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**SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THURSTON COUNTY**

ARI HOFFMAN, BRANDI KRUSE, and
JONATHAN CHOE

Plaintiffs,

v.

WASHINGTON STATE HOUSE OF
REPRESENTATIVES; CHIEF CLERK BERNARD
DEAN, in his official capacity; THE LEGISLATURE
OF THE STATE OF WASHINGTON; THE STATE
OF WASHINGTON; and the WASHINGTON
STATE CAPITOL CORRESPONDENTS
ASSOCIATION, a Washington State non-profit
association.

Defendants.

No.

**PETITION FOR DECLARATORY
JUDGMENT AND INJUNCTIVE
RELIEF**

I. INTRODUCTION

In stressing the importance of freedom of the press, future President Thomas Jefferson wrote that “[o]ur liberty depends on the freedom of the press, and that cannot be limited without being lost.” See Letter from Thomas Jefferson to James Currie, Jan. 28. 1786 (available at <https://tjrs.monticello.org/letter/2141#X3184736>). Similarly, President John F. Kennedy stated that “[a] nation that is afraid to let its people judge the truth and falsehood in an open market is a nation that is afraid of its people.” *John F. Kennedy, Public Papers of the Presidents of the United States*: John F. Kennedy, 163 (1962). During this year’s legislative session, the Washington State House of Representatives and other Defendants have trampled the constitutional rights of three prominent reporters by denying them press passes based upon unpublished guidelines that were unfairly

1 applied and promulgated by a private association known as the Washington State Capitol
2 Correspondents Association (“CCA”). The specious excuse for the denial put forward by the Chief
3 Clerk of the House of Representatives is that the Plaintiffs weigh in on policy, which he claims
4 compromises their independence as reporters. Not only are the guidelines that lead to this
5 conclusion vague and unenforceable, but they also were unfairly applied to Plaintiffs and not others
6 similarly situated. This simply does not meet the constitutional standards courts apply to protect
7 freedom of the press under the state and federal constitutions, and violates the non-delegation
8 doctrine. This Petition for Declaratory Judgement and Injunctive Relief is necessary in order to
9 ensure that Plaintiffs and other reporters are not limited in reporting the truth which our “liberty
10 depends.”

11 II. PARTIES

12 1. Ari Hoffman is a reporter residing and operating in the State of Washington. Hoffman
13 broadcasts on AM 570 KVI and has produced journalistic content for broadcast, print, and digital
14 media, including Newsweek, Fox News, Newsmax, The Post Millennial and Human Events..

15 2. Brandi Kruse is a reporter residing and operating in the State of Washington. Kruse hosts
16 the unDivided Podcast and previously worked as a television journalist for Fox 13 Seattle.

17 3. Jonathan Choe is a reporter residing and operating in the State of Washington. Choe is a
18 reporter with the news site www.fixhomelessness.org and is a Senior Fellow with the Discovery
19 Institute’s news wing and regularly produces journalistic content for national broadcast networks,
20 including ABC, NBC, FOX, and CBS. He is also the Seattle bureau reporter for cable channel
21 Newsmax and is the lead investigative reporter for Frontlines TPUSA. He’s also a regular
22 contributor to *The Lynnwood Times*.

1 4. The Washington State House of Representatives (“House of Representatives”) is a
2 legislative body in the State of Washington.

3 5. Chief Clerk Bernard Dean (“Chief Clerk Dean”) is the Chief Clerk of the Washington State
4 House of Representatives.

5 6. The Washington State Legislature (“Legislature”) is the legislative branch of government
6 for the State of Washington.

7 7. The State of Washington is a state in the United States of America and is subject to its own
8 and the U.S. Constitution.

9 8. On information and belief, the Washington State Capitol Correspondents Association is a
10 non-profit association comprised of members of the media in Washington State. Jerry Cornfield is
11 a representative of the CCA. The CCA produces “Guidelines” which are relied upon, in part, by
12 other Defendants in this litigation in deciding whether to approve press passes for reporters and
13 other journalists who apply.

14
15 **III. JURISDICTION, VENUE, AND STANDING**

16 9. The Superior Court of Thurston County has jurisdiction under RCW 2.08.010, RCW
17 7.24.010, RCW 7.24.020, and 7.40.010.

18 10. Venue in Thurston County is proper under RCW 4.92.010.

19 11. Plaintiffs have standing to bring this action as individuals operating as reporters engaged
20 in professional newsgathering and reporting within the State of Washington who have been
21 unconstitutionally and illegally denied press passes by Defendants.

1 12. Plaintiffs are harmed because the denial of press passes directly impairs their ability to
2 operate as reporters, engage in newsgathering, and perform the core professional functions of their
3 work.

4 13. In addition, Plaintiffs will suffer injury-in-fact due directly to their denial of press passes.
5 This denial is substantially detrimental to Plaintiffs. Specifically, Plaintiffs will be harmed by the
6 denial of press passes which directly restricts their ability to access legislative proceedings and
7 perform their professional functions as reporters.

8 14. The Washington State House of Representatives, Chief Clerk Bernard Dean, the
9 Legislature, the State of Washington, and the Washington State Capitol Correspondents
10 Association are all proper Defendants.

11 IV. STATEMENT OF FACTS

12 A. 2025 Session

13 15. Under Washington House of Representatives Rule 8, adopted in 2025, representatives of
14 the press may have access to the chambers.

15 16. For well over the last 50 years, press credentialing at the Legislature has been coordinated
16 by the CCA. However, in 2025 that role changed.

17 17. Following the denial of several press passes by the Washington State Senate during the
18 2025 session, including those of Jonathan Choe and Brandi Kruse, a letter was sent to the CCA
19 outlining the constitutional defects of the process used to determine how press passes would be
20 approved. Ex. A, Letter to Jerry Cornfield, Representative of the CCA dated February 19, 2025.

21 18. Following receipt of the letter, Chief Clerk Dean sent an email that indicated that the CCA
22 would be relinquishing that role and asked that press credentialing be handled directly by the
23 Legislature. Ex. B, Email from Chief Clerk Dean dated March 20, 2025.

1 19. The Senate eventually issued press passes to the reporters who were the subject of the
2 February 19 letter, including Jonathan Choe and Brandi Kruse.

3 **B. 2026 House Press Pass Scheme**

4 20. Subsequently, the House of Representatives concocted a new scheme (“press pass
5 scheme”) for the 2026 session to provide for press passes to representatives of the press.

6 21. Members of the press are required to obtain a press pass and must apply via a form on the
7 House of Representatives website, <https://form.jotform.com/253207367883061> (last accessed
8 February 6, 2026). There are two types of passes: a hard pass for members of the press who
9 primarily work on the capitol campus during session, and a day pass for all others.

10 22. To receive a press pass to the House floor, an individual must complete and submit the
11 House Press Pass Agreement, which requires the individual applicant to provide contact
12 information for themselves and their organization.

13 23. According to the online application form, the House will issue floor press passes to
14 individuals who meet CCA Guidelines (“Guidelines”), informed by CCA recommendations. The
15 form indicates that the Guidelines are available on request.

16 24. The form refers to CCA Guidelines as “House Guidelines,” suggesting that the House has
17 de facto adopted the CCA Guidelines.

18 25. Undersigned counsel made a public-records request for the “Guidelines” referenced on the
19 form and used to determine issuance of press passes. In response, counsel received a copy of the
20 CCA Guidelines. Comp. Ex. C, Communications on Guidelines for Washington State Legislature
21 Press Credentials.

22 26. In addition, applicants are required to abide by the House rules of decorum, the Legislative
23 Code of Conduct, and the CCA Guidelines further outlined below. Applicants are cautioned that
24

1 failure to follow these directives may result in immediate revocation of a press pass. The
2 Guidelines are not publicly posted or published and can only be obtained upon individual request.
3 Comp. Ex. C, Communications regarding and Guidelines for Washington State Legislature Press
4 Credentials.

5 27. The Guidelines are framed as aspirational recommendations and are not binding or
6 determinative of who is entitled to a press pass. It is unclear if “press credentials”—a term used in
7 the Guidelines—are the “press passes” referenced in the House jot form application.

8 28. Under Guideline II, credentials should be issued only to “professional journalists.” This is
9 defined as “reporting or shooting [as] part of your primary job and that job is the source of most
10 of your income.”

11 29. Under Guideline III, journalists who work for a website may obtain credentials.

12 30. Guideline III contains the following language:

13 *The Association recommendations are guided by this principle: The press must be*
14 *independent from the government and from the political parties, their constituent*
15 *groups, and the many organizations which have a stake in the Legislature’s*
16 *proceedings. Blurring that line would raise questions about the motives of everyone in*
17 *the press corps, and risk having the Legislature revoke or restrict the access we have*
18 *maintained in the public interest for many years.*

19 31. Guideline IV requires that an applicant’s employer must be a news organization, “full
20 stop.” While the phrase “news organization” is undefined, the Guidelines indicate that the CCA
21 does not support “providing credentials to people who work for any publication or information
22 source that is part of a larger non-news organization. The entity must be doing news for the sake
23 of news alone.”

24 32. Guideline V is worth quoting at length:

V. The Association will not support the providing of a credential to a person who is or
may become engaged in campaigns, lobbying, or the development of public policy.

1 *Giving a relatively inconsequential amount of money to some organization probably is*
2 *not enough to trigger this rule. Anything beyond that probably is.*

3 *It is important that a line be established between professional journalism and political*
4 *or policy work. This is the spirit in which the Legislature has offered access: The press*
5 *should act as an independent observer and monitor of the proceedings, not an involved*
6 *party.*

7 *This means that we cannot endorse offering credentials to one who is part of, or may*
8 *become involved with, a party, campaign or lobbying organization. We also can't*
9 *support providing a credential to folks who do any sort of consulting, advising, writing,*
10 *or other work, whether paid or unpaid, for a politician, public official, party*
11 *organization, lobbying shop, etc. The disqualification also is retroactive: If someone is*
12 *credentialed and then becomes involved in such activities, the Association would*
13 *recommend the credential be invalidated.*

14 *In some cases, professional journalists have crossed back and forth between being a*
15 *journalist and being involved in political work. Some even have run for office. Since*
16 *credentials must be renewed with each legislative session, an assessment of a*
17 *credential-seeker's current or potential political involvement will be undertaken each*
18 *year – meaning that someone might qualify for a press credential one year, but not the*
19 *following, depending on their outside activities.*

20 33. Interestingly, members of the press routinely testify on pending legislation and their
21 organizations often employ lobbyists. <https://wnpa.com/>. For example, in 2025 members of the
22 press testified in support of a bill that would provide funding for local journalists.

23 [https://lawfilesext.leg.wa.gov/biennium/2025-](https://lawfilesext.leg.wa.gov/biennium/2025-26/Pdf/Bill%20Reports/Senate/5400%20SBR%20WM%20TA%2026.pdf?q=20260206143144E)
24 [26/Pdf/Bill%20Reports/Senate/5400%20SBR%20WM%20TA%2026.pdf?q=20260206143144E](https://lawfilesext.leg.wa.gov/biennium/2025-26/Pdf/Bill%20Reports/Senate/5400%20SBR%20WM%20TA%2026.pdf?q=20260206143144E)

25 x. D, Emails from the Washington Newspaper Publisher Association advocating for SSB 5400.

26 Moreover, multiple news outlets maintain editorial pages in which they endorse political
27 candidates and advocate for or against specific policies. These activities are completely appropriate
28 elements of reporting and do not compromise one's independence.

29 34. On information and belief, reporters with news outlets who have advocated for legislation
30 or provided opinion or political commentary have received press passes and yet have not been
31 deemed in violation of the Guidelines.

1 **C. Denial of Press Passes to Plaintiffs**

2 35. Ari Hoffman is a professional reporters. Reporting is part of his primary job which is the
3 source of most of his income. He is employed by a news organization. He does provide editorial
4 political opinion in his work but does not engage in campaigns, lobbying, or in the development
5 of public policy.

6 36. On Monday, January 26, 2026, Ari Hoffman completed the online form for a daily press
7 pass for January 29, 2026.

8 37. On January 28, 2026, Ari Hoffman was denied a press pass. Ex. E, Letter from Chief
9 Clerk Dean on Hoffman Denial.

10 38. Chief Clerk Dean's letter noted that he was being denied because the House looks to the
11 CCA to make a recommendation as to whether a press pass applicant is a "bona fide journalist" or
12 not. The letter indicated that "[b]ased on [his] recent engagement with public policy development
13 and advocacy, [his] request for a press pass is denied."

14 39. Apparently, the Guidelines were not the final factor in determining if Hoffman's
15 application would be granted. In the January 28 letter, Chief Clerk Dean stated that the decision
16 was "in part" due to the Guidelines. It is unclear what else the House used in issuing its denial.

17 40. The Guidelines do not indicate that the CCA will make recommendations on press passes
18 and neither the phrase "bona fide journalist" nor a definition thereof is included therein.

19 41. Either the House of Representatives has delegated who gets access to its chambers to the
20 CCA--which violates the non-delegation doctrine--or it made the decision to deny Mr. Hoffman's
21 pass based upon vague, unclear, and inconsistently applied recommendations disguised as the
22 Guidelines. Either way, the denial violated Mr. Hoffman's right to exercise his freedoms of speech
23 and press
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1 42. The letter also indicated that Mr. Hoffman could appeal the decision, although the letter
2 did not outline any timeline, process, standard of review or appropriate grounds for appeal.

3 43. On January 29, 2026, undersigned counsel sent a letter to House Speaker Laurie Jinkins,
4 Chief Clerk Dean, and CCA representative Jerry Cornfield. Ex. F, Letter from Counsel on
5 Hoffman Denial. The letter outlined legal concerns with the process and decision-making involved
6 in denying Mr. Hoffman's press pass and appealed the denial as well as requested public records
7 regarding the denial.

8 44. On February 3, 2026, the Chief Clerk denied Mr. Hoffman's appeal. Ex. G, Letter from
9 Chief Clerk Dean Responding to Counsel's January 29, 2026 Letter.

10 45. Jonathan Choe is a professional reporter, and reporting is part of his primary job which is
11 the source of most of his income. He is employed by a news organization. He does provide editorial
12 political opinion in his work but does not engage in campaigns, lobbying, or in the development
13 of public policy.

14 46. On February 2, 2026, Jonathan Choe applied for a press pass for February 2, 3, 4, 5, and 6,
15 2026.

16 47. On that same date Mr. Choe's application for a press pass was likewise denied by email
17 which did not contain any reason for the denial. The email did provide an email address for Mr.
18 Choe to appeal in writing.

19 48. Mr. Choe requested a reason for the denial. The response was that "[a]pprovals and denials
20 are based on [CCA]recommendations and may be appealed by contacting the Chief Clerk's Office
21 in writing." Ex. H, Communication between Mr. Choe and Chief Clerk's Office.

1 49. This response was defective as it did not list any of the “Guidelines” that Mr. Choe
2 apparently did not meet. The response also did not include a copy of the recommendation or basis
3 for the decision.

4 50. Mr. Choe appealed via email and that appeal was denied on February 4, 2026.

5 51. In the February 4, 2026, letter denying Mr. Choe’s appeal, Chief Clerk Dean stated that it
6 was because “credentials are not provided to individuals who work for any publication or
7 information source that is part of a larger non-news organization, this includes think tanks.” Ex. I,
8 Letter from Bernard Dean on Choe Appeal Denial.

9 52. Mr. Choe works for and provides newsgathering activities for a number of news outlets
10 including for a website based independent news site covering homelessness and drug addiction in
11 Washington State. <https://fixhomelessness.org> (last accessed February 9, 2026).

12 53. Brandi Kruse is a professional reporter, and reporting is part of her primary job which is
13 the source of most of her income. She is employed by a news organization. She does provide
14 editorial political opinion in her work but am not employed by campaigns and do not engage in
15 lobbying, or in the development of public policy.

16 54. Ms. Kruse also applied for a press pass. The request was denied. She also appealed. On
17 February 4, 2026, her appeal was denied. Ex. J, Letter from Chief Clerk Dean on Kruse Denial.
18 The letter to Ms. Kruse is nearly verbatim to the one sent to Mr. Hoffman. She was denied because
19 the House looks to the CCA to make a recommendation as to whether a press pass applicant is a
20 “bona fide journalist.” The letter indicated that “[b]ased on your recent engagement with public
21 policy development and advocacy, your request for a press pass is denied.”

22 55. Ms. Kruse responded to the letter via email as follows: “Hello, The letter states I have
23 worked on public policy development. I have not worked on public policy development. Can you
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1 provide precise information?... In regard to advocacy, does this mean any individual who has taken
2 a position on policy may not be granted a press pass? The Seattle Times editorial board?"

3 56. No response to this inquiry has been received as of this filing.

4 57. The Guidelines do not indicate whether the CCA will make recommendations as to press
5 passes and neither the phrase "bona fide journalist" nor a definition thereof is included therein.

6 58. Either the House of Representatives has delegated who gets access to its chambers to the
7 CCA, which violates the non-delegation doctrine, or it made the decision to deny Ms. Kruse's pass
8 based upon vague, unclear and inconsistently applied recommendations disguised as "Guidelines."
9 Either way, the denial violated Ms. Kruse's right to exercise her freedoms of speech and press.

10 59. Even though Ms. Kruse's email was treated as an appeal and thusly denied, note that the
11 House did not at any time provide any timeline, process, standard of review or appropriate grounds
12 for appeal which is required under due process and the non-delegation doctrine.

14 V. CLAIMS

15 A. First Cause of Action: Violation of Freedom of the Press

16 1. Violation of First Amendment to the U.S. Constitution

17 60. The First Amendment of the U.S. Constitution provides: "Congress shall make no law
18 respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the
19 freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition
20 the Government for a redress of grievances." The Fourteenth Amendment to the U.S. Constitution
21 incorporates the First Amendment against state authorities.

22 61. As courts across the nation have long affirmed, "newsgathering is an activity protected by
23 the First Amendment," *United States v. Sherman*, 581 F.2d 1358, 1361 (9th Cir. 1978), which
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1 includes the “right of access for the press ... to observe government activities,” *Leigh v. Salazar*,
2 677 F.3d 892, 897–98 (9th Cir. 2012). Press freedom is paramount to our nation’s survival, as “the
3 media are ‘surrogates for the public’” and “the guardian of the public interest.” *Id.* As such, any
4 restrictions on the rights of a free press to collect and report on news concerning the government’s
5 activities constitute serious harms that must immediately be remedied, because “[w]here the
6 precious First Amendment right of freedom of the press is at issue, the prevention of access to a
7 public forum is, each day, an irreparable injury.” *Jacobsen v. U.S.P.S.*, 812 F.2d 1151, 1154 (9th
8 Cir. 1987).

9 62. The U.S. Supreme Court has acknowledged that “without some protection for seeking out
10 the news, freedom of the press could be eviscerated.” *Branzburg v. Hayes*, 408 U.S. 665, 684
11 (1972). The Bill of Rights prohibits the government from in any way “abridg[ing] the freedom of
12 the press.” U.S. Const. Amend. I. In other words, it is the institution of the press that is the target
13 of protection, due to its vital service to the citizenry. *See* Letter from Thomas Jefferson, *supra*.

14 63. Based on the importance of the free press and the corresponding individual and collective
15 right to access to lawmaking forums, courts routinely strike down restrictions used to deny press
16 passes and/or credentials to reporters that are based on unclear, spurious, or conflicting grounds.
17 As a principal matter, any restrictions on the issuance of press passes and their specific
18 requirements must be published, and cannot be based on vague claims regarding “security”
19 concerns or ambiguous criteria. *See Sherrill v. Knight*, 569 F.2d 124, 130 (D.C. Cir. 1977). In fact,
20 the failure to publish those requirements is itself a separate violation of reporters’ due process
21 rights under the Fourteenth Amendment. *See Alaska Landmine, LLC v. Dunleavy*, 514 F. Supp. 3d
22 1123, 1134 (D. Alaska 2021) (granting injunction because “Plaintiffs are likely to succeed on their
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1 due process claims given the government’s failure to memorialize an explicit and meaningful
2 standard governing its denial of press conference access”).

3 64. Nor does the availability of a “day pass” constitute an adequate substitute for full
4 credentials, as it also burdens reporters’ free-speech and press rights, requiring advanced screening
5 or limiting the extent of their access. *See Ateba v. Jean-Pierre*, 706 F. Supp. 3d 63, 77–78 (D.D.C.
6 2023) (denying alternative of a day pass and noting “that the White House Correspondents’
7 Association has remarked in previous litigation that ‘without the access that a hard pass grants, a
8 White House correspondent cannot effectively perform his or her duties”). Moreover, restrictions
9 cannot be imposed on the tenuous grounds that a reporter is simply a part-time “blogger,” *see*
10 *Dunleavy, supra*, 514 F.Supp. 3d at 1134, or that they “take sides, especially in political contests,”
11 *Borreca v. Fasi*, 369 F.Supp. 906, 910 (D. Haw. 1974); *see also TGP Commc ’ns, LLC v. Sellers*,
12 2022 WL 17484331, at *4 (9th Cir. 2022) (enjoining restriction of press pass, which relied on
13 claim that the reporter “participate[d] in political party events and associate[d] with people and
14 groups that demonstrate an inability to avoid real or perceived conflicts of interest”). Such content
15 and viewpoint-based restrictions violate core First Amendment rights, and there is no compelling
16 government interest in avoiding criticism from reporters or commentators who they wish to avoid.
17 *Id.*

18 65. Finally, at least one federal court understands the U.S. Supreme Court’s scrutiny on such
19 questions as follows: . “For a nonpublic forum, the question is whether the restrictions are (1)
20 reasonable and (2) not an effort to suppress an opposing viewpoint.” *See John K. MacIver Inst. for*
21 *Pub. Policy v. Evers*, No. 19-CV-649-JDP, 2020 WL1531637, at *5 (W.D. Wis. Mar. 31, 2020)
22 (citing *Perry Educ. Ass’n v. Perry Local Educators’ Ass’n*, 460 U.S. 37, 44 (1983)).

1 66. The First Amendment secures “the paramount public interest in a free flow of information
2 to the people concerning public officials,” which, when coupled with the Fourteenth Amendment,
3 serve to protect the right of the public to receive published information and ideas. *Id.*

4 67. Defendants’ press pass scheme fails to satisfy these constitutional requirements in
5 the following ways:

- 6 • The Guidelines maintained by the CCA and relied upon (in part) by the House are
7 unpublished, vague, ambiguous, and unenforceable.
- 8 • The Guidelines are not applied uniformly or even consistently.
- 9 • Defendants’ application of the Guidelines to Plaintiffs erroneously determined
10 that they were not qualified to receive passes.
- 11 • The lack of due process of standards of review for appeals, or facts or law that
12 would be considered by the Clerk in an appeal similarly violates the rights of
13 Plaintiffs.
- 14 • The Guidelines are not reasonable and not viewpoint neutral.
- 15 • A “day pass” is not an adequate substitute for full credentials.

16 **2. Violation of the State Constitution Article I, Section 5**

17 68. Article I, Section 5 of the Washington Constitution provides as follows: “FREEDOM OF
18 SPEECH. Every person may freely speak, write and publish on all subjects, being responsible for
19 the abuse of that right.” *Id.*

20 69. This provision offers much greater protection than its federal counterpart, which is already
21 remarkably robust. *State v. Noah*, 103 Wash.App. 29, 9 P.3d 858 (2001). “The right of
22 the legislature to classify, if there be a reasonable basis for the classification, does not apply when
23 the equal protection clause is concerned with a right claimed under the first amendment.” *Adams*
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1 *v. Hinkle*, 51 Wash.2d 763, 322 P.2d 844 (1958) (striking down regulation impacting freedom of
2 the press by requiring a license from comic book dealers but exempted newspapers from the same
3 publication of identical material). The free-speech article of the Washington Constitution
4 guarantees an absolute right to publish and to broadcast accurate, lawfully obtained information
5 that is a matter of public record by virtue of having been admitted into evidence and presented in
6 open court. *State v. Coe*, 101 Wash.2d 364, 679 P.2d 353 (1984).

7 70. Here the actions of the House of Representatives in denying press passes to Plaintiffs based
8 on unpublished, vague, and ambiguous criteria , inconsistently applied, clearly violate the state
9 constitution's ironclad protection of press freedom and free-speech rights.

10 **B. Third Cause of Action: Violation of Due Process**

11 **1. Fourteenth Amendment to the U.S. Constitution**

12 71. The Fourteenth Amendment to the United States Constitution provides:

13 *SECTION 1. All persons born or naturalized in the United States, and subject to the*
14 *jurisdiction thereof, are citizens of the United States and the State wherein they reside. No*
15 *State shall make or enforce any law which shall abridge the privileges or immunities of*
16 *citizens of the United States; nor shall any State deprive any person of life, liberty, or*
17 *property, without due process of law; nor deny to any person within its jurisdiction the equal*
18 *protection of the laws.*

19 72. In *Sherrill v. Knight*, *supra*, the federal court considered a journalist's challenge to the
20 denial of a White House press pass. In that case, the journalist argued that the absence of any
21 published or internal policies regarding the issuance of press passes constituted a violation of both
22 the First and Fifth Amendments. In response, the government argued that the right of access due
23 to the press is generally no greater than the right of access the public holds and therefore the
24 absence of guidelines could only violate the First Amendment if denial was predicated on the
content of the journalist's work. The court was persuaded that a press pass should not be denied

1 for media access to government facilities and should “not be denied arbitrarily or for less than
2 compelling reasons.” *Id.* at 115.

3 73. Here, the reasons provided for the denial of the press passes are arbitrary and wholly
4 uncompelling. The unpublished Guidelines are inadequate, vague, and ambiguous and
5 inconsistently enforced in addition to the other defects alleged above. In addition, the letters
6 received from the Chief Clerk indicate that the Guidelines were only used “in part” to make the
7 denial and such unwritten policies constitute a due process violation.

8 **2. Violation of Article I, Section 3 of the State Constitution**

9 74. The state constitution provides that “[n]o person shall be deprived of life, liberty, or
10 property, without due process of law.” Art. I, §3. The state constitution protects individual’s due-
11 process rights against arbitrary and capricious government action. *In re Estate of Hambleton*
12 (2014) 181 Wash.2d 802, 335 P.3d 398 (2014), cert. denied 136 S.Ct. 318 (Mem), 577 U.S. 922,
13 193 L.Ed.2d 227 (2015). If a court holds that a party asserts a protected interest, the court must
14 then determine whether, in light of the protected interest at stake, the proceedings below were
15 sufficient to satisfy due process demands. *LK Operating, LLC v. Collection Group, LLC* 181
16 Wash.2d 48, 331 P.3d 1147 (2014). Generally, the Due Process Clause of the Washington
17 Constitution does not afford broader protection than that given by the Fourteenth Amendment.
18 *State v. Beaver* 184 Wash.App. 235, 336 P.3d 654 (2014), , affirmed 184 Wash.2d 321, 358 P.3d
19 385 (2015). To satisfy due process requirements, the opportunity to be heard must be at a
20 meaningful time and in a meaningful manner, appropriate to the case. *Bellevue Sch. Dist. v. E.S.*
21 171 Wash.2d 695, 257 P.3d 570 (2011).

22 75. Here, Plaintiffs’ due process rights under the state constitution were violated because the
23 Guidelines used by the Defendants in determining which applicants received press passes and their
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1 enforcement and application are arbitrarily and capricious. Neither the decision to deny their
2 passes or on appeal, Plaintiffs had no realistic notice or opportunity to be heard at a meaningful
3 time or in a meaningful manner.

4 **C. Third Cause of Action: Non-Delegation Doctrine**

5 76. Under the nondelegation doctrine, the legislature may grant regulatory authority to private
6 parties only if proper standards, guidelines, and procedural safeguards exist. *Entertainment Indus.*
7 *Coalition v. Tacoma-Pierce Cnty. Health Dep't*, 153 Wash.2d 657, 105 P.3d 985 (2005)

8 77. To the extent that the House of Representatives claims to delegate to the CCA, a private
9 entity, the authority to impose guidelines on the Plaintiffs' constitutional rights to freedom of press
10 and speech, and to decide whether to grant press passes. Such a delegation violates the non-
11 delegation doctrine because proper standards, guidelines and procedural safeguard do not exist to
12 protect Plaintiffs' rights.

13 78. The House of Representatives rules provide no standards by which the CCA can determine
14 whether the guidelines it adopts are consistent with the Legislature's intent.

15 79. The House of Representatives Rules contain no mechanism for challenging arbitrary
16 actions by the CCA or remedying the abuse of the CCA's discretionary power.

17 80. Without standards for determining which members of the press may obtain passes or for
18 challenging the arbitrary exercise of the CCA's authority, the process utilized by the House of
19 Representatives is an unconstitutional delegation of the legislative power.

20 **VI. RELIEF SOUGHT**

21 **A. Declaratory Judgment**

22 81. Plaintiffs repeat and reallege each of the foregoing allegations as though fully set forth
23 here.

1 82. This is a petition for declaratory judgment action pursuant to Ch. 7.24 of the UDJA.
2 Plaintiffs have rights, status, and other legal relations that are affected by the denial of the press
3 passes outlined in this Petition and seek to have determined a question of construction or validity
4 arising under the statute and to obtain a declaration of rights, status, or other legal relations
5 thereunder. *See, e.g., Stevens Cnty. v. Stevens Cnty. Sheriff's Dep't*, 20 Wash.App.2d 34, 40–41
6 (2021) (citing *Clallam Cnty. Deputy Sheriff's Guild v. Bd. Of Clallam Cnty. Comm'rs*, 92 Wash.2d
7 844, 848 (1979)). Pursuant to the UDJA, Plaintiffs respectfully ask this Court to declare that the
8 House of Representatives is in violation of the U.S. Constitution.

9 83. An actual dispute exists between Plaintiffs and Defendants, who have genuine and
10 opposing interests that are direct and substantial, and of which a judicial determination would be
11 final and conclusive.

12 84. Plaintiffs seek to have this Court declare that the House of Representatives is in violation
13 of the provisions of the state and federal constitution, as outlined herein, and issue press passes to
14 them for the remainder of this legislative session.

15 **B. Injunctive Relief**

16 85. Plaintiffs reallege the preceding paragraphs and incorporate them by reference in this
17 request for injunctive relief.

18 86. This is a petition for injunctive relief in which Plaintiffs seek an injunction.

19 87. Plaintiffs meet the standard for obtaining redress in the form of injunctive relief. Plaintiffs
20 (and the public) have a “clear legal or equitable right” to ensure the state government is operating
21 exclusively within legal and constitutional limits. Such acts “are either resulting in or will result
22 in actual and substantial injury” to said “clear legal or equitable rights.” *Tyler Pipe Indus., Inc. v.*
23
24

1 *Dep't of Rev.*, 96 Wash.2d 785, 792, 638 P.2d 1213 (1982) (quoting *Port of Seattle v. Int'l*
2 *Longshoremen's & Warehousemen's Union*, 52 Wash.2d 317, 319, 324 P.2d 1099 (1958)).

3 88. Such actual and substantial injury would inevitably result if Defendants proceed in any
4 manner as the Act authorizes. *State v. City of Sunnyside*, 3 Wash.3d 279, 313, 550 P.3d 31 (2024)
5 (reiterating the standard for permanent injunctive relief enjoining a governmental actor for
6 undertaking an unconstitutional act).

7 **VI. PRAYER FOR RELIEF**

8 Plaintiffs request the following relief:

9 89. For a declaratory judgement declaring that the press pass scheme for the House of
10 Representatives is unconstitutional and violative of freedom of the press under the federal and/or
11 state constitutions, as well as the non-delegation doctrine.

12 90. For a declaratory judgement, declaring that the press passes were improperly denied to
13 Plaintiffs and ordering the Defendants to issue day passes when requested by Plaintiffs.

14 91. For a show-cause order pursuant to RCW 7.24.080 ordering Defendants to show cause as
15 to why the relief sought in this petition should not be granted and issuing an order granting the
16 requested relief.

17 92. For an injunction permanently enjoining the State from enforcing the press pass scheme.

18 93. For a preliminary injunction seeking to have the hard passes aka permanent passes issued
19 to Plaintiffs for the remainder of session.

20 94. Award Plaintiffs all costs incurred in connection with this action, including reasonable
21 attorney fees.

22 95. Award any other relief as it deems fair, just, or equitable.

1 DATED this 10th day of February, 2026.

2
3 /s/ Jackson Maynard
4 JACKSON WILDER MAYNARD, JR.
5 WSBA No. 43481
6 111 21st Ave SW
7 Olympia, WA 98501
8 (850) 519-3495

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10 *Attorney for Plaintiffs*
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JERRY CORNFIELD
Representative, Capitol Correspondents Association
Legislative Building
416 Sid Snyder Ave SW
The Capitol Press Office Rm. 102
Olympia WA 98504

NICK BROWN
Attorney General, State of Washington
1125 Washington St. SE
Olympia, WA 98504

/s/ Jackson Maynard
JACKSON WILDER MAYNARD, JR.
WSBA No. 43481
111 21st Ave SW
Olympia, WA 98501
(850) 519-3495

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5 **SUPERIOR COURT OF THE STATE OF WASHINGTON**
6 **IN AND FOR THURSTON COUNTY**

7 ARI HOFFMAN, BRANDI KRUSE, and
8 JONATHAN CHOE

9 *Plaintiffs,*

10 v.

11 WASHINGTON STATE HOUSE OF
12 REPRESENTATIVES; CHIEF CLERK BERNARD
13 DEAN, in his official capacity; THE LEGISLATURE
14 OF THE STATE OF WASHINGTON; THE STATE
15 OF WASHINGTON; and the WASHINGTON
16 STATE CAPITOL CORRESPONDENTS
17 ASSOCIATION, a Washington State non-profit
18 association.

19 *Defendants.*

No.

**DECLARATION OF ARI
HOFFMAN IN SUPPORT OF
PETITION FOR DECLARATORY
AND INJUNCTIVE RELIEF**

20 I, Ari Hoffman, hereby declare under penalty of perjury under the laws of the State of
21 Washington that the following is true and correct:

- 22 1. I am over the age of 18, have personal knowledge of the facts set forth herein, and am
23 competent to testify.
- 24 2. I am a reporter residing and operating in the State of Washington.
3. Reporting is part of my primary job which is the source of most of my income.
4. Through my employment, I broadcast on AM 570 KVI which is a news and commentary
media company.

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2 5. I have produced journalistic content for broadcast, print, and digital media, including
3 Newsweek, Fox News, Newsmax, The Post Millennial and Human Events.

4 6. I provide editorial political opinions from time to time, but am not employed in campaigns
5 and I do not engage in campaigns, lobbying, or in the development of public policy.

6 7. On Monday January 26, 2026, I completed the online form for a daily press pass for January
7 29, 2026.

8 8. On January 28, 2026, I was denied a press pass. This denial was communicated via letter
9 by House of Representatives Chief Clerk, Bernard Dean.

10 9. On January 29, through counsel I sent a letter to House Speaker Laurie Jinkins, Chief Clerk
11 Bernard Dean, and CCA representative Jerry Cornfield.

12 10. On February 3, 2026, the Chief Clerk denied my appeal.

13 I, Ari Hoffman, hereby declare under penalty of perjury under the laws of the State of
14 Washington that the facts I have provided in this declaration are true.

15
16 SIGNED in Seattle WA on this 10th day of February 2026.

17 /s/ Ari Hoffman
18 Ari Hoffman
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**SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THURSTON COUNTY**

ARI HOFFMAN, BRANDI KRUSE, and
JONATHAN CHOE

Plaintiffs,

v.

WASHINGTON STATE HOUSE OF
REPRESENTATIVES; CHIEF CLERK BERNARD
DEAN, in his official capacity; THE LEGISLATURE
OF THE STATE OF WASHINGTON; THE STATE
OF WASHINGTON; and the WASHINGTON
STATE CAPITOL CORRESPONDENTS
ASSOCIATION, a Washington State non-profit
association.

Defendants.

No.

**DECLARATION OF JONATHAN
CHOE IN SUPPORT OF PETITION
FOR DECLARATORY AND
INJUNCTIVE RELIEF**

I, Jonathan Choe, hereby declare under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I am over the age of 18, have personal knowledge of the facts set forth herein, and am competent to testify.
2. I am a professional journalist residing and operating in the State of Washington.
3. I am employed by a news organization.
4. Reporting is part of my primary job which is the source of most of my income.
5. I am a reporter with the news site www.fixhomelessness.org and a Senior Fellow at the Discovery Institute's news wing and regularly produce journalistic content for national

1
2 broadcast networks, including ABC, NBC, FOX, and CBS. I am also the Seattle bureau
3 reporter for cable channel Newsmax and is the lead investigative reporter for Frontlines
4 TPUSA. I am also a regular contributor to The Lynnwood Times.

5 6. I provide editorial political opinions in my work but do not engage in campaigns, lobbying,
6 or in the development of public policy.

7 7. On February 2, 2026, I applied for a press pass for February 2, 3, 4, 5, and 6, 2026.

8 8. On that same date my application for a press pass was likewise denied by email which did
9 not contain any reason for the denial.

10 9. I requested a reason for the February 2, 2026, denial. The response was that “[a]pprovals
11 and denials are based on Capitol Correspondence Association’s recommendations and may be
12 appealed by contacting the Chief Clerk’s Office in writing.”

13 10. I appealed via email and that appeal was denied on February 4, 2026.

14 I, Jonathan Choe, hereby declare under penalty of perjury under the laws of the State of
15 Washington that the facts I have provided in this declaration are true.

16
17 SIGNED in Seattle WA on this 10th day of February 2026.

18 /s/ Jonathan Choe
19 Jonathan Choe

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5 **SUPERIOR COURT OF THE STATE OF WASHINGTON**
6 **IN AND FOR THURSTON COUNTY**

7 ARI HOFFMAN, BRANDI KRUSE, and
8 JONATHAN CHOE

9 *Plaintiffs,*

10 v.

11 WASHINGTON STATE HOUSE OF
12 REPRESENTATIVES; CHIEF CLERK BERNARD
13 DEAN, in his official capacity; THE LEGISLATURE
14 OF THE STATE OF WASHINGTON; THE STATE
15 OF WASHINGTON; and the WASHINGTON
16 STATE CAPITOL CORRESPONDENTS
17 ASSOCIATION, a Washington State non-profit
18 association.

19 *Defendants.*

No.

**DECLARATION OF BRANDI
KRUSE IN SUPPORT OF
PETITION FOR DECLARATORY
AND INJUNCTIVE RELIEF**

20 I, Brandi Kruse, hereby declare under penalty of perjury under the laws of the State of
21 Washington that the following is true and correct:

- 22 1. I am over the age of 18, have personal knowledge of the facts set forth herein, and am
23 competent to testify.
24 2. I am a reporter residing and operating in the State of Washington.
3. I am employed by a news organization.
4. Reporting is part of my primary job which is the source of most of my income.
5. I host the unDivided Podcast and previously worked as a television journalist for Fox 13
Seattle.

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2 6. I provide editorial political opinions in my work but am not employed in campaigns and
3 do not engage in campaigns, lobbying, or in the development of public policy.

4 7. I sent an email which was treated as an appeal on February 2, 2026.

5 8. On February 4, 2026, my request for a press pass was again denied. This denial was
6 communicated via letter by House of Representatives Chief Clerk, Bernard Dean.

7 9. The letter communicating the denial of my appeal stated that “[b]ased on your recent
8 engagement with public policy development and advocacy, your request for a press pass is
9 denied.”

10 10. I responded to the letter via email as follows: “Hello, The letter states I have worked on
11 public policy development. I have not worked on public policy development. Can you provide
12 precise information?”

13 11. To date I have received no response to this inquiry.

14 I, Brandi Kruse, hereby declare under penalty of perjury under the laws of the State of
15 Washington that the facts I have provided in this declaration are true.

16
17 SIGNED in North Bend, WA on this 10th day of February, 2026.

18 /s/ Brandi Kruse
19 Brandi Kruse
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**SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THURSTON COUNTY**

ARI HOFFMAN, BRANDI KRUSE, and
JONATHAN CHOE

Plaintiffs,

v.

WASHINGTON STATE HOUSE OF
REPRESENTATIVES; CHIEF CLERK BERNARD
DEAN, in his official capacity; THE LEGISLATURE
OF THE STATE OF WASHINGTON; THE STATE
OF WASHINGTON; and the WASHINGTON
STATE CAPITOL CORRESPONDENTS
ASSOCIATION, a Washington State non-profit
association.

Defendants.

No.

**DECLARATION OF JACKSON
MAYNARD IN SUPPORT OF
PETITION FOR DECLARATORY
AND INJUNCTIVE RELIEF**

I, Jackson Maynard, hereby declare under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I am over the age of 18, have personal knowledge of the facts set forth herein, and am competent to testify.
2. I am legal counsel to the Plaintiffs in this matter.
3. I certify that a true and correct copy of the Letter to Jerry Cornfield, Representative of the Washington State Capitol Correspondents' Association, dated February 19, 2025, is attached as Exhibit A.

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2 4. I certify that a true and correct copy of the email from Chief Clerk Bernard Dean dated March
3 20, 2025, is attached as Exhibit B.

4 5. I certify that a true and correct copy of my communications with Chief Clerk Bernard Dean
5 requesting a copy of the CCA Guidelines as well as the CCA Guidelines obtained by this request
6 through the Public Record Request Portal are attached as Composite Exhibit C.

7 6. I certify that a true and correct copy of emails from the Washington Newspaper Publisher
8 Association advocating for SSB 5400 are attached as Exhibit D.

9 7. I certify that a true and correct copy of Mr. Hoffman's denial letter is attached as Exhibit E.

10 8. I certify that a true and correct copy of the letter I sent to Chief Clerk Dean is attached as
11 Exhibit F.

12 9. I certify that a true and correct copy of Chief Clerk Dean's response to my letter is attached
13 as Exhibit G.

14 10. I certify that a true and correct copy of the email exchange between Mr. Choe and Chief
15 Clerk Dean is attached as Exhibit H.

16 11. I certify that a true and correct copy of Chief Clerk Dean's letter denying Mr. Choe is
17 attached as Exhibit I.

18 12. I certify that a true and correct copy of Chief Clerk Dean's letter denying Ms. Kruse's
19 appeal is attached as Exhibit J.

20
21 I, Jackson Maynard, hereby declare under penalty of perjury under the laws of the State of
22 Washington that the facts I have provided in this declaration are true.

23 SIGNED in Olympia WA on this 9th day of February 2026.
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/s/ Jackson Maynard
JACKSON WILDER MAYNARD, JR.
WSBA No. 43481
111 21st Ave SW
Olympia, WA 98501
(850) 519-3495

Attorney for Plaintiffs

EXHIBIT A

February 19, 2025

VIA ELECTRONIC MAIL (jcornfield@washingtonstatestandard.com)

Jerry Cornfield
Representative, Washington State Capitol Correspondents Association

Re: Press Pass and Legislative Access Demand

Dear Mr. Cornfield:

We represent Brett Davis and Carleen Johnson of The Center Square, as well as independent reporters Jonathan Choe and Brandi Kruse (collectively, the “Reporters”), and write with regard to your role at the Washington State Capitol Correspondents Association (“WSCCA”), through which you control the provision of press credentials for the Washington state legislature. As detailed below, your refusal to timely issue full press credentials to the Reporters violates their First Amendment rights, and undermines the rights of the free press and all other reporters in Washington State. We therefore demand that you confirm they will be issued full passes immediately and that you will not impede their access to such credentials in the future, or in the alternative, that you provide your availability for a meeting to discuss this issue before we initiate litigation.

As courts across the nation have long affirmed, “newsgathering is an activity protected by the First Amendment,” *United States v. Sherman*, 581 F.2d 1358, 1361 (9th Cir. 1978), which includes the “right of access for the press ... to observe government activities,” *Leigh v. Salazar*, 677 F.3d 892, 897–98 (9th Cir. 2012). Given your career as a reporter, you no doubt agree that a free press is of utmost importance to our Nation, as “the media are ‘surrogates for the public’” and “the guardian of the public interest.” *Id.* As such, any restrictions on the right of a free press to collect and report on news concerning the government’s activities constitutes a serious harm that must immediately be remedied, because “[w]here the precious First Amendment right of freedom of the press is at issue, the prevention of access to a public forum is, each day, an irreparable injury.” *Jacobsen v. U.S. Postal Serv.*, 812 F.2d 1151, 1154 (9th Cir. 1987).

Based on the importance of the free press and the corresponding right to access to public forums, courts routinely strike down restrictions used to deny press credentials to reporters for spurious or conflicting reasons. As a principal matter, any restrictions on the issuance of press passes and their specific requirements must be published, and cannot be based on vague claims regarding “security” concerns or ambiguous criteria. *See Sherrill v. Knight*, 569 F.2d 124, 130 (D.C. Cir. 1977). In fact, the failure to publish those requirements is itself a separate violation of reporters’ due process rights under the Fourteenth Amendment. *See Alaska Landmine, LLC v. Dunleavy*, 514 F. Supp. 3d 1123, 1134 (D. Alaska 2021) (granting injunction because “Plaintiffs are likely to succeed on their due process claims given the government’s failure to memorialize an explicit and meaningful standard governing its denial of press conference access”).

Mr. Cornfield
February 19, 2025
Page 2

Nor does the availability of a “day pass” constitute an adequate substitute for full credentials, as it also burdens reporters’ First Amendment rights by requiring advanced screening or limiting the extent of their access. *See Ateba v. Jean-Pierre*, 706 F. Supp. 3d 63, 77–78 (D.D.C. 2023) (denying alternative of a day pass and noting “that the White House Correspondents Association has remarked in previous litigation that ‘without the access that a hard pass grants, a White House correspondent cannot effectively perform his or her duties’”). Moreover, restrictions cannot be imposed on the tenuous grounds that a reporter is simply a part-time “blogger,” *see Dunleavy*, 514 F. Supp. 3d at 1134, or that they “take sides, especially in political contests,” *Borreca v. Fasi*, 369 F. Supp. 906, 910 (D. Haw. 1974); *see also TGP Commc’ns, LLC v. Sellers*, 2022 WL 17484331, at *4 (9th Cir. 2022) (enjoining restriction of press pass, which relied on claim that the reporter “participate[d] in political party events and associate[d] with people and groups that demonstrate an inability to avoid real or perceived conflicts of interest”). As a fundamental matter, such content and viewpoint-based restrictions violate core First Amendment rights, and there is no compelling government interest in avoiding criticism from reporters or commentators who they wish to avoid. *See id.*

Here, we are aware of no published criteria online or elsewhere by WSCCA or the State for the provision of press credentials or access to Washington’s state legislature. This alone violates the Reporters’ First and Fourteenth Amendment rights. Furthermore, the unpublished-yet-claimed criteria for past denials of the Reporters’ requests—which have spanned complaints regarding perceived “involvement in the political process,” your purported belief that a “day pass” will be sufficient and all that is “needed or required,” or that you “didn’t see [the reporter] very often”—are all unconstitutional under well-established law. Therefore, in light of the Reporters’ undisputed rights under the First Amendment to receive full credentials as active members of the press seeking to report on the Washington legislature, we object to those denials and reserve all rights and remedies to address this infringement of their core constitutional rights.

In order to avoid litigation or the need for further escalation, we therefore demand that you immediately confirm that the Reporters will receive full press credentials now and without further obstruction in the future. To the extent that you are unable to comply with that demand by **February 21, 2025** for any reason, we request your availability to meet and discuss this issue before we file suit.

Sincerely,

Davis Wright Tremaine LLP



Caesar Kalinowski IV

EXHIBIT B



From: Dean, Bernard <Bernard.Dean@leg.wa.gov>
Sent on: Thursday, March 20, 2025 1:19:13 AM
To: Kalinowski, Caesar <CaesarKalinowski@dwt.com>
CC: Kumar, Ambika <AmbikaKumar@dwt.com>; Bannister, Sarah <Sarah.Bannister@leg.wa.gov>; Roberts, Dallas (LTG) <Dallas.Roberts@ltgov.wa.gov>; Lowy, Ohad <Ohad.Lowy@leg.wa.gov>
Subject: RE: Press Pass Requests

[EXTERNAL]

Mr. Kalinowski,

I am writing to respond to your recent inquiries regarding press credentialing at the House of Representatives. As you may be aware, for well over the last 50 years press credentialing at the Legislature has been coordinated by the Capitol Correspondents Association (CCA). However, due to your recent communications, the CCA has relinquished that role and asked that press credentialing be handled directly by the Legislature.

While the House of Representatives is committed to developing an orderly process to issue such credentials, the sudden timing of these changes and the constraints of the legislative session mean that it will take some time for us to develop a process. In the meantime, press credentials previously authorized by the CCA will be continued to be honored until a new system is in place.

There is not currently a mechanism for new press credentials be issued. It is our intention to fully evaluate press access following the conclusion of the 2025 legislative session. That said, we plan to utilize the next few weeks to develop an interim process to issue temporary press credentials.

In the meantime, individuals without press credentials are free to observe floor proceedings from publicly accessible spaces in the House chamber galleries. It is worth noting that all floor proceedings are also live streamed on TVW. (Archived footage is also available via their website.)

Sincerely,

Bernard Dean
Chief Clerk
Washington State House of Representatives

Legislative Building
P.O. Box 40600, Olympia, WA 98504-0600
360.786.7750

From: Kalinowski, Caesar <CaesarKalinowski@dwt.com>
Sent: Tuesday, March 11, 2025 3:46 PM
To: Dean, Bernard <Bernard.Dean@leg.wa.gov>; Bannister, Sarah <Sarah.Bannister@leg.wa.gov>
Cc: Kumar, Ambika <AmbikaKumar@dwt.com>
Subject: RE: Press Pass Requests
Importance: High

CAUTION: External email.

Good afternoon Mr. Dean and Ms. Bannister,

I am following up on this email from last and my other messages regarding press credentials for Ms. Kruse and Mr. Choe. As our firm regularly represents state and national news organizations, from the NPR to the New York Times, it is our steadfast position that timely access to press credentials is required under the First Amendment and necessary for our client reporters to undertake their important work. Given that the Washington legislature is currently in session and debating a number of key issues and bills, we would ask for a response to this request as soon as possible.

Again, we are available to speak with either of you at your convenience if you have any questions.

Best,

Caesar Kalinowski IV | Davis Wright Tremaine LLP
Tel: (206) 757-8232 | Fax: (206) 757-7084
Email: caesarkalinowski@dwt.com | Website: www.dwt.com

From: Kalinowski, Caesar
Sent: Friday, March 7, 2025 1:40 PM
To: 'Bernard.Dean@leg.wa.gov' <Bernard.Dean@leg.wa.gov>; 'sarah.bannister@leg.wa.gov' <sarah.bannister@leg.wa.gov>
Cc: Kumar, Ambika <AmbikaKumar@dwt.com>
Subject: Press Pass Requests

Good afternoon Mr. Dean and Ms. Bannister,

I write to follow up on my calls and to request hard press passes for the Washington state legislature on behalf of two reporters, Brandi Kruse and Jonathan Choe.

Ms. Kruse is a political reporter and commentator, who is also the founder and owner of unDivided Media LLC—a media company that releases reporting and commentary to the public on matters of public concern through a regular podcast and a variety of other online means. As such, she meets the definition for news media protections and access under 5.68.010(5)(a) & (b).

Mr. Choe is an independent reporter and journalist, who covers Washington-related news stories for a number of print, television, and online publications, including Newsmax, FoxNews, Lynnwood Times, and the Mill Creek View. Accordingly, he also meets the definition for news media protections and access under 5.68.010(5)(b).

Please let us know if you need any additional information or photographs for the passes, and feel free to call me at any time to discuss the request.

Sincerely,

Caesar Kalinowski IV
206-757-8232

Caesar Kalinowski IV | Davis Wright Tremaine LLP
920 Fifth Avenue, Suite 3300 | Seattle, WA 98104
Tel: (206) 757-8232 | Fax: (206) 757-7084
Email: caesarkalinowski@dwt.com | Website: www.dwt.com

CAUTION: This email originated from outside of the Legislature. Do not click links or open attachments unless you recognize the sender and know the content is safe.

EXHIBIT C

[REDACTED]

[REDACTED]

From: Jackson Maynard
Sent: Thursday, February 5, 2026 8:41 AM
To: Chief.Clerk@leg.wa.gov <Chief.Clerk@leg.wa.gov>
Cc: Monica Marchetti <monica@citizenactiondefense.org>
Subject: CCA guidelines

Chief Clerk Dean

I would like a copy of the CCA guidelines referenced on the jotform press pass request page. The page indicates the guidelines are available upon request.



House of Representatives: Press Pass Request
form.jotform.com

Thanks
Jackson
Jackson Maynard
Executive Director and Counsel
Citizen Action Defense Fund
111 21st Ave SW
Olympia WA 98501

Phone (850) 519-3495

This message is private or privileged. If you are not the person for whom this message is intended, please delete it and notify me immediately, and please do not copy or send this message to anyone else.

November 2025

Guidelines for Washington State Legislature Press Credentials

The Legislature is not subject to the Open Public Meetings Act, relying instead on its own rules to govern access to the chambers. Credentialed members of the press corps are allowed in the wings under those rules.

Issuing press credentials is subject to the direction and control of the administrations of the Senate and House. For the 2026 session, the Senate and the House will conduct separate credentialing processes. Both involve completion of an online application.

The Capitol Correspondents Association put together these guidelines to help people navigate that process.

[A link](#) to the “Senate press access request form” can be found on [the Senate home page](#). The House is developing its press pass request form and will make it available online prior to the start of the 2026 session.

I. Press passes provide physical access to the wings of the House and Senate. They might also help you get better seating at some press events. But if you don’t meet these guidelines or receive a formal pass, you can still cover the Legislature. There are ubiquitous broadcasts on TVW, and anyone can watch from the balconies. Lots of the action takes place outside of the chambers anyway. If the wings are the only place to conduct a needed interview, a legislator may bring you in as their guest.

II. We recommend issuing credentials only to professional journalists. This means that reporting or shooting is your primary job, and that job is the source of most of your income. The only exceptions are Murrow Fellows and interns working under programs for journalism students administered by the University of Washington and Washington State University.

III. Professional journalists who work for websites can obtain credentials. In the past, our bylaws allowed only for people working at a daily or weekly newspaper, or an FCC-licensed TV or radio station. But that definition seemed too restrictive after the rise of several online-only publications.

To address this, the association amended its rules in 2009 to allow for providing credentials to professionals who earn most of their living from a journalistic entity that is covered by [the state media shield law](#). That includes news sources whose distribution is Internet-based. However, the correspondent’s sponsoring entity must have been continuously operating as a news organization for a minimum of one year.

The Association recommendations are guided by this principle: The press must be independent from the government and from the political parties, their constituent groups, and the many organizations which have a stake in the Legislature’s proceedings. Blurring that line would raise questions about the motives of everyone in the press corps, and risk having the Legislature revoke or restrict the access we have maintained in the public interest for many years.

IV. A credential-seeker's employer must be a news organization, full stop. We do not support providing credentials to people who work for any publication or information source that is part of a larger non-news organization. The entity must be doing news for the sake of news alone. A labor union's newsletter, a think tank's blog, or a county government's TV channel are examples of entities that would not qualify. An entity founded, funded or affiliated with lobbyists, lobbyist firms or lobbying associations or whose public or private board or advisory group is composed of lobbyists or lobbyist group representatives would also not qualify.

V. The Association will not support the providing of a credential to a person who is or may become engaged in campaigns, lobbying, or the development of public policy. Giving a relatively inconsequential amount of money to some organization probably is not enough to trigger this rule. Anything beyond that probably is.

It is important that a line be established between professional journalism and political or policy work. This is the spirit in which the Legislature has offered access: The press should act as an independent observer and monitor of the proceedings, not an involved party.

This means that we cannot endorse offering credentials to one who is part of, or may become involved with, a party, campaign or lobbying organization. We also can't support providing a credential to folks who do any sort of consulting, advising, writing, or other work, whether paid or unpaid, for a politician, public official, party organization, lobbying shop, etc. The disqualification also is retroactive: If someone is credentialed and then becomes involved in such activities, the Association would recommend the credential be invalidated.

In some cases, professional journalists have crossed back and forth between being a journalist and being involved in political work. Some even have run for office. Since credentials must be renewed with each legislative session, an assessment of a credential-seeker's current or potential political involvement will be undertaken each year – meaning that someone might qualify for a press credential one year, but not the following, depending on their outside activities.

VI. On top of all this, there are conduct rules we must follow. They're pretty intuitive. Here are the highlights:

- The Legislature requires business attire if you're in the wings. This means a jacket and ties for men, and appropriate dress for women (jackets not required, but no bare shoulders). If in doubt, ask a friend, or just look at what everyone else around the chambers are wearing and copy them.

- Don't interrupt the proceedings. If you're having a conversation in the wings, keep it down. Don't cross in front of the rostrum while the Legislature is in session.

- Don't offer any commentary about whether a bill or amendment or motion is good, bad or otherwise from the press table.

- You're an observer, not a participant. Don't ever cast a vote for a lawmaker. Don't sit in their chairs on the floor, unless someone you're interviewing says it's OK. It looks bad if you applaud (or boo) the

governor, the speaker, the majority leader, and so on. An exception could be an event where a fellow reporter is honored upon their retirement. We are, however, obliged to stand for the presentation of flags, pledge of allegiance and national anthem if we're at the press tables when sessions begin.

VII. You do not have to put up with harassment of any kind.

Legislators, lobbyists and the other officials here are just people, meaning that some of them may behave badly. If you ever feel uncomfortable about how someone is treating you, please come to a member of the permanent press corps and we will make sure it is handled, as discreetly as you wish.

For answers to general questions in the 2025 session, email Jerry Cornfield or Shauna Sowersby of the Capitol Correspondents Association at the following emails:

jcornfield@washingtonstatestandard.com

ssowersby@seattletimes.com

EXHIBIT D

[View this email in your browser](#)



Journal of the Washington Newspaper Publishers Association

February 5, 2026

YOUR ADVOCACY NEEDED: SSB 5400 Supporting Local Journalism

Contact Your legislators!

[Senate Ways and Means Committee](#)

[Contact Your Legislators:](#) This link will identify your district and allow you to send a message to all of your Senators and Representatives.

SSB 5400, in hearing today in the Senate Ways and Means Committee, needs your support. The bill is revived from the 2025 legislature and would tax giant tech companies in support of local journalism.

The Washington Newspaper Publishers Association is asking anyone who values access to factual information, investigated and verified information in their communities, to contact their legislators in support of SSB 5400, and to weigh in as PRO with the Senate Ways and Means Committee, urging them to pass it out of committee.

This bill has the capacity to make a difference, especially in the smallest of newsrooms that are scattered across the state, in communities big and small. Without a local newspaper, there would be a vacuum of information. Without their local newspapers, communities on the whole would not know what their city council was doing, or how their school board was spending their money. Just recently in Port Townsend, a city council member said until the newspaper

This bill has no fiscal impact to the state. It lays responsibility for nominal support of journalism at the feet of Big Tech, which has benefited directly from the work journalists do.

The WNPA represents 73 community and regional newspapers across the state, from Forks to Colville. These communities need their newspapers. We urge you to help us advocate for the passage of SSB 5400.

From Rowland Thompson

Urgent action needed to press the Senate Ways and Means Committee to remove Section 26 from SB 6113

[Senate Ways and Means Committee](#)

The House Finance Committee will vote on a striking amendment to House Bill 2257 - Concerning taxes administered by the department of revenue - a measure that held Section 26, a provision that could extend the sales tax on advertising services to those businesses that were exempted in last year's Senate Bill 5814.

It does so through the requirement that if the state loses any part of the lawsuit brought by Comcast in Thurston County Superior Court challenging SB 5814, then the sales tax will be extended to all advertising: "It is the intent of the legislature to broadly define the sale of advertising as a retail sale." is the exact quote from the section. This would even include sponsorships where a business is named in the recognition.

Thankfully, we were able to convince the chair and the Democratic members of the Finance Committee that the section should come out, and to leave the decision to deal with a possible loss of the Comcast challenge to another legislature, instead of making it a foregone conclusion. Getting the section removed here is important, but it is only a first step in the effort to remove the threat.

HOWEVER, the Senate Ways and Means Committee has yet to vote on their version of the bill, Senate Bill 6113, which also contains Section 26. That vote

The Democrats on the [Ways and Means Committee](#) need to hear from you in asking them to also remove Section 26 from Senate Bill 6113, their companion bill to HB 2257. Your business cannot afford to bear the addition of ten percent to all of your advertising services, nor can the small businesses that support you and rely upon you to advertise to their customers.

Please contact the members of the committee today to urge them to remove Section 26 from Senate Bill 6113. If you have done so before that is great, but we need you to do it again. Time is short and the threat is very real.

To Email Members:

Cut and paste in address block

june.robinson@leg.wa.gov, derek.stanford@leg.wa.gov, yasmin.trudeau@leg.wa.gov, noel.frame@leg.wa.gov, annette.cleveland@leg.wa.gov, manka.dhingra@leg.wa.gov, drew.hansen@leg.wa.gov, bob.hasegawa@leg.wa.gov, claudia.kauffman@leg.wa.gov, jamie.pedersen@leg.wa.gov, marcus.riccelli@leg.wa.gov, rebecca.saldana@leg.wa.gov,

cut and paste CC block

mandy.apa@leg.wa.gov, stephen.cardamenis@leg.wa.gov, britt.pomush@leg.wa.gov, kelsey.hamlin@leg.wa.gov, kevin.gordon@leg.wa.gov, daisy.wong@leg.wa.gov, connor.prieve@leg.wa.gov, sarah.ellerbrock@leg.wa.gov, jade.sierra@leg.wa.gov, sma.hendrickson@leg.wa.gov, maddie.sontag@leg.wa.gov, teres.a.arciniega-ruiz@leg.wa.gov,

2026 News Media Day is Thursday, February 19

[Please Register Today](#)

-

Thursday, February 19, 2026 is News Media Day in Olympia.

A lot has been happening in the legislature that will affect your news organizations. Most importantly are Senate Bill 6113 and House Bill 2257, which could extend the imposition of the collection of sales tax on all of your

be on your business and your communities.

Importantly, we will need to congregate in the lobby of the John A. Cherberg Building, 304 15th Ave SW. 98501 beginning at eleven o'clock. We are following a group that has our meeting room just before us, and is scheduled to be out by then. Box lunches will come in with us. Our first speakers' panel will arrive at noon to discuss the transportation budget, but we need to discuss our tax issues prior to that.

The rest of the day will be as it has run in past years with legislative budget writers, legislative leadership and statewide elected officials, all addressing us. Once the budget writers and the legislative leadership is in the room we will need to discuss with them the bills targeting a possible extension of the sales tax on advertising to your advertising services. Please be in the room to express your concerns.

The next people to speak to us will be the state-wide elected officials to briefly update you on the activities of their offices. They are followed by a group of tax professionals from the Department of Revenue to answer your current tax questions and concerns.

We then walk to the renovated Temple of Justice for a reception with the members of the Supreme Court, where we will hear from the Chief Justice and have a report from Judge Richard Okrent, the Chief of the Fire Brigade of The Bench Bar Press.

That is followed by a dinner reception at the Governor's Mansion, where the Justices will join us, along with Senator Marko Liias, sponsor of Senate Bill 5400, our version of the Journalism Protection Act. Please be sure to have photo identification for security at the mansion.



Microsoft

Thanks to our sponsors! If you'd like to support community journalism, please email execdirector@wnpa.com.



macfunk@comcast.net, (206) 755-2322



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Washington Newspaper Publishers Association
Contact us at execdirector@wnpa.com

Our mailing address is:

PO Box 67, Arlington, WA 98223

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You can [update your preferences](#) or [unsubscribe from this list](#).

EXHIBIT E

State of
Washington
House of
Representatives



January 28, 2026

Mr. Hoffman,

The House, in part, looks to the Capitol Correspondents' Association (CCA) to make recommendations regarding whether a press pass applicant is a bona fide journalist or not. Based on your recent engagement in public policy development and advocacy, your request for a House Press pass was denied. This decision was made irrespective of your broadcast work.

As stated in the CCA guidelines: "It is important that a line be established between professional journalism and political or policy work. This is the spirit in which the Legislature has offered access; The press should act as an independent observer and monitor of the proceedings, not an involved party."

That said, they also state: "In some cases, professional journalists have crossed back and forth between being a journalist and being involved in political work. Some even have run for office. Since credentials must be renewed with each legislative session, an assessment of a credential-seeker's current or potential political involvement will be undertaken each year – meaning that someone might qualify for a press credential one year, but not the following, depending on their outside activities."

Also, please note that a press pass does not impact your ability to participate in Jewish advocacy day. The press pass provides you with access to the House chamber wings during floor activity, which is otherwise viewable from the House galleries and TVW. Jewish advocacy day is not a House sponsored event, and there are no scheduled activities in House spaces, including the wings.

Absent additional information, the decision to not issue a press pass is upheld. If you have anything else you would like me to consider, please provide it to me. I understand you applied for a pass for tomorrow, January 29, on Monday, January 26. In the future, it is recommended to apply for a daily press pass no later than two weeks prior to when you seek access. Nonetheless, I will endeavor to review any information you provide and get back to you with a timely response.

Sincerely,



Bernard Dean
Chief Clerk

EXHIBIT F



January 29, 2026

VIA ELECTRONIC MAIL

Speaker Laurie Jinkins
339C Legislative Building
416 Sid Snyder Ave. S.W.
Olympia, WA 98504

Bernard Dean
Chief Clerk of House of Representatives
Legislative Building
Room 338B
Olympia, WA 98504

Jerry Cornfield
Representative
Washington State Capitol Correspondents Association (CCA)

RE: Denial of Press Pass for Ari Hoffman

Dear Speaker Jinkins, Chief Clerk Dean, and Mr. Cornfield,

I have the pleasure of representing Mr. Ari Hoffman, I understand via communication from the House clerk's office that he is being denied a press pass for today's session which happens to be also Jewish Advocacy Day. *See attachment A, Jan. 28, 2026, Letter from Bernard Dean, Chief Clerk.* Although the email to my client lists no process, procedure or legal grounds for an appeal and the legislature is exempt from the Administrative Procedures Act under RCW 34.05.010(2), please accept this email as an appeal of the denial and a respectful request for the reasons outlined in this letter that the House of Representatives reconsider this decision. To the extent that the Washington State Capitol Correspondents Association has a role in providing and enforcing guidelines and approving which members of the press get access to legislative areas I am also asking them to reconsider the decision to deny my client's permit.

The first issue is that the failure of the House to publish clear guidelines in this matter and its delegation to a professional association to determine who is a "bono fide journalist" violates my client's right to freedom of press and free speech. It should be noted that the Capitol

Correspondents Association does not have a website, and we can find no registration with the Secretary of State's office.

As courts across the nation have long affirmed, “newsgathering is an activity protected by the First Amendment,” *United States v. Sherman*, 581 F.2d 1358, 1361 (9th Cir. 1978), which includes the “right of access for the press ... to observe government activities,” *Leigh v. Salazar*, 677 F.3d 892, 897–98 (9th Cir. 2012). A free press is of utmost importance to our Nation, as “the media are ‘surrogates for the public’” and “the guardian of the public interest.” *Id.* As such, any restrictions on the right of a free press to collect and report on news concerning the government's activities constitutes a serious harm that must immediately be remedied, because “[w]here the precious First Amendment right of freedom of the press is at issue, the prevention of access to a public forum is, each day, an irreparable injury.” *Jacobsen v. U.S. Postal Serv.*, 812 F.2d 1151, 1154 (9th Cir. 1987).

Based on the importance of the free press and the corresponding right to access public forums, courts routinely strike down restrictions used to deny press credentials to reporters for spurious or conflicting reasons. As a principal matter, any restrictions on the issuance of press passes and their specific requirements must be published and cannot be based on vague claims regarding “security” concerns or ambiguous criteria. *See Sherrill v. Knight*, 569 F.2d 124, 130 (D.C. Cir. 1977). In fact, the failure to publish those requirements is itself a separate violation of reporters' due process rights under the Fourteenth Amendment. *See Alaska Landmine, LLC v. Dunleavy*, 514 F. Supp. 3d 1123, 1134 (D. Alaska 2021) (granting injunction because “Plaintiffs are likely to succeed on their due process claims given the government's failure to memorialize an explicit and meaningful standard governing its denial of press conference access”).

Nor does the availability of a “day pass” constitute an adequate substitute for full credentials, as it also burdens reporters' First Amendment rights by requiring advanced screening or limiting the extent of their access. *See Ateba v. Jean-Pierre*, 706 F. Supp. 3d 63, 77–78 (D.D.C. 2023) (denying alternative of a day pass and noting “that the White House Correspondents Association has remarked in previous litigation that ‘without the access that a hard pass grants, a White House correspondent cannot effectively perform his or her duties’”). Moreover, restrictions cannot be imposed on the tenuous grounds that a reporter is simply a part-time “blogger,” *see Dunleavy*, 514 F. Supp. 3d at 1134, or that they “take sides, especially in political contests,” *Borreca v. Fasi*, 369 F. Supp. 906, 910 (D. Haw. 1974); *see also TGP Commc'ns, LLC v. Sellers*, 2022 WL 17484331, at 4 (9th Cir. 2022) (enjoining restriction of press pass, which relied on claim that the reporter “participate[d] in political party events and associate[d] with people and groups that demonstrate an inability to avoid real or perceived conflicts of interest”). As a fundamental matter, such content and viewpoint-based restrictions violate core First Amendment rights, and there is no compelling government interest in avoiding criticism from reporters or commentators who they wish to avoid. *See Id.*

You may recall that these exact arguments were raised last year when other members of the media were denied press access. To paraphrase Yogi Berra this feels like de je vu all over again. Please reconsider the denial in light of the constitutional and legal arguments raised above.

Furthermore, the guideline relied upon by the clerk for the denial that “[t]he press should act as an independent observer and monitor of the proceedings, not an involved party” is not being consistently applied. For example, here is a link on an article regarding the testimony by multiple press outlets in support of SB 5400 in 2025. <https://newspapers.org/stories/incredible-support-for-washington-bill-for-local-journalism,4165508> This is not to say that these organizations and reporters should not have supported this legislation, but rather to point out that the line “between professional journalism and political policy work” is not clear and is difficult to enforce effectively or legally.

In addition, the letter from Mr. Dean erroneously implies that the chamber wings during floor activity are “otherwise viewable from the House galleries and TVW.” This is not correct. Although brief glimpses of the wings may be viewable through curtains depending upon a particular camera angle, the wings are not usually viewable on TVW in the galleries in the same manner as floor action. Also, as I’m sure you are aware, members of the press have the opportunity to ask members of the legislature for comment in the wings which my client will not be able to do in the absence of a press pass. It is simply incorrect to say that the denial of the press pass will not impact my client’s ability to do his work as a member of the media.

PUBLIC RECORDS REQUEST

Please also consider this letter as a public records request to each of you individually as well as any employee or Legislator of the House of Representatives and to the Washington State Capitol Correspondents Association (to the extent it constitutes an agency of the state regarding press access to the Legislature) pursuant to Washington state law for the following:

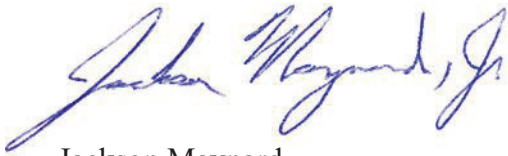
- (a) Any records regarding the denial of the press pass to Ari Hoffman that is the subject of this letter including any rules, policies, or guidelines used by the House of Representatives, Chief Clerk Bernard Dean, and/or Washington State Capitol Correspondents Association in making the decision to deny the press pass to Ari Hoffman.

Please produce any responsive records in electronic format via email to jackson@citizenactiondefense.org or through a file-sharing service. If you do not have a cloud-based sharing method and the responsive records are too large to send via email, please let us know and our office will coordinate with you to utilize a file-sharing service. If records responsive to these requests may be produced in installments, please do so as soon as they are available. If there are any fees associated with searching for and copying the requested records, please inform us if those costs exceed \$100.00 prior to producing those documents to our office.

If you deny any part of this request or redact any information from responsive records, please provide a log in compliance with applicable law that describes the reason for the denial and cite each specific exemption that justifies the refusal to release the record, in whole or in part.

Thank you for your time and attention to this matter. Please feel free to contact me should you have any questions or wish to discuss further.

Respectfully,

A handwritten signature in blue ink, reading "Jackson Maynard, Jr." in a cursive script.

Jackson Maynard
Executive Director and Counsel
Citizen Action Defense Fund
111 21st Ave SW
Olympia, WA 98501
(850) 519-3495

ATTACHMENT 1

OFFICE OF THE
CHIEF CLERK

State of
Washington
House of
Representatives



January 28, 2026

Mr. Hoffman,

The House, in part, looks to the Capitol Correspondents' Association (CCA) to make recommendations regarding whether a press pass applicant is a bona fide journalist or not. Based on your recent engagement in public policy development and advocacy, your request for a House Press pass was denied. This decision was made irrespective of your broadcast work.

As stated in the CCA guidelines: "It is important that a line be established between professional journalism and political or policy work. This is the spirit in which the Legislature has offered access: The press should act as an independent observer and monitor of the proceedings, not an involved party."

That said, they also state: "In some cases, professional journalists have crossed back and forth between being a journalist and being involved in political work. Some even have run for office. Since credentials must be renewed with each legislative session, an assessment of a credential-seeker's current or potential political involvement will be undertaken each year – meaning that someone might qualify for a press credential one year, but not the following, depending on their outside activities."

Also, please note that a press pass does not impact your ability to participate in Jewish advocacy day. The press pass provides you with access to the House chamber wings during floor activity, which is otherwise viewable from the House galleries and TVW. Jewish advocacy day is not a House sponsored event, and there are no scheduled activities in House spaces, including the wings.

Absent additional information, the decision to not issue a press pass is upheld. If you have anything else you would like me to consider, please provide it to me. I understand you applied for a pass for tomorrow, January 29, on Monday, January 26. In the future, it is recommended to apply for a daily press pass no later than two weeks prior to when you seek access. Nonetheless, I will endeavor to review any information you provide and get back to you with a timely response.

Sincerely,

A handwritten signature in dark ink, appearing to read "Bernard Dean", written over a light blue horizontal line.

Bernard Dean
Chief Clerk

EXHIBIT G

CHIEF CLERK
BERNARD DEAN

State of
Washington
House of
Representatives



February 3, 2026

Jackson Maynard
Executive Director and Counsel
Citizen Action Defense Fund
111 21st Ave SW
Olympia, WA 98501

Dear Mr. Maynard,

I am in receipt of your letter dated January 29, 2026, concerning the denial of a House press floor pass for Ari Hoffman. Mr. Hoffman previously appealed the press credential decision. That appeal was considered, and the initial denial was upheld after a review of his appeal submission.

We believe the House floor press pass process to be reasonable, viewpoint neutral, and consistent with legal standards. The determination was based on the application of longstanding, viewpoint-neutral criteria governing press credentials at the Legislature.

We view Mr. Hoffman's appeal of this matter closed.

Sincerely,

A handwritten signature in black ink that reads "Bernard Dean". The signature is fluid and cursive, with the first name "Bernard" being more prominent than the last name "Dean".

Bernard Dean
Chief Clerk

EXHIBIT H

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Jonathan Choe <jchoe@discovery.org>
Sent: Wednesday, February 4, 2026 9:31 PM
To: Clerk, Chief <Chief.Clerk@leg.wa.gov>
Subject: Re: House of Representatives: Press Pass Request Form

Understood thanks.

Get [Outlook for iOS](#)

From: Clerk, Chief <Chief.Clerk@leg.wa.gov>
Sent: Wednesday, February 4, 2026 6:01:59 PM
To: Jonathan Choe <jchoe@discovery.org>
Subject: RE: House of Representatives: Press Pass Request Form

Are you asking whether you should re-apply under the Lynnwood Times? If so, I would suggest that you apply under the news outlet you plan to represent when you seek admission to the chamber.

From: Jonathan Choe <jchoe@discovery.org>
Sent: Wednesday, February 4, 2026 5:43 PM
To: Clerk, Chief <Chief.Clerk@leg.wa.gov>
Subject: Re: House of Representatives: Press Pass Request Form

CAUTION:External email.

Sir,

That should I reapply under Lynnwood Times? Thanks

Get [Outlook for iOS](#)

From: Clerk, Chief <Chief.Clerk@leg.wa.gov>
Sent: Wednesday, February 4, 2026 2:57:56 PM
To: Jonathan Choe <jchoe@discovery.org>
Subject: RE: House of Representatives: Press Pass Request Form

Mr. Choe,

Thank you for providing the additional context.

Please be specific in terms of which organization you are representing when you are attempting to access the House chamber. If you are visiting on behalf of the Lynnwood Times, you should include that information in a new application for a House floor press pass.

I can't speak to your point about House Democrats or Senate Democrats and their "access". As noted in prior communication, the House press pass is specific to House floor sessions, it does not address access to press conferences held by the partisan caucuses or anything beyond House floor sessions.

Thank you,

Chief Clerk's Office

From: Jonathan Choe <jchoe@discovery.org>
Sent: Wednesday, February 4, 2026 1:25 PM
To: Clerk, Chief <Chief.Clerk@leg.wa.gov>
Subject: Re: House of Representatives: Press Pass Request Form

CAUTION:External email.

Sir, in this day and age where the Washington Post just fired 1/3 of the newsroom, independent journalists have to fill this growing void.

That's why as a 20 year news veteran, I stay diversified by contributing to multiple non-legacy media outlets including Discovery Institute Media and Frontlines TPUSA to support my journalism.

With that said, I also currently freelance and contribute to the Lynnwood Times. I did not include this outlet in my credential request this first time around because I did think it was necessary. But if this changes the equation, I'd be happy to apply again under Lynnwood Times.

With that said, I want to let you know that I have received a credential from the Senate Democrats to cover this shortened session for the Lynnwood Times.

Please contact publisher Mario Lotmore to verify my employment status.
+1 (425) 568-1333

That's why it's perplexing to know that the House Democrats will not extend me the same access.

Again, I am appealing and would like a credential from the House Democrats as well. Thank you.

Get [Outlook for iOS](#)

From: Clerk, Chief <Chief.Clerk@leg.wa.gov>
Sent: Wednesday, February 4, 2026 11:07:34 AM
To: Jonathan Choe <jchoe@discovery.org>
Subject: RE: House of Representatives: Press Pass Request Form

Dear Mr. Choe,

Please see the attached response.

Thank you,
Chief Clerk's Office

From: House Press Pass <HousePressPass@leg.wa.gov>
Sent: Tuesday, February 3, 2026 8:55 AM
To: Clerk, Chief <Chief.Clerk@leg.wa.gov>
Subject: FW: House of Representatives: Press Pass Request Form

From: Jonathan Choe <jchoe@discovery.org>
Sent: Tuesday, February 3, 2026 8:53 AM
To: House Press Pass <HousePressPass@leg.wa.gov>
Subject: Re: House of Representatives: Press Pass Request Form

CAUTION:External email.

I appealed as soon as I got your email. This request is time sensitive. I need to attend a presser on Tuesday. Do you happen to know how long it takes to get a decision on this appeal?

Get [Outlook for iOS](#)

From: House Press Pass <HousePressPass@leg.wa.gov>
Sent: Monday, February 2, 2026 2:38 PM
To: Jonathan Choe <jchoe@discovery.org>
Subject: RE: House of Representatives: Press Pass Request Form

Hi, Jonathan.

Approvals and denials are based on Capitol Correspondence Association's recommendations and may be appealed by contacting the [Chief Clerk's Office](#) in writing.

-Laura

From: Jonathan Choe <jchoe@discovery.org>
Sent: Monday, February 2, 2026 2:27 PM
To: House Press Pass <HousePressPass@leg.wa.gov>
Subject: Re: House of Representatives: Press Pass Request Form

CAUTION:External email.

Hi, what is the reason for this denial? Thanks

Get [Outlook for iOS](#)

From: House Press Pass <HousePressPass@leg.wa.gov>
Sent: Monday, February 2, 2026 10:40:10 AM
To: Jonathan Choe <jchoe@discovery.org>
Subject: RE: House of Representatives: Press Pass Request Form

Hello, Jonathan Choe.

Your request for a House press pass has been declined. While you will not be issued a House press pass, all House proceedings are viewable from the House Gallery and on TVW.

If you wish to appeal this decision, you can contact the [Chief Clerk's Office](#) in writing stating the nature of the appeal.

Please reach out HousePressPass@leg.wa.gov with questions.

Thank you,
Laura Monroe
LIC Manager

From: Jotform <noreply@jotform.com>
Sent: Monday, February 2, 2026 9:38 AM
To: House Press Pass <HousePressPass@leg.wa.gov>
Subject: Re: House of Representatives: Press Pass Request Form

CAUTION:External email.

House of Representatives: Press Pass Request Form

Full Name:	jonathan choe
Your Phone Number:	(217) 721-5012
Your Email:	jchoe@discovery.org
Press Organization You Represent:	Discovery Institute/Frontlines TPUSADiscovery Institute/Frontlines TPUSA
Organization Website Address:	https://fixhomelessness.org/
Please type your full name to confirm your attestation.	Jonathan Choe
Today's date:	02-02-2026
Request Daily Pass	Yes
Date 1	02-02-2026

Date 2 02-03-2026

Date 3 02-04-2026

Date 4 02-05-2026

Date 5 02-06-2026

Request Hard Pass No

CAUTION: This email originated from outside of the Legislature. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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CAUTION: This email originated from outside of the Legislature. Do not click links or open attachments unless you recognize the sender and know the content is safe.

CAUTION: This email originated from outside of the Legislature. Do not click links or open attachments unless you recognize the sender and know the content is safe.

CAUTION: This email originated from outside of the Legislature. Do not click links or open attachments unless you recognize the sender and know the content is safe.

EXHIBIT I

State of
Washington
House of
Representatives



February 4, 2026

Mr. Choe,

I am in receipt of your appeal dated February 2, 2026. The House, in part, looks to the Capitol Correspondents' Association (CCA) to make recommendations regarding whether a press pass applicant is a bona fide journalist or not. You indicated that you represent the Discovery Institute/Frontlines TPUSA.

As stated in the CCA guidelines, credentials are not provided to individuals who work for any publication or information source that is part of a larger non-news organization; this includes think tanks.

Absent additional information, the decision to not issue a press pass is upheld. If you have anything else you would like me to consider, please provide it to me. I will endeavor to review any information you provide and get back to you with a timely response.

Sincerely,



Bernard Dean
Chief Clerk

EXHIBIT J

State of
Washington
House of
Representatives



February 4, 2026

Ms. Kruse,

I am in receipt of your appeal dated February 2, 2026. The House, in part, looks to the Capitol Correspondents' Association (CCA) to make recommendations regarding whether a press pass applicant is a bona fide journalist or not. Based on your recent engagement in public policy development and advocacy, your request for a House floor press pass was denied.

As stated in the CCA guidelines: "It is important that a line be established between professional journalism and political or policy work. This is the spirit in which the Legislature has offered access: The press should act as an independent observer and monitor of the proceedings, not an involved party."

That said, they also state: "In some cases, professional journalists have crossed back and forth between being a journalist and being involved in political work. Some even have run for office. Since credentials must be renewed with each legislative session, an assessment of a credential-seeker's current or potential political involvement will be undertaken each year – meaning that someone might qualify for a press credential one year, but not the following, depending on their outside activities."

Absent additional information, the decision to not issue a press pass is upheld. If you have anything else you would like me to consider, please provide it to me. I will endeavor to review any information you provide and get back to you with a timely response.

Sincerely,

Bernard Dean
Chief Clerk