



DEPARTMENT OF JUSTICE

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Dear DOJ Colleagues,

I think it is safe to say we all exhaled a long breath of relief when last year came to an end—not quite expecting the surprises 2021 has brought already.

No matter how difficult 2020 was, you rose to the challenges and performed a tremendous amount of good work and service for Oregonians. We assembled this report to document our many achievements—and to make it possible to share some of these accomplishments with each other and with others who are less familiar with our work.

Your work lives have been made all the more challenging by the fact that most of us have been working largely from home since last March 16. Many of your daily routines have become much more complicated due to the nature and circumstances of the pandemic we are living through. Thank you for being flexible, patient, creative, and dedicated public servants—even in the face of these challenges.

I am extremely proud of all we've achieved—and equally grateful for the examples you set. You truly provide the gold standard of service to our state's agencies and people. Congratulations to each and every one of you! Your achievements, both large and small, have unquestionably improved the circumstances—and the lives—of others.

A report like this cannot possibly capture all we have done, but I hope it provides at least an insight into the true value and meaning of our work.

All of us at the Oregon Department of Justice strive to be true public servants—something our nation desperately needs more of. Thank you for leading by example—and for your continued hard work and commitment to our truly transformative mission.

Here's to better times ahead—for Oregon and for all of us!

Fred and I cannot thank you enough.

Ellen Rosenblum

# Oregon Department of Justice

## 2020 Highlights

### Introduction

As the People’s Law Firm, the Oregon Department of Justice (DOJ) defends the rights and interests of all Oregonians while also serving the legal needs of state government. Over the past year, our work has been shaped by a global pandemic, devastating wildfires, urgent calls for racial justice and police reform, an alarming rise in brazen acts of hate and bias, and a national election marred by divisiveness and suspicion. In short, by the same events that have shaped the daily lives of the people of our state.

In every one of these matters, the lawyers and staff at Oregon DOJ have had important roles to play. We have been nimble in responding to each emerging crisis, while remaining steady and consistent in carrying out our regular responsibilities. In the process, we have: helped defend our democracy; fought efforts to diminish environmental protections; protected Oregonians’ healthcare; provided excellent crisis-response work; and generally looked out for the legal well-being of the agencies of state government and the people of our state.

What follows are highlights from a challenging year, organized by the various divisions within our department. As you can see, we all had a lot on our plates—and accomplished an amazing amount of exceptional work on behalf of our state and its people.

### Office of the Attorney General (AGO)

*Headed by Attorney General Ellen Rosenblum and Deputy Attorney General Fred Boss, with a total staff of 15 people, the AGO has met virtually as a team every day since March 16, 2020. The AGO guides the Department in daily operations and coordinates legal and policy work on priority issues. Directors or Special Legal Counsels lead teams within the AGO to advance Civil Rights, Consumer Outreach and Education, Legislative Policy, Finance and Budget, External Communications, and a variety of priority issues ranging from protecting the environment to expanding healthcare access for vulnerable populations. In addition to working closely with DOJ attorneys in other Divisions, AGO staff collaborate with counterparts located in other states, in the offices of Oregon’s elected officials, and with external stakeholder groups. The AGO had quite a year in 2020 standing up a vital bias incident reporting hotline, educating the public about COVID-19- and wildfire-related scams and frauds, protecting the state’s interests against egregious federal policing, and ensuring voting integrity and confidence in the General Election, to name a few.*

### Federal Multistate Litigation and Issue Highlights

*Over the past four years, AG Rosenblum has joined numerous federal multistate lawsuits in defense of federal laws, regulations, and polices that protect our civil rights, health care, environment, and the most vulnerable Oregonians.*

Please see the **Appendix of AGO Federal Multistate Lawsuits** for a list of multistate cases our office led or joined since January 2017. Here are some highlights of AGO cases and projects from 2020:

#### *Deferred Action for Childhood Arrival (DACA)*

- After the Supreme Court ruled that the federal government had acted unlawfully in ending the DACA program, the administration renewed its attack. Our coalition won again in the trial court, effectively ending the four-year effort to remove protections for Dreamers.

#### *U.S. Postal Service (USPS)*

- This lawsuit challenged the alarming changes occurring at the USPS that resulted in significant mail delays prior to the 2020 General Election, which had the potential to impact vote-by-mail deadlines in Oregon and elsewhere. Our coalition secured a nationwide injunction against the nonsensical changes (including disassembly of mail sorting machines prior to the General Election) and the judge later ordered USPS to conduct nightly sweeps for ballots in areas of the country where mail was reportedly slow.

#### *AG's Voter Protection Hotline*

- In response to a flood of public concern spurred by the U.S. Postal Service slowdown and other threats to the integrity of the 2020 General Election, the AGO launched the AG's Voter Protection Hotline in mid-October, that ran for several weeks before and after Election Day. Over 150 Oregonians called the hotline with questions or concerns. Our hotline team returned calls promptly, alleviating a range of voter questions and concerns.
- The AGO also issued an educational flyer in five languages on voting rights and options under Oregon law: <https://www.doj.state.or.us/oregon-department-of-justice/office-of-the-attorney-general/spotlight-oregon-votes-2020/>

#### *"Separate Billing" Rule*

- This lawsuit challenged a federal rule that required insurers operating on health care exchanges to bill people separately for any coverage of abortion services. The goal of the rule, apparently, was that insurers would not want to deal with the expense and hassle of sending two bills, so they would stop offering coverage, or that people who purchased insurance would be confused about the double bill and not pay correctly, inadvertently losing coverage. A federal judge in California agreed that the rule was arbitrary and capricious and unlawful.

#### *International Student Visas*

- The Department of Homeland Security (DHS) announced that international students who attended colleges and universities that declined to hold in-person classes due to

COVID-19 concerns would have their visas revoked. In response to our lawsuit and several others, DHS quickly reversed course and withdrew the policy.

#### *Public Charge*

- We won a Ninth Circuit ruling against the federal government’s attempt to redefine a decades-old provision of immigration law in order to disqualify immigrants who receive any amount of short-term government assistance.

#### *United States Census*

- The federal administration wanted to add a question about citizenship status to the census, with the likelihood of suppressing responses. Our coalition won that case at every level, including the U.S. Supreme Court. Later, President Trump signed a memo in July directing that undocumented immigrants be excluded from apportionment calculations. A federal judge in New York ruled that the directive is unlawful. The U.S. Supreme Court ruled that the dispute over Trump’s Executive Order was premature, but it has been reported that the Census Bureau has stopped all work on the unlawful directive.

#### *Federal Use of Force on Portland Protestors*

- In July of 2020, we filed a lawsuit against federal law enforcement agencies in response to the egregious policing tactics they deployed against racial justice protesters in downtown Portland. We simultaneously opened a criminal inquiry related to the federal agents’ use of force. Portlanders were being snatched off downtown streets and forced into unmarked cars without explanation, and a number of peaceful protesters suffered injuries at the hands of federal officers. We voluntarily dismissed the case after the federal officers left town. The criminal matters remain open.

#### *Title X*

- The Title X program funds grants to states and other entities to provide family-planning services and reproductive healthcare to underserved patients. We filed a lawsuit, *Oregon v. Azar*, challenging two significant regulatory changes that undermine essential access to women’s health services, and secured a preliminary injunction to stop the rules from going into effect. The federal government appealed, and the Ninth Circuit reversed the injunction. We asked the Supreme Court to grant review to resolve a split of authority on the issue (Fourth Circuit struck down the rules).

#### *Net Neutrality*

- The Federal Communications Commission (FCC) eliminated “net neutrality” requirements that prevent internet service providers from playing favorites with content or apps that they like (or that can afford to pay a premium). The FCC also said that its rule would override any contrary state laws. Although the elimination of net neutrality requirements was ultimately upheld, the court rejected the idea that the FCC could categorically pre-empt net neutrality laws, like the one in Oregon. Our law takes a creative approach by requiring state agencies to obtain internet service only from

providers who adhere to net neutrality principles for everyone. Thanks to our legal action, it remains valid.

#### *Call to Action*

- In April 2020, AG Rosenblum spearheaded the [COVID-19 Call to Action](#) in response to anti-Asian bias that spewed from the highest office in the nation, blaming and targeting Asians for the global health pandemic.
- We asked Oregonians to sign onto a public statement denouncing COVID-19 misnaming, blaming, and harassment, and resolutely supporting Asian, Asian-American, and Pacific Islander communities and community members.
- The Call to Action has been signed by nearly 2,000 community members and is still open for signatures at [StandAgainstHate.Oregon.gov](#). This was a swift and decisive statement to stand against hate and protect the rights and dignity of Asian, Asian-American, and Pacific Islander communities.

#### Environmental and Climate Action Highlights

*AG Rosenblum is part of a coalition of state Attorneys General that has spent the last four years defending and promoting our nation’s most fundamental environmental laws, pollution and chemical regulations, and climate protections. Together with the coalition, Oregon has engaged in hundreds of actions—210 to date—in the form of rulemaking comments, letters to heads of federal agencies, amicus briefs in federal court, and multistate litigation.*

***The 210 environmental actions are catalogued here, with a few 2020 highlights included below: <https://www.law.nyu.edu/centers/state-impact>***

#### *Environmental Protection Agency (EPA) Non-Enforcement Policy*

- This lawsuit involved a challenge to EPA’s “COVID-19 non-enforcement policy.” EPA’s policy allowed industries to stop monitoring emissions and eliminated reporting requirements (and adequate documentation) necessary to support industry assertions that pollution violations were unavoidable and caused by the pandemic. Besides being in violation of law, the policy allowed increased air pollutant emissions that exacerbate respiratory health at the very same time the nation was battling a global pandemic that attacks the human respiratory system. The coalition put serious pressure on the EPA to reevaluate its course, and ultimately influenced EPA’s decision to let the policy expire quickly at the end of August.

#### *Migratory Birds Treaty Act*

- “It is not only a sin to kill a mockingbird, it is also a crime,” wrote federal Judge Valerie Caproni in her August 11, 2020 opinion, siding with our AG coalition that sued the U.S. Department of Interior over its new interpretation of the Migratory Bird Treaty Act, which said the Act only applied to the “intentional” killing of birds. The federal statute has long been understood to prohibit the killing, hunting, taking, capturing, or selling of nearly 1,100 species of birds, with no intent requirement. That essential interpretation was upheld.

### *CAFÉ Automaker Penalties*

- The AG coalition challenged a National Highway Traffic Safety Administration (NHTSA) rule that reduced the penalty for automobile manufacturers that violate fuel efficiency standards. The court agreed with our arguments and threw out the 2019 rule that sought to freeze penalties for automakers violating such standards at 1970s levels, which would have resulted in zero deterrent effect in 2020.

### *Hydrofluorocarbons (HFCs)*

- HFCs are greenhouse gases that are far more potent than carbon dioxide. Since the United States phased out the use of ozone-depleting substances, HFCs have been used as substitutes in certain products. The EPA tried to completely gut a rule that restricted the use of hydrofluorocarbons, but the AG coalition lawsuit was successful in convincing the D.C. Circuit to vacate EPA's flawed guidance.

### Select Multistate Letters and Comments We Joined in 2020

- Joined comments filed with the Small Business Administration (SBA) urging SBA to afford borrowers in the Paycheck Protection Program (PPP) a full and fair opportunity to secure a PPP loan or appeal an adverse decision.
- Joined comments filed with the Office of the Comptroller of the Currency (OCC) strongly objecting to a proposed rule that would legitimize “rent-a-bank” schemes.
- Joined a letter asking the U.S. Senate to provide parity in pandemic relief for all federal student loans, including privately held Federal Family Education Loan (FFEL) and Perkins loans.
- Joined comments filed with the Consumer Financial Protection Bureau (CFPB) urging the CFPB to reconsider a proposed rule on time-barred debt that does not adequately protect consumers.
- Joined comments filed with the Federal Communications Commission (FCC) about the importance of traceback technology for combatting unwanted and deceptive robocalls.
- Joined a letter to U.S. Housing and Urban Development urging the agency to ensure that older adults with reverse mortgages are given a fair opportunity to retain their homes during the pandemic.
- Joined a letter urging U.S. Treasury to reduce fees and address issues consumers were experiencing with the Economic Impact Payment cards (prepaid cards used to distribute COVID-19 stimulus funds).
- Joined comments filed with the Federal Trade Commission (FTC) urging the Commission to strengthen the funeral rule, which protects consumers purchasing pre-need funeral arrangements.
- Joined letters to Amazon, Ebay, and other major online retailers calling on them to be more proactive about stopping price gouging on their platforms during the pandemic.
- Oregon DOJ undertook many, many more such actions. Overall, the benefit to Oregonians—and to the general public—was substantial.

## AGO Legislative Policy Team

We have much very important work ahead of us in 2021, including our policy advocacy role in the 2021 Legislative Session. 2020 marked the end of Aaron Knott's eight years with DOJ as our Legislative Director. His work (and work ethic!) is legendary and he is missed. But the new team, headed by Kimberly McCullough, is hitting the ground running.

## **Administrative Services Division (ASD)**

*With COVID-19 and the sudden transition to working from home, 2020 was an especially busy and challenging year for the administration of DOJ. Headed by Division Administrator, Marc Williams, ASD is responsible for leading the delivery of all business services, including information technology, accounting, operations and human resources. The team works closely with department leaders in formulating policy, facilitating decision-making processes, determining projects, and setting and managing priorities.*

### ASD Operations

- Procured and tracked all PPE items for DOJ facilities, ensuring all essential staff working in DOJ offices during the pandemic had adequate supplies throughout the year. Assembled ready-to-go, start-up PPE supplies for each facility in preparation for when re-entry occurs.
- Ensured each DOJ facility was cleaned regularly according to CDC COVID-19 cleaning standards for high touch areas.
- Ensured COVID-19 signage and instructions were posted in all general building areas, and installed plexiglass sneeze-guard barriers in certain offices.
- Upgraded HVAC filters to MERV-13 (ASHRAE and the CDC recommend MERV-13 filters to reduce virus transmission) in most DOJ facilities.
- Digitized ASD procurement processes to 95%.

### ASD Fiscal Services

- Met FY2020 Year-End reporting deadlines with minimal onsite staffing.
- Automated a number of paper-reliant processes to remote and paperless methods for staff who predominantly work remotely.

### Human Resources

- Created a FMLA/OFLA COVID-19 response team to handle pandemic-related matters, including support for the AG's DOJ-wide Face Covering Policy and COVID-19 Health Screening Tool.
- Adapted and implemented state and federal safety protocols and procedures for COVID-19 across the agency.

## Information Services

*The COVID-19 pandemic required a primarily on-site workforce to go fully remote within a matter of days and weeks. Under the leadership of Chief Information Officer, Richard Rylander, our IS Team rose to the occasion with flying colors in 2020, making possible a remarkably smooth transition from working in offices all over the state to working from home.*

*To support this substantial transition, IS successfully:*

- Increased system capacity to support DOJ's 1,300-plus employees working remotely;
- Built and set up over 250 laptop and 525 desktop computers for remote work;
- Rolled out Microsoft Teams for DOJ employees to stay connected during COVID-19; and
- Upgraded all of DOJ to Office 365 productivity software.

*The IS Team's work would be the envy of other same-sized—and larger—organizations.*

## Appellate Division

*Within days of the Governor's first stay-at-home orders, the Appellate Division, under the leadership of Solicitor General Ben Gutman and Deputy Solicitor General Paul Smith, was able to modify job duties and processes to make it possible for almost everyone to work from home, including working collaboratively with the Oregon and federal courts to shift all appellate oral arguments to video. The Appellate Division had a remarkable record in a series of important cases. Among them:*

*Elkhorn Baptist Church v. Brown (Oregon Supreme Court)*

- The Baker County Circuit Court preliminarily enjoined Governor Brown's stay-at-home order on the ground that her emergency powers are limited to 28 days. Appellate filed a mandamus petition with the Supreme Court on the same day and obtained a stay, and then followed with full briefing. The Supreme Court unanimously vacated the preliminary injunction. This was likely the fastest mandamus petition Appellate has ever filed. More important for Oregonians, it succeeded.

*People Not Politicians v. Clarno (9th Cir. and SCOTUS)*

- The federal district court ordered the Secretary of State to place an initiative on the ballot even though its sponsors had obtained less than half of the required signatures, on the theory that the signature requirement was unconstitutional during the COVID-19 pandemic. We immediately appealed and sought a stay. When the Ninth Circuit declined to do so immediately, we petitioned the U.S. Supreme Court, which granted a stay by a 7-2 vote. The Ninth Circuit expedited the appeal, but ultimately concluded that the stay mooted the case.

*Oregon AFSCME Council 75 v. OJD (Oregon Court of Appeals)*

- The Employment Relations Board (ERB) certified a bargaining unit in Oregon Judicial Department (OJD), which runs our state courts. The bargaining unit consisted solely of



OJD employees in Yamhill County. This would have created real practical problems for OJD in managing its workforce statewide. In a lengthy opinion, the Court of Appeals reversed ERB, and the Supreme Court denied review.

*Linn County v. Brown (Oregon Supreme Court)*

- The Supreme Court upheld the constitutionality of Oregon’s paid sick leave law against a serious challenge mounted by several counties. Potentially at stake was the constitutionality of the increase to Oregon’s minimum wage.

*James v. State (Oregon Supreme Court)*

- The Supreme Court upheld the constitutionality of the recent amendments to the PERS statutes.

*Mooney v. OHA (Oregon Court of Appeals)*

- The Court of Appeals denied emergency motions to stay OHA’s face-covering guidance. The case involved several issues, including whether OHA can change its guidance without promulgating a rule. The Appellate Commissioner issued a lengthy order denying a stay, and the Chief Judge denied reconsideration. The underlying case remains pending, and the guidance has been updated but remains in place.

*Multnomah County v. Mehrwein (Oregon Supreme Court)*

- The Supreme Court overruled a free-speech precedent and upheld part of Multnomah County’s campaign-finance law. The state of Oregon was not a party, but we filed an amicus brief on behalf of Governor Brown advocating for the approach the court took; the court quoted our brief in its opinion.

*Ramos v. Louisiana Implications*

- Appellate quickly digested the U.S. Supreme Court’s decision in *Ramos v. Louisiana* and provided rapid, accurate advice to prosecutors around the state. We also worked with Office of Public Defense Services (OPDS) and Oregon appellate courts to identify and categorize cases for appropriate dispositions post-*Ramos*, and teamed up with our Trial Division to categorize post-conviction relief and habeas cases post-*Ramos*.

**Division of Child Support (DCS)**

*The Oregon Child Support Program and DCS, under the leadership of Director Kate Richardson and Deputy Director Dawn Marquardt, were successful in responding to the COVID-19 pandemic quickly and incorporating several communication tools to assist child support customers and staff. Because the pandemic brought increased and urgent need for child support services, these efforts were essential for supporting Oregon’s families.*

In 2020, the Oregon Child Support program:

- Served 141,157 of Oregon’s children;

- Distributed nearly one million dollars every business day in child support to Oregon families;
- All of this was accomplished while getting 400 of 505 division employees (79% of the DCS workforce) working remotely at least part-time—many full-time.

#### *New Communication Tools Developed*

- Implemented COVID-19 websites with clear and comprehensive information.
- Implemented COVID-19 intranet pages.
- Created email campaign to customers.
- Created COVID-19 Task Force.

#### *ORIGIN System*

- 2020 marked ORIGIN’s (the new child support system) first full year as a federally certified system. Thanks to ORIGIN’s modern architecture, the Oregon Child Support Program was able to continue to provide its valuable services throughout the pandemic.
- DCS implemented a new, enhanced online account service to help Oregonians and customers dealing with the pandemic, unemployment, wildfires, changes to school and work environments, and more.
- DCS developed and started implementing a marketing strategy to get more customers signed up and using their online accounts.
- Given the sophistication and complexity of the new ORIGIN system and the challenges governments often experience when implementing new computer systems, this was a special achievement.

#### *Case Highlight*

- In August, the Oregon Child Support Program received a tip concerning a parent who owed \$50,000 in past-due support to both the other parent and to the state. The tip said the parent had inherited a house. Case Managers worked together through many obstacles to place a lien on the property and were able to secure a check for \$38,704.05. The family received \$16,704.05, which covered the arrears they were owed. The remaining \$21,725 was applied to the debt to the state.

### **Civil Enforcement Division**

#### **Consumer Protection Outreach and Education (in partnership with the Director of Consumer Outreach and Education, Ellen Klem, and the AGO)**

- 31,868 total calls were received by DOJ’s Consumer Protection Hotline in 2020.
- DOJ was able to return nearly \$650,000 in refunds to consumers who filed complaints in 2020.
- Our enforcement officers came to the rescue to help the Consumer Hotline stay afloat. Staff went from a team of nearly 30 volunteers (who are mostly seniors who need to be in the office to take and answer calls) to only six people handling everything—without losing a single day of Hotline service!

- Produced numerous Consumer Protection flyers for the general public, with topics including how to avoid and report price gouging, COVID-19 and wildfire scams, and IT security breaches while working remotely.
- 14 presentations were made to the public, with a focus on older adults, legal aid recipients, and tribal members.
- Consumer Protection conducted numerous tele-town-hall events that reached up to 200 attendees at a time, with AG Rosenblum presenting.
- 14 scam alerts were issued—concerning wildfire scams, imposter contact tracers, and other COVID-19 testing and vaccination scams.
- Find consumer protection materials here: <https://www.doj.state.or.us/consumer-protection/sales-scams-fraud/consumer-protection-materials-order-form/>

### Consumer Protection and Financial Fraud Section

#### *Multi-State Case Settlement Highlights*

##### *Santander*

- Oregon helped lead a 34-state investigation into one of the nation’s largest subprime auto lenders. Santander exposed consumers to high levels of risk and knowingly placed thousands of consumers into loans with a high probability of default. As a result of this investigation, Santander agreed to reform its practices and to pay \$550 million to the states, including \$65 million in restitution and \$45 million in loan forgiveness. Oregon received \$585,285, including more than \$481,000 in restitution to be distributed to 2,000 Oregon residents.

##### *Honda*

- Oregon helped lead a 48-state investigation into Honda’s concealment of safety issues due to defects in the frontal airbag systems of certain Honda and Acura vehicles sold in the United States beginning in 2001. As a result of the investigation, Honda agreed to reform its practices and to pay \$85 million to the states, including \$2.4 million to Oregon.

##### *Nationstar*

- Oregon helped lead a 50-state investigation into a mortgage servicing company’s violations of various consumer protection laws and its failure to properly manage loan modifications and third-party foreclosure services. As a result of the investigation, Nationstar agreed to reform its practices and pay \$86.3 million to the states, including \$79 million in restitution. Over 400 Oregon consumers will receive \$479,849 in restitution from the settlement.

##### *Apple*

- Oregon participated in a 30-state investigation of Apple’s intentional throttling of older iPhones to encourage consumers to buy new models. As a result of the investigation, Apple agreed to reform its practices and to pay \$113 million to states, including \$1.76 million to Oregon.

### *ITT (PEAKS Trust)*

- Oregon secured \$1.6 million in debt relief for former ITT Tech students in Oregon as part of a joint settlement between the PEAKS Trust, 48 states, and the Consumer Financial Protection Bureau (CFPB).

### *JUUL*

- In February, our Consumer Protection Section publicly announced that Oregon is one of the leadership states of a 39-state investigation into deceptive marketing and sales practices of vaping products by JUUL Labs—including whether the company targeted youths and made misleading claims about the nicotine content in its devices.

### *Oregon-Specific Case Highlights*

#### *Johnson & Johnson*

- As a result of our investigation, Johnson & Johnson and a subsidiary agreed to a \$5.5 million settlement for deceptively marketing transvaginal surgical mesh devices. As part of the agreement we negotiated, \$3.5 million of the settlement has been distributed to non-profit medical clinics that provide health care to women in Oregon.

#### *Burgerville*

- As a result of our joint investigation with the Washington Attorney General’s office into a yearlong data breach that resulted in the compromise of five million credit card numbers, Burgerville agreed to reform its data security practices and to pay \$150,000 to Oregon for penalties and costs. (A portion of this will be suspended if Burgerville fully complies.)

### *COVID-Related Investigations and Settlements*

#### *Price-Gouging Response*

- At AG Rosenblum’s request, the Governor declared an abnormal disruption of the market due to the COVID-19 pandemic, activating Oregon’s price gouging law. We launched a price-gouging hotline and investigated over 1,000 complaints of potential price gouging online and in stores. While many stores immediately reduced prices or agreed to comply, we also sent cease-and-desist letters to 36 merchants and entered into formal settlement agreements with several others.
- In September, we launched investigations into innkeepers who raised room rates to unconscionably excessive prices after wildfires forced many Oregon residents to flee their homes. This succeeded in tamping down the practice.

#### *Apple and Google (Contact Tracing)*

- Oregon led a bipartisan coalition of 39 Attorneys General calling upon Apple and Google to ensure that contact-tracing and exposure-notification apps adequately protect consumers’ personal information. The letter resulted in a meeting with high-level representatives of the companies and assurances that the protections would be enhanced.

### *EF Tours*

- An operator of educational travel programs in the U.S. and abroad failed to make adequate refunds after COVID-related restrictions forced travel cancellations, harming 2,000 Oregon consumers. As a result of our investigation, the company agreed to substantially increase the amount of refunds, to clearly and conspicuously disclose cancellation policies in the future, and to pay \$15,000 in penalties and costs. (These penalties and costs will be suspended if the company fully complies for three years.)

### *Plaid Pantry and 7-11*

- Both convenience store chains sold face masks at excessive prices under the price gouging law. As a result of our investigations, the companies either reduced their price or stopped selling masks. Each agreed to pay \$21,500 in penalties and costs.

### *Heirloom Organics*

- An Oregon company made false and misleading representations about its “pandemic kits,” including that the kits were recommended or approved by the Occupational Safety and Health Administration, Centers for Disease Control and Prevention, and World Health Organization. As a result of our investigation, the company stopped selling the kits and donated PPE to the Oregon Health Authority.

### *Live Action Safety*

- A Eugene-based online merchant sold masks and hand sanitizer at excessive prices under the price gouging law. As a result of our investigation, Live Action Safety will refund \$7,886 to consumers who overpaid, will donate \$12,650 worth of hand sanitizer and 3,400 hospital gowns to the Lane County Public Health Department and the Asante Foundation, and will pay \$7,500 to the State for costs.

### *Unsubstantiated COVID-19 Health Claims*

- In April, we issued an emergency consumer protection rule to prohibit sellers from making unsubstantiated claims that their products prevent, treat, cure or mitigate COVID-19. After the Federal Trade Commission sent cease-and-desist letters to five companies operating in Oregon concerning their unsubstantiated health claims, we investigated and entered into settlements with each company.

### Antitrust Enforcement Unit

#### *Google and Facebook*

- We joined forces with a multistate coalition of state AGs to wield antitrust law against the titans of technology.
- On December 9, 2020, 48 Attorneys General, including Oregon, filed a lawsuit alleging that Facebook unlawfully maintained its monopoly in the Personal Social Networking Services market.

- Likewise, 38 Attorneys General, including Oregon, filed suit against Google on December 17, 2020, alleging that Google illegally maintained its monopoly over search and search advertising.

### Child Advocacy Section (CHAS)

*The protection of Oregon’s children, especially during the pandemic, is a critical priority at DOJ. Every day we go to court (be it virtual or in person) to ensure our kids are in safe hands. This Section—CHAS—handles all child abuse and neglect cases throughout the state. CHAS lawyers represent the Oregon Department of Human Services (DHS) child welfare caseworkers in juvenile dependency matters, ranging from status hearings to multi-day contested trials.*

### *Highlights*

- After March, we learned how to adjust our work due to the pandemic, requiring incredible amounts of flexibility, cooperation, creativity and positivity—all in the name of ensuring we could assist our client to keep children safe and families connected.
- We continued work on achieving statewide consistency to assist our client and the court to correct regional differences and to provide families with the same support and services statewide.
- On-boarded a significant number of new attorneys and legal support team employees in six offices across the state.
- Developed formalized training for attorneys and support staff; created a list of mentor AAGs; and provided numerous manager-led and peer-to-peer training sessions and conferences.
- Worked cooperatively and frequently with external child welfare partners, including the Oregon Judicial Department, providing legal assistance and information to ensure that our attorneys, staff, and client could prepare for court proceedings by video or telephone, often without physical files and with challenging technology issues.

### Wildlife/Environmental Crimes Unit

- In 2020, we wrapped up the multi-county, multi-defendant poaching ring case based out of Wasco County (*Haynes, Dills, et al*). The last defendant pled guilty in February.
- Obtained the first conviction under an Oregon law that prohibits possession, sale, trade, or distribution of shark fins.
- Anti-Poaching Policy: Proponent and stakeholder in the state-wide anti-poaching campaign with Oregon Department of Fish and Wildlife (ODFW) and Oregon State Police (OSP). Worked with various legislators and their offices, and participated in radio and media interviews regarding the campaign.
- Cultural Resources Policy: Agency representative in the Government-to-Government Culture Cluster workgroup and the Governor’s Taskforce on Tribal Cultural Items.

## **Crime Victim and Survivor Services Division (CVSSD)**

*CVSSD, led by Director Shannon Sivell, highlights AG Rosenblum's focus on protecting crime victims and survivors with an emphasis on domestic violence, sexual assault, and human trafficking. CVSSD helps victims and survivors cover crime-related costs, protects victims' and survivors' rights, and helps fund local service providers. Through advisory committees and partnerships, CVSSD shapes best practices statewide and brings a diverse collection of voices together with a single goal: to serve victims and survivors effectively and compassionately.*

### *CVSSD by the Numbers*

- 5,300: The average number of victims' compensation claims processed each year.
- 2,200: The average number of pieces of mail the Address Confidentiality Program handles each month.
- 152: The number of victim services agencies receiving grant funding from CVSSD.

### *Human Trafficking Intervention Program*

- In 2020, the Human Trafficking Intervention Program grew by leaps and bounds, including expanding funding for two new trafficking intervention task forces, bringing our total to 15 task forces covering 19 counties. We hired a new Trafficking Intervention Specialist to support these grants and task forces.
- We began working on statewide crisis and non-crisis response protocols and will pilot them with four taskforces (Klamath, Lane, Lincoln, and Mid-Columbia which comprises Hood River, Wasco, Sherman, Gilliam, and Wheeler counties).
- In partnership with SATF, DOJ drafted the Human Trafficking 101 training that will be included in the general curriculum for DPSST.

### **Joint Efforts by CVSSD and Civil Rights Unit (CRU, led by Civil Rights Director, Fay Stetz-Waters, and the AGO)**

#### *Summer 2020 Community Conversations*

- In July and August of 2020, DOJ's CVSSD and CRU held twelve online community conversations with members of demographic groups historically discriminated against, excluded, and currently impacted by ongoing inequity.
- AG Rosenblum welcomed each session and DOJ staff facilitated these sessions for the following communities:
  - LGBTIQ2S+
  - Religious Minority
  - Latinx
  - Black/African American
  - Asian and Pacific Islander
  - Undocumented/Migrant Farm Worker
  - Houseless/Mental Illness/Addictions
  - American Indian/Alaska Native

- Deaf and Hard of Hearing
- Disabilities
- Refugee/Immigrant Communities
- The conversations focused on topics including access, voice, justice, profiling, institutional racism and discrimination, implicit bias, and explicit hate.
- Over 1,000 people attended. They engaged in conversations to help DOJ better understand the needs and challenges of these communities, as well as the barriers they face when interacting with DOJ and DOJ-funded programs, and to improve programs and services to meet individual needs more effectively.
- Thirteen themes were published in a comprehensive report: [Summer 2020 Community Conversations Summary Report: Opening Pathways to Justice and Improving Support for Populations Impacted by Inequity](#). They are intended to push longstanding injustices toward equity. The report also outlines nine action items for DOJ.

#### *Hate Crimes and Bias Incidents Response Hotline Launched*

- In January, CRU launched the Hate Crimes and Bias Incidents Response Hotline (BRH) pursuant to SB 577 Section 8.
- Led by Bias Response Coordinator Johanna Costa, BRH is dedicated to assisting victims, witnesses, and other reporters of bias crimes and incidents, and offers a victim-centered, trauma informed, culturally responsive space to receive crisis support, assistance with safety planning, referrals to community agencies for ongoing support, and options for further reporting and investigation.
- BRH is available online at [StandAgainstHate.Oregon.gov](https://standagainsthate.oregon.gov) and at 1-844-924-BIAS (2427), 711 for Oregon Relay.
- As of December 15, 2020, the hotline had received 1,069 statewide reports of bias and hate. Reports to the BRH in 2020 were largely race-based bias, overwhelmingly targeting victims who identify as Black and/or African American. Micro-trends included bias against Asian and Pacific Islanders early during the COVID-19 pandemic, a massive spike in hate crimes specifically against Black and/or African Americans in June, and a significant uptick in reporting through DOJ points of contact in late fall.
- BRH shares its data with the Oregon Criminal Justice Commission (CJC) monthly. In July, the CJC issued its first [SB 577 2019 Report](#) based largely on the BRH data.
- In early September, the CJC began issuing a [monthly data dashboard](#) of hotline bias reports.

#### Civil Rights Unit (CRU)

##### *Hate Crimes and Bias Incidents Steering Committee*

- The Hate Crimes and Bias Incidents Steering Committee continues to meet monthly to set goals and priorities for the BRH, give guidance on hotline initiatives, and advise the BRH on community needs and concerns.



### *Law Enforcement Bias Response Toolkit*

- In June, the BRH issued the [Law Enforcement Bias Response Toolkit](#) to all police chiefs, sheriffs, district attorneys, county counsel, and federally-funded victim service programs through the Victims of Crime Act. The toolkit now serves as a hallmark resource for law enforcement's response to bias victims.
- The Bias Response kit contains seven tools—including a Law Enforcement Supplemental Report Form (to supplement a narrative report, guiding law enforcement through a bias investigation, including tracking targeted class(es), identifying evidence, and tracking bias indicators) and a Bias Response Law Enforcement Pocket Card—a reminder card for law enforcement with a scannable QR code that connects to our website to help respond on scene at a bias incident or bias crime.

### *COVID-19 Resources for Immigrants and Refugees*

- In June, CRU developed, vetted, and published a [resource guide for immigrants and refugees](#) on our bias response victim services webpage. The guide includes over eighty community agencies, government departments, as well as mutual aid organizations providing social service, health, legal, and other crisis services to immigrants and refugees needing assistance during the COVID-19 pandemic.

### *ODOJ Agency-Wide Transgender Continuing Legal Education Seminars*

- Civil Rights Director Fay Stetz-Waters worked with DOJ's CLE committee and Basic Rights Oregon to present two trainings for DOJ employees to improve their understanding of working with transgender clients and colleagues, and advance legal issues and practices for transgender Oregonians.

## **Criminal Justice Division (CJ)**

*The Criminal Justice Division, led by Chief Counsel Michael Slauson and Deputy Chief Counsel Stephanie Tuttle, provides high level investigative, trial, training, and legal advice to support Oregon's District Attorney and law enforcement agencies. Each year CJ handles hundreds of criminal cases across the state. CJ also has jurisdiction over organized crime, public corruption, and elections fraud cases. When there is a vacancy in a District Attorney's office, we are usually asked to fill in until a replacement is appointed by the Governor. In 2020, we temporarily oversaw the Wasco County DA's office and Lincoln County DA's office. Here are some examples of CJ's work and accomplishments in 2020:*

### *Financial Crimes: The Roman Motors Case*

- This long and complex case involves multiple jurisdictions and a wide variety of money laundering and tax evasion schemes. It is being prosecuted in two counties—tax evasion in Marion County, fraud in Clackamas County. The CJ Financial Crimes Team has done exceptional work on this case, highlighting the high level of expertise needed to investigate and prosecute complex financial crimes across jurisdictional lines as well as the benefit of having well-trained agents, prosecutors, and analysts assigned to such cases.

### *The Regional Information Sharing and Exchange (RISE) Podcast*

- AAG Colin Benson and ASAC Brian Prevett launched a series of training podcasts to reach law enforcement and prosecutors across the state to provide timely training in a relaxed and easily accessible manner in response to the restrictions of COVID-19. Run through the Oregon District Attorney Resource Network (ODARN) website, it has increased website traffic and reached a larger audience than traditional in-person RISE training.

### *COVID Response*

- The Oregon TITAN Fusion Center (OTFC) supported, and continues to support, the COVID-19 pandemic response and recovery efforts as part of DOJ's role in the State Emergency Coordination Center (ECC) through dissemination of public safety and officer safety information, managing the State's critical infrastructure protection efforts related to the pandemic, and participating in COVID-19 vaccination planning efforts to support the Oregon Health Authority (OHA).

### *Summer Protests*

- The OTFC, by way of the Urban Area Security Initiative (UASI) partnership (UASI Analyst), continues to provide analytical services for certain felony cases in support of the Multnomah County Sheriff's Office, Portland Police Bureau, and the Multnomah County District Attorney's Office. CJ is also investigating use of force by officers during protest activity.

### *Drug Trafficking*

- The Oregon/Idaho High Intensity Drug Trafficking Area (HIDTA) program Investigative Support Center (ISC) is supporting a large multi-state drug trafficking case, providing key analytical contributions for search warrants and arrests in Oregon and Idaho. This is an ongoing investigation, but CJ has already received praise from our partner states regarding Oregon's contribution and support.

### *Watch Center*

- The Oregon Watch Center (WC) staff provide support to local, state, and federal law enforcement, and CJ is often provided positive feedback on its efforts to "go above and beyond." This year one of our analysts was providing a criminal workup for a partner agency whose investigator had limited knowledge of human trafficking, so the WC analyst began providing partner contacts to pursue. The investigator used those contacts to partner with other Oregon agencies to enhance the case, while providing victim's services and other related resources.

### *Voter Fraud*

- The Organized Crime team, with the support of one ICAC and one DA-Assist Special Agent, put together an undercover operation in less than eight hours. We identified, contacted (undercover via phone), and coordinated a meet to purchase an Oregon

voter's ballot that the suspect offered for sale via the app *OfferUp*. The suspect was arrested that night and has been charged with a felony.

#### *Wiretaps*

- The Organized Crime team has supported two very successful wiretaps since June of 2020: one in Madrid/Redmond/Bend; the other in Grants Pass. As a result, a total of 17 suspects have been arrested and more than 20 firearms seized from violent career criminals.

#### *Internet Crimes Against Children (ICAC)*

- In addition to following up on thousands of cybertips regarding internet crimes against children, the team also investigates cases. One was a Wallowa County investigation that included search warrants and resulted in two victims being identified and saved from further sexual abuse.

#### *Elder Abuse*

- In 2020, the Elder Abuse Team responded to 86 requests for assistance from law enforcement and community partners and supported the state's MDTs (multi-disciplinary teams) through the COVID-19 pandemic. On top of those efforts and their casework, the team developed and distributed 10,000 fliers in several languages for Meals on Wheels to distribute to their workers and meal recipients regarding COVID-19 scams. The fliers were also distributed to all LEAs and fire departments in the state for publication on their websites.

### **General Counsel Division (GC)**

*The General Counsel Division provides legal advice and guidance to state government. In addition to their usual work, General Counsel lawyers, led by Chief Counsel Renee Stineman, answered several hundred complex legal questions posed by client agencies, the Governor's Office and the Legislature—many of them novel and urgent—that arose because of the COVID-19 pandemic, unprecedented wildfires, and protests and demonstrations in Portland.*

#### *Government Services*

- Advised the Governor's Office and Oregon State Police during the series of protests in the Portland Metro Area, helping both to ensure public safety and to protect individuals' civil rights.

#### *Tax and Finance*

- Provided swift advice and creative legal solutions to help the State distribute over \$1 billion in emergency federal Coronavirus Relief Funds to Oregonians suffering economic hardship related to the COVID-19 pandemic.
- Advised Oregon Department of Revenue (DOR) in implementing the new Corporate Activity Tax which supports schools. The Section provided over 30 pieces of significant

advice, plus advice and drafting assistance on dozens of rules, legislation, and other support, on this new set of laws to assist DOR in standing up the new tax program in less than a year. By comparison, Ohio was given five years to implement a similar tax program.

#### *Business Transactions*

- Provided legal services to help state agencies obtain and distribute urgently needed and scarce Personal Protective Equipment (PPE). The section also negotiated a rush warehouse lease to store \$30 million worth of PPE, so that necessary supplies would be available to first responders and other essential personnel.
- Working with Tax and Finance, aided in development and implementation of the Emergency Check Program, providing rapid cash payments to Oregonians in need.
- Provided advice in support of the Rose Quarter project.

#### *Natural Resources*

- Working with Business Transactions, assisted the State with the agreement to remove the Klamath Dam.

#### *Labor and Employment*

- Helped in statewide implementation of COVID-related leave laws and bargaining agreement provisions.

#### *Health and Human Services*

- Working with Labor and Employment, advised state agencies working to support safe workplaces for all public and private employees during the pandemic, COVID-19 vaccine rollout, and the safe reopening of schools.

#### *Business Activities*

- Helped ensure professionals—such as health care workers—could obtain and maintain critical licensing during COVID-19 restrictions.
- Supported agency enforcement of the Governor’s Executive Orders.
- Assisted in the development of risk-based wildfire mitigation plans.

### **Trial Division**

*The Trial Division, led by Chief Trial Counsel Steve Lippold and Deputy Chief Trial Counsel Sheila Potter, defends the State of Oregon and its employees and officers against civil lawsuits filed in state and federal court. 2020 was a year in which everyone had to scramble to set up home offices and new routines; to learn new software; to learn how to handle hearings and trials remotely (all while attending to children in school at home, not to mention the pets that suddenly needed attention right when the judge was talking!); and to try to stay healthy while the very air tried to sicken us. On top of these difficult circumstances, the Trial Division’s lawyers and staff managed to keep up with an absolutely back-breaking increase in cases.*

### *Civil Litigation Section (CLS)*

- Since the spring, CLS has received more than 300 new state Habeas Corpus cases filed by adults in custody challenging their confinement due to the risk of COVID-19 within Oregon Department of Corrections (ODOC) institutions. We usually get 60 or so over the course of an entire year.
- CLS created a new litigation team dedicated to these cases, staffed with lawyers, paralegals, and secretaries. The ability to respond to such an unpredictable situation is a testament to the section's flexibility and teamwork.

### *Criminal and Collateral Remedies (CCR)*

- In the spring, the U.S. Supreme Court held that non-unanimous jury verdicts were unconstitutional. As Oregon was one of the two states that had allowed felony convictions by non-unanimous juries, CCR has since been handling hundreds of new cases challenging past convictions on a variety of theories stemming from the *Ramos v. Louisiana* decision.

### *Special Litigation Trial Unit (SLU)*

- In addition to managing its usual caseload of constitutional challenges, environmental cases, litigation over water rights in Klamath County, and a variety of class actions, SLU, with the help of the AG Office and others, also spent much of 2020 (and the three years before) suing the federal government over a variety of abuses visited upon the state and its people, while also defending a near-constant stream of challenges to the Governor's Executive Orders designed to keep COVID-19 under control in Oregon.
- Those challenges always come with motions for Temporary Restraining Orders, so every new complaint has to be absorbed immediately, with a team assigned to appear in court within one to three days, in order to keep the State's health measures in place.

**In closing, it was not possible to include all of the achievements of DOJ lawyers and staff in this report. Even if not included, please know your extraordinary efforts in this challenging year are most appreciated. Whatever your specific role at DOJ is, you are part of our "DOJ family" and everything we do is a team effort.**

**Many thanks for the incredible work achieved by all  
at the Oregon Department of Justice in 2020!**

## **Appendix: Office of the Attorney General Federal Multistate Lawsuits (2017-2020)**

### **Administration**

1. *California, Minnesota, and Oregon v. Donald Trump*
  - Filed April 4, 2019
  - Challenging “2-for-1” Executive Order

### **Civil Rights**

2. *Pennsylvania, et al. v. DeVos*
  - Filed June 4, 2020
  - Challenging U.S. DOE rules establishing discipline standards for sexual misconduct under Title IX
3. *Rosenblum v. Donald Trump*
  - Filed July 17, 2020
  - Federal policing of Portland protests
4. *New York, et al. v. Donald Trump*
  - Filed July 24, 2020
  - Challenging plan to disregard undocumented census respondents from apportionment calculations
5. *Washington, et al. v. Donald Trump*
  - Filed August 18, 2020
  - U.S. Postal Service changes slowing mail delivery

### **Consumer Protection**

6. *Bauer, et al. v. U.S. Dept. of Education*
  - Filed July 6, 2017
  - Deceptive loans by for-profit colleges to be forgiven
7. *Maryland, et al. v. U.S. Dept. of Education*
  - Filed October 17, 2017
  - Failure to implement rule requiring for-profit colleges help students find jobs
8. *New York, et al. v. FCC*
  - Filed January 16, 2018
  - Net neutrality
9. *New York, et al. v. U.S. Dept. of Labor*
  - Filed July 26, 2018
  - Challenging new “Association Health Plans” rule which could contribute to undermining the ACA through fraud
10. *New York, et al. v. SEC*
  - Filed September 19, 2019
  - Challenging SEC “Best Interest” rule, which dilutes the standard of care owed by securities brokers

### **Environmental Actions**

11. *California, et al. v. U.S. Dept. of Energy*
  - Filed June 13, 2017
  - U.S. DOE’s failure to publish energy efficiency standards

12. *California, et al. v. U.S. Dept. of Transportation*
  - Filed September 20, 2017
  - Challenging U.S. DOT's unlawful delay of greenhouse gas performance measures
13. *California, et al. v. EPA*
  - Filed December 5, 2017
  - U.S. EPA's failure to issue NAAQS attainment designations
14. *New York, et al. v. EPA*
  - Filed February 6, 2018
  - Challenging U.S. EPA's unlawful delay of 2016 Waters of the United States Rule
15. *New York, et al. v. EPA*
  - Filed April 5, 2018
  - Challenging U.S. EPA's failure to regulate methane emissions
16. *California, et al. v. EPA*
  - Filed May 31, 2018
  - U.S. EPA's failure to implement landfill methane regulations
17. *New York, et al. v. U.S. Dept. of the Interior*
  - Filed September 5, 2018
  - Challenging the weakening of the Migratory Bird Treaty Act
18. *New York, et al. v. Donald Trump, et al.*
  - Filed February 18, 2019
  - Challenging the diversion of funding for border wall construction
19. *California, et al. v. EPA*
  - Filed June 28, 2019
  - U.S. EPA's refusal to strengthen asbestos reporting requirements
20. *New York, et al. v. National Highway Traffic Safety Administration, et al.*
  - Filed August 2, 2019
  - Penalty reductions for heavily polluting vehicles
21. *California, et al. v. U.S. Dept. of Transportation*
  - Filed September 20, 2019
  - Challenging the withdrawal of California's auto emissions authority
22. *Massachusetts, et al. v. U.S. Dept. of the Interior, et al.*
  - Filed September 24, 2019
  - Defend against Endanger Species Act rollbacks
23. *New York, et al. v. EPA, et al.*
  - Filed December 20, 2019
  - Challenging the repeal of 2015 Waters of the United States Rule
24. *California, et al. v. EPA, et al.*
  - Filed May 1, 2020
  - Challenging narrowed Waters of the United States Rule
25. *New York, et al. v. EPA*
  - Filed May 13, 2020
  - Challenging U.S. EPA non-enforcement policy during COVID-19 crisis
26. *California, et al. v. EPA*

- Filed July 21, 2020
  - Defending states' authority under the Clean Water Act
27. *California, et al. v. Council on Environmental Quality*
- Filed August 28, 2020
  - Challenging weakening National Environmental Policy Act regulations
28. *Washington, et al. v. U.S. Dept. of the Interior*
- Filed September 9, 2020
  - Protect the Arctic National Wildlife Refuge from oil and gas drilling
29. *New York, et al. v. U.S. Dept. of Energy*
- Filed November 9, 2020
  - U.S. DOE's failure to review and update energy efficiency standards

### **Firearms**

30. *Washington, et al. v. Donald Trump*
- Filed July 30, 2018
  - Deregulation of 3D-printed gun files

### **Health Care**

31. *California, et al. v. Azar*
- Filed December 20, 2018
  - ACA's contraceptive mandate exception for religious and moral objections
32. *Texas, et al. v. U.S.*
- Filed February 26, 2018
  - Challenging ACA in light of tax penalty of \$0
33. *Oregon, et al. v. Azar*
- Filed March 5, 2019
  - Title X "Gag Rule"
34. *New York, et al. v. DHHS*
- Filed May 21, 2019
  - Challenging rule expanding health providers to refuse care due to "conscience"
35. *District of Columbia, et al. v. U.S. Dept. of Agriculture*
- Filed January 16, 2020
  - Challenging rule restricting states' ability to waive food stamp work requirements
36. *California, et al. v. Azar*
- Filed February 11, 2020
  - Challenging rule requiring separate billing for insurance that covers abortion as a supplement to Medicaid
37. *New York v. HHS*
- Filed July 20, 2020
  - Challenging rule authorizing insurers to discriminate against transgendered individuals

### **Immigration**

38. *Washington, et al. v. Donald Trump*
- Filed January 30, 2017; Amended complaint including Oregon filed March 13, 2017
  - Travel ban
39. *New York, et al. v. Donald Trump*



- Filed September 6, 2017
  - DACA program discontinuation
40. *Massachusetts, et al. v. DHS/ICE*
- Filed October 17, 2017
  - Disclosure of ICE/Homeland Security records
41. *New York, et al. v. Ross*
- Filed April 4, 2018
  - Addition of citizenship question to Census
42. *Washington, et al. v. Donald Trump*
- Filed June 26, 2018
  - Family separation
43. *Oregon, et al. v. Barr, Trump*
- Filed November 9, 2018
  - Imposition of immigration related conditions on U.S. DOJ grants
44. *California, et al. v. Trump*
- Filed February 18, 2019
  - Challenging military funds for the border wall
45. *California, et al. v. Macaleenan*
- Filed August 26, 2019
  - Family separation
46. *California, et al. v. DHS*
- Filed August 16, 2019
  - Challenging revised “public charge” rule
47. *Alabama v. Dept. of Commerce*
- Alabama filed May 21, 2018; Oregon motion to intervene granted September 9, 2019
  - Defended against Alabama asking “illegal immigrants” not be counted in 2020 Census
48. *Massachusetts, et al. v. DHS*
- Filed July 13, 2020
  - Challenging U.S. DHS policy to revoke visas of international students attending virtual school during COVID-19 crisis

**Labor**

49. *California, et al. v. Azar*
- Filed May 13, 2019
  - Challenging rule barring payment of union dues from home care provider Medicaid reimbursements
50. *New York, et al. v. U.S. Dept of Labor, et al.*
- Filed February 26, 2020
  - Challenging rule making it more difficult for employers to be found liable as “joint employers”

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