



October 18, 2022

Office of the Virginia Attorney General
202 North Ninth Street
Richmond, VA 23219
foia@oag.state.va.us

BY ELECTRONIC MAIL

Dear FOIA Officer:

The American Civil Liberties Union Foundation of Virginia (“ACLU of Virginia”) and Citizens for Responsibility for Ethics in Washington (“CREW”), through the undersigned citizen of Virginia, make this request for records from the Virginia Attorney General’s Office (“VA AG’s Office”) pursuant to the Virginia Freedom of Information Act (“FOIA”), Va. Code Ann. § 2.2-3700, et seq.

Specifically, we request the following records from January 15, 2022 to the date this request is processed:

1. *All communications between the VA AG’s Office and the Virginia Department of Elections relating to the creation of the “Election Integrity Unit” at the VA AG’s Office.*
2. *All communications between the VA AG’s Office and the Office of Governor Glenn Youngkin relating to the creation of the “Election Integrity Unit” at the VA AG’s Office.*
3. *All communications between the VA AG’s Office and any non-governmental entity or individual relating to election integrity issues, including but not limited to communications with the following organizations 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]*



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Investigator

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- g. Committee to Unleash Prosperity [email domain: @committeetounleashprosperity.com]*
- h. Election Transparency Initiative [email domain: @electiontransparency.org]*
- i. Republican National Committee [email domain: @gop.com]*
- j. Republican Party of Virginia [email domain: @virginia.gop]*
 - 1. k .The America Project [email domain: @americaproject.com]*
- k. Virginia Institute for Public Policy [email domain: @virginia institute.org]*
- l. The Middle Resolution [email domain: @middleresolution.org]*
- m. Operation Eagles Wings*
- n. Voter Reference Foundation [email domains: @voterreferencefoundation.com and @voteref.com]*
- o. Virginia Fair Elections [email domain: @vafairelections.org]*
- p. Virginians for America First [email domain: @virginiansforamericafirst.com]*
- q. Fair Elections Center [email domain: @fairelectionscenter.org]*
- r. Virginia Voters Alliance [email domain: @virginiavotersalliance.org]*
- s. The Federalist Society [email domain: @fedsoc.org]*
- t. American Legislative Exchange Council (ALEC) [email domain: @alec.org]*
- u. Thomas More Society [email domain: @thomasmoresociety.org]*

- 4. All complaints, tips, allegations, or referrals submitted to the VA AG's Office's Election Integrity Unit by any governmental or non-governmental entity or individual.*
- 5. Records sufficient to identify each attorney and investigator assigned to the VA AG's Office's Election Integrity Unit, as mentioned in the press release below.*
- 6. All resumes or curriculum vitae for each attorney and investigator assigned to the VA AG's Office's Election Integrity Unit.*
- 7. Records sufficient to identify the total number of open cases the VA AG's Office's Election Integrity Unit is currently investigating.*
- 8. Records sufficient to identify the total number of cases the VA AG's Office's Election Integrity Unit or other VA AG unit previously tasked with investigating election integrity issues has closed.*
- 9. The complete investigative case file for any case closed by the VA AG's Office's Election Integrity Unit.*



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10. *Records sufficient to identify the total amount of state funds expended by the VA AG's Office's Election Integrity Unit, including but not limited to employee salaries, investigative costs, and similar expenditures attributable to the Unit.*
11. *All records possessed by the VA AG Office's Election Integrity Unit relating to actual or potential violence, threats, or intimidation against Virginia election workers.*

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.

Please exclude records consisting solely of news articles, press clippings, and other publicly-available material, if the records include no accompanying discussion by government officials.

By way of background, on September 9, 2022, Virginia Attorney General Jason Miyares announced the creation of the Election Integrity Unit within the Office of the Attorney General. According to the Attorney General's press release, the "unit will provide legal advice to the Department of Elections, investigate and prosecute violations of Virginia election law, work with the election community throughout the year to ensure uniformity and legality in application of election laws, and work with law enforcement to ensure legality and purity in elections." The Attorney General's establishment of the Election Integrity Unit has drawn public scrutiny given the lack of evidence of widespread voter fraud or irregularities in Virginia in recent years (apart from one incident involving Governor Glenn Youngkin's son). The requested records will shed light on who or what motivated the Attorney General to create an Election Integrity Unit staffed with "more than 20 attorneys, investigators, and paralegals" to address baseless concerns of voter fraud, as well as the composition and activities of that unit.

If it is your position that any portion of the requested records is exempt from disclosure, please provide with reasonable particularity the volume and



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subject matter of the withheld records, and cite, as to each category of withheld records, the specific Code section that authorizes the withholding. If some portions of the requested records are properly exempt from disclosure, please redact those portions and produce the remainder of the requested records.

Please provide the requested records or respond as required by state law (§ 2.2-3704B) within 5 days from your receipt of this letter. My preferred form for public records is digital (.ppt, .docx, or .pdf files) sent as email attachments to mgasparotto@acluva.org. If records are only available in paper form or any other physical medium, please mail them to Attn: Mateo Gasparotto, P.O. Box 26464, Richmond, VA 23261 or advise me of a manner in which I may retrieve them.

Should transcription to a digital medium or any other activities required for retrieval and transmission of the requested records incur a cost more than \$100, please provide me with an estimate before processing this request per subsection § 2.2-2704F of the Code of Virginia. However, I would also like to request a waiver of all fees. I am an investigator with the American Civil Liberties Union of Virginia, a non-profit civil rights organization, and I attest that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of government activities. This information is not being sought for commercial purposes.

In the estimate of costs, please separate any cost for accessing or searching for the records from the cost of duplication so I may decide whether to exercise my right to inspect the records during normal business hours before asking to have any records duplicated.

Thank you for your prompt attention in this matter. Should you have any questions, please do not hesitate to contact me at (804) 523-2155 or mgasparotto@acluva.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mateo Gasparotto", is written over a white background.

Mateo Gasparotto, Investigator



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