



April 21, 2020

VIA ELECTRONIC MAIL

Florida Department of Corrections
ATTN: Public Records Unit
501 South Calhoun Street
Tallahassee, Florida 32399-2500
CO.PublicRecords@fdc.myflorida.com

Re: Public Records Request

Dear Public Records Officer:

Pursuant to Florida's public records laws, as codified at Fla. Stat. Chapter 119, American Oversight makes the following request for records.

Requested Records

American Oversight requests that the Florida Department of Corrections promptly produce the following:

Records sufficient to identify within facilities operated or overseen by the Department of Corrections:

1. The number of COVID-19 tests requested by and provided to your facilities;
2. The number of individuals, both inmates and employees, who have been tested for COVID-19;
3. The number of tests which (a) returned a positive determination (i.e. confirmed the presence of coronavirus) and (b) returned a negative determination (i.e. did not confirm the presence of coronavirus); and
4. The number of coronavirus-related fatalities, for both inmates and employees.

Please provide all responsive records from January 30, 2020, through the date of the search.

To the extent your agency maintains this data in aggregated form, such as in a spreadsheet or within a database or other format that can be readily exported to a spreadsheet, American Oversight requests responsive data in such format. In addition to records in the form of spreadsheets and tables, this request encompasses records in the form of final memoranda, reports, and talking points. To be clear, American Oversight is not requesting details about individual cases and does not object to the redaction of such details, e.g., names or other identifying information, from records responsive to this request. American Oversight further notes that, while your agency is best positioned to identify the location of



responsive records, your agency's leadership offices are likely to possess responsive records in light of the extraordinary threat of this national emergency.

American Oversight seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the terms "records," and "documents," in their 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 Florida Department of Corrections 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 Florida Department of Corrections 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 Florida Department of Corrections 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

¹ American Oversight currently has approximately 15,500 page likes on Facebook and 102,300 followers on Twitter. American Oversight, FACEBOOK, <https://www.facebook.com/weareoversight/> (last visited Apr. 20, 2020); American Oversight (@weareoversight), TWITTER, <https://twitter.com/weareoversight> (last visited Apr. 20, 2020).