



January 20, 2022

VIA EMAIL

Office of the Attorney General
Custodian of Records
Director, Office of Public Records
107 West Gaines Street, Suite 228
Tallahassee, FL 32399-1050
PublicRecordsRequest@myfloridalegal.com

Florida Fish and Wildlife Conservation Commission
Records Management Liaison Officer
620 South Meridian Street
Tallahassee, FL 32399-1600
Via Online Form

Florida Department of Law Enforcement
Attn: Office of the General Counsel
P.O. Box 1489
Tallahassee, FL 32302-1489
Publicrecords@fdle.state.fl.us

Florida Highway Patrol
2900 Apalachee Pkwy, MS 44
Tallahassee, FL 32399-0500
FHPRecords@flhsmv.gov

Re: Public Records Request

Dear Public Records Officer:

Pursuant to Article I, section 24(a), 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 your agency promptly produce the following:

1. All email communications (including emails, email attachments, complete email chains, and calendar invitations) sent by the officials listed below or anyone communicating on their behalf such as a Chief of Staff, deputy,



assistant, or scheduler regarding the officials' trip to the U.S.–Mexico border on or about July 17, 2021.¹

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 emails sent by the specified 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 a specified official's response to an email about the trip and the initial received message are responsive to this request and should be produced.

2. Records reflecting any expenses and costs incurred or paid by your office related to the specified officials' trip to the U.S.–Mexico Border on or about July 17, 2021.²

To the extent your office has aggregated records sufficient to show all relevant expenses and costs, such as spreadsheets, American Oversight would accept production of such records as sufficient. To the extent your office does not have an aggregated record of these costs, American Oversight requests records reflecting those costs, such as receipts, invoices, charge card or credit card statements, and reimbursement requests.

Relevant expenses may include, but are not limited to, hotel or other lodging costs; costs for air travel, rental car, or other transportation companies; costs incurred for government transportation; the cost of meals or refreshments; and per diem payments.

Relevant expenses include costs associated with the travel of the specified officials and of any staff members, family members, or other individuals traveling with them.

Specified Officials:

- a. Attorney General Ashley Moody
- b. Lt. Colonel Brian Smith, Florida Fish and Wildlife Conservation Commission
- c. Commissioner Rick Swearingen, Florida Department of Law Enforcement
- d. Colonel Gene Spaulding, Director, Florida Highway Patrol

For both items of this request, please provide all responsive records from July 1, 2021, through August 5, 2021.

¹ For further identifying information, please *see*, Sam Sachs, *Florida Gov. Ron DeSantis Visits Texas, Calls for Stricter Border Policies to be Reinstated*, News Channel 8 (July 19, 2021, 4:47 AM), <https://www.wfla.com/news/florida/florida-gov-ron-desantis-ag-ashley-moody-heading-to-texas-for-border-security-briefing/>.

² For further identifying information, please *see supra* n.1.

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

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 your agency 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 your agency 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.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 understand any part of this request, have any questions, or foresee any problems in fully releasing the requested records, please contact Taylor Stoneman at records@americanoversight.org or (202) 848-1319.

Sincerely,

/s/ Taylor Stoneman
Taylor Stoneman
on behalf of
American Oversight

³ American Oversight currently has approximately 15,600 page likes on Facebook and 114,000 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Jan. 19, 2022); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Jan. 19, 2022).