



March 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:

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. Records identifying (a) the number of voter registration records flagged by comparing voter data with other states, (b) the number of voter registration records investigated by the Ohio Secretary of State as a result of comparing voter data with other states, (c) the number of voter registration records removed from Ohio voter rolls as a result of comparing voter data with other states, and (d) all supporting documentation or evidence provided prior to removing voter registrations from the voter rolls as a result of comparing voter data with other states.

This includes voter data sharing resulting from agreements signed with the Florida Department of State, the Virginia Department of Elections, and/or the West Virginia Secretary of State.

Such records may include, but are not limited to, logs, reports, lists, spreadsheets, charts, summaries, and/or memoranda. To the extent that this information is aggregated and maintained in a database or spreadsheet, American Oversight requests a printout from the database. American Oversight does not object to the redaction of names, addresses, or other personally identifying information from records responsive to this request.

2. Any final policies or procedures governing the review of any voter registration records flagged by comparing voter data with other states (including, but not limited to, records concerning the process for reviewing flagged voters, and the criteria for determining whether a flagged voter registration is removed from the voter rolls).



This includes voter data sharing resulting from agreements signed with the Florida Department of State, Virginia Department of Elections, and West Virginia Secretary of State.

For both parts of this request, please provide all responsive records from September 13, 2023, through the date your office receives this request.

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.
- 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. 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 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.
- 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.¹ 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

¹ Ohio Rev. Code § 149.43(B)(1).

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.²

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

² American Oversight currently has approximately 16,000 followers on Facebook and 111,300 followers on Twitter.com. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Mar. 21, 2024); American Oversight (@weareoversight), Twitter.com, <https://twitter.com/weareoversight> (last visited Mar. 21, 2024).

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