

July 18, 2017

VIA ELECTRONIC MAIL

Attn: Ms. Lynn Ledford, Division Director
Gwinnett County Board of Elections and Voter Registration
75 Langley Drive
Lawrenceville, GA 300461

RE: Georgia Open Records Act Request

Dear Ms. Ledford:

LatinoJustice PRLDEF is a national nonprofit, nonpartisan civil legal defense and education fund established in 1972, advancing Latinx¹ civil and constitutional rights through litigation, legal advocacy and education. The Georgia Association of Latino Elected Officials (GALEO) is a nonprofit, nonpartisan organization established in 2003 to increase civic engagement and leadership development for Latinos across Georgia. This Letter should serve as a follow up to our Letter dated October 27, 2015, directed to the Gwinnett County Board of Elections and Voter Registration, where we asked Gwinnett County to provide bilingual voting materials prior to Gwinnett County's designation as a covered jurisdiction under Section 203 of the Voting Rights Act (VRA) on December 5, 2016.²

In this current Letter, LatinoJustice PRLDEF makes an open records request pursuant to the Georgia Open Records Act, Section 50-18-70.³ We are requesting the Gwinnett County Board of Elections generate copies of the following information and records, including electronic files, to ensure compliance. We are willing to pay reasonable costs of duplication and postage, but ask

¹ The gender-neutral term "Latinx", along with the terms "Latina", "Latino" and "Hispanic" are used interchangeably throughout this Letter to refer to the group designated by the Census as "Hispanic." Specifically, a report on the 2010 Census states that "Hispanic or Latino" refers to a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race." Karen R. Humes, Nicholas A. Jones, & Roberto R. Ramirez, *Overview of Race and Hispanic Origin: 2010, 2010 Census Briefs*, 1, 2 (March, 2011) <http://www.census.gov/prod/cen2010/briefs/c2010br 02.pdf> (last visited May 10, 2017). See also generally, Sarah Hayley Barrett & Oscar Nñ, *Latinx: The Ungendering of the Spanish Language*, NPR, (Jan. 29, 2016) <http://www.npr.org/2016/01/29/464886588/latinx-the-ungendering-of-the-spanish-language>.

² Letter from Juan Cartagena, LatinoJustice PRLDEF, to Lynn Ledford, Division Director, Gwinnett County Board of Elections and Voter Registration (October 27, 2015) (on file with LatinoJustice PRLDEF).

³ Georgia Open Records Act, § 50-18-70(a) ("The General Assembly finds and declares that the strong public policy of this state is in favor of open government; that open government is essential to a free, open, and democratic society; and that public access to public records should be encouraged to foster confidence in government and so that the public can evaluate the expenditure of public funds and the efficient and proper functioning of its institutions. The General Assembly further finds and declares that there is a strong presumption that public records should be made available for public inspection without delay. This article shall be broadly construed to allow the inspection of governmental records.")

that you waive these costs, because this request is made in the public interest, will benefit the general public, and is for the purpose of educating County residents about their election system.⁴

We expect your reply within three business days, in accordance with the Georgia Open Records Act, and in “any instance where records are unavailable within three business days of receipt of the request, and responsive records exist, the agency shall, within such time period, provide...a description of such records and a timeline for when the records will be available for inspection or copying and provide the responsive records or access thereto as soon as practicable.” GEORGIA OPEN RECORDS ACT, § 50-18-71(b)(1)(A).

Please provide copies of the following information regarding all publicly available voter registration, education or information, ballots, etc., including information about elections taking place from December 5, 2016 through the date of this records request:

1. Bilingual (English and Spanish) voter registration forms and instructions, and any information on the website regarding voting and elections;
2. Bilingual (English and Spanish) voter information on candidates, their background, and/or candidate’s statements;
3. Bilingual (English and Spanish) sample ballots, absentee ballots, provisional ballots, and corresponding instructions;
4. Names of Bilingual (English and Spanish) election board staff and poll-workers, and information about where or how often they are or have been assigned to provide language assistance or translation services;
5. Bilingual (English and Spanish) materials informing voters on scheduled dates of primary and general elections), changes to voter’s election precincts assignments and polling site locations addresses;
6. Bilingual (English and Spanish) web content, brochures or signage on Gwinnett County’s Board of Election’s services, contact information.
7. Any communications, policies, documents and publications regarding compliance with Section 203 of the VRA.

⁴ Georgia Open Records Act, § 50-18-71(c)(1) (“An agency may impose a reasonable charge for the search, retrieval, redaction, and production or copying costs for the production of records pursuant to this article. An agency shall utilize the most economical means reasonably calculated to identify and produce responsive, nonexcluded documents.”)

Sincerely,



Kira Romero
Associate Counsel
LatinoJustice PRLDEF
kromero@latinojustice.org
(321) 418-6354



Jerry Gonzalez
Executive Director
Georgia Association of Latino Elected Officials
jerry@galeo.org
(404)745-2580



Joanna E. Cuevas Ingram
Associate Counsel
LatinoJustice PRLDEF
jcuevas@latinojustice.org
(212) 739-7576