



November 16, 2023

VIA ONLINE PORTAL

Georgia Department of Public Health
2 Peachtree Street NW, 15-450
Atlanta, GA 30303
Via Online Portal

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.

Requested Records

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

1. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) between (a) any Department of Public Health official listed below, or anyone communicating on their behalf, such as an assistant or scheduler, and (b) any of the external individuals or entities listed below (including, but not limited to, anyone communicating from an email address ending in the listed domains).

Department of Public Health Officials:

- a. Commissioner Kathleen Toomey
- b. Assistant Commissioner for Policy Megan Andrews
- c. Manager Government Affairs Graham Segrest

External Individuals and Entities:

- i. Alliance Defending Freedom (adflegal.org)
- ii. America First Legal (aflegal.org or athospr.com)
- iii. American College of Pediatricians (acpeds.org)
- iv. American Family Association (afa.net)
- v. American Principles Project (americanprinciplesproject.org)
- vi. Child and Parental Rights Campaign (childparentrights.org)
- vii. Concerned Women for America (concernedwomen.org or cwfa.org)
- viii. Do No Harm (donoharmmedicine.org)
- ix. Eagle Forum (eagleforum.org)
- x. Ethics and Public Policy Center (eppc.org)
- xi. Family Policy Alliance (familypolicyalliance.com)
- xii. Family Policy Alliance of Georgia



- xiii. Independent Women’s Forum (iwf.org)
- xiv. James Cantor (jamescantorphd@gmail.com)
- xv. Liberty Counsel (lc.org)
- xvi. Lisa Littman, or anyone communicating on behalf of Genspect (genspect.org)
- xvii. Manhattan Institute (manhattan.institute.org or manhattaninstitute.org)
- xviii. Michael Artigues (martig900@hotmail.com)
- xix. Michael Laidlaw (mike@drLaidlaw.com)
- xx. Patrick Lappert
- xxi. Paul Hruz (hruz_p@wustl.edu, hruz_p@kids.wustl.edu)
- xxii. Quentin Van Meter (kidendo@comcast.net)
- xxiii. Riittakerttu Kaltiala
- xxiv. Science for Evidence-Based Gender Medicine (segm.org)
- xxv. Stephen Levine
- xxvi. Tony Perkins, or anyone communicating on behalf of Family Research Council (frc.org or fraction.org)
- xxvii. Anyone communicating on behalf of PragerU (@prageruniversity.com, prageru.com)

Please also note that American Oversight does not seek, and that part 1 of this request specifically excludes, the initial mailing of news clips or other mass-distribution emails. However, subsequent communications forwarding such emails are responsive to this request. In other words, for example, if a specified official received a mass-distribution news clip from an email address ending in adflegal.org, that initial email would not be responsive to this request. However, if that official forwarded that email to another listed individual with their own commentary, that subsequent message would be responsive to this request and should be produced.

2. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) sent by any officials and members listed above in part 1, or anyone communicating on their behalf, such as an assistant or scheduler, and containing any of the key terms listed below.

Key Terms:

- a. “biological sex”
- b. “cross sex”
- c. “cross-sex”
- d. “do no harm”
- e. “gender affirming”
- f. “gender-affirming”
- g. “gender reassignment”
- h. “gender transition”
- i. “puberty blocker”
- j. “puberty blocking”
- k. “puberty-blocking”

- l. “SB 140”
- m. “SB140”
- n. “Senate Bill 140”
- o. “sex reassignment”
- p. “sex-reassignment”
- q. Dysphoria
- r. Hormonal
- s. Hormone
- t. Transgender
- u. WPATH

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited part 2 of this request to emails sent by the listed 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 the specified individual’s response to an email containing a key term listed above and the initial received message are responsive to this request and should be produced.

For both parts of this request, provide all responsive records from January 1, 2023, through 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.

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. Records of official business conducted using unofficial systems or stored outside of official files are subject to the Open Records Act.¹

¹ O.C.G.A. § 50-18-70(b)(2).

- 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 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 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.com.²

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

² American Oversight currently has approximately 16,000 followers on Facebook and 111,200 followers on Twitter.com. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Nov. 13, 2023); American Oversight (@weareoversight), Twitter.com, <https://twitter.com/weareoversight> (last visited Nov. 13, 2023).

the requested records, please contact Khahilia Shaw at records@americanoversight.org or 202.539.6507.

Sincerely,

/s/ Khahilia Shaw

Khahilia Shaw
on behalf of
American Oversight