



July 26, 2021

VIA EMAIL

Public Records Unit
Ohio Attorney General
30 E. Broad Street, 14th Floor
Columbus, OH 43215
Constitution.Mail@OhioAttorneyGeneral.gov

Re: Public Records Act Request

Dear Public Records Officer:

Pursuant to the Ohio Public Records Act (PRA), Ohio Rev. Code § 149.43, and other applicable Ohio law, American Oversight makes the following request for records.

Requested Records

American Oversight requests that the Attorney General's Office promptly produce the following records:

1. All email communications (including emails, complete email chains, calendar invitations, and attachments thereto) between (a) any of the Ohio Attorney General's Office officials listed in Column A, below, and (b) any employees or representatives of the external organizations listed in Column B, below (including, but not limited to, anyone communicating from an email address ending in the listed domains) regarding firearms, including, but not limited to, any proposed or implemented firearm restrictions or allowances.

Column A: Ohio Attorney General's Office Officials	Column B: External Parties
i. Dave Yost, Attorney General (or anyone communicating on his behalf, such as an assistant or scheduler)	i. National Rifle Association, NRA Foundation, and NRA's Institute for Legislative Action (nra.org, nrahq.org, nrafoundation.org, and nraila.org)
ii. Benjamin Marrison, Chief of Staff	ii. Association of New Jersey Rifle & Pistol Clubs (anjrpc.org)
iii. Brenda Rinehart, First Assistant Attorney General	iii. Gun Owners of America and Gun Owners Foundation (gunowners.org)
iv. Benjamin Flowers, Solicitor General	iv. National Association for Gun Rights (nationalgunrights.org)
	v. Second Amendment Foundation (saf.org)



	vi. Citizens Committee for the Right to Keep and Bear Arms (cckba.org)
	vii. American Suppressor Association (americansuppressorassociation.com)
	viii. National Shooting Sports Foundation (nssf.org)
	ix. Ohioans for Concealed Carry (ohioccw.org)
	x. Ohio Rifle and Pistol Association (orpa.net)
	xi. Buckeye Firearms Association (buckeyefirearms.org)

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited item 1 of its request to email communications between Attorney General Office officials and the external parties specified above, as opposed to all email communications (or all correspondence) in the possession of your office regarding the subject matter specified above. If your office does not have the capability to craft a search for records that encompasses only these individuals as the correspondents, American Oversight would accept a broader search for email or other correspondence responsive to the above subject matter, but we would note that your office may narrow the results to email correspondence sent by the above individuals.

Please note that American Oversight does not seek, and that 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 Attorney General Yost received a mass-distribution news clip email from an email ending in @nra.org, that initial email would not be responsive to this request. However, if Attorney General Yost forwarded that email to another individual with his own commentary, that subsequent message would be responsive to this request and should be produced.

2. All email communications (including emails, complete email chains, calendar invitations, and attachments thereto) sent by any of the Ohio Attorney General's Office officials listed in Column A, above, containing any of the search terms listed below.¹

Search Terms:

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|---------------------------------|------------------------------|
| i. "National Rifle Association" | iii. "Gun Owners of America" |
| ii. NRA | iv. GOA |

¹ It is our understanding that your office has the capability to perform this type of search when it has, on occasion, performed "courtesy searches" of Attorney General Yost's emails using search terms. We request that such a search be undertaken here.

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|-------|------------------------------|--------|-------------------------------|
| v. | “Association for Gun Rights” | xii. | NSSF |
| vi. | NAGR | xiii. | “Rifle & Pistol” |
| vii. | SAF | xiv. | ANJRPC |
| viii. | “Right to Keep and Bear” | xv. | “Ohioans for Concealed Carry” |
| ix. | CCRKBA | xvi. | OFCC |
| x. | “Suppressor Association” | xvii. | “Rifle and Pistol” |
| xi. | “Shooting Sports Foundation” | xviii. | ORPA |
| | | xix. | “Buckeye Firearms” |

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited item 2 of its request to emails sent by the listed custodians. 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 Attorney General Yost’s response to an email containing the term “Bump Stock” and that initial received message are responsive to this request and should be produced.

For both parts of this request, please provide all responsive records from January 1, 2021, through the date the search is conducted.

For both parts of this request, we believe your office is best suited to know the locations to be searched for responsive records. However, we believe Office-Wide Executive Correspondence and General Correspondence records series, at a minimum, are likely to have responsive email correspondence.

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

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.

- 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.² 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.³

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not

² Ohio Rev. Code § 149.43(B)(1).

³ American Oversight currently has approximately 15,600 page likes on Facebook and 106,200 followers on Twitter. American Oversight, FACEBOOK, <https://www.facebook.com/weareoversight/> (last visited June 22, 2021); American Oversight (@weareoversight), TWITTER, <https://twitter.com/weareoversight> (last visited June 22, 2021).

understand any part of this request, please contact Mehreen Rasheed at records@americanoversight.org or (202) 848-1320.

Sincerely,

/s/ Mehreen Rasheed
Mehreen Rasheed
on behalf of
American Oversight