



August 21, 2019

VIA ELECTRONIC MAIL

Administration
Central Courthouse
Judicial Complex, West Building
18th Floor, Room 18150
201 S.E. 6th Street
Fort Lauderdale, FL 33301
publicrecords@browardclerk.org

Re: Public Records Request

Dear Public Records Officer:

Pursuant to Article I, Section 24 of the Florida Constitution and 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 Clerk's Office promptly produce the following:

1. All records prepared for or provided to the county clerk of courts regarding procedures for determining the eligibility of individuals with prior felony convictions to register to vote pursuant to Senate Bill (S.B.) 7066 (e.g., memoranda, guidance, directives, rules, interpretations, etc.). This request covers, but is not limited to, any records related to determining if an individual with a prior felony conviction has completed all terms of his or her sentence, including whether he or she has paid all court-ordered fines, fees, and/or restitution.

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

2. All records reflecting how information regarding the completion or incompleteness of all terms of a sentence for a felony offense (including if an individual owes any outstanding fees, fines, or restitution) is tracked and shared between (a) the county clerk of courts, and (b) any local or state officials, including but not limited to local supervisors of elections (SOEs), the Department of State, and Department of Corrections. This request covers, but is not limited to, any record memorializing any information-sharing arrangement on this subject between the above parties (e.g., contract, memorandum of agreement, memorandum of understanding, etc.).

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



3. All records reflecting how information regarding the completion or incompleteness of all terms of a sentence for a felony offense, including if an individual owes any outstanding fees, fines, or restitution, is tracked and shared between (a) the county clerk of courts, and (b) any collections agents under contract by the county. This request covers, but is not limited to, any record memorializing any information-sharing arrangement on this subject between the above parties (e.g., contract, memorandum of agreement, memorandum of understanding, etc.).

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

4. All records pertaining to how information regarding the completion or incompleteness of all terms of a sentence for a felony offense, including if an individual owes any outstanding fees, fines, or restitution, is verified. This request covers any policies, procedures, or contract terms, as well as any audits or other investigative records, including final reports, related to the accuracy and verification of this information.

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

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

American Oversight seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the terms “record” and “information” in their 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 Clerk’s 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 the Clerk's 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.¹

We share a common mission to promote transparency in government. American Oversight looks forward to working with the Clerk's Office 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) 788-0606.

Sincerely,



Austin R. Evers
Executive Director
American Oversight

¹ American Oversight currently has approximately 12,250 page likes on Facebook and 54,300 followers on Twitter. American Oversight, FACEBOOK, <https://www.facebook.com/weareoversight/> (last visited July 31, 2019); American Oversight (@weareoversight), TWITTER, <https://twitter.com/weareoversight> (last visited July 31, 2019).