



June 25, 2024

VIA EMAIL

Oklahoma Office of the Attorney General
313 NE 21st Street
Oklahoma City, OK 73105
openrecordsrequest@oag.ok.gov

Re: Open Records Act Request

Dear Records Access Officer(s):

Pursuant to the Oklahoma Open Records Act, O.S. tit. 51, §§ 24A.1 et seq., American Oversight makes the following request for records.

Requested Records

American Oversight requests that your office produce the following records within five business days:

1. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) sent by any of the Office of the Attorney General officials listed below and containing any of the key terms listed below.

Office of the Attorney General Officials:

1. Attorney General Gentner Drummond
2. Rob Johnson, General Counsel
3. Stacy Morey, Criminal Division Chief
4. Trebor Worthen, Chief of Staff
5. Jimmy Harmon, Criminal Division Chief

Key Terms:

- a. "full faith and credit"
- b. "gender affirming"
- c. "gender reassignment"
- d. "gender transition"
- e. "gender-affirming"
- f. "LD 227"
- g. "out of state"
- h. "out-of-state"
- i. "parental rights"
- j. "private right of action"
- k. "shield law"
- l. "Troy Jackson"



- m. Frey
- n. Hormonal
- o. Hormone
- p. LD227
- q. Maine
- r. Mills
- s. Talbot
- t. Transgender
- u. “planned parenthood”

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.

2. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) between (A) the Office of the Attorney General officials listed above, and (B) the external entities listed below (including, but not limited to, anyone communicating from an email address ending in the listed domain(s)).

External Entities:

1. Alliance Defending Freedom (adflegal.org)
2. America First Legal (aflegal.org)
3. American College of Pediatricians (acped.org)
4. American Family Association (afa.net)
5. American Principles Project (americanprinciplesproject.org)
6. Catholic Medical Association (cathmed.org)
7. Child and Parental Rights Campaign (childparentrights.org)
8. Christian Civic League (cclmaine.org)
9. Christian Medical and Dental Associations (cmda.org)
10. Concerned Women for America (concernedwomen.org or cwfa.org)
11. Courage International (couragerc.org)
12. Do No Harm (donoharmmedicine.org)
13. Ethics and Public Policy Center (eppc.org)
14. Family Policy Alliance (familypolicyalliance.com)
15. Family Research Council (frc.org or fraction.org)
16. GenSpect (genspect.org)
17. Heritage Foundation (heritage.org or heritageaction.com)
18. Independent Women’s Forum (iwf.org)
19. Liberty Counsel (lc.org)
20. Maine Sheriffs’ Association (mainesheriffs.org)
21. Opportunity Solutions Project (solutionsproject.org)
22. Parents of ROGD Kids (parentsofrogdkids.com)

23. Partners for Ethical Care (partnersforethicalcare.com)
24. Promise to America's Children (promisetoamericaschildren.org)
25. Science for Evidence-Based Gender Medicine (segm.org)

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 forwarding such emails are responsive to this request. In other words, for example, if Attorney General Drummond received a mass-distribution news clip from one of the listed external individuals or entities, that initial email would not be responsive to this request. However, if Attorney General Drummond forwarded that email to another listed individual with his own commentary, that subsequent message would be responsive to this request and should be provided.

For all parts of this request, please provide all responsive records from February 11, 2024, through the date the search is conducted.

Fee Waiver Request

In accordance with 51 O.S. tit. 51, § 24A.5(4), American Oversight requests that your office charge no search fees in connection with processing this request for records. Release of the requested records “is in the public interest,” because American Oversight, in accordance with its organizational mission, makes this request “to determine whether those entrusted with the affairs of the government are honestly, faithfully, and competently performing their duties as public servants.”¹ Specifically, the requested records have the potential to shed light on the Office of the Attorney General’s communications about a letter sent to state officials in Maine regarding proposed health care legislation.² Records with the potential to shed light on this matter would contribute significantly to public understanding of how public servants are fulfilling their duties, including whether and to what extent the office communicated with external parties about the letter.

American Oversight’s work is aimed solely at serving the public interest.³ As a 501(c)(3) nonprofit, American Oversight does not have a commercial purpose and the release of the information requested is not in American Oversight’s financial interest. Rather, American Oversight’s mission is to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. Similar to members of the news media, 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

¹ O.S. tit. 51, § 24A.5(4).

² Kevin Miller, *More Than a Dozen AGs From Other States Vow to Fight Gender-Affirming Care Bill in Maine*, Maine Public (Mar. 11, 2024, 6:05 PM), <https://www.mainepublic.org/politics/2024-03-11/more-than-a-dozen-ags-from-other-states-vow-to-fight-gender-affirming-care-bill-in-maine>.

³ *See* O.S. tit. 51, § 24A.5(4).

on its public website and promotes their availability on social media platforms, such as Facebook and Twitter.com.⁴ American Oversight has also demonstrated its commitment to the public disclosure of documents and creation of editorial content through regular substantive analyses posted to its website.⁵

American Oversight is committed to transparency and makes the responses public bodies provide to public records requests publicly available, and the public's understanding of the government's activities—including whether public servants are honestly, faithfully, and competently performing their duties—would be enhanced through American Oversight's analysis and publication of these records.

Therefore, in accordance with O.S. tit. 51, § 24A.5(4), American Oversight respectfully requests that you limit any copying fees to the reasonable, direct costs of record copying, or mechanical reproduction, if any such costs are incurred.

American Oversight asks that if its request for a fee waiver is denied in whole or in part, that you contact us prior to incurring any costs.

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

⁴ American Oversight currently has approximately 16,000 followers on Facebook and 111,200 followers on Twitter.com. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited May 13, 2024); American Oversight (@weareoversight), Twitter.com, <https://twitter.com/weareoversight> (last visited May 13, 2024).

⁵ See generally *News*, American Oversight, <https://www.americanoversight.org/blog>; *State Investigations*, American Oversight, <https://www.americanoversight.org/states>; see also, e.g., *State Government Contacts with Voting-Restriction Activists*, American Oversight, <https://www.americanoversight.org/investigation/state-government-contacts-with-voting-restriction-activists>; *Georgia's Voting Machines and Election Security*, American Oversight, <https://www.americanoversight.org/investigation/georgias-voting-machines-and-election-security>; *Tulsa Health Officials Initially Estimated Trump Rally Would Directly Lead to 2 to 9 Deaths*, American Oversight, <https://www.americanoversight.org/tulsa-health-officials-initially-estimated-trump-rally-would-directly-lead-to-2-to-9-deaths>.

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.⁶ 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.

Conclusion

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. 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.

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

⁶ O.S. tit. 51, § 24A.5(2).

understand any part of this request, please contact Emma Lewis at records@americanoversight.org or (202) 919-6303.

Sincerely,

/s/ Emma Lewis

Emma Lewis
on behalf of
American Oversight