



August 4, 2022

VIA EMAIL

Heather Canarecci
Wyoming Department of Health
2300 Capitol Avenue
Hathaway Building, Room 487
Cheyenne, WY 82002
Heather.canarecci2@wyo.gov

Re: Public Records Act Request

Dear Ms. Canarecci:

Pursuant to the Wyoming Public Records Act, Wyo. Stat. §§ 16-4-201 *et seq.*, American Oversight makes the following request for records.

In March of this year, Wyoming Governor Mark Gordon signed a bill to ban abortion in the state – with few exceptions – if the protections of *Roe v. Wade* were to be overturned.¹

American Oversight seeks records with the potential to shed light on state health officials' assessments of abortion restrictions in Wyoming.

Requested Records

American Oversight requests that your office produce the following records within seven business days:²

All formal or informal assessments, reports, analyses, recommendations, or guidance (including memoranda and other written products) prepared by your office or otherwise provided to your agency by other state or local offices, or independent experts, regarding any projected or actual impacts of potential or actual new state abortion restrictions affected by the U.S. Supreme Court decision in *Dobbs v. Jackson Women's Health Organization*.

¹ Kyla Guilfoil, *Wyoming Abortion Rights Advocates Fight for Access Up to the Last Minute*, ABC News (June 25, 2022, 8:10 AM), <https://abcnews.go.com/US/wyoming-abortion-rights-advocates-fight-access-minute/story?id=85436241>.

² To the extent the requested records are not available within seven business days, please provide an update at that time. *See* Wyo. Stat. §§ 16-4-202(b), (c)(i). Pursuant to the Wyoming Public Records Act, all records should be released no more than thirty calendar days “unless good cause exists preventing release.” *Id.* § 16-4-202(c)(iii).



Please provide all responsive records from May 17, 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.

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:

- Please search all locations and systems likely to have 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 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.
- If a request is denied, please provide a written statement of the grounds for denial and, if applicable, state specifically why it is not reasonable to segregate portions of the record for release.³
- 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

³ See *id.* § 16-4-203(e).

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.⁴

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, please contact Emma Lewis at records@americanoversight.org or (202) 919-6303.

Sincerely,

/s/ Emma Lewis

Emma Lewis
on behalf of
American Oversight

⁴ American Oversight currently has approximately 16,000 followers on Facebook and 118,400 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited July 29, 2022); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited July 29, 2022).