



WITHERSPOON
BRAJCICH
MCPHEE

JEFFREY R. GALLOWAY
JGALLOWAY@WORKWITH.COM

March 14, 2025

Melissa Luck
Sent via Email to: MelissaL@kxly.com

Re: Request for Public Records

Dear Requestor:

I am providing this communication on behalf of WHITCOM 911.

You have made a public records request, pursuant to the Washington Public Records Act (“PRA”) (RCW 42.56. *et seq.*), to WHITCOM 911 for a recording of the 911 call involving an incident on or around November 13, 2022, that occurred at 1122 King Road, Moscow, Idaho (the “911 Call Recording”).

By way of background, on January 3, 2023, prosecution and defense attorneys in the case *State of Idaho v. Bryan C. Kohberger* (Cause No. Cr29-22-2805) filed a Stipulation for Nondissemination Order. That same day, the Latah County District Court issued a Nondissemination Order. On January 18, 2023, the Latah County District Court amended its January 3, 2023 Nondissemination Order. The January 3, 2023 and January 18, 2023 nondissemination orders prohibited the release of public records responsive to your request.

On January 30, 2023, WHITCOM 911 filed a Declaratory Action in Whitman County Superior Court (Cause No. 23-2-00042-38) seeking a determination as to whether WHITCOM 911 was required to disclose, pursuant to the PRA, the requested public record in light of the nondissemination orders issued by the Latah County District Court. That case remains pending.

On June 23, 2023, the Latah County District Court issued its Revised Amended Nondissemination Order which clarified the Court’s position and continued to prohibit the release of the public records responsive to your request. The Court further clarified its Order on June 23, 2023. Again, the June 23, 2023 Order prohibited the release of the public records responsive to your request.

On or about March 6, 2025, the Ada County District Court released a transcript of the 911 Call Recording. We have determined the Nondissemination Order, as revised and amended, no longer prevents release of the 911 Call Recording, in its redacted form and consistent with the transcript released by the Ada County District Court. Accordingly, please find enclosed a public record that is responsive to your request for the 911 Call Recording. Redactions to the 911 Call Recording

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have been made to comply with RCW 42.56.240 and *State of Idaho v. Bryan C. Kohberger* (Cause No. Cr29-22-2805).

This request has been fulfilled. As a result, WHITCOM 911 is closing this request. The PRA one (1) year statute of limitations to seek judicial review has begun to run as WHITCOM 911 does not intend to further address your request.

Sincerely,

WITHERSPOON BRAJCICH MCPHEE, PLLC

A handwritten signature in blue ink, appearing to read 'JRG', is written over the printed name of Jeffrey R. Galloway.

JEFFREY R. GALLOWAY

CC: CLIENT