



October 8, 2020

VIA FACSIMILE

Office of the Ohio Secretary of State
22 North Fourth Street, 16th Floor
Columbus, Ohio 43215
Fax: (614) 644-0649

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 promptly produce the following records within twenty business days:

All email communications (including emails, complete email chains, calendar invitations, and attachments thereto) sent by any of the Ohio Secretary of State officials listed below regarding the use of ballot drop boxes in the upcoming 2020 election, including, but not limited to, communications with or about the A. Philip Randolph Institute or Hans von Spakovsky. American Oversight believes that records containing the terms listed below are likely to be responsive records, and requests that your office, at a minimum, employ these search terms to identify responsive records.

Ohio Secretary of State Officials:

- i. Frank LaRose, Secretary of State, or anyone communicating on his behalf (such as an assistant or scheduler)
- ii. Merle Madrid, Chief of Staff
- iii. Michael Grodhaus, Chief Legal Counsel
- iv. Amanda “Mandi” Grandjean, Director of Elections
- v. Jon Keeling, Director of Communication
- vi. Maggie Sheehan, Press Secretary
- vii. Grant Shaffer, Director of External Affairs

Key Terms:

- | | |
|-------------------|--------------------------|
| i. “Dropboxes” | vii. “Drop-off boxes” |
| ii. “Dropbox” | viii. “Drop-off box” |
| iii. “Drop boxes” | ix. “Drop off boxes” |
| iv. “Drop box” | x. “Drop off box” |
| v. “Drop-boxes” | xi. “Drop-off locations” |
| vi. “Drop-box” | xii. “Drop-off location” |



- | | | | |
|-------|----------------------|--------|----------------------|
| xiii. | “Drop off locations” | xvii. | Frye |
| xiv. | “Drop off location” | xviii. | “Randolph Institute” |
| xv. | “Ballot drop-off” | xix. | “APRI” |
| xvi. | “Ballot drop off” | xx. | “Spakovsky” |

Please provide all responsive records from August 1, 2020, through the date your office receives this request.

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

Guidance Regarding the Search & Processing of Requested Records

In connection with its request for records, American Oversight provides the following guidance regarding the scope of the records sought and the search and processing of records:

- Our request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to our request, our request includes all prior messages sent or received in that email chain, as well as any attachments to the email.
- Please search all relevant records or systems containing records regarding agency business. Do not exclude records regarding agency business contained in files, email accounts, or devices in the personal custody of your officials, such as personal email accounts or text messages.
- 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.¹ If a request is denied in whole, please state specifically why 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 the agency 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.

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. 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

¹ Ohio Rev. Code § 149.43(B)(1).

your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF 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.²

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 Hart Wood at records@americanoversight.org or (202) 873-1743.

Sincerely,



Austin R. Evers
Executive Director
American Oversight

² American Oversight currently has approximately 15,600 page likes on Facebook and 105,400 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Oct. 8, 2020); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Oct. 8, 2020).