



May 23, 2022

**VIA EMAIL**

Director, Office of Open Government  
Executive Officer of the Governor  
400 South Monroe Street  
Tallahassee, FL 32399  
[Desantis.opengov@eog.myflorida.com](mailto: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.

**Requested Records**

American Oversight requests that your office promptly produce the following:

1. Any final formal or informal guidance or policy documents detailing the process of responding to public records requests within the Florida Governor's office. Records responsive to this request should include, but not be limited to, guidance or policy documents regarding intake of requests, correspondence with requesters, searches, processing, consultations, withholdings, disposition, and production of responsive records, as well as records describing the delegation of authority with respect to the handling and processing of requests.
2. Records sufficient to identify how the redaction process takes place in the course of responding to public records requests within the Florida Governor's office, including, but not limited to, records reflecting which offices or individuals are involved in determining, applying, or approving redactions of produced public records.
3. All records describing the processing of this request, including, but not limited to, records identifying how searches were conducted, any tracking sheets used in the processing of this request, any email communications discussing this request, and final decisions or directives regarding exemptions, withholdings, or redactions.
4. All records reflecting the processing of each of American Oversight's public records requests listed in the chart below, including, but not limited to, records identifying how searches were conducted, any tracking sheets used in the



processing of any request, any email communications discussing any request, and final decisions or directives regarding exemptions, withholdings, or redactions made in any request.

<b>Date Submitted</b>	<b>Internal American Oversight Tracking Number</b>	<b>Governor’s Office Tracking Number</b>
9/1/2021	FL-GOV-21-1266	Stoneman, T. 05-G
9/1/2021	FL-GOV-21-1267	Stoneman, T. 04-G
9/1/2021	FL-GOV-21-1268	Stoneman, T. 03-G
9/1/2021	FL-GOV-21-1269	None that American Oversight is aware of
9/1/2021	FL-GOV-21-1270	Stoneman, T. 07-G
9/1/2021	FL-GOV-21-1271	Stoneman, T. 08-G
10/20/2021	FL-GOV-21-1461	Stoneman, T. 11-G
10/25/2021	FL-GOV-21-1499	Stoneman, T. 14
1/20/2022	FL-GOV-22-0082	Stoneman, T. 15
4/21/2022	FL-GOV-22-0226	Stoneman, T. 16
3/7/2022	FL-GOV-22-0227	Stoneman, T. 17

Please provide all responsive records created on or after September 1, 2021, 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.**

Please search all locations and systems likely to have responsive records regarding official business. **You may not exclude searches of files or emails in the personal custody of your officials, such as personal email accounts.** Emails or texts conducting government business sent or received on the personal account of the government official constitutes a record for purposes of Florida’s public records laws.<sup>1</sup>

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

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<sup>1</sup> Cf. *State v. City of Clearwater*, 863 So. 2d 149, 154 (Fla. 2003) (“The determining factor is the nature of the record, not its physical location.”).

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.<sup>2</sup>

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<sup>2</sup> American Oversight currently has approximately 16,000 page followers on Facebook and 117,300 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited May 20, 2022); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited May 20, 2022).

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](mailto:records@americanoversight.org) or (202) 848-1319.

Sincerely,

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