



October 21, 2020

**VIA CERTIFIED MAIL**

Records Custodian  
Brevard County Sheriff's Office  
700 Park Ave., Titusville FL 32780

**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 1a19, American Oversight makes the following request for records.

**Requested Records**

American Oversight requests that your office promptly produce the following records:

1. All communications containing official or unofficial orders and directives sent by federal law enforcement (including messages from any email address ending in @dhs.gov, @ice.dhs.gov, @doj.gov, or @fbi.gov) to any of the following officials in the Sheriff's Office:
  - a. Sheriff Wayne Ivey
  - b. Chief Deputy Doug Waller
  - c. Manager Debbie Caudill
  - d. Chief of Judicial Services Mike DeMorat
  - e. Commander of Investigative Services Dan Singleton
2. All communications containing official or unofficial orders and directives sent by the Sheriff, Chief Deputy, Manager, Chief of Judicial Services or Commander of Investigative Services to any subordinate Sheriff's Office personnel or volunteers regarding investigations, evaluations, reviews, or probes into cases of potential election fraud or voter fraud, or otherwise concerning enforcement of election-related laws.
3. All email communications (including emails, attachments, complete email chains, calendar invitations, and calendar invitation entries) sent by the Sheriff, Chief Deputy, Chief of Judicial Services or Commander of Investigative Services containing any of the following key terms:
  - a. Voting
  - b. Vote
  - c. Election
  - d. Ballot
  - e. Poll



For items 2 and 3 of this request, in an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited its request to emails sent by the officials listed above. To be clear, however, American Oversight still requests that complete email chains be produced, displaying both sent and received messages. This means, for example, that both Sheriff Ivey's response to an email containing one of the listed key terms and the initial received message are responsive to this request and should be produced.

Please provide all responsive records from January 1, 2020, through date of search.

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

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 your agency 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 your agency 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.<sup>1</sup>

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency 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 Shaw at [records@americanoversight.org](mailto:records@americanoversight.org) or 202.539.6507.

Sincerely,



Austin R. Evers  
Executive Director  
American Oversight

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<sup>1</sup> American Oversight currently has approximately 15,630 page likes on Facebook and 105,500 followers on Twitter. American Oversight, FACEBOOK, <https://www.facebook.com/weareoversight/> (last visited Oct. 20, 2020); American Oversight (@weareoversight), TWITTER, <https://twitter.com/weareoversight> (last visited Oct. 20, 2020).