



December 4, 2020

VIA EMAIL

Georgia Department of Public Health
2 Peachtree Street, NW
15th Floor
Atlanta, GA 30303-3186
DPH-OpenRecords@dph.ga.gov

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.

The novel coronavirus has infected more than 12 million people and resulted in more than 256,000 deaths in the United States alone.¹ In recent weeks, the speed and volume of infections has increased dramatically in much of the country, reaching nearly 200,000 new daily cases.² Despite the surge in infections, many state governments have declined to impose public health measures such as mask mandates to mitigate the virus's spread, including in states where the rate of infections is highest.³

American Oversight seeks records with the potential to shed light on Georgia's response to the coronavirus pandemic.

Requested Records

American Oversight requests that your office produce the following within three business days, or provide a written description of any responsive records with a timeline for their availability within three business days:

1. Any final assessments, reports, analyses, recommendations, or guidance prepared by your office, other federal, state, or local offices (including the U.S. Centers for Disease Control and Prevention), or independent experts,

¹ *Coronavirus Map: Tracking the Global Outbreak*, N.Y. Times (updated Nov. 23, 2020, 7:55 AM), <https://www.nytimes.com/interactive/2020/world/coronavirus-maps.html?action=click&module=RelatedLinks&pgtype=Article>.

² Rebecca Halleck & Neil MacFarquhar, *U.S. Passes 12 Million Covid-19 Cases*, N.Y. Times, Nov. 23, 2020, <https://www.nytimes.com/live/2020/11/20/world/covid-19-coronavirus#us-records-12-millionth-case-as-virus-surge-gathers-speed>.

³ Dan Goldberg *et al.*, *Red State Governors Reject Biden on Mask Orders*, Politico (Nov. 13, 2020, 4:30 AM), <https://www.politico.com/news/2020/11/13/republican-governors-reject-biden-mask-orders-436385>.



regarding any projected or actual effects or impacts of a statewide mask mandate on the spread of COVID-19.

2. Any final assessments, reports, analyses, recommendations, or guidance prepared by your office, other federal, state, or local offices (including the U.S. Centers for Disease Control and Prevention), or independent experts, regarding any projected or actual effects of Georgia's current public health measures on the spread of COVID-19.

Please provide all responsive records from July 1, 2020, to the date the search is conducted.

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

In conducting your search, please understand the terms "record," in its broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind, and search all locations and systems likely to have responsive records, regardless of format, medium, or physical characteristics. **No category of material should be omitted from search, collection, and production.**

In addition, American Oversight insists that your office 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 office 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.⁴

We share a common mission to promote transparency in government. American Oversight looks forward to working with you 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) 868-5244.

Sincerely,



Austin R. Evers
Executive Director
American Oversight

⁴ American Oversight currently has approximately 15,600 page likes on Facebook and 106,000 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Nov. 30, 2020) American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Nov. 30, 2020).