



CITIZENS FOR
RESPONSIBILITY &
ETHICS IN WASHINGTON



November 16, 2022

BY EMAIL: PublicRecordsRequest@myfloridalegal.com

Director, Office of Public Records
107 West Gaines Street, Suite 228
Tallahassee, FL 32399-1050

Dear Public Information Officer:

Citizens for Responsibility and Ethics in Washington (“CREW”) and the American Civil Liberties Union Foundation of Florida (“ACLU of Florida”) make this request for records from the Florida Attorney General’s Office of Statewide Prosecution pursuant to the Public Records Act, Chapter 119 of the Florida Statutes. This request is for public records in the possession of the Executive Office, which includes its employees, agents, representatives, and any individual or entity acting on behalf of the Executive Office, regardless of the location of those records.

Specifically, we request all records from October 1, 2021 to the date this request is processed relating to the following:

1. Creation of the “Office of Election Crimes and Security” at the Florida Department of State.
2. Processes, methods, or procedures for investigating and arresting ineligible registered voters due to prior felony convictions, including but not limited to the individuals arrested on August 18, 2022, listed in the press release below.¹
3. The potential or actual ineligibility of particular individuals to vote in Florida due to prior felony convictions, including but not limited to the individuals arrested on August 18, 2022, listed in the press release below.²
4. The Office of Statewide Prosecutor’s jurisdiction in voter fraud or other election crime cases, including but not limited to the cases of the individuals arrested on August 18, 2022, listed in the press release below.³
5. All communications with nongovernmental groups or individuals regarding

¹ In case you missed it: FDLE arrests convicted murders, sex offenders for voting illegally, August 18, 2022, available at <http://www.fdle.state.fl.us/News/2022/August/In-case-you-missed-it-FDLE-arrests-convicted-murd>.

² *Id.*

³ In case you missed it: FDLE arrests convicted murders, sex offenders for voting illegally, August 18, 2022, available at <http://www.fdle.state.fl.us/News/2022/August/In-case-you-missed-it-FDLE-arrests-convicted-murd>.

election integrity issues, via the official organizational email domains listed below and any personal email domains, including but not limited to the following groups and individuals:

- a. True the Vote [email domain: @truethevote.org]
 - b. Heritage Foundation [email domain: @heritage.org]
 - c. Heritage Action for America [email domain: @heritageaction.com]
 - d. Conservative Partnership Institute [email domain: @conservativepartnership.org]
 - e. Election Integrity Network [email domain: @whoscounting.us]
 - f. Cleta Mitchell [email domain: @cletamitchell.com]
 - g. Former National Security Adviser Michael Flynn
 - h. Former CEO of Overstock Patrick M. Byrne
 - i. Committee to Unleash Prosperity [email domain: @committeetounleashprosperity.com]
 - j. Election Transparency Initiative [email domain: @electiontransparency.org]
 - k. Republican National Committee [email domain: @gop.com]
 - l. Republican Party of Florida [email domain: @florida.gop]
 - m. The America Project [email domain: @americaproject.com]
 - n. The Middle Resolution [email domain: @middleresolution.org]
 - o. Operation Eagles Wings
 - p. Voter Reference Foundation [email domains: @voterreferencefoundation.com and @voteref.com]
 - q. Fair Elections Center [email domain: @fairelectionscenter.org]
 - r. The Federalist Society [email domain: @fedsoc.org]
 - s. American Legislative Exchange Council (ALEC) [email domain: @alec.org]
 - t. Clean Elections USA [email domain: @cleanelectionsusa.org]
 - u. Thomas More Society [email domain: @thomasmoresociety.org]
6. All records and communications relating to the lists of voter names sent from the Office of Election Crimes and Security to Florida county election supervisors to be screened for potential ineligibility based on prior felony convictions, as reported in the news article below⁴.
 7. All records relating to potential or actual changes to the "Florida Department of Corrections Instructions to the Offender" Form DC3-246 (Revised 8/26/22), <https://s3.documentcloud.org/documents/23218842/updated-instructions-to-offender.pdf>.
 8. Actual or potential violence, threats, or intimidation against Florida election workers.
 9. Alleged voter fraud in The Villages retirement community.
 10. Records sufficient to identify the total number of open voter fraud or other election crime cases the Statewide Prosecution is currently investigating.

⁴ James Call and John Kennedy, [Florida election crimes unit sends out last-minute felons-removal list, causes confusion](https://www.tallahassee.com/story/news/politics/elections/2022/11/04/florida-desantis-election-crimes-unit-removal-felons-voting-rolls/8256072001/), Tallahassee Democrat, Nov. 4, 2022, available at <https://www.tallahassee.com/story/news/politics/elections/2022/11/04/florida-desantis-election-crimes-unit-removal-felons-voting-rolls/8256072001/>.

11. Records sufficient to identify the total number of voter fraud or other election crime cases the Office of Statewide Prosecution has closed.
12. The complete investigative case file for any voter fraud or other election crime case closed by the Office of Statewide Prosecution.
13. Records sufficient to identify the total amount of state funds expended by the Office of Statewide Prosecution in voter fraud or other election crime cases, including but not limited to employee salaries, investigative costs, and similar expenditures.
14. All communications relating to items 1-13 above between the Florida Attorney General's Office of Statewide Prosecution and the Office of Governor Ron DeSantis or the Florida Department of State, including but not limited to the Division of Elections and the Office of Election Crimes and Security.

The above request excludes agency records consisting solely of news articles, press clippings, and other publicly-available material, so long as the records include no accompanying discussion by agency officials.

Please search for responsive records regardless of format, medium, or physical characteristics. This request includes any responsive records sent or received by the Executive Office via any private, nongovernmental account, as well as those records maintained, stored or archived in the cloud, on a shared drive, on the internet, via any electronic portal, via social media accounts, by screenshot or any other electronic system or device such as a cell phone, tablet, flash drive, computer or server that is capable of sending, receiving or storing digital information. 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, on April 25, 2022, Florida Governor Ron DeSantis signed Senate Bill 524, which created the Office of Election Crimes and Security (OECs) to investigate election law violations,⁵ despite there being no evidence that voter fraud was significant enough to alter the 2020 election.⁶ On August 18, 2022, OECs, along with Governor DeSantis and Florida law enforcement, announced the arrest of 20 individuals charged with election fraud, a third-degree felony.⁷ On October 21, 2022, a judge in Miami

⁵ Governor Ron DeSantis Signs Bill to Strengthen Florida's Election Integrity, April 25, 2022, available at <https://flgov.com/2022/04/25/governor-ron-desantis-signs-bill-to-strengthen-floridas-election-integrity/>

⁶ Tim Craig and Lori Rozsa, Florida let them vote. Then DeSantis's election police arrested them, Washington Post, Sep. 4, 2022, available at <https://www.washingtonpost.com/nation/2022/09/04/desantis-election-police-voter-arrests/>.

⁷ Governor DeSantis Announces the Arrest of 20 Elections Criminals, August 18, 2022, available at <https://www.flgov.com/2022/08/18/governor-desantis-announces-the-arrest-of-20-elections-criminals/>.

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found the statewide prosecutor lacked the jurisdiction to prosecute these cases.⁸ The requested records will provide transparency into the Office of the Statewide Prosecutor's role in pursuing these and other voter fraud cases.

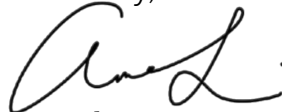
If it is your position that any portion of the requested records is exempt from disclosure, Chapter 119 requires you to state the basis of the exemption you contend is applicable. Fla. Stat. § 119.07(1)(e). We further request that you state in writing and with particularity the reasons for any conclusion 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).

We agree 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 call me at (202) 408-5565 or email me at [REDACTED] and foia@citizensforethics.org.

Where possible, please produce records in electronic format. Please send the requested records electronically to [REDACTED] and foia@citizensforethics.org or by mail to 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 Records Act, the court may award reasonable costs of enforcement, including attorneys' fees. Fla. Stat. § 119.12. Thank you for your assistance.

Sincerely,



Angela Li
Research Associate
Citizens for Responsibility and Ethics in
Washington

⁸ Miles Cohen, [Florida voter has election fraud charges touted by DeSantis dismissed](https://abcnews.go.com/US/voter-fraud-charge-dismissed-florida-arrest/story?id=91858299&cid=social_twitter_abcn), October 21, 2022, available at https://abcnews.go.com/US/voter-fraud-charge-dismissed-florida-arrest/story?id=91858299&cid=social_twitter_abcn.