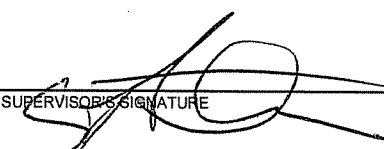


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CASE NUMBER CJD007-13		REFER CASE NUMBER		UNIT Organized Crime		TYPE OF REPORT			
DATE OF REPORT 07/22/2013	TIME OF REPORT 0800	DATE REPORTED 07/22/2013	TIME REPORTED 0800	DATE OCCURRED 01/01/2004	TIME OCCURRED 0800	COUNTY OF OCCURRENCE Multnomah			
LOCATION OF OCCURRENCE Multnomah County						PREMISE TYPE Public, Gov't Office/Service			
CLASSIFICATION / CRIME(S) OFFICIAL MISCONDUCT									
PERSONS B - Business C - Complainant RP - Reporting Person VI - Victim WI - Witness OW - Owner PM - Person Mention PO - Police Officer									
CODE WI	NAME (Last, First Middle) MADKOUR, JENNY					SEX F	RACE W	DOB	
HOME ADDRESS			CITY	STATE		ZIP	HOME PHONE		
BUSINESS/SCHOOL ADDRESS			CITY	STATE		ZIP	BUSINESS PHONE		
EMAIL					OTHER PHONE		MOBILE PHONE		
CODE WI	NAME (Last, First Middle) SHIPRACK, JUDY					SEX F	RACE W	DOB	
HOME ADDRESS			CITY	STATE		ZIP	HOME PHONE		
BUSINESS/SCHOOL ADDRESS			CITY	STATE		ZIP	BUSINESS PHONE		
EMAIL					OTHER PHONE		MOBILE PHONE		
CODE WI	NAME (Last, First Middle) FALKENBERG, KEITH					SEX M	RACE W	DOB	
HOME ADDRESS			CITY	STATE		ZIP	HOME PHONE		
BUSINESS/SCHOOL ADDRESS			CITY	STATE		ZIP	BUSINESS PHONE		
EMAIL					OTHER PHONE		MOBILE PHONE		
CODE WI	NAME (Last, First Middle) SHIRLEY, LILLIAN					SEX F	RACE W	DOB	
HOME ADDRESS			CITY	STATE		ZIP	HOME PHONE		
BUSINESS/SCHOOL ADDRESS			CITY	STATE		ZIP	BUSINESS PHONE		
EMAIL					OTHER PHONE		MOBILE PHONE		
CODE WI	NAME (Last, First Middle) BHAT-GREGERSON, MYA					SEX F	RACE W	DOB	
HOME ADDRESS			CITY	STATE		ZIP	HOME PHONE		
BUSINESS/SCHOOL ADDRESS			CITY	STATE		ZIP	BUSINESS PHONE		
EMAIL					OTHER PHONE		MOBILE PHONE		
SPECIAL AGENT WELLS, MIKE			DPSST 32230	DOCUMENT MANAGEMENT NO.		SUPERVISOR'S SIGNATURE 			

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PERSONS

B - Business C - Complainant RP - Reporting Person VI - Victim WI - Witness OW - Owner PM - Person Mention PO - Police Officer

CODE WI	NAME (Last, First Middle) OTIS, BRIG	SEX M	RACE W	DOB	
HOME ADDRESS		CITY	STATE	ZIP	HOME PHONE
BUSINESS/SCHOOL ADDRESS		CITY	STATE	ZIP	BUSINESS PHONE
EMAIL		OTHER PHONE		MOBILE PHONE	
CODE WI	NAME (Last, First Middle) GUTHRIE, BARBRA	SEX F	RACE W	DOB	
HOME ADDRESS		CITY	STATE	ZIP	HOME PHONE
BUSINESS/SCHOOL ADDRESS		CITY	STATE	ZIP	BUSINESS PHONE
EMAIL		OTHER PHONE		MOBILE PHONE	
CODE WI	NAME (Last, First Middle) KAFOURY, DEBORAH	SEX F	RACE W	DOB	
HOME ADDRESS		CITY	STATE	ZIP	HOME PHONE
BUSINESS/SCHOOL ADDRESS		CITY	STATE	ZIP	BUSINESS PHONE
EMAIL		OTHER PHONE		MOBILE PHONE	
CODE WI	NAME (Last, First Middle) SMITH, LORETTA	SEX F	RACE B	DOB	
HOME ADDRESS		CITY	STATE	ZIP	HOME PHONE
BUSINESS/SCHOOL ADDRESS		CITY	STATE	ZIP	BUSINESS PHONE
EMAIL		OTHER PHONE		MOBILE PHONE	
CODE WI	NAME (Last, First Middle) HUDSON, DANIEL	SEX M	RACE W	DOB	
HOME ADDRESS		CITY	STATE	ZIP	HOME PHONE
BUSINESS/SCHOOL ADDRESS		CITY	STATE	ZIP	BUSINESS PHONE
EMAIL		OTHER PHONE		MOBILE PHONE	
CODE WI	NAME (Last, First Middle) MCKEEL, DIANE	SEX F	RACE W	DOB	
HOME ADDRESS		CITY	STATE	ZIP	HOME PHONE
BUSINESS/SCHOOL ADDRESS		CITY	STATE	ZIP	BUSINESS PHONE
EMAIL		OTHER PHONE		MOBILE PHONE	
SPECIAL AGENT WELLS, MIKE		DPSST 32230	DOCUMENT MANAGEMENT NO.		SUPERVISOR'S SIGNATURE

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PERSONS B - Business C - Complainant RP - Reporting Person VI - Victim WI - Witness OW - Owner PM - Person Mention PO - Police Officer								
CODE	NAME (Last, First Middle)					SEX	RACE	DOB
WI	ZIMMERMAN, ERIC					M	W	
HOME ADDRESS			CITY	STATE	ZIP	HOME PHONE		
BUSINESS/SCHOOL ADDRESS			CITY	STATE	ZIP	BUSINESS PHONE		
EMAIL					OTHER PHONE		MOBILE PHONE	
CODE	NAME (Last, First Middle)					SEX	RACE	DOB
WI	WHEELER-WEBER, MARY-MARGRET					F	W	
HOME ADDRESS			CITY	STATE	ZIP	HOME PHONE		
BUSINESS/SCHOOL ADDRESS			CITY	STATE	ZIP	BUSINESS PHONE		
EMAIL					OTHER PHONE		MOBILE PHONE	
CODE	NAME (Last, First Middle)					SEX	RACE	DOB
WI	MADRIGAL, MARISSA					F	W	
HOME ADDRESS			CITY	STATE	ZIP	HOME PHONE		
BUSINESS/SCHOOL ADDRESS			CITY	STATE	ZIP	BUSINESS PHONE		
EMAIL					OTHER PHONE		MOBILE PHONE	
CODE	NAME (Last, First Middle)					SEX	RACE	DOB
WI	MARCH, STEVE					M	W	
HOME ADDRESS			CITY	STATE	ZIP	HOME PHONE		
BUSINESS/SCHOOL ADDRESS			CITY	STATE	ZIP	BUSINESS PHONE		
EMAIL					OTHER PHONE		MOBILE PHONE	
CODE	NAME (Last, First Middle)					SEX	RACE	DOB
WI	HANNA, MICHAEL					M	W	
HOME ADDRESS			CITY	STATE	ZIP	HOME PHONE		
BUSINESS/SCHOOL ADDRESS			CITY	STATE	ZIP	BUSINESS PHONE		
EMAIL					OTHER PHONE		MOBILE PHONE	
CODE	NAME (Last, First Middle)					SEX	RACE	DOB
WI	FULLER, JOANN					F	W	
HOME ADDRESS			CITY	STATE	ZIP	HOME PHONE		
BUSINESS/SCHOOL ADDRESS			CITY	STATE	ZIP	BUSINESS PHONE		
EMAIL					OTHER PHONE		MOBILE PHONE	
SPECIAL AGENT			DPSST	DOCUMENT MANAGEMENT NO.		SUPERVISOR'S SIGNATURE		
WELLS, MIKE			32230					

CASE
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OREGON DEPARTMENT OF JUSTICE		INVESTIGATION REPORT				CRIMINAL JUSTICE DIVISION		PAGE/OF 4 / 7	
PERSONS B - Business C - Complainant RP - Reporting Person VI - Victim WI - Witness OW - Owner PM - Person Mention PO - Police Officer									
CODE WI	NAME (Last, First Middle) FULLER-POE, KATHLEEN					SEX F	RACE B	DOB	
HOME ADDRESS			CITY	STATE	ZIP	HOME PHONE			
BUSINESS/SCHOOL ADDRESS			CITY	STATE	ZIP	BUSINESS PHONE			
EMAIL					OTHER PHONE		MOBILE PHONE		
CODE WI	NAME (Last, First Middle) GUERNSEY, JESSICA					SEX F	RACE W	DOB	
HOME ADDRESS			CITY	STATE	ZIP	HOME PHONE			
BUSINESS/SCHOOL ADDRESS			CITY	STATE	ZIP	BUSINESS PHONE			
EMAIL					OTHER PHONE		MOBILE PHONE		
CODE WI	NAME (Last, First Middle) ROBINSON, MARGRET					SEX F	RACE W	DOB	
HOME ADDRESS			CITY	STATE	ZIP	HOME PHONE			
BUSINESS/SCHOOL ADDRESS			CITY	STATE	ZIP	BUSINESS PHONE			
EMAIL					OTHER PHONE		MOBILE PHONE		
CODE WI	NAME (Last, First Middle) WICKHAM, LILIAN					SEX F	RACE W	DOB	
HOME ADDRESS			CITY	STATE	ZIP	HOME PHONE			
BUSINESS/SCHOOL ADDRESS			CITY	STATE	ZIP	BUSINESS PHONE			
EMAIL					OTHER PHONE		MOBILE PHONE		
CODE WI	NAME (Last, First Middle) FRIEDMAN, JEREMY					SEX M	RACE W	DOB	
HOME ADDRESS			CITY	STATE	ZIP	HOME PHONE			
BUSINESS/SCHOOL ADDRESS			CITY	STATE	ZIP	BUSINESS PHONE			
EMAIL					OTHER PHONE		MOBILE PHONE		
CODE WI	NAME (Last, First Middle) BANKS, RACHEL					SEX F	RACE W	DOB	
HOME ADDRESS			CITY	STATE	ZIP	HOME PHONE			
BUSINESS/SCHOOL ADDRESS			CITY	STATE	ZIP	BUSINESS PHONE			
EMAIL					OTHER PHONE		MOBILE PHONE		
SPECIAL AGENT WELLS, MIKE			DPSST 32230	DOCUMENT MANAGEMENT NO.		SUPERVISOR'S SIGNATURE			

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PERSONS B - Business C - Complainant RP - Reporting Person VI - Victim WI - Witness OW - Owner PM - Person Mention PO - Police Officer									
CODE WI	NAME (Last, First Middle) COGEN, MITCHEL					SEX M	RACE W	DOB	
HOME ADDRESS				CITY	STATE	ZIP	HOME PHONE		
BUSINESS/SCHOOL ADDRESS				CITY	STATE	ZIP	BUSINESS PHONE		
EMAIL					OTHER PHONE		MOBILE PHONE		
SUBJECTS S1, S2 - S9 - Suspect SB - Subject JV - Juvenile RW - Runaway DK - Drunk DE - Deceased AS - Attempt Suicide ME - Mental									
CODE S1	NAME (Last, First Middle) COGEN, JEFF				AKA/MONIKER			CUSTODY? <input type="checkbox"/> YES <input type="checkbox"/> NO	
SEX M	RACE W	DOB	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR / CLOTHING DESCRIPTION		
SCAR / MARK / TATOO									
HOME ADDRESS				CITY	STATE	ZIP	HOME PHONE		
BUSINESS / SCHOOL ADDRESS				CITY	STATE	ZIP	BUSINESS PHONE		
EMAIL / USER NAME / MONIKER / AKA					OTHER PHONE		MOBILE PHONE		
DRIVERS LICENSE		STATE	SSN		SID NO.		FBI / OTHER NO.		
OTHER DESCRIPTION									
CODE S2	NAME (Last, First Middle) MANHAS, SONIA				AKA/MONIKER			CUSTODY? <input type="checkbox"/> YES <input type="checkbox"/> NO	
SEX F	RACE W	DOB	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR / CLOTHING DESCRIPTION		
SCAR / MARK / TATOO									
HOME ADDRESS				CITY	STATE	ZIP	HOME PHONE		
BUSINESS / SCHOOL ADDRESS				CITY	STATE	ZIP	BUSINESS PHONE		
EMAIL / USER NAME / MONIKER / AKA					OTHER PHONE		MOBILE PHONE		
DRIVERS LICENSE		STATE	SSN		SID NO.		FBI / OTHER NO.		
OTHER DESCRIPTION									
VEHICLE S - Stolen R - Recovered T - Towed V - Victim's Vehicle X - Suspect Vehicle SZ - Seized M - Missing									
PROPERTY E - Evidence S - Stolen L - Lost F - Found D - Damaged K - Safekeeping R - Recovered									
CODE E	ITEM No. MW1	QTY. 1	ITEM TYPE DELL DESKTOP COMPUTER						
MAKE (Brand or Manufacturer)			MODEL / STYLE			SERIAL NUMBER 88BDQN1		COLOR	CALIBER
SIZE	VALUE	FOUND BY							
NOTES / ADDITIONAL INFO FROM COGENS OFFICE									
SPECIAL AGENT WELLS, MIKE				DPSST 32230		DOCUMENT MANAGEMENT NO.		SUPERVISOR'S SIGNATURE	

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OREGON DEPARTMENT OF JUSTICE		INVESTIGATION REPORT			CRIMINAL JUSTICE DIVISION		PAGE/OF 6 / 7
PROPERTY E - Evidence S - Stolen L - Lost F - Found D - Damaged K - Safekeeping R - Recovered							
CODE E	ITEM No. MW2	QTY. 1	ITEM TYPE DELL DESKTOP COMPUTER				
MAKE (Brand or Manufacturer) DELL		MODEL / STYLE		SERIAL NUMBER BXJJVL1	COLOR	CALIBER	
SIZE	VALUE	FOUND BY					
NOTES / ADDITIONAL INFO FROM MANHAS OFFICE							
CODE E	ITEM No. MW3	QTY. 1	ITEM TYPE IPAD				
MAKE (Brand or Manufacturer) APPLE		MODEL / STYLE		SERIAL NUMBER DLXFQF6XDFJ1	COLOR	CALIBER	
SIZE	VALUE	FOUND BY					
NOTES / ADDITIONAL INFO FROM MANHAS- OWNED BY MULTNOMAH COUNTY							
CODE E	ITEM No. MW4	QTY. 1	ITEM TYPE IPAD				
MAKE (Brand or Manufacturer) APPLE		MODEL / STYLE		SERIAL NUMBER DMPKL5EXF183	COLOR	CALIBER	
SIZE	VALUE	FOUND BY					
NOTES / ADDITIONAL INFO FROM COGEN - OWNED BY MULTNOMAH COUNTY							
CODE E	ITEM No. MW5	QTY. 1	ITEM TYPE LAPTOP COMPUTER				
MAKE (Brand or Manufacturer) DELL		MODEL / STYLE		SERIAL NUMBER 5XH02M1	COLOR	CALIBER	
SIZE	VALUE	FOUND BY					
NOTES / ADDITIONAL INFO FROM MANHAS OFFICE - OWNED BY MULTNOMAH COUNTY							
CODE E	ITEM No. MW6	QTY. 1	ITEM TYPE LAPTOP COMUPTER				
MAKE (Brand or Manufacturer) DELL		MODEL / STYLE		SERIAL NUMBER 3H8X1Q1	COLOR	CALIBER	
SIZE	VALUE	FOUND BY					
NOTES / ADDITIONAL INFO FROM MANHAS							
CODE E	ITEM No. MW7	QTY. 1	ITEM TYPE CHARGER FOR MW6				
MAKE (Brand or Manufacturer)		MODEL / STYLE		SERIAL NUMBER	COLOR	CALIBER	
SIZE	VALUE	FOUND BY					
NOTES / ADDITIONAL INFO							
SPECIAL AGENT WELLS, MIKE			DPSST 32230	DOCUMENT MANAGEMENT NO.		SUPERVISOR'S SIGNATURE	

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OREGON DEPARTMENT OF JUSTICE		INVESTIGATION REPORT			CRIMINAL JUSTICE DIVISION		PAGE/OF 7 / 7
PROPERTY E - Evidence S - Stolen L - Lost F - Found D - Damaged K - Safekeeping R - Recovered							
CODE E	ITEM No. MW8	QTY. 1	ITEM TYPE IPHONE				
MAKE (Brand or Manufacturer) APPLE		MODEL / STYLE			SERIAL NUMBER	COLOR	CALIBER
SIZE	VALUE	FOUND BY					
NOTES / ADDITIONAL INFO MANHAS MULTNOMAH COUNTY CELL PHONE							
CODE E	ITEM No. MW9	QTY. 1	ITEM TYPE IPHONE				
MAKE (Brand or Manufacturer) APPLE		MODEL / STYLE			SERIAL NUMBER	COLOR	CALIBER
SIZE	VALUE	FOUND BY					
NOTES / ADDITIONAL INFO MANHAS PERSONAL IPHONE							
CODE E	ITEM No. MW10	QTY. 1	ITEM TYPE THUMB DRIVE FROM MANHAS OFFICE				
MAKE (Brand or Manufacturer)		MODEL / STYLE			SERIAL NUMBER	COLOR	CALIBER
SIZE	VALUE	FOUND BY					
NOTES / ADDITIONAL INFO							
CODE E	ITEM No. MW11	QTY. 1	ITEM TYPE THUMB DRIVE CONTAINING COGEN'S MOBILE PROFILE				
MAKE (Brand or Manufacturer)		MODEL / STYLE			SERIAL NUMBER	COLOR	CALIBER
SIZE	VALUE	FOUND BY					
NOTES / ADDITIONAL INFO							
NARRATIVE SEE ATTACHED FOR COMPLETE NARRATIVE.							
SPECIAL AGENT WELLS, MIKE				DPSST 32230	DOCUMENT MANAGEMENT NO.		SUPERVISOR'S SIGNATURE

CASE
NUMBER

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OREGON DEPARTMENT OF JUSTICE

INVESTIGATION REPORT

CJD0007-13

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Since July 22, 2013, I have been assigned to investigate Multnomah County Chair Jeff Cogan and Multnomah County Health Department Director of Policy and Planning Sonia Manhas for the possibility of any criminal conduct associated with their Multnomah County positions following a disclosure they had been engaged in a sexual relationship. No specific criminal allegations were provided in the initial investigation request. This report summarizes the allegations that became known to me during the investigation, and also summarizes the information learned during the investigation.

SUMMARY OF ALLEGATIONS & INVESTIGATIVE FINDINGS

The following is an outline of the investigated allegations and a brief summary of the investigational findings as they related to criminal conduct, the focus of this investigation. These findings are based on the review of subpoenaed documents, public records, interviews, and other relevant information. These summaries are not all inclusive.

1. Favoritism in the promotional process of Manhas.

Manhas was promoted to the newly-created position of Director of Policy and Planning in the Multnomah County Health Department. Based on Multnomah County policy, Lillian Shirley, Director of the Health Department, had the option to direct appoint a candidate to the position or run an internal or external recruitment process. Shirley chose to run an internal recruitment process.

Three candidates submitted applications. Two of the candidates dropped out of the process; one for personal reasons, the other because she accepted a different management position within the Health Department. These candidates both stated that

there had been no outside influence on their decisions to drop out of the process. Sonia Manhas was the only candidate remaining in the process.

At that point Shirley could have appointed Manhas, re-opened the recruitment or continued with the pending process. Shirley chose to continue with the pending process and conducted the scheduled interview panel process with Manhas. The panel did not score the interview. They provided feedback to Shirley following the interview as to Manhas' qualifications, ability and fit for the position. The interview panel provided a mixed review regarding Manhas' qualifications for the position. Some panelists felt she was qualified while others did not. After consultation with the Chief Operating officer, Shirley chose to promote Manhas to the Director of Policy and Planning position. Shirley was subjected to no known unlawful outside influence from anyone; including Cogen.

External recruitment for positions similar to the Policy and Planning positions seemed to be more common. However, based on my review of the promotional process, it fell within the established policy, procedure and practice of Multnomah County. No evidence was located or presented that showed that Cogen, Manhas and/or Shirley conspired in any way during this process.

Multnomah County employees' concerns with the process centered mostly on the appearance that Manhas was pre-determined to get the position, that the position should have been a national recruitment based on its importance, and that Manhas had been appointed when she was the only candidate rather than using the interview panel to make the appointment a competitive process.

2. Increase of Health Department (Manhas') budget based on a personal relationship with Cogen.

Cogen's executive budget did allocate additional funding for the Health Department, specifically the program area(s) in which Manhas was working. However, everyone interviewed agreed Cogen's political action items, personal beliefs, and historical community actions all align with the work conducted by the Health Department and specifically the projects Mahas championed. Those who knew Cogen before and after his extra-marital affair with Manhas have stated they believe he would have similar focus had she not been involved.

The money earmarked for the Health Department in the executive budget was added in accordance with the normal Multnomah County budgetary process, was not hidden, and was not "slipped" into the budget proposal at the last minute. The executive budget was open for public review and was reviewed by the other commissioners. In fact, the "out of target" money added to the Health Department was specifically addressed and discussed during budget hearings by Commissioners who requested additional supporting information be provided to them in written format which was done. The responses to their questions were detailed and thorough. The budget was ultimately voted on and approved by all the Commissioners.

It was not possible for me to determine to what extent Cogen's and Manhas's personal relationship played a role in his decision making process associated with the executive budget.

I did not find any evidence to support the fact Cogen or Manhas conspired to increase the budget based solely on their personal relationship. More evidence exists to suggest Cogen personally and politically supports the actions of the Health Department,

and that he and Multnomah County have gained notoriety for the work accomplished by the health department and projects Manhas has been involved with. However, their hidden personal relationship raised questions as to why the money was directed toward the health department and why other worthy requests were passed over.

3. Unauthorized travel expenditures for personal gain – Out of State

a. Travel to Atlanta (February 5-8, 2012)

Both Cogen and Manhas traveled to Atlanta in February 2012 for a wrap up meeting associated with the “Communities Putting Prevention to Work” conference which they both had reason to attend. Based on interviews I know that during this travel Manhas and Cogen spent personal time together and engaged in sexual relations. However, based on the investigation there are no criminal violations related to the expenditures incurred during this trip.

b. Travel to Atlanta (April 9-11, 2013)

Cogen traveled to Atlanta with a group of approximately fifty people from Portland for an Economic Development Conference entitled Atlanta “Best Practices Tour.” Cogen invited Manhas to meet him in Atlanta to spend time together. Manhas took vacation time and paid for her flight personally. Cogen’s trip was paid for by Multnomah County and had been booked in February 2013. In March 2013, Cogen requested his hotel be changed from the conference hotel, Renaissance Atlanta Midtown, to the Lowes Hotel. The per night rate went from approximately \$199 plus tax for a standard guest room to \$288.84 plus tax for a

“Deluxe King” room, plus 29.85 for internet access. Multnomah County policy (outlined below) clearly states “elected officials may approve their own travel” expenses. Therefore, based on Multnomah County policy it appears the change in hotel and the incurred expenses were at Cogen’s discretion as the money came from his department’s budget.

Cogen and Manhas stayed together in Cogen’s room at the Lowes Hotel for two nights. Cogen did attend portions of the conference, according to Manhas. When Manhas was leaving for the airport Cogen decided to go home as well. He contacted his staff requesting to travel home because the conference was boring. When this decision was made it was too late to check out of the hotel that day. The County incurred the charges for the third night despite his early departure (\$288.84). Cogen and Manhas shared a cab to the Atlanta airport. Cogen submitted for reimbursement for the Cab ride which cost \$35.00. Cogen’s staff changed his flights so he could return early, which incurred additional fees totaling \$178.50 for the flight change. Cogen did not return to Portland on the same flight with Manhas.

County policy and procedure allows Commissioners latitude to book their own travel without approval from anyone.

4. Unauthorized travel expenditures for personal gain – In State

Cogen and Manhas travelled to Salem together on two separate occasions for legislative hearings. According to Manhas, while returning from Salem on the first trip they rented a hotel room somewhere between Salem and Portland. Of those interviewed, the consensus was Shirley seemed to be a more appropriate choice to join

Cogen at legislative sessions however, based on the topic(s) being discussed or dealt with Manhas' attendance 'could' be relevant and appropriate.

According to Manhas, on the second trip they spent time together at a private residence. There is no evidence showing Cogen used public funds to pay for the hotel room.

5. Illegal use of controlled substances

Several people provided information during interviews that Cogen is a recreational user of marijuana. Based on interviews I learned that on at least one occasion, Cogen 'stated' via text message to Manhas he was going to a Multnomah County event in the capacity of Chair while under the influence of marijuana. Manhas observed Cogen using marijuana on numerous occasions. On more than one occasion Cogen provided marijuana which he and Manhas smoked together. Manhas had been inside Cogen's residence on at least one occasion and observed marijuana smoking pipes and marijuana in Cogen's den. Cogen told Manhas he gets his marijuana from his brother Mitchell Cogen, however Manhas has never observed this exchange.

Cogen told Manhas he occasionally uses cocaine and ecstasy. Manhas had never seen Cogen in possession of cocaine. On one occasion, Cogen showed Manhas a pill, which Cogen purported to be ecstasy. Manhas never took the pill and to her knowledge, Cogen did not take the pill either.

Based on Manhas' statements she often deleted her text messages. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



6. Misuse of Multnomah County Purchasing Card

Manhas did not have a Multnomah County purchasing card assigned to her.

There were no allegations that Manhas misspent county funds.

During interviews I learned and verified that Cogen paid \$522.50 to Multnomah County from Cogen's campaign funds with purpose code stating "Reimbursement for Personal Expenditures." It was determined that Cogen had used his county purchasing card to pay for a table at the State of the County event. He later reimbursed this payment with check from his campaign funds.

A review of Cogen's Multnomah County purchasing card was completed and no other purchases stood out as suspicious.

7. Misuse of Multnomah County equipment.

There was no evidence to support that Cogen and/or Manhas ever misused county provided equipment (vehicles, cell phones, computers) for personal reasons which would rise to the level of a crime.

APPLICABLE MULTNOMAH COUNTY POLICY

A review of Multnomah County Code shows that;

The County Code 3.001(B) states that:

All elected officials of the county, and employees under the supervision of elected county officials, shall comply with the Multnomah County Administrative Procedures on elected

officials' automobile expense, travel expense reimbursements and miscellaneous expense reimbursement policy, which are hereby adopted by reference.

Multnomah County Administrative Procedure regarding “**Travel and Training Expenses**” section is applicable to this case and is included in the case file for reference. Section 1. D., is specifically applicable to the extra travel costs incurred by Cogen. Sub-section 4 is of significant note, indicating that Elected Officials have authority to approve travel and training for themselves. This section states that;

D. Authorization for Travel and Training

1. Authorization is required from the appropriate Department Director/Elected Official or Designee for all local or overnight travel, training, seminars, conferences, college or continuing education courses or meetings.

2. Department Director/Elected Official or Designee has the authority to delegate signing authority to their staff by completing the Authorized Signature for Disbursement of Funds Form (Attachment C) and submitting the original to Central AP.

3. ORS 294.025 states that any public official responsible for the wrongful payment of public funds will be personally liable for the expenditure. “Public Official” means any person traveling at County expense.

4. Elected Officials may approve requests for themselves and their staff.

5. Electronic approval may be accepted only when the T&T details and/or documents are included in an email that is from the authorized approver.

INVESTIGATIONAL CONCLUSIONS

Based on the interviews conducted, review of associated documents, laws and policies I have not found there to be probable cause to believe Manhas and/or Cogen committed a crime. Following is a non-exclusive list of statutes we considered during the course of this investigation:

ORS 162.405 – Official Misconduct in the Second Degree

ORS 162.415 – Official Misconduct in the First Degree

ORS 164.043 - Theft in the Third Degree

ORS 164.045 – Theft in the Second Degree

ORS 475.860 – Unlawful Delivery of Marijuana

ORS 475.864 – Unlawful Possession of Marijuana

ORS 475.880 – Unlawful Delivery of Cocaine

ORS 475.884 – Unlawful Possession of Cocaine

CASE ASSIGNMENT

During the week of July 22, 2013 to July 26, 2013 I was in Birmingham, Alabama attending a training seminar. Also in attendance was Special Agent (SA) Kim Hyde.

On July 24, 2013 at 2:28 pm SA Hyde and I received an email from Assistant Special Agent in Charge (ASAC) Mike Loughary. The email stated SA Hyde and I had been assigned to investigate Multnomah County Commissioner Jeff Cogen, who allegedly was having an affair with a subordinate, Sonia Manhas. I had several conversations with ASAC Loughary regarding the details of the case that day. At the time he had no further factual details and explained he was waiting to receive the “official” investigation request from Multnomah County District Attorney (DA) Rod Underhill and the Multnomah County Sheriff, Daniel Staton. ASAC Loughary further explained the situation had been public for several weeks and Multnomah

County had complied with numerous public records requests from the media. He said a great deal of information including email communications between Cogen and Manhas had been reported by media outlets and were available for review.

On July 25, 2013 I participated in a conference call with Chief Counsel Darin Tweedt, Assistant Attorney General (AAG) Shannon Kmetec, AAG Dan Wendel, ASAC Steve McIntosh, and SA Kim Hyde. During this conference call SA Hyde and I were advised the official investigation request had been received from DA Underhill and Sheriff Staton. I was advised during this briefing that AAG's Kmetec and Wendel were assigned to the investigation as well. Following the phone conference, I received a copy of the official investigation request via email (see below).



ROD UNDERHILL, District Attorney for Multnomah County
1021 SW Fourth Avenue • Room 600 • Portland, OR 97204-1193
Phone: 503 988-3162 • Fax: 503 988-3643 • www.mcda.us

July 24, 2013

Ellen Rosenblum
Attorney General
State of Oregon
1162 Court Street N.E.
Salem, Oregon 97301

Re: Matters Pertaining to Multnomah County Chair Jeff Cogen

Dear Attorney General Rosenblum:

This confirms our conversation regarding an investigation of the matters pertaining to Chair Jeff Cogen and Sonia Manhas that have recently come to the public's attention. As presented to the public the facts could lead some to question whether any Oregon criminal laws have been violated. Without expressing any opinion as to whether any criminal laws have been violated or not we have concluded that an investigation to answer that question is warranted.

It is important that any investigation be, and is perceived to be, completely fair and impartial. Because of the close relationship between both of our offices and the Chair's office we have concluded, and you have concurred, that a law enforcement agency more removed from Multnomah County can best perform that task. Consequently, we are asking that the Attorney General's Office conduct the investigation into these matters.

Very truly yours,

ROD UNDERHILL
Multnomah County District Attorney

Sincerely,

DANIEL STATON
Multnomah County Sheriff

On July 25, 2013 I sent an email to district3@multco.us, the general email box for Commissioner Judy Shiprack. In my email, I introduced myself and requested Commissioner Shiprack call me back. I received an email response several hours later from Keith Falkenberg (later identified as Commissioner Shiprack's staff assistant). The response stated Falkenberg would forward the email to Commissioner Shiprack's direct email account. I spoke by telephone with Commissioner Shiprack briefly that day. I explained I was out of state and would be unable to begin talking to people until the following week. Commissioner Shiprack gave me some very

basic details of the situation at my request and we scheduled a time to meet for an interview the following week.

During the quick summary I received from Commissioner Shiprack I learned that an anonymous email had been sent to the commissioners and others within Multnomah County, which stated Cogen and Manhas were having an affair and Cogen was showing Manhas favoritism. I later received a copy of the anonymous email which was sent from 333margiesmith@gmail.com. Below is that email.

From: Margie Smith <333margiesmith@gmail.com>

Date: July 15, 2013 5:27:26 AM PDT

To: kathleen.fuller-poe@co.multnomah.or.us, district1@multco.us, district2@multco.us, district3@multco.us, district4@multco.us

Cc: mult.chair@multco.us

Subject: Inappropriate Behavior by Chair Cogen

Once again, I have been disappointed by the leadership at Multnomah County. Employees at Multnomah County have spotted Chair Cogen kissing Sonia Manhas in front of the Kenton Library and in a booth and at a bar in Portland along with a few other "sightings." Keep in mind that Sonia is in charge of "policy" at the health department. This information is being spread among County employees.

This may explain why Sonia was basically "appointed" into her current position as opposed to a fair, transparent process, why Lillian Shirley is still in her position (and was at work the day after) after the charges against her (assuming she knows about the affair between Chair Cogen and Sonia and holding this over his head) and why HR never addressed the issues so many employees under or affected by Sonia have left their positions (Alejandro Queral, Tameka Brazile, David Hudson, Nichole Hermanns and Maya Bhat among others). It's well known at the health dept. that Sonia is Lillian's protege. Promoting her to the Director of the Health Dept. would not be a smart move considering what has gone on between her and Chair Cogen and her ineffective management practices.

This behavior shows lack of values, principles and judgement. You have a choice, you can ignore this or you can address it. But, if you choose to ignore this information, things will only get worse and morale will continue to decline. What a shame if this information ever got leaked to the media.....

A Multnomah County Employee

Following the receipt of the anonymous email, Cogen admitted publicly he had been having an affair with Manhas. However, Cogen denied that he had shown any favoritism towards Manhas. Cogen ultimately took some time off away from the county, reportedly to deal with his family. Cogen returned to work and was unwilling to resign from his position despite requests to do so from the other commissioners and the community. Shiprack knew of no allegations that Cogen had taken any actions that were “criminal” in nature, but stated now that the existence of the affair was known she was unsure what other allegations may surface.

I continued making calls to schedule interviews for the following week including a call to Cogen. I left him a message and asked him to call me back, which he did. Several individuals I spoke with suggested they would be more comfortable speaking with me if Jenny Madkour, Multnomah County Attorney, was present.

Cogen sounded very reserved, hesitant to speak with me, and nervous. He asked me what kind of investigation was being conducted; a “civil” or “criminal” investigation. I told him Oregon Department of Justice (DOJ) had been asked to conduct a criminal investigation to determine if any criminal laws had been broken. Cogen assured me he wanted to fully cooperate with the investigation and was willing to speak with me however, based on the fact it was a criminal investigation, he felt like he needed to talk to an attorney before he spoke to me. Cogen repeatedly said he would cooperate fully and would talk to me. I gave him my contact information and told him to have his attorney contact me when they were ready to talk.

On July 25, 2013 I attempted to call Madkour, however she was out of the office for the week. The receptionist suggested I reach her by email. I emailed Madkour. In the email, I introduced myself, requested a time I could interview her, and advised her I had scheduled

interviews with county staff members. Through a series of emails and phone messages, Madkour and I arranged a time to meet the week of July 30, 2013.

It should be noted that from approximately July 15, 2013, when the anonymous email was sent, Multnomah County had been complying with numerous public records requests from many media outlets. These public record requests included travel documents, email correspondence, calendar entries and other internal documents associated with Cogen and Manhas. The information gained through the public records requests led to numerous allegations being discussed in the media and responsive press interviews being conducted by Cogen and Manhas. All of this had caused a media frenzy at the time and there was daily news coverage of the matter.

On July 30, 2013 several media outlets reported that “Mike Wells, a special agent at the Criminal Justice Division of the Oregon Department of Justice” had been assigned to the case and also outlined who I had scheduled interviews with and who I had left voice mail messages for. It was immediately apparent that the release of information from Multnomah County to the media was going to have an immediate impact on the criminal investigation.

On July 31, 2013, in an effort to preserve any evidence and to protect the integrity of the investigation, Chief Counsel Tweedt sent a letter to Madkour requesting Multnomah County refrain from releasing further documents based on public records requests until the criminal investigation had been completed (see below). Madkour complied with the request and agreed not to release further documents until the criminal investigation had concluded.

ELLEN F. ROSENBLUM
Attorney General



MARY H. WILLIAMS
Deputy Attorney General

DEPARTMENT OF JUSTICE
CRIMINAL JUSTICE DIVISION

July 31, 2013

Jenny Madkour
Multnomah County Counsel
Multnomah County Attorney's Office
501 SE Hawthorne Boulevard, Suite 500
Portland, Oregon 97214

Re: Matters pertaining to Multnomah County Chair Jeff Cogen

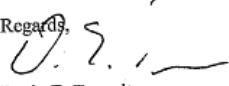
Dear Ms. Madkour:

As you know, District Attorney Underhill and Sheriff Staton asked the Department of Justice to conduct an investigation into matters pertaining to Multnomah County Chair Jeff Cogen and Sonia Manhas that have recently come to the public's attention. This was for the reason that as presented to the public, the facts could lead some to question whether any Oregon criminal laws have been violated.

The Department is currently conducting a criminal investigation into these matters. As part of our investigation, we have requested certain records from Multnomah County, some or all of which may be subject to current or future public records requests. Release of Multnomah County records to individuals or entities other than the Oregon Department of Justice at this time may interfere with our criminal investigation. Consequently, we request that you not release any records relating to these matters except those records requested by the Department of Justice until our investigation is complete.

Please feel free to contact me if you have any questions or concerns.

Regards,


Darin E. Tweedt
Chief Counsel

DET/dal/4477746

BASIC TIMELINE

The following time line is based on dates provided during interviews and reviews of records available during this investigation. It should be noted that most of the dates related to Cogen and Manhas' spending time together were provided by Manhas through her attorney. Some of the dates are approximations by those interviewed. The time line is for a general outline of the order of events relevant to this case.

1992	Cogen moves to Portland, Oregon with wife Lisa. Starts Portland Pretzel Company
1992-1999	Cogen served as Communications Director for The Multnomah Commission on Children and Families, and as board president for Hands on Greater Portland.
1999	Cogen joined Multnomah County Chair Beverly Stein's staff
September 2000	Manhas hired as Program Development Specialist Multnomah County
2003	Cogen became Chief of Staff for Commissioner Dan Saltzman
2005	Manhas works in Chronic Disease Prevention
2006	Cogen was elected as Multnomah County Commissioner for District 2
2010	CDC grant awarded
April 1, 2010	Cogen was appointed as Multnomah County Chair by the Board of Commissioners to complete the remainder of Ted Wheeler's term. (Wheeler had resigned to become State Treasurer)
May 2010	Cogen was elected to a four-year term as Multnomah County Chair.
January 6, 2011	Cogen sworn in as chair
July 29, 2011	Cogen and Manhas first kiss during lunch
August 12, 2011	Cogen and Manhas have sex during lunch. Manhas observes Cogen smoke marijuana for the first time. They both go back to work afterwards
2012	Cogen attends Jazz festival in New Orleans. Cogen tells Manhas he used controlled substances other than marijuana while there
February 6-8, 2012	Cogen and Manhas attend conference in Atlanta
February 15, 2012	Cogen's father dies. Manhas and Cogen go for a walk
March 2012	Cogen and Manhas go to Salem for legislative hearings and have sex during return trip
March 2012	Cogen and Manhas go to Salem for legislative hearings and have sex during return trip
March 23, 2012	Cogen and Manhas "get together"
Spring 2012	Cogen tells Manhas he used drugs other than marijuana the weekend of his son's Bar Mitzvah
May 11, 2012	Cogen and Manhas "get together"

May 11, 2012	Cogen tells Manhas he used marijuana and went to the St. John's parade
June 21, 2012	Cogen and Manhas "get together" – see a movie in the afternoon
July 2012	Cogen tells Manhas he used drugs other than marijuana while old friends were in town visiting
August 2, 2012	Cogen and Manhas "get together"
September 17, 2012	Cogen and Manhas "get together"
September 21, 2012	A Multnomah County employee tells Michael Hanna, AFSCME president, that Cogen and Manhas are having an affair
September 21, 2012	Michael Hanna tells Cogen that Multnomah County employees know about his affair
September 27, 2012	Cogen tells Manhas he used other controlled substances while at a concert at the Edgefield
October 8 or 18, 2012	Cogen and Manhas "get together"
December 2012	Cogen has old friends visiting. Friends left Cogen ecstasy. He takes this ecstasy to beach trip with Manhas
February 4, 2013	Cogen and Manhas "get together"
February – present	Other than identified specific trips, most of the time, Cogen and Manhas spend after work, early evenings and weekends together.
February 21, 2013	Cogen and Manhas spend the night at the Oregon Coast together
April, 2013	Manhas takes vacation time and visits Cogen at Economic Development Conference in Atlanta.
June 16, 2013	Cogen tells Manhas he used marijuana and went to the Gay Pride parade (possibly while high on marijuana according to Manhas)
June 29, 2013	Cogen tells Manhas he used marijuana and went to the Good in the Hood parade
July, 2013	Cogen is a personal reference on Manhas' application for Director of Policy and Planning
July, 2013	Hudson learns of the Cogen/Manhas affair
July 15, 2013	Anonymous email received by Multnomah County Commissioners received from "333MARGIESMITH@GMAIL.COM"
July 17, 2013	Cogen publicly admits affair with Manhas and apologizes for his actions
July 18, 2013	Multnomah County begins internal review
July 19, 2013	Multnomah County released documents to KGW in response to public records requests
July 21, 2013	Cogen returns to work.
July 24, 2013	Cogen gives interview with KGW.
July 24, 2013	Manhas resigns.
July 24, 2013	DOJ Criminal Investigation announced.
July 24, 2013	Cogen announces he will not resign.
July 24, 2013	Commissioners voted unanimously for Cogen's resignation.
July 24, 2013	Manhas gives statement to KATU and sends email statement to KATU
July 25, 2013	Cogen says he will cooperate with DOJ investigation. Oregon Live reports "He said he would fully cooperate in the investigation"

	and expressed confidence that the investigation will find that he engaged in no abuse of his office.”
July 25, 2013	Wells talks to Cogen over the phone and confirms the investigation is criminal. Cogen states he will cooperate fully but must consult with an attorney first.
July 25, 2013	Wells begins scheduling interviews with Multnomah County Commissioners and staff
July 30, 2013	Media reports outline interview schedule of Wells
July 31, 2013	DOJ Chief Counsel Tweedt sends letter to Jenny Madkour County Counsel requesting that due to the criminal investigation no additional public records requests be granted until the criminal investigation is completed.
July 31, 2013	Wells interviews Manhas w/ attorney McKanna
August 1, 2013	DOJ notified Krista Shipsey now represents Manhas
August 2, 2013	Shipsey requests second interview of Manhas regarding drugs use. Wells interviews Manhas
August 2, 2013	Consent letter received from Shipsey/Manhas to forensically analyze Manhas cell phone
August 2, 2013	Consent letter received from Hoffman/Menikoff stating Cogen’s phone will be analyzed and a report will be provided to DOJ
August 19, 2013	Steve March requested interview. Phone interview he stated he discovered funds for travel were from Federal Grant, Campaign charge on Purchasing card
September 6, 2013	Forensic report of Manhas phone completed. Wells picks up report from Det. Hanada
September 6, 2013	Forensic exam delivered to Shipsey
September 6, 2013	Cogen announces he will resign
September 16, 2013	Cogen resigns
September 16, 2013	Hoffman/Menikoff calls DOJ. They are not willing to allow Cogen to interview with DOJ until they are told what the scope of the interview is.
September 18, 2013	Hoffman/Menikoff send letter to DOJ. Requesting “specific information about the matter under investigation” prior to Cogen being interviewed. Letter also states they will be providing DOJ with “material we have gathered.”
September 25, 2013	Lillian Shirley resigns
September 26, 2013	Wells receives forensic disc back from Shipsey for investigative review
September 26, 2013	Shipsey no longer actively working for Manhas

INTERVIEWS

1. JENNY MADKOUR – Multnomah County Attorney

On July 30, 2013 AAG Shannon Kmetc and I met with Jenny Madkour, County Attorney, in her office to conduct an interview. I advised Madkour I was going to be recording our interview. Madkour acknowledged I was recording our interview and agreed to speak with me. The following is a brief summary of that interview which lasted approximately one hour and four minutes. For further and more specific details refer to the transcript and/or audio recording of the interview.

Madkour first learned about the possibility of Cogen having a relationship with Manhas when she received an email from 333margiesmith@gmail.com on July 15, 2013. On July 17, 2013 Cogen held a press conference in which he admitted to the media that he had had an affair with Manhas. Following the press conference Madkour began receiving numerous public records requests from media outlets¹. In preparation for complying with the media requests, Madkour began to review emails and other documents associated with Cogen and Manhas. Additionally, while reviewing the documents she was preparing for the media she stated it was her duty to look for information which may be evidence of personnel violations, ethics violations or violations of law. Madkour stated she called this a “basic inquiry” however the press classified this as an “investigation.” Madkour clarified that her inquiry was so she could find a “level of information” in which she could then brief her “clients.” She described her clients as being representatives from the Chair’s office, representatives from the Board of Commissioners, representatives from Human Resources, and the Chief Operating Officer. She elaborated that her clients are those county employees who are in decision making positions as well as elected positions. She said her interest to them is information as to what is being released, what is being

¹ Madkour is responsible for receiving, reviewing and responding to public records requests for Multnomah County.

redacted and what concerns there may be from a policy standpoint. Madkour explained she briefed her clients on what she learned following her basic inquiry, knowing that by county policy some of these clients have the ability to request that outside entities conduct independent investigations. No independent investigation was ever requested by her clients to her knowledge. Shortly thereafter, the Multnomah County District Attorney and the Multnomah County Sheriff made the request to DOJ to complete an investigation.

Madkour was asked if she was normally involved in internal investigations. She stated it depended. In most cases, the Human Resources (HR) departments would handle the investigation and she may be consulted at the end over discipline or separation issues. However, when an investigation centers on elected officials or managers she is often involved from the beginning. HR is not typically involved in this type of investigation because elected officials were involved. Most of the personnel policies with Multnomah County do not apply to elected officials. In general the rules were not written for elected officials and Multnomah County cannot discipline elected officials. The rules are written for Multnomah County employees and really, in most cases, are not even applied to elected officials' staff.

Madkour was questioned about Manhas' promotional process. She provided me information as to whom I could speak for specifics. In general, she explained that Manhas' promotion was handled within Multnomah County policy guidelines. Madkour said the position classification allowed for an internal employee to be appointed to the position or an outside hiring process to be conducted.

Specifically in Manhas' case, there was a promotional process to select a candidate for the position. Three candidates applied. Two candidates dropped out of the process for personal reasons leaving only Manhas. The director of the Health Department, Lillian Shirley, continued the interview process and selected Manhas for the position.

Madkour told me that after the information hit the press she received a phone call from Mya Bhat-Gregerson, an ex-Multnomah County Health Department employee who had been supervised by Manhas. Bhat-Gregerson told Madkour that while employed she had been having problems with a third employee which included spreading rumors. One specific “rumor” the third employee was spreading was that Manhas and Cogen were having an affair. Bhat-Gregerson went to Manhas, her supervisor, to discuss the problems with the third employee. During the discussion, Bhat-Gregerson included the rumor spreading, specifically outlining the Manhas/Cogen affair rumor. Bhat-Gregerson said Manhas ultimately requested she not include that specific rumor in her official complaint to HR. At the time Bhat-Gregerson believed this to be a fair request as she understood such a rumor could harm the credibility of a female employee within the organization. However, after the information regarding Manhas and Cogen’s affair went public, Bhat-Gregerson became concerned with the fact Manhas had requested her to not discuss the affair rumor.

Madkour told me she did no further investigation into this matter but that she did provided the information to Manhas’ attorney, Elizabeth McKanna. Madkour told McKanna at that time that Manhas knew the facts of this scenario and if there was any truth to the allegation Manhas would most likely lose her employment over it.

Madkour also stated that based on her review of emails associated with Manhas she found that Manhas was circumventing the chain of command via email, going straight to Cogen with information, questions and requests.

Madkour explained that not following the chain of command was not a violation of any policy, procedures or code of ethics that she knew of, but did fall outside of the standard operational procedures of Multnomah County. She stated the vast majority of the emails between them were regarding county business.

Madkour told me she had had a number of conversations with McKanna discussing the future of Manhas within the organization following the disclosure of the affair. Ultimately, they negotiated a resolution which Manhas accepted and signed resulting in the termination of her employment with Multnomah County.

Madkour reviewed travel documents and found that on one trip Cogen made to Atlanta, Georgia, he changed his hotel from the conference hotel to a separate hotel, which cost approximately \$50.00 more per night. The reason for this change was unknown to her at that time. In addition, he checked two bags on the return trip from Atlanta. She was unclear as to the process in which the payments for these services were completed and suggested several people I should talk to. She clarified that the elected officials are not held to the same stringent guidelines as other county employees.

Madkour discovered while reviewing the emails that Manhas was attempting to convince Shirley that she needed to work several days a week in Cogen's office. This never occurred.

Madkour was asked what Multnomah County policies, producers or ethics guidelines applied to Cogen. Madkour stated she was not sure that any of them would apply to the elected officials. She stated she believed the only standard that would apply to them would be the state ethics laws but she was unsure of that.

Madkour had advised me Manhas was still in possession of a variety of Multnomah County property and provided me a list. Madkour requested that I ask Manhas about the property when I spoke to her. The property was eventually recovered. This is outlined further under the interviews of Brig Otis and Manhas.

2. JUDY SHIPRACK – Mult County Commissioner, District 3

On July 25, 2013 I spoke to Judy Shiprack by phone and got a brief summary of what was occurring (as outlined above in “CASE ASSIGNMENT”). We scheduled a time to have a more comprehensive interview.

On July 30, 2013 AAG Kmetc and I met with Judy Shiprack in her office to conduct an interview. I advised Shiprack I was going to be recording our interview. Shiprack acknowledged I was recording our interview and agreed to speak with me. The following is a brief summary of that interview which lasted approximately fifty six minutes. For further and more specific details, refer to the audio recording and/or transcript of the interview.

Shiprack explained she first heard about the affair between Cogen and Manhas when she was forwarded an anonymous email by her staff which had been received in the District 3 email account. The anonymous email came from 333margiesmith@gmail.com. Shiprack was out of the office at the time and when she returned she counseled her staff on forwarding gossip messages. At that time her staff members stated this was not the first time they had heard that rumor. Shiprack said she went to speak to Commissioner for District 1, Deborah Kafoury, about the rumor. At that time Kafoury told her Cogen was speaking to the press and that the rumors were in fact true.

Shiprack said Cogen never spoke to her or any of the other commissioners, to her knowledge, prior to his announcement to the press. After Cogen met with the press, he sent an email to all of Multnomah County in which he apologized for his actions. After that he left a voice mail for Shiprack where he again apologized for his actions. Shiprack felt like Cogen “fudged” his statement to the media and then again to her. Shiprack never responded to the voice mail because she felt he was not ready to be honest.

Shiprack stated the relationship between Cogen and Manhas surprised her. She said the way they worked together was an “anomaly.” However, she explained that work is often conducted in a very informal way within professional guidelines. Often times the chain of command is not strictly adhered to as it can hamper the flow of information and work product.

Shiprack stated Cogen did have the power to make executive decisions which the board would not have known of. Cogen could also make executive decisions which the full board would have been briefed on; however, it is possible that Cogen’s full motive of these decisions may not have been fully outlined in discussions. Shiprack did not know of any executive decisions Cogen had made and said she was in the process of researching if any such decisions had been made. (She has not contacted me with any such executive decisions that she found to be in question.)

Shiprack was asked if she ever felt pressured by Cogen to make decisions regarding the health department matters specifically. She explained that there were specifically two matters in which she questioned the decisions being made by Cogen; the BPA sippy cups issue, and the Health Department environmental impact study on the Columbia River Crossing. In both matters Shiprack said she voiced her feelings against the issues but did so in a restrained fashion so as to not disrupt the working relationship amongst the board members.

Shiprack was asked if there were any specific matters championed by Manhas in which she recalled Cogen attempting to push or sway her vote. Shiprack said that was hard to tell. She said the overall situation has nothing to do with the sexual affair, but the “loss of trust” in Cogen as part of their team. She elaborated that Cogen often took credit for projects and programs that were group efforts and often included Manhas in the credit while leaving out numerous others who were directly or more directly involved.

Shiprack was asked to outline how travel arrangements were made within the commissioners' offices. She stated most of the travel arrangements were made by the commissioners' staff members. There was no approval process or person that approved or denied travel expenses incurred by or requested by commissioners. Shiprack explained that any travel expenses come out of the individual commissioners' budgets and therefore she is cautious as to when, how and where she travels.

Shiprack knew of no policy which limits the amount of checked bags.

Shiprack was asked if there were other issues that she felt needed to be evaluated now that the relationship between Cogen and Manhas was known. She explained that Kat West, a respected Multnomah County Health Department employee, was working on a project in which Manhas was strongly involved. Ultimately West lost her job over the project due to personality conflicts. Shiprack now questions the validity of that dismissal.

Additionally, Shiprack said, in retrospect, the Multnomah County Food Initiative received \$75,000 additional money in what she called an "extraordinary" and "unusual way." Shiprack suggest I speak with Karen Keta. Shiprack said that in the big picture of the county budget that amount is very little and would not have arosed much question from the board at the time they approved the budget.

We ended our interview.

3. Keith Falkenberg – Multnomah County staff assistant for Commissioner Shiprack

On July 30, 2013 I met with Keith Falkenberg at the Multnomah County Commissioners office to conduct an interview. I advised Falkenberg I was going to be recording our interview. He acknowledged I was recording our interview and agreed to speak with me. The following is a

brief summary of that interview which lasted approximately twenty-eight minutes. For further and more specific details, refer to the transcript and/or audio recording of the interview.

Falkenberg's job assignment in part was to coordinate travel for Shiprack. He stated that to attend a conference he would send to County Assets the time and dates of requested travel. County Assets would work with Azamano Travel to coordinate flight times etc. Falkenberg would receive back from county assets a travel and training form that would outline the flight options, costs associated and per diem. He would take that information to the commissioner and the most convenient flight would be chosen. The forms would be returned to county assets and the travel would be booked and paid for. He would then receive confirmation information from county assets.

I asked Falkenberg how it would be handled if Shiprack got to a hotel that was pre-booked and decided not to stay there. He stated that in most cases she would call him and he would work with County Assets to make the changes, or she could charge it on her county purchasing card or her personal credit card and request reimbursement when she returned.

Falkenberg said he was not surprised by the email claiming Manhas and Cogen were having an affair.

I asked Falkenberg if there was anything he now has clarity on or is suspicious of since the affair was made public. He explained he participated in the Food Policy Council, Multnomah County Food Initiative, and Multnomah County Food Summit, and after reading the publically released emails, he can see that Manhas was not relaying information accurately to Cogen.

Falkenberg explained that he believes Manhas was blaming Kat West for not being responsive to the community. Falkenberg said at the time he had the impression that Cogen had the opinion West was not responsive to the community. However, now knowing what he knows

he wonders what role Manhas played in Cogen's beliefs of the situation. Eventually West resigned from the Multnomah County over poor working environment. Falkenberg said that West and Manhas had conflicting relationships and West always lost. He said it is clear now why she always lost to Manhas.

Falkenberg provided an additional example in which Manhas' direct access to Cogen provided her decision making advantages. The Multnomah County "Food Summit" name was changed to "Food Justice Summit." Falkenberg stated that his recollection was the planning committee was told by Manhas that Cogen would like to change the name of the "Food Justice Summit" and were told what Cogen wanted the group to focus on. He said he read emails that had been publically released which clearly show Manhas telling Cogen "this is what I think we should do" and "this is how I think we should change it." Falkenberg questioned this type of decision making and who was actually making the decisions and why.

On July 31, 2013, I received a phone call from Falkenberg. He had recalled a conversation he wanted to share with me. He explained that during the hiring process for the Director of Policy and Planning Position he had a conversation with Shirley. During this conversation Falkenberg asked Shirley how the hiring process was going. Shirley told him it was not going well and that they may need to reopen the recruitment. Falkenberg said that within the next few days Shirley sent out an announcement that Manhas had been given the Director of Policy and Planning Position. Falkenberg stated he was surprised by the decision based on what Shirley had previously told him.

4. LILLIAN SHIRLEY – Director of Multnomah County Health Department

On July 30, 2013, I met with Lillian Shirley in her office to conduct an interview. I advised Shirley I was going to be recording our interview. She acknowledged I was recording

our interview and agreed to speak with me. The following is a brief summary of that interview which lasted approximately one hour and twenty-three minutes. For further and more specific details, refer to the transcript and/or audio recording of the interview.

Shirley told me she had been the director of the health department for approximately 15 years.

Shirley said she first heard about the affair when she was forwarded an email from her Multnomah County Health Department HR director who had received the anonymous email from 333margiesmith@gmail.com. Shirley said she emailed the two Multnomah County Attorneys, forwarding them the email, and asked for instructions on how to proceed. Shirley said she ultimately spoke to Madkour.

Shirley sent a message to Manhas that she wanted to talk to her. Manhas responded she was putting her kids to bed and asked if she could talk to Shirley in the morning. Shirley agreed but told Manhas she needed to see her first thing the next morning.

Shirley said Manhas met with her the following morning. During that meeting Manhas said she and Cogen were just friends. Shirley told Manhas to either say nothing or tell the truth. Shirley said the meeting ended at that time. Shirley was unsure but believed Manhas went back to work to meet with her team. At this point, the information had not been publically released so Shirley was remaining discreet with the information.

When the media coverage on the affair started, Shirley sent Manhas home to “chill out.” At the time, she said her goal and that of the Health Department’s Public Information Officer was to protect Manhas. Other than the affair with the “boss”, they did not know at that time the depth of the situation and felt it was their duty to protect her from the media scrutiny.

Shirley denied it was “common knowledge” within the health department that Manhas and Cogen were having an affair. She denied she personally had any knowledge of the

relationship but admitted Manhas had always had an interesting intrigue over Cogen that Shirley never understood.

Shirley spoke very highly of Manhas' dedication to Multnomah County, her work product, her energy level and commitment to Multnomah County. Shirley used words to describe Manhas like "innovative" and "visionary" but stated she was never "rogue." Shirley explained that work Manhas spearheaded was on the cutting edge and based on that work had brought much grant funding and recognition to Multnomah County.

Shirley explained the board of Commissioners acts also as the Board of Health. Under that design, the Commissioners must approve any new programs or allocation of funds the Health Department pursues. She explained that even if the Health Department finds a grant they would like to apply for they must get approval to apply from the board. If they get the money then they must go back to the commissioners for approval to spend the grant funds. All new programs are approved by the commissioners.

I discussed with Shirley, Manhas' chain of command. Shirley said she was Manhas' direct supervisor. Shirley would report directly to the Chief Operating Officer, JoAnn Fuller, for day to day operations issues but to Cogen for program and budget issues as he is the one who hires and fires her.

I asked Shirley if she was surprised to find out that Manhas was contacting Cogen directly. She stated she knew Manhas had direct contact with Cogen because Manhas would comment about talking to Cogen. She said she supported Manhas' work and felt it was unnecessary to go around her to Cogen for support.

Shirley said there were times in which Cogen would have an opinion about Health Department staff in which Shirley had no idea where his opinion was coming from. However, she began to recognize recently that those people were employees whom Manhas was having

trouble with. She now understands that much of that information was being fed to him by Manhas.

Shirley provided an example. She said that she was recently arrested and was out of work for a week. During that week her deputy director, KaRin Johnson took over running the department for her. Shirley said she met with Cogen and discussed her situation during that time. Cogen encouraged her to take a month to six weeks off so she could deal with personal matters. Cogen also recommended that during that time she took off that she not put KaRin Johnson, the deputy director, in charge. Shirley said she was surprised and very suspicious of this request. She explained that this was a light bulb moment for her in which she understood that Cogen was operating with information about the Health Department that she was not providing him. Shirley told me she did not discuss the matter further with Cogen. Shirley said she ignored his request and continued to work and did not take an extend period of time off.

I questioned Shirley about circumstances in which Manhas had suddenly and surprisingly had a victory with the commissioners that were unexpected which in retrospect may have been related to the relationship between Manhas and Cogen. Shirley told me that she could not think of a situation that would fit that. She told me Manhas' work ethic was amazing. She felt some of the areas, like BPA "Sippy" cups, may not have been the best areas of focus. However, the community was behind it and Manhas successfully made the program work.

Shirley told me Cogen approached her at one point last year and discussed making Manhas the Sustainability Director. Shirley did not approve of this move as Manhas had no credibility or experience in the sustainability world. Shirley stated this was brought to her by Cogen and never anything she heard from Manhas. At the time, Shirley did not understand this request because Manhas was making great strides in the area of public health.

Shirley has since found out, after reading the publically released emails between Cogen and Manhas, which the goal of getting Manhas the title of Sustainability Director was to have her work, at least part time, in the same building and floor as Cogen.

Shirley and I discussed the promotion of Manhas. Shirley explained that the Director of Policy and Planning job was not a newly made position. She explained there had been an existing management position in Health Assessment. Shirley felt there were some management issues that needed to be taken care of, as well as the fact she wanted different groups to work better together. After careful consideration, she decided to reframe the job so it covered not only planning and data but also public health policy.

Shirley denied being influenced in the promotional process by Cogen in anyway. She explained she held an internal promotional process for the position. Shirley said she feels almost like “you’re dammed if you do; dammed if you don’t. You know it’s like you’re supposed to be doing succession planning and having career paths and mentoring and monitoring and we are supposed to also be opening opportunities particularly for disadvantaged under represented people in the senior and management ranks. So.... That’s what I thought I was doing.” She continued explaining that it is a common practice in Multnomah County and for her in the Health Department that we “always” do an internal recruitment for two weeks before we do an external recruitment. She said the thought behind this is that people within the county should get an opportunity to transfer.

Shirley explained there were a total of three internal candidates who applied. Ultimately two of them dropped out of the process for personal reasons. One candidate, Jessica Gurnsey, was involved with tow management process at that time and ultimately accepted the role as the Maternal Child Health Manager and withdrew herself from the Director of Policy and Planning process. Shirley told me that Jessica Gurnsey was qualified to hold the Director of Policy and

Planning job as well as the Maternal Child Health Manager job she ultimately accepted.

However, Manhas was not qualified to hold the Maternal Child Health Manager job.

Shirley said she did not set up the interview panel that the panel and the process was run by Ashley Dollar, from Human Resources. She explained that at the time the panel interview date arrived Manhas was the only candidate left in the running. Shirley explained she could have discontinued the process and either appointed Manhas or re-opened the recruitment. Shirley stated she chose to continue with the process. She said that following the interview, the panel was not unanimous that Manhas was the right person for the job. Shirley told me she did not believe the panel had the full understanding of what the position entailed.

Shirley told me she had a one on one interview with Manhas where she outlined her weaknesses and suggested she seek mentoring from other managers in certain areas. Shirley told me that she certainly did not think Manhas was perfect, however, she knew she possessed the skills necessary for the position. Shirley told me she made the decision to hire Manhas for the position on her own with no influence from the Board of Commissioners and/or Cogen in any way.

Shirley and I discussed business travel. She was aware of the fact Manhas traveled to Atlanta for a wrap up meeting associated with the “Communities Putting Prevention to Work” grant. She believed it was appropriate for Manhas to be there and felt her inviting Cogen to the event was good because it shows their program has support from policy makers.

I asked Shirley if she recalled inviting Cogen to this event. She stated she recalled Manhas telling her Cogen was going to go on this trip. Shirley had no part in inviting Cogen to the meeting in Atlanta. Shirley stated that she knew Manhas travel was all paid for out of the grant and she assumed Cogen’s would have been as well.

5. MYA BHAT-GREGERSON – Ex Multnomah County Health Department employee

On July 30, 2013 and August 1, 2013, I conducted phone interviews with Mya Bhat-Gregerson. Based on this investigation I had learned Bhat-Gregerson, a former employee of Manhas, had allegedly been asked to remove a statement regarding Manhas and Cogen having an affair from a complaint Bhat-Gregerson was filing against a third employee with the HR department. The interview with Bhat-Gregerson was recorded. The following is a brief summary of that interview which lasted approximately forty minutes in total. For further and more specific details, refer to the transcript and/or audio recording of the interview.

Bhat-Gregerson confirmed she had been having a variety of work related problems including racially motivated comments, bullying, lack of work performance and spreading of rumors by a co-worker by the name of “Claire.” Ultimately, Bhat-Gregerson decided she needed to file a complaint with HR regarding Claire. Prior to filing the official complaint Bhat-Gregerson met alone with Manhas and discussed with Manhas her problems with Claire

Approximately five days later in the late afternoon, Bhat-Gregerson called Manhas and told her Claire was also spreading rumors about her. Specifically, Bhat-Gregerson told Manhas that Claire was telling people Cogen and Manhas were having an affair. She stated this was a very short conversation.

Bhat-Gregerson said she returned to work the following day and Manhas called her into her office. Manhas asked Bhat-Gregerson how she was doing and after Bhat-Gregerson responded she was doing fine Manhas started to cry. Bhat-Gregerson said this was the first time she had ever seen Manhas crying and that she has never seen it since then. At that time Manhas told Bhat-Gregerson she had been treated badly during the interview process for the position she held and people have always said mean things about her. Manhas alluded to the fact she and

Cogen were good friends. Manhas asked Bhat-Gregerson to not include in her written HR complaint the rumor that she (Manhas) and Cogen were having an affair. Bhat-Gregerson ultimately did not include the information about the affair in the HR complaint based on this requested from Manhas.

I asked Bhat-Gregerson if she felt pressured by Manhas to remove this information from her complaint. She told me she did not. She said her supervisor asked her to do it so she did not include that information. She explained Manhas asked her to remove something that was directly relevant to her complaint that she would have questioned Manhas about it further but since the rumor was not relevant to her personally she did not see a problem in leaving it out.

She told me at the time Manhas asked her to leave out the affair rumor she had not actually written the information in any way so there was no deleting of information from any complaint form or report.

Bhat-Gregerson told me that at the time she understood how a “rumor” about Manhas and Cogen having an affair could affect Manhas at work and did not feel like she needed to further spread such a “rumor.”

Bhat-Gregerson ultimately resigned from Multnomah County. When I asked her why she resigned she told me one of the main reasons she left was her problems with Claire and the fact that neither HR nor Manhas did anything to deal with the issues. She explained that a number of people had made complaints about Claire and how she was treating others yet there was no action. Bhat-Gregerson told me that following her HR complaint she felt Claire retaliated against her and treated her even worse. Many times this occurred in front of Manhas who did nothing about it. Bhat-Gregerson told me she finally quit because she could not work in that environment any longer and because she felt by staying she was condoning the behavior and the environment that allowed it.

Bhat-Gregerson said that now, in retrospect; she knows why Manhas asked her to remove the rumor information from her complaint. Bhat-Gregerson also wonders if Manhas did not deal with Claire so not to antagonize her because Claire knew about her affair with Cogen.

6. BRIG OTIS – Multnomah County Information Technology Security Manager

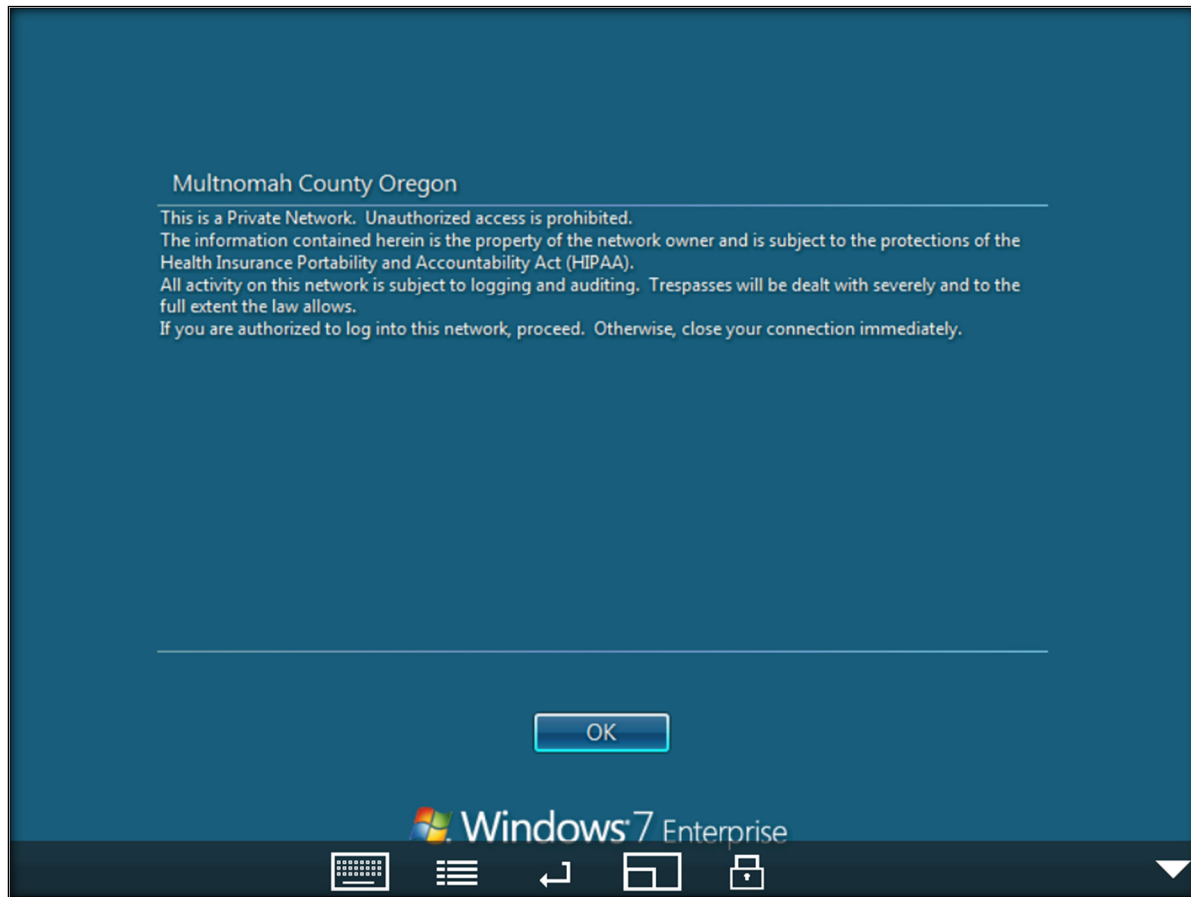
On July 31, 2013 I made a request through Madkour to have any remaining county-owned computers and/or cellular phones that were in the possession of Cogen and/or Manhas collected as evidence for future forensic processing if necessary. Madkour stated she would make arrangements to have those computers removed and made available to me. I requested this be accomplished around 16:00hrs, during the time I was interviewing Manhas.

Approximately 16:09hrs I received an email from Madkour stating that Brig Otis had secured Cogen's Multnomah County desk computer. The email stated Cogen had his Multnomah County iPad at home and he would bring it to the office the following morning.

On August 1, 2013 approximately 13:30pm I met with Otis. He gave me a Dell desktop computer (MW1) and an iPad (MW4) which was Multnomah County property assigned to Cogen for county business use. Otis also provided me with a desktop computer (MW2), and iPad (MW3) and a laptop computer (MW5) that had been recovered from Manhas' desk. These were Multnomah County property assigned to Manhas for county business use. Otis also provided me two thumb drives which contained the Multnomah County computer profiles for Manhas (MW10) and Cogen (MW11). Cogen did not have an assigned Multnomah County cellular phone.

On August 19, 2013 I asked Otis via email if there were any policy statements or admonishments stating the computers owned by Multnomah County are property of the county, their rules of use, etc. I asked him to please send me a screen shot that admonishment or

agreement that must be made upon an employee's log in if it existed. Otis responded with the following screen shot.



7. BARBRA GUTHRIE - Ex Multnomah County office manager & scheduler for Chair Cogen

On July 31, 2013 I interviewed Barbra Guthrie by phone. The interview was recorded. Based on the investigation I knew that Guthrie had recently been an office manager and scheduler for Cogen. The following is a brief summary of that interview which lasted approximately thirty-nine minutes. For further and more specific details refer to the transcript and/or audio recording of the interview.

Guthrie said she started with Multnomah County in July 2009 as the scheduler for the then-chair, Ted Wheeler. When Wheeler left in approximately March 2010 Cogen was

appointed to the chair position. Guthrie became Cogen's office manager at that point. Guthrie left in February 2013 to explore other career opportunities outside of a political environment. She stated that her leaving had nothing to do with Cogen.

Guthrie said she never worked directly with Sonia. The only contact she had was to book meetings between them. She never had any suspicions Cogen was having an affair with Manhas. Guthrie knew she was a favorite of his but assumed that was because she was working on causes he was very interested in.

Guthrie stated Cogen never asked her to set up private meetings between him and Manhas. She said she never observed anything that would have indicated they were having an affair.

I questioned Guthrie about booking Cogen's travel. She told me that the first trip to Atlanta was paid for by the CDC grant. She explained she had nothing to do with scheduling of that trip as the health department made all the arrangements. She recalls the health department brought proposed travel paperwork to Cogen which he approved and signed.

Guthrie believed the second trip to Atlanta was the "Best Practices" conference. Cogen was requested to attend the conference and asked Guthrie to organize the travel. Guthrie said she was not responsible for actually booking the travel; that is done by someone in County Assets. She said she emailed all the information to County Assets regarding the trips and County Assets made the tentative arrangements. Those tentative arrangements were sent back to Guthrie who confirmed they would work for Cogen. Cogen agreed to them and County Assets booked the travel, airfare and hotel. The confirmations were sent to Guthrie and Guthrie gave them to Cogen.

Guthrie said she ended her employment with Multnomah County shortly after that. Guthrie said she was not employed with the county when Cogen altered the reservations

associated with the trip. Jenny Mau took over scheduling in the interim prior to Mary Margret Wheeler-Weber taking over.

I asked Guthrie if she knew of any other trips Cogen took with Manhas. She stated she knew of two trips to Atlanta and two trips to the Oregon State Legislature in Salem but she knew of no others. She told me it was unusual for Cogen to take business trips.

Guthrie said Cogen's relationship with Manhas as far as she ever saw was a professional one. Guthrie said Manhas often emailed her to schedule time with Cogen. Rarely did she just show up at the office but when she did it was usually to speak with other office staff and not Cogen. She could only think of a few times in which Manhas and Cogen met privately in his office but that based on the way the office was designed there is little privacy. Guthrie said that any lunch meetings that appeared on Cogen's calendar with Manhas were things he put on the calendar himself and she did not do that. When the calendar had blocks that said "do not book" she stated she blocked this time out so Cogen would have time to catch up on work.

Cogen did not use a county car for travel. He did turn in for parking costs because he traveled in his personal car. She stated she always completed his reimbursement on these and compared the parking costs to his calendar and never noticed anything to be out of place.

Guthrie stated it was not unusual to her to see Manhas was having direct contact with Cogen regarding projects that were being worked on. She stated Manhas was not a base line employee. She was a director and her having contact with Cogen did not stand out.

8. DEBORAH KAFOURY – Multnomah County Commissioner, District 1

On July 30, 2013 AAG Kmetec, Madkour and I met with Deborah Kafoury in her office to conduct an interview. I advised Kafoury I was going to be recording our interview. She acknowledged I was recording our interview and agreed to speak with me. The following is a

brief summary of that interview which lasted approximately forty five minutes. For further and more specific details, refer to the transcript and/or audio recording of the interview.

I asked Kafoury how she first heard about the possibility of the affair. She told me the anonymous email from 333margiesmith@gmail.com was sent to the District 1 email account. She had no idea where or who the email would have come from. She stated after reading the email and reviewing the email address' that received it she forwarded it to the chief of staff and Multnomah County communications officer.

Kafoury stated shortly thereafter Madrigal came into her office crying and asked her what she should do. Kafoury suggested Madrigal set down with Cogen and convince him to tell the truth, every detail, because the information was going to come out eventually. Kafoury said Madrigal did meet with Cogen, and they suggested he go home and talk to his wife because the details of the affair were going to become public.

Kafoury stated Cogen left her several voice mails attempting to reach her. They did not talk and he eventually left a voice mail apologizing for what was happening.

Kafoury stated she was very close friends and she was shocked about the affair and she had no idea or indications that anything was going on.

I asked Kafoury if there was anything she had ever seen that was unusual between Cogen and Manhas. She told me Manhas had access to the Commissioners floor that was unusual. She explained there are not a lot of people visiting their floor. She recalls that Manhas was there more frequently than most staff. Kafoury stated what made it unusual was not that it was Manhas, or the position in which she held. What made it unusual was the frequency in which she visited.

I asked Kafoury if she ever felt pressure to vote a certain way from Cogen on issues Manhas was championing. Kafoury stated she was very upset with the way the "BPA "Sippy"

cup issue was dealt with. In substance she stated the entire project appeared to have been hidden from the other commissioners and sprung on them at a meeting asking for a vote. She said this was atypical in that with major issues like this there would be numerous meeting and discussion before a vote involving all the commissions so everyone understood the concepts. Kafoury ultimately confronted Cogen who stated he did not have any idea the other commissioners did not know about it. Manhas when confronted stated she wanted to meet with people about the matter but was told by the chairs office not to. Eventually this matter was slowed and more process was put in place prior to any vote.

Kafoury stated Manhas is very good at getting things done, she is very smart, and she is good at what she does, is very passionate and likes to have everything tied up in a bow before anyone gets their hands on it.

When Cogen found out the other commissioners were proposing a resolution asking him to resign he came to talk to Kafoury. Kafoury said he was like a “shell of himself” he was sad, confused, upset. “Why are you doing this to me?” He said he wasn’t going to resign. “Why are you doing this to me?” She said the conversation never went anywhere and she eventually ended the conversation.

We discussed travel with Kafoury. She stated her staff and the county would book the travel for her. If she had to change hotels she would contact her staff to change.

I discussed the health department budget process with Kafoury. I asked her if she had seen the concerns raised in the media that Cogen had “slipped” extra money to the health department, specifically for Manhas’ programs. Kafoury had seen the media coverage and stated she recalled having a lot of concerns about the health department budget during the budgeting period. She recalled she had been asking many questions about the health department budget during the process. She explained that after hearing of the affair, and prior to the media coverage

regarding the budget, she had requested her staff to pull the budget and start a review based on her previous concerns and the new knowledge of the affair.

She elaborated that her concerns at the time were that general fund dollars were being used to back fill positions within Manhas' unit which had previously been paid for by grant funds which had expired. She was unsure at the time as to which pieces of the grant were continuing because she had not heard anything about it until the health department briefed her upon her request. Kafoury was asked who came and talked to her about the budget and she stated it was Manhas. She stated that is who she would have expected to speak to her about it, not Shirley.

Kafoury was asked if she still has concerns about the budget, especially with the new information of the relationship between Cogen and Manhas. Kafoury stated she voted for the budget. She felt comfortable with the plans Manhas had with her unit in the Health Department. She told me that she is a "stickler" about the budget and that the budget is "her thing."

Kafoury was specifically asked what gave her pause about the health department budget. She stated she often has concerns over the Health Departments budget. She explained they are a huge department that changes things year to year which makes it hard to follow. When she observes a change from the prior year, and has not been briefed on the change, she asks about it. She stated that it is not unusual for her to be asking numerous questions about their budget.

Kafoury explained that the budget process in Multnomah County is not as transparent as it could be. She explained there is a lot that goes on regarding budget decisions with the chair only prior to the other commissioners even seeing the proposed budget from the chair.

Kafoury was asked if it was possible that Manhas asked Cogen to add money to her health department program in his proposed budget and he did it. Kafoury said that was possible.

She was asked if it was possible for the proposed budget to have been created without Shirley seeing it. Kafoury did not know.

AAG Kmetc asked Kafoury if it was a fair summarization to say “Ms. Manhas knows what she wants; knows how to get it; and if that means bypassing somebody she’s more than comfortable doing that.” Kafoury did not agree. After long pause she stated that what Manhas does is not for her own personal financial gain. Manhas gets the job done. Kafoury said it is more a question of style; “Do the means justifies the end? And I guess that’s what we are all trying to figure out.” She elaborated that she does not believe you can say that because Manhas work was so great that it does not matter how she got there. She explained that it does matter how she gets the job done however, she did not know to “what level” or “what extent.”

9. LORETTA SMITH – Multnomah County Commissioner, District 2

On July 31, 2013 AAG Kmetc, Madkour and I met with Loretta Smith in her office to conduct an interview. I advised Smith I was going to be recording our interview. Smith acknowledged I was recording our interview and agreed to speak with me. The following is a brief summary of that interview which lasted approximately forty-six minutes. For further and more specific details, refer to the transcript and/or audio recording of the interview.

Smith explained she first learned about the affair based on an email that was sent to the District 2 email account from 333margiesmith@gmail.com. She stated shortly after that she heard from their county press liaison that Cogen had admitted to portions of the anonymous email. Smith said she received a call from Cogen in which he apologized for his actions and told her it had been a consensual relationship and he had shown her no favoritism.

Smith stated the interactions she had observed between Manhas and Cogen seemed to be normal business relations.

Smith was asked if there were any times in which she felt pressured to vote a certain way by Cogen, specifically on matters in which Manhas was championing. Smith explained that when a commissioner makes a resolution you do everything you can to get people onto your side and vote the way you see appropriate. She explained you need three to vote in favor of the resolution so it is a constant battle to get three people to agree to the proposed resolution.

The budget process was discussed with Smith. Smith stated there were no “last minute” changes to the budget by Cogen. The full executive budget was presented thirty days prior to any vote, which included the health department budget. She stated nothing was added to the budget “last minute.” She stated it was very common for grant funded positions to be backfilled upon their expiration with general fund dollars, which is what Cogen had done with the health department program supervised by Manhas. AAG Kmetz questioned Smith stating that the media was reporting that it was not a “back fill” but that there was an enhancement. Smith stated the CDC Grant was approximately an eight million dollar grant. The executive budget used general fund dollars to pay 1.5 full time employees’ which would have otherwise been lost. She reiterated this type of funding is common practice when grants expire. Further, Smith said this budget could not have been an under the table budget decision between Manhas and Cogen because Shirley would have had to agree to the addition to the executive budget.

County related travel was discussed with Smith. She explained her staff generally makes travel arrangements. Payment for items is generally made via her county travel card. She stated if she needed to change hotels she would just change and put the payment of her county credit card. She was unaware of any travel restrictions associated with the amount of checked luggage they are allotted.

Smith explained each commissioner is given a certain pot of money to spend. They each can choose how they spend that money. It could be spent on staff, training, consultants etc. This

money is based on the spending discretion of each commissioner. There is not anyone who oversees or approves that spending however it must be spent on Multnomah County business.

10. DAVID HUDSON - Health Department employee

On August 1, 2013, I interviewed David Hudson, which I recorded. The following is a brief summary of that interview which lasted approximately forty-four minutes. For further and more specific details, refer to the transcript and/or audio recording of the interview.

Hudson started by requesting I guarantee his safety should he provide information about Cogen and Manhas. He also asked that his name not be included in any reports. I explained that I was conducting a criminal investigation and that I would not share his name but that it would be in the reports and available through discovery. I explained that keeping his name anonymous was most likely not going to be possible.

Hudson told me he was a former employee and that he had worked under Manhas supervising the Healthy Active Schools program. He explained he supervised three other employees. Hudson explained he had been in charge of a large event at the Kennedy School in which school administrators, community partners and some politicians were going to attend. He believed there were approximately 100 attendees. Hudson had scheduled a keynote speaker for this event by the name of Pat Cooper, who had been recommended by school partners. Additionally, it was agreed upon that the Superintendents from the school districts would present.

Approximately two weeks prior to the event, Manhas came to Hudson and stated she had concerns with Cooper being the keynote speaker. Hudson explained Manhas had known Cooper was going to be speaking for months. Manhas told Hudson that her concerns were that Cooper was a “male, not a female” and the he was “not a person of color.” Hudson questioned why she

was just now bringing that to his attention. Manhas told him there were concerns that had been raised by county leadership within Multnomah County. Hudson explained to Manhas that Cooper had purchased his plane ticket, flyers had been distributed with his name on them and it was only two weeks prior to the event. Manhas came back to Hudson the next day and told him neither Cooper nor the Superintendents were going to present. In their place the county commissioners were going to speak.

Hudson said the event turned into what seemed like a political event vs. an educational event. Multnomah County ultimately reimbursed Cooper for his plane ticket and some time he used to prepare for the event.

Ultimately at the event Cogen, Kafoury and Smith presented. Cogen took the longest speaking time. Hudson feels there may have been a conflict of interest based on Manhas' and Cogen's relationship.

I asked Hudson if he was 333margiesmith@gmail.com. Hudson stated he was.

I asked Hudson why he left employment with Multnomah County. He stated he resigned for other opportunities in public health and because he was unhappy. I asked Hudson if upon leaving Multnomah County he spoke to anyone about his concerns. He stated he talked to "Ashley" at the HR within the Health Department and specifically discussed the "Pat Cooper" incident. He could not recall what else he addressed. He stated he did not know Manhas and Cogen were having an affair at that time. Hudson told me he heard that Ashley took his concerns to Shirley who addressed them with Manhas. Hudson does not know if that happened or not. Hudson did not have any other meetings with management to express his concerns.

Hudson stated he found out about the affair in July of 2013. He stated he learned from two health department employees and one other Multnomah County employee (department unknown) that Cogen and Manhas were having an affair. He said one of the three individuals

had witnessed Cogen and Manhas together. The other two were based on rumor. He said the information he was given was that Cogen and Manhas were seen kissing at a bar, seen kissing in front of the Kenton library and seen walking down the street together on a Sunday.

Hudson stated he sent the email because he saw morale was poor and things were not going well in the health department and Manhas had management issues that were effecting the department. He thought that by sending the email to the commissioners they would address it in house. He said he never dreamed it would go to the media and become as big a deal as it has. When asked why he threatened to send it to the media if that was not his intentions. Hudson stated he was warning them that someone would take it to the media if they did not deal with it; not that he was going to send it to the media himself.

11. SONIA MANHAS – Multnomah County Health Department, Director of Policy and Planning

On July 24, 2013 Manhas provided the following statement in person and via email to KATU news as reported on their website. She said the following;

Manhas gives statement to KATU –

"Jeff should at least be held to the same standard as I have been and in fact a higher one given that he was elected by and for the people. We both need to step aside and let Multnomah County move forward without any further distraction by us."

Manhas sends email statement to KATU –

"I sent this out earlier today. It's too long, but there are bits in here that address what you were asking:

I've been wanting to publicly share my side of this very complicated story, but I have been trying to work focus on coordination and communications with the county as an employee. Yesterday, when I requested a meeting to find out if there were any changes in my status as an employee, I was notified that a meeting could not happen until I signed a letter of separation. Today, I signed

that letter.

I am sad that I was not given an opportunity by county and health department leadership to explain the inaccuracies and questions related to my professional performance that have been raised about by the media over this last week before being asked to leave - even if my departure from the organization was the inevitable outcome. I was waiting to be interviewed by the county before speaking out publicly.

But now I can begin to share my story and offer some of the truth the public may be seeking. The media barrage at my house is taking a toll on my family and neighbors, and I respectfully ask that the media stop coming by the house. I will do my best to make myself available at times that respect the needs of my family during this incredibly stressful time.

I am deeply, deeply apologetic for the harm, disruption, and distraction that my actions have caused to the good work that Multnomah County employees, particularly that Health Department employees, take on every day as public servants. This work to improve the lives of our most vulnerable neighbors is so important, and it is incredibly painful to accept that I have interrupted and discredited any efforts towards the county's mission.

It is true that I made a grave error: I let myself be led by my heart, and I take full responsibility for the choices I made in my personal life. But to be clear, this was never about a job or salary. It's certainly not what a married politician wants to talk about, but it was an affair of the heart and story of love. It would be a betrayal to who I am to diminish it now. But, it was also a relationship that could never be and should never have started. I truly regret the pain we have caused my family as well as Jeff's family.

The affair started in August 2011. It started as a result of intellectual chemistry, and it grew as we supported each other through personal tragedies. Over time, I became increasingly confused and distraught about what we were doing, but we continued and I accept my responsibility in that. In June 2013, I told Jeff that the relationship couldn't continue as it was. We were still in conversations about what a path forward could look like when the affair became public.

My professional work with Jeff in his role as Chair was intended for one purpose: to improve the health of the community. The 700 pages of email over a two year period are testimony to the incredible amount of work we have taken on to improve the lives of county residents. I believe that much of the emails printed by the media were taken out of context and misconstrued, particularly when it came to speculating about my communications and relationships with Health Department supervisors. No matter how many times the claim is printed, it is just not true that I was working to undermine Lillian Shirley's role or authority as Department Director. The bulk of the email exchanges helped advance legitimate public health work, and I believe that I

communicated regularly and appropriately about the progress of policy and planning activities with my supervisors. I believe that the authenticity of this work, Jeff's role in encouraging direct communication, and my efforts to keep my supervisors appropriately informed would have become apparent with basic explanation.

While I am disappointed about not being able to continue my public health work at Multnomah County, I hope that by me stepping out of the way, Health Department employees will be able to get back to the work that really matters. Multnomah County is an organization that prides itself in addressing issues of equity, power, gender, and race, and as a part of moving forward, I hope that thoughtful conversations will be held to understand how these dynamics are playing out in the county at this very moment in time.

I am proud of my work over the last twelve years to build the Health Department's capacity for prevention, community-based planning, and public health policy development. I worked hard for my promotion, and the hiring process, mired in Health Department politics, was grueling and stressful. I can see how I have changed public health practice in the Health Department, and I am proud of the activities that I helped set in motion in partnership with our incredible network of non-profit partners. I have so much respect for the many community partners I have had the opportunity to work with over these twelve years, and want to thank them for their incredible advocacy and successes to promote a healthy community for all of us.

I am confident that my record will stand and I will re-build, especially with the love and support of my good friends and family who are walking this journey with me.

Thanks for listening. Sonia Manhas

On July 30, 2013 I received a phone call from Attorney Elizabeth McKanna, who identified herself as representing Manhas. During that phone call, McKanna asked if I was conducting a criminal investigation. I stated I was. She asked if Ms. Manhas was a suspect in that criminal investigation. I explained I did not have enough information at that point in the investigation to determine if Manhas was or was not a 'suspect'. McKanna said she had talked with Manhas and she was not a suspect.

Ultimately, McKanna and I agreed to meet to interview Manhas on July 31, 2013 at McKanna's office. McKanna sent me an email confirming our telephone agreement. McKanna

stated she was representing Manhas for “purposes of the State’s investigation in the matter related to Jeff Cogen and Ms. Manhas’ work for Multnomah County.”

On July 31, 2013 after speaking with Madkour I learned Manhas was still in possession of Multnomah County property. I sent an email to McKanna requesting Manhas bring the equipment with her to the interview.

On July 31, 2013 AAG Kmetec, McKanna, Manhas and I met at McKanna’s office to conduct an interview. I advised Manhas/McKanna I was going to be recording our interview. Manhas/McKanna acknowledged I was recording our interview and agreed to speak with me. The interview lasted approximately two hours and forty-five minutes. For further and more specific details, refer to the transcript and/or audio recording of the interview.

During this interview Manhas provided to me Multnomah County property which she still possessed. This included a bus pass, identification card, air card, various county documents, laptop computer bag, laptop computer (MW6) and her iPhone (MW8). The laptop computer and the iPhone were retained as evidence. The other items were given to Brig Otis, Multnomah County I.T. Security Manager, on August 1, 2013 at Madkour’s request. At the end of the interview Manhas provided me her personal iPhone (MW9).

Manhas acknowledged having an affair with Cogen. She stated the relationship started with a friendship and shared interest in public health. She stated they often met several times a week for coffee or lunch, weekend walks and an occasional concert or day trip together. She stated the sex was much more sporadic then people would think.

She denied ever using Multnomah County funds for personal reasons. She acknowledged having personal/sexual contact with Cogen during the first trip to Atlanta. She acknowledge Cogen changed hotels and invited her to join him in Atlanta while he was attending a conference. She took personal time and traveled to Atlanta on her own to spend time with him. She told me

Cogen left the conference early to travel back to Portland. They shared a cab to the Atlanta airport but traveled back to Portland separately. She said Cogen did not pay for any of her luggage.

Manhas acknowledged she made two trips to Salem to attend legislative sessions. She acknowledged that on both occasions during the return trip from Salem they stopped to engage in sex; one time at a hotel and another at the home of a relative of Cogen's.

Manhas acknowledged she often had phone conversations and email conversations with Cogen. She did not believe any of that contact was inappropriate and insisted that it was all done for the betterment of Multnomah County.

(FOR ADDITIONAL DETAILS REFER TO TRANSCRIPT AND/OR AUDIO RECORDING.)

During the interview with Manhas I asked questions as to how she communicated with Cogen. She stated she often used her personal cellular phone and pointed to it. The phone was sitting in front of her on the table we were sitting at. At the end of the interview I explained to Manhas and McKanna that I was going to be seizing her cellular phone as evidence. Manhas and McKanna were uncomfortable with the phone being searched because it contained attorney client privileged information. An agreement was made that the phone would be secured in evidence however it would not be searched until an agreement was reached between DOJ Attorneys and McKanna as to how the phone would be searched to avoid the attorney client information.

July 31, 2013 at 4:09 pm, during the interview with Manhas, Madkour emailed me and stated that Cogen's computer had been removed from his desk at my request by Otis, and was securely locked in an I.T. locker. Cogen was requested to return his Multnomah County iPad to the office first thing the following morning.

On August 1, 2013 I learned Attorney Krista Shipsey had taken over representation of Manhas.

On August 2, 2013 I was contacted by AAG Kmetc who stated Shipsey had called and Manhas had additional information she needed to share. Shipsey had told AAG Kmetc that Manhas had information regarding Cogen using controlled substances. SA Mike Bethers and I met with Shipsey and Manhas in Shipsey's office for an interview. I advised them I wished to record our conversation. Shipsey stated they did not want the conversation to be recorded at this time as the information was sensitive in nature. We did not record the interview.

Manhas told us she had smoked marijuana with Cogen on several occasions, witnessed him smoking marijuana on several occasions and knew he had attended at least one county event while high on marijuana. She told us she knew he was high on marijuana because he sent her a text message stating he had just smoked a bowl and was heading to the parade. She couldn't at that time recall for sure which event it was he was attending but believed it to be the a parade that occurred on a weekend.

Manhas also stated she knew Cogen kept marijuana in his den area upstairs in his residence. She knew that because she had been in the room and seen the marijuana there within the last few months.

Manhas knew that Cogen's son had issues with marijuana as well and that Cogen was very concerned about his son's marijuana abuse problems however he did not seem to have a problem with keeping marijuana in the house.

Manhas stated she knew, based on conversations with Cogen, that he gets his marijuana from his brother, Mitchell Cogen, who is an attorney in Portland.

Manhas stated Cogen is a "dead head" and follows the Grateful Dead lifestyle. She discussed the fact he has two personas; the one people know as Chair Cogen, and the "dead head". She said he has told her that he has used cocaine historically and in the recent past. She stated she had never seen him in possession of cocaine or using cocaine. Cogen told Manhas he

uses cocaine with, and gets cocaine from his friend “Jeremy” (later identified as Jeremy Friedman, an attorney in California.) She did not know Jeremy’s last name but believed he lived out of state. She did not know how often Cogen uses, has used, or is in possession of cocaine.

Manhas has seen Cogen in possession of what he purported to be ecstasy. She told me there was one occasion in which they were together when he showed her the pill, telling her it was ecstasy. Manhas said she did not take the pill and did not believe Cogen did either.

Manhas knew of no one else who had seen him in possession of or using the controlled substances other than Mitchell Cogen and/or Jeremy. Manhas believed that text messages on her cellular phone from Cogen would confirm her statements regarding Cogen’s marijuana use while attending the parade. A forensic exam of the Manhas’ phone was later conducted in search of these text messages. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Manhas explained that Cogen and his wife were in an “open” type relationship. She explained that Cogen was allowed to see other people when out of the area but had to be monogamous when in the area. Manhas could not explain what “in the area” and “out of the area” meant. She stated this open relationship had lasted for years. Recently, however she believed they were attempting to be more monogamous.

An agreement was reached between Shipsey and AAG Kmetc (see below) under which Manhas' phone would be forensically analyzed and the attorney client information would be redacted. Shipsey looked at the forensic report first and confirmed there was no attorney client information. I then would review the report. (For additional information see forensic report section and the forensic report.)

KRISTA M. SHIPSEY
ATTORNEY AT LAW
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Portland, Oregon 97204

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FAX: (503) 273-9175
EMAIL: shipseylaw@gmail.com


August 2, 2013

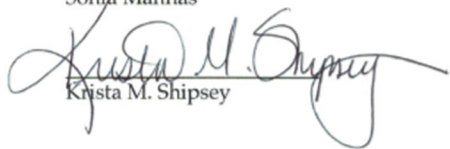
To Whom It May Concern,

Sonia Manhas will hereby voluntarily consent to a full forensic examination of her phone, number (971) 340-6512 under the following conditions:

1. Any and all attorney client communication will not be extracted as part of the forensic report. We believe the attorney client communication that will be associated with the following phone numbers is:

(503) 407-5960
(503) 226-6111
email: lmckanna@mbjlaw.com
(503) 309-9024
email: shipseylaw@gmail.com
2. All information and generated reports shall remain sealed until there is further agreement between the parties as to what shall be disclosed. Shall the parties disagree as to what information should be disclosed to the government, they will have all information viewed in camera by a Circuit court judge who will make a determination as to what is legally required and allowed to be disclosed.
3. All parties agree that under no circumstances will the contents of the phone be given in any form to a third party.


Sonia Manhas


Krista M. Shipsey

Over the following weeks I had additional questions and points of clarification for Manhas. I communicated with Manhas through her attorney Shipsey.

On August 12, 2013 I received an email from Shipsey. The following is that email;

From: krista shipsey [mailto:shipseylaw@gmail.com]

Sent: Monday, August 12, 2013 12:06 PM

To: Kmetc Shannon; Wells Michael A

Subject: Sonia Manhas

I have returned from vacation and wanted to follow up with both of you to see what is needed at this point. After our last meeting, I asked Sonia to spend some time trying to write down specifically what she remembers in terms of drug use etc. I have more information for you.

A. Drug Use

With respect to working hours, there are two relevant situations:

1. The first time Sonia saw Jeff use pot was the very first time they were intimate together- August 12, 2011 at his house. He used pot, she did not. It was over lunch time and they went back to work after this. She says she doesn't know if he was still under the influence by the time he returned to work.
2. Jeff often told Sonia that he was smoking pot before going to community events scheduled on the weekends, like community parades or firs. She recalls the St. John's parade on May 11, 2013. There should be a text that supports this. It might have been for other parades such as the Gay pride parade on June 16 of Good in the Hood parade on June 29.

"Outside of Work Hours" Drug Use

Sonia saw Jeff used pot other times-evenings and weekends. He told her about using other substances and the dates that she recalls are:

1. the weekend of his son's bar mitzvah-lots of friends in town. She thinks it was spring 2012.
2. July 2012 old friends in town in early July
3. Dec. 2012-old friends in town over the holidays. His friend left him ecstasy that he wanted to use with me. When they went to the beach in February he brought the ecstasy but didn't use it. Sonia has never tried it.
4. 2012 jazz festival in New Orleans
5. September 27, 2012 concert at Edgefield
6. she believes he used pot on the Saturday that they were moving the Sellwood bridge. She believes that they went for a walk in the morning and then he went to Sellwood (his staff Emerald as well as Commissioner Kafoury and her staff were also in attendance). Then Sonia and Jeff went out to lunch. She believes it would be documented on his public facebook page.

His former girlfriend, who has also used with Jeff is Tina Kolpakowski.

B. Relationship Issues

Although not evidence of wrongdoing or a crime, Sonia is nevertheless frustrated with Jeff's dishonesty in his statements to the press.

1. Open Marriage: Jeff told Sonia that the first ten years of his marriage was an open marriage-there was no intent to be monogamous. That changed when his wife wanted children, but they were both "allowed" to sleep with other people when out of town.
2. End of relationship: The relationship was not over when the story first broke. Jeff stated it ended in May, but they were still talking about their path forward. They talked about Jeff not running for Chair for another term. Jeff went so far as to consult a head hunter about what work opportunities would exist for him and he told both his chief of staff, Marissa and his wife Lisa that he was seriously considering not running.

Sonia and I are going to talk this afternoon. Would it be possible to get a copy of all the texts (you can also keep a copy under seal). We will spend time this week going through all of the texts so Sonia can talk about things in more detail. Please let me know if we can arrange to get those documents. Thanks, Krista

Around August 14, 2013 Shipsey and I exchanged a number of emails. During those email exchanges, Shipsey provided the following information. The following are direct quotes from the email but have been broken into columns for ease of reading.

From: krista shipsey [mailto:shipseylaw@gmail.com]
Sent: Wednesday, August 14, 2013 6:14 AM
To: Kmetic Shannon
Cc: Wells Michael A
Subject: Re: Sonia Manhas

WELLS QUESTION	MANHAS THROUGH SHIPSEY
<i>NO QUESTION ASKED</i>	- within the last two months, Jeff talked about coming home after dinner with Lisa and the kids were home - his son had gotten his sister and her friends high at their house. He thought it was kind of funny. I told him I thought it was nuts and asked if he thought the friends' parents would think it was okay...he said he preferred them experimenting at home and the experimentation was inevitable. I don't know how I could have thought their parenting was okay....they really don't give their kids any consequences for this kind of stuff.
<i>NO QUESTION ASKED</i>	- the first trip to Atlanta, he brought pot but it was in a different form so that he could travel with it -some kind of marijuana tincture.

On August 15, 2013 I received an email from Shipsey regarding her schedule and being unavailable. At the end of the email she provided information Manhas had asked her to pass on. The following is that information directly quoted from the email;

Per Sonia: I don't know if this is something Mike would want to find out more about, but I remember Jeff telling me that he got his sister in law (Lisa's sister) [REDACTED] [REDACTED] I have no idea what the wait lists are like. But, I got the sense that he might have got her bumped up in priority based on his role.

The below questions and answers came from emails I had exchanged with Shipsey around September 3, 2013. They are direct quotes from the email however; they have been separated into columns for ease of reading.

From: **Sonia H** <soniah2783@gmail.com>
 Date: Tue, Sep 3, 2013 at 2:53 PM
 Subject: Fwd: sonia manhas
 To: krista shipsey <shipseylaw@gmail.com>

<u>QUESTION FROM SA WELLS</u>	<u>MANHAS ANSWER / VIA SHIPSEY</u>
Best possible date as to when Sonia/Jeff relationship moved to a more intimate level. (the first kiss date works). I need this for some time line issues regarding Jeff and his activities.	First kiss - Friday, July 29th lunch I had told Mike August because we moved beyond a kiss on Friday August 12th.
List of travel activities Sonia and Jeff did together on and off the job and approximate dates these occurred. There has been several questions raised through other interviews that they traveled more than has been disclosed and that these trips "may" have been charged as county business.	Travel to where? We spent a lot of personal time together after work / early evenings and the weekends - e.g. lunches, dinners, walks, coffee, drinks, a few music shows. But I definitely remember every trip we made together out of the Portland area because there were so few over the two years: - Atlanta February 2012 - business time - Oregon coast one night - February 21 2013 - personal time - Atlanta April 2013 - personal time for Sonia; business time for Jeff - Day trip to Salem for legislature 2012 session March 15 2013 - business time - spent the afternoon on personal time - Day trip to Salem for legislature 2012 session - business time - spent the afternoon on personal time We once had lunch at Forest Grove by the university, not sure if that would be viewed as a trip. No day trips to the beach, no day trips to Salem for non-work purpose. I never charged any personal time activities to the county. We took a couple hours once in a while - e.g. late starts to work, late afternoons. I went through my calendar when this all started, and I tried to identify the dates that seemed most likely. But I might need to go through them again because my notes are a bit unclear. This is what I had written down about a month ago:

	<p>Jan. 20 2012 afternoon (but not sure, he was in and out of town a lot due to his father's illness)</p> <p>Feb. 15 2012 morning - his dad died that day, we went for a walk that morning and had some food</p> <p>March 23 2012 afternoon, I think</p> <p>May 11 2012 afternoon, I think</p> <p>June 21 2012 afternoon movie, I think</p> <p>Aug 2 2012 morning</p> <p>Sept 17 2012 - maybe the start or end of the day but somewhat unlikely because it was a Monday</p> <p>Oct 8 or 18th - perhaps a couple hours on one of these days but not sure</p> <p>Dec 14 2012 afternoon, I think</p> <p>Feb 4, 2013 afternoon</p> <p>Outside of the out of town trips already identified and a few lunches, after February, we spent most of our time together after work/early evenings and on weekends.</p> <p>Should I try to go back through my work calendar again to see if I can get a better sense of it? I'd rather not - it was cumbersome the first time around but if needed, will try.</p>
When Sonia came to Atlanta and stayed with Jeff at the Loews Hotel, it is my understanding they were together for two days and then they went to the airport together on the third day and flew home on separate flights.	This is true. We arrived the same day - he arrived in the morning, I arrived late that evening. Two nights. He was supposed to attend the rest of the conference on the day that I left, and then leave that evening (or maybe he was supposed to leave the next morning, I actually can't remember now but that should be on his county travel documents). I was getting ready to leave for the airport when he called me from the conference/work event to let me know changed his flight. We took public transit to the airport, and flew out on separate flights.
While she was with Jeff for the two days, did he attend the training/conference at all or were they together the entire time???	He attended portions of the work events. This is what I remember, if helpful: day 1: he attended the opening reception in the evening (I had not arrived yet), day 2: he attended the morning and met me in in the late afternoon, day 3: we spent the morning together and had lunch; he attended the afternoon, but returned before I left in order to leave Atlanta early.
Did Jeff pay for her checked luggage? If so which direction(s) did he pay for it?	Of course he didn't pay for my luggage in either direction! I paid for my own luggage, I took vacation time for the week, I booked my own

	flights, and we traveled separately. He had already booked his work trip without knowing if I could make it or not. I booked my own flight a couple weeks before the trip.
--	--

On September 6, 2013 I received the forensic exam report from Beaverton Police Department Detective Hanada. Based on the consent agreement the report was to be reviewed by Shipsey before I reviewed it. I dropped the disc off at Shipsey's office at 11:07 a.m. on that same date.

On September 26, 2013 I met with Shipsey in her office to recover the forensic exam disc of Manhas' cellular phone. While I was there Shipsey questioned the status of the investigation and the likelihood that DOJ would prosecute Cogen now that he resigned. I assured her Cogen's resignation in no way changed my investigation and/or the way in which DOJ would analyze and review the case based on my knowledge.

Shipsey and I had discussed what Shipsey had seen on the phone. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Shipsey explained that Manhas told her she had not deleted anything from her phone. I recalled in the interview with Manhas that she stated she regularly deleted text messages from her phone.

Shipsey called Manhas and put her on speaker phone and told her I was there. Shipsey questioned Manhas about deleting text messages. Manhas stated she regularly deleted text messages. Shipsey asked Manhas if she had ever backed her phone up or kept it synced to a computer. Manhas explained she had been having problems with her cellular phone at one point and took it to the dealer store. At the store, they backed her phone information up on the

“cloud.” Manhas stated she has never accessed the backup they did and was not even sure how to do it. She also said that she synchronized her phone to her computer at home.

We discussed the fact that both those locations, if forensically analyzed, could contain the drug related text messages Manhas stated had been sent to her by Cogen. Manhas stated she would determine how to access the cloud system but that she was not inclined to allow the forensic exam of her home computer.

During that call, Manhas asked me if I knew who 333margiesmith@gmail.com was. I told her I did. She asked me who it was. I told her that I did not believe that disclosing that person’s identity to her would do any good. Shipsey made it clear to Manhas that that information would be included in the report. Shipsey questioned Manhas as to if she “backed up” her cellular phone in any way.

Later that day I received the following in an email from Shipsey.

From: krista shipsey [shipseylaw@gmail.com]
Sent: Thursday, September 26, 2013 3:33 PM
To: Wells Michael A
Subject: sonia

Mike, knowing that really nothing can happen to Jeff, Sonia doesn't want to expend the money to have me review or even work with DOJ anymore. She is quite frustrated right now, feeling like she was pushed out of her job and not as much consequence to Jeff. I am not going to push her on this. I doubt the texts from Jeff really matter at this point anyway. Just wanted to let you know. Krista

--

Krista Shipsey
Attorney at Law
820 SW Second Ave. Suite 275
Portland, OR 97204
T: 503 265-8119
F: 503 273-9175

I responded with the following September 26, 2013.

On Thursday, September 26, 2013, Wells Michael A wrote:

I just want to make sure this is completely clear. No decisions have been made and this investigation is not complete. I apologize if I said something during our meeting today that led you or Sonia to believe this case was "closed" and/or Cogen had no potential liability.

As I recall our discussion this a.m., (related to this case), primarily centered around Cogen's use of marijuana and the fact his alleged use does not fall within the official misconduct statute nor does it rise to the level of a crime based on what I know. We also discussed our opinions on how we felt the community would react to his use of marijuana and the fact that many of those interviewed have "shied" away from this topic and have not provided much information. There are obviously many other allegations which have been part of this investigation which we did not discuss.

I can assure you, as I did this morning, that just because Cogen resigned as Chair does not in any way affect the way I am proceeding with this investigation. In office or not I plan to complete this investigation fairly and completely.

At this time, my reports have not been fully generated, I have not reviewed the contents of Sonia's cell phone, I still have pending interviews, and have not completed my full review of the items subpoenaed from Multnomah County. My investigation is far from done. I am still seeking the necessary information to make this a complete investigation. Additionally, I do not make the decisions regarding the outcome of these investigations; the prosecutors do that. AAG's involved in the case have been kept apprised of my findings however they have not fully reviewed my investigation reports or the evidence and have not made any charging decisions.

I can fully understand Sonia's decision and frustration over the entire situation. I understand how she feels it is "unfair." However, I would hate for evidence that may exist on her computer/cell phone/the cloud to be lost or not included in the report because she is frustrated about the situation and/or a potential decisions which have not yet been made.

The text messages DO MATTER. [REDACTED]

[REDACTED] As you know the little pieces help an investigation as well as corroborate Sonia's statements.

Please let me know if your position changes.

Mike Wells
Special Agent
Oregon Dept. of Justice
610 Hawthorne Ave. SE Ste. 210
Salem, OR 97301
(503) 572-3915

Shipsey respond with the following email September 26.

From: krista shipsey [mailto:shipseylaw@gmail.com]
Sent: Thursday, September 26, 2013 4:58 PM
To: Wells Michael A
Subject: Re: sonia

I understand completely. I have been charging Sonia very little for my time but she just can't afford to continue with an attorney. I will call her tonight to see if things change. Nothing you said today really impacted her. I already told her it would be unlikely Jeff would be charged but up to the attorneys. She is frustrated you won't tell her who did the initial email. Just frustrated by lots of things. I will keep in touch

12. DIANE MCKEEL & ERIC ZIMMERMAN - Multnomah County Commissioner, District 4/ McKeel's Chief of Staff

On August 1, 2013 I met with Diane McKeel, her Chief of staff Eric Zimmerman, and Madkour in her office to conduct an interview. I advised them I was going to be recording our interview. They acknowledged I was recording our interview and agreed to speak with me. The following is a brief summary of that interview which lasted approximately twenty eight minutes. For further and more specific details refer to the transcript and/or audio recording of the interview.

McKeel stated she first learned of the affair from the anonymous email. She stated she received a phone call from Cogen apologizing for the situation he put the office in. He admitted to the affair but denied all of the other allegations that had been stated in the media.

McKeel explained that sustainability and health care issues were areas of interest for him as long as she has known him. She did not believe those areas of interest were only due to the relationship with Manhas.

I discussed the budget with McKeel. She told me there were no secrets in the budget. She said the budget is carefully reviewed by her and the other commissioners after the executive budget was released. She said the process of backfilling the grant funding is common.

13. MARY-MARGRET WHEELER-WEBER – Office manager & scheduler for Chair Cogen

On August 1, 2013, I met with Mary-Margret Wheeler-Weber to conduct an interview. I advised her I was going to be recording our interview. Wheeler-Weber acknowledged I was recording our interview and agreed to speak with me. The following is a brief summary of that interview which lasted approximately fifty minutes. For further and more specific details, refer to the transcript and/or audio recording of the interview.

Wheeler-Weber learned about the affair first from the anonymous email and then from Cogen during the staff meeting when he admitted to the affair and apologized for it.

Wheeler-Weber said although she was Cogen's calendaring person he often added things to his calendar himself. She said an appointment she recalls, which the media had mentioned, was lunch with Manhas during the week the affair was revealed. She said Cogen placed these appointments on his calendar himself and then deleted them when the affair went public. She knows this occurred because she receives calendar notifications via email when Cogen added and/or removed things from his calendar.

Wheeler-Weber was not working for Cogen during the first Atlanta trip. She was working for Cogen during the second Atlanta trip, which she recalled occurring April 9, 2013 through April 13, 2013. All the detailed travel arrangement's had been completed prior to Wheeler-Weber working for Cogen. The change in the hotel she was not aware of until she saw it in the media coverage.

Wheeler-Weber did assist in making the necessary arrangements to have Cogen return early from Atlanta. She recalled Cogen was bored and wanted to come home. He had requested no specific airline or departure times. Wheeler-Weber recalled they made the travel plans and then texted the information to Cogen.

Wheeler-Weber could not recall for sure if Cogen submitted mileage reimbursement for his trips to Salem when he visited legislative hearings.

14. MARISSA MADRIGAL – Multnomah County Chief of Staff for Chair Cogen

On August 20, 2013, I met with Marissa Madrigal and Madkour in Madkour's office to conduct an interview. I advised Madrigal I was going to be recording our interview. Madrigal acknowledged I was recording our interview and agreed to speak with me. The following is a brief summary of that interview which lasted approximately fifty-four minutes. For further and more specific details, refer to the transcript and/or audio recording of the interview.

Madrigal stated she started as chief of staff with Cogen when he was the Commissioner for District 2. Her current responsibilities as chief of staff to the chair include supervising the chair's staff, the director of communication, the director of sustainability, coordinating all the work of the office, and coordinating the political policy side.

Madrigal found out about the affair when the 333margiesmith@gmail.com email was forwarded to her by Commissioner Kafoury. Madrigal confronted Cogen with the email and he acknowledged he was having an affair with Manhas. Madrigal explained to Cogen this would become public and he needed to tell people first. Cogen eventually talked with his family about it and held a staff meeting where he disclosed the affair to staff.

Madrigal stated she was surprised to discover Cogen was having an affair. She was not surprised it involved Manhas. She stated Manhas and Cogen had a very open friendship and at times, it interfered with work. She explained they were a “well-oiled machine” with protocols and procedures. However, Manhas often disregarded those protocols and procedures, circumventing staff and affecting the way work was accomplished. This often angered staff and caused problems within the office.

Madrigal stated it was common, when Manhas was involved with a project, for the direction of the project to suddenly change based on personal conversations Manhas stated she had with Cogen. She recalled Manhas changing their focus and stating something similar to “I talked to Jeff and this is what he wants.”

Madrigal believed the projects on which Cogen and Manhas worked together were truly projects Cogen believed in. She did not believe Manhas swayed Cogen’s interest in public health.

Madrigal had no role in Cogen’s first trip to Atlanta.

Madrigal recalled Cogen went on an Economic Development trip to Atlanta (the second trip to Atlanta). She recalled a large delegate of Multnomah County employees went on this trip. She did not recall participating in any of the planning.

Madrigal recalled that the reconciled total expenses upon his return were greater than estimated. She recalled the travel forms were brought to her because they needed a supervisor’s signature authorizing the added expenses be paid. She did not recall even looking at the specifics, as the amount was very close. Madrigal told me she did not even know Cogen had changed hotels until she heard about it in the media.

Madrigal found Cogen’s checking of two bags to be suspicious. She said she knows Cogen told Wheeler-Weber he needed two bags because he had a lot of suits. Madrigal said she

has known Cogen for a long time and he does not have so many suits he would need a second bag for them. She said that was very out of character for him.

Madrigal did not participate in booking Cogen's early return from Atlanta; however, she recalled it being discussed in the office. Her recollection was that Cogen mentioned to John Tydlaska that the conference was dull and that Tydlaska suggested Cogen come back early.

Madrigal recalled Cogen taking trips to Salem for legislative hearings. She did not recall processing any reimbursements for him during those trips. She did recall attempting to send staff with him as a growth experience and Cogen denying them from going. She was not aware Manhas attended until she saw that in the media.

Madrigal had no concerns about the process in which Cogen created the executive budget. She stated the process followed the standard protocols set out and the budget was appropriately reviewed and voted on. She said there is no way the money directed to the Health Department was "slipped" in by Cogen without approval by all the Commissioners. Madrigal's overwhelming concern would be that other programs that may have been as good as or better than the Health Department programs may have been passed over. In retrospect, learning of the relationship makes employees question the validity of the Health Department receiving money over the other programs. However, Madrigal was not concerned that a "secret slush fund for Manhas" was created by Cogen. It is just the appearance of the funding with knowledge of the relationship and the lens through which Cogen analyzed the budget.

Madrigal stated Manhas often just "walked into" Cogen's office without an appointment. She recalled Manhas being there often.

Madrigal has not witnessed Cogen under the influence of drugs or alcohol. I asked her if she knew about Cogen using drugs. Reluctantly she said Cogen is a "hippy," "I don't pry" but he "followed the Grateful Dead for a couple years." She reluctantly elaborated saying he has

never directly said anything to her but that based on things he has said, she assumes has smoked marijuana. She had no knowledge of Cogen using any other controlled substance. She had no knowledge of Cogen using drugs within the last year.

15. STEVE MARCH – Multnomah County Auditor

On August 19, 2013 I received an email from ASAC Steven McIntosh. The email stated Multnomah County Sheriff Stanton had received a call from Multnomah County Auditor Steve March. March requested he be interviewed.

On August 19, 2013 I called March. The interview with March was audio recorded. The following is a summary of my conversation with March. For further details refer to the audio recording and/or transcript.

March told me that when Cogen's affair and the allegations of financial related questions began to surface in the media, that Cogen approached him. Cogen suggested that March conduct an audit of the finances. March stated that he told Cogen that he would not do this unless the entire board of Commissioners requested he do that. March was never asked to do any audit. March also told me he conducted some research of his own. He told me he looked at the travel documents that had been published in the news media. He noticed the coding on the travel document and after some research he found that the travel had been paid for by a federal grant.

March also conducted a search of Oregon Secretary of State websites ORESTAR's public search system of Cogen's Campaign Finance Activities². During this search March stated he located one obviously suspicious transaction in which \$522.50 was paid from the campaign funds to Multnomah County. The "PURPOSE CODE" for the expenditure stated

² Cogen's finances were listed under the name "Cogen, Jeff" and "Friends of Jeff Cogen."
<https://secure.sos.state.or.us/orestar/sooDetail.do?sooRsn=72248>

“Reimbursement for Personal Expenditures.” March told me he believed this purchase would have coincided with the State of the County Cogen was doing.

I searched ORESTAR myself and located the transaction March discussed. I found no other transactions to Multnomah County. The below outlines the line item in question taken from the online spreadsheet produced by ORESTAR and the details page regarding the transaction from ORESTAR.

The screenshot displays the ORESTAR system interface. At the top, it identifies the user as Kate Brown, Oregon Secretary of State, and provides contact information for the Elections Division. The main section is titled "Transaction Detail" and shows the transaction for "Friends of Jeff Cogen (5571)".

Transaction Information (Original)

Transaction ID	: 1459971	Transaction Date	: 02/06/2013
Transaction Type	: Expenditure/Account Payable	Due Date	: 03/08/2013 11:59:00 PM
Transaction Sub Type	: Cash Expenditure	Filed Date	: 02/06/2013 07:42:34 PM
Payment Method	: Check	Check	: 1442
Amount	: \$522.50	Aggregate	: \$522.50
Interest Rate	:	Repayment Schedule	:
Description	:	Exam Letter Date	: 02/07/2013
Agent	:	Process Status	: Complete
Payer of Personal Expenditure	:		
Purpose	: Reimbursement for Personal Expenditures		

Address Book Information

Address Book Type	: Other
Name	: Multnomah County
Address	: 501 SE Hawthorne Blvd. Portland OR 97214
Occupation	:
Employer Name	:
Occupation Letter Date	:

Other Information

Associations	:
In-Kind/Independent Expenditures	:
CoSigner Obligations	:

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16. MICHAEL HANNA – President AFSCME Local 88

On August 21 and August 22, 2013, I received emails from Michal Hanna. The first email inquired as to if he could speak to the media who was requesting a comment from him. The second email stated that he had briefly spoken to the media regarding his role in learning

from ASFSCME employees of the affair between Cogen and Manhas and then presenting that information to Cogen.

On August 26, 2013 I was able to speak to Hanna by phone. This conversation was recorded. The interview lasted approximately twenty-five minutes. The following is a brief summary of that interview. For further and more specific details, refer to the transcript and/or audio recording of the interview.

September 21, 2012 an employee from the Health Department met with Hanna. During that meeting the employee disclosed they had seen Cogen making out with Manhas at a bar in Portland.

Hanna said he put great thought into what do to with the information. He said at the time he did not see it as a work related issue however knowing Cogen and Manhas to both be married he did see it as a personal issue. Hanna told me he had a great deal of contact at that time with Cogen related to AFSCME business as well as political activities that were occurring within the county. Hanna decided to call Cogen.

Hanna told Cogen what the employee had observed with the specific date and location which he no longer recalled. Hanna said Cogen did not respond with much. He recalled he seemed surprised and never denied what Hanna told him. Hanna said he told Cogen that if he was having an affair publically he could end up looking bad for the county. Hanna said the conversation was short and Cogen said very little. Hanna stated he and Cogen never spoke of it again.

Early Spring 2013 Hanna started hearing rumors from other employees that Cogen and Manhas were being seen together often and that people believed they were having an affair. Hanna never approached Cogen again.

Hanna said the media has insinuated Cogen/Hanna engaged in some type of “blackmail” situation in which Hanna could negotiate better union deals if he kept the information private. Hanna stated that was false. He said they did not discuss anything like that. Hanna said he really did not want anything to do with the situation at all and attempted to stay as uninvolved as he could.

I asked Hanna if any employees had come to him since the story of the affair broke with concerns. He stated that Katie Lynd, who works in the Sustainability Office, did come to him. She stated that her department and Manhas had been involved in some turf wars over the last years and that Sustainability projects had not been gaining much traction with Cogen. After seeing the publically released email she could see that Manhas had Cogen’s ear on matters and she felt she was obviously not getting a fair evaluation on projects.

I explained to Hanna my investigation was focused on criminal conduct and asked him if he had any information related to conduct that would be criminal in nature. Hanna told me he did not know of anything that would be construed as criminal.

[REDACTED]

17. JOANN FULLER – Multnomah County Chief Operating Officer

On August 23, 2013, I met with Joann Fuller to conduct an interview. I advised Fuller I was going to be recording our interview. Fuller acknowledged I was recording our interview and agreed to speak with me. The following is a brief summary of that interview which lasted approximately forty nine minutes. For further and more specific details refer to the transcript and/or audio recording of the interview.

I asked Fuller to explain her job duties. She stated she was appointed by Cogen to help him run Multnomah County. She stated that she is responsible for the operational side of the county business. Cogen allocated to her the day to day supervision of Department Directors and in that role she ensures these departments are running effectively and efficiently and fulfilling the policy direction of the board of commissioners. Additionally, Fuller is the Department Director of County Management which oversees the budget office, the Chief Financial Officer, the Chief of County Human Resources, and the Tax Assessor. Fuller stated she has worked for Multnomah County for approximately twenty years.

I asked Fuller to explain what she knew of Cogen's beliefs and goals prior to and just as he became the chair. She stated Cogen was generally interested in people being healthy and "healthy citizens" has been a goal of the board of commissioners for some time. She did not recall any specific strategies or policies but that they needed to generally be working on not just health care but healthy living. Fuller stated that she disagreed with the media reports that Cogen was only interested in public health because of his relationship with Manhas. She stated he has been interested in public health since she has known him.

Fuller did not know Manhas prior to becoming the Chief of Staff. She believed she met her around the time the CDC "It Starts Here" grant was awarded and Manhas was briefing the board about it. Fuller stated Manhas was very involved in this program and it was a huge grant.

Fuller stated she is at her office a limited time so she never really noticed an increased presence of Manhas around Cogen's office.

Fuller stated she felt it was unusual for Manhas to have direct contact with Cogen without Shirley being involved. She further explained that it is pretty rare for people who are direct reporters (like Manhas) to Department Directors (Shirley) to have direct contact with the Chair. She said it would not be unusual for a direct reporter to, at the request of the Department

Director, brief the Chair or the Board of Commissioners on a specific matter. However, this type of contact may only happen a few times a year. Manhas had much more contact than that.

No one ever discussed with Fuller any type of inappropriate relationship between Cogen and Manhas. Fuller recalled a conversation she had with Madrigal around the time in which Cogen was discussing having Manhas work directly for him a couple of days a week. Fuller stated she and Madrigal were both concerned about that idea and Madrigal was going to express their concerns to Cogen. I asked her why she was concerned about this. Fuller stated that from an organizational standpoint it would be strange to have a direct report employee supervised by a department director half the time and the Chair the other half. Additionally, she stated that Cogen can come across flirtatiously when interacting with smart attractive women. At the time she did not think they were engaged in a relationship but was concerned with the appearance of them together and his flirtatious interactions. Fuller stated this is how she has observed Cogen interact with Commissioner Kafoury and other women. She said at the time she just “chalked it up” as his style but knew from the outside looking in it would not look very good to others.

Fuller stated she learned about the 333margiesmith@gmail.com email from Madrigal following staff meetings. Fuller and Madrigal discussed the situation and agreed Madrigal needed to talk to Cogen. Madrigal met with Cogen and informed Fuller that Cogen was going to go home and talk to his wife. The following day, Madrigal told Fuller that Cogen had not talked to his wife about the affair.

Fuller said Cogen came into her office and disclosed to her that he had had an affair with Manhas. Fuller said she discussed with Cogen how much liability he had exposed himself to surrounding sexual harassment. Cogen stated that would never happen. Fuller told Cogen that he needed to inform his wife before she learned about it from someone else. She said Cogen left the office shortly after they talked. He returned to work and called a staff meeting with his direct

report staff. During that meeting he informed everyone that he had an affair with Manhas. He apologized and stated he was going to go home and try to repair his relationship with his wife.

After the meeting ended Dave Austin, Multnomah County Communications Manager, informed Cogen, Madrigal and Fuller they were receiving media calls regarding the affair.

Fuller said Cogen was gone for about a week. When he returned from work they met again in which he apologized, requested she continue work as his Chief of Staff and stated that he was not planning on resigning.

I questioned Fuller about Cogen and Manhas first trip to Atlanta. She stated it was appropriate for Manhas to have been on that trip. She stated it was not inappropriate for Cogen to be there. Fuller elaborated stating board members don't always go on these grant type trips however when they are attempting to convince the Federal Government to give them more money it is not uncommon to send a board member or the Chair. This was the case for this trip and therefore it did not seem unusual that Cogen went. I asked Fuller if she still believed it was appropriate for both Manhas and Cogen to have gone and she stated she did.

The second trip to Atlanta Fuller had little information about. She stated that all she knew was it was some type of Economic Business Conference. She told me that it was appropriate for Cogen to attend this conference.

I asked Fuller if was appropriate for Cogen to make two trips to Salem to visit legislative sessions while they were in progress. She stated it was appropriate for him to go. I asked if she felt it was appropriate for Manhas to attend Legislative sessions with Cogen. She said "maybe not" that it depended on the subject matter however typically it would be more appropriate for a department director to go unless they request to hear from a subject matter expert in which case that person would attend.

Fuller told me she found out Manhas went after the fact from Claudia Black and/or Nancy Bennett, their legislative liaison. Fuller said when she heard that she thought it was odd and unusual that Manhas had gone but she just assumed that Shirley was unable to attend or that they requested Manhas to speak on specific matters she was the expert in.

Fuller and I discussed Manhas' promotional process. She stated she did not participate in the process itself however it is her rule within the county that when a Department Director is hiring a direct report person they must consult with Fuller prior to offering the job. Fuller stated she met with Shirley who stated there was some controversy as to whether Manhas was the right fit for the job. Shirley expressed that Manhas had some challenges in her interpersonal relations with people, people feeling she was too pushy, and always needing to get her way. However, she felt that Manhas was brilliant and very good at the work. Shirley also expressed that by selecting Manhas she would be also fulfilling Multnomah County's goals of moving Multnomah County employees up. Fuller stated that it all made sense to her. They discussed a mentoring plan for Manhas which included Shirley meeting with Manhas and talking to her about what they saw as her challenges, strengths and weaknesses and what they were going to do to address those issues. Fuller stated she supported Shirley in putting Manhas in the position of Director of Policy and Planning. She felt Shirley had a good understanding of Manhas' strengths and weakness and how to deal with them.

I asked Fuller if she had any concerns, even retrospectively, on how the process itself was handled. She stated she did not.

I asked Fuller if the references listed on Manhas' application for the position would have really been contacted. She stated they would not. She explained that the application form is standardized for inside and outside applicants and therefore as a references section. However, references for inside employees are rarely contacted and certainly in this case no calls were made

to the references Manhas listed on her application. She told me that it is rare that an employee would list a political person based solely on the fact it would come across as name dropping.

I asked Fuller if she feels Manhas truly believes in the work that she is doing. Fuller said that she does. Fuller did not believe that Manhas aligned her beliefs in an effort to spend more time with Cogen. Fuller said she believed that was who Manhas was and is.

I asked Fuller if she had any knowledge of Cogen being involved with illegal drug use. She stated she did not know about any illegal drugs use. Fuller said she knew Cogen was a proponent of legalizing marijuana use. Fuller told me she has never heard or seen Cogen use controlled substance, be under the influence of controlled substance, discuss his use of controlled substances or be in possession of controlled substances. Fuller stated that she knows that Cogen smokes marijuana. She explained she knows that based on information she had been given from other who have witnessed Cogen smoking marijuana. Fuller stated she had never seen that marijuana use effect his work or work performance.

Fuller and I discussed the Health Department budget. Fuller explained that she is very involved in the budget process and that the budget director reports directly to her. She was involved in every step of the budget process. She explained that the department directors each develop a proposed budget. They bring forward programs that are within their targeted funding and programs that are outside their targeting funding. From there the Chair creates an executive proposed budget. At this point the Chair could decide to fund something that was not in any of the Department Directors proposals. However, typically he chooses to fund in target programs. The process is set in a manner that leaves several million dollars at the end for the chair to use to fund out of target items he would like to fund.

Shirley had not included Manhas' programs as in target. When Cogen proposed his executive budget those programs were included. This executive budget was provided to the Board of Commissioners.

Then a series of hearings are held in which each Department Director presents the chair's executive budget to the board based on what the executive budget includes. Shirley presented this budget and the board asked lots of questions about Manhas' program. The Health Department then provided a detailed written response to the Board's questions. Fuller believes that response would have most likely been created by Manhas and Wendy Leer, the budget director for the Health Department. Shirley would have then reviewed the document. It would have been sent to the budget office and then to the whole board as the written response to questions the board asked during public hearing.

Fuller stated that not only was the funding included in the executive proposed budget but it was questioned and vetted by the board prior to being voted on and approved.

Fuller said that the \$75,000 budget item was specifically a request from the Home Forward "It Starts Here" grant to help with a deficit at the store in new Columbia that is trying to run a convenience store with healthy food. They are not financially making it. They had spoken to many board members requesting financial support so they can financially make it. Fuller could not recall if this item was submitted in the executive budget or proposed by one of the board members in public hearing but it got loaded into the budget and then attached to Manhas' budget because the funding was attached to "Healthy Eating" which was a program under Manhas' umbrella as a pass through. This allows a department within the county the ability to track that payment, contract etc. rather than having the money cut directly from the commissioner's office.

Fuller stated that Manhas' job was never in danger of being cut. The monies, which were added to the budget, prevented some of the Health Department services from being cut but certainly not all of the programs Manhas oversaw.

I asked Fuller if she had concerns about that budget process now. She stated she did. She told me she does not have concerns the process was followed. She does have concerns that because of Manhas' unusual access to Cogen, it makes you wonder if other important things were skipped over for these health department programs to be funded. Fuller says she now questions the decision making of Cogen based on the access and the relationship between Cogen and Manhas. However, Fuller added, it is always the chair's call as to what gets funded in the executive budget proposal and what does not. Any of the other commissioners could have proposed to changed, modify or remove any portions of the budget during this process.

18. KATHLEEN FULLER-POE – Multnomah County Health Department Director of Human Resources & Workforce Development

On August 23, 2013 I met with Kathleen Fuller-Poe in her office to conduct an interview. I advised Fuller-Poe I was going to be recording our interview. Fuller-Poe acknowledged I was recording our interview and agreed to speak with me. The following is a brief summary of that interview which lasted approximately forty-five minutes. For further and more specific details refer to the transcript and/or audio recording of the interview.

Fuller-Poe explained that Multnomah County Human Resource (HR) is decentralized, meaning there is a centralized HR within Multnomah County and then each agency, such as the Health Department, has its own HR department. Fuller-Poe told me that she is Director of Human Resources and Workforce Development for the Multnomah County Health department. She stated she reports directly to Shirley and to Travis Graves.

Fuller-Poe and I discussed the recruitment process and the process Manhas participated in. She explained that Shirley along with HR staff created a job description for the Policy and Planning position. Shirley made the decision to have an internal only recruitment for the position and the job announcement which was distributed internally within the Health Department

Fuller-Poe explained the process to me and was able to review copies of the policy related to these process. The Director of Policy and Planning position was classified as an Executive Manager Senior position which gave Shirley the latitude to either “direct appoint” someone or go through a recruitment process. Both processes include notification of the position opening and the collecting of applications. If Shirley had chosen the direct appoint method should she would appoint someone out of the application pool. The recruitment process can include open recruitment (which means they advertise and accept applications outside of Multnomah County) and internal recruitment (advertises and accepts applications only from internal Multnomah County Department employees). Either of these recruitment processes would include interviews of those in the application pool and a decision made following the interviews. Fuller-Poe told me the Shirley has used both the direct appoint method and both recruitment methods to fill positions during her tenure with the Health Department. All of which are clearly defined within Multnomah County Policy and Procedures.

Shirley chose the seven interview panel members, all Multnomah County employees, who conducted the interview. Fuller-Poe recalled those panelists to be Dr. Alyssa Franson, Dr. Gary Oxman, Lila Wickham, Moriah McGrath, Rachel Banks, Alejandro Queral, and Julie Maher. The interview included 1.5 hours’ worth of questions and 1.5 hours’ worth of scenario presentation. After the other candidates dropped out Shirley had the choice to appoint Manhas, continue to interview process, or re-open the position. She chose to continue the process.

Following the interviews, she again had the choice to either give the position to Manhas or re-open recruitment.

19. JESSICA GUERNSEY – Multnomah County Maternal Child Health Director

During this investigation, I learned that Jessica Guernsey had been a candidate for the position of Director of Policy and Planning and ultimately had dropped out of the process. On August 26, 2013 I conducted a recorded phone interview with Guernsey. The following is a brief summary of that interview which lasted approximately fifteen minutes. For further and more specific details refer to the transcript and/or audio recording of the interview.

Guernsey stated that she had applied for the position of Director of Policy and Planning while in the process for the Maternal Child Health Director position around the same time. She explained that the Maternal Child Health Director position was an external national recruitment process. Guernsey told me she was ultimately offered the Maternal Child Health Director position which she accepted. For that reason she dropped out of the Policy and Planning process.

Guernsey expressed her concern that the process for the Director of Policy and Planning should have been either an appointment or a national recruitment. She felt the process was not handled appropriately although she agreed that the way it was done complied with county policy and procedure.

20. MARGRET ROBINSON – Multnomah County HIV Care Services manager

During this investigation, I learned that Margret Robinson had been a candidate for the position of Director of Policy and Planning and ultimately had dropped out of the process. On September 3, 2013 I conducted a recorded phone interview with Margret Robinson. The

interview lasted approximately fourteen minutes. For further and more specific details refer to the transcript and/or audio recording of the interview.

Robinson stated that to her knowledge she was one of three candidates for the Director of Policy and Planning position. She stated the other candidate withdrew from the process because she accepted another management position with the county.

Robinson stated she chose to withdraw from the process because she felt the decision as to who would get the job was predetermined to be Manhas. Robinson felt it was not worth her time and effort to prepare for the process if she had no chance of getting the promotion.

Robinson denied that anyone had pressured her in any way to withdraw from the process. I specifically asked if she felt any pressure from Shirley, Manhas, or Cogen to withdraw and she stated she did not.

Robinson felt the recruitment should have been more widespread, not just an interagency recruitment. She agreed however the process was handled within county policy as it was run.

Robinson agreed Manhas had the skills and knowledge necessary for the positions and was capable of handling the Director of Policy and Planning position.

21. LILLIAN WICKHAM – Director of Environmental Public Health

Based on this investigation I learned Lillian Wickham had been an interview panelist for Director of Policy and Planning position. On September 27, 2013 conducted a recorded phone interview with Lillian Wickham. The following is a brief summary of that interview which lasted approximately forty five minutes. For further and more specific details refer to the transcript and/or audio recording of the interview.

Wickham stated that she had considered applying for Policy and Planning Position herself but decided against it for two reasons. First, she felt “subjectively” not “objectively” that

Manhas was going to get the position no matter who applied. Second, she was planning on retiring within the next few years and felt the person who took the position needed to have a longer tenure. Ultimately Wickham was asked to participate in the panel interview process and assisted in drafting some of the questions. She stated there were six interview panel members and only Manhas ultimately interviewed in front of them.

The interview was not scored, but a discussion was held with Shirley following the interview about Manhas and her qualifications for the position. Wickham stated she expressed her concern that Manhas had put Cogen as a reference. She stated the person in this position needed to be focused on the community and should not be in be a person who could be strongly influenced by the politicians.

Wickham also expressed concern that Manhas' answers were very general and had no specificity in them. She was also concerned that Manhas answered using the "I" vs. "we" throughout here interview. She felt Manhas should have focused more on a team approach.

Wickham stated that the panel was split. Some shared her concerns and others felt Manhas would be good for the position. However she recalled there was a consensus that Manhas may not be ready for this role. These opinions were all shared with Shirley.

Wickham told me she thought about Manhas in the Director of Policy and Planning position the entire night and was very concerned she was not the right fit for the position. She told me she went to Shirley the next day and expressed her concerns with Manhas in that position. Wickham told me she volunteered to take the position for three years. She said Shirley questioned her about her relationship with Cogen and Wickham told her it was adequate. Wickham said she could tell Shirley had not decided what she was going to do with the position at that time. The following day Shirley announced she had given the position to Manhas.

Wickham explained she voiced her concern on how the process was handled to HR. She explained that the feeling was the process was not very “transparent.” She said there were concerns over the fact it appeared to have been truly an appointment disguised as a process.

I explained to Wickham the criminal nature of the investigation and the parameters I was assigned to investigate. I asked her if there was anything she saw that was criminal in nature within the process. She told me she did not.

I asked her if she felt Cogen had any influence on the decision made to give Manhas the Director of Policy and Planning position. Wickham stated she did not know. She said if there was any undue influence it would have been on Shirley to appoint Manhas she would assume.

Wickham agreed the process conformed to Multnomah County policy and procedures. She knew of no other criminal in nature conduct associated with Cogen and/or Manhas.

Wickham recommended I speak with Rachel Banks, another panel member, who was also concerned with the process and had additional information regarding Cogen’s and Manhas’ trip to Atlanta.

22. MITCHELL J. COGEN – Attorney; Brother of Jeff Cogen

Based on previous interviews I had information that Mitchell Cogen³, Jeff Cogen’s brother, had provided marijuana to Jeff and had knowledge of Jeff’s use of marijuana. On October 2, 2013 I called Mitchell by phone. I introduced myself to Mitchell and asked if we could set up a time to speak. Mitchell stated, “I am one of Jeff’s attorneys, so I’m not interested in talking to you.” I told Mitchell I was not aware he was representing Jeff, that I understood Janet Hoffman was Jeff’s attorney. Mitchell said Janet was Jeff’s defense counsel and that he (Mitchell) was also one of Jeff’s lawyers. The conversation was ended at that time.

³ Mitchell Cogen is an attorney for Bullard Law, 200 SW Market St., Suite 1900, Portland Oregon.

The phone conversation was recorded. It lasted approximately 1 minute. For specific details refer to the transcript and/or audio recording.

23. JEREMY FRIEDMAN – Attorney; Friend of Jeff Cogen

Based on previous interviews I had information Jeremy Friedman⁴ was a very close personal friend of Cogen's, had provided cocaine to Cogen, used cocaine with Cogen and had knowledge of Cogen's use of marijuana.

On October 2, 2013 I called Friedman by phone. The following is a brief summary of that interview which lasted approximately 24 minutes. For further and more specific details refer to the transcript and/or audio recording of the interview.

Friedman seemed to speak to me with great caution during the entirety of the interview. Friedman stated he had been friends with Cogen for approximately 30 years since they met in college at Brown University. He stated they have regular contact with each other both by phone and in person. The last time he saw Cogen in person was prior to when the affair broke in the media. Friedman stated he has spoken to Cogen on the phone several times since the information about the affair became public.

I asked Friedman if there was anything he and Cogen discussed or that he has learned that he felt has bearing on the investigation. Friedman stated he knows Cogen well and knows that Cogen did nothing wrong. He elaborated several times through the interview explaining Cogen is one of the best politicians the Northwest could have ever had. He stated Cogen was full of "integrity."

⁴ Jeremy Friedman is an attorney for the Law Office of Jeremy L. Friedman, 2801 Sylhowe Road, Oakland CA.

Friedman stated he was not a business partner in any way with Cogen. Friedman has volunteered time during Cogen's first campaign by knocking on doors and has donated money to his campaign.

I asked Friedman if he and Cogen smoke marijuana when they get together. Friedman said "I'm not going to respond, I don't feel that's appropriate."

I then asked Friedman if he and Cogen engage in the use of cocaine when they are together. Friedman said, "that's not something that I feel is appropriate for me to answer. I mean it's not, it's not true but don't take that as my answer. It's just; it's just not something I feel like going into. It's not something I feel like it's appropriate for you to be asking me, so..."

I assured Friedman I was not just pulling these questions out of the air. Friedman stated he understood but felt like he would have to check with Cogen's lawyer and his own lawyer before he answered questions about things that he felt were completely irrelevant.

I asked Friedman if he and Cogen engaged in the use of ecstasy together at any time. Friedman said "same answer, I don't feel like I have to answer those questions. I don't want to. I don't feel they are relevant. I don't think they are necessary."

I told Friedman that was the extent of my questions. I asked him if there was anything he could add that was relevant to the investigation or if he knew of anyone that I should speak with regarding this investigation. Friedman again stated Cogen was a "tremendous person who engaged in no illegal activity in terms of his conduct of his office." He said he understands she (Manhas) has made allegations against Cogen regarding drug use. He said "and to the extent that there is anything other than the marijuana situation, it's a big lie and so that's my opinion on it."

Friedman stated he knows Cogen very well and Cogen does not lie and does not abuse his power or do anything that would infringe on his work. He said that when the investigation is

complete not a soul will be able to stand up with any credibility and say Cogen did anything wrong.

I attempted to end the interview again with Friedman and attempted to leave him my contact information. Friedman asked to change phones, which he did. I provided him my contact information and said he could contact me if anything came to mind that he felt I needed to know.

Friedman told me he did not understand the scope of the DOJ investigation. I explained I was asked to investigate all the criminal allegations and told him that many of those are the ones covered in the media. He stated he knows that one of the allegations was that Cogen used public funds to pay for aspects of the affair. Friedman said he knew nothing about that; he did not even know Cogen was having the affair. I asked Friedman if he was surprised by the fact Cogen was involved in an affair. Friedman said he was not surprised Cogen was having sex with someone else. Friedman said “men are men and they can be bad” but Cogen loves his wife, has a great family who he loves and he does not want to put any of that at risk. However, Friedman said he knows Cogen, he knows politicians, and Cogen is a good looking guy.....

Friedman stated he had met “that woman, Sonia (Manhas) once” He said it was years ago, he could not recall the timing of it and has no idea if they were engaged in the affair at that time or not. He stated he met Manhas over coffee with Cogen. Friedman denied he ever went to any concerts with Cogen and/or Manhas and denied ever using drugs with Manhas.

Friedman said he also understands Mahas has made an allegation Cogen uses cocaine when he goes to work. He said that he knows Cogen very well and that is “just not true.” I reminded Friedman I never said “at work” and asked him if Cogen uses cocaine at all. Friedman said “that has nothing to do with his, his, his working, his working environment. Not that I know of, you know.” I told Friedman I was confused by his answer when he says “working

environment.” Friedman then said that he already told me he feels like it would be inappropriate for him to answer questions as to whether or not “I (Friedman) engaged in illegal activities in the past.” He said he would need to talk to a lawyer but that he does not believe Cogen uses cocaine and that he knows that for a fact.

24. JEFF COGEN – Multnomah County Commissioner – Chair

On July 25, 2013 I talked to Cogen on the phone. I explained that I wanted to set up a time to speak with him. Cogen assured me he wanted to cooperate fully with the investigation. He clarified with me whether the investigation DOJ was conducting was civil or criminal in nature. I explained to him that it was criminal in nature. Cogen stated that based on the fact it was criminal in nature that he wanted to speak with an attorney before he spoke to me. Cogen said he would get back in touch with me as soon as possible.

On July 29, 2013 I spoke to Carrie Menikoff and Jannet Hoffman by phone. They explained they were representing Cogen in the criminal investigation. We discussed establishing a time I could interview Cogen but due to scheduling conflicts, it was going to be sometime after August 20, 2013. Additionally, we discussed the fact that I was seeking access to Cogen’s phone which I believe to contain evidence of the crimes under investigation. Hoffman was unwilling to voluntarily turn the phone over to me, citing concerns the phone contained private and attorney client privilege she believed the state should not have access to. A variety of options regarding Cogen’s cellular phone were discussed. She offered to send Cogen’s cell phone to a private forensic laboratory for imaging and that a copy of the image file would be given to DOJ and a copy of the file would be retained by her office. AAG Kmetc participated in these discussions and an agreement in writing was reached. See below:

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Kari Skaglund
OFFICE MANAGER
A. Matthew Drapcho
PARALEGAL

August 2, 2013

By Electronic Mail

Shannon M. Kmetc, AAG
Oregon Department of Justice
610 Hawthorne Ave. SE Suite 240
Salem, OR 97301

Re: *Cogen Investigation/Request for Production of Personal Cell Phone*

Dear Shannon:

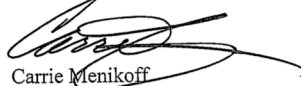
I am writing to confirm our agreement regarding our review of Mr. Cogen's electronic devices for attorney-client communications. As discussed, we will be producing a forensic analysis of Mr. Cogen's personal iPhone 4s. Evolve Discovery is presently conducting the forensic analysis using the Celebrite software. (If I recall correctly, this is the same software program that Mr. Wells mentioned when we spoke on Thursday.) The Celebrite software will extract all the files and generate a report. The complete report will be sent to you under seal and will be accompanied by a chain of custody verification form.

Once we receive the report, we will review the data for any attorney-client privileged information. Privileged information will be redacted from the report that we will produce for your review. We will also provide you with a privilege log to give you proper notice that information has been redacted.

With respect to the other electronic devices that Mr. Cogen used but which are county property, we have agreed that the Department of Justice will provide us with an opportunity to review those devices for privileged information. Once you provide us with an imaged copy of these devices, we will promptly review the imaged device for any privileged communications.

If you have any questions about this process or think we need to clarify further how the review process will work, please let me know.

Sincerely yours,



Carrie Menikoff

On July 31, 2013, at my request, Brig Otis removed Cogen's Multnomah County computer from his desk and requested Cogen surrender his iPad. These items were secured in evidence.

On July 31, 2013 I received an email and voice mail from Hoffman. She stated she understood we had taken Cogen's county-owned computer and iPad and that from both devices

Cogen has access to personal email accounts and private face book information. She stated that they do not consent to a review of the personal accounts, which are not work related, and contain attorney client privileged information.

On September 6, 2013 I sent an email to Hoffman and Menikoff requesting to schedule an interview with Cogen. I received an email back from Hoffman on September 7, 2013. In this email, she stated that prior to scheduling an interview she wanted to speak to the attorney in charge of the investigation so they could “understand the scope of your inquiry.” I forwarded the email to AAG Wendel.

On September 16, 2013 I participated in a phone call with AAG Wendel, Hoffman and Menikoff. Hoffman stated Cogan was no longer a public figure and was under no burden to speak with DOJ at this time. Hoffman repeatedly asked what the nature of the inquiry was stating that she originally believed the allegations were regarding a \$50 hotel charge, but they heard wild allegations their defendant was using drugs. AAG Wendel repeatedly stated the interview would surround the allegations of criminal activity. AAG Wendel stated that it was our understanding and expectation Hoffman would be present during the interview and if there were any questions they did not feel comfortable in answering that was their right. Repeatedly Hoffman asked what the scope of the inquiry was. Continuously, AAG Wendel told her we were not going to outline the specific questions we were going to ask but that the context of the interviews surround the criminal allegations that had come up during the investigation. Hoffman was not satisfied with that answer.

During the conversation I told Hoffman that I had not given anyone I had interviewed the questions I would be asking them prior to the interview. I told her that I did not see how that was fair or made the investigation seem credible if Cogen had time to consider the questions I would be asking him prior to the interview. Hoffman became agitated and stated she has never allowed

a client to do that and she would not represent someone who did. She told me to check with Attorney General Rosenblum, who had known Hoffman for a long time.

Hoffman stated she had heard from others that I had been overbearing and that witnesses had felt threatened. I told her that was not true, that all the interviews had been pre-arranged and audio recorded.

During the entire call, Hoffman repeatedly stated that she didn't want a list of questions or to know any information from any other witnesses. However, she continuously pressed to know the "nature" of the inquiry without defining precisely what she meant by that. It was very clear Hoffman was attempting to learn what Cogen would be questioned about in advance of the interview.

Hoffman was obviously frustrated by the end of the conversation that we had not provided her more information. Several times she reminded us that Cogen had no responsibility to speak to us since he was no longer in office.

Eventually Hoffman said that it was clear that we were not understanding each other so that she would send AAG Wendel a letter regarding their position.

On September 19, 2013, I received a phone call from Krista Shipsey, Manhas' attorney. Shipsey told me she had just been called by Hoffman who was requesting permission to interview Manhas. She expressed frustration that DOJ would not tell Hoffman what we wanted to interview Cogen about. Despite Shipsey telling Hoffman that Cogen promised the public he would cooperate, Hoffman told Shipsey Cogen was no longer a public official and therefore his rights had changed. Shipsey said that Hoffman repeatedly attempted to convince her to allow them an opportunity to speak with Manhas. Shipsey questioned me as to what information I had released to Hoffman regarding Manhas' statements. I assured her no information had been

released to Hoffman. Shipsey was concerned that information regarding the topics of interview had been released to Hoffman giving Cogen an unfair advantage of being prepared should he be interviewed. I assured her that no information had been shared with Hoffman.

On November 1, 2013 at 2:57pm Carrie Menikoff emailed AAG Wendel a letter and a PDF document entitled “Cogen Chat and Text Messages from Cellebrite Extraction.” In the three page letter signed by Hoffman it addressed the fact that without DOJ providing the “subject of the inquiry” Cogen was not going to be interviewed by DOJ.

Also in the letter were several statements made by Hoffman regarding Cogen and the investigation. Those excerpts have been taken from the letter and are outlined below as direct quotes.

We understand that you have been investigating allegations that Mr. Cogen engaged in official misconduct in violation of ORS 162.405, et seq., stemming from Mr. Cogen’s April 2013 trip to Atlanta, which resulted in \$150 of additional charges for the hotel change. The purpose of this letter is to demonstrate that at no time did Mr. Cogen knowingly violate any statute or fail to perform a legal duty relating to his office nor did he violate his official duties with the intent of obtaining a benefit or violate his official duties in any manner.

We spoke to two persons who know Mr. Cogen well, who have worked with him closely, and who can speak to his integrity as a public servant. Additionally, we reviewed the documents the County produced in response to the public records request. These individuals and the documents both support that Mr. Cogen was unaware of the difference in cost for the two hotels.

Based on our review of documents related to Mr. Cogen's Atlanta trip, we developed the following timeline:

In February 2013, Maureen Noblitt of the Travel and Training office (an office located in a department outside the County Chair's office) booked a flight for Mr. Cogen to travel to Atlanta for the conference scheduled from April 9 through 12. Barb Guthrie, Mr. Cogen's then-administrative assistant or scheduler, had conferred with Noblitt about various flight options and selected flights on Jeff's behalf. That same month, Noblitt booked a reservation at the Renaissance Hotel Atlanta for three nights at a rate of \$199 per night. There is no evidence from the records that Mr. Cogen saw the actual reservation for the Renaissance—or the cost—since it appears to have been emailed only to Noblitt.

The following month, on March 7, 2013, Mr. Cogen made a three-night reservation at the Lowes Hotel Atlanta at a nightly rate of \$249. Mr. Cogen forwarded the new reservation to Noblitt five days later. Noblitt then wrote Mr. Cogen to ask whether he had paid for the room. Mr. Cogen responded that he was only holding the reservation with his personal credit card; it had not yet been paid for. The record reflects that Noblitt did not tell Mr. Cogen then or later what the room rate at the Renaissance was or that the Lowes Hotel cost more than the Renaissance. Since Mr. Cogen was not aware of the cost for the Renaissance Hotel, he did not and could not know that the Lowes Hotel cost \$50 more per night.

The records further indicate that the only other communication between the Travel and Training office and Mr. Cogen prior to his departure concerned Travel and Training office's request to Mr. Cogen for his approval for the overall cost on the trip. Noblitt wrote to Mr. Cogen on March 22 asking to confirm the costs for all related expenses, including a line item for \$866.52 for the Lowes Hotel. There was no entry indicating that the hotel cost had changed or in any manner indicating that the reservation made by Mr. Cogen at the Lowes Hotel resulted in an increase in cost for the trip. Since the Travel and Training office was aware of both hotel reservations, Mr. Cogen had no reason to think that there was anything problematic about the change in hotels. Had he been aware that the Lowes Hotel would cost \$150 more for the three nights, he could have (and would have) either paid the difference or taken a room at a less expensive

hotel. But he was unaware of any difference in price and reasonably assumed that two similarly ranked hotels in Atlanta are of equivalent cost. In fact, Mr. Cogen was unaware that there was a difference in price between the Renaissance and Lowes hotels until it was reported by the media in July 2013.

We also learned from John Tydlaska, Multnomah County Economic Director, that travel arrangements are, in fact, routinely handled by the Travel and Training office and unless the cost of the room is specifically brought to a commissioner's attention, the commissioner would not know of the cost. Mr. Tydlaska confirmed that Mr. Cogen's travel arrangements were handled by Barb Guthrie and later by Mary Margaret Wheeler (who replaced Guthrie) and Mr. Cogen was not involved in the details of making travel arrangements.

Guthrie confirmed what we learned from Tydlaska. She explained that Mr. Cogen would inform her when he needed to travel and she in turn would contact the Travel and Training office. Travel and Training would provide itinerary options. Guthrie recalled that when she learned of the Atlanta trip, the conference sponsor sent her information that a block of rooms had been reserved at a special conference rate. Guthrie worked with the Travel and Training office to book a room using the code provided by the conference sponsor. The hotel arrangements were made without consulting Mr. Cogen. Thus, he would have had no knowledge that there was a special rate for the Renaissance Hotel or what the room rate was.

Guthrie added that Mr. Cogen was always very careful and frugal with the County's money, often foregoing reimbursement of work-related expenses to which Mr. Cogen was entitled. Guthrie explained that in her three years as Mr. Cogen's administrative assistant, with one exception that she could recall, Mr. Cogen did not turn in receipts for work-related meals even though he could have been reimbursed as an authorized expense.

Guthrie conveyed that Mr. Cogen was very careful with his expenses and was focused on preserving County assets. She recalled that he typically compiled his parking receipts for a period of three months and would then turn them in to Guthrie for reimbursement. Guthrie for her part scrupulously examined the date and time on the parking receipts to confirm that they corresponded with a work-related meeting or event. They always did.

Guthrie also observed that Mr. Cogen, who received many invitations to fundraising events, was selective about the events he attended. Whereas Mr. Cogen could have chosen to attend a plethora of events and functions in his role as County Chair, Mr. Cogen instead selected to attend events that involved community activities or organizations related to his agenda. For these events, Guthrie would purchase the dinner ticket, which generally cost around \$100. Although in the best position to do so, Guthrie

never saw any signs that Mr. Cogen misappropriated or mishandled County money. In short, she expressed great confidence in his integrity as a public official.

Finally, as promised, we are providing you with a disk containing the Cellebrite report detailing the text messages on Mr. Cogen's phone. If you have any questions about this report, please let me know.

We look forward to speaking with you further to discuss the information in this letter and whether there is any other information we can provide you.

Sincerely yours,


Janet Hoffman

Encl.

I reviewed the email attachment which included text messages from Cogen's phone. The attachment was 179 pages long and appeared to have been produced from a Cellebrite system. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

25. RACHEL BANKS - Multnomah County Health Department – Program Manager Healthy Birth Initiative

On October 8, 2013 I interviewed Rachel Banks by phone. The interview was recorded. The following is a brief summary of that interview which lasted approximately twenty six minutes. For further and more specific details refer to the transcript and/or audio recording of the interview.

Banks stated she was part of the interview panel that interviewed Manhas. Banks she and the majority of the interview panel did not feel Manhas interviewed well or was yet qualified for the Policy and Planning position. She explained that the panel's concerns were clearly outlined to Shirley at the conclusion of the interview.

Banks told me she had worked closely with Manhas previously. She had agreed to share with Manhas following the interview, her personal perspective on Manhas' performance in the interview. Banks told me she did provide Manhas with feedback. Banks told me she was later informed by Manhas that Shirley had not given her the job based on her interview performance. However, Banks later found out that Manhas was appointed to the position. She did not know how that changed.

Banks stated she did not know of anything criminal that occurred during the promotional process and agreed that it appeared to meet county policy. She agreed with the fact Shirley could have appointed Manhas into the Policy and Planning position without a process. Banks explained that although the process was not criminal and within policy, the process appeared to be staged and that Manhas was the pre-determined candidate. She supported this belief by telling me that based on publically released emails of Manhas' she believes she read emails in which Manhas was writing the job description for the Policy and Planning position herself. In

addition, she felt that putting Cogen's name down as a reference provided unfair advantages.

However, Banks understood that none of these items rose to the level of criminal activity.

Banks told me that she has been one of five delegates from Multnomah County who traveled to Atlanta for the Center for Disease Control Communities Prevention to Work Grantee meeting. She explained that she traveled to Atlanta by plane with two of the other delegates. Cogen and Manhas traveled together on a separate day. While at the conference Banks recalled that after a luncheon in which the delegates ate together, while she and three other delegates returned to the training she observed Cogen and Manhas walking off to the elevators together. Banks stated she previously had her own suspicions Cogen and Manhas were having an affair which was bolstered by her own observations and rumors she had heard.

Banks had not further information which she felt was relevant to the criminal investigation. We ended the interview.

FORENSIC EXAMS

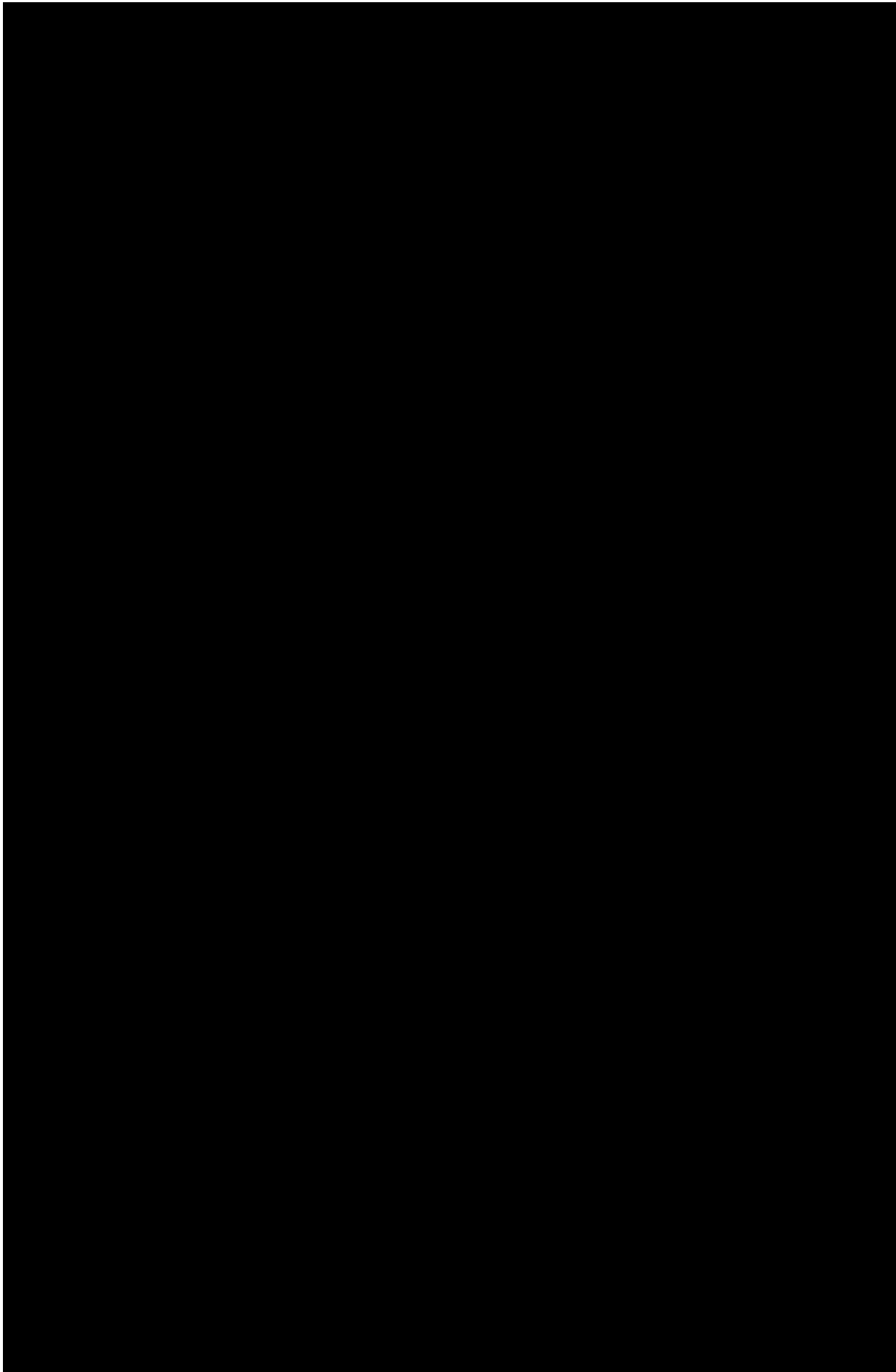
CELLULAR PHONE FORENSICS - SONIA

1. SONIA MANHAS

[REDACTED]

[REDACTED]

[REDACTED]



2. JEFF COGEN

The forensic examination of Cogen's phone was completed by Cogen's defense team at a private lab. Based on the consent agreement Hoffman produced the report after they reviewed it and redacted the attorney client information. [REDACTED]

[REDACTED]

[REDACTED] As of the completion of this report no forensic report has been produced.