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LDF Files FOIA Requests Regarding the Activity of Federal Agents in Portland, Oregon

Today, the NAACP Legal Defense and Educational Fund, Inc. (LDF) sent Freedom of Information Act (FOIA) requests to the U.S. Department of Justice, U.S. Marshals Service, the Department of Homeland Security (DHS), and the U.S. Customs and Border Protection (CBP) to determine what, if any, authority this Administration, including Acting U.S. Customs and Border Protection Commissioner Mark Morgan, had to deploy federal agents to operate in Portland, Oregon, to “control” protesters. The requests were also sent to determine the authority for federal agents to use force against protestors, including tear gas.

Peaceful protests have been occurring in Portland since the killing of George Floyd on May 25, 2020. In the last two weeks, however, the federal government has deployed law enforcement personnel from several federal agencies. The decision to do so, and the manner in which the personnel are being deployed, threatens protesters’ ability to safely exercise their constitutional right to voice their demands for racial justice and systemic reform. In addition, reports indicate that since July 14, 2020, federal agents have been driving around the city in unmarked vehicles and detaining protesters. Governor Kate Brown has described federal officers patrolling the streets of Portland as a “blatant abuse of power by the federal government.”

“Peaceful protesters in Portland continue to encounter militaristic, organized force from multiple federal agencies,” said LDF Senior Counsel Natasha Merle. “In recent days, we have seen reports and disturbing footage of these federal agents detaining and/or arresting individuals without explanation. The deployment of these law enforcement personnel remains completely unprovoked and unnecessary. These FOIA requests will help us determine whether this Administration has exceeded its authority to send these personnel into the streets of Portland and whether these actions violated the rights of concerned citizens.”

Read the FOIA requests sent to the U.S. Department of Justice, U.S. Marshals Service, the Department of Homeland Security (DHS), and the U.S. Customs and Border Protection (CBP).

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Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation's first civil and human rights law organization. LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF's Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.

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