VIA EMAIL

S.C. Attorney General’s Office
FOIA Office
PO Box 11549
Columbia, SC 29211
foia@scag.gov

Re: Freedom of Information Act Request

Dear Freedom of Information Officer:

Pursuant to the South Carolina Freedom of Information Act, S.C. Code Ann. §§ 30-4-10 et seq., American Oversight makes the following request for records.

Requested Records

American Oversight requests that the South Carolina Attorney General’s Office promptly produce the following records:

All email communications (including email attachments, complete email chains, calendar invitations, and calendar invitation attachments) sent by the officials listed in Column A to the external individuals or entities listed in Column B below.

Please provide all responsive records from May 1, 2022, through the date of the search.

<table>
<thead>
<tr>
<th>Column A: South Carolina Attorney General's Office officials</th>
<th>Column B: External Entities</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Attorney General Alan Wilson (or anyone communicating on his behalf, such as an assistant or scheduler)</td>
<td>1. Anyone with an email address ending in @safegraph.com</td>
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<tr>
<td>b. William Jeffrey “Jeff” Young (Chief Deputy Attorney General)</td>
<td>2. Anyone with an email address ending in @placer.io</td>
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<td>c. Donald Zelenka (Deputy Attorney General)</td>
<td>3. Anyone with an email address ending in @placer.ai</td>
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<tr>
<td>d. Barry Bernstein (Chief of Staff and Deputy Attorney General), or anyone acting as Chief of Staff</td>
<td>4. Anyone with an email address ending in @digitalenvoy.com</td>
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<td></td>
<td>5. Anyone with an email address ending in @gravyanalytics.com</td>
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<tr>
<td></td>
<td>6. Anyone with an email address ending in @fb.com</td>
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<tr>
<td></td>
<td>7. Anyone with an email address ending in @acxiom.com</td>
</tr>
</tbody>
</table>
e. DeLinda Ridings (Executive Assistant to the Attorney General)
f. Trisha Allen (Director, Victim Advocacy Division)
g. Harry Bracy (Chief Investigator)
h. Jamie Seales (Assistant Chief Investigator)

8. Anyone with an email address ending in @babelstreet.com
9. Anyone with an email address ending in @venntel.com
10. Anyone with an email address ending in @glow.app
11. Anyone with an email address ending in @glowing.com
12. Anyone with an email address ending in @hvflabs.com
13. Anyone with an email address ending in @flo.health
14. Anyone with an email address ending in @naturalcycles.com
15. Anyone with an email address ending in @digitalchemy.us
16. Anyone with an email address ending in @simpleinnovation.us
17. Anyone with an email address ending in @helloclue.com
18. Anyone with an email address ending in @thestardustapp.com
19. Anyone with an email address ending in @mixpanel.com
20. Anyone with an email address ending in @gpapps.com
21. Anyone with an email address ending in @oviahealth.com
22. Anyone with an email address ending @babycenter.com
23. Anyone with an email address ending in @simpledesign.ltd
24. Anyone with an email address ending in @plackal.in
25. Anyone with an email address ending @maya.live
26. Anyone with an email address ending in @mia.health
27. Anyone emailing from the email address linchpin.health@gmail.com
28. Anyone with an email address ending in @atlasv.com
29. Anyone with an email address ending in @womenhelp.org
30. Anyone emailing from the email address drip@mailbox.org
31. Anyone emailing from the email address bloodyhealth@mailbox.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 the request to emails sent by the specified officials in Column A to the external individuals and entities in Column B. To be clear, however, American Oversight still requests that complete email chains be produced, displaying both sent and received messages, and any document attachments therein.

Fee Waiver Request

In accordance with S.C. Code Ann. § 30–4–30(B), American Oversight requests a waiver of fees associated with processing this request for records. Disclosure of the requested records is in the public interest because it will likely contribute to a better understanding of relevant government procedures by the general public in a significant way. In addition, this request is primarily and fundamentally for non-commercial purposes.

A waiver of fees is “in the public interest because furnishing the information can be considered as primarily benefiting the general public.”¹ The general public has a significant interest in understanding how, and for what purpose(s), government agencies acquire potentially sensitive personal data. Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including whether the South Carolina Attorney General’s Office has attempted to procure such data. American Oversight is committed to transparency and makes the responses agencies provide to public records requests publicly available, and the public’s understanding of the government’s activities would be enhanced through American Oversight’s analysis and publication of these records.

Furthermore, American Oversight’s work is aimed solely at serving the public interest. As a 501(c)(3) nonprofit, American Oversight does not have a commercial purpose and the release of the information requested is not in American Oversight’s financial interest. American Oversight’s mission is 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.\(^2\)

American Oversight has also demonstrated its commitment to the public disclosure of documents and creation of editorial content through regular substantive analyses posted to its website.\(^3\) Examples reflecting this commitment to the public disclosure of documents and the creation of editorial content include the posting of records and analysis related to the organization’s investigations into misconduct and corruption in state governments;\(^4\) posting records and analysis of federal and state governments’ responses to the Coronavirus pandemic;\(^5\) posting records received as part of American Oversight’s “Audit the Wall” project to gather and analyze information related to the Trump administration’s proposed construction of a barrier along the U.S.-Mexico border, and analyses of what those records reveal;\(^6\) and the posting of records related to an ethics waiver received by a senior Department of Justice attorney and an


\(^3\) See generally News, American Oversight, https://www.americanoversight.org/blog.


Accordingly, American Oversight qualifies for a fee waiver.

**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. For instance, if the request seeks “communications,” please search all locations likely to contain communications, including relevant hard-copy files, correspondence files, appropriate locations on hard drives and shared drives, emails, text messages or other direct messaging systems (such as iMessage, WhatsApp, Signal, or Twitter direct messages), voicemail messages, instant messaging systems such as Lync or ICQ, and shared messages systems such as Slack.

- In conducting your search, please understand the terms “record,” “document,” and “information” in their 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 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.

Conclusion

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.

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 Kahlilia Shaw at records@americanoversight.org or (202) 539-6507.

Sincerely,

/s/ Kahlilia Shaw
Kahlilia Shaw
on behalf of
American Oversight

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8 S.C. Code Ann. § 30-4-40(b).