agree that the invasion of the Oregon State Capitol is a concerning example that we are taking very seriously.

However, your letter specifically asks that the Oregon DOJ take over responsibility for the criminal matter that is currently being handled by the Oregon State Police and Marion County DA, and expand its scope. Unlike in some states, CJ ordinarily does not exercise general criminal jurisdiction unless we are specifically requested to assist by the county district attorney or directed to do so by the Governor. County district attorneys are entrusted with general prosecutorial authority.

The Attorney General and I have complete confidence that the Oregon State Police and the Marion County District Attorney appreciate the importance of protecting our government from violent attacks. As a result, we firmly believe they will thoroughly investigate the matter and pursue all appropriate charges that are supported by the evidence. And, if the state police or district attorney need additional resources or help from the Oregon DOJ, we will be pleased to provide it.

Thank you again for your letter and for your attention to this vital issue.

Sincerely,

Michael J. Slauson
Chief Counsel