



September 3, 2019

VIA CERTIFIED MAIL

Georgia Department of Driver Services
Legal Division
ATTN: Open Records Officer
2201 East View Parkway
Conyers, GA 30013

Re: Open Records Request

Dear Records Custodian:

Pursuant to the Georgia Open Records Law (O.C.G.A. § 50-18-70 et seq.), American Oversight makes the following request for records.

Requested Records

American Oversight requests that the Georgia Department of Driver Services (DDS) produce the following within three business days, or provide a written description of any responsive records with a timetable for their production within three business days:

1. All email communications (including email messages, email attachments, calendar invitations, and calendar invitation attachments) related to Puerto Rican driver licenses between (1) any of the Georgia Department of Driver Services (DDS) officials listed below and (2) any official in the Office of the Governor (@georgia.gov) or the Secretary of State's Office(@sos.ga.gov).
 - a) Commissioner Spencer R. Moore
 - b) Deputy Commissioner Ricky Rich
 - c) General Counsel Angelique McClendon
 - d) Director of Investigations Rick Miller
 - e) Any person serving in the capacity of Deputy Director of Investigations
 - f) Board Chairman David Connell
 - g) Board Vice Chairman Jeff Markey
 - h) Secretary Jeff Wigington

For Part 1 of this request, DDS should limit its search to communications containing any of the following terms:

- i. Puerto
- ii. Rico



- iii. Rican
- iv. "Puerto Rican Department of Transportation"
- v. "Departamento de Transportación y Obras Públicas"
- vi. "Departamento de Transportacion y Obras Publicas"
- vii. DTOP

Please provide all responsive records from July 1, 2017, to July 3, 2019.

2. All email communications (including email messages, email attachments, calendar invitations, and calendar invitation attachments) related to Puerto Rican driver licenses between (1) any of the Georgia DDS officials listed below and (2) any other DDS official.
 - a) Commissioner Spencer R. Moore
 - b) Deputy Commissioner Ricky Rich
 - c) General Counsel Angelique McClendon
 - d) Director of Investigations Rick Miller
 - e) Any person serving in the capacity of Deputy Director of Investigations
 - f) Board Chairman David Connell
 - g) Board Vice Chairman Jeff Markey
 - h) Secretary Jeff Wigington

For Part 2 of this request, DDS should limit its search to communications containing the following terms:

- i. Puerto
- ii. Rico
- iii. Rican
- iv. "Puerto Rican Department of Transportation"
- v. "Departamento de Transportación y Obras Públicas"
- vi. "Departamento de Transportacion y Obras Publicas"
- vii. DTOP

Please provide all responsive records from July 1, 2017, to July 3, 2019.

3. Any formal or informal guidance documents, or documents demonstrating or explaining policies, procedures, or instructions provided to any DDS employee and/or employee within DDS's Office of Investigative Services concerning processing or investigating Georgia driver license from applicants using a Puerto Rican Birth Certificate.
4. Records sufficient to identify (a) the number of people who applied for a Georgia driver license between July 1, 2017 and July 3, 2019 using a Puerto Rican Birth Certificate issued after July 1, 2010 and (b) the number of people who applied to transfer an existing Puerto Rican driver license for a Georgia driver license between July 1, 2017 and July 3, 2019.

5. Records sufficient to identify (a) the number of people who were approved for a Georgia driver license between July 1, 2017 and July 3, 2019 who had used a Puerto Rican Birth Certificate issued after July 1, 2010 and (b) the number of people who were approved to transfer an existing Puerto Rican driver license for a Georgia driver license between July 1, 2017 and July 3, 2019.

Please notify American Oversight of any anticipated fees or costs in excess of \$100 prior to incurring such costs or fees.

American Oversight seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the term “record” in its broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions. Our request includes any attachments to these records. **No category of material should be omitted from search, collection, and production.**

In addition, American Oversight insists that the DDS 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. American Oversight is available to work with you to craft appropriate search terms. **However, custodian searches are still required; your office may not have direct access to files stored in .PST files, outside of network drives, in paper format, or in personal email accounts.**

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 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.

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, American Oversight welcomes 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, American Oversight and DDS can decrease the likelihood of costly and time-consuming litigation in the future.

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 to American Oversight, please also provide responsive material on a rolling basis.

Conclusion

American Oversight is a 501(c)(3) nonprofit with the mission to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and Twitter.¹

We share a common mission to promote transparency in government. American Oversight looks forward to working with the Georgia Department of Driver Services 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 Khahilia Y. Shaw at records@american.oversight.org or 202.539.6507.

Sincerely,

A handwritten signature in blue ink that reads "Austin R. Evers". The signature is fluid and cursive, with a long horizontal line extending to the left.

Austin R. Evers
Executive Director
American Oversight

¹ American Oversight currently has approximately 12,250 page likes on Facebook and 54,300 followers on Twitter. American Oversight, FACEBOOK, <https://www.facebook.com/weareoversight/> (last visited Aug. 1, 2019); American Oversight (@weareoversight), TWITTER, <https://twitter.com/weareoversight> (last visited Aug. 1, 2019).