



October 14, 2020

VIA ELECTRONIC MAIL

Renata Staff
Public Records Unit
Ohio Attorney General
30 E. Broad St., 14th Floor
Columbus, OH 43215
Renata.Staff@OhioAttorneyGeneral.gov

Re: Public Records Act Request

Dear Public Records Officer:

Pursuant to the Ohio Public Records Act (PRA), Ohio Rev. Code § 149.43, and other applicable Ohio law, American Oversight makes the following request for records.

Requested Records

American Oversight requests that your office produce the following records within twenty business days:

All electronic communications and text messages (including emails, text messages, calendar invitations, and attachments thereto) sent by (a) Attorney General Dave Yost, or anyone communicating on his behalf (such as a scheduler or assistant), (b) Chief of Staff Benjamin Marrison, or (c) Director of Communications Bethany McCorkle containing any of the following key terms:

Search Terms:

- “Election Integrity”
- EIU
- “Election unit”
- “Elections unit”
- “Election-related crime”
- “Ballot Fraud”
- “Election fraud”
- “Voter fraud”
- “Voting fraud”
- “Absentee fraud”
- “Registration fraud”
- “Mail fraud”
- “Ballot integrity”
- “Voter integrity”
- Harvesting
- “Signature match”
- “Signature matches”
- “Signatures match”
- “Signature matching”
- “Election manipulation”
- “Election tampering”
- “Vote rigging”
- “Ballot stuffing”
- “Ballot destruction”
- “Voter impersonation”
- “Double voting”



- “Double vote”
- “Voting twice”
- “Voted twice
- “Vote by mail”
- “Voted by mail”
- VBM
- “mail-in ballots”
- “mail-in voting”

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 specified officials. 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 AG Yost’s response to an email and the initial received message are responsive to this request and should be produced.

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

American Oversight insists that the Office of the Governor 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.**

If this request is denied in whole or in part, we ask that you cite in writing the specific statutory exemption upon which you can relied, as required by law. 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 the Office of the Governor 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 your agency on this request. If you do not understand any part of this request, please contact Emma Lewis at records@americanoversight.org or (202) 919-6303.

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 16,300 page likes on Facebook and 104,300 followers on Twitter. American Oversight, FACEBOOK, <https://www.facebook.com/weareoversight/> (last visited Sep. 28, 2020); American Oversight (@weareoversight), TWITTER, <https://twitter.com/weareoversight> (last visited Sep. 28, 2020).