



July 18, 2025

VIA Electronic Delivery

Fremont County Clerk & Recorder
615 Macon Ave
Cañon City, CO 81212
Via online portal

Re: Colorado Open Records Act Request

Dear Custodian of Records:

Pursuant to the Colorado Open Records Act (“CORA”), Colo. Rev. Stat. Ann. §§ 24-72-200.1–206 (West 2022), Democracy Forward Foundation (“DFF” or “Democracy Forward”) submits this request for records.

Records Requested

Democracy Forward Foundation requests that Fremont County, Colorado produce the following:

All records reflecting communications (including emails, email attachments, memoranda, presentations, complete email chains, calendar invitations, calendar invitation attachments, text messages, or messages on messaging platforms, including Slack and Microsoft Teams) (a) between Fremont County Clerk Justin Grantham or anyone communicating on his behalf and (b) any of the external individuals or domains listed below:

External Individuals and Domains

1. @usdoj.gov
2. @dhs.gov
3. @76.group
4. @who.eop.gov
5. Jeff Small
6. Stephen Miller

This request seeks records from June 15, 2025 until the date of the search.

Scope of Search

In searching for responsive records, please search for records regardless of format, including paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical materials. This request includes, without limitation, all correspondence, letters, emails, text messages, calendar entries, facsimiles, telephone messages, voice mail messages, and transcripts, notes, minutes, or audio or video recordings of any meetings, telephone conversations, or discussions. However, please exclude publicly available materials such as news clips that mention otherwise responsive search terms, unless the records contain additional discussion or commentary from State employees or contacts at the organizations listed above.

The Public Records Law requires agencies to disclose information, with only limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. Colo. Rev. Stat. Ann. § 24-72-204(1)–(3). In the event that Fremont County wishes to deny the right to inspect or obtain a copy of requested records we request a written statement from Fremont County of the grounds for denial, citing the laws or regulations under which access is denied. *Id.* § 24-72-204(4) We also reserve the right to appeal any decisions to deny inspection of records. *Id.* § 24-72-204(5)(a).

If requested records are located in, or originated in, another agency, department, office, installation or bureau, please refer this request or any relevant portion of this request to the appropriate entity.

To the extent that the records are readily reproducible in a searchable, electronic format, we would prefer to receive the records in that format. However, if certain records are not available in that format, we are willing to accept the best available copy of each such record.

Please respond to this request in writing within three business days to set a date and hour for the inspection of records as required by section 24-72-203(3)(b) of the CORA. If all of the requested documents are not available within that time period, we request that you provide us with all requested documents or portions of documents that are available within that time period.

Request for Fee Waiver

Democracy Forward Foundation requests a waiver of document search, review, and duplication fees associated with processing records for this request, in accordance with section 24-72-205(4).

The requested waiver is in the public interest because providing the copy of the information sought primarily benefits the general public. Democracy Forward Foundation has a demonstrated

ability to disseminate information of public interest requested through freedom of information statutes, and based upon responses to this request may assist in publicizing records received to contribute to the public's understanding of communications Colorado county clerks may be having with individuals associated with the federal government. Indeed, records received by Democracy Forward Foundation have previously formed the basis of news reports.¹

Conclusion

If you need clarification as to the scope of the request, have any questions, or foresee any

¹ See, e.g., Alexander Nazaryan, *Why did right-wing troll Charles C. Johnson meet with Commerce Secretary Wilbur Ross?*, Yahoo News (May 14, 2019), <https://news.yahoo.com/why-did-rightwing-troll-charles-c-johnson-want-to-meet-with-commerce-secretary-wilbur-ross-090000636.html>; Derek Kravitz and Jack Gillum, *"Happy to Do It": Emails Show Current FAA Chief Coordinated With Ex-Lobbyist Colleagues on Policy*, ProPublica (Mar. 27, 2019), <https://www.propublica.org/article/dan-elwell-current-faa-chief-coordinated-with-ex-lobbyist-colleagues-on-policy>; Hamid Aleaziz, *Emails Show US Border Officials Didn't Receive "Zero Tolerance" Guidance Until After the Policy Was Enacted*, BuzzFeed News (Feb. 28, 2019), <https://www.buzzfeednews.com/article/hamedaleaziz/zero-tolerance-policy-guidance-dhs-family-separation>; Jonathan Cohn and Jeffrey Young, *Emails Show Trump Administration Was Told Obamacare Ad Cuts Could Hurt Enrollment*, Huffpost (Dec. 17, 2018), https://www.huffingtonpost.com/entry/trump-verma-obamacare-advertising-cut_us_5c115061e4b084b082ff8dba; Madison Pauly, *When the Biggest Prison Company Complained About a California Sanctuary Law, ICE Listened*, Mother Jones (Dec. 7, 2018), <https://www.motherjones.com/politics/2018/12/geo-memo-private-prison-california-immigration/>; Eliza Rellman, *'Just answer the question and kill this story': In internal emails, Heather Nauert criticized Rex Tillerson's refusal to deny reports that he called Trump a 'moron.'* Business Insider (Nov. 2, 2018), <https://www.businessinsider.com/heather-nauert-rex-tillerson-trump-moron-2018-11>; Rebecca Klein, *Lawsuit Accuses Betsy DeVos And Her Deputies Of Being Motivated By Sexism*, HuffPost (Oct. 31, 2018), https://m.huffpost.com/us/entry/us_5bd9ff6ee4b01abe6a1ad4a9; Nick Penzenstadler, *A year after Vegas shooting, ATF emails reveal blame, alarm over bump stocks*, USA Today (Oct. 1, 2018), <https://www.usatoday.com/story/news/2018/10/01/year-after-vegas-shooting-atf-emails-reveal-blame-alarm-over-bump-stocks/1432137002/>; Jessica Kwong, *Ivanka Trump was more than complicit in Obama equal pay rollback-she had a hand in it, watchdog alleges*, Newsweek (Aug. 29, 2018), <https://www.newsweek.com/ivanka-trump-equal-pay-complicit-obama-1093833>; Vera Bergengruen, *New Emails Show What Happens When The Pentagon Has To Scramble To Catch Up To Trump*, BuzzFeed News (July 25, 2018), <https://www.buzzfeednews.com/article/verabergengruen/these-emails-show-what-happens-when-the-white-house-keeps>; Erin Dooley, *Exclusive: Former for-profit college executive shaped Education Department policy that could benefit former employers: Documents*, ABC News (May 15, 2017), <https://abcnews.go.com/US/exclusive-profit-college-executive-shaped-education-department-policy/story?id=55108981>; Heidi Przybyla, *Notes, emails reveal Trump appointees' war to end HHS teen pregnancy program*, NBC News (Mar. 20, 2018), <https://www.nbcnews.com/politics/politics-news/notes-emails-reveal-trump-appointees-war-end-hhs-teen-pregnancy-n857686>; Dominic Holden, *Documents Show The Trump Administration Approved Bump Stocks Before It Opposed Them*, BuzzFeed News (Mar. 22, 2018), <https://www.buzzfeednews.com/article/dominicholden/trump-administration-bump-stocks>; Bernard Condon, *Trump Advisor Denies He Cheered End of Tunnel Funding Deal*, Associated Press (Feb. 13, 2018), available at <https://www.usnews.com/news/business/articles/2018-02-13/trump-adviser-denies-he-cheered-end-of-tunnel-funding-deal>; Celeste Katz, *Interior Department tapped wildfire preparedness funds for Ryan Zinke helicopter tour*, Newsweek (Dec. 29, 2017), <https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857>.

obstacles to releasing fully the requested records, please contact me as soon as possible at foia@democracyforward.org.

We appreciate your assistance and look forward to your prompt response.

Sincerely,

/s/ Skye Perryman

Skye Perryman

President & CEO

Democracy Forward Foundation

P.O. Box 34553

Washington, D.C. 20043



September 5, 2025

VIA Electronic Delivery

Fremont County Clerk & Recorder
615 Macon Ave
Cañon City, CO 81212
recordingdivision@fremontcountyco.gov
Via email

Re: Colorado Open Records Act Request

Dear Custodian of Records:

Pursuant to the Colorado Open Records Act (“CORA”), Colo. Rev. Stat. Ann. §§ 24-72-200.1–206 (West 2022), Democracy Forward Foundation (“DFF” or “Democracy Forward”) submits this request for records.

Records Requested

Democracy Forward Foundation requests that Fremont County, Colorado produce the following:

All records reflecting communications (including emails, email attachments, memoranda, presentations, complete email chains, calendar invitations, calendar invitation attachments, text messages, or messages on messaging platforms, including Slack and Microsoft Teams) (a) between Fremont County Clerk Justin Grantham or anyone communicating on his behalf and (b) any of the external individuals or domains listed below:

External Individuals and Domains

1. @usdoj.gov
2. @dhs.gov
3. @76.group
4. @who.eop.gov
5. Jeff Small
6. Stephen Miller

This request seeks records from June 23, 2025 until the date of the search.

Scope of Search

In searching for responsive records, please search for records regardless of format, including paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical materials. This request includes, without limitation, all correspondence, letters, emails, text messages, calendar entries, facsimiles, telephone messages, voice mail messages, and transcripts, notes, minutes, or audio or video recordings of any meetings, telephone conversations, or discussions. However, please exclude publicly available materials such as news clips that mention otherwise responsive search terms, unless the records contain additional discussion or commentary from State employees or contacts at the organizations listed above.

The Public Records Law requires agencies to disclose information, with only limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. Colo. Rev. Stat. Ann. § 24-72-204(1)–(3). In the event that Fremont County wishes to deny the right to inspect or obtain a copy of requested records we request a written statement from Fremont County of the grounds for denial, citing the laws or regulations under which access is denied. *Id.* § 24-72-204(4) We also reserve the right to appeal any decisions to deny inspection of records. *Id.* § 24-72-204(5)(a).

If requested records are located in, or originated in, another agency, department, office, installation or bureau, please refer this request or any relevant portion of this request to the appropriate entity.

To the extent that the records are readily reproducible in a searchable, electronic format, we would prefer to receive the records in that format. However, if certain records are not available in that format, we are willing to accept the best available copy of each such record.

Please respond to this request in writing within three business days to set a date and hour for the inspection of records as required by section 24-72-203(3)(b) of the CORA. If all of the requested documents are not available within that time period, we request that you provide us with all requested documents or portions of documents that are available within that time period.

Request for Fee Waiver

Democracy Forward Foundation requests a waiver of document search, review, and duplication fees associated with processing records for this request, in accordance with section 24-72-205(4).

The requested waiver is in the public interest because providing the copy of the information sought primarily benefits the general public. Democracy Forward Foundation has a demonstrated

ability to disseminate information of public interest requested through freedom of information statutes, and based upon responses to this request may assist in publicizing records received to contribute to the public's understanding of communications Colorado county clerks may be having with individuals associated with the federal government. Indeed, records received by Democracy Forward Foundation have previously formed the basis of news reports.¹

Conclusion

If you need clarification as to the scope of the request, have any questions, or foresee any

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obstacles to releasing fully the requested records, please contact me as soon as possible at foia@democracyforward.org.

We appreciate your assistance and look forward to your prompt response.

Sincerely,

/s/ Skye Perryman

Skye Perryman

President & CEO

Democracy Forward Foundation

P.O. Box 34553

Washington, D.C. 20043



July 18, 2025

VIA Electronic Delivery

El Paso County Colorado
1675 W, 1675 Garden of the Gods Rd
Colorado Springs, CO 80907
Via online portal

Re: Colorado Open Records Act Request

Dear Custodian of Records:

Pursuant to the Colorado Open Records Act (“CORA”), Colo. Rev. Stat. Ann. §§ 24-72-200.1–206 (West 2022), Democracy Forward Foundation (“DFF” or “Democracy Forward”) submits this request for records.

Records Requested

Democracy Forward Foundation requests that El Paso County, Colorado produce the following:

All records reflecting communications (including emails, email attachments, memoranda, presentations, complete email chains, calendar invitations, calendar invitation attachments, text messages, or messages on messaging platforms, including Slack and Microsoft Teams) (a) between El Paso County Clerk Steve Schleiker or anyone communicating on his behalf and (b) any of the external individuals or domains listed below:

External Individuals and Domains

1. @usdoj.gov
2. @dhs.gov
3. @76.group
4. @who.eop.gov
5. Jeff Small
6. Stephen Miller

This request seeks records from June 15, 2025 until the date of the search.

Scope of Search

In searching for responsive records, please search for records regardless of format, including paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical materials. This request includes, without limitation, all correspondence, letters, emails, text messages, calendar entries, facsimiles, telephone messages, voice mail messages, and transcripts, notes, minutes, or audio or video recordings of any meetings, telephone conversations, or discussions. However, please exclude publicly available materials such as news clips that mention otherwise responsive search terms, unless the records contain additional discussion or commentary from State employees or contacts at the organizations listed above.

The Public Records Law requires agencies to disclose information, with only limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. Colo. Rev. Stat. Ann. § 24-72-204(1)–(3). In the event that El Paso County wishes to deny the right to inspect or obtain a copy of requested records we request a written statement from El Paso County of the grounds for denial, citing the laws or regulations under which access is denied. *Id.* § 24-72-204(4) We also reserve the right to appeal any decisions to deny inspection of records. *Id.* § 24-72-204(5)(a).

If requested records are located in, or originated in, another agency, department, office, installation or bureau, please refer this request or any relevant portion of this request to the appropriate entity.

To the extent that the records are readily reproducible in a searchable, electronic format, we would prefer to receive the records in that format. However, if certain records are not available in that format, we are willing to accept the best available copy of each such record.

Please respond to this request in writing within three business days to set a date and hour for the inspection of records as required by section 24-72-203(3)(b) of the CORA. If all of the requested documents are not available within that time period, we request that you provide us with all requested documents or portions of documents that are available within that time period.

Request for Fee Waiver

Democracy Forward Foundation requests a waiver of document search, review, and duplication fees associated with processing records for this request, in accordance with section 24-72-205(4).

The requested waiver is in the public interest because providing the copy of the information sought primarily benefits the general public. Democracy Forward Foundation has a demonstrated

ability to disseminate information of public interest requested through freedom of information statutes, and based upon responses to this request may assist in publicizing records received to contribute to the public's understanding of communications Colorado county clerks may be having with individuals associated with the federal government. Indeed, records received by Democracy Forward Foundation have previously formed the basis of news reports.¹

Conclusion

If you need clarification as to the scope of the request, have any questions, or foresee any

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We appreciate your assistance and look forward to your prompt response.

Sincerely,

/s/ Skye Perryman

Skye Perryman

President & CEO

Democracy Forward Foundation

P.O. Box 34553

Washington, D.C. 20043



July 18, 2025

VIA Electronic Delivery

Montrose County Colorado
1140 N Grand Avenue
Suite 250
Montrose, CO 81401
Via online portal

Re: Colorado Open Records Act Request

Dear Custodian of Records:

Pursuant to the Colorado Open Records Act (“CORA”), Colo. Rev. Stat. Ann. §§ 24-72-200.1–206 (West 2022), Democracy Forward Foundation (“DFF” or “Democracy Forward”) submits this request for records.

Records Requested

Democracy Forward Foundation requests that Montrose County, Colorado produce the following:

All records reflecting communications (including emails, email attachments, memoranda, presentations, complete email chains, calendar invitations, calendar invitation attachments, text messages, or messages on messaging platforms, including Slack and Microsoft Teams) (a) between Montrose County Clerk Tressa Guynes or anyone communicating on his behalf and (b) any of the external individuals or domains listed below:

External Individuals and Domains

1. @usdoj.gov
2. @dhs.gov
3. @76.group
4. @who.eop.gov
5. Jeff Small
6. Stephen Miller

This request seeks records from June 15, 2025 until the date of the search.

Scope of Search

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The Public Records Law requires agencies to disclose information, with only limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. Colo. Rev. Stat. Ann. § 24-72-204(1)–(3). In the event that Montrose County wishes to deny the right to inspect or obtain a copy of requested records we request a written statement from Montrose County of the grounds for denial, citing the laws or regulations under which access is denied. *Id.* § 24-72-204(4) We also reserve the right to appeal any decisions to deny inspection of records. *Id.* § 24-72-204(5)(a).

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ability to disseminate information of public interest requested through freedom of information statutes, and based upon responses to this request may assist in publicizing records received to contribute to the public's understanding of communications Colorado county clerks may be having with individuals associated with the federal government. Indeed, records received by Democracy Forward Foundation have previously formed the basis of news reports.¹

Conclusion

If you need clarification as to the scope of the request, have any questions, or foresee any

¹ See, e.g., Alexander Nazaryan, *Why did right-wing troll Charles C. Johnson meet with Commerce Secretary Wilbur Ross?*, Yahoo News (May 14, 2019), <https://news.yahoo.com/why-did-rightwing-troll-charles-c-johnson-want-to-meet-with-commerce-secretary-wilbur-ross-090000636.html>; Derek Kravitz and Jack Gillum, *"Happy to Do It": Emails Show Current FAA Chief Coordinated With Ex-Lobbyist Colleagues on Policy*, ProPublica (Mar. 27, 2019), <https://www.propublica.org/article/dan-elwell-current-faa-chief-coordinated-with-ex-lobbyist-colleagues-on-policy>; Hamid Aleaziz, *Emails Show US Border Officials Didn't Receive "Zero Tolerance" Guidance Until After the Policy Was Enacted*, BuzzFeed News (Feb. 28, 2019), <https://www.buzzfeednews.com/article/hamedaleaziz/zero-tolerance-policy-guidance-dhs-family-separation>; Jonathan Cohn and Jeffrey Young, *Emails Show Trump Administration Was Told Obamacare Ad Cuts Could Hurt Enrollment*, Huffpost (Dec. 17, 2018), https://www.huffingtonpost.com/entry/trump-verma-obamacare-advertising-cut_us_5c115061e4b084b082ff8dba; Madison Pauly, *When the Biggest Prison Company Complained About a California Sanctuary Law, ICE Listened*, Mother Jones (Dec. 7, 2018), <https://www.motherjones.com/politics/2018/12/geo-memo-private-prison-california-immigration/>; Eliza Rellman, *'Just answer the question and kill this story': In internal emails, Heather Nauert criticized Rex Tillerson's refusal to deny reports that he called Trump a 'moron'*, Business Insider (Nov. 2, 2018), <https://www.businessinsider.com/heather-nauert-rex-tillerson-trump-moron-2018-11>; Rebecca Klein, *Lawsuit Accuses Betsy DeVos And Her Deputies Of Being Motivated By Sexism*, HuffPost (Oct. 31, 2018), https://m.huffpost.com/us/entry/us_5bd9ff6ee4b01abe6a1ad4a9; Nick Penzenstadler, *A year after Vegas shooting, ATF emails reveal blame, alarm over bump stocks*, USA Today (Oct. 1, 2018), <https://www.usatoday.com/story/news/2018/10/01/year-after-vegas-shooting-atf-emails-reveal-blame-alarm-over-bump-stocks/1432137002/>; Jessica Kwong, *Ivanka Trump was more than complicit in Obama equal pay rollback-she had a hand in it, watchdog alleges*, Newsweek (Aug. 29, 2018), <https://www.newsweek.com/ivanka-trump-equal-pay-complicit-obama-1093833>; Vera Bergengruen, *New Emails Show What Happens When The Pentagon Has To Scramble To Catch Up To Trump*, BuzzFeed News (July 25, 2018), <https://www.buzzfeednews.com/article/verabergengruen/these-emails-show-what-happens-when-the-white-house-keeps>; Erin Dooley, *Exclusive: Former for-profit college executive shaped Education Department policy that could benefit former employers: Documents*, ABC News (May 15, 2017), <https://abcnews.go.com/US/exclusive-profit-college-executive-shaped-education-department-policy/story?id=55108981>; Heidi Przybyla, *Notes, emails reveal Trump appointees' war to end HHS teen pregnancy program*, NBC News (Mar. 20, 2018), <https://www.nbcnews.com/politics/politics-news/notes-emails-reveal-trump-appointees-war-end-hhs-teen-pregnancy-n857686>; Dominic Holden, *Documents Show The Trump Administration Approved Bump Stocks Before It Opposed Them*, BuzzFeed News (Mar. 22, 2018), <https://www.buzzfeednews.com/article/dominicholden/trump-administration-bump-stocks>; Bernard Condon, *Trump Advisor Denies He Cheered End of Tunnel Funding Deal*, Associated Press (Feb. 13, 2018), available at <https://www.usnews.com/news/business/articles/2018-02-13/trump-adviser-denies-he-cheered-end-of-tunnel-funding-deal>; Celeste Katz, *Interior Department tapped wildfire preparedness funds for Ryan Zinke helicopter tour*, Newsweek (Dec. 29, 2017), <https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857>.

obstacles to releasing fully the requested records, please contact me as soon as possible at foia@democracyforward.org.

We appreciate your assistance and look forward to your prompt response.

Sincerely,

/s/ Skye Perryman

Skye Perryman

President & CEO

Democracy Forward Foundation

P.O. Box 34553

Washington, D.C. 20043



September 5, 2025

VIA Electronic Delivery

Mesa County Colorado
Department 5007
P.O. Box 20,000
Grand Junction, CO 81502
Via online portal

Re: Colorado Open Records Act Request

Dear Custodian of Records:

Pursuant to the Colorado Open Records Act (“CORA”), Colo. Rev. Stat. Ann. §§ 24-72-200.1–206 (West 2022), Democracy Forward Foundation (“DFF” or “Democracy Forward”) submits this request for records.

Records Requested

Democracy Forward Foundation requests that Mesa County, Colorado produce the following:

All records reflecting communications (including emails, email attachments, memoranda, presentations, complete email chains, calendar invitations, calendar invitation attachments, text messages, or messages on messaging platforms, including Slack and Microsoft Teams) (a) between Mesa County Clerk Bobbi Gross or anyone communicating on her behalf and (b) any of the external individuals or domains listed below:

External Individuals and Domains

1. @usdoj.gov
2. @dhs.gov
3. @76.group
4. @who.eop.gov
5. Jeff Small
6. Stephen Miller

This request seeks records from June 15, 2025 until the date of the search.

Scope of Search

In searching for responsive records, please search for records regardless of format, including paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical materials. This request includes, without limitation, all correspondence, letters, emails, text messages, calendar entries, facsimiles, telephone messages, voice mail messages, and transcripts, notes, minutes, or audio or video recordings of any meetings, telephone conversations, or discussions. However, please exclude publicly available materials such as news clips that mention otherwise responsive search terms, unless the records contain additional discussion or commentary from State employees or contacts at the organizations listed above.

The Public Records Law requires agencies to disclose information, with only limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. Colo. Rev. Stat. Ann. § 24-72-204(1)–(3). In the event that Mesa County wishes to deny the right to inspect or obtain a copy of requested records we request a written statement from Mesa County of the grounds for denial, citing the laws or regulations under which access is denied. *Id.* § 24-72-204(4) We also reserve the right to appeal any decisions to deny inspection of records. *Id.* § 24-72-204(5)(a).

If requested records are located in, or originated in, another agency, department, office, installation or bureau, please refer this request or any relevant portion of this request to the appropriate entity.

To the extent that the records are readily reproducible in a searchable, electronic format, we would prefer to receive the records in that format. However, if certain records are not available in that format, we are willing to accept the best available copy of each such record.

Please respond to this request in writing within three business days to set a date and hour for the inspection of records as required by section 24-72-203(3)(b) of the CORA. If all of the requested documents are not available within that time period, we request that you provide us with all requested documents or portions of documents that are available within that time period.

Request for Fee Waiver

Democracy Forward Foundation requests a waiver of document search, review, and duplication fees associated with processing records for this request, in accordance with section 24-72-205(4).

The requested waiver is in the public interest because providing the copy of the information sought primarily benefits the general public. Democracy Forward Foundation has a demonstrated ability to disseminate information of public interest requested through freedom of information

statutes, and based upon responses to this request may assist in publicizing records received to contribute to the public's understanding of communications Colorado county clerks may be having with individuals associated with the federal government. Indeed, records received by Democracy Forward Foundation have previously formed the basis of news reports.¹

Conclusion

If you need clarification as to the scope of the request, have any questions, or foresee any

¹ See, e.g., Alexander Nazaryan, *Why did right-wing troll Charles C. Johnson meet with Commerce Secretary Wilbur Ross?*, Yahoo News (May 14, 2019), <https://news.yahoo.com/why-did-rightwing-troll-charles-c-johnson-want-to-meet-with-commerce-secretary-wilbur-ross-090000636.html>; Derek Kravitz and Jack Gillum, *"Happy to Do It": Emails Show Current FAA Chief Coordinated With Ex-Lobbyist Colleagues on Policy*, ProPublica (Mar. 27, 2019), <https://www.propublica.org/article/dan-elwell-current-faa-chief-coordinated-with-ex-lobbyist-colleagues-on-policy>; Hamid Aleaziz, *Emails Show US Border Officials Didn't Receive "Zero Tolerance" Guidance Until After the Policy Was Enacted*, BuzzFeed News (Feb. 28, 2019), <https://www.buzzfeednews.com/article/hamedaleaziz/zero-tolerance-policy-guidance-dhs-family-separation>; Jonathan Cohn and Jeffrey Young, *Emails Show Trump Administration Was Told Obamacare Ad Cuts Could Hurt Enrollment*, Huffpost (Dec. 17, 2018), https://www.huffingtonpost.com/entry/trump-verma-obamacare-advertising-cut_us_5c115061e4b084b082ff8dba; Madison Pauly, *When the Biggest Prison Company Complained About a California Sanctuary Law, ICE Listened*, Mother Jones (Dec. 7, 2018), <https://www.motherjones.com/politics/2018/12/geo-memo-private-prison-california-immigration/>; Eliza Rellman, *'Just answer the question and kill this story': In internal emails, Heather Nauert criticized Rex Tillerson's refusal to deny reports that he called Trump a 'moron.'* Business Insider (Nov. 2, 2018), <https://www.businessinsider.com/heather-nauert-rex-tillerson-trump-moron-2018-11>; Rebecca Klein, *Lawsuit Accuses Betsy DeVos And Her Deputies Of Being Motivated By Sexism*, HuffPost (Oct. 31, 2018), https://m.huffpost.com/us/entry/us_5bd9ff6ee4b01abe6a1ad4a9; Nick Penzenstadler, *A year after Vegas shooting, ATF emails reveal blame, alarm over bump stocks*, USA Today (Oct. 1, 2018), <https://www.usatoday.com/story/news/2018/10/01/year-after-vegas-shooting-atf-emails-reveal-blame-alarm-over-bump-stocks/1432137002/>; Jessica Kwong, *Ivanka Trump was more than complicit in Obama equal pay rollback-she had a hand in it, watchdog alleges*, Newsweek (Aug. 29, 2018), <https://www.newsweek.com/ivanka-trump-equal-pay-complicit-obama-1093833>; Vera Bergengruen, *New Emails Show What Happens When The Pentagon Has To Scramble To Catch Up To Trump*, BuzzFeed News (July 25, 2018), <https://www.buzzfeednews.com/article/verabergengruen/these-emails-show-what-happens-when-the-white-house-keeps>; Erin Dooley, *Exclusive: Former for-profit college executive shaped Education Department policy that could benefit former employers: Documents*, ABC News (May 15, 2017), <https://abcnews.go.com/US/exclusive-profit-college-executive-shaped-education-department-policy/story?id=55108981>; Heidi Przybyla, *Notes, emails reveal Trump appointees' war to end HHS teen pregnancy program*, NBC News (Mar. 20, 2018), <https://www.nbcnews.com/politics/politics-news/notes-emails-reveal-trump-appointees-war-end-hhs-teen-pregnancy-n857686>; Dominic Holden, *Documents Show The Trump Administration Approved Bump Stocks Before It Opposed Them*, BuzzFeed News (Mar. 22, 2018), <https://www.buzzfeednews.com/article/dominicholden/trump-administration-bump-stocks>; Bernard Condon, *Trump Advisor Denies He Cheered End of Tunnel Funding Deal*, Associated Press (Feb. 13, 2018), available at <https://www.usnews.com/news/business/articles/2018-02-13/trump-adviser-denies-he-cheered-end-of-tunnel-funding-deal>; Celeste Katz, *Interior Department tapped wildfire preparedness funds for Ryan Zinke helicopter tour*, Newsweek (Dec. 29, 2017), <https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857>.

obstacles to releasing fully the requested records, please contact me as soon as possible at foia@democracyforward.org.

We appreciate your assistance and look forward to your prompt response.

Sincerely,

/s/ Skye Perryman

Skye Perryman

President & CEO

Democracy Forward Foundation

P.O. Box 34553

Washington, D.C. 20043



September 8, 2025

VIA U.S Mail

Chaffee County Attorney's Office
P.O. Box 699,
104 Crestone
Salida, CO 81201
Via U.S. Mail

Re: Colorado Open Records Act Request

Dear Custodian of Records:

Pursuant to the Colorado Open Records Act ("CORA"), Colo. Rev. Stat. Ann. §§ 24-72-200.1–206 (West 2022), Democracy Forward Foundation ("DFF" or "Democracy Forward") submits this request for records.

Records Requested

Democracy Forward Foundation requests that Chaffee County, Colorado produce the following:

All records reflecting communications (including emails, email attachments, memoranda, presentations, complete email chains, calendar invitations, calendar invitation attachments, text messages, or messages on messaging platforms, including Slack and Microsoft Teams) (a) between Chaffee County Clerk Lori Mitchell or anyone communicating on her behalf and (b) any of the external individuals or domains listed below:

External Individuals and Domains

1. @usdoj.gov
2. @dhs.gov
3. @76.group
4. @who.eop.gov
5. Jeff Small
6. Stephen Miller

This request seeks records from June 15, 2025 until the date of the search.

Scope of Search

In searching for responsive records, please search for records regardless of format, including paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical materials. This request includes, without limitation, all correspondence, letters, emails, text messages, calendar entries, facsimiles, telephone messages, voice mail messages, and transcripts, notes, minutes, or audio or video recordings of any meetings, telephone conversations, or discussions. However, please exclude publicly available materials such as news clips that mention otherwise responsive search terms, unless the records contain additional discussion or commentary from State employees or contacts at the organizations listed above.

The Public Records Law requires agencies to disclose information, with only limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. Colo. Rev. Stat. Ann. § 24-72-204(1)–(3). In the event that Chaffee County wishes to deny the right to inspect or obtain a copy of requested records we request a written statement from Chaffee County of the grounds for denial, citing the laws or regulations under which access is denied. *Id.* § 24-72-204(4) We also reserve the right to appeal any decisions to deny inspection of records. *Id.* § 24-72-204(5)(a).

If requested records are located in, or originated in, another agency, department, office, installation or bureau, please refer this request or any relevant portion of this request to the appropriate entity.

To the extent that the records are readily reproducible in a searchable, electronic format, we would prefer to receive the records in that format. However, if certain records are not available in that format, we are willing to accept the best available copy of each such record.

Please respond to this request in writing within three business days to set a date and hour for the inspection of records as required by section 24-72-203(3)(b) of the CORA. If all of the requested documents are not available within that time period, we request that you provide us with all requested documents or portions of documents that are available within that time period.

Request for Fee Waiver

Democracy Forward Foundation requests a waiver of document search, review, and duplication fees associated with processing records for this request, in accordance with section 24-72-205(4).

The requested waiver is in the public interest because providing the copy of the information sought primarily benefits the general public. Democracy Forward Foundation has a demonstrated ability to disseminate information of public interest requested through freedom of information

statutes, and based upon responses to this request may assist in publicizing records received to contribute to the public's understanding of communications Colorado county clerks may be having with individuals associated with the federal government. Indeed, records received by Democracy Forward Foundation have previously formed the basis of news reports.¹

Conclusion

If you need clarification as to the scope of the request, have any questions, or foresee any

¹ See, e.g., Alexander Nazaryan, *Why did right-wing troll Charles C. Johnson meet with Commerce Secretary Wilbur Ross?*, Yahoo News (May 14, 2019), <https://news.yahoo.com/why-did-rightwing-troll-charles-c-johnson-want-to-meet-with-commerce-secretary-wilbur-ross-090000636.html>; Derek Kravitz and Jack Gillum, *"Happy to Do It": Emails Show Current FAA Chief Coordinated With Ex-Lobbyist Colleagues on Policy*, ProPublica (Mar. 27, 2019), <https://www.propublica.org/article/dan-elwell-current-faa-chief-coordinated-with-ex-lobbyist-colleagues-on-policy>; Hamid Aleaziz, *Emails Show US Border Officials Didn't Receive "Zero Tolerance" Guidance Until After the Policy Was Enacted*, BuzzFeed News (Feb. 28, 2019), <https://www.buzzfeednews.com/article/hamedaleaziz/zero-tolerance-policy-guidance-dhs-family-separation>; Jonathan Cohn and Jeffrey Young, *Emails Show Trump Administration Was Told Obamacare Ad Cuts Could Hurt Enrollment*, Huffpost (Dec. 17, 2018), https://www.huffingtonpost.com/entry/trump-verma-obamacare-advertising-cut_us_5c115061e4b084b082ff8dba; Madison Pauly, *When the Biggest Prison Company Complained About a California Sanctuary Law, ICE Listened*, Mother Jones (Dec. 7, 2018), <https://www.motherjones.com/politics/2018/12/geo-memo-private-prison-california-immigration/>; Eliza Rellman, *'Just answer the question and kill this story': In internal emails, Heather Nauert criticized Rex Tillerson's refusal to deny reports that he called Trump a 'moron.'* Business Insider (Nov. 2, 2018), <https://www.businessinsider.com/heather-nauert-rex-tillerson-trump-moron-2018-11>; Rebecca Klein, *Lawsuit Accuses Betsy DeVos And Her Deputies Of Being Motivated By Sexism*, HuffPost (Oct. 31, 2018), https://m.huffpost.com/us/entry/us_5bd9ff6ee4b01abe6a1ad4a9; Nick Penzenstadler, *A year after Vegas shooting, ATF emails reveal blame, alarm over bump stocks*, USA Today (Oct. 1, 2018), <https://www.usatoday.com/story/news/2018/10/01/year-after-vegas-shooting-atf-emails-reveal-blame-alarm-over-bump-stocks/1432137002/>; Jessica Kwong, *Ivanka Trump was more than complicit in Obama equal pay rollback-she had a hand in it, watchdog alleges*, Newsweek (Aug. 29, 2018), <https://www.newsweek.com/ivanka-trump-equal-pay-complicit-obama-1093833>; Vera Bergengruen, *New Emails Show What Happens When The Pentagon Has To Scramble To Catch Up To Trump*, BuzzFeed News (July 25, 2018), <https://www.buzzfeednews.com/article/verabergengruen/these-emails-show-what-happens-when-the-white-house-keeps>; Erin Dooley, *Exclusive: Former for-profit college executive shaped Education Department policy that could benefit former employers: Documents*, ABC News (May 15, 2017), <https://abcnews.go.com/US/exclusive-profit-college-executive-shaped-education-department-policy/story?id=55108981>; Heidi Przybyla, *Notes, emails reveal Trump appointees' war to end HHS teen pregnancy program*, NBC News (Mar. 20, 2018), <https://www.nbcnews.com/politics/politics-news/notes-emails-reveal-trump-appointees-war-end-hhs-teen-pregnancy-n857686>; Dominic Holden, *Documents Show The Trump Administration Approved Bump Stocks Before It Opposed Them*, BuzzFeed News (Mar. 22, 2018), <https://www.buzzfeednews.com/article/dominicholden/trump-administration-bump-stocks>; Bernard Condon, *Trump Advisor Denies He Cheered End of Tunnel Funding Deal*, Associated Press (Feb. 13, 2018), available at <https://www.usnews.com/news/business/articles/2018-02-13/trump-adviser-denies-he-cheered-end-of-tunnel-funding-deal>; Celeste Katz, *Interior Department tapped wildfire preparedness funds for Ryan Zinke helicopter tour*, Newsweek (Dec. 29, 2017), <https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857>.

obstacles to releasing fully the requested records, please contact me as soon as possible at foia@democracyforward.org.

We appreciate your assistance and look forward to your prompt response.

Sincerely,

/s/ Skye Perryman

Skye Perryman

President & CEO

Democracy Forward Foundation

P.O. Box 34553

Washington, D.C. 20043



September 5, 2025

VIA Electronic Delivery

Privacy Office, Mail Stop 0655
Department of Homeland Security
2707 Martin Luther King Jr. AVE SE
Washington, DC 20528-065
Via online portal

Re: Freedom of Information Act Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. §§ 552 Democracy Forward Foundation submits this request for records.

Records Requested

Democracy Forward Foundation (“DFF”) requests that the Department of Homeland Security (“DHS”) produce the following within twenty (20) business days:

All documentation of contracts between (a) DHS and (b) Jeff Small or the 76 Group.¹

The Cybersecurity and Infrastructure Security Agency (CISA) and the Office of the Secretary are, at a minimum, the appropriate places to search given the public reporting regarding the reported involvement of the Department of Homeland Security and the component’s responsibilities.²

The timeframe for the above search should be January 20, 2025, until the date of the search.

Democracy Forward Foundation expects this request for a set of readily identifiable records regarding a high-profile matter will be assigned to the Simple processing track.

Scope of Search

¹ Patrick Marley & Yvonne Wingett Sanchez, *DOJ Hits States with Broad Requests for Voter Rolls, Election Data*, Wash. Post (July 16, 2025), <https://www.washingtonpost.com/politics/2025/07/16/trump-voter-fraud-elections/>.

² Nicole Fierro, *Colorado Clerks Get Calls from Impersonator Asking for Voting Machine Access*, KDVR (updated July 17, 2025, 6:29 PM), <https://kdvr.com/news/local/colorado-clerks-get-calls-from-impersonator-asking-for-voting-machine-access/>.

FOIA requires agencies to disclose information, with only limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. 5 U.S.C. § 552(a)(8)(A). In the event that any of the requested documents cannot be disclosed in their entirety, we request that you release any material that can be reasonably segregated. See 5 U.S.C. § 552(b). Should any documents or portions of documents be withheld, we further request that you state with specificity the description of the document to be withheld and the legal and factual grounds for withholding any documents or portions thereof in an index, as required by *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). Should any document include both disclosable and non-disclosable material that cannot reasonably be segregated, we request that you describe what proportion of the information in a document is non-disclosable and how that information is dispersed throughout the document. *Mead Data Cent., Inc. v. U.S. Dep't of Air Force*, 566 F.2d 242, 261 (D.C. Cir. 1977).

If requested records are located in, or originated in, another agency, department, office, installation or bureau, please refer this request or any relevant portion of this request to the appropriate entity.

To the extent that the records are readily reproducible in an electronic format, we would prefer to receive the records in that format. However, if certain records are not available in that format, we are willing to accept the best available copy of each such record.

Please respond to this request in writing within 20 working days as required under 5 U.S.C. § 552(a)(6)(A)(i). If all of the requested documents are not available within that time period, we request that you provide us with all requested documents or portions of documents that are available within that time period. If all relevant records are not produced within that time period, we are entitled to a waiver of fees for searching and duplicating records under 5 U.S.C. § 552(a)(4)(A)(viii)(I).

Request for Fee Waiver

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and your agency's regulations, DFF requests a waiver of all fees associated with processing records for this request. FOIA requires documents to be furnished to requesters at no fee or reduced fees "if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." 5 U.S.C. § 552(a)(4)(A).

In determining whether a fee waiver is appropriate, courts consider whether a requester has a "demonstrated . . . ability to disseminate the requested information," *Cause of Action v. F.T.C.*, 799 F.3d 1108, 1116-17 (D.C. Cir. 2015), and whether the requester regularly disseminates records obtained through FOIA to "a reasonably broad audience of persons interested in the

subject” of its work. *Carney v. U.S. Dep’t of Justice*, 19 F.3d 807, 814-15 (2d Cir. 1994). FOIA does not require a requester to describe exactly how it intends to disseminate the information requested, as that would require “pointless specificity”; all that is necessary is for a requester to adequately demonstrate its “ability to publicize disclosed information.” *Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1314 (D.C. Cir. 2003). In evaluating a fee waiver request, courts consider how a requester actually communicates information collected through FOIA to the public, including press releases or a website where documents received are made available, *see id.*, or whether the requester has a history of “contacts with any major news[] companies” that suggest an ability to disseminate materials of interest through the press. *Larson v. C.I.A.*, 843 F.2d 1481, 1483 (D.C. Cir. 1988) (upholding a denial of a fee waiver to a requester who had failed to identify his relationships with newspaper companies that could disseminate documents).

The requested waiver is in the public interest because providing the copy of the information sought primarily benefits the general public. Democracy Forward Foundation has a demonstrated ability to disseminate information of public interest requested through freedom of information statutes, and based upon responses to this request may assist in publicizing records received to contribute to the public’s understanding of DHSs partnership with individuals and external groups relating to gathering data on voters and inspect voting equipment. DFF intends to publicize records DFF receives to contribute significantly to the public’s understanding of how this Administration’s partnerships are assisting in pursuing their goals.

To this latter point, DFF has a demonstrated ability to disseminate information of public interest requested through FOIA. When DFF obtains materials through FOIA requests that are of significant public interest, DFF’s communications staff regularly works to ensure that these materials and their contents are featured in press articles educating the public about the operation of government; many articles feature additional commentary and analysis from DFF staff about those materials and their relevance to policy issues of public interest. Indeed, records received by DFF have previously formed the basis of news reports.³

³ See, e.g., Alexander Nazaryan, *Why did right-wing troll Charles C. Johnson meet with Commerce Secretary Wilbur Ross?*, Yahoo News (May 14, 2019), <https://news.yahoo.com/why-did-rightwing-troll-charles-c-johnson-want-to-meet-with-commerce-secretary-wilbur-ross-090000636.html>; Derek Kravitz and Jack Gillum, “Happy to Do It”: Emails Show Current FAA Chief Coordinated With Ex-Lobbyist Colleagues on Policy, ProPublica (Mar. 27, 2019), <https://www.propublica.org/article/dan-elwell-current-faa-chief-coordinated-with-ex-lobbyist-colleagues-on-policy>;

Hamid Aleaziz, *Emails Show US Border Officials Didn’t Receive “Zero Tolerance” Guidance Until After the Policy Was Enacted*, BuzzFeed News (Feb. 28, 2019), <https://www.buzzfeednews.com/article/hamedaleaziz/zero-tolerance-policy-guidance-dhs-family-separation>; Jonathan Cohn and Jeffrey Young, *Emails Show Trump Administration Was Told Obamacare Ad Cuts Could Hurt Enrollment*, Huffpost (Dec. 17, 2018), https://www.huffingtonpost.com/entry/trump-verma-obamacare-advertising-cut_us_5c115061e4b084b082ff8dba; Madison Pauly, *When the Biggest Prison Company Complained About a California Sanctuary Law, ICE Listened*, Mother Jones (Dec. 7, 2018), <https://www.motherjones.com/politics/2018/12/geo-memo-private-prison-california-immigration/>; Eliza Rellman, ‘Just answer the question and kill this story’: In internal emails, Heather Nauert criticized Rex Tillerson’s refusal to deny reports that he called Trump a ‘moron,’ Business Insider (Nov. 2, 2018),

Democracy Forward Foundation is not filing this request to further any commercial interest, and any information obtained by Democracy Forward Foundation as a result of this request and disclosed will be disclosed at no cost.

If the request for a waiver is denied, we are willing to pay all reasonable fees incurred for searching and duplicating records in responding to this request, up to \$50. If the costs of responding to this request should exceed that amount, please contact us before incurring costs exceeding that amount.

Conclusion

If you need clarification as to the scope of the request, have any questions, or foresee any obstacles to releasing fully the requested records within 20 business days, please contact me as soon as possible at foia@democracyforward.org.

We appreciate your assistance and look forward to your prompt response.

Sincerely,

/s/ Skye Perryman

Skye Perryman

President and CEO

Democracy Forward Foundation

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<https://www.businessinsider.com/heather-nauert-rex-tillerson-trump-moron-2018-11>; Rebecca Klein, *Lawsuit Accuses Betsy DeVos And Her Deputies Of Being Motivated By Sexism*, HuffPost (Oct. 31, 2018), https://m.huffpost.com/us/entry/us_5bd9ff6ee4b01abe6a1ad4a9; Nick Penzenstadler, *A year after Vegas shooting, ATF emails reveal blame, alarm over bump stocks*, USA Today (Oct. 1, 2018), <https://www.usatoday.com/story/news/2018/10/01/year-after-vegas-shooting-atf-emails-reveal-blame-alarm-over-bump-stocks/1432137002/>; Jessica Kwong, *Ivanka Trump was more than complicit in Obama equal pay rollback she had a hand in it, watchdog alleges*, Newsweek (Aug. 29, 2018), <https://www.newsweek.com/ivanka-trump-equal-pay-complicit-obama-1093833>; Vera Bergengruen, *New Emails Show What Happens When The Pentagon Has To Scramble To Catch Up To Trump*, BuzzFeed News (July 25, 2018), <https://www.buzzfeednews.com/article/verabergengruen/these-emails-show-what-happens-when-the-white-house-keeps>; Erin Dooley, *Exclusive: Former for-profit college executive shaped Education Department policy that could benefit former employers: Documents*, ABC News (May 15, 2017), <https://abcnews.go.com/US/exclusive-profit-college-executive-shaped-education-department-policy/story?id=55108981>; Heidi Przybyla, *Notes, emails reveal Trump appointees' war to end HHS teen pregnancy program*, NBC News (Mar. 20, 2018), <https://www.nbcnews.com/politics/politics-news/notes-emails-reveal-trump-appointees-war-end-hhs-teen-pregnancy-n857686>; Dominic Holden, *Documents Show The Trump Administration Approved Bump Stocks Before It Opposed Them*, BuzzFeed News (Mar. 22, 2018), <https://www.buzzfeednews.com/article/dominicholden/trump-administration-bump-stocks>; Bernard Condon, *Trump Advisor Denies He Cheered End of Tunnel Funding Deal*, Associated Press (Feb. 13, 2018), available at <https://www.usnews.com/news/business/articles/2018-02-13/trump-adviser-denies-he-cheered-end-of-tunnel-funding-deal>; Celeste Katz, *Interior Department tapped wildfire preparedness funds for Ryan Zinke helicopter tour*, Newsweek (Dec. 29, 2017), <https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857>.