



January 9, 2024

VIA EMAIL

Office of the Ohio Secretary of State
22 North Fourth Street, 16th Floor
Columbus, OH 43215
SWarren@OhioSOS.Gov

Re: Public Records Act Request

Dear Public Records Officer(s):

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, complete email chains, calendar invitations, and attachments thereto) sent by any of the Ohio Secretary of State officials listed below and containing any of the following key terms:

Office of the Ohio Secretary of State Officials:

- i. Secretary of State Frank LaRose
- ii. Chief of Staff Jason Mauk
- iii. Director of Operations & Assistant Secretary of State Kimberly Burns
- iv. Director of Communications Melanie Amato
- v. Deputy Chief of Staff and former Director of External Affairs Grant Shaffer

Key Terms:

- i. "Hatch Act"
- ii. "Baker Hostetler"
- iii. BakerHostetler
- iv. "Steve Bannon"
- v. 3517.092
- vi. "Section 9.03"
- vii. "Sherrod Brown"
- viii. "Civic Center"
- ix. "CC 13"
- x. Frankforohio.com
- xi. Franklarose.com



In an effort to accommodate the Office of the Ohio Secretary of State and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited part 1 of this request to emails sent by any of the officials listed above and containing any of the above key terms. To be clear, however, American Oversight still requests that complete email chains be produced, displaying both sent and received messages. This means, for example, that both a listed official's response to an email and the initial received message are responsive to this request and should be produced.

For part 1 of this request, please provide all responsive records from June 1, 2023, through the date this request is received.

2. All Ohio Administrative Knowledge System Budget and Planning records—including impact assessments, surveys, recommendations, guidance, memoranda, proposals, and expense analyses—regarding the need for, search for, and location of the new office space for the Office of the Ohio Secretary of State.¹ Responsive records should be produced for all potential office locations considered for the move, including those listed below.

Potential Office Locations:

- i. 65 East State Street, Columbus, Ohio 43215
- ii. 41 South High Street, Columbus, Ohio 43215
- iii. 30 West Spring Street, Columbus, Ohio 43215
- iv. 200 Civic Center Drive, Columbus, Ohio 43215

For part 2 of this request, please provide all responsive records from December 1, 2022, through the date this request is received.

3. All expense reports, invoices, charge card or credit card statements, and receipts reflecting the total cost of the move of the Office of the Ohio Secretary of State to its new office location.

To the extent that your office maintains aggregated records sufficient to show all relevant expenses and costs, such as spreadsheets, American Oversight would accept production of such records as sufficient. To the extent that your office does not have an aggregated record of these costs, American Oversight requests individual cost estimates, expense reports, invoices, charge card or credit card statements, and receipts.

¹ Reporting indicates that the Office of the Ohio Secretary State is moving from its location at 180 E. Broad Street to a new location on Civic Center Drive. *See, e.g.,* Natalie Fahmy, *Secretary of State Moves Offices for the First Time in Nearly Two Decades*, WCMH (Sept. 7, 2023, 7:00 PM), <https://www.nbc4i.com/news/local-news/columbus/secretary-of-state-moves-offices-for-the-first-time-in-nearly-two-decades/>.

For part 3 of this request, please provide all responsive records from August 1, 2023, through the date this request is received.

4. All leases for office space for the Office of the Ohio Secretary of State.

For part 4 of this request, please provide all responsive records from March 1, 2022, through the date this request is received.

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.
- 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 the agency business described in the request. Do not exclude records regarding agency business described in the request 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.² 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.

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

² Ohio Rev. Code § 149.43(B)(1).

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.com.³

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 or 202.873.1741.

Sincerely,

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

³ American Oversight currently has approximately 16,000 followers on Facebook and 111,400 followers on Twitter.com. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Jan. 8, 2024); American Oversight (@weareoversight), Twitter.com, <https://twitter.com/weareoversight> (last visited Jan. 8, 2024).