

1 Jared G. Keenan (027068)
2 Lauren K. Beall (035147)
3 American Civil Liberties Union
4 Foundation of Arizona
5 2712 N. 7th Street
6 Phoenix, Arizona 85006
7 T: (602) 650-1854
8 E-Mail: jkeenan@acluaz.org
9 lbeall@acluaz.org

6 Elizabeth Haddix*
7 D.C. Bar No. 90019750
8 Khahilia Shaw*
9 D.C. Bar No. 1616974
10 American Oversight
11 1030 15th Street NW B255
12 Washington, DC 20005
13 T: (252) 359-7424 ext. 1031
14 E-Mail: elizabeth.haddix@americanoversight.org
15 khahilia.shaw@americanoversight.org

13 *Applications for admission *pro hac vice* forthcoming

14 *Attorneys for Plaintiff American Oversight*

15 **ARIZONA SUPERIOR COURT**

16 **PINAL COUNTY**

17 AMERICAN OVERSIGHT,)
18 Plaintiff,)
19 v.)
20 MARK LAMB, in his official capacity as the)
21 duly elected Sheriff of Pinal County; and PINAL)
22 COUNTY, a political subdivision of the State of)
23 Arizona,)
24 Defendants.)

) No.
)
)
) **VERIFIED COMPLAINT FOR**
) **STATUTORY SPECIAL ACTION AND**
) **INJUNCTIVE RELIEF**

1 Plaintiff American Oversight brings this statutory special action against Mark Lamb
2 (“Defendant Lamb”) in his official capacity as Sheriff of Pinal County, Arizona; and Pinal
3 County, a political subdivision of the State of Arizona (“Defendant County”) to require their
4 compliance with Arizona’s Public Records Law. American Oversight seeks public records
5 relating to Defendant Lamb’s communications with organizations and individuals regarding
6 security and integrity of the 2020 elections; a June 2022 immigration reform rally; and the
7 so-called “constitutional sheriffs” movement, which asserts authority to refuse to enforce any
8 law a sheriff deems unjust or unconstitutional. American Oversight’s requests specifically seek
9 communications between Defendant Lamb and external entities which falsely claim widespread
10 voter fraud and undermine public confidence in election administration, as well as records
11 related to Defendant Lamb’s attendance at anti-immigrant and “constitutional sheriffs” events.
12 The records sought have potential to shed light on Defendant Lamb’s involvement in provoking
13 public distrust in elections, promoting anti-immigrant policies, and adopting principles espoused
14 by the “constitutional sheriffs” movement.

15 Public records laws like Arizona’s are of core importance to maintaining a robust
16 democracy, and holding public officials accountable for their failure to comply is essential to
17 vindicate that vital policy goal. The public has a compelling and broad interest in, and is legally
18 entitled to, the prompt disclosure of documents like the ones Plaintiff seeks. Yet, Defendants
19 have failed to provide records responsive to American Oversight’s requests—most of which
20 were submitted more than a year ago—in flagrant disregard of their obligations under Arizona’s
21 Public Records Law. Accordingly, Plaintiff alleges as follows:

22 **Parties, Jurisdiction, and Venue**

23 1. Plaintiff American Oversight is a non-partisan, nonprofit organization dedicated
24 to ensuring government transparency at all levels. American Oversight has developed significant
25 expertise in accountability and transparency of public bodies, including in Arizona, and seeks to
26

1 ensure that the public has access to government records that enable them to monitor the
2 performance, priorities, and integrity of their public officials.

3 2. As detailed further below, American Oversight has sought public records from
4 Defendants including communications regarding allegations of election and/or voter fraud,
5 communications and financial expenses regarding Defendant Lamb’s attendance at the
6 Federation for American Immigration Reform (“FAIR”) Rally, communications between
7 Defendant Lamb and organizations and individuals involved in allegations of widespread
8 election and/or voter fraud, and communications from Defendant Lamb regarding the
9 “constitutional sheriffs” movement.

10 3. Defendant Mark Lamb is named in his official capacity as Sheriff of Pinal County
11 and is an “officer” under A.R.S. § 39-121.01(A)(1).

12 4. Defendant Pinal County is a “public body” under A.R.S. § 39-121.01(A)(2).

13 5. Jurisdiction over this action is proper pursuant to A.R.S. §§ 39-121.02 and 12-123,
14 as well as Rule 4(a) of the Arizona Rules of Procedure for Special Actions.

15 6. Venue is proper pursuant to A.R.S. § 12-401(16) and Rule 4(b) of the Arizona
16 Rules of Procedure for Special Actions because the Defendants work in and took official actions
17 relevant to this dispute in Pinal County.

18 7. Because this is a statutory special action and a show cause procedure is being used,
19 “the court shall set a speedy return date” on Plaintiff’s Application for Order to Show Cause.
20 Ariz. R. P. Spec. Action 4(c); see also Ariz. R. Civ. P. 7.3(a) (authorizing a superior court judge
21 to “issue an order requiring a party to show cause why the party applying for the order should
22 not have the relief therein requested”).

23 **American Oversight’s Public Records Requests**

24 8. Since October 2020, American Oversight has submitted a number of public
25 records requests to Defendant Lamb through Defendants’ online portal, including the five
26

1 requests at issue in this Complaint. As detailed below, to date, no records responsive to those
2 requests have been produced.

3 9. Upon information and belief, Defendant Pinal County is involved in processing
4 and responding to public records requests submitted to the Pinal County Sheriff's Office
5 ("PCSO"), including Plaintiff's requests described below.

6 *Sheriff Voting Involvement Request*

7 10. On October 21, 2020, American Oversight submitted through Defendants' online
8 portal a public records request bearing internal tracking number AZ-PINAL-20-2618 (the
9 "Sheriff Voting Involvement Request") seeking the following records for the period from
10 January 1, 2020, through the date of search:

11 1. All communications containing official or unofficial orders and directive
12 communications sent by federal law enforcement (including messages from any email
13 address ending in @dhs.gov, @ice.dhs.gov, @doj.gov, or @fbi.gov) to any of the
14 following officials in the Pinal County Sheriff's Office:

- 14 i) Sheriff Mike Lamb
- 15 ii) Chief Deputy Matthew Thomas
- 16 iii) Deputy Chief of Law Enforcement Services Bryan Harrell
- 17 iv) Deputy Chief Matthew Hendrick

18 2. All official or unofficial orders and directives sent by the Sheriff, Chief
19 Deputy, Deputy of Law Enforcement Services, or Deputy Chief to any subordinate
20 Sheriff's Office personnel or volunteers regarding investigations, evaluations, reviews, or
21 probes into cases of potential election fraud or voter fraud, or otherwise concerning
22 enforcement of election-related laws.

23 3. All email communications (including emails, attachments, complete email
24 chains, calendar invitations, and calendar invitation entries) sent by the Sheriff, Chief
25 Deputy, Deputy of Law Enforcement Services, or Deputy Chief containing any of the
26 following key terms:

- 24 i) Voting
- 25 ii) Vote
- 26 iii) Election
- iv) Ballot
- v) Poll

1 11. A true and correct copy of the Sheriff Voting Involvement Request is attached as
2 Exhibit 1.

3 12. Upon information and belief, at all times relevant to this Complaint, the PCSO
4 Records Supervisor responded on Defendant Lamb's behalf to all public records requests
5 directed to Defendant Lamb in his official capacity as Sheriff of Pinal County.

6 13. Defendants acknowledged receipt of the Sheriff Voting Involvement Request
7 through the online portal on October 21, 2020, see attached Exhibit 2.

8 14. To date, Defendants have provided no responsive documents to Plaintiff's Sheriff
9 Voting Involvement Request.

10 *FAIR Rally Request*

11 15. On October 27, 2021, American Oversight submitted through Defendants' online
12 portal a public records request bearing internal tracking number AZ-PINAL-21-1528 (the "FAIR
13 Rally Request") seeking:

14 1. All email communications (including emails, email attachments, complete
15 email chains, calendar invitations, and calendar invitation attachments) and text messages
16 or messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync,
17 Skype, Twitter direct messages, Facebook messages, WhatsApp, Signal, Telegram, or
18 Parler) between (a) Sheriff Mark Lamb and (b) any of the external entities listed below
19 from June 11 through July 9, 2021—less than a month of correspondence:

- 20 i) Former Acting Director of ICE Thomas Homan
- 21 ii) Former Acting Commissioner of Customs and Border Protection
22 Mark Morgan
- 23 iii) Representative Paul Gosar
- 24 iv) National Border Patrol Council President Brandon Judd
- 25 v) Federation for American Immigration Reform (FAIR) President
26 Dan Stein
- vi) Anyone communicating from an email address ending in
@fairus.org

2. Records reflecting the expenses and costs incurred by [the PCSO] related
to Sheriff Mark Lamb's trip to FAIR's "End the Biden Border Crisis Rally" in Hereford,
AZ on June 25, 2021.

1 Claremont Sheriff Request”) seeking all electronic communications between Defendant Lamb
2 and four (4) sets of external individuals and entities as follows:

3 All email communications (including emails, email attachments, complete email
4 chains, calendar invitations, and calendar invitation attachments) and text
5 messages or messages on messaging platforms (such as Slack, GChat or Google
6 Hangouts, Lync, Skype, Twitter direct messages, Facebook messages, WhatsApp,
7 Signal, Telegram, or Parler) between Sheriff Mark Lamb and the specified external
8 persons listed below (including, but not limited to, communications from the email
9 addresses or domains specified below).

10 i) John Eastman (jeastman@claremont.org, jeastman@chapman.edu,
11 john.eastman@colorado.edu, jeastman@cgc1776.com, or
12 jeastman562@gmail.com), or anyone from the Claremont Institute
13 (@claremont.org);

14 ii) Catherine Engelbrecht, or anyone from True the Vote (@truethevote.org
15 or @truethevote.com);

16 iii) Anyone from Protect America Now (@protectamericanow.com);

17 iv) Gregg Phillips (@patriotgames.com), or anyone from OPSEC Group
18 LLC.

19 25. The State Claremont Sheriff Request sought records from August 1, 2021, through
20 the date the search is conducted. A true and correct copy of the request is attached as Exhibit 9.

21 26. Defendants acknowledged receipt of the State Claremont Sheriff Request on
22 August 26, 2022. See attached Exhibit 10.

23 27. To date, Defendants have provided no responsive records to the State Claremont
24 Sheriff Request.

25 28. On September 15, 2022, Defendants’ Records Manager emailed Plaintiff: “I will
26 keep you posted of [sic] status, cost and expedite as best possible. Please refer to Sheriff Lambs
[sic] attached letter for status, based on the date range these types of requests do take some time
for processing: Date range of emails are August 1, 2021 through date search is conducted
08/31/2022.” See attached Exhibit 11.

29. On October 12, 2022, the Records Manager emailed Plaintiff that its request was
still being processed. See attached Exhibit 12.

1 “Constitutional Sheriff Request”) seeking all email communications sent by Defendant Lamb
2 between December 1, 2022, through the date of the search, containing any of the following key
3 terms:

- 4 1. CSPOA
- 5 2. “Constitutional Sheriffs”
- 6 3. “Constitutional Sheriff”
- 7 4. Bushman
- 8 5. Mack
- 9 6. Accreditation
- 10 7. Accredited
- 11 8. AZPOST
- 12 9. Peroutka
- 10 10. Sovereign
- 11 11. “County Supremacy”
- 12 12. Curriculum
- 13 13. “Randy Miller”
- 14 14. itstime152@protonmail.ch
- 15 15. randymiller0608@yahoo.com

16 39. A true and correct copy of the Constitutional Sheriff Request is attached as Exhibit
17 17. Defendants’ Records Manager acknowledged receipt of the Constitutional Sheriff Request
18 on June 21, 2023. See attached Exhibit 18.

19 40. To date, Defendants have not provided responsive records to the Constitutional
20 Sheriff Request.

21 **Defendants Have Failed to Comply with Arizona’s Public Records Law**

22 41. As of the date of this Complaint, Defendants have provided no records responsive
23 to Plaintiff’s requests described above.

24 42. More than three years have passed since Plaintiff submitted its Sheriff Voting
25 Involvement Request to Defendants Lamb and County.

26 43. Defendants have not provided any rationale for their failure to provide any
documents responsive to the Sheriff Voting Involvement Request.

44. Over two years have passed since Plaintiff submitted its FAIR Rally Request to
Defendants.

1 45. Defendants have not provided any rationale for their failure to provide any
2 documents responsive to the FAIR Rally Request.

3 46. More than a year has passed since Plaintiff submitted its State Claremont Sheriff
4 Request to Defendants.

5 47. Defendants have not provided any rationale for their failure to provide any
6 documents responsive to the State Claremont Sheriff Request.

7 48. More than a year has passed since Plaintiff submitted its Protect America Now
8 Request to Defendants.

9 49. Defendants have not provided any rationale for their failure to provide any
10 documents responsive to the Protect America Now Request.

11 50. More than eleven months have passed since Plaintiff submitted its Constitutional
12 Sheriff Request to Defendants.

13 51. Defendants have not provided any rationale for their failure to provide any
14 documents responsive to the Constitutional Sheriff Request.

15 **Count I**

16 **(Violation of Arizona Public Records Law – Failure to Produce or Provide Access)**

17 52. American Oversight re-alleges Paragraphs 1-51 as if fully set forth herein.

18 53. Under Arizona’s Public Records Law (“PRL”), “[a]ll officers and public bodies
19 shall maintain all records . . . reasonably necessary or appropriate to maintain an accurate
20 knowledge of their official activities and of any of their activities which are supported by monies
21 from this state or any political subdivision of this state.” A.R.S. § 39-121.01(B).

22 54. Defendant Lamb is an “officer” under the PRL.

23 55. Defendant County is a “public body” under the PRL.

24 56. Public records are to be available for public inspection. See A.R.S. § 39-121
25 (“Public records . . . shall be open to inspection by any person at all times during office hours”).
26

1 The PRL presumes that all records are “open to the public for inspection as public records.”
2 *Carlson v. Pima Cty.*, 141 Ariz. 487, 490 (1984).

3 57. The PRL exists to “open agency action to the light of public scrutiny” and “allow
4 citizens ‘to be informed about what their government is up to.’” *Scottsdale Unified Sch. Dist.*
5 *No. 48 of Maricopa Cty. v. KPNX Broad. Co.*, 191 Ariz. 297, 302 ¶ 21 (1998) (citations omitted).

6 58. There is thus a “clear policy favoring disclosure” of public records. *Carlson*, 141
7 Ariz. at 490-91.

8 59. The State has the burden of overcoming “the legal presumption favoring
9 disclosure.” *Scottsdale Unified*, 191 Ariz. at 300 ¶ 9 (citing *Cox Ariz. Publ’ns v. Collins*, 175
10 Ariz. 11, 14 (1993)). The public right to inspection has many statutory exceptions and may also
11 be curtailed in the interest of “confidentiality, privacy, or the best interests of the state.” *Id.*
12 (citing *Carlson v. Pima County*, 141 Ariz. 487, 490 (Ariz. Sup. Ct., May 29, 1984)).

13 60. All records requested by Plaintiff are public records under the PRL.

14 61. Defendants have not provided any explanation, statutory or otherwise, for their
15 refusal to provide access to or produce copies of the requested records.

16 62. Failure to “promptly respond” to a public records request constitutes a denial
17 under the statute. *See* A.R.S. § 39 121.01(E) (“Access to a public record is deemed denied if a
18 custodian fails to promptly respond to a request for production of a public record . . .”).

19 63. “Whether a response is prompt depends on the factual circumstances of the
20 request,” and the “burden is on the [government actor, office or agency] to establish its
21 responses to requests were prompt.” *Lunney v. State*, 244 Ariz. 170, 179–80 (App. 2017).

22 64. The government must specifically provide a “legally sufficient reason why [a
23 delayed response] should be considered ‘prompt’ . . .” *Phoenix New Times, L.L.C. v. Arpaio*,
24 217 Ariz. 533, 541 (App. 2008) (holding that 143 days of delay is tantamount to denial).

25 65. Absent such a rationale, a delayed response is tantamount to a denial. *See id.*
26

1 66. Where requested records are readily identifiable and can be easily pulled from
2 department records, the public body’s obligations are not onerous enough to outweigh the
3 public’s interest in inspection. *Judicial Watch, Inc. v. City of Phx.*, 228 Ariz. 393, 267 P.3d 1185,
4 1189 (Ct. App. 2011).

5 67. All the records Plaintiff has requested in this case are readily identifiable.

6 68. Defendants can easily pull the records that Plaintiff has requested.

7 69. Defendant County has custody, possession, or control over the records Plaintiff
8 has requested.

9 70. Defendant Mark Lamb also has custody, possession, or control over the records
10 Plaintiff has requested.

11 71. Defendants failed to perform an adequate search for records responsive to
12 Plaintiff’s Sheriff Voting Involvement, FAIR Rally, State Claremont Sheriff, Protect America
13 Now, and Constitutional Sheriff requests.

14 72. Defendants are improperly withholding records responsive to Plaintiff’s Sheriff
15 Voting Involvement, FAIR Rally, State Claremont Sheriff, Protect America Now, and
16 Constitutional Sheriff requests.

17 73. Because all the requested withheld records are public records, they are subject to
18 a strong presumption in favor of their disclosure. *Judicial Watch, Inc. v. City of Phoenix*, 228
19 Ariz. 393, 396, ¶ 10 (App. 2011).

20 74. Defendants may withhold records only if “privacy, confidentiality, or the best
21 interests of the state outweigh the policy in favor of disclosure.” *Griffis v. Pinal Cty.*, 215 Ariz.
22 1, 6 ¶ 16 (2007). Defendants have not articulated any reason for their denial of records sought
23 by Plaintiff, nor have they provided any rationale for denying Plaintiff access to them. *See*
24 *Phoenix New Times, L.L.C. v. Arpaio*, 217 Ariz. 533, 540 (App. 2008) (143 days of delay held
25 tantamount to denial).

1 75. “The public’s right to know any public document is weighty in itself,” and is
2 particularly strong where “the public documents are of broad and intense interest.” *Phoenix*
3 *Newspapers, Inc. v. Keegan*, 201 Ariz. 344, 351 ¶¶ 30, 32 (App. 2001).

4 76. The contents of the withheld records are a matter of broad and intense public
5 interest.

6 77. Defendants have violated the PRL where they have failed to produce the requested
7 records in more than three years since Plaintiff submitted its first request at issue in this case and
8 nearly a year since submitting its most recent request.

9 **Prayer for Relief**

10 WHEREFORE Plaintiff respectfully requests the Court provide the following relief on an
11 expedited basis:

12 1. Enter an order compelling Defendants to comply with A.R.S. § 39-121, *et seq.*,
13 and to immediately provide access to (or copies of) the requested records;

14 2. Enter an order directing Defendants to pay Plaintiff’s reasonable attorneys’ fees
15 and costs pursuant to A.R.S. §§ 39-121.02(B), 12-341, 12-348, 12-2030, the private attorney
16 general doctrine, Rule 4(g) of the Arizona Rules of Procedure for Special Actions, or any other
17 applicable provision of law or equitable principle; and

18 3. Grant Plaintiff such other and further relief as the Court deems just and proper.

19 RESPECTFULLY SUBMITTED this 29th day of May, 2024.

20
21 AMERICAN CIVIL LIBERTIES UNION
22 FOUNDATION OF ARIZONA

23 By: /s/ Jared G. Keenan
24 Jared G. Keenan
25 Lauren K. Beall

26 AMERICAN OVERSIGHT
Elizabeth Haddix*
Khahilia Shaw*

1
2 *Applications for admission *pro hac vice* forthcoming

3 *Attorneys for Plaintiff American Oversight*

4
5 **VERIFICATION**

6 I, Anisha Hindocha, do state and swear under penalty of perjury and as permitted by Rule
7 80(c), Ariz. R. Civ. P., as follows:

8 I am the Deputy Research Director for Plaintiff American Oversight. I have read the
9 foregoing Verified Complaint and, to the best of my knowledge, information and belief, the
10 statements made therein are true and correct.

11 I declare under penalty of perjury that the foregoing is true and correct.

12 Executed this 29th day of May, 2024.

13
14
15 /s/ Anisha Hindocha
16 Anisha Hindocha
17 Deputy Research Director
18
19
20
21
22
23
24
25
26

EXHIBIT 1



October 21, 2020

VIA EMAIL

Andrea Kipp, Records Supervisor
971 Jason Lopez Circle, Building C
P.O. Box 867
Florence, AZ 85132
Records Unit
pcsorecords@pinal.gov

Re: Public Records Request

Dear Ms. Kipp:

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

Requested Records

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

1. All communications containing official or unofficial orders and directives communications sent by federal law enforcement (including messages from any email address ending in @dhs.gov, @ice.dhs.gov, @doj.gov, or @fbi.gov) to any of the following officials in the Pinal County Sheriff's Office:
 - a. Sheriff Mike Lamb
 - b. Chief Deputy Matthew Thomas
 - c. Deputy Chief of Law Enforcement Services Bryan Harrell
 - d. Deputy Chief Matthew Hendrick
2. All official or unofficial orders and directives sent by the Sheriff, Chief Deputy, Deputy of Law Enforcement Services, or Deputy Chief to any subordinate Sheriff's Office personnel or volunteers regarding investigations, evaluations, reviews, or probes into cases of potential election fraud or voter fraud, or otherwise concerning enforcement of election-related laws.
3. All email communications (including emails, attachments, complete email chains, calendar invitations, and calendar invitation entries) sent by the Sheriff, Chief Deputy, Deputy of Law Enforcement Services, or Deputy Chief containing any of the following key terms:
 - a. Voting
 - b. Vote
 - c. Election
 - d. Ballot
 - e. Poll



For items 2 and 3 of this request, in an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited its request to emails sent by the officials listed above. 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 Sheriff Lamb's response to an email containing one of the listed key terms and the initial received message are responsive to this request and should be produced.

For each item of this request, please provide all responsive records from January 1, 2020, through date of search.

Statement of Noncommercial Purpose

This request is made for noncommercial purposes. American Oversight seeks records directly related to your office's activities concerning election-related laws during an historic presidential election cycle. Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including activities in which your office may be engaged that could relate to the integrity of the election.

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.¹

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 and postage charges, if applicable.² 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:

¹ American Oversight currently has approximately 15,6300 page likes on Facebook and 105,500 followers on Twitter. American Oversight, FACEBOOK, <https://www.facebook.com/weareoversight/> (last visited Oct. 20, 2020); American Oversight (@weareoversight), TWITTER, <https://twitter.com/weareoversight> (last visited Oct. 20, 2020).

² 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,

- Please search all locations and systems likely to have responsive records, regardless of format, medium, or physical characteristics.
- In conducting your search, please understand the terms “record,” “document,” and “information” in their broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions.
- 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.

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

additional fees provided for under A.R.S. § 39-121.03(A) are not applicable and should not be assessed.

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 Khahilia Shaw at records@americanoversight.org or 202.539.6507.

Sincerely,

A handwritten signature in blue ink that reads "Austin R. Evers". The signature is fluid and cursive, with a long horizontal flourish extending to the left.

Austin R. Evers
Executive Director
American Oversight

EXHIBIT 2

From: PINALCOUNTYAZSO Support pinalcountyzaso@govqa.us
Subject: Public Records Request :: P001185-102120
Date: October 21, 2020 at 1:38 PM
To: records@americanoversight.org

PS

EXTERNAL SENDER



Dear Austin Evers:

Thank you for your interest in public records of Pinal County. Your request has been received and given the reference number P001185-102120 for tracking purposes.

Records Requested: Dear Public Records Officer, None of the "Type of Records" apply to this request but it a required field so I chose one. Please find attached a request for records under Arizona's public records laws (AZ-PINAL-20-2618.pdf)

You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed.
-Pinal County Sheriff's Office

To monitor the progress or update this request please log into the [PCSO Public Records Center](#)



EXHIBIT 3



October 27, 2021

VIA EMAIL/ONLINE FORM

Pinal County Sheriff's Office
31 N. Pinal Street
Florence, AZ 85312
Via Online Portal

Re: Public Records Request

Dear Public Records Officer:

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

Requested Records

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

1. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) 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 (a) Sheriff Mark Lamb and (b) any of the external entities listed below.

External Entities

- I. Former Acting Director of ICE Thomas Homan
- II. Former Acting Commissioner of Customs and Border Protection Mark Morgan
- III. Representative Paul Gosar
- IV. National Border Patrol Council President Brandon Judd
- V. Federation for American Immigration Reform (FAIR) President Dan Stein
- VI. Anyone communicating from an email address ending in @fairus.org

Please provide all responsive records from June 11, 2021, through July 9, 2021.

2. Records reflecting the expenses and costs incurred by your office related to Sheriff Mark Lamb's trip to FAIR's "End the Biden Border Crisis Rally" in Hereford, AZ on June 25, 2021.

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 per diem payments.

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

Please provide all responsive records from June 11, 2021, through July 9, 2021.

3. All email communications (including emails, email attachments, complete email chains, and calendar invitations) sent by Sheriff Mark Lamb from June 24 to June 26, 2021.

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited part 3 of its request to emails sent by Sheriff Mark Lamb. 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 Lamb's response to an email during this time period and the initial received message are responsive to this request and should be produced.

Statement of Noncommercial Purpose

This request is made for noncommercial purposes. American Oversight seeks records regarding communications Lamb may be having with certain external individuals. Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including whether and to what extent he is communicating with certain external individuals.

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.¹

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 and postage charges, if applicable.² 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. For instance, if the request seeks “communications,” please search all locations likely to contain communications, including relevant hard-copy files, correspondence files, appropriate locations on hard drives and shared drives, emails, text messages or other direct messaging systems (such as iMessage, WhatsApp, Signal, or Twitter direct messages), voicemail messages, instant messaging systems such as Lync or ICQ, and shared messages systems such as Slack.
- In conducting your search, please understand the terms “record,” “document,” and “information” in their broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions.
- 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.

¹ American Oversight currently has approximately 15,700 page likes on Facebook and 108,500 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Oct. 13, 2021); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Oct. 13, 2021).

² 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.

- 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.

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

EXHIBIT 4

From: PINALCOUNTYAZSO Support pinalcountyzaso@govqa.us
Subject: Public Records Request :: P004515-102721
Date: October 27, 2021 at 2:23 PM
To: records@americanoversight.org

PS

EXTERNAL SENDER



Dear Austin Evers:

Thank you for your interest in public records of Pinal County. Your request has been received and given the reference number P004515-102721 for tracking purposes.

Records Requested: Please see attached PRR Request (AZ-PINAL-21-1528)

You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed.
-Pinal County Sheriff's Office

To monitor the progress or update this request please log into the [PCSO Public Records Center](#)

Powered by
GovQA

EXHIBIT 5

From: PINALCOUNTYAZSO Support pinalcountyzaso@govqa.us
Subject: [Records Center] Public Records Request :: P004515-102721
Date: November 18, 2021 at 6:59 PM
To: records@americanoversight.org

PS

EXTERNAL SENDER

--- Please respond above this line ---



Greetings,

Status: your records are being process and will be expedited as best possible. Please feel free to contact me if you have questions.

Thank you
Andrea Kipp #341
Record Mgr

To monitor the progress or update this request please log into the [PCSO Public Records Center](#)

Powered by
GovQA

EXHIBIT 6

From: PINALCOUNTYAZSO Support pinalcountyzaso@govqa.us
Subject: [Records Center] Public Records Request :: P004515-102721
Date: December 15, 2021 at 2:42 PM
To: records@americanoversight.org

PS

EXTERNAL SENDER

--- Please respond above this line ---



Greetings,

Records are being processed and I will continue to keep you posted on status and cost.

Thank you
Andrea Kipp #341
Record Mgr

To monitor the progress or update this request please log into the [PCSO Public Records Center](#)

Powered by
GovQA

EXHIBIT 7

From: PINALCOUNTYAZSO Support pinalcountyazso@govqa.us
Subject: [Records Center] Public Records Request :: P004515-102721
Date: January 5, 2022 at 3:58 PM
To: records@americanoversight.org
Cc: lauren.reimer@pinal.gov

PS

EXTERNAL SENDER

--- Please respond above this line ---



Greetings,

Status update : Advising that your request for Sheriff Lamb's departmental emails continues to be processed by the Pinal CO IT Department.

I will keep you posted as soon as PCSO Records are in receipt of these emails from IT Department.

If you have any questions please feel free to contact me directly at (520) 866-5142.

Thank you
Andrea Kipp #341 Record Mgr

To monitor the progress or update this request please log into the [PCSO Public Records Center](#)

Powered by
GovQA

EXHIBIT 8

From: PINALCOUNTYAZSO Support pinalcountyazso@govqa.us
Subject: [Records Center] Public Records Request :: P004515-102721
Date: February 16, 2022 at 10:13 AM
To: AO Records records@americanoversight.org
Cc: lauren.reimer@pinal.gov

PS

EXTERNAL SENDER

--- Please respond above this line ---



Greetings,

Advising that PCSO Records received the emails from main county IT Department as of Monday February 14, 2022.

Our apologies for the delay, and I will assist to process and expedite this request as best possible.

If you have any further questions or if there is a change that you no longer wish to purchase these records, please advise soon.

Thank you
Andrea Kipp #341
Record Mgr

To monitor the progress or update this request please log into the [PCSO Public Records Center](#)



EXHIBIT 9



August 26, 2022

VIA ONLINE PORTAL

Pinal County Sheriff's Office
971 N Jason Lopez Circle
Building C, PO Box 867
Florence, AZ 85132
Via Online Portal

Re: Public Records Request

Dear Public Records Officer:

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

Requested Records

American Oversight requests that Pinal County Sheriff's Office promptly produce the following records:

All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) 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 Mark Lamb and the specified external persons listed below (including, but not limited to, communications from the email addresses or domains specified below).

1. John Eastman (jeastman@claremont.org, jeastman@chapman.edu, john.eastman@colorado.edu, jeastman@ccg1776.com, or jeastman562@gmail.com), or anyone from the Claremont Institute (@claremont.org)
2. Catherine Engelbrecht, or anyone from True the Vote (@truethevote.org or @truethevote.com)
3. Anyone from Protect America Now (@protectamericanow.com)
4. Gregg Phillips (@patriotgames.com), or anyone from OPSEC Group LLC

Please provide all responsive records from August 1, 2021, through the date the search is conducted.

Statement of Noncommercial Purpose

This request is made for noncommercial purposes. American Oversight seeks records regarding communications Sheriff Lamb may be having with the Claremont Institute



and related groups, given his prior affiliation as a Claremont Fellow. Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including whether and to what extent Sheriff Lamb continues to communicate with the Claremont Institute.

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.¹

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 and postage charges, if applicable.² 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

¹ American Oversight currently has approximately 16,000 followers on Facebook and 118,700 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Aug. 10, 2022); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Aug. 10, 2022).

² 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.

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.

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 Khahilia Shaw at records@americanoversight.org or (202) 539-6507.

Sincerely,

/s/ Khahilia Shaw
Khahilia Shaw
on behalf of
American Oversight

EXHIBIT 10

From: PINALCOUNTYAZSO Support pinalcountyazso@govqa.us
Subject: Public Records Request :: P007788-082622
Date: August 26, 2022 at 2:31 PM
To: records@americanoversight.org

PS

EXTERNAL SENDER



Dear Austin Evers:

Thank you for your interest in public records of Pinal County. Your request has been received and given the reference number P007788-082622 for tracking purposes.

Records Requested: Please see attached request (AZ-PINAL-22-0870)

You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed.
-Pinal County Sheriff's Office

To monitor the progress or update this request please log into the [PCSO Public Records Center](#)



EXHIBIT 11

From: PINALCOUNTYAZSO Support pinalcountyzaso@govqa.us
Subject: [Records Center] Public Records Request :: P007788-082622
Date: September 15, 2022 at 6:37 PM
To: records@americanoversight.org
Cc: lauren.reimer@pinal.gov

PS

EXTERNAL SENDER

--- Please respond above this line ---



Greetings Austin Evers,

Status for the week of September 12th; the Records Unit recently received the extracted emails from the Pinal CO IT Department.

I will keep you posted of status, cost and expedite as best possible. Please refer to Sheriff Lambs attached letter for for status, based on the date range these types of request do take some time for processing:

Date range of emails are August 1, 2021 through date search is conducted 08/31/2022

Thank you
Andrea Kipp #341
Record Mgr

To monitor the progress or update this request please log into the [PCSO Public Records Center](#)



000001



Pinal County Sheriff's Office

Mark Lamb
Sheriff

Matthew Thomas
Chief Deputy

This letter is in response to your public records requests ["PRRs"]. Our office has received the PRR(s) you submitted.

Please note that requests for public records are processed in the order they are received and that, due to: limited staff and resources, privileged, confidential and private information often intertwined in public records and the total volume of PRRs being processed—fulfilling a request often requires a significant amount of time and resources. Additionally, before any records can be released, all responsive records must be reviewed and redacted in order to maintain applicable privacy, confidentiality and privilege interests inherent in the information, documents, and communications. Your specific request is in process, as PCSO is actively gathering, culling, reviewing and redacting as necessary. Some of these records may require PCSO to refer a request to the County IT department to gather all potentially responsive records.

You may further note that, requests involving "*thousands of random, unidentified electronic messages and documents, without regard to subject matter, sent to or from certain individuals, within a range of dates . . . contain[ing] no other limiting criteria*" may be deemed overly burdensome where the request requires an extensive review to identify responsive materials and an excessive amount of additional time thereafter to isolate and exclude confidential and other non-public information or records. *Arpaio v. Davis*, 221 Ariz. 116, 117–18, 210 P.3d 1287, 1288–89 (App. 2009) (italics added). In the *Arpaio* case, the court found that such a review required an unreasonable expenditure of resources and time by staff and those named in the request. However, instead of denying any of your requests on this basis, PCSO may request your cooperation by refining, specifying and narrowing certain portions of your request in order to most efficiently gather and identify the specific records you seek, as well as your patience in understanding that PCSO is working diligently to search, cull, review and produce the potentially responsive documents.

While we cannot definitively estimate at this time how long that process will take until all requested records can be provided, we encourage you to stay in touch with PCSO for updates. We will continue our diligent efforts to produce documents, on a rolling basis, while simultaneously maintaining operations and other services to which our departments and personnel are assigned. We encourage you to ensure your request is refined so as not to overburden County staff and resources, which in turn takes from the citizens of Pinal County. The County makes this request in good faith while it continues to review, prepare and produce the materials requested thus far.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mark Lamb".

Mark Lamb, Sheriff

EXHIBIT 12

From: PINALCOUNTYAZSO Support pinalcountyazso@govqa.us
Subject: [Records Center] Public Records Request :: P007788-082622
Date: October 12, 2022 at 3:59 PM
To: records@americanoversight.org

PS

EXTERNAL SENDER

--- Please respond above this line ---



Greetings Austin Evers,

Status for the week of October 10, 2022

Advising that your request continues to be processed. Please note that request for public records are processed in the order they are received and based on limited staff and resources, fulfilling a request often requires a significant amount of time and resources. Before any record can be released, they must be reviewed, redacted to maintain applicable privacy, confidentiality.

PCSO Records is actively gathering, culling, reviewing and redacting as necessary.

We can not definitively estimate how long that process will take, we encourage you to stay in touch with PCSO Records for updates and I will continue to diligently expedite as best possible. And I will keep you posted of status via this GovQA online portal.

If you have any questions, please feel to contact our office (520) 866-5193

Respectfully,

Andrea Kipp #341
Record Manager

PCSO RECORDS UNIT

To monitor the progress or update this request please log into the [PCSO Public Records Center](#)

Powered by
GovQA

EXHIBIT 13

From: PINALCOUNTYAZSO Support pinalcountyazso@govqa.us
Subject: [Records Center] Public Records Request :: P007788-082622
Date: February 1, 2023 at 6:28 PM
To: records@americanoversight.org

PS

EXTERNAL SENDER

--- Please respond above this line ---



Greetings Austin Evers,

Status for the week of January 30, 2023 emails continue to be processed.

Advising that your request continues to be processed. Please note that request for public records are processed in the order they are received and based on limited staff and resources, fulfilling a request often requires a significant amount of time and resources. Before any record can be released, they must be reviewed, redacted to maintain applicable privacy, confidentiality.

PCSO Records is actively gathering, culling, reviewing and redacting as necessary.

We can not definitively estimate how long that process will take, we encourage you to stay in touch with PCSO Records for updates and I will continue to diligently expedite as best possible. And I will keep you posted of status via this GovQA online portal.

If you have any questions, please feel to contact our office (520) 866-5193

Respectfully,

Andrea Kipp
Record Manager

PCSO RECORDS UNIT

To monitor the progress or update this request please log into the [PCSO Public Records Center](#)

Powered by
GovQA

EXHIBIT 14



January 30, 2023

VIA ONLINE PORTAL

Pinal County Sheriff's Office
971 N. Jason Lopez Circle
Building C, PO Box 867
Florence, AZ 85132
Via Online Portal

Re: Public Records Request

Dear Public Records Officer:

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

Requested Records

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

All electronic communications (including emails, email attachments, 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) Pinal County Sheriff Mark Lamb, and (b) any of the individuals or entities listed below, including, but not limited to, at the suggested email addresses or domains. In the case of emails and texts, the search should include those sent or received from nongovernmental accounts and/or devices if they were used to conduct official business, as well those sent from official email addresses or government-issued devices.

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

External Entities:

1. Anyone communicating from an email address ending in americaproject.com or theamericaproject.com
2. Anyone communicating from an email address ending in opsec.group
3. Ashe Epp (asheinamerica@protonmail.com)
4. Barry County, Michigan Sheriff Darren "Dar" Leaf (dleaf@barrycounty.org), and/or anyone communicating from an email address ending in barrycounty.org
5. Brevard County, Florida Sheriff Wayne Ivey (wayne.ivey@bcso.us)
6. Culpeper County, Virginia Sheriff Scott Jenkins (sheriffjenkins@culpepersheriffsoffice.com, sheriffjenkins@culpepercounty.gov)



7. Former Bristol County, Massachusetts Sheriff Tom Hodgson (sheriffhodgson@comcast.net, sheriff@bcso-ma.org)
8. Cleta Mitchell (cleta@cletamitchell.com, cmitchell@foley.com)
9. Ed Corrigan, or anyone communicating from an email address ending in cpi.org or conservativepartnership.org
10. Greene County, Missouri Sheriff Jim Arnot (jim@jimarnott.com, jarnott@greencountymo.gov)
11. Holly Kasun (hollyataltitude@protonmail.com)
12. Jacqueline Timmer, or anyone communicating from an email address ending in got-freedom.org or americanvotersalliance.org
13. Jeff O'Donnell (loneraccoon@protonmail.com), and/or anyone communicating from an email address ending in ordros.com
14. Former Livingston County, Illinois Sheriff Tony Childress (tchildress@livingstoncountyil.gov)
15. Logan County, Oklahoma Sheriff Damon Devereaux (ddevereaux@logancountyso.org), or anyone communicating from an email address ending in logancountyso.org
16. Luis Cornelio (luis.cornelio@protonmail.com, lcornel001@citymail.cuny.edu)
17. Michele Replogle (micrep@protonmail.com, micrep@pm.me), and/or anyone communicating from an email address ending in causeofamerica.org
18. Panola County, Texas Sheriff Cutter Clinton (clintoncutter@gmail.com, cutter.clinton@co.panola.tx.us)
19. Phill Kline (phillklineva@gmail.com)
20. Racine County, Wisconsin Sheriff Christopher Schmaling (chris.schmaling@gmail.com, chris.schmaling@racinecounty.com), and/or anyone communicating from an email address ending in racinecounty.com
21. Richard Mack (cspoa2011@gmail.com, sheriffmack@hotmail.com, sheriffmack@protonmail.com), Sam Bushman, or anyone communicating from an email address ending in cspoa.org
22. Randy Miller (itstime152@protonmail.ch, randymiller0608@yahoo.com)
23. Seth Keshel (skeshel@protonmail.com, skeshel@gmail.com)
24. Shawn Smith (ratioinvictus@protonmail.com, luftsas@gmail.com)
25. Thomas Brechja, Andrew Bath, Tim Griffin, or anyone communicating from an email address ending in thomasmoresociety.org
26. Wicomico County, Maryland Sheriff Mike Lewis (mikelewis@wicomocounty.org)

Please also note that American Oversight does not seek, and that this request specifically excludes, the initial mailing of news clips or other mass-distribution emails. However, subsequent communications forwarding such emails are responsive to this request. In other words, for example, if Sheriff Lamb received a mass-distribution news clip from an email address ending in cspoa.org, that initial email would not be responsive to this request. However, if Sheriff Lamb forwarded that email to another individual with his own commentary, that subsequent message would be responsive to this request and should be produced.

Statement of Noncommercial Purpose

This request is made for noncommercial purposes. American Oversight seeks records regarding public officials elevating baseless allegations of widespread voter fraud.¹ Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including whether or to what extent Pinal County officials have communicated with external entities regarding these allegations.

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 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:

¹ Isaac Stone Simonelli, *Arizona 'Ground Zero' for Extremist, Anti-Government Sheriff Movement*, AZ Mirror (Oct. 21, 2022, 7:11 AM), <https://www.azmirror.com/2022/10/21/arizona-ground-zero-for-extremist-anti-government-constitutional-sheriffs-movement/>; Peter Stone, *MyPillow Chief Spends Tens of Millions in Fresh Crusade to Push Trump's Big Lie*, The Guardian (updated Aug. 4, 2022, 11:54 AM), <https://www.theguardian.com/us-news/2022/aug/04/mypillow-mike-lindell-trump-big-lie-election-fraud>.

² American Oversight currently has approximately 16,000 followers on Facebook and 113,000 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Jan. 30, 2023); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Jan. 30, 2023).

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.

- 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.

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 Ben Sparks at records@americanoversight.org or (202) 873-1741.

Sincerely,

/s/ Ben Sparks
Ben Sparks
on behalf of
American Oversight

EXHIBIT 15

From: PINALCOUNTYAZSO Support pinalcountyzaso@govqa.us
Subject: Public Records Request :: P009633-013023
Date: January 30, 2023 at 3:14 PM
To: records@americanoversight.org

PS

EXTERNAL SENDER



Dear Austin Evers:

Thank you for your interest in public records of Pinal County. Your request has been received and given the reference number P009633-013023 for tracking purposes.

Records Requested: Dear Public Records Officer, None of the "Type of Records" apply to this request but it a required field so I chose one. Please find attached a request for records under Arizona's public records laws (AZ-PINAL-23-0088)

You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed.
-Pinal County Sheriff's Office

To monitor the progress or update this request please log into the [PCSO Public Records Center](#)



EXHIBIT 16

From: PINALCOUNTYAZSO Support pinalcountyzaso@govqa.us
Subject: [Records Center] Public Records Request :: P009633-013023
Date: February 9, 2023 at 10:36 AM
To: records@americanoversight.org
Cc: lauren.reimer@pinal.gov

PS

EXTERNAL SENDER

--- Please respond above this line ---



Greetings Austin Evers,

Status for the week of FEBRUARY 6, 2023. The Records Unit received the emails on 02/08/2023 and are currently under review with Pinal County Attorney's Office for redaction review.

Advising that your request continues to be processed. Please note that request for public records are processed in the order they are received and based on limited staff and resources, fulfilling a request often requires a significant amount of time and resources. Before any record can be released, they must be reviewed, redacted to maintain applicable privacy, confidentiality.

PCSO Records is actively gathering, culling, reviewing and redacting as necessary.

We can not definitively estimate how long that process will take, we encourage you to stay in touch with PCSO Records for updates and I will continue to diligently expedite as best possible. And I will keep you posted of status via this GovQA online portal.

If you have any questions, please feel to contact our office (520) 866-5193

Respectfully,

Andrea Kipp #341
Record Manager

PCSO RECORDS UNIT

To monitor the progress or update this request please log into the [PCSO Public Records Center](#)



EXHIBIT 17



June 21, 2023

VIA ONLINE FORM

Pinal County Sheriff's Office
P.O. Box 867
Florence, AZ 85132

Re: Public Records Request

Dear Public Records Officer:

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

Requested Records

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

All email communications (including emails, email attachments, complete email chains, and calendar invitations) sent by Sheriff Mark Lamb, or anyone communicating on his behalf, such as a chief deputy, assistant, or scheduler, containing any of the key terms below:

1. CSPOA
2. "Constitutional Sheriffs"
3. "Constitutional Sheriff"
4. Bushman
5. Mack
6. Accreditation
7. Accredited
8. AZPOST
9. Peroutka
10. Sovereign
11. "County Supremacy"
12. Curriculum
13. "Randy Miller"
14. itstime152@protonmail.ch
15. randymiller0608@yahoo.com

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited its request to emails sent by Sheriff Mark Lamb. 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



Sheriff Lamb's response to an email containing a specified key term and the initial received message are responsive to this request and should be produced.

Please provide all responsive records from December 1, 2022, through the date the search is conducted.

Statement of Noncommercial Purpose

This request is made for noncommercial purposes. American Oversight seeks records regarding communications Arizona sheriffs may be having regarding the Constitutional Sheriffs and Peace Officers Association. Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including whether and to what extent such communications are taking place.

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.¹

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 and postage charges, if applicable.² 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.

¹ American Oversight currently has approximately 16,000 followers on Facebook and 113,200 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited June 20, 2023); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited June 20, 2023).

² 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.

- 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.

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 Ben Sparks at records@americanoversight.org or (202) 873-1741.

Sincerely,

/s/ Ben Sparks
Ben Sparks
on behalf of
American Oversight

EXHIBIT 18

From: PINALCOUNTYAZSO Support pinalcountyazso@govqa.us
Subject: Public Records Request :: P011332-062123
Date: June 21, 2023 at 3:14 PM
To: records@americanoversight.org

PS

EXTERNAL SENDER



Dear Austin Evers:

Thank you for your interest in public records of Pinal County. Your request has been received and given the reference number P011332-062123 for tracking purposes.

Records Requested: Please see attached request (AZ-PINAL-23-0632)

You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed.
-Pinal County Sheriff's Office

To monitor the progress or update this request please log into the [PCSO Public Records Center](#)

