



February 27, 2024

**VIA EMAIL**

Open Records Officer  
Georgia Department of Law  
40 Capital Square SW  
Atlanta, GA 30334  
[Open\\_records@law.ga.gov](mailto:Open_records@law.ga.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. Records reflecting any official or unofficial dissent or complaints (such as formal memoranda, ethics complaints, or informal email communications) provided by or submitted to your office regarding proposals, legislation, policies, and guidance related to the Georgia State Election Board.<sup>1</sup>

For part 1 of this request, American Oversight requests all such memoranda and complaints received from employees, appointees, or contractors of the Office of the Attorney General. To be clear, American Oversight is not asking your office to release the names of any individuals who have submitted responsive documents and does not object to withholding the name of any individual expressing dissent.

2. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) between (a) any of the Office of the Attorney General officials listed below, or anyone communicating on their behalf, such as an assistant or scheduler, and (b) any of the external individuals and entities listed below.

Office of the Attorney General Officials:

- a. Attorney General Chris Carr

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<sup>1</sup> For further identifying information, please see *Georgia AG Pressed to Review Election Board Proposal*, Atlanta Journal Constitution (Jan. 25, 2024), <https://www.ajc.com/politics/politics-blog/georgia-ag-pressed-to-review-election-board-proposal/JLSOOFBTAVFNDJEUKOZWAREJ3U/>.



- b. Chief Deputy Attorney General Wright Banks
- c. Chief of Staff Travis Johnson
- d. Director of Policy and External Affairs Jordan Watson
- e. Deputy Attorney General Bryan Webb

External Individuals and Entities:

- i. State Senator Max Burns
- ii. State Senator Steve Gooch
- iii. State Senator Randy Robertson

Please note that American Oversight does not seek, and that part 2 of this request specifically excludes, the initial mailing of news clips or other mass-distribution emails. However, subsequent communications responding to or forwarding such emails are responsive to this request. For example, if Attorney General Carr received a mass-distribution news clip email from State Senator Burns, that initial email would not be responsive to this request. However, if Attorney General Carr forwarded that email to another individual with his own commentary, that subsequent message would be responsive to this request and should be produced.

Please provide all responsive records from January 1, 2023, 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.

**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.
- 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.
- 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. Records of official business conducted using unofficial systems or stored outside of official files are subject to the Open Records Act.<sup>2</sup>

- 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.

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.com.<sup>3</sup>

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<sup>2</sup> O.C.G.A. § 50-18-70(b)(2).

<sup>3</sup> 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 Feb. 23, 2024); 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](mailto:records@americanoversight.org) or 202.539.6507.

Sincerely,

/s/ Khahilia Shaw

Khahilia Shaw  
on behalf of  
American Oversight

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Oversight (@weareoversight), Twitter.com, <https://twitter.com/weareoversight> (last visited Feb. 23, 2024).