



May 29, 2020

VIA ELECTRONIC MAIL

Director, Office of Open Government
Executive Office of the Governor
400 S. Monroe Street
Tallahassee, FL 32399
desantis.opengov@eog.myflorida.com

Re: Public Records Request

Dear Public Records Officer:

Pursuant to Article I, section 24(a), of the Florida Constitution, and Florida's public records laws, as codified at Fla. Stat. Chapter 119, American Oversight, the League of Women Voters of Florida, and the First Amendment Foundation, Inc. make the following request for records.

Requested Records

American Oversight, the League of Women Voters of Florida, and the First Amendment Foundation, Inc. request that your office promptly produce the following:

1. All communications (including letters, memoranda, emails, calendar invitations, voice mails or memos, and texts or other electronic messages) sent by Governor Ron DeSantis, his chief of staff Shane Strum, or any assistants or other officials communicating on the governor's behalf, regarding the April 7, 2020 letter to the governor from Tammy Jones, president of the Florida Supervisors of Elections and supervisor for Levy County, and/or the proposals discussed therein.¹

American Oversight believes that a search for responsive record should include custodial inquiries to determine where and in what form responsive records may reside. Additionally, in the event that an electronic search is conducted to ensure all responsive records are located, American Oversight believes that records containing the terms below are likely to be responsive records. Accordingly, American Oversight requests that the governor's office, at a minimum, employ these search terms to identify responsive records:

¹ A copy of this letter is available at <https://www.myfloridaelections.com/portals/fsase/Documents/Public%20Policy/FSE%20Recommendations%20%20COVID-19.pdf>.

- | | |
|-----------------------|-------------------|
| a. Tammy | l. "VBM" |
| b. Jones | m. "ballot" |
| c. Supervisors | n. "ballots" |
| d. SOEs | o. "polls" |
| e. SOE | p. "polling" |
| f. FSE | q. "precinct" |
| g. "poll workers" | r. "precincts" |
| h. "in-person voting" | s. "election" |
| i. "all-mail" | t. "elections" |
| j. "by-mail" | u. "early voting" |
| k. "by mail" | v. "19-262" |

2. All communications (including letters, memoranda, emails, calendar invitations, voice mails or memos, and texts or other electronic messages) between (a) Governor Ron DeSantis, his chief of staff Shane Strum, or any assistants or other officials communicating on the governor's behalf, and (b) any of the state officials listed below:

- i. Secretary of State Laurel Lee
- ii. Division of Elections Director Maria Matthews
- iii. Florida Senate President Bill Galvano
- iv. Florida Senate President Designate Wilton Simpson
- v. Florida House Speaker José Oliva
- vi. Florida House Speaker Designate Chris Sprowls

For both items 1 and 2, please provide all responsive records from April 7, 2020, through the date of the search.

Please provide responsive records in their native electronic format, and include any attachments to these records.

To ensure that this request is properly construed, that searches are conducted in an adequate but efficient manner, and that extraneous costs are not incurred, we welcome an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, we can decrease the likelihood of costly and time-consuming litigation in the future.

Please take appropriate steps to ensure that records responsive to this request are not deleted by your office before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records. We also insist that your office use the most up-to-date technologies to search for responsive information and take steps to ensure that the most complete repositories of information are searched. However, custodian searches are still required; your office may not have direct access to files stored in .PST files, outside of network drives or in personal email accounts.

If you should deny this request in whole or in part, please cite in writing the specific statutory exemptions and explain with particularity the basis for your conclusion that the cited exemptions apply to the requested records as required by §§ 119.07(1)(e)-(f), F.S. In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

Please contact us regarding any fees associated with this request prior to production. If you require an advance deposit, we would appreciate a detailed estimate of the anticipated costs, including an estimate of the number of records responsive to my request.

Where possible, please provide responsive material in electronic format by email or in PDF or TIF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records, please also provide responsive material on a rolling basis.

Conclusion

American Oversight, the League of Women Voters of Florida, and the First Amendment Foundation, Inc. look forward to working with your office on this request. If you do not understand any part of this request, have any questions, or foresee any problems in fully releasing the requested records, please contact Christine H. Monahan at records@americanoversight.org or (202) 869-5244.

Sincerely,



Austin R. Evers
Executive Director
American Oversight



Patricia Brigham
President
League of Women Voters of Florida



Pamela C. Marsh
President
First Amendment Foundation Inc.