



To: Oregon Secretary of State Public Records Designee
oregon.sos@oregon.gov

The Oregon Nurses Association has requested that the Oregon Secretary of State make public and post information relating to Referendum 301 and the January special election.

Disappointingly, Secretary Richardson has not responded to that request and it appears he will not be taking action to be transparent to the public on this matter. Therefore, please find below, per the Oregon Secretary of State's [published policy](#), a public records request pertaining to Referendum 301, the January 2018 special election, and the political and financial relationship between the Referendum 301 chief petitioner and the Secretary of State.

Requester: Jenn Baker on behalf of the Oregon Nurses Association.
baker@oregonrn.org, 18765 SW Boones Ferry Rd, Suite 200, Tualatin,
Or 97062

Date: July 26, 2017

Items requested: Any and all communications and documentation relating to Referendum 301 and the 2018 January special election. Specifically:

1. Information relating to Dennis Richardson's [discredited "audit alert"](#) on the state Medicaid program in May of 2017. As far as we are aware, this was the first time a Secretary of State issued an alert before the audit was final. The action was criticized for using inaccurate information and for being a publicity stunt that did not follow auditing standards and practices. However, even after the audit alert was issued and found to be inaccurate, Julie Parrish used it as her justification to attempt to fund the Oregon Health Plan for only one year. When that failed, Rep. Parrish filed her referendum. Therefore, we are requesting:

Copies of any and all written communications including but not limited to: emails, texts, and instant messages in any format, Google docs, agendas and meeting notes, call logs and any other documents between Dennis Richardson and Julie Parrish relating to: the Oregon Health Plan, Medicaid, Audits, the Oregon Health Authority from December 30, 2016 to May 2017. We request that as documents are compiled the Secretary of State start with May and work backwards monthly, releasing the documents as they are acquired and not wait until the complete record is compiled.

2. Information relating to the Secretary of State's statement opposing the timing of special election as established in Senate Bill 229. The Secretary of State has ultimate authority and several important decisions to make in executing a special election. The voters must be confident that the administration of that power is on behalf of the electorate and not the chief petitioners of a referendum or ballot measure. Everything from the deadlines for submitting voters' pamphlet statements to the fiscal impact statement to the makeup of the committee to write the explanatory statement about the measure falls into the hands of the Secretary of State. Therefore, it was surprising and disturbing that Dennis Richardson chose to speak out in opposition of the timing of the election, echoing the position of his political consultant who is the chief petitioner of Referendum 301. We are requesting:

Copies of any and all written communications including but limited to: emails, texts, instant messages in any format, Google docs; agendas and meeting notes, call logs and any other documents between Dennis Richardson and Julie Parrish or any chief petitioner of Referendum 301 or any representative or consultant to the chief petitioners or the campaign for Referendum 301 relating to: Senate Bill 229, anything relating to potentially referring any or all elements in House Bill 2391, and the news release issued by the Secretary of State on June 29, 2017. We also request: any and all drafts of the news release with edits or markings; any talking points or message documents relating to the news release or preparation for the Secretary of State to talk to media about his statement.

3. Documents to date about Referendum 301 and the January 23, 2017 special election. We request the following documents and communications through July 26, 2017:
 - a. Any and all copies of any and all written communications including but not limited to: emails, texts, instant messages in any format, Google docs; agendas and meeting notes, call logs and any other documents between Dennis Richardson and Julie Parrish or any chief petitioner of Referendum 301 or any representative or consultant to the chief petitioners or the campaign for Referendum 301 relating to:
 - i. Signature gathering for Referendum 301
 - ii. Signature observation and verification for Referendum 301
 - iii. Deadlines and voter's pamphlet statement submissions for Referendum 301 and the January Special Election
 - iv. The fiscal impact statement for Referendum 301
 - v. The explanatory statement for Referendum 301
 - vi. Anything else not specified relating to the Secretary of State's oversight of Referendum 301 and the special election.
 - vii. Media coverage about the conflict of interest between Secretary of State Richardson and consultant Julie Parrish

4. Documents from this date of July 26, 2017 ongoing. Given the Secretary of State's ongoing responsibilities in overseeing the January special election, we are requesting on an ongoing basis all of the documents in item 3 above be made available to us on a weekly basis without the need for repeated public records request.
5. Secretary of State Public Records Log. We also request a copy of the Secretary of State's public record log that is described in the Secretary's [public record policy](#) to determine whether there are any public records requests already fulfilled that would meet any elements of our request.

With the public interest in Referendum 301 and the risk of increased premiums and lost health care for hundreds of thousands of Oregonians and the importance of having an election free from any perceived or real conflicts of interest, we are requesting a waiver of any and all fees connected to this request. We are also requesting an expedited process within the 15-day deadline established in Senate Bill 481 public record transparency bill that was just passed by the Oregon legislature so that Oregonians can have confidence in the integrity of the processes relating to Referendum 301 and the January special election.

Thank you for your immediate attention to this matter.



August 22, 2017

To: Debra Royal, Chief of Staff, Oregon Secretary of State

From: Jenn Baker and Catie Thiesen on behalf of the Oregon Nurses Association

Dear Ms. Royal,

Thank you for your response to our public records request. However, your response is not at all responsive to our request. You sent 57 documents and emails that appear to relate to the statements of Secretary Richardson about Senate Bill 229, which is partially responsive to Section 2 of our request but there are pieces missing. For example, you did not provide any documents relating to House Bill 2391. Additionally, Oregon Public Records law requires the release of any documents that are generated on private email accounts, devices or programs between public officials.

Therefore, most of the request remains unfulfilled. I have highlighted the outstanding portions of the original July 26, 2017 public records request below. Additionally, Senate Bill 481 sets a standard of a 15-day response to public records, and the Secretary of State's office has failed to meet that standard.

In addition, to provide the greatest clarity, please expand this request to include communications between all staff in the Secretary of State's office or Elections Division. You will note that change in capital letters in the request below.

Please see the highlighted sections below for the items still outstanding and provide an estimate of when you will complete this request. Please note that our request is comprehensive and includes communications between any and all representatives of the Referendum 301 campaign. Additionally, please acknowledge in writing that you have noted that Section 3 is a rolling request that will require ongoing generation of records through the special election in January.

HIGHLIGHTED ITEMS REMAIN OUTSTANDING AS OF AUGUST 17, 2017

1. Information relating to Dennis Richardson's [discredited "audit alert"](#) on the state Medicaid program in May of 2017. As far as we are aware, this was the first time a Secretary of State issued an alert before the audit was final. The action was criticized for using inaccurate information and for being a publicity stunt that did not follow auditing standards and practices. However, even after the audit alert was issued and found to be inaccurate, Julie Parrish used it as her justification to attempt to fund the Oregon Health

Plan for only one year. When that failed, Rep. Parrish filed her referendum. Therefore, we are requesting:

Copies of any and all written communications including but not limited to: emails, texts, and instant messages in any format, Google docs, agendas and meeting notes, call logs and any other documents between Dennis Richardson AND ANY STAFF MEMBERS OF THE SECRETARY OF STATE'S OFFICE OR ELECTIONS DIVISION and Julie Parrish relating to: the Oregon Health Plan, Medicaid, Audits, the Oregon Health Authority from December 30, 2016 to May 2017. We request that as documents are compiled the Secretary of State start with May and work backwards monthly, releasing the documents as they are acquired and not wait until the complete record is compiled.

2. Information relating to the Secretary of State's statement opposing the timing of special election as established in Senate Bill 229. The Secretary of State has ultimate authority and several important decisions to make in executing a special election. The voters must be confident that the administration of that power is on behalf of the electorate and not the chief petitioners of a referendum or ballot measure. Everything from the deadlines for submitting voters' pamphlet statements to the fiscal impact statement to the makeup of the committee to write the explanatory statement about the measure falls into the hands of the Secretary of State. Therefore, it was surprising and disturbing that Dennis Richardson chose to speak out in opposition of the timing of the election, echoing the position of his political consultant who is the chief petitioner of Referendum 301. We are requesting:

Copies of any and all written communications including but limited to: emails, texts, instant messages in any format, Google docs; agendas and meeting notes, call logs and any other documents between Dennis Richardson AND ANY STAFF MEMBERS OF THE SECRETARY OF STATE'S OFFICE OR ELECTIONS DIVISION and Julie Parrish or any chief petitioner of Referendum 301 or any representative or consultant to the chief petitioners or the campaign for Referendum 301 relating to: Senate Bill 229, anything relating to potentially referring any or all elements in House Bill 2391, and the news release issued by the Secretary of State on June 29, 2017. We also request: any and all drafts of the news release with edits or markings; any talking points or message documents relating to the news release or preparation for the Secretary of State to talk to media about his statement.

3. Documents to date about Referendum 301 and the January 23, 2017 special election. We request the following documents and communications through July 26, 2017:
 - a. Any and all copies of any and all written communications including but not limited to: emails, texts, instant messages in any format, Google docs; agendas and meeting notes, call logs and any other documents between Dennis Richardson AND ANY STAFF MEMBERS OF THE SECRETARY OF STATE'S OFFICE OR ELECTIONS DIVISION and Julie Parrish or any chief petitioner of Referendum 301 or any representative or consultant to the chief petitioners or the campaign for Referendum 301 relating to:
 - i. Signature gathering for Referendum 301
 - ii. Signature observation and verification for Referendum 301
 - iii. Deadlines and voter's pamphlet statement submissions for Referendum 301 and the January Special Election
 - iv. The fiscal impact statement for Referendum 301
 - v. The explanatory statement for Referendum 301

- vi. Anything else not specified relating to the Secretary of State's oversight of Referendum 301 and the special election.
- vii. Media coverage about the conflict of interest between Secretary of State Richardson and consultant Julie Parrish

4. Documents from this date of July 26, 2017 ongoing. Given the Secretary of State's ongoing responsibilities in overseeing the January special election, we are requesting on an ongoing basis all of the documents in item 3 above be made available to us on a weekly basis without the need for repeated public records request.

5. Secretary of State Public Records Log. We also request a copy of the Secretary of State's public record log that is described in the Secretary's [public record policy](#) to determine whether there are any public records requests already fulfilled that would meet any elements of our request.