

Page Scrantom Sprouse Tucker Ford

ATTORNEYS & COUNSELLORS AT LAW

Established 1902

ADMITTED IN GEORGIA & ALABAMA

Julie D. Johnson
Direct 706.256.5304
Fax 706.243.0417
Email jdj@psstf.com

January 12, 2021

VIA EMAIL

Sara Creighton
Deputy Chief Counsel
American Oversight
sara.creighton@americanoversight.org
dubose@Dubosemiller.com
records@americanoversight.org

Re: Georgia Open Records Act Requests – American Oversight

Dear Ms. Creighton:

As you know, I represent the Columbus, Georgia Consolidated Government (“CCG”) with regard to the attached Open Records Requests, identified as Requests 1, 2, and 3. I submit the following in supplement to our previously submitted responses thereto. A search has been conducted of the personal email accounts and text messages of Nancy Boren, Margaret Jenkins, Uhland Roberts, Diane Scrimshire, Linda Parker, Eleanor White, and Talisha Austin for documents responsive to the Requests as requested in your email to me dated January 4, 2021 and as discussed via telephone. Enclosed are copies of an email exchange and text messages identified as responsive to Requests 1 and 3. No documents responsive to Request 2 were identified. More specifically, the results of the search were as follows:

(1) Nancy Boren had no personal emails responsive to the Requests and identified several text messages between herself and Chris Harvey responsive to Request 3, copies of which are attached hereto;

(2) Margaret Jenkins had no personal emails or text messages responsive to the Requests;

(3) Uhland Roberts identified one personal email responsive to Request 1, a copy of which is attached, and no text messages responsive to the request;

(4) Diane Scrimshire had no personal emails or text messages responsive to the Requests;

(5) Linda Parker had no personal emails or text messages responsive to the Requests;

(6) Eleanor White had no personal emails or text messages responsive to the Requests; and,

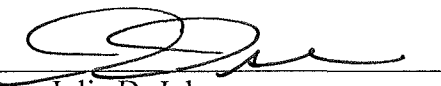
(7) Talisha Austin had no personal emails or text messages responsive to the Requests.

Other than the attached, CCG is not in possession of any other documents responsive to the Requests. This letter and the enclosed documents complete CCG's response to the attached Open Records Requests.

Best regards,

PAGE, SCRANTON, SPROUSE,
TUCKER & FORD, P.C.

By:


Julie D. Johnson

Request 1



December 21, 2020

VIA ELECTRONIC MAIL

Muscogee County
Elections and Registration Office
P.O. Box 1340
Columbus, GA 31902-1340
muscogeeelectionsandregistration@columbusga.gov

Re: Open Records Request

Dear Public Records Custodian:

Pursuant to the Georgia Public Records Law (O.C.G.A. § 50-18-70 et seq.), American Oversight makes the following request for records.

Requested Records

American Oversight requests that your office produce the following within three business days:

All email communications (including email messages, email attachments, calendar invitations, and calendar attachments) between the specified county officials listed in Column A and the external parties listed in Column B below.

Column A: Muscogee County Elections and Registration & Board of Elections Officials	Column B: External Parties
i. Director of Elections & Registration Nancy Boren ii. Board of Directors Member Margaret Jenkins iii. Board of Directors Member Uhland Roberts iv. Board of Directors Member Diane Scrimshire v. Board of Directors Member Linda Parker vi. Board of Directors Member Eleanor White vii. Board Secretary Tamisha Austin	<u>True the Vote</u> a. Catherine Engelbrecht b. Anyone communicating on behalf of True the Vote (including, but not limited to, anyone communicating from an email address ending in @truethevote.org) c. Derek Somerville d. Mark Davis e. Mark Williams f. Ron Johnson g. James Cooper <u>Public Interest Legal Foundation</u> a. J. Christian Adams (including but not limited to, adams@publicinterestlegal.org)



	or any email address ending in @electionlawcenter.com) b. Logan Churchwell (including, but not limited to, at lchurchwell@publicinterestlegal.org) c. Sue Becker (including, but not limited to, at sbecker@publicinterestlegal.org) d. Anyone communicating on behalf of Public Interest Legal Foundation (including, but not limited to, anyone communicating from an email address ending in @publicinterestlegal.org)
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Please provide all responsive records from December 10, 2020, through the date the request is received.

Please note that American Oversight does not seek, and that this request specifically excludes, the initial mailing of news clips or other mass-distribution emails. However, subsequent communications forwarding such emails are responsive to this request. In other words, for example, if the Director of Elections received a mass-distribution news clip email referencing the relevant statement by the president, that initial email would not be responsive to this request. However, if the Director forwarded that email to another individual with their own commentary, that subsequent message would be responsive to this request and should be produced.

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

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 office 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 office 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.¹

¹ American Oversight currently has approximately 15,600 page likes on Facebook and 106,100 followers on Twitter. American Oversight, FACEBOOK, <https://www.facebook.com/weareoversight/> (last visited Dec. 18, 2020); American

We share a common mission to promote transparency in government. American Oversight looks forward to working with you 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 Khahilia Shaw at records@americanoversight.org or 202.539.6507.

Sincerely,



Austin R. Evers
Executive Director
American Oversight

Oversight (@weareoversight), TWITTER, <https://twitter.com/weareoversight> (last visited Dec. 18, 2020).

Request 2



December 21, 2020

VIA ELECTRONIC MAIL

Elections and Registration Office
P.O. Box 1340
Columbus, GA 31902-1340
muscogeeelectionsandregistration@columbusga.gov

Re: Open Records Request

Dear Public Records Custodian:

Pursuant to the Georgia Open Records Law (O.C.G.A. § 50-18-70 et seq.), American Oversight makes the following request for records.

Requested Records

American Oversight requests that your office produce the following within three business days:

All email communications (including email messages, email attachments, calendar invitations, and attachments thereto) between the county officials listed in Column A below and the external parties listed in Column B below.

Column A: Muscogee County Elections and Registration & Board of Elections Officials	Column B: External Parties
i. Director of Elections & Registration Nancy Boren (NBoren@columbusga.org) ii. Board of Directors Member Margaret Jenkins iii. Board of Directors Member Uhland Roberts iv. Board of Directors Member Diane Scrimshire v. Board of Directors Member Linda Parker vi. Board of Directors Member Eleanor White vii. Board Secretary Tamisha Austin	<u>GA State Republican Party Officials</u> a) Chairman David Shafer (including david@gagop.org and other known email addresses) b) 1st Vice-Chairman, Carolyn Fisher (including carolynfishergop@gmail.com and other known email addresses) c) 2nd Vice-Chairman, Brant Frost (including bfrostv@gmail.com and other known email addresses) d) Executive Director, Stewart Bragg (including stewart@gagop.org and other known email addresses) e) Political Director, Joe Proenza (including joe@gagop.org and other known email addresses) <u>Muscogee County Republican Party Officials</u>



	a) Chair, Alton Russell (including altonrussel@gmail.com, altonrussell38@gmail.com, and other known email addresses) b) Anyone communicating from an email address ending in @muscogeeop.org
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Please provide all responsive records from December 10, 2020, through the date the request is received.

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

American Oversight insists that your office 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.

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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.¹

We share a common mission to promote transparency in government. American Oversight looks forward to working with you 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 Khahilia Shaw at records@americanoversight.org or 202.539.6507.

Sincerely,



Austin R. Evers
Executive Director
American Oversight

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Request 3



December 21, 2020

VIA ELECTRONIC MAIL

Elections and Registration Office
P.O. Box 1340
Columbus, GA 31902-1340
muscogeeelectionsandregistration@columbusga.gov

Re: Open Records Request

Dear Records Custodian:

Pursuant to the Georgia Open Records Law (O.C.G.A. § 50-18-70 et seq.), American Oversight makes the following request for records.

Requested Records

American Oversight requests that your office produce the following within three business days:

1. All email communications (including emails, complete email chains, email attachments, calendar invitations, and attachments thereto), text messages, and messages on messaging platforms (such as The Buzz, Slack, GChat, Google Hangouts, Lync, Skype, or WhatsApp) between any of the county Board of Elections officials listed in Column A below and any of the Secretary of State officials listed below in Column B.
2. All records reflecting the substance of any oral communications (including any handwritten or electronic notes taken during any oral communications, summaries of any oral communications, materials exchanged before, during, or following any oral communications, or any other related materials) between any of the county Board of Elections officials listed in Column A below and any of the Secretary of State officials listed below in Column B.

Column A: Muscogee County Elections and Registration & Board of Elections Officials	Column B: Office of the Secretary of State
i. Director of Elections & Registration Nancy Boren or anyone communicating on her behalf ii. Board of Directors Member Margaret Jenkins iii. Board of Directors Member Uhland Roberts iv. Board of Directors Member Diane Scrimshire	a. Any official in the office of the Secretary of State of Georgia (including anyone communicating from an email address ending in @sos.ga.gov) b. Jordan Fuchs, Deputy Secretary of State (including



1030 15th Street NW, Suite B255, Washington, DC 20005 | AmericanOversight.org



v.	Board of Directors Member Linda Parker	but not limited to at jordyfuchs212@gmail.com)
vi.	Board of Directors Member Eleanor White	c. Gabriel Sterling, Voting System Implementation Manager
vii.	Board Secretary Tamisha Austin	(including but not limited to at sterlinginnovative@gmail.com)

Please provide all responsive records from December 10, 2020, to the date the request is received.

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

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.

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Sincerely,



Austin R. Evers
Executive Director
American Oversight

¹ American Oversight currently has approximately 15,600 page likes on Facebook and 106,100 followers on Twitter. American Oversight, FACEBOOK, <https://www.facebook.com/weareoversight/> (last visited Dec. 18, 2020); American Oversight (@weareoversight), TWITTER, <https://twitter.com/weareoversight> (last visited Dec. 18, 2020).

Email blind copied Mark Davis 12/12/2020 mark.davis@dataproductions.com
From: Uhland Roberts <uhland@bellsouth.net>
To: perfectpolicing@gmail.com

Dear Senator Robertson,

Enclosed is one of the emails sent from me to the Georgia State Senate in 2005 to provide input and concerns from the local level. I reached out to others such as Senator Eric Johnson during the consideration of this bill. Please give me a call if you have any questions and feel free to share this with anyone.

Thank you for your service!

U.D. Roberts
Columbus, Georgia

"From: <uhland@bellsouth.net>
To: <LSparks@legis.state.ga.us>
Subject: Talking Points for Sen. Stephens HB 244
Date: Wed, 23 Mar 2005 15:08:31 -0500

Dear Laurie,

Please make sure Senator Stephens receives these talking points pertaining to HB 244. I serve on the Muscogee County Board of Elections and Registration and these are my personal observations and not the official policy of the board.

Senator Stephens,

Here are some talking points. I hope it helps!

All nonpartisan elections will be moved to the November General Election. This change will create a lengthy ballot for the November General Election, which was the reason the races were changed to the primary in the first place. If several amendments or referendums are added to the ballot, there could be instances in which all races

would not fit on a front and back 18 inch optical scan ballot which would necessitate the need for two OS ballots per voter.

All election races would be determined by majority vote (50%). This change would provide for an increased number of runoffs.

Provides that no one may cast an absentee ballot in person on the Monday prior to the election. We like this, but there is no emergency provision or exceptions to this provision some voters who have real life emergencies would be unable to vote.

ANY voter can request an absentee ballot by mail without reason during the entire absentee balloting period. We are already overloaded processing absentee ballots for the disabled, elderly, etc. Could lead to abuse of the absentee process whereby campaigns would deliver the absentee ballot request and then drop by and vote for the person.

Changes the period of time between a General Election and a General Election runoff to 28 days. Under this proposed change, the Thanksgiving week will often be the week just prior to Election day which means the advance voting week instead of five days will be reduced to three. We do need the additional time, but we need it for a primary runoff also!

The last minute change proposed Monday evening was to give more power to the State Election Board to promulgate rules and regulations regarding elections thereby removing some control from the SOS. This would diminish the authority of the person serving in the next term as the SECRETARY OF STATE.

U.D. Roberts

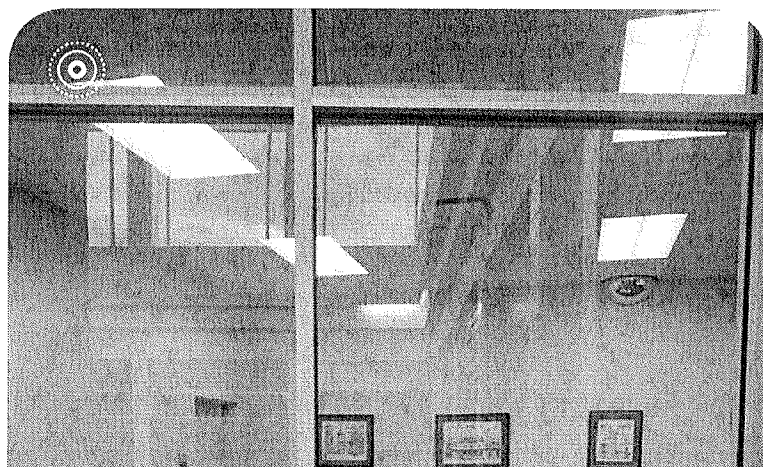
From: [Nancy Boren](#)
To: [Julie D. Johnson](#)
Subject: Fw: [EXTERNAL] Text
Date: Saturday, January 9, 2021 2:19:58 PM
Attachments: [IMG_7486.PNG](#)

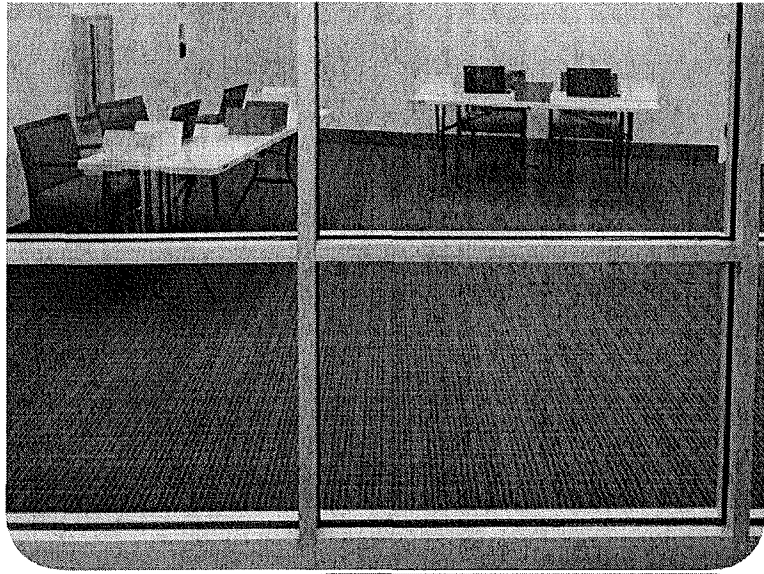
From: rn boren <ponchoathome@yahoo.com>
Sent: Saturday, January 9, 2021 2:15 PM
To: Nancy Boren <NBoren@columbusga.org>
Subject: [EXTERNAL] Text



To: Chris Harvey

iMessage
Fri, Dec 11, 4:52 PM





Think this works?

Yep!

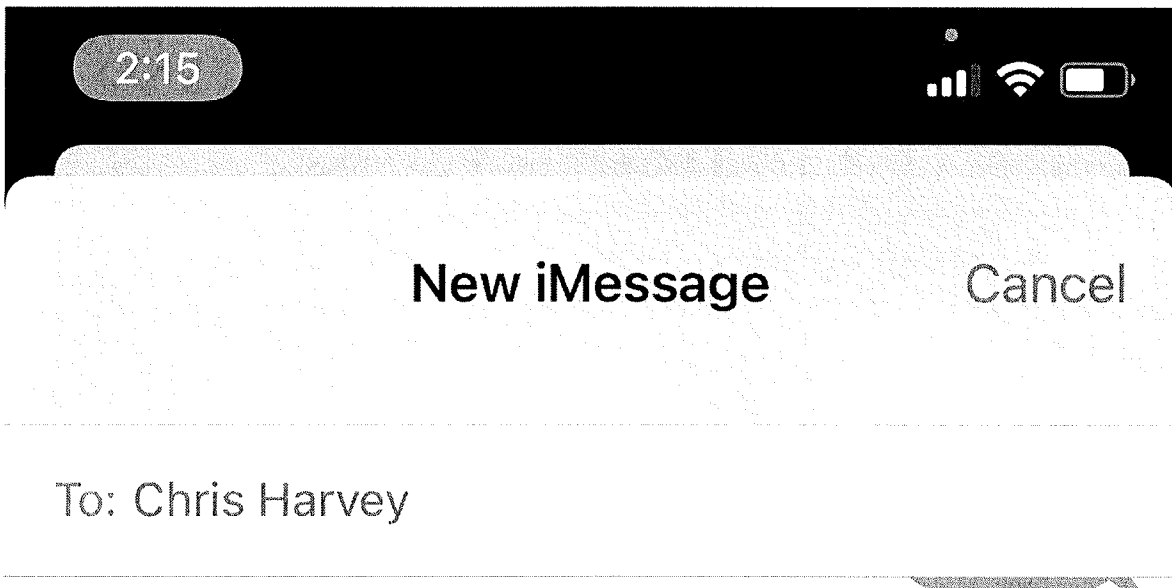
Great!!



Sent from my iPhone

From: [Nancy Boren](#)
To: [Julie D. Johnson](#)
Subject: Fw: [EXTERNAL] Text
Date: Saturday, January 9, 2021 2:20:12 PM
Attachments: [IMG_7487.PNG](#)

From: rn boren <ponchoathome@yahoo.com>
Sent: Saturday, January 9, 2021 2:16 PM
To: Nancy Boren <NBoren@columbusga.org>
Subject: [EXTERNAL] Text



Thu, Dec 17, 10:41 AM

Do you have time for a quick conversation?

I can between noon and 2:00.

Are you available now?

Yes

Thu, Dec 17, 5:06 PM

Absentee ballot applications
can be delivered to our offices
in bulk by anyone?

Yes

I knew that! Thanks....

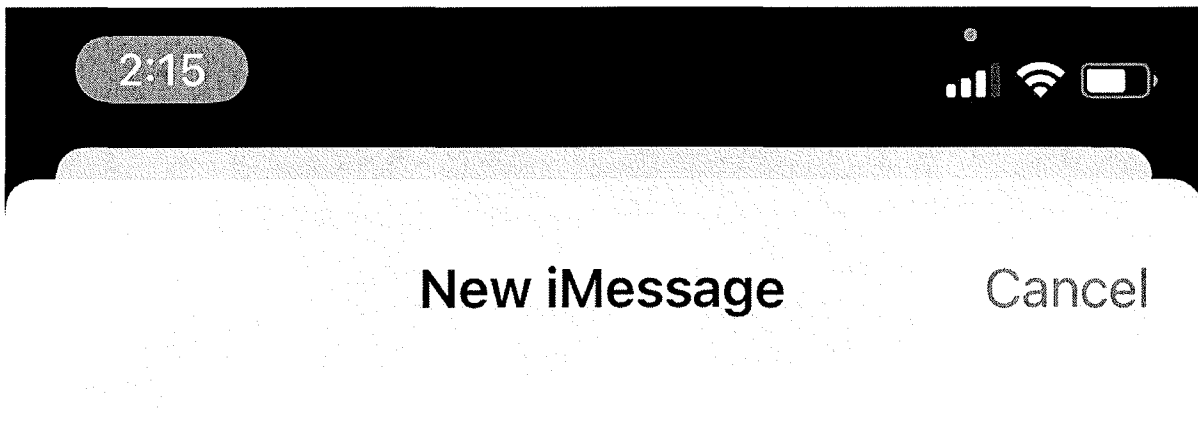
Never hurts to double check.



Sent from my iPhone

From: Nancy Boren
To: Julie O. Johnson
Subject: Fw: [EXTERNAL] Text
Date: Saturday, January 9, 2021 2:20:28 PM
Attachments: IMG_7488.PNG

From: rn boren <ponchoathome@yahoo.com>
Sent: Saturday, January 9, 2021 2:16 PM
To: Nancy Boren <NBoren@columbusga.org>
Subject: [EXTERNAL] Text



To: Chris Harvey

Never hurts to double check.

I was hoping there was some obscure provision...knowing deep down there isn't. When I say box?????? It is huge!

Sun, Dec 20, 1:28 PM

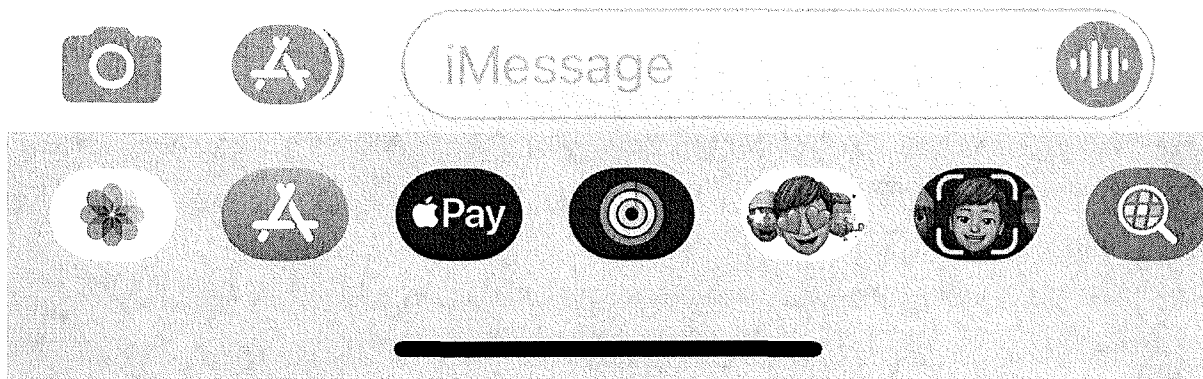
Some functionality on ENET not available. Can't generate reports to include mailing labels for absentees. I emailed Blake

last night and he responded
this morning but we have lost a
big chunk of productivity today.

Blake has it fixed now.

Fri, Dec 25, 12:04 PM

Merry Christmas to you and
your family. Thanks for the
support this year.



Sent from my iPhone