



January 12, 2022

VIA EMAIL

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Re: Public Records Request

Dear Public Records Officers:

Pursuant to the Arizona Public Records Law, A.R.S. §§ 39-121 et seq., American Oversight makes the following request for records.

Senators Wendy Rogers and Sonny Borrelli, and Representatives Leo Biasiucci and Mark Finchem attended a QAnon convention in Las Vegas, Nevada, in October 2021.¹ American Oversight seeks records with the potential to shed light on their participation in this conference.

Requested Records

American Oversight requests that your office promptly produce the following records:

1. All records reflecting communications (including emails, email attachments, text messages, messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, WhatsApp, Telegram, or Parler), telephone call logs, calendar invitations, calendar entries, calendar attachments, meeting notices, meeting agendas, informational material, talking points, any handwritten or electronic notes taken during any oral communications,

¹ Jerod Macdonald-Evoy, *GOP Legislators Spoke at a QAnon Convention Chock Full of Conspiracies and Hate*, AZ Mirror (Oct. 28, 2021, 9:23 AM), <https://www.azmirror.com/2021/10/28/gop-legislators-spoke-at-a-qanon-convention-chock-full-of-conspiracies-and-hate/>.



summaries of any oral communications, or other materials) between (a) Senators Wendy Rogers or Sonny Borrelli, or Representatives Leo Biasiucci or Mark Finchem and (b) any of the individuals listed below:

- a. John Sabal, Conference Organizer
 - b. Amy Sabal, Conference Organizer
 - c. Ron Watkins, Candidate
 - d. Jim Marchant, Candidate
 - e. Jim Watkins, 8Chan Owner
 - f. Jim Caviezel, Actor
 - g. Jason Sullivan, Chief Social Media Strategist to Roger J. Stone Jr.
 - h. Doug Billings, Political Commentator
 - i. Andre Popa, Conference Speaker
 - j. George Papadopolous, Conference Speaker
 - k. Juanita Broderick, Conference Speaker
2. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) sent by Senators Wendy Rogers or Sonny Borrelli, or Representatives Leo Biasiucci or Mark Finchem regarding the conference they attended in Las Vegas, Nevada, on or about October 23-24, 2021, organized by the Patriot Voice and entitled, "For God and Country Patriot Double Down."

In an effort to accommodate the Arizona legislature and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited its request to emails sent by the specified legislators. 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 a specified legislator's response to an email about the conference and the initial received message are responsive to this request and should be produced.

3. Any agendas, handouts, presentation materials, or programs, in the possession of Senators Wendy Rogers or Sonny Borrelli, or Representatives Leo Biasiucci or Mark Finchem, or handwritten or typed notes or meeting summaries created by Senators Wendy Rogers or Sonny Borrelli, or Representatives Leo Biasiucci or Mark Finchem, regarding the conference they attended in Las Vegas, Nevada, on or about October 23-24, 2021, organized by the Patriot Voice and entitled, "For God and Country Patriot Double Down."
4. Records reflecting the expenses and costs incurred by the Arizona legislature related to Senators Wendy Rogers or Sonny Borrelli, and Representatives Leo Biasiucci or Mark Finchem related to the conference they attended in Las Vegas, Nevada, on or about October 23-24, 2021, organized by the Patriot Voice and entitled, "For God and Country Patriot Double Down."

To the extent your office has aggregated records sufficient to show all relevant expenses and costs, such as 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 diem payments.

Relevant expenses include costs associated with the travel of the specified legislator's and of any staff members, family members, or other individuals travelling with them.

For parts 1-4 of this request, please provide all responsive records from July 1, 2021, through November 15, 2021.

Statement of Noncommercial Purpose

This request is made for noncommercial purposes. American Oversight seeks records regarding the participation of Arizona legislators in a QAnon-affiliated conference. Records with the potential to shed light on this issue would contribute significantly to public understanding of operations of the government, what communications participating legislators had about the conference and how much, if any, state funding was spent on their attendance and participation.

Because American Oversight is a 501(c)(3) nonprofit, this request is not in American Oversight's financial interest and is not made for a commercial purpose. American Oversight's mission is to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information gathered, 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.²

Because this request is made for noncommercial purposes, American Oversight requests that any fees charged in connection with processing this request be limited to copying

² American Oversight currently has approximately 15,600 page likes on Facebook and 109,400 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Jan. 6, 2022); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Jan. 6, 2022).

and postage charges, if applicable.³ Please notify American Oversight of any anticipated fees or costs in excess of \$100 prior to incurring such costs or fees.

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.
- 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.
- If any records are withheld in full or in part, pursuant to A.R.S. § 39-121.01(D)(2), please provide an index of records or categories of records that have been withheld and the reasons the records or categories of records have been withheld.
- 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. If a request is denied in whole, please state specifically why it is not reasonable to segregate portions of the record for release.
- 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.

³ A.R.S. § 39-121.01(D)(1); *see also Hanania v. City of Tucson*, 128 Ariz. 135, 624 P.2d 332 (Ct. App. 1980). Furthermore, because this request is for noncommercial purposes, additional fees provided for under A.R.S. § 39-121.03(A) are not applicable and should not be assessed.

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 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 Zachery Morris at records@americanoversight.org or (202) 897-4213.

Sincerely,

/s/ Zachery Morris
Zachery Morris
on behalf of
American Oversight