



March 7, 2022

VIA EMAIL

Executive Office of Governor Ron DeSantis
Attn: Office of Open Government
400 S Monroe St., Suite 209
Tallahassee, FL 32399
desantis.opengov@eog.myflorida.com

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.

In January 2022, Governor Ron DeSantis presented his own congressional district boundary proposal to Florida legislative leaders. After the legislature opted not to formally consider his proposal, Governor DeSantis indicated he would veto any map that would keep intact Florida's 5th District.¹ DeSantis also later introduced an additional congressional district boundary proposal.²

American Oversight seeks records to shed light on Governor DeSantis' efforts to influence Florida's redistricting processes.

Requested Records

American Oversight requests that the Executive Office of Governor Ron DeSantis promptly produce the following:

1. A complete copy (including any attachments) of any contract, amendment, memorandum of understanding, or other written agreement regarding external entities providing services relevant to the state legislative or congressional redistricting process, including, but not limited to, agreements with providers of map-drawing software, consultants, advisors, or legal counsel.

¹ Jane C. Timm, *DeSantis Digs in on Redistricting Fight Against Fellow Republicans*, NBC News (Feb. 14, 2022, 4:31 AM), <https://www.nbcnews.com/politics/elections/desantis-digs-redistricting-fight-fellow-republicans-rcna15966>.

² Kent Justice, *DeSantis Proposes Another Republican-Favored Congressional Map*, WJXT (Feb. 15, 2022, 11:27 PM), <https://www.news4jax.com/news/local/2022/02/16/desantis-proposes-another-republican-favored-congressional-map/>.



This request should be interpreted to include any copies of contractual documents pertaining to redistricting in the possession of any Executive Office of Governor Ron DeSantis personnel, including those to which the Governor Ron DeSantis is not party.

2. A complete copy of any unpublished formal or informal guidance, directives, memoranda, criteria, or other policy document pertaining to redistricting.
3. Any records containing assessments, interpretations, or opinions concerning data from the 2020 Census or the 2020 American Community Survey (ACS).
4. Any records containing assessments, interpretations, or opinions concerning past election results.
5. Any records containing assessments, interpretations, or opinions concerning political party affiliation data, racial demographic data, or present incumbency.
6. Any records reflecting or identifying any drafter or reviewer of the congressional district boundary proposals submitted by General Counsel Ryan Newman on behalf of the Executive Office of Governor Ron DeSantis in January 2022 and February 2022, including, but not limited to, drafters or reviewers commissioned or contracted by the Executive Office of Governor Ron DeSantis.
7. Any district boundary proposals produced or received by any Executive Office of Governor Ron DeSantis personnel, including proposals produced by any entity commissioned or contracted by the Executive Office of Governor Ron DeSantis, as well as any email, text message, or messaging platform threads/conversations to which the proposals are attached.

To be clear, to the extent any communications (such as emails or text messages) are responsive to any part of this request, American Oversight requests that full email, text message, or message threads/conversations be produced. For example, regarding text message communications, if Chief of Staff Uthmeier received a text message containing a district boundary proposal, the complete thread/conversation spanning at least 7 days preceding receipt of the message through at least 7 days following receipt of the message should be produced, and not just the message containing the district boundary proposal.

Please provide all responsive records from January 1, 2022, through the date the search is conducted.

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 15,700 page likes on Facebook and 117,800 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Mar. 7, 2022); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Mar. 7, 2022).