



July 3, 2019

VIA ELECTRONIC MAIL

Florida Department of State
Office of the General Counsel
Attn: Carlos A. Rey, Public Records Custodian
500 S. Bronough Street
Tallahassee, Florida 32399
DOS.GeneralCounsel@DOS.MyFlorida.com

Re: Public Records Request

Dear Mr. Rey:

Pursuant to Florida's public records laws, as codified at Fla. Stat. Chapter 119, American Oversight makes the following request for records.

Requested Records

American Oversight requests that the Department of State promptly produce the following:

1. All emails regarding Florida Amendment 4 (the Voting Rights Restoration for Felons Initiative), Senate Bill (SB) 7066, or the restoration of voting rights to individuals with prior felony convictions exchanged between (a) Maria Matthews, Division of Elections Director, and (b) individuals with the following email addresses:
 - i. @miamidade.gov
 - ii. @browardsoe.org
 - iii. @pbcelections.org
 - iv. @hcsoe.org
 - v. @coj.net
 - vi. @leoncountyfl.gov
 - vii. @hendryelections.org
 - viii. @hardeecountyelections.com
 - ix. @keys-elections.org
 - x. @colliercountyfl.gov
 - xi. @ocfelections.com
 - xii. @votepinellas.com
 - xiii. @polkelections.com
 - xiv. @votebrevard.com
 - xv. @lee.vote

Please provide all responsive records from June 1, 2019 to the date of the search.



2. Any information (e.g., guidance, directives, rules, and interpretations of SB 7066) prepared for or provided to local supervisors of elections (SOEs) regarding procedures for determining the eligibility of individuals with prior felony convictions to register to vote. This request includes information related to how to determine if a registrant has paid all court-ordered fines, fees, and/or restitution; how to make a final determination of whether a person who has been convicted of a felony offense is eligible to register to vote, including if he or she has completed all terms of his or her sentence; and guidelines to local SOEs on the notification process to registrants of their voter eligibility.

Please provide all responsive records from May 3, 2019 to the date of the search.

3. Records pertaining to how information regarding the completion or incompleteness of all terms of a sentence for individuals with prior felony convictions is tracked and shared with local SOEs, including if an individual has any outstanding fees, fines, and restitution.

Please provide all responsive records from November 6, 2018 to the date of the search.

4. Any document (e.g., memorandum of agreement or memorandum of understanding) memorializing any arrangement between the Department of State and Florida Department of Corrections for the purposes of sharing information to determine voter registration eligibility for individuals with prior felony convictions.

Please provide all responsive records from November 6, 2018 to the date of the search.

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 the Department of State 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 the Department of State 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 the Department of State 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 foia@americanoversight.org or (202) 788-0606.

Sincerely,



Austin R. Evers
Executive Director
American Oversight

¹ American Oversight currently has approximately 12,200 page likes on Facebook and 54,200 followers on Twitter. American Oversight, FACEBOOK, <https://www.facebook.com/weareoversight/> (last visited Mar. 28, 2019); American Oversight (@weareoversight), TWITTER, <https://twitter.com/weareoversight> (last visited Mar. 28, 2019).