CREW

CITIZENS FOR RESPONSIBILITY & ETHICS IN WASHINGTON

September 18, 2024

**BY EMAIL:** desantis.opengov@eog.myflorida.com

Executive Office of Governor Ron DeSantis
ATTN: Office of Open Government
400 S Monroe St. Suite 209
Tallahassee, FL 32399

Dear Public Information Officer:

Citizens for Responsibility and Ethics in Washington ("CREW") makes this request for records from the Executive Office of the Governor pursuant to the Public Records Act, Chapter 119 of the Florida Statutes.

Specifically, CREW requests:

1. Records sufficient to show the total amount of state funds expended on the creation and/or maintenance of the "Florida Cares" website opposing Amendment 4, located at the following address: https://quality.healthfinder.fl.gov/FloridaCares.
2. All communications between the office of Governor Ron DeSantis and the Florida Agency for Healthcare Administration regarding the creation and/or maintenance of the above website.

Please search for responsive records regardless of format, medium, or physical characteristics. We seek records of any kind, including paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical material. Our request includes without limitation all correspondence, letters, emails, text messages, facsimiles, telephone messages, voice mail messages, and transcripts, notes, or minutes of any meetings, telephone conversations, or discussions. Our request also includes any attachments to emails and other records, as well as emails to which the subjects of this request were cc'ed or bcc'ed.

By way of background, Amendment 4 is set to appear on the ballot in Florida in the upcoming November election. The proposed amendment would remove the current 6-week ban on abortions signed into law by Governor DeSantis last year, and forbid restrictions on abortion before viability when the health and safety of the person carrying

the pregnancy is at risk.[1,2] The Florida Agency for Healthcare Administration recently published a website opposing Amendment 4, while advertising partnership on the Florida Cares website with the government of the state of Florida, indicated by the State Seal's appearance on both the landing page and at least one document provided on the Florida Cares site.[3,4]

Bacardi Jackson, Executive Director of the ACLU of Florida calls the State's involvement in this issue "unprecedented" in that it "expressly advocate[s] against a citizen-led initiative."[5] Others claim the partnership on the issue is "inappropriate" and perhaps even illegal if it utilizes taxpayer money to attempt to influence votes on Amendment 4.[6] It is in the public's interest to know how taxpayer money is being spent and the requested records would shed light on whether state funds are being allocated legally.

If it is your position that any portion of the requested records is exempt from disclosure, Chapter 119 requires you to state the basis of the exemption you contend is applicable. Fla. Stat. § 119.07(1)(e). CREW further requests that you state in writing and with particularity the reasons for any conclusion that a record is exempt or confidential. Fla. Stat. § 119.07(1)(f). If some portions of the requested records are properly exempt from disclosure, Chapter 119 requires you to redact those portions and produce the remainder of the requested records. Fla. Stat. § 119.07(1)(d).

CREW agrees to pay up to $100 for copies of the requested records. If copying fees are expected to exceed this amount, or if you anticipate that "extensive use" of information technology resources or extensive clerical or supervisory assistance as defined in section 119.07(4)(d) will be needed to fulfill this request, please contact me at (202) 408-5565 or [redacted]

Where possible, please produce records in electronic format. Please send the requested records to me at either [redacted] or Grace Honig, Citizens for Responsibility and Ethics in Washington, [redacted]

Please contact me if you have any questions about this request or foresee any problems in fully releasing the requested records. We anticipate you will fulfill your obligations under Chapter 119. If it is necessary to file an action to enforce the Public

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[1] Anthony Izaguirre, DeSantis signs Florida GOP's 6-week abortion ban into law, *AP News*, Apr. 14, 2024, https://apnews.com/article/florida-abortion-ban-approved-c9c53311a0b2426adc4b8d0b463edad1.
[2] Florida Amendment 4, Right to Abortion Initiative (2024), *Ballotpedia*, accessed Sept. 17, 2024, https://ballotpedia.org/Florida_Amendment_4,_Right_to_Abortion_Initiative_(2024).
[3] Florida Cares, *Health Care Transparency*, accessed Sept. 17, 2024, https://quality.healthfinder.fl.gov/FloridaCares.
[4] Florida is Protecting Life, *Health Care Transparency*, accessed Sept. 17, 2024, https://quality.healthfinder.fl.gov/floridacares/floridacares.
[5] Romy Ellenbogen, Does new state website advocating against Florida abortion ballot question cross a line?, *Miami Herald*, updated Sept. 10, 2024, https://www.miamiherald.com/news/politics-government/state-politics/article292035435.html.
[6] *Id.*

Records Act, the court may award reasonable costs of enforcement, including attorneys' fees. Fla. Stat. § 119.12. Thank you for your assistance.

Sincerely,



Grace Honig
Paralegal