



April 13, 2023

**VIA FACSIMILE**

Office of the Ohio Secretary of State  
22 N. Fourth St., 16th Floor  
Columbus, OH 43215  
Fax: (614) 644-0649

**Re: Public Records Act Request**

Dear Public Records Officer:

Pursuant to the Ohio Public Records Act (PRA), Ohio Rev. Code § 149.43, and other applicable Ohio law, American Oversight makes the following request for records.

**Requested Records**

American Oversight requests that the Office of the Ohio Secretary of State promptly produce the following records:

1. All email communications (including emails, email attachments, calendar invitations, and calendar invitation attachments) between (a) any of the Office of the Ohio Secretary of State personnel listed below, and (b) the following individuals communicating on behalf of the America First Policy Institute: Brooke Rollins, Chad Wolf, J. Kenneth Blackwell, Hogan Gidley, Jessica Hart Steinman, Renee Hudson, or anyone communicating from an email address ending in americafirstpolicy.com.

Office of the Ohio Secretary of State Personnel:

- i. Frank LaRose, Secretary of State
  - ii. Kimberly Burns, Director of Operations & Assistant Secretary of State
  - iii. Jason Mauk, Chief of Staff
  - iv. Jeananne Chadsey, Deputy Chief of Staff
  - v. Paul Disantis, Chief Legal Counsel & Director of Public Policy
  - vi. Grant Shaffer, Director of External Affairs & Deputy Assistant Secretary of State
  - vii. Amanda Grandjean, Director of Elections & Deputy Assistant Secretary of State
2. All email communications (including emails, email attachments, calendar invitations, and calendar invitation attachments) between (a) any of the Office of the Ohio Secretary of State personnel listed below request item 1, and (b) the following individuals communicating on behalf of America First Legal: Stephen Miller, Gene Hamilton, Mark Meadows, Matthew Whitaker,



Russ Vought, Ed Corrigan, Wesley Denton, or anyone communicating from an email address ending in aflegal.org.

3. All email communications (including emails, email attachments, calendar invitations, and calendar invitation attachments) between (a) any of the Office of the Ohio Secretary of State personnel listed below request item 1, and (b) any of the state lieutenant governors and secretaries of state listed below, or anyone communicating on behalf of the listed state lieutenant governors and secretaries of state from email addresses ending in the listed domains.

External Lieutenant Governor & Secretary of State Offices:

- i. Alabama Secretary of State Wes Allen (sos.alabama.gov)
  - ii. Alaska Lieutenant Governor Nancy Dahlstrom (alaska.gov)
  - iii. Arkansas Secretary of State John Thurston (sos.arkansas.gov)
  - iv. Florida Secretary of State Cord Byrd (dos.myflorida.com)
  - v. Georgia Secretary of State Brad Raffensperger (sos.ga.gov)
  - vi. Idaho Secretary of State Phil McGrane (sos.idaho.gov)
  - vii. Indiana Secretary of State Diego Morales (sos.in.gov)
  - viii. Iowa Secretary of State Paul Pate (sos.iowa.gov)
  - ix. Kansas Secretary of State Scott Schwab (sos.ks.gov)
  - x. Kentucky Secretary of State Michael Adams (ky.gov)
  - xi. Louisiana Secretary of State R. Kyle Ardoin (sos.la.gov)
  - xii. Mississippi Secretary of State Michael Watson (sos.ms.gov)
  - xiii. Missouri Secretary of State John Ashcroft (sos.mo.gov)
  - xiv. Montana Secretary of State Christi Jacobsen (mt.gov)
  - xv. Nebraska Secretary of State Robert Evnen (nebraska.gov)
  - xvi. New Hampshire Secretary of State David Scanlan (sos.nh.gov)
  - xvii. North Dakota Secretary of State Michael Howe (nd.gov)
  - xviii. Oklahoma Secretary of State Brian Bingman (sos.ok.gov)
  - xix. Acting Pennsylvania Secretaries of the Commonwealth Leigh Chapman and Al Schmidt (pa.gov)
  - xx. South Carolina Secretary of State Mark Hammond (sos.sc.gov)
  - xxi. South Dakota Secretary of State Monae Johnson (state.sd.us)
  - xxii. Tennessee Secretary of State Tre Hargett (tn.gov)
  - xxiii. Texas Secretary of State Jane Nelson (sos.texas.gov)
  - xxiv. Utah Lieutenant Governor Deidre Henderson (utah.gov)
  - xxv. Virginia Secretary of the Commonwealth Kay Coles James (governor.virginia.gov)
  - xxvi. West Virginia Secretary of State Mac Warner (wvsos.com)
  - xxvii. Wyoming Secretary of State Chuck Gray (wyo.gov)
4. All text messages or messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, Twitter direct messages, Facebook Messenger, WhatsApp, Signal, Telegram, or Parler) between (a) Secretary of State Frank LaRose, and (b) any of the external individuals listed below.

External Individuals:

- i. Wes Allen, Alabama Secretary of State
- ii. Nancy Dahlstrom, Alaska Lieutenant Governor
- iii. John Thurston, Arkansas Secretary of State
- iv. Cord Byrd, Florida Secretary of State
- v. Brad Raffensperger, Georgia Secretary of State
- vi. Phil McGrance, Idaho Secretary of State
- vii. Diego Morales, Indiana Secretary of State
- viii. Paul Pate, Iowa Secretary of State
- ix. Scott Schwab, Kansas Secretary of State
- x. Michael Adams, Kentucky Secretary of State
- xi. Kyle Ardoin, Louisiana Secretary of State
- xii. Michael Watson, Mississippi Secretary of State
- xiii. Jay Ashcroft, Missouri Secretary of State
- xiv. Christi Jacobsen, Montana Secretary of State
- xv. Robert Evnen, Nebraska Secretary of State
- xvi. David Scanlan, New Hampshire Secretary of State
- xvii. Michael Howe, North Dakota Secretary of State
- xviii. Brian Bingman, Oklahoma Secretary of State
- xix. Al Schmidt, Pennsylvania Secretary of State
- xx. Mark Hammond, South Carolina Secretary of State
- xxi. Monae Johnson, South Dakota Secretary of State
- xxii. Tre Hargett, Tennessee Secretary of State
- xxiii. Jane Nelson, Texas Secretary of State
- xxiv. Deidre Henderson, Utah Lieutenant Governor
- xxv. Kay Coles James, Virginia Secretary of State
- xxvi. Mac Warner, West Virginia Secretary of State
- xxvii. Chuck Gray, Wyoming Secretary of State

For all items in this request, please provide all responsive records from January 1, 2023, through the date your office receives this request.

For all items in this request, American Oversight limits its request to records with the following subject matters: (1) the Data Analysis Transparency Archive Act, also known as the “DATA Act”; (2) election data; and (3) election transparency.<sup>1</sup>

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

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<sup>1</sup> For context about these subject matters, see Ohio Secretary of State (@OhioSecretaryofState), *Press Conference: LaRose Announces First Ever Election Data Transparency Legislation*, YouTube, Feb. 22, 2023, <https://www.youtube.com/watch?v=83FBflxcTFU>.

## 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.<sup>3</sup> 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.

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<sup>3</sup> Ohio Rev. Code § 149.43(B)(1).

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.<sup>4</sup>

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 Ben Sparks at [records@americanoversight.org](mailto:records@americanoversight.org) (202) 873-1741.

Sincerely,

*/s/ Ben Sparks*  
Ben Sparks  
on behalf of  
American Oversight

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<sup>4</sup> American Oversight currently has approximately 16,000 followers on Facebook and 112,400 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Apr. 11, 2023); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Apr. 11, 2023).