

Subject: Public Records Request #305 - RECORDS RELEASE
Date: Tuesday, June 11, 2024 at 3:31:22 PM Eastern Daylight Time
From: PublicRecordsRequests
To: AO Records
CC: Betta, Katherine, Thomas, Oliver, Perez, Michelle

EXTERNAL SENDER

Good afternoon,

Pursuant to the public records request, the responsive records have been sent in a separate email from our drop box service on the following:

- **“All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) sent by the office of Senator Kathleen Passidomo officials listed below and containing any of the key terms listed below.**

Office of Senator Passidomo Officials:

1. Senator Kathleen Passidomo
2. Andrew Mackintosh, Chief of Staff
3. Reynold Meyer, Deputy Chief of Staff
4. Allie Cleary, Senior Policy Advisor for Healthcare
5. Megan Ramba, Scheduler and Office Manager
6. Samuel Williams, Administrative Assistant
7. Sheri Green, Legislative Aide

Key Terms:

- a. “AL Supreme Court”
- b. “Alabama Supreme Court”
- c. “assisted reproduction”
- d. “assisted reproductive”
- e. “in vitro”
- f. “in-vitro”
- g. “juridical person”
- h. “legal person”
- i. “life at conception”
- j. “standard of care”
- k. “TRAP law”
- l. “TRIP law”
- m. “wrongful death of a minor”
- n. cryo
- o. embryo

p. fertility
q. fertilization
r. fertilize
s. gamete
t. "I.V.F."
u. invitro
v. IVF
w. personhood
x. unborn
y. utero
z. zygote

- **In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited its request to emails sent by the listed officials. 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 containing a listed key term and the initial received message are responsive to this request and should be produced.**
- **Please provide all responsive records from February 16, 2024, through the date the search is conducted."**

The Senate provides this response pursuant to Article 1, Section 24 of the Florida Constitution, Title III, Section 11.0431, Florida Statutes, and Senate Rule 1.48. Under Art. 1, s. 24(c) of the Florida Constitution, each house of the Legislature is exclusively authorized to adopt rules governing the enforcement of the maintenance, control and disposition of public records with respect to their own public records.

Sincerely,

Michelle

Michelle Perez

Public Records Manager

Office of the Senate General Counsel

302 The Capitol

404 South Monroe Street

Tallahassee, FL 32399-1100

Phone: (850) 487-5237

Fax: (850) 487-6444

From: Kara Gross <KGross@aclufl.org>

Sent: Monday, February 19, 2024 5:53 PM EST

To: Passidomo, Kathleen <Passidomo.Kathleen@flsenate.gov>

CC: Office of Senator Passidomo <Passidomo.Kathleen.Web@flsenate.gov>; Ramba, Megan <Ramba.Megan@flsenate.gov>; Cleary, Allie <CLEAR.Y.ALLIE@flsenate.gov>

Subject: FW: Meeting Request & ensuring that civil lawsuits for damages can't be brought by anyone who impregnated someone else

Dear Speaker Passidomo,

I was hoping to meet with you (via zoom/phone/in person) regarding SB 476/HB 651 This bill will swing the door open to civil lawsuits for money damages against health care providers providing abortion care, and against the friends, family, clergy and other support systems that help individuals seeking an abortion obtain the care they need. For more information on ACLU of Florida concerns, please see the following: <https://www.tallahassee.com/story/opinion/2024/02/07/aclu-the-next-assaults-on-access-to-reproductive-health-care/72485821007/>

I've reached out to Senator Grall to request a meeting, and I would very much appreciate having the opportunity to meet with you as well regarding the presumably unintended consequences of this broadly worded bill that allows "each parent" (thereby any person who impregnates another) to bring a lawsuit from the moment of conception. This will result in harassing litigation and intimidation against pregnant Floridians, their healthcare providers, and their support systems.

This broadly and poorly worded bill does so much more than just allow for wrongful death actions due to pregnancy loss from car accidents and the like. The threat of having to defend against lawsuits and having to pay money damages will likely result in fewer OB/GYNs willing to practice in Florida. As more and more OB/GYNs leave Florida for states where they are not subject to civil lawsuits, the quality of prenatal care in Florida will suffer.

Because these bills also encourage lawsuits against the friends, family, and support systems of pregnant Floridians, they will result in pregnant patients being more isolated and afraid to seek help from friends and family members for fear of exposing them to potential lawsuits.

We respectfully urge you to ensure that this bill does not move forward. Please let me know if you have a few minutes to meet as I'd be happy to walk you through the significant concerns with this bill.

Best,
Kara Gross

Kara Gross | Legislative Director & Senior Policy Counsel
American Civil Liberties Union of Florida
Direct 786.363.4436 kgross@aclufl.org www.aclufl.org
Pronouns: she, her, hers

From: Kara Gross

Sent: Monday, February 19, 2024 12:53 PM

To: grall.erin@flsenate.gov

Cc: Grall.Erin.web@flsenate.gov

Subject: Meeting Request & ensuring that civil lawsuits for damages can't be brought by anyone who impregnated someone else

Importance: High

Good afternoon, Senator Grall –

I wanted to be sure to follow up with you regarding ensuring that your bill language does not create a cause of action for anyone who impregnates someone else.

Please let me know if you are available to meet (via zoom/phone/in person) with regard to SB 476 and ensuring that the language of the bill makes clear that only the pregnant woman who suffered pregnancy loss is able to bring a cause of action and that no civil action for damages can be brought by anyone who impregnates someone else.

Also, I noticed that you incorporated 775.021(5)(e) into your bill, but neglected to incorporate 775.021(5)(d) into your bill, see below, I'm hoping that was an oversight and wanted to respectfully request that you include this critical language to ensure that the statute is not used/misused/abused to control the freedom of women to make their own personal medical decisions regarding whether and when to have a child:

(d) This subsection does not permit ~~the prosecution~~ a cause of action against:

1. ~~Of~~ any person for conduct relating to an abortion for which the consent of the pregnant woman, or a person authorized by law to act on her behalf, has been obtained or for which such consent is implied by law;
2. ~~Of~~ a person for providing medical treatment of the pregnant woman or her unborn child; or
3. ~~Of~~ a woman with respect to her unborn child.

Similarly, the below provision would also help to ensure that the bill is used for car accidents and the like, which is what you had mentioned is the intent of the bill, and not used/misused/abused to harass and intimidate healthcare providers providing care and friends and family members of loved ones accessing abortion care.

FL-SEN-24-0406-A-000001

782.09

(4) This section does not authorize the prosecution of any person in connection with a termination of pregnancy pursuant to chapter 390.

I look forward to hopefully meeting/speaking with you at your convenience.

Best,
Kara

Kara Gross | Legislative Director & Senior Policy Counsel
American Civil Liberties Union of Florida
Direct 786.363.4436 | kgross@aclufl.org | www.aclufl.org
Pronouns: she, her, hers



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From: Ramba, Megan
Sent: Friday, February 23, 2024 8:49 AM EST
To: KGross@aclufl.org <KGross@aclufl.org>
Subject: RE: Meeting Request & ensuring that civil lawsuits for damages can't be brought by anyone who impregnated someone else

Good morning Kara,

Unfortunately, President Passidomo is unable to meet with you during the next week or so. However, she has been listening to the concerns and has met with Senator Grall recently to discuss potential changes to the bill. I recommend reaching out to Senator Grall's office to discuss these revisions. I hope you have a wonderful weekend!

Best,
Megan Ramba

From: Kara Gross <KGross@aclufl.org>
Sent: Thursday, February 22, 2024 7:47 PM
To: Passidomo, Kathleen <Passidomo.Kathleen@flsenate.gov>
Cc: Office of Senator Passidomo <Passidomo.Kathleen.Web@flsenate.gov>; Ramba, Megan <Ramba.Megan@flsenate.gov>; Cleary, Allie <CLEARY.ALLIE@flsenate.gov>
Subject: RE: Meeting Request & ensuring that civil lawsuits for damages can't be brought by anyone who impregnated someone else
Importance: High

Good evening, Speaker Passidomo –

I just wanted to make sure that you received the below and to see if you might have some time to touch base briefly tomorrow or at your earliest convenience to discuss the concerns below.

Thank you so much for your consideration and I look forward to hopefully speaking with you soon.

Best,
Kara Gross

Kara Gross | Legislative Director & Senior Policy Counsel
American Civil Liberties Union of Florida
Direct 786.363.4436 | kgross@aclufl.org | www.aclufl.org
Pronouns: she, her, hers

From: Kara Gross
Sent: Monday, February 19, 2024 5:53 PM
To: passidomo.kathleen@flsenate.gov
Cc: passidomo.kathleen.web@flsenate.gov; Ramba.Megan@flsenate.gov; cleary.allie@flsenate.gov
Subject: FW: Meeting Request & ensuring that civil lawsuits for damages can't be brought by anyone who impregnated someone else
Importance: High

Dear Speaker Passidomo,

I was hoping to meet with you (via zoom/phone/in person) regarding SB 476/HB 651. This bill will swing the door open to civil lawsuits for money damages against health care providers providing abortion care, and against the friends, family, clergy and other support systems that help individuals seeking an abortion obtain the care they need. For more information on ACLU of Florida concerns, please see the following: <https://www.tallahassee.com/story/opinion/2024/02/07/aclu-the-next-assaults-on-access-to-reproductive-health-care/72485821007/>

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This broadly and poorly worded bill does so much more than just allow for wrongful death actions due to pregnancy loss from car accidents and the like. The threat of having to defend against lawsuits and having to pay money damages will likely result in fewer OB/GYNs willing to practice in Florida. As more and more OB/GYNs leave Florida for states where they are not subject to civil lawsuits, the quality of prenatal care in Florida will suffer.

Because these bills also encourage lawsuits against the friends, family, and support systems of pregnant Floridians, they will result in pregnant patients being more isolated and afraid to seek help from friends and family members for fear of exposing them to potential lawsuits.

We respectfully urge you to ensure that this bill does not move forward. Please let me know if you have a few minutes to meet as I'd be happy to walk you through the significant concerns with this bill.

FL-SEN-24-0406-A-000003

Best,
Kara Gross

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From: Kara Gross
Sent: Monday, February 19, 2024 12:53 PM
To: grall.erin@flsenate.gov
Cc: Grall.Erin.web@flsenate.gov
Subject: Meeting Request & ensuring that civil lawsuits for damages can't be brought by anyone who impregnated someone else
Importance: High

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Also, I noticed that you incorporated 775.021(5)(e) into your bill, but neglected to incorporate 775.021(5)(d) into your bill, see below, I'm hoping that was an oversight and wanted to respectfully request that you include this critical language to ensure that the statute is not used/misused/abused to control the freedom of women to make their own personal medical decisions regarding whether and when to have a child:

(d) This subsection does not permit ~~the prosecution~~ a cause of action against:

1. ~~Of~~ any person for conduct relating to an abortion for which the consent of the pregnant woman, or a person authorized by law to act on her behalf, has been obtained or for which such consent is implied by law;
2. ~~Of~~ a person for providing medical treatment of the pregnant woman or her unborn child; or
3. ~~Of~~ a woman with respect to her unborn child.

Similarly, the below provision would also help to ensure that the bill is used for car accidents and the like, which is what you had mentioned is the intent of the bill, and not used/misused/abused to harass and intimidate healthcare providers providing care and friends and family members of loved ones accessing abortion care.

782.09

(4) This section does not authorize the prosecution of any person in connection with a termination of pregnancy pursuant to chapter 390.

I look forward to hopefully meeting/speaking with you at your convenience.

Best,
Kara

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FL-SEN-24-0406-A-000004

From: Kara Gross <KGross@aclufl.org>
Sent: Thursday, February 22, 2024 7:47 PM EST
To: Passidomo, Kathleen <Passidomo.Kathleen@flsenate.gov>
CC: Office of Senator Passidomo <Passidomo.Kathleen.Web@flsenate.gov>; Ramba, Megan <Ramba.Megan@flsenate.gov>; Cleary, Allie <CLEARY.ALLIE@flsenate.gov>
Subject: RE: Meeting Request & ensuring that civil lawsuits for damages can't be brought by anyone who impregnated someone else

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To: passidomo.kathleen@flsenate.gov
Cc: passidomo.kathleen.web@flsenate.gov; Ramba.Megan@flsenate.gov; cleary.allie@flsenate.gov
Subject: FW: Meeting Request & ensuring that civil lawsuits for damages can't be brought by anyone who impregnated someone else
Importance: High

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From: Kara Gross
Sent: Monday, February 19, 2024 12:53 PM
To: grall.erin@flsenate.gov
Cc: Grall.Erin.web@flsenate.gov
Subject: Meeting Request & ensuring that civil lawsuits for damages can't be brought by anyone who impregnated someone else
Importance: High

Good afternoon, Senator Grall –

FL-SEN-24-0406-A-000006

I wanted to be sure to follow up with you regarding ensuring that your bill language does not create a cause of action for anyone who impregnates someone else.

Please let me know if you are available to meet (via zoom/phone/in person) with regard to SB 476 and ensuring that the language of the bill makes clear that only the pregnant woman who suffered pregnancy loss is able to bring a cause of action and that no civil action for damages can be brought by anyone who impregnates someone else.

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Kara

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