



OREGON HOUSE OF REPRESENTATIVES

August 4, 2025

Representative Jason Kropf, Co-Chair House Committee on Conduct
Representative Kevin Mannix, Co-Chair House Committee on Conduct
Representative Ed Diehl, Member House Committee on Conduct
Representative Thuy Tran, Member House Committee on Conduct

VIA EMAIL

Dear Members of the House Committee on Conduct,

I write to formally challenge the validity and conclusions of the Final Report I received on July 28 concerning the Rule 27 investigation into my conduct.

I respectfully request that the report be summarily dismissed on the grounds of procedural violations and constitutional violations, as follows:

1. Procedural Violations

- The investigation exceeded the 84-day deadline (notice provided to me on April 2, report issued to me on July 28);
- I was not given timely notice of the additional complaint against me (notice of the May 6 retaliation complaint was not provided to me until July 14);
- I was not given regular updates on the status of the investigation;
- I was not notified within 84 days that an extension would be required;
- It appears the investigator was engaged before I was even notified that there was a complaint against me.

2. Constitutional violations

The final report fails to properly consider Article IV, Section 9 of the Oregon Constitution, which protects legislators from being questioned for words spoken in debate.

The remonstrances under scrutiny, while controversial, were expressions of political and religious viewpoints delivered on the House floor and are constitutionally protected under both the U.S. and Oregon Constitutions.

As detailed in my April 9 letter to the investigator, Rule 27 cannot be lawfully enforced in a way that penalizes protected speech, imposes viewpoint-based restrictions, or circumvents due process.

.

This concern is echoed by The Oregonian editorial board, which recently argued that “politics is not a safe space” and rightly emphasized that discomfort with political speech is not harassment. The editorial concluded that my floor comments, while contentious, did not constitute a hostile workplace.

For your reference, attached please find the following:

- My April 9 response to the investigator
- LEO’s July 14 notification to me of the May 6 complaint
- My July 11 request to the Joint Conduct Committee for an audit of the Legislative Equity Office
- My July 29 follow-up request to the Joint Conduct Committee for an audit of the LEO
- The Oregonian’s August 3 editorial “Politics is not a ‘safe space’”

As an aside, I must also note that I am deeply disappointed with the lack of professionalism I have seen exhibited from the Legislative Equity Officer throughout this process.

First, her misrepresentation that I did not participate in the investigation, despite my formal response on April 9. Second, her incorrect statement to me that I was not allowed to publicly share written communications I had received from her, an assertion that further undermines fairness and transparency in this process. And third, the fact that she has removed the Rule 27 Investigations and Conduct Hearing Guidelines PDF from the Legislative Equity Office webpage.

Thank you for your attention and consideration of my request that the Final Report I received on July 28 concerning the Rule 27 investigation into my conduct be immediately dismissed.

Sincerely,

A handwritten signature in dark ink that reads "Dwayne Yunker". The signature is written in a cursive, flowing style.

Dwayne Yunker
State Representative, Oregon House District 3

DWAYNE YUNKER
STATE REPRESENTATIVE
DISTRICT 3



OREGON HOUSE OF REPRESENTATIVES

April 9, 2025

Ms. Kia Roberts, J.D.
Triangle Investigations, Inc.

CC: Bor Yang, Legislative Equity Officer

Dear Ms. Roberts,

I was notified on April 2 by Ms. Bor Yang that you have opened an investigation under Legislative Branch Rule 27 related to complaints arising from two remonstrances I delivered in mid-March. I am writing to provide a statement in response.

To be clear, my statement does not indicate agreement with the validity of Rule 27. I have serious concerns that this rule may infringe upon rights protected under the U.S. Constitution—specifically, the First Amendment (freedom of speech) and the Due Process Clause of the Fifth and Fourteenth Amendments. Rule 27 is vulnerable to constitutional challenge if it disciplines political speech, targets specific viewpoints, or lacks procedural fairness.

I was surprised to learn that Rule 27 is being used to investigate a legislator's remarks during official remonstrances. Under Article IV, Section 9 of the Oregon Constitution, members of the Legislative Assembly are not to be questioned elsewhere for words spoken in debate. This constitutional protection exists precisely to preserve free and open legislative discourse.

The first complaint relates to my March 17 House floor remonstrance reading of a sexually explicit passage from a public-school library book while opposing Senate Bill 1098. Ironically, the very material described as creating a "hostile work environment" by staff is the same content that some legislators want to prevent parents from shielding children from in schools.

The second complaint relates to my March 27 House floor remonstrance expressing my concerns about House Bill 3014 and its implications, including putting tampons in boys' bathrooms. I expressed my views grounded in my biblical beliefs about male and female, as God created us. Any attempt to censor or punish me for these views would be a direct violation of my religious freedom.

In conclusion, I find this investigation not only unwarranted, but emblematic of the constitutional issues embedded in Rule 27. This rule is in need of serious reform.

Sincerely,

Dwayne Yunker, State Representative, Oregon House District 3

Rep Yunker

From: Yang Bor
Sent: Monday, July 14, 2025 7:53 AM
To: Rep Yunker
Cc: Kia Roberts; Matias Aislyn
Subject: CONFIDENTIAL COMMUNICATION FROM LEO

Importance: High

****CONFIDENTIAL COMMUNICATION****

Dear Representative Yunker,

Please accept my apologies for the delay in responding to your inquiry.

The investigator has given me authorization to share this information with you as a status update. On May 6, 2025, one of the individuals alleging that you created a hostile work environment asked the investigator to review a possible claim for retaliation based upon your release of the confidential letter to the press. That last allegation extends the investigation through July 29, 2025.

My understanding is that you have not made any efforts to participate in the investigation. You still have time to speak to the investigator if you have not already done so. I highly encourage you to reach out to her. In any case, a DRAFT report will be sent to you with time to respond before it goes to the House Conduct Committee. You'll also have another opportunity to provide a written response to the FINAL report and appear before the Committee.

I'm available to answer any Rule 27 related or procedural questions you may have. Don't hesitate to reach out for an appointment.

Bor

Bor Yang (she/her/hers)
Legislative Equity Officer
Public Service Building, First Floor
255 Capitol Street NE
Salem, OR 97301
503-986-1625
Bor.Yang@oregonlegislature.gov

DWAYNE YUNKER
STATE REPRESENTATIVE
DISTRICT 3



OREGON HOUSE OF REPRESENTATIVES

July 11, 2025

Co-Chair Senator Dick Anderson
Co-Chair Senator Floyd Prozanski
Co-Chair Representative Jason Kropf
Co-Chair Representative Kevin Mannix
Joint Committee on Conduct
Oregon State Legislature
900 Court St. NE
Salem, OR 97301

RE: Request for Audit of Legislative Equity Office

Dear Co-Chairs Anderson, Prozanski, Kropf, and Mannix,

I am writing today to formally request that the Joint Committee on Conduct initiate an independent audit and operational review of the Legislative Equity Office (LEO).

This request is driven by my direct experience with a Rule 27 investigation in which the LEO has failed to comply with the timelines and procedural requirements clearly set forth in the rule.

On April 2, 2025, I was notified that two complaints had been filed against me—one on March 26 and one on March 27—stemming from floor remonstrances delivered on March 17 and 27. I submitted a formal response to the independent investigator within a week, on April 9.

Under Rule 27, the investigation was to be completed within 84 days, with both the complainant and respondent receiving regular updates throughout the process. It has now been over 105 days since the second complaint, and I have received no updates nor have I been told that the investigation has been concluded.

When I contacted the LEO earlier this week to ask about the status of the investigation, staff were unable to tell me where things stood—an alarming failure in basic accountability and procedural compliance.

This lack of transparency and adherence to process is unacceptable in any part of government, but especially concerning in an office tasked with enforcing ethical standards and ensuring fairness. Given this experience, I respectfully ask the Committee to initiate a comprehensive review of the LEO to assess:

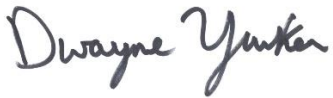
1. Whether the office is operating in compliance with its statutory and procedural obligations;

2. Whether its internal processes ensure fairness and timeliness for all parties;
3. Whether the office is fulfilling its mission, and if it continues to serve a necessary and effective function for the Legislature.

As I stated publicly, "If the office responsible for oversight can't follow its own rules, that's a serious problem." Rule 27, in its current application, appears to lack procedural integrity and constitutional safeguards. The public, and members of this body, deserve better.

Thank you for your attention to this matter. I am available to discuss my experience and concerns in greater detail if the Committee finds it helpful.

Sincerely,

A handwritten signature in dark ink that reads "Dwayne Yunker". The signature is written in a cursive, slightly slanted style.

Dwayne Yunker, State Representative, Oregon House District 3

Rep Yunker

From: Rep Yunker
Sent: Tuesday, July 29, 2025 4:28 PM
To: Rep Mannix
Cc: Rep Kropf; Sen Prozanski; Sen Anderson
Subject: RE: Request for an Audit of the Legislative Equity Office
Attachments: 2025.4.09_Letter to Kia Roberts about investigation.pdf; FINAL 7.25.25 Yunker Report.pdf

Hello Joint Committee on Conduct Co-Chairs Mannix, Kropf, Prozanski, and Anderson,

Thank you Representative Mannix for your email updating me on this matter.

Further to your email and now that I am in receipt of the investigator's report, issued yesterday, of my conduct, I would like to renew my request for this Committee to initiate a comprehensive review of the Legislative Equity Office. This request is broader than simply asking for a review of the procedures under Rule 27.

As previously requested, I urge the Committee to initiate a comprehensive review of the LEO to assess:

1. Whether the office is operating in compliance with its statutory and procedural obligations;
2. Whether its internal processes ensure fairness and timeliness for all parties;
3. Whether the office is fulfilling its mission, and if it continues to serve a necessary and effective function for the Legislature.

I have several points of information that may be relevant to such a review, as follows:

I have reviewed the investigator's report of my conduct, and have the following procedural concerns:

1. Lack of timely notice of a complaint against me;
2. Lack of adherence to investigation timelines;
3. False intimations that I am not allowed to share publicly written correspondence that I receive;
4. Lack of alignment with Oregon's constitutional protections for words spoken in debate by members of the Legislative Assembly;
5. Investigation launched on the basis of unexpressed/subjective "feelings" rather than objective harms;
6. Use of an outside consultant for work that could have easily been conducted in-house.

I have initiated several public records requests, for the following information:

1. Salaries and total payroll costs for the employees of the LEO;
2. All invoices from Kia Roberts received in the last 12 months (7/28/24-7/28/25);
3. All invoices from Cristela Delgado-Daniel received in the last 12 months (7/28/24-7/28/25).

To date, the first request has been fulfilled while the other two remain outstanding. Here is the response I received on the first request about LEO salaries:

Monthly Salaries:

Bor Yang- \$18,987

Aislyn Matias- \$6,447

Annual Salaries:

Bor Yang- \$227,844

Aislyn Matias- \$73,859.64

Benefit costs:

Bor Yang- \$101,690.52

Aislyn Matias- \$37,858.08

Total Costs (Annual Salary + Benefits):

Bor Yang- \$329,534.52

Aislyn Matias- \$111,717.72

I am aware that according to ORS 173.900, the Joint Committee on Conduct can terminate the Legislative Equity Officer for cause.

I am attaching my letter to the investigator as well as her report, in case they are helpful to you.

Sincerely,

Dwayne



Dwayne Yunker

State Representative

House District 3 (Josephine County)

oregonlegislature.gov/yunker

Rep.DwayneYunker@oregonlegislature.gov

503.986.1403

900 Court Street NE, H-377, Salem 97301

From: Rep Mannix <Rep.KevinMannix@oregonlegislature.gov>

Sent: Monday, July 28, 2025 11:45 AM

To: Rep Yunker <Rep.DwayneYunker@oregonlegislature.gov>

Cc: Rep Kropf <Rep.JasonKropf@oregonlegislature.gov>; Sen Prozanski <Sen.FloydProzanski@oregonlegislature.gov>;

Sen Anderson <Sen.DickAnderson@oregonlegislature.gov>

Subject: Request for an Audit of the Legislative Equity Office

Dear Representative Yunker,

I have your July 11 and July 14 request for an audit of the Legislative Equity Office. I have conferred with Senator Prozanski and Representative Kropf about this matter. Your concern in regard to any investigation as to your conduct should be directed to the House Conduct Committee not the Joint Committee on Conduct. Your request for an audit of the Legislative Equity Office (LEO) operations is a matter for the Joint Committee on Conduct.

You have referred to a conduct complaint relating to you. Any such complaint is required to be served upon you and your caucus leader. Confidential disclosures or reports are not published at that stage. Typically, if an investigation has commenced after a confidential disclosure or report is made, the assigned investigator should contact the respondent (here, you) by phone or in person as the LEO and its contract investigators try not to include any confidential information in emails.

At present, the House Conduct Committee does not have a report from an investigator relating to any complaint against you. You will be notified when such a report is presented so additional steps can be taken.

The Joint Committee on Conduct has started carrying out a holistic review of the procedures under Rule 27. This has been delayed because the Senate Republican Caucus wanted to wait until September Legislative Days to receive a report from the LEO, Bor Yang, as to proposed changes.

I understand that you are aware of an investigation which is being conducted as you have made public remarks about this. I am personally sympathetic to your point that these matters should not drag on during the confidential investigation phase. This is an issue we should address in our review of the process with a goal of making it efficient, effective, fair, and as swift as possible.

Sincerely,

Kevin L. Mannix



Representative Kevin L. Mannix

Oregon House of Representatives
House District 21
(O) (503) 986-1421
900 Court Street, Office 384 | Salem OR, 97301
www.oregonlegislature.gov/mannix

Please note that all emails sent to and from this email address are shared among Representative Mannix and his staff and may be subject to disclosure under Oregon public records laws.

Advertisement

OPINION

Editorial: Politics is not a ‘safe space’

Published: Aug. 03, 2025, 7:00 a.m.



The Oregon House of Representatives meets in the House Chamber at the state capitol in Salem on Thursday, June 26th, 2025. Allison Barr/The Oregonian



By [The Oregonian Editorial Board](#)

Oregonians don't have to agree with Rep. Dwayne Yunker that school districts should retain broad discretion to ban books. They don't have to approve of the Republican legislator's tactic of reading a sexually explicit passage from a controversial school library book to make his point.

But they should 100% object to the idea that Yunker's reading of the passage as part of a political argument on the House floor constitutes harassing behavior. Unfortunately, [an investigation commissioned](#) by the [Legislative Equity Office](#) has concluded that Yunker's actions could have created a hostile workplace and affected employees' ability to do their jobs. The matter now goes to the [Joint Committee on Conduct](#) for consideration.

The investigation, conducted by Kia Roberts of Triangle Investigations for a sum of money that the equity office declined to disclose, details the March 17 floor session in which Yunker, a Republican from Grants Pass, read a passage graphically describing sex between two teen characters from “The Haters” by Jesse Andrews. The book was one that a mother in his district unsuccessfully sought to have removed from a high school’s library, and Yunker used the book to illustrate his opposition to [Senate Bill 1098](#), as [The Oregonian/OregonLive’s Carlos Fuentes reported](#). The legislation, which ultimately passed, restricts school districts from banning books due to themes of race, gender, sexual orientation, religion or disability.

Yunker’s comments came during “[remonstrances](#)” – a three-minute-or-less “protest” by a legislator to be entered into the official record. He stopped reading only after Rep. Kevin Mannix, R-Salem, twice objected, reflecting the discomfort that many people felt.

That was also, however, the point he was trying to make. While we may disagree with both his position and his methods – and the passage violated the House’s standards on not using “indecent or profane” language – his actions were relevant to the debate.

However, about a week and a half later, two unidentified people filed complaints about the reading for potentially violating “Rule 27,” a legislative branch personnel rule that prohibits harassment and outlines policies for creating a safe, respectful workplace at the Legislature. (Two other complaints alleging retaliation and objecting to comments on a separate day were not found to be possible violations).

Roberts interviewed unnamed witnesses who described feeling uncomfortable. One witness noted that Yunker is in a position of power and likened the situation to a boss reading erotica to her. She said she had to get up and leave, causing her not to be able to do her job. Another witness said she felt nauseous and also had to walk out.

For his part, Yunker sent the interviewer a letter outlining his objections to an investigation targeting his political comments. He also questioned whether Rule 27 infringes on free speech rights, particularly if it disciplines political speech or specific viewpoints.

It’s a valid question. Importantly, [the rule notes](#) the Legislature “recognizes that the constitutional protections guaranteeing freedom of speech and expression must be taken into account in determining the rights afforded to individuals in the State Capitol under

this rule.” It also includes this passage: “The Legislative Branch emphasizes the importance of fostering an environment where all viewpoints are welcomed and respected, as disagreement does not equal harassment.”

However, Roberts did not address the potential free speech issue or even appear to consider the political context of Yunker’s comments on the House floor. Rather, she wrote that “continuous exposure to inflammatory language can erode self-esteem, create anxiety, and lead to chronic stress, which may affect both mental and physical health. When individuals are trapped in such hostile conditions without a clear avenue for relief or redress, the cumulative effect can result in decreased job performance, burnout, and even long-term trauma, fostering a workplace culture of fear and exclusion rather than respect and inclusion.”

Roberts missed a fundamental understanding of what happens in a legislative body. The act of legislating requires that lawmakers be able to represent their constituents, challenge each other’s viewpoints and thoroughly debate issues and consequences to ensure that legislation considers the broad impact on Oregonians across the state. Provided lawmakers are not inciting violence or maliciously targeting individuals, they should be able to advocate for their constituents without fear of being accused of creating a hostile workplace.

Politics is not a safe space. If people are offended by open debate, they should not be working in politics.

When the conduct committee meets to consider the issue, they should explore whether Rule 27 needs to be further clarified or if the Legislative Equity Office needs additional direction. And they should unanimously conclude that Yunker’s reading in no way created a hostile workplace.

RECOMMENDED

Readers respond: Special session must reach transportation solution Aug. 4, 2025, 6:00 a.m.

Opinion: Portland must compete now to remain 'Rip City' forever Aug. 3, 2025, 6:45 a.m.