



February 24, 2020

**VIA ELECTRONIC MAIL**

Director Erica Hamilton  
DeKalb County Voter Registration & Elections  
4380 Memorial Drive, Suite 300  
Decatur, GA 30032-1239  
[ehamilton@dekalbcountyga.gov](mailto:ehamilton@dekalbcountyga.gov)

**Re: Open Records Request**

Dear Open Records Officer:

Pursuant to the Georgia Open Records Law, as codified at O.C.G.A. §§ 50-18-70 et seq., American Oversight makes the following request for public records.

**Requested Records**

American Oversight requests that DeKalb County produce the following within three business days, or provide a written description of any responsive records with a timetable for their production within three business days:

1. All official or unofficial directives, guidance, advisories, or instructions sent by any staff member of the Georgia Secretary of State's Office (including, but not limited to, Elections Director Chris Harvey) to any DeKalb County election official regarding the processing of pending or rejected voter registration applications.

Communications (including emails, email attachments, text messages, calendar invitations/entries, letters, memoranda, or other communications) reflecting such directives, guidance, advisories, or instructions should be considered responsive to this request.

2. Records sufficient to identify the number of voter registration applications rejected by DeKalb County and any explanation or indication of the reason for the rejection.
3. Records sufficient to identify the number of voter registration applications formerly or currently in pending status and any explanation or indication of the reason for the status.
4. Records sufficient to identify the number of formerly pending voter registration applications approved or rejected by DeKalb County and any explanation or indication of the reason for the approval or rejection (information regarding all formerly pending



applications that were approved or rejected between January 1, 2018 and the date the search is conducted should be considered responsive to this request).

Please provide all responsive records from January 1, 2018, through the date the search is conducted.

To the extent that this information is aggregated and maintained in a database or spreadsheet,<sup>1</sup> we would accept as responsive a printout from the database containing fields reflecting each applicant's (1) application status and (2) status explanation.<sup>2</sup> American Oversight does not object to the redaction of names, addresses, or other personally identifying information from records responsive to this request.

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 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 DeKalb County 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

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<sup>1</sup> American Oversight requests responsive data in a Microsoft Excel spreadsheet format, to the extent that your agency maintains such data in a database or other format that can be readily exported into such format.

<sup>2</sup> American Oversight recognizes that your office may use different terminology than the categories listed. American Oversight requests that you provide the requested information most closely related to each category, to the extent available. American Oversight welcomes the opportunity to discuss with you the types of data tracked and maintained by your agency that may be responsive to this request.

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 DeKalb County 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.<sup>3</sup>

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

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<sup>3</sup> American Oversight currently has approximately 15,450 page likes on Facebook and 101,800 followers on Twitter. American Oversight, FACEBOOK, <https://www.facebook.com/weareoversight/> (last visited Feb. 21, 2020); American Oversight (@weareoversight), TWITTER, <https://twitter.com/weareoversight> (last visited Feb. 21, 2020).

any questions, or foresee any problems in fully releasing the requested records, please contact Khahilia Shaw at [records@americanoversight.org](mailto:records@americanoversight.org) or 202.539.6507.

Sincerely,

A handwritten signature in blue ink that reads "Austin R. Evers". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

Austin R. Evers  
Executive Director  
American Oversight