

Subject: Public Records Request Response
Date: Wednesday, February 5, 2020 at 5:21:49 PM Eastern Standard Time
From: Swain, Margaret A.
To: AO Records, lhearn@meyerbrookslaw.com
CC: Rey, Carlos A.
Attachments: FL-SOS-19-0986.pdf, SSOSBizHub20020517190.pdf

Dear American Oversight,

Please find enclosed the documents responsive to your attached request regarding H.B. 281.

The Florida Department of State does not have documents responsive to your request regarding “any information (e.g. guidance, directives, rules, and interpretations of H.B. 281 (2019)) prepared or provided by the Florida Office of the Attorney General regarding the exemption from Florida’s Public Records Act of information related to a voter registration applicant’s or voter’s prior felony conviction and whether such person has had his or her voting rights restored.”

The Department now considers this request fulfilled. It has been a pleasure to be of service to you. There is no charge for these copies.

Respectfully,

Margaret Swain

Senior Management Analyst I

Office of the General Counsel

FLORIDA DEPARTMENT OF STATE

R.A. Gray Building, Suite 100

500 South Bronough Street

Tallahassee, Florida 32399-0250

(850)245-6507

(850)245-6127 Fax

Note: This response is provided for reference only and does not constitute a formal legal opinion or representation from the sender or the Department of State. Parties should refer to the Florida Statutes and applicable case law, and/or consult an attorney to represent their interests before relying upon the information provided.

In addition, Florida has a very broad public records law. Written communications to or from state officials regarding state business constitute public records. Public records are available to the public and media upon request, unless the information is subject to a specific statutory exemption. Therefore, any information that you send to this address, including your contact information, may be subject to public disclosure.

Swain, Margaret A.

From: Matthews, Maria I.
Sent: Wednesday, June 12, 2019 11:26 AM
To: Brian E. Corley
Cc: Crump, Kristie
Subject: RE: Public Records Request

Supervisor Corley:

Chapter 2019-55, Laws of Florida was approved and became law on May 23, 2019. It takes effect July 1, 2019 but as with most public records exemption laws. It also applies retroactively. You have to review how was the request worded and whether these records exist in the format requested and/or whether you would have to create a public record to respond.

Respectfully,

Maria Matthews, Esq.
Division of Elections, Director
Florida Department of State
500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6520

Maria.matthews@dos.myflorida.com

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From: Brian E. Corley <bcorley@pascovotes.com>
Sent: Wednesday, June 12, 2019 10:30 AM
To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>
Cc: Crump, Kristie <KCrump@PascoVotes.com>
Subject: FW: Public Records Request

EMAIL RECEIVED FROM EXTERNAL SOURCE

Maria,

With regards to the below referenced 119 request.... It asks for records relating to removal of voters (including for felony conviction). In CS/HB 281, it exempts information relating to a voter's prior felony convictions . Question, is this provision retro or is there a previous prohibition that would prevent us from disclosing this information to fulfill this 119 request? Thanks! Brian

Regards,

Brian Corley, MPA
Supervisor of Elections
Pasco County

(O) 352-521-4323

(C) 813-579-0707

#MyRightMyVote

www.pascovotes.com

Twitter @voteasco

"America was not built on fear- America was built on courage, on imagination and an unbeatable determination to do the job at hand." President Harry S Truman

From: Tina Norris

Sent: Tuesday, June 11, 2019 10:50 AM

To: Brian E. Corley <bcorley@pascovotes.com>

Subject: FW: Public Records Request

BEC:

Not sure who this should go to so I will start with you.

Thx,

TN

From: Max T. matheu <matheumax@gmail.com>

Sent: Tuesday, June 11, 2019 10:03 AM

To: Web Comments <webcomment@pascovotes.com>

Cc: Rmaguire <rmaguire@aclufl.org>; Dtilley <dtilley@aclufl.org>; Jmidyette <jmidyette@aclufl.org>

Subject: Public Records Request

OUTSIDE EMAIL: Take caution with links or attachments.

Greetings Pasco Supervisor of Elections:

My name is Max T. Matheu and I'm a researcher working with the American Civil Liberties Union of Florida.

I am making a public records request pursuant to Florida Statute Chapter 119 for individual-level data for every individual who was taken off of the voter roll.

I would like electronic records from 2000 to the present. Information should include all available fields, including full name, voter ID, old voter ID, date of registration, date of birth, sex, race, gender, party, precinct, date status changed, status code, status (reason for removal), and address. Basically, I'm interested in all the information contained within your removal records.

I would like the data in an electronic format, preferable as a .txt, .csv., or excel file, whatever is most convenient for you.

To summarize, I am requesting in an electronic file that lists every former (or current) registered voter who was taken off of the voter roll, including the aforementioned information.

I greatly appreciate your assistance and look forward to speaking with you if you have any questions.

Sincerely,

Max T. Matheu

▪

Swain, Margaret A.

From: Brian E. Corley <bcorley@pascovotes.com>
Sent: Wednesday, June 12, 2019 11:41 AM
To: Matthews, Maria I.
Subject: Re: Public Records Request

EMAIL RECEIVED FROM EXTERNAL SOURCE

Thx

Regards,

Brian Corley, MPA
Supervisor of Elections
Pasco County
(O) 352-521-4323
(C) 813-579-0707
#YourVoteYourVoice
www.pascovotes.com

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On Jun 12, 2019, at 11:26 AM, Matthews, Maria I. <Maria.Matthews@dos.myflorida.com> wrote:

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Swain, Margaret A.

From: David Stafford <dstafford@escambiavotes.com>
Sent: Wednesday, August 7, 2019 12:54 PM
To: Matthews, Maria I.
Subject: RE: question

EMAIL RECEIVED FROM EXTERNAL SOURCE

You are correct. However, with the exception of only a handful of times, the only reason people appear on the list is for felon conviction. But, as I understand your point, by virtue of not explicitly identifying these persons as felons this would not fall under the exemption.

From: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>
Sent: Wednesday, August 7, 2019 11:04 AM
To: David Stafford <dstafford@escambiavotes.com>
Subject: RE: question

Supervisor Stafford,

I do not understand your question.

The law currently does not require that the newspaper notice include the basis for the potential ineligibility, simply that the person is potentially ineligible. The person is then required to contact the SOE to find out what the basis is for.

Respectfully,

Maria Matthews, Esq.
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From: David Stafford <dstafford@escambiavotes.com>
Sent: Tuesday, August 6, 2019 11:51 AM
To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>
Subject: question

EMAIL RECEIVED FROM EXTERNAL SOURCE

Have you contemplated notice required under 98.075(7)(a)(2) following enactment of HB 281?

David H. Stafford, CERA
Escambia County Supervisor of Elections
(850) 595-3900
dstafford@escambivotes.com
Follow us [@EscambiaVotes](#)
Like us on [Facebook](#)

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

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