

OFFICE OF LEGISLATIVE LEGAL SERVICES

COLORADO GENERAL ASSEMBLY

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June 15, 2022

Mr. Hart Wood
American Oversight
1030 15th Street NW, Suite B255
Washington, DC 20005
E-mail address: records@americanoversight.org

Re: June 10, 2022, Colorado Open Records Act request to Representative Dave Williams.

Dear Mr. Wood:

On behalf of Representative Dave Williams, I am responding to your Colorado Open Records Act ("CORA") request dated June 10, 2022, and received by Representative Dave Williams on the same day. You requested:

All electronic communications (including emails, email attachments, complete email chains, calendar invitations, calendar invitation attachments, text messages, or messages on messaging platforms, such as Slack, GChat or Google Hangouts, Lync, Skype, or WhatsApp) between (a) Representative Dave Williams and (b) any of the individuals or entities listed below (including, but not limited to, at the email addresses provided). In the case of emails and texts, the search should include those sent or received from the specified officials' personal accounts and devices if they were used to conduct official business, as well those sent from official email addresses or government-issued devices.

Specified Parties:

1. Anyone communicating from an email address ending in @americasfuture.net
2. Anyone communicating from the email address surfsupnow@protonmail.com
3. Arizona State Senator Wendy Rogers (wrogers@azleg.gov, wendyjrogers@gmail.com)
4. Ashe Epp (asheinamerica@protonmail.com)
5. Barry Farah (barry@barryfarah.com)
6. Christina Bobb (christina@cgbstrategies.com, christina.bobb@oann.com)
7. Dennis Haugh (dennis@dhaugh.com)

8. Doug Frank (drdouglasgfrank@protonmail.com)
9. Draza Smith (drazasmith@gmail.com, drazasmith@protonmail.com)
10. Holly Kasun/Casen (hollyataltitude@protonmail.com)
11. Ivan Raiklin (ivan@raiklin.com, ivan.raiklin@gmail.com)
12. Jeff O'Donnell (theloneraccoon@protonmail.com)
13. Joe Oltmann (joe@fecunited.com, joe@pinbn.com)
14. John Eastman (jeastman@claremont.org, jeastman@chapman.edu, john.eastman@colorado.edu), or anyone communicating from an email address ending in @ccg1776.com
15. Jon Hotaling (jon.hotaling@gmail.com)
16. Kurt Olsen (kurtols@protonmail.com)
17. Lin Wood, or anyone communicating from an email address ending in @fightback.law
18. Mike Lindell, or anyone communicating from an email address ending in @mypillow.com
19. Neal Schuerer (neal@pathtoreform.org, nschuerer@outlook.com)
20. Phil Waldron (phil@onewarrior.com), or anyone communicating from an email address ending in @bonfiresearch.org
21. Russ Ramsland (yrku9sqs@protonmail.com), anyone communicating from an email address ending in @alliedspecialops.us
22. Scott Gessler (scott@scottgessler.com)
23. Shawn Smith (luftsas@gmail.com, ratioinvictus@protonmail.com)
24. Sherronna Bishop (including, but not limited to contactamericasmom@gmail.com)
25. Sidney Powell (sherlock1776@protonmail.com, sidney@federalappeals.com)
26. Virginia State Senator Amanda Chase, or anyone communicating from an email address ending in @chaseforva.com

Please provide all responsive records from November 3, 2020, through the date the search is conducted.

For the purpose of this response and to assist you in making any future requests, I refer you to the policies of the Colorado General Assembly regarding public records requests. The policies are included in the "Legislative Policies Related to Public Records and E-Mail", dated July 2019 ("the Policies"), and are available through the "Open Records Requests and Policy" link located at the bottom of the Colorado General Assembly website: leg.colorado.gov.

Section 24-72-202 (6)(a)(I), Colorado Revised Statutes, defines "public records" as writings "made, maintained, or kept by the state, any agency, ...or political subdivision of the state ...for use in the exercise of functions required or authorized by law or administrative rule or involving the receipt or expenditure of public funds." Section 24-72-202 (6)(a)(II)(B), Colorado Revised Statutes, further provides that the term "public records" includes the correspondence of elected officials, except to the extent that the correspondence

is "without a demonstrable connection to the exercise of functions required or authorized by law or administrative rules and does not involve the receipt or expenditure of public funds." CORA does not cover records or information made or held by a public official in his or her private capacity, even if those records are created during the official's term of office.¹

Correspondence relating to campaigns is not public record, as that term is defined in section 24-72-202 (6), Colorado Revised Statutes, and is not subject to an open records request. The campaign correspondence is not made, maintained, or kept by the state of Colorado or any state agency or political subdivision of the state in connection with the exercise of a legislator's official functions as a member of the General Assembly, and does not involve the receipt or expenditure of public funds.

Representative Williams has reviewed the records in his custody and does not have any records that are responsive to your request.

Sincerely,



Sharon Eubanks
Director

cc: Representative Dave Williams

¹ See *Wick Communications Company v. Montrose County Board of County Commissioners*, 81 P.3d 360, 364 (Colo. 2003).