November 9, 2022

VIA ELECTRONIC MAIL

Robert N. Barnette, Jr.
P.O. Box 27212
Richmond, VA 23261
president@naacpva.org

Re: Freedom of Information Act request – received October 14, 2022

Dear Robert Barnette, Jr.:

The Office of the Attorney General for the Commonwealth of Virginia (“Office”) acknowledges receipt of the above-referenced correspondence in which you seek certain information contained in public records pursuant to the Virginia Freedom of Information Act, Virginia Code Section 2.2-3700, et seq. (“FOIA”). Specifically, you state:

Please include any responsive records in the possession the Office of the Attorney General, regardless of who created them. This request covers all records from January 15, 2022, through the date of your response. Specifically, we request:

1. All records concerning the establishment of the Unit, including, but not limited to, all notes, correspondence, emails, memoranda, reports, transcripts, minutes, appendices, drafts, studies, budgetary and financial documents, reasons for the establishment of the Unit, proposals and requests for the establishment of the Unit, electronic and other data, agendas, call logs, calendar entries, and other records of any kind.

2. All records concerning previous, current, and future programs, actions, and proposals of the Unit regarding any aspect of voting and elections, including, but not limited to, all notes, correspondence, emails, memoranda, reports, transcripts, minutes, appendices, drafts, studies, budgetary and financial documents, reasons for the program, action, or proposal of the Unit, electronic and other data, agendas, call logs, calendar entries, and other records of any kind.

3. All records evidencing all communications concerning the Unit since January 15, 2022, including, but not limited to, correspondence, notes, memoranda, emails, voicemails, text messages, instant messages, video and audio recordings, and other communications of any kind, either internal to the Unit or between Unit staff and any other state and local officials, including, but not limited to, law enforcement and election officials.

4. All press releases and other external communications concerning the Unit since January 15, 2022, including, but not limited to, all drafts and final versions of press releases and other external communications, background material used to draft press releases and other external communications.
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communications, video and audio recordings of press statements or other external statements, and
records evidencing approvals and non-approvals of press releases and external communications,
and other records of any kind.
5. All records concerning the staffing of the Unit, including, but not limited to, job
announcements, required and suggested qualifications for all staff members, duties and
responsibilities of staff members, application forms and other application materials, salary and
benefits, oaths or other affirmations mandated for staff members, conflict of interest disclosures,
and all other records evidencing the hiring or selection process for the Unit’s staff members.
6. All records evidencing the supervision of and within the Unit, including, but not limited to,
records identifying all persons responsible for supervising the Unit and its staff, the internal
communications and reporting structure of the Unit, the approval process for investigations and
other activities conducted by the Unit, performance standards for the Unit’s staff, time-keeping
and other record-keeping requirements for the Unit’s staff, and all other records evidencing the
supervision, communication and reporting, approval process, and performance standards for the
Unit’s staff.
7. All records evidencing any and all guidelines, procedures, policies, practices, manuals, training
program and materials, and other records governing the Unit’s operation since January 15, 2022,
including all drafts and final versions of said records.
8. All records evidencing all application materials submitted by applicants for staff positions with
the Unit since January 15, 2022, including, but not limited to, all resumes or CVs, cover letters,
and lists of professional references. Please note that we are amenable to the reasonable redaction
of sensitive personal information such as social security numbers, full date of birth, and residential
addresses.
9. All records evidencing the hiring of the Unit’s staff, including, but not limited to, all offer
letters, memoranda, notes, correspondence, emails, salary and benefits offered to staff, interviews,
inquiries from and communications with potential applicants, calendar entries, call logs,
voicemails, audio and video recordings, and all other records concerning the hiring of staff for
the Unit.
10. All records evidencing the individuals who are current or former members of the Unit,
including, but not limited to, their name, title, age, gender, race/ethnicity, and their roles and
responsibilities, including, but not limited to, the number of hours spent working on Unit matters
and a description of the work completed during those hours.
11. All copies of relevant statutes, mandates, administrative and/or legislative guidance, and other
enforcement activity that you believe provides the Attorney General with the authority to create
and establish the Unit, provides the Unit with the authority to undertake or implement its
programs, actions, and operations, and which the Unit is tasked with enforcing.
12. All records identifying the total number of voter fraud complaints by year received by the
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Attorney General’s Office since 2008, including a description of each complaint.
13. All records identifying the total number of voter fraud complaints by year resulting in a criminal conviction in Virginia since 2008, including a description of each complaint and conviction.
14. All records identifying the total number of convictions for crimes constituting voter fraud in Virginia by year since 2008, including a description of each offense and conviction.
15. All records identifying the total number of election cheating complaints by year received by the Attorney General’s Office since 2008, including a description of each complaint.
16. All records identifying the total number of election cheating complaints by year resulting in a criminal conviction in Virginia since 2008, including a description of each complaint and conviction.
17. All records identifying the total number of convictions for crimes constituting election cheating in Virginia by year since 2008, including a description of each offense and conviction.

In order to fulfill your request, this Office had to search through over 10,000 records to find records responsive to your request. Responsive records were found for parts 1-4, which are encompassed within the PDF files transmitted to you via email. Records responsive to parts 12 and 15 are also included in the PDFs, along with Excel files. This Office does not possess records responsive to parts 5-11, 13-14, and 16-17.

Records responsive to your request which are being withheld pursuant to Virginia Code Section 2.2-3705.7(2) total approximately 250 and are correspondence concerning the Election Integrity Unit. Approximately 23 records are being withheld pursuant to Virginia Code Section 2.2-3705.1(2) and are correspondence regarding the Election Integrity Unit. Lastly, approximately 9 records are being withheld pursuant to Virginia Code Section 2.2-3706.1(C) and concern criminal investigations.

The below graph details the actual costs incurred by this Office in accessing, duplicating, supplying, or searching for the requested records.

<table>
<thead>
<tr>
<th>Classification</th>
<th>Hourly Rate</th>
<th>Hours</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Director of Finance</td>
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<td>1</td>
<td>$78.62</td>
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<tr>
<td>Chief Deputy Attorney General</td>
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<td>Chief of Staff</td>
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<td>Chief of External Affairs and Policy</td>
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<tr>
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<td>Assistant Attorney General</td>
<td>$54.78</td>
<td>2.33</td>
<td>$127.63</td>
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<table>
<thead>
<tr>
<th>Position</th>
<th>Hours</th>
<th>Rate</th>
<th>Total</th>
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<tbody>
<tr>
<td>Assistant Attorney General</td>
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<tr>
<td>Assistant Attorney General</td>
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<td>Special Assistant to the Attorney General</td>
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<td>Special Assistant to the Attorney General</td>
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<td>Assistant Attorney General</td>
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<td>Records Manager</td>
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<td>Director of Constituent Affairs</td>
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**Grand Total:** $9,515.07

This Office requested a deposit pursuant to Virginia Code Section 2.2-3704(H), which was received on November 1, 2022, for the requested amount of $19,427.49. Because the actual cost of fulfilling your request is less than what was anticipated, this Office will be sending a refund check for the amount of $9,912.42. Please let me know where you would like the refund check to be sent to.

Sincerely,

[Signature]

Tyler Barnes  
Assistant Attorney General