

As detailed in the attached timeline, I—on behalf of the Douglas Board of County Commissioners—made a request for a statement of facts specific to the current status of COVID-19 within the boundaries of the Chelan-Douglas Health District. This request was made to Dr. Butler in his official capacity as the Medical Officer for the Chelan-Douglas Health District and discussed by the board as part of the May 18 CDHD Board of Health meeting. Also, as detailed in the timeline, a copy of eight points that we considered to be factual was presented for consideration as a basis for the statement.

It was clearly stated—both as part of the discussion and the request made during the May 18 Board of Health meeting and in the back-and-forth email messages with Dr. Butler—that we were seeking a statement of facts to have available as Douglas County gave consideration to all options available for continuing to petition the Governor to advance out of Phase One in a sensible manner.

Furthermore, it was stated multiple times that while we were presenting eight points that we considered to be factual, we were requesting a signed statement of the facts as presented by Dr. Butler. This was evidenced (in part) by the following statement that I made to Dr. Butler in a 5/18/2020 email response specific to a concern that he had expressed about our point #8:

*“As far as #8 is concerned; yes, we’re looking at addressing the current capacity status of our local health system. I would welcome and think it best if you would restate this in a manner that you’re comfortable.”*

Through the course of our back-and-forth email exchange, Dr. Butler provided a message with an attachment that he noted as being for my eyes only (which I have and will continue to respect his request for confidentiality). That attached document was more of a position paper as opposed to a statement of facts that we were requesting. I responded as follows:

*“...as I mentioned in Monday’s BOH meeting, and in my previous email, this request for a signed statement is being made as the Douglas BOCC is looking at all options for continuing to petition the governor to move forward in a sensible manner from the current Phase One constraints. We’re simply asking that—as the CDHD Medical Officer—you sign a statement that includes the following points to the extent you’re comfortable. I completely understand, as you mentioned earlier, that you would need to redraft #8 (or any other point for that matter) to accurately express your perspective and comfort level—no problem.”*

I most strongly reject the accusation or assertion that I, in any way, shape or form, deceived Dr. Butler in order to solicit his statement. He was asked to provide a signed statement of facts in his official capacity as the Health Officer for the Chelan-Douglas Health District. He was presented with a list of eight points that were presented to the Board of Health and, that we felt were factual, but that on multiple occasions, after addressing his questions and concerns regarding these points, it was acknowledged that we wanted only those statements with which he was comfortable. As a public official, serving in his role as the Health Officer, part of his responsibilities is making public statements. He clearly could have chosen not to provide a

signed statement per the request. However, he did willingly chose to provide a statement that included some of the points presented at the BOH meeting, as well as restated points. This final statement was placed on letterhead, signed and provided to both me and the CDHD Administrator Barry Kling. I then forwarded his statement to my two peer commissioners, our county administrator, deputy civil prosecuting attorney and our clerk of the board.

I want to reiterate that it was clearly stated on more than one occasion that the purpose of the requested signed statement of facts was to use as we considered all options moving forward. Regardless of how his signed statement would or would not be used, it was in fact a signed statement as presented by Dr. Butler in his official capacity as the CDHD Medical Officer. This was not a private statement. It was not intended nor requested as a private statement. When Dr. Butler made the decision to provide a signed statement, he was clearly making a public statement—that is, again, part of his duties as a public health official.

Once again, at the time of the request, the Douglas BOCC was exploring all options for appealing to the Governor to move Douglas County forward beyond the Phase One constraints. I strongly reject the assertion that Dr. Butler's statement was used as an endorsement of our private position without his express permission. His was a statement (not an endorsement), presented by a public official in his official capacity—a public statement, not a private statement and certainly not an endorsement.

Lastly, anyone who knows me and knows my character, knows that personal integrity is of the utmost importance to me. As I have stated in this declaration, I most strongly reject the assertion or accusation that I, in any way, attempted to deceive or misuse my position while requesting a statement from Dr. Butler as the CDHD Medical Officer.