



July 3, 2024

**VIA EMAIL**

Klickitat County Sheriff's Office  
205 S Columbus Avenue MS-CH-7  
Room 108  
Goldendale, WA 98620  
[jennifers@klickitatcounty.org](mailto:jennifers@klickitatcounty.org)

**Re: Public Records Act Request**

Dear Public Records Officer:

Pursuant to the Public Records Act, RCW, Ch. 42.56, American Oversight makes the following request for records.

**Requested Records**

American Oversight requests that the Klickitat County Sheriff's Office produce the following records within five business days:

1. Records reflecting the expenses and costs incurred by Klickitat County related to Sheriff Bob Songer's trip to Las Vegas, Nevada on or around April 17, 2024.

To the extent your office has aggregated records sufficient to show all relevant expenses and costs, such as in spreadsheets, American Oversight would accept production of such records as sufficient. To the extent your office does not have an aggregated record of these costs, American Oversight requests records reflecting those costs, such as receipts, invoices, charge card or credit card statements, and reimbursement requests. Relevant expenses may include, but are not limited to, hotel or other lodging costs; costs for air travel, rental car, or other transportation companies; costs incurred for government transportation; the cost of meals or refreshments; and per diem payments.

Relevant expenses include costs associated with the travel of Sheriff Songer, and of any staff members, family members, or other individuals travelling with them.

2. All email communications (including emails, email attachments, complete email chains, and calendar invitations) and text messages or messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, Twitter direct messages, Facebook messages, WhatsApp, Signal, Telegram, or Parler) sent or received by Sheriff Songer, or anyone



communicating on his behalf such as a chief of staff, scheduler, or assistant, regarding his trip to Las Vegas, Nevada on or about April 17, 2024, or about CSPOA's Resist the Temptation Training & Press Conference

3. All email communications (including emails, email attachments, complete email chains, and calendar invitations) and text messages or messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, Twitter direct messages, Facebook messages, WhatsApp, Signal, Telegram, or Parler) between Sheriff Songer and any of the external parties listed below:
  - a. General Mike Flynn
  - b. Richard Mack
  - c. Mike Lindell
  - d. Sheriff Raymundo Del Bosque
  - e. Sheriff Dar Leaf
  - f. Patrick Byrne
  - g. Chrstina Tobin
  - h. Dr. Richard Fleming
  - i. Sam Bushman
  - j. Wayne Allyn Root
  - k. Tina Peters
  - l. cspoa2011@gmail.com

**For parts 1-3 of this request, please provide all responsive records from March 1, 2024, through April 30, 2024.**

4. All email communications (including emails, email attachments, complete email chains, and calendar invitations) sent by Sheriff Songer on April 17, 2024.

In an effort to accommodate Klickitat County and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited part 4 of its request to emails sent by Sheriff Songer. To be clear, however, American Oversight still requests that complete email chains be produced, displaying both sent and received messages. This means, for example, that both Songer's response to an email about the trip and the initial received message are responsive to this request and should be produced.

5. All text messages or messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, Twitter direct messages, Facebook messages, WhatsApp, Signal, Telegram, or Parler) sent or received by Sheriff Songer on April 17, 2024.

## **Fee Waiver Request**

In accordance with RCW § 42.56.120(4), American Oversight requests a waiver of fees associated with providing copies of the requested records to the extent permitted by your agency's rules and regulations.

American Oversight is a 501(c)(3) nonprofit with the mission to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses information gathered through research and public records requests, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and Twitter.com.<sup>1</sup>

The public has a significant interest in records related to Sheriff Songer's attendance at a CSPOA event in April 2024. Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the Klickitat County Sheriff's Office, including what communications Songer had during the event.

Accordingly, American Oversight respectfully requests a fee waiver.

To the extent your agency anticipates charging any fees in connection with this request for records, American Oversight requests that you inform us in advance of doing so.

## **Guidance Regarding the Search & Processing of Requested Records**

In connection with its request for records, American Oversight provides the following guidance regarding the scope of the records sought and the search and processing of records:

- Please search all locations and systems likely to have responsive records, regardless of format, medium, or physical characteristics.
- Our request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to our request, our request includes all prior messages sent or received in that email chain, as well as any attachments to the email.

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<sup>1</sup> American Oversight currently has approximately 16,000 followers on Facebook and 111,500 followers on Twitter.com. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited June 26, 2024); American Oversight (@weareoversight), Twitter.com, <https://twitter.com/weareoversight> (last visited June 26, 2024).

- Please search all relevant records or systems containing records regarding agency business. Do not exclude records regarding agency business contained in files, email accounts, or devices in the personal custody of your officials, such as personal email accounts or text messages. Records of official business conducted using unofficial systems or stored outside of official files are subject to the Public Records Act.<sup>2</sup>
- In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records.<sup>3</sup> If a request is denied in whole, please state specifically why it is not reasonable to segregate portions of the record for release. If a request is denied in whole or in part, please state specifically which statute renders the records or portions exempt from disclosure and provide a brief explanation of how the exemption applies to the record or portion withheld.<sup>4</sup>
- Please take appropriate steps to ensure that records responsive to this request are not deleted by the agency before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

## **Conclusion**

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on

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<sup>2</sup> See, e.g., *O'Neill v. City of Shoreline*, 170 Wn.2d 138, ¶ 11 (2010) (holding agency records on city officials' personal computers subject to PRA, and noting "If government employees could circumvent the PRA by using their home computers for government business, the PRA could be drastically undermined."); *Nissen v. Pierce County*, 183 Wn.2d 581, 585 (2015) (holding agency records on personal cell phones subject to PRA); see also Washington State Att'y Gen. Bob Ferguson, *Washington State Sunshine Laws 2016, An Open Government Resource Manual* at 7 (Oct. 31, 2016), [https://agportal-s3bucket.s3.amazonaws.com/uploadedfiles/Home/About the Office/Open Government Internet Manual/Open%20Government%20Resource%20Manual%202016%20-%20Oct.%2031%202016%20%282%29.pdf](https://agportal-s3bucket.s3.amazonaws.com/uploadedfiles/Home/About%20the%20Office/Open%20Government%20Internet%20Manual/Open%20Government%20Resource%20Manual%202016%20-%20Oct.%2031%202016%20%282%29.pdf).

<sup>3</sup> RCW § 42.56.210(1).

<sup>4</sup> RCW § 42.56.210(3).

a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, please contact Emma Lewis at [records@americanoversight.org](mailto:records@americanoversight.org) or (202) 919-6303. Also, if American Oversight's request for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

Sincerely,

/s/ Emma Lewis  
Emma Lewis  
on behalf of  
American Oversight