

**From:** Megan Noland (b) (6)

**To:** "Henthorne, Betsy (OASG)" (b) (6)

**Subject:** [EXTERNAL] Re: MCSA Winter Conference Documents

**Date:** Mon, 23 Jan 2023 15:39:05 +0000

**Importance:** Normal

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Good Morning, Betsy –

Here is a list of the current MCSA Board Members –

President – Sheriff Dennis Lemma, Seminole County, FL

Vice President – Sheriff Bill Brown, Santa Barbara County, CA

VP – Government Affairs – Sheriff Mike Bouchard, Oakland County, MI

VP – Homeland Security – Sheriff Mike Chapman, Loudoun County, VA

Secretary – Sheriff Leon Lott, Richland County, SC

Treasurer – Sheriff Bob Gualtieri, Pinellas County, FL

Immediate Past President – Sheriff Peter Koutoujian, Middlesex County, MA

Here are the current regional representatives –

Region 1 – Vacant (Will be filled at Winter Conference)

Region 2 – Sheriff Bill Waybourn, Tarrant County, TX

Region 3 – Sheriff Michelle LaJoye-Young, Kent County, MI

Region 4 – Sheriff Garry McFadden, Mecklenburg County, NC

Also, this link will take you to our website which has photos of all members and also lists our committee chairs.

<https://mcsheriffs.com/leadership/>

The conference is open to our entire membership. We have about 50 Sheriffs registered as of this morning.

Megan E. Noland

Executive Director

Major County Sheriffs of America

(b) (6)

(b) (6)

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**From:** Henthorne, Betsy (OASG) (b) (6)

**Date:** Sunday, January 22, 2023 at 9:10 PM

**To:** Megan Noland (b) (6)

**Subject:** RE: MCSA Winter Conference Documents

Megan—could you also send a list of current board members when you have a moment? And this session is open to the full membership, right? Thank you!

**Betsy Henthorne** | Chief of Staff

Office of the Associate Attorney General

office: (b) (6)

mobile: (b) (6)

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**From:** Henthorne, Betsy (OASG)  
**Sent:** Friday, January 20, 2023 7:55 PM  
**To:** Megan Noland (b) (6)  
**Subject:** RE: MCSA Winter Conference Documents

Thanks so much Megan! Have a great weekend!

**Betsy Henthorne** | Chief of Staff  
Office of the Associate Attorney General  
office: (b) (6)  
mobile: (b) (6)

---

**From:** Megan Noland (b) (6)  
**Sent:** Friday, January 20, 2023 2:37 PM  
**To:** Henthorne, Betsy (OASG) (b) (6)  
**Subject:** [EXTERNAL] MCSA Winter Conference Documents

Good Afternoon, Betsy –

Thank you for your patience in me getting you this information. Attached is a draft version of the agenda. I've also attached a pre-conference topics document. We are excited to have the Director Clements and Principal Deputy Assistant Attorney General Solomon join ASG Gupta as well.

Please let me know if you have any questions.  
Have a great weekend,  
Megan

Megan E. Noland  
Executive Director  
Major County Sheriffs of America

(b) (6)  
(b) (6)

**From:** Miriam Krinsky (b) (6)

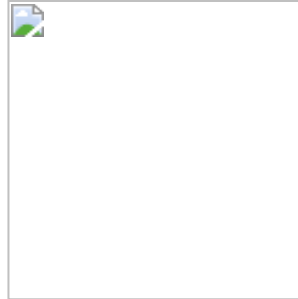
**To:** "Folk, Anders (ODAG)" (b) (6)

**Subject:** [EXTERNAL] Over 60 Current and Former Elected Prosecutors Urge VA Supreme Court to Protect Prosecutorial Discretion

**Date:** Fri, 22 Jul 2022 16:54:40 +0000

**Importance:** Normal

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ackground image of court columns. Text on the right says ‘Over 60 Current and Former Elected Prosecutors Urge VA Supreme Court to Protect Prosecutorial Discretion from Judicial Intrusion’ Quote from amicus brief below says ‘The independence of the prosecutor...dates back to the founding of our country.’

Today, a bipartisan group of over 60 current and former elected prosecutors and attorneys general [urged](#) the Virginia Supreme Court to protect prosecutorial discretion after a Circuit Court judge in Virginia entered an unprecedented order removing Loudoun County Commonwealth's Attorney Buta Biberaj and her entire office from a case, with no prior notice, based solely on his personal disagreement with the office's handling of a plea agreement. Virginia law explicitly gives very limited power to courts to overrule decisions within a prosecutor's discretion, preventing the judiciary from infringing on prosecutorial autonomy.

***“This dramatic and unprecedented move sent a clear message to CA Biberaj: exercise your discretion according to the court’s values and judgment or risk losing oversight and control of your cases.”***

If allowed to stand, this decision would open the door to further judicial intrusion into the power uniquely vested in prosecutors and the rights of voters to determine their own vision for safety and justice.

***“Since the founding of our country, prosecutorial discretion has been enshrined as a crucial part of our justice system, even as it was used to fuel mass incarceration at immense human and financial costs. Now, when reform-minded prosecutors and the voters who put them in office are rejecting decades of failed tough-on-crime policies, the discretion that judges have respected for centuries must continue to be protected.”***

– Albemarle County, VA Commonwealth's Attorney Jim Hingeley

For more, read the [brief](#) and [release](#).



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**From:** "Kimmelman, Gene (OASG)" (b) (6)

**To:** "Henthorne, Betsy (OASG)" (b) (6), "Washington, Tracy T. (OASG)"  
(b) (6)

**Subject:** Schedule

**Date:** Mon, 11 Jul 2022 22:18:00 +0000

**Importance:** Normal

---

Betsy, I just found out that (b) (6) so I'm wondering (b) (6)  
(b) (6). Any problem with that? Otherwise I can just (b) (6)

Thanks, Gene

**From:** "Guttentag, Lucas (ODAG)" <(b) (6)>

**To:** "Brown, Angela M. (ODAG)" <(b) (6)>

**Subject:** Receipt 1 -- Lyft rides on 3/26

**Date:** Mon, 11 Apr 2022 18:24:34 -0000

**Importance:** Normal

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**Subject:** [EXTERNAL] Fwd: Your receipt for rides on March 26

**Subject:** Your receipt for rides on March 26

Your receipt for rides on March 26



## Your total charges for March 26



March 26, 2022 10:23 AM

\$68.88  
Ride fare

**Pickup 10:23 AM**

(b) (6), Albany, CA 94706, United States

**Drop-off 11:08 AM**

San Mateo County, CA, US



March 26, 2022 9:16 PM

\$59.84  
Ride fare

**Pickup 9:16 PM**

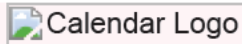
44910 Saarinen Cir, Loudoun, VA 20166, United States

**Drop-off 9:57 PM**

(b) (6), Washington, DC 20001, United States



**\$128.72**



## One day of rides in a single charge

You were charged \$128.72 for all of the rides you took on March 26.

Review '[Payment frequency](#)' in the '**Payment**' tab in your Lyft app.

Applies to all rides (including bikes and scooters) taken in your personal profile, using Mastercard®, Visa, American Express, Apple Pay, or Discover.

[Help Center](#)

We never share your address with your driver after a ride.  
[Learn more](#) about our commitment to safety.

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548 Market St., P.O. Box 68514  
San Francisco, CA 94104  
CPUC ID No. TCP0032513 - P

[Work at Lyft](#)  
[Become a Driver](#)

**From:** Steve Kania <(b) (6)>

**To:** Steve Kania <(b) (6)>

**Cc:** "glen.barbour@loudoun.gov" <glen.barbour@loudoun.gov>

**Subject:** [EXTERNAL] FW: Communications Manager Job Opening - Loudoun County

**Date:** Fri, 4 Feb 2022 17:43:48 +0000

**Importance:** Normal

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Good afternoon,

Sharing the following job posting on behalf of Glen Barbour for Loudoun County.

Steve

Job Ad and Application: <https://www.jobapscloud.com/LDN/sup/bulpreview.asp?R1=22&R2=129&R3=3656>

Glen Barbour

Public Affairs and Communications Officer

Office of the County Administrator, Public Affairs and Communications | County of Loudoun

1 Harrison Street, S.E., 5<sup>th</sup> Floor | P.O. Box 7000 | Leesburg, VA 20177

Desk: 703-771-5086 | Mobile: (b) (6) | Main: 703-777-0113 | Fax: 703-771-5841

[Glen.Barbour@loudoun.gov](mailto:Glen.Barbour@loudoun.gov)

[loudoun.gov](http://loudoun.gov) | [Alert Loudoun](#) | [LEX](#) | [Facebook](#) | [Twitter](#) | [Nextdoor](#) | [YouTube](#) | [How Did We Do?](#)



**From:** Steve Kania <(b) (6)>

**To:** Steve Kania <(b) (6)>

**Cc:** "glen.barbour@loudoun.gov" <glen.barbour@loudoun.gov>

**Subject:** [EXTERNAL] FW: Loudoun Communications Job Listings

**Date:** Tue, 11 Jan 2022 19:25:49 +0000

**Importance:** Normal

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Good afternoon,

Sharing the following job postings on behalf of Glen for Loudoun County.

Steve

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- Outreach Coordinator: <https://www.jobapscloud.com/LDN/sup/bulpreview.asp?R1=22&R2=127&R3=3611>
- Social Media Manager: <https://www.jobapscloud.com/LDN/sup/bulpreview.asp?R1=22&R2=129&R3=3613>
- Video Content Producer: <https://www.jobapscloud.com/LDN/sup/bulpreview.asp?R1=22&R2=123&R3=3610>

Thank you!

Glen

Glen Barbour

Public Affairs and Communications Officer

Office of the County Administrator, Public Affairs and Communications | County of Loudoun

1 Harrison Street, S.E., 5<sup>th</sup> Floor | P.O. Box 7000 | Leesburg, VA 20177

Desk: 703-771-5086 | Mobile: (b) (6) | Main: 703-777-0113 | Fax: 703-771-5841

[Glen.Barbour@loudoun.gov](mailto:Glen.Barbour@loudoun.gov)

[loudoun.gov](http://loudoun.gov) | [Alert Loudoun](#) | [LEX](#) | [Facebook](#) | [Twitter](#) | [Nextdoor](#) | [YouTube](#) | [How Did We Do?](#)

**From:** Steve Kania <(b) (6)>

**To:** Sean Johnson <(b) (6)>

**Subject:** [EXTERNAL] RESF-15 Regional PIOs

**Date:** Fri, 7 Jan 2022 19:03:10 +0000

**Importance:** Normal

**Attachments:** unnamed

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Good afternoon,

The next monthly call for RESF-15 is scheduled for Monday at 1 P.M. We have the following items on the agenda.

UPDATES ON COVID-19 MESSAGING

*Dr. Kimberly Henderson, District of Columbia*

*Lucy Caldwell, Fairfax County*

*George Lettis, Prince George's County*

*Shawn Dennison, Frederick County*

*Glen Barbour and Mary Frances Forcier, Loudoun County*

*Sherrie Johnson, Prince William County*

RESF-15 will receive updates from Health PIOs/Local PIOs on current COVID-19 messaging priorities, challenges, and lessons learned.

UPDATE FROM PIO SOCIAL MEDIA SUBGROUP

*Erin Pomrenke, Charles County*

RESF-15 will receive an update from the PIO Social Media Subgroup that met in December to discuss dealing with misinformation and disinformation.

OTHER BUSINESS

Looking forward to reconnecting. Have a good weekend folks,

Steve

Steve Kania  
Communications Manager  
Metropolitan Washington Council of Governments

(b) (6) office  
(b) (6) cell  
(b) (6)

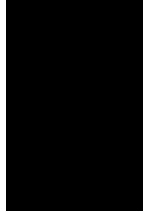
**COG Office of Communications is inviting you to a scheduled Webex meeting.**

[Join meeting](#)

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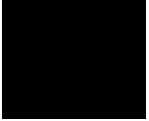
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**From:** "Guttentag, Lucas (ODAG)" <(b) (6)>  
**To:** "Brown, Angela M. (ODAG)" <(b) (6)>  
**Subject:** FW: [EXTERNAL] Fwd: Your ride with Mario on November 13  
**Date:** Tue, 16 Nov 2021 01:35:29 -0000

**Importance:** Normal

**Inline-Images:** image001.jpg; image002.jpg; image003.jpg; image004.jpg; image005.jpg; image006.jpg; image007.png; image008.png; image009.png; ~WRD0000.jpg

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Receipt for Nov. 13 from hotel to IAD \$118.79

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**From:** Lucas-Gmail <(b) (6)>  
**Sent:** Saturday, November 13, 2021 6:22 PM  
**To:** Guttentag, Lucas (ODAG) <(b) (6)>  
**Subject:** [EXTERNAL] Fwd: Your ride with Mario on November 13

Sent from my iPhone

Begin forwarded message:

**From:** Lyft Receipts <no-reply@lyftmail.com>  
**Date:** November 13, 2021 at 3:13:15 PM PST  
**To:** (b)(6) Lucas Guttentag (ODAG)  
**Subject:** Your ride with Mario on November 13



NOVEMBER 13, 2021 AT 9:49 AM

**Thanks for riding with  
Mario!**

100% of tips go to drivers. [Add a tip](#)

Lyft fare (27.33mi, 45m 7s)	\$93.39
DC City Fee	\$5.60
Tip	\$19.80

Visa (b) (6)

**\$118.79**

**We haven't charged you for this ride yet.**

The charge for this ride will be combined with any other rides you take on November 13, 2021. You'll receive a receipt combining all of your day's charges, whenever you take more than one ride in a single day.



- Pickup 9:49 AM**  
(b) (6), Washington, DC
- Drop-off 10:34 AM**  
44910 Saarinen Cir, Loudoun, VA

## Each of us for all of us

Want a ride? Do your part to help keep each other safe by wearing a face covering, sitting in the back, and rolling down windows when weather permits.

[LEARN MORE](#)

**TIP DRIVER**

**FIND LOST ITEM**



## REQUEST REVIEW

To share comments or complaints about a ride that violated the law in the District of Columbia, you may contact the DFHV at (202) 645-7300 or <https://dfhv.dc.gov/service/complaints>.

[Help Center](#)

Receipt # (b) (6)

We never share your address with your driver after a ride.  
[Learn more](#) about our commitment to safety.

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San Francisco, CA 94104  
CPUC ID No. TCP0032513 - P

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[Become a Driver](#)



**From:** "Guttentag, Lucas (ODAG)" <(b) (6)>  
**To:** "Guttentag, Lucas (ODAG)" <(b) (6)>

**Subject:** Fwd: [EXTERNAL] Your ride with Oscar on October 20

**Date:** Mon, 25 Oct 2021 00:39:34 -0000

**Importance:** Normal

---

Lucas Guttentag  
Senior Counselor for Immigration Policy  
Office of the Deputy Attorney General

(b) (6)

Begin forwarded message:

**From:** Lyft Receipts <no-reply@lyftmail.com>  
**Date:** October 20, 2021 at 5:35:20 PM PDT  
**To:** "Guttentag, Lucas (ODAG)" <(b) (6)>  
**Subject:** [EXTERNAL] Your ride with Oscar on October 20



OCTOBER 20, 2021 AT 7:47 PM

## Thanks for riding with Oscar!



100% of tips go to drivers. [Add a tip](#)

Lyft fare (27.53mi, 37m 21s)	\$62.06
DC City Fee	\$3.72
Tip	\$13.16



MasterCard (b) (6)

**\$78.94**

**We haven't charged you for this ride yet.**

The charge for this ride will be combined with any other rides you take on October 20, 2021. You'll receive a receipt combining all of your day's charges, whenever you take more than one ride in a single day.



## Ride Map

**Pickup 7:47 PM**

(b) (6), Washington, DC

**Drop-off 8:24 PM**

44910 Saarinen Cir, Loudoun, VA



## Health and safety image

### Each of us for all of us

Want a ride? Do your part to help keep each other safe by wearing a face covering, sitting in the back, and rolling down windows when weather permits.

[LEARN MORE](#)

### Make expensing business rides easy

Enable business profile on Lyft to make expensing rides quick and easy.

[GET BUSINESS PROFILE](#)

**TIP DRIVER**

**FIND LOST ITEM**

**REQUEST REVIEW**

View your ride cost breakdown or get help at any time in the '[Ride History](#)' tab in your Lyft app.

To share comments or complaints about a ride that violated the law in the District of Columbia, you may contact the DFHV at (202) 645-7300 or <https://dfhv.dc.gov/service/complaints>.

## Help Center

Receipt #**(b) (6)**

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[Learn more](#) about our commitment to safety.

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San Francisco, CA 94104  
CPUC ID No. TCP0032513 - P

Work at Lyft  
Become a Driver

**From:** "Colangelo, Matthew (OASG)" <(b) (6)>

**To:** "Sparkle Sooknanan (OASG)" (b) (6)

"Betsy Henthorne (OASG)" (b) (6)

**Subject:** notes for VG

**Date:** Thu, 21 Oct 2021 19:19:13 -0000

**Importance:** Normal

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Sparkle – can you send something to Betsy for the daily notes on the Loudoun County matter you were looking into?  
(i.e., (b) (5))

Thank you

**From:** Lyft Receipts <no-reply@lyftmail.com>

**To:** (b)(6) Lucas Guttentag (ODAG)

**Subject:** [EXTERNAL] Your ride with Abdul on September 25

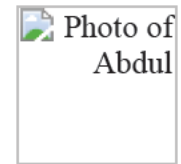
**Date:** Sat, 25 Sep 2021 23:52:35 +0000

**Importance:** Normal



SEPTEMBER 25, 2021 AT 12:42 PM

## Thanks for riding with Abdul!



Lyft fare (31.02mi, 53m 56s)	\$61.09
DC City Fee	\$3.67
Tip	\$12.95



MasterCard (b)(6)

**\$77.71**



Ride Map

**Pickup 12:42 PM**

(b)(6) Washington, DC

**Drop-off 1:36 PM**

44910 Saarinen Cir, Loudoun, VA



Lyft Rentals

## We do rentals now

Reserve your own set of wheels with Lyft Rentals - right from the app.

**RESERVE NOW**

**TIP DRIVER**

**FIND LOST ITEM**

**REQUEST REVIEW**

View your ride cost breakdown or get help at any time in the '[Ride History](#)' tab in your Lyft app.

To protect against unauthorized behavior, you may see [an authorization hold](#) on your bank statement. This is to verify your payment method and will not be charged.

To share comments or complaints about a ride that violated the law in the District of Columbia, you may contact the DFHV at (202) 645-7300 or <https://dfhv.dc.gov/service/complaints>.

[Help Center](#)

Receipt #**(b) (6)**

We never share your address with your driver after a ride.  
[Learn more](#) about our commitment to safety.

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San Francisco, CA 94104  
CPUC ID No. TCP0032513 - P

Work at Lyft  
Become a Driver

**From:** Miriam Krinsky <(b) (6)>  
**To:** "Braden, Myesha (ODAG)" <(b) (6)>  
**Cc:** (b)(6) L Komar (FJP) (b)(6) K Hill (FJP)  
(b)(6) A Smith (FJP)

**Subject:** October 1 NYC convening  
**Date:** Fri, 3 Sep 2021 08:22:27 +0000  
**Importance:** Normal  
**Inline-Images:** image001.png; image002.png

Thanks for circling back on this Myesha, and apologies for the delay in sending on this information.

I have copied in folks on our team who can fill in more details. In brief, the group assembled will include around 40 elected prosecutors from around the US who are part of our network. These gatherings are closed door candid conversations that are aimed at an off the record sharing of ideas and information. The list as of now of expected attendees is pasted below.

Our aim would be to have the DAG be able to join us – ideally over the lunch hour on October 1 if by chance that worked for her, although we can work around her schedule if some other time that day were to work better. We would love to have her share her priorities and areas of focus for ODAG and to have an opportunity for free flow discussion with the group, and would welcome any areas where she might want to get input from these inspiring leaders.

Let us know if you think this might be workable. And thanks, again, for your efforts on all of these many fronts!

Best,  
Miriam

Diana	Becton	District Attorney	Contra Costa County, California
Buta	Biberaj	Commonwealth's Attorney	Loudoun County, VA
Sherry	Boston	District Attorney	DeKalb County, GA
Aisha	Braveboy	State Attorney	Prince George's County, MD
John	Choi	County Attorney	Ramsey County, MN
Dave	Clegg	District Attorney	Ulster County, NY
Scott	Colom	District Attorney	Columbus, MS (16th Judicial Circuit)
Shalena	Cook Jones	District Attorney	Savannah, GA
Satana	Deberry	District Attorney	Durham County, North Carolina
Parisa	Dehghani-Tafti	Commonwealth's Attorney	Arlington County & City of Falls Church, VA
Stephen	Descano	Commonwealth's Attorney	Fairfax County, Virginia
Michael	Dougherty	District Attorney	Boulder, CO
Matt	Ellis	District Attorney	Wasco County, OR
Kim	Foxx	State's Attorney	Cook County, IL
Kim	Gardner	District Attorney	City of St. Louis, MO
Sarah	George	State's Attorney	Chittenden County, Vermont
Joe	Gonzales	District Attorney	Bexar County, TX
Deborah	Gonzalez	District Attorney	Clark and Oconee County, GA
Mark	Gonzalez	District Attorney	Nueces County, TX
Eric	Gonzalez	District Attorney	Kings County, NY
Christian	Gossett	District Attorney	Winnebago County, WI
Andrea	Harrington	District Attorney	Berkshire County, Massachusetts
Natasha	Irving	District Attorney	Prosecutorial District Six, Maine
Larry	Krasner	District Attorney	Philadelphia, PA
Ryan	Mears	District Attorney	Marion County, IN
Brian	Middleton	District Attorney	Fort Bend County, TX
Stephanie	Morales	Commonwealth's Attorney	Portsmouth, Virginia



Alonzo	Payne	District Attorney	San Luis Valley, CO (12th Judicial District)
Dalia	Racine	District Attorney	Douglas County, GA
Mimi	Rocah	District Attorney	Westchester County, NY
Rachael	Rollins	District Attorney	Suffolk County, MA
Eli	Savit	Prosecuting Attorney	Washtenaw County (Ann Arbor), Michigan
Mike	Schmidt	District Attorney	Multnomah County, OR (Portland)
Carol	Siemon	Prosecuting Attorney	Ingham County, MI -- Lansing
Tori	Verber Salazar	District Attorney	San Joaquin County, CA
Andrew	Warren	State Attorney	Tampa, FL (13th Judicial Circuit)
Lynneice	Washington	District Attorney	Jefferson County, Bessemer District, AL
Jared	Williams	District Attorney	Augusta, GA
Monique	Worrell	State's Attorney	Orange-Osceola (AW- CE-OLA) County, FL (9th Judicial Circuit)
Justin	Kollar	Prosecuting Attorney	Kauai County, HI

**Miriam Aroni Krinsky**

Founder and Executive Director

Fair and Just Prosecution

Email: (b) (6)

Cell: (b) (6)



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**From:** Braden, Myesha (ODAG) <(b) (6)>  
**Sent:** Thursday, September 2, 2021 1:09 PM  
**To:** Miriam Krinsky <(b) (6)>  
**Subject:** RE: Sharing information in our weekly elected email

Hi, Miriam.

Can you share the agenda for your September conference? Do you have a sense of the make-up and size of the audience?

Best,

Myesha

---

**From:** Miriam Krinsky <(b) (6)>  
**Sent:** Tuesday, August 31, 2021 7:14 PM  
**To:** Braden, Myesha (ODAG) <(b) (6)>; Lin, Frank (ODAG) <(b) (6)>; Singh, Anita M. (ODAG) <(b) (6)>; Suero, Maya A. (ODAG) <(b) (6)>  
**Cc:** Cameron DeChalus <(b) (6)>; Greg Srolestar <(b) (6)>  
**Subject:** Sharing information in our weekly elected email

Myesha, et al:

I wanted to let you know that FJP sends a regular weekly email to elected prosecutors in our network to provide information on important events and resources. Feel free to let us know if you have items that you are putting out that it might be useful to share with reform-minded elected state and local prosecutors.

In this week's elected email, we shared information regarding your Office's recent memorandum and Fact Sheet regarding the *Victims of Crime Act (VOCA) Fix to Sustain the Crime Victims Fund Act of 2021*, as noted below.

- The **Office of the Deputy Attorney General** circulated to all federal prosecutors a [memorandum](#) and Fact Sheet regarding the **Victims of Crime Act (VOCA) Fix to Sustain the Crime Victims Fund Act of 2021**. The Act changes how the Crime Victims Fund (CVF) is administered, and this memo has information that may be useful to local prosecutors as well.

Thanks for all you do to address these and other important issues.

We look forward to meeting you next week.

Best wishes,  
Miriam

**Miriam Aroni Krinsky**

Founder and Executive Director

Fair and Just Prosecution

Email: (b) (6)

Cell: (b) (6)



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**From:** Rush Atkinson <(b) (6)>

**To:** (b)(6) Lawrence Atkinson (ODAG)

**Subject:** Fwd: Your ride with Ngoie on June 19

**Date:** Thu, 2 Sep 2021 23:56:25 -0400

**Importance:** Normal

Trip to IAD

----- Forwarded message -----

**From:** Lyft Receipts <[no-reply@lyftmail.com](mailto:no-reply@lyftmail.com)>

**Date:** Sun, Jun 20, 2021 at 3:36 PM

**Subject:** Your ride with Ngoie on June 19

**To:** (b)(6) Lawrence Atkinson (ODAG)



**JUNE 19, 2021 AT 2:51 PM**

# Thanks for riding with Ngoie!



100% of tips go to drivers. [Add a tip](#)

Lyft fare (27.94mi, 44m 22s)	\$55.44
DC City Fee	\$3.33
Tip	\$1.00



Visa (b) (6)

**\$59.77**

**We haven't charged you for this ride yet.**

The charge for this ride will be combined with any other rides you take on June 19, 2021. You'll receive a receipt combining all of your day's charges, whenever you take more than one ride in a single day.



Ride Map

**Pickup 2:51 PM**

(b) (6), Washington, DC

**Drop-off 3:35 PM**

44910 Saarinen Cir, Loudoun, VA



Lyft Rentals

## We do rentals now

Get \$30 off your first car rental.

**RESERVE NOW**

## Make expensing business rides easy

Enable business profile on Lyft to make expensing rides quick and easy.

**GET BUSINESS PROFILE**

**TIP DRIVER**

**FIND LOST ITEM**

**REQUEST REVIEW**

To share comments or complaints about a ride that violated the law in the District of Columbia, you may contact the DFHV at (202) 645-7300 or <https://dfhv.dc.gov/service/complaints>.

[Help Center](#)

Receipt # (b) (6)

We never share your address with your driver after a ride.  
[Learn more](#) about our commitment to safety.

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548 Market St., P.O. Box 68514  
San Francisco, CA 94104  
CPUC ID No. TCP0032513 - P

Work at Lyft  
Become a Driver

--

Lawrence "Rush" Atkinson

(b) (6)

(b) (6)

**From:** Rush Atkinson <(b) (6)>

**To:** (b)(6) Lawrence Atkinson (ODAG)

**Subject:** Fwd: Your ride with Charles on June 23

**Date:** Thu, 2 Sep 2021 23:56:07 -0400

**Importance:** Normal

Return

----- Forwarded message -----

**From:** Lyft Receipts <[no-reply@lyftmail.com](mailto:no-reply@lyftmail.com)>

**Date:** Wed, Jun 23, 2021 at 6:42 PM

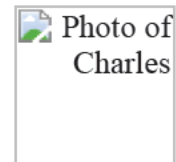
**Subject:** Your ride with Charles on June 23

**To:** (b)(6) Lawrence Atkinson (ODAG)



**JUNE 23, 2021 AT 3:34 PM**

## Thanks for riding with Charles!



100% of tips go to drivers. [Add a tip](#)

Lyft fare (26.65mi, 36m 22s)	\$46.66
Tip	\$7.00



Visa (b) (6)

**\$53.66**

**We haven't charged you for this ride yet.**

The charge for this ride will be combined with any other rides you take on June 23, 2021. You'll receive a receipt combining all of your day's charges, whenever you take more than one ride in a single day.



Ride Map

**Pickup 3:34 PM**

Commercial Vehicle Drive, Loudoun County, VA, US

**Drop-off 4:10 PM**

950 Pennsylvania Ave NW, Washington, DC



Lyft Rentals

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Get \$30 off your first car rental.

**RESERVE NOW**

## Make expensing business rides easy

Enable business profile on Lyft to make expensing rides quick and easy.

**GET BUSINESS PROFILE**

**TIP DRIVER**

**FIND LOST ITEM**

**REQUEST REVIEW**

To share comments or complaints about a ride that violated the law in the District of Columbia, you may contact the DFHV at (202) 645-7300 or <https://dfhv.dc.gov/service/complaints>.

[Help Center](#)

Receipt # (b) (6)

We never share your address with your driver after a ride.  
[Learn more](#) about our commitment to safety.

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Become a Driver

--

Lawrence "Rush" Atkinson

(b) (6)

(b) (6)



**From:** Rush Atkinson <(b) (6)>

**To:** (b)(6) Lawrence Atkinson (ODAG)

**Subject:** Fwd: Your receipt for rides on June 23

**Date:** Thu, 2 Sep 2021 23:55:36 -0400

**Importance:** Normal

---

----- Forwarded message -----

**From:** Lyft Receipts <[no-reply@lyftmail.com](mailto:no-reply@lyftmail.com)>

**Date:** Thu, Jun 24, 2021 at 10:54 AM

**Subject:** Your receipt for rides on June 23

**To:** (b)(6) Lawrence Atkinson (ODAG)



## Your total charges for June 23



June 23, 2021 3:34 PM

\$53.66

Ride fare

**Pickup 3:34 PM**

Commercial Vehicle Drive, Loudoun County, VA, US

**Drop-off 4:10 PM**

950 Pennsylvania Ave NW, Washington, DC 20004, United States



June 23, 2021 6:46 PM

\$14.99

Ride fare

**Pickup 6:46 PM**

1111 Constitution Ave NW, Washington, DC 20004, United States

**Drop-off 6:58 PM**

(b) (6), Washington, DC 20009, United States



Visa (b) (6)

**\$68.65**

 Calendar Logo

## One day of rides in a single charge

You were charged \$68.65 for all of the rides you took on June 23.

Review '[Payment frequency](#)' in the '**Payment**' tab in your Lyft app.

Applies to all rides (including bikes and scooters) taken in your personal profile, using Mastercard®, Visa, American Express, Apple Pay, or Discover.

### Help Center

We never share your address with your driver after a ride. [Learn more](#) about our commitment to safety.

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San Francisco, CA 94104  
CPUC ID No. TCP0032513 - P

Work at Lyft  
Become a Driver

--  
Lawrence "Rush" Atkinson

(b) (6)  
(b) (6)

**From:** Steve Kania <(b) (6)>

**To:** "tony.castrilli@fairfaxcounty.gov" <tony.castrilli@fairfaxcounty.gov>, Lisa Ragain <(b) (6)>

**Subject:** RESF-15 Monthly Regional PIO Call

**Date:** Fri, 9 Apr 2021 16:19:59 +0000

**Importance:** Normal

**Attachments:** unnamed

---

Members of RESF-15,

Hope you can join the call on Monday. On the agenda, we'll have state and local COVID-19 vaccine updates, especially related to reaching underserved communities/new strategies/lessons learned; a presentation by the [The Fight is in Us](#), a campaign that encourages convalescent plasma donation from COVID survivors; and an update from the Water PIOs on messaging about financial assistance for customers behind on their bills.

Thanks!

Steve

#### AGENDA

##### COVID Vax Updates

-States: Alison Reeves, D.C.; Charlie Gischlar, Maryland; Lorrie Andrew-Spear, Virginia

-Locals: Sherrie Johnson, Prince William County; Jen Harris, Charles County; Glen Barbour, Loudoun County; Shawn Dennison, Frederick County

##### The Fight is in Us

-Dr. Alison Dingwall, MITRE Corporation

-Whitney Pesek, WONDROS

##### Water PIO Update

-Susan Miller, Fairfax Water

-Lisa Ragain, COG

#### **COG Office of Communications invites you to join this Webex meeting.**

Occurs the second Monday of every month effective January-June 2021 from 1-2 P.M.

Meeting number (access code): (b) (6)

Meeting password: (b) (6)

Meeting phone: (b) (6)

[Join meeting](#)

Steve Kania  
Communications Manager  
Metropolitan Washington Council of Governments

(b) (6) office  
(b) (6) cell

[mwcog.org](http://mwcog.org)

**From:** Steve Kania <(b) (6)>

**To:** Steve Kania <(b) (6)>

**Cc:** "tony.castrilli@fairfaxcounty.gov" <tony.castrilli@fairfaxcounty.gov>

**Subject:** RESF-15 Meeting Agenda: Monday, April 12

**Date:** Fri, 9 Apr 2021 16:16:32 +0000

**Importance:** Normal

---

Members of RESF-15,

Hope everyone is staying well. Wanted to send a quick reminder to encourage you to join us for the next meeting scheduled for Monday, April 12. (also will update Outlook calendar invite, which you should have received.)

On the agenda, we'll have state and local COVID-19 vaccine updates, especially related to reaching underserved communities/new strategies/lessons learned; a presentation by the [The Fight is in Us](#), a campaign that encourages convalescent plasma donation from COVID survivors; and an update from the Water PIOs on messaging about financial assistance for customers behind on their bills.

Thanks,

Steve

#### AGENDA

##### COVID Vax Updates

-States: Alison Reeves, D.C.; Charlie Gischlar, Maryland; Lorrie Andrew-Spear, Virginia

-Locals: Sherrie Johnson, Prince William County; Jen Harris, Charles County; Glen Barbour, Loudoun County; Shawn Dennison, Frederick County

##### The Fight is in Us

-Dr. Alison Dingwall, MITRE Corporation

-Whitney Pesek, WONDROS

##### Water PIO Update

-Susan Miller, Fairfax Water

-Lisa Ragain, COG

#### CALL DETAILS

Monday, April 12, 2021

1-2 P.M.

Meeting number (access code): (b) (6)

Meeting password: (b) (6)

Meeting phone: (b) (6)

[Join meeting](#)

Steve Kania  
Communications Manager  
Metropolitan Washington Council of Governments

(b) (6) office  
(b) (6) cell

[mwcog.org](http://mwcog.org)



November 21, 2022

The Honorable Vanita Gupta  
United States Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

**RE: Invitation to address MCSA at 2023 Winter Conference**

Dear Associate Attorney General Gupta:

On behalf of the Major County Sheriffs of America (MCSA), we extend an invitation to you to address our upcoming Winter Conference in Washington, DC during our conference which will be held January 30<sup>th</sup>-February 1<sup>st</sup> at the JW Marriott.

Our members would welcome an update on DOJ priorities, but also to have the opportunity to discuss the status of the implementation of the President's Executive Order on Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety. Additionally, we would value the occasion to have an update on the latest measures being taken regarding the Death in Custody Reporting Act. We have always been grateful for your candid conversation and your willingness to sit at the table and discuss our shared concerns.

We hope you would be willing to join us on January 31<sup>st</sup>, 2023, at the JW Marriott located at 1331 Pennsylvania Avenue in Washington D.C.

At your convenience, your staff may contact MCSA's Executive Director Megan Noland at [mnoland@mcsheriffs.com](mailto:mnoland@mcsheriffs.com) to make any arrangements required to accommodate your schedule.

Thank you for your continued leadership and we hope that you will be able to join us at our Winter Conference.

Sincerely,

Sheriff Dennis M. Lemma  
Seminole County Sheriff's Office, FL  
MCSA President

**President**

Sheriff Dennis Lemma  
Seminole County Sheriff's Office  
Sanford, FL

**Vice President**

Sheriff Bill Brown  
Santa Barbara County Sheriff's Office  
Santa Barbara, CA

**Vice President - Government  
Affairs**

Sheriff Michael J. Bouchard  
Oakland County Sheriff's Office  
Pontiac, MI

**Vice President - Homeland  
Security**

Sheriff Michael Chapman  
Loudoun County Sheriff's Office  
Leesburg, VA

**Treasurer**

Sheriff Robert Gualtieri  
Pinellas County Sheriff's Office  
Largo, FL

**Secretary**

Sheriff Leon Lott  
Richland County Sheriff's Office  
Columbia, SC

**Past President**

Sheriff Peter J. Koutoujian  
Middlesex County Sheriff's Office  
Medford, MA

**Region 1 Representative**

Sheriff Bill Ayub  
Ventura County Sheriff's Office  
Ventura, CA

**Region 2 Representative**

Sheriff Bill Waybourn  
Tarrant County Sheriff's Office  
Fort Worth, TX

**Region 3 Representative**

Sheriff Michelle LaJoye-Young  
Kent County Sheriff's Office  
Grand Rapids, MI

**Region 4 Representative**

Sheriff Garry McFadden  
Mecklenburg County Sheriff's  
Office  
Charlotte, NC

**Executive Director**

Megan E. Noland

**General Counsel**

Steven H. Cook

August 17, 2021

President Joseph Biden  
The White House  
1600 Pennsylvania Avenue, N.W.  
Washington, DC 20500

cc:

Vice President Kamala Harris

Attorney General Merrick B. Garland  
U.S. Department of Justice

Ambassador Susan Rice  
Assistant to the President for Domestic Policy

Deputy Attorney General Lisa Monaco  
U.S. Department of Justice

Associate Attorney General Vanita Gupta  
U.S. Department of Justice

Dear President Biden:

We are a group of current and former elected prosecutors and Attorneys General, former federal criminal justice leaders, and past and present law enforcement leaders writing to urge the Biden-Harris Administration to convene a **Presidential Task Force on 21st Century Prosecution** before the year is out.

The evidence is clear: our nation's decades of "tough on crime" practices have not created safety and have been an anathema to justice. The United States detains [2.3 million](#) people in prisons, jails, and confinement facilities, more than any other democratic nation. Racial, ethnic, and class disparities pervade the criminal legal system: American justice is far from equal. Our communities in turn bear an enormous human and fiscal toll. Countless families have been torn apart by over-policing and over-incarceration. Too many Americans are trapped in poverty and unable to contribute to their communities because of their criminal records. Many marginalized neighborhoods, particularly Black communities, face cycles of trauma, violence, and disinvestment, and are denied opportunities. Although state and local prosecutors work to protect their communities through targeted prosecution of serious crimes and offering services for survivors, survivors of crime still do not receive the care they deserve. And taxpayers pay an estimated [\\$182 billion](#) each year for our current system that throws away far too many lives as well as scarce resources. The



traditional punitive approach to prosecution has not made us safer and it has not brought justice. We urge the Biden-Harris Administration to help us chart a new path forward.

Every day, we fight for fairness and justice in our jurisdictions. We work in our jurisdictions to advance a new vision of justice, one in which all Americans are safe from harm and oppression, and empowered to collectively build a better future. We need allies and support in that fight. And we need national engagement.

Prosecutors possess far-reaching discretion to charge crimes, recommend bail, plea bargain, and recommend sentences. With this starting point in mind, it is not surprising that President Biden's [Plan for Strengthening America's Commitment to Justice](#) called for a "task force on prosecutorial discretion." Transforming prosecution must be at the heart of any effective criminal legal reform agenda.

Across the country over the past few years, a number of elected reform-minded prosecutors are boldly redefining what it means to be a prosecutor and how we can play a key role in a new [21st Century vision for prosecution](#). The prosecutorial profession, however, still has much to learn. In the model of the Presidential Task Force on 21st Century Policing, we need prosecutorial leaders at a state and local level to come together with justice-impacted people, defense attorneys, crime survivors, civil rights advocates, community and law enforcement leaders, researchers, Department of Justice representatives and other federal experts, and many others, to listen, share innovations, and together create a roadmap that can help promote the justice system our communities seek and deserve.

The American people have demanded change. The rallying cry to transform our criminal legal system stretches from the streets to [across the political aisle](#). We urge the Biden-Harris Administration to seize this moment and create a Presidential Task Force on 21st Century Prosecution soon; our communities are urging us all to act.

Most respectfully,

**Roy L. Austin**

Former Deputy Assistant Attorney General, Civil Rights Division, U.S. Department of Justice  
Former Deputy Assistant to President Obama for the Office of Urban Affairs, Justice and Opportunity, White House Domestic Policy Council

**Branville Bard**

Commissioner, Cambridge Police Department, Massachusetts

**Diana Becton**

District Attorney, Contra Costa County, California

**Wesley Bell**

Prosecuting Attorney, St. Louis County, Missouri

**Buta Biberaj**

Commonwealth's Attorney, Loudoun County, Virginia

**Shay Bilchik**

Former Administrator, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice

Former Chief Assistant State Attorney, Miami-Dade County, Florida

**Sherry Boston**

District Attorney, DeKalb County, Georgia

**Chesa Boudin**

District Attorney, City and County of San Francisco, California

**Rashall M. Brackney, Ph.D.**

Police Chief, Charlottesville Police Department, Virginia

**Joseph Brann**

Former Chief, Hayward Police Department, California

Former Director, Office of Community Oriented Policing Services, U.S. Department of Justice

**Aisha Braveboy**

State's Attorney, Prince George's County, Maryland

**Jim Bueerman**

Former Chief, Redlands Police Department, California

Former President, National Police Foundation

**Chris Burbank**

Director, Law Enforcement Engagement, Center for Policing Equity

Former Chief, Salt Lake City Police Department, Utah

**Mike Butler**

Former Chief, Longmont Public Safety Department, Colorado

**Leevin Camacho**

Attorney General, Guam

**John Choi**

County Attorney, Ramsey County (St. Paul), Minnesota

**Jerry L. Clayton**

Sheriff, Washtenaw County (Ann Arbor), Michigan

**Dave Clegg**

District Attorney, Ulster County, New York

**Shameca Collins**

District Attorney, 6<sup>th</sup> Judicial District, Mississippi

**Scott Colom**

District Attorney, 16<sup>th</sup> Judicial District, Mississippi

**Laura Conover**

County Attorney, Pima County (Tucson), Arizona

**Brendan Cox**

Former Chief, Albany Police Department, New York

**John Creuzot**

District Attorney, Dallas County, Texas

**Satana Deberry**

District Attorney, Durham County, North Carolina

**Parisa Dehghani-Tafti**

Commonwealth's Attorney, Arlington County and the City of Falls Church, Virginia

**Brandon del Pozo**

Former Chief, Burlington Police Department, Vermont

**Steve Descano**

Commonwealth's Attorney, Fairfax County, Virginia

**W. Thomas Dillard**

Former U.S. Attorney, Northern District of Florida

Former U.S. Attorney, Eastern District of Tennessee

**John Dixon**

Former Chief, Petersburg Police Department, Virginia

**Thomas J. Donovan, Jr.**

Attorney General, Vermont

**Michael Dougherty**

District Attorney, 20<sup>th</sup> Judicial District (Boulder), Colorado

**Mark Dupree**

District Attorney, Wyandotte County (Kansas City), Kansas

**Matt Ellis**

District Attorney, Wasco County, Oregon

**Keith Ellison**

Attorney General, Minnesota

**Kimberly M. Foxx**

State's Attorney, Cook County (Chicago), Illinois

**Gil Garcetti**

Former District Attorney, Los Angeles County, California

**Kimberly Gardner**

Circuit Attorney, City of St. Louis, Missouri

**Stan Garnett**

Former District Attorney, 20<sup>th</sup> Judicial District (Boulder), Colorado

**José Garza**

District Attorney, Travis County (Austin), Texas

**George Gascón**

District Attorney, Los Angeles County, California

Former District Attorney, City and County of San Francisco, California

Former Chief, San Francisco Police Department, California

Former Chief, Mesa Police Department, Arizona

**Sarah F. George**

State's Attorney, Chittenden County, Vermont

**Sim Gill**

District Attorney, Salt Lake County, Utah

**Joe Gonzales**

District Attorney, Bexar County (San Antonio), Texas

**Deborah Gonzalez**

District Attorney, Western Judicial Circuit (Athens), Georgia

**Eric Gonzalez**

Kings County (Brooklyn), New York

**Mark Gonzalez**

District Attorney, Nueces County (Corpus Christi), Texas

**Christian Gossett**

District Attorney, Winnebago County, Wisconsin

**Barry Grissom**

Former U.S. Attorney, District of Kansas

**Andrea Harrington**

District Attorney, Berkshire County, Massachusetts

**Jim Hingeley**

Commonwealth's Attorney, Albemarle County, Virginia

**John Hummel**

District Attorney, Deschutes County, Oregon

**Elizabeth K. Humphries**

Commonwealth's Attorney, Fredericksburg, Virginia

**Natasha Irving**

District Attorney, 6<sup>th</sup> Prosecutorial District, Maine

**Shalena Cook Jones**

District Attorney, Chatham County (Savannah), Georgia

**Melinda Katz**

District Attorney, Queens County, New York

**Justin F. Kollar**

Prosecuting Attorney, County of Kaua'i, Hawaii

**Lawrence S. Krasner**

District Attorney, Philadelphia, Pennsylvania

**Miriam Aroni Krinsky**

Former Assistant U.S. Attorney, Criminal Appellate Chief, and General Crimes Chief, Central District of California

Former Chair, Solicitor General's Criminal Appellate Advisory Group, U.S. Department of Justice

**William Lansdowne**

Former Chief, San Diego Police Department, California

Former Chief, San Jose Police Department, California

Former Chief, Richmond Police Department, California

**Robert L. Listenbee**

Former Administrator, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice

**James Manfre**

Former Sheriff, Flagler County Sheriff's Office, Florida

**Brian S. Mason**

District Attorney, 17<sup>th</sup> Judicial District, Colorado

**Beth McCann**

District Attorney, 2<sup>nd</sup> Judicial District (Denver), Colorado

**Karen McDonald**

Prosecuting Attorney, Oakland County, Michigan

**Garry L. McFadden**

Sherriff, Mecklenburg County (Charlotte), North Carolina

**Ryan Mears**

Prosecuting Attorney, Marion County (Indianapolis), Indiana

**Spencer Merriweather**

District Attorney, Mecklenburg County (Charlotte), North Carolina

**Brian Middleton**

District Attorney, Fort Bend County, Texas

**Stephanie Morales**

Commonwealth's Attorney, Portsmouth, Virginia

**Marilyn Mosby**

State's Attorney, Baltimore City, Maryland

**Jody Owens**

District Attorney, Hinds County, Mississippi

**Alonzo Payne**

District Attorney, 12<sup>th</sup> Judicial District, Colorado

**Joseph Platania**

Commonwealth's Attorney, City of Charlottesville, Virginia

**Bryan Porter**

Commonwealth's Attorney, City of Alexandria, Virginia

**Abdul Pridgen**

Chief, Seaside Police Department, California

**Harold F. Pryor**

State Attorney, 17<sup>th</sup> Judicial Circuit (Fort Lauderdale), Florida

**Dalia Racine**

District Attorney, Douglas County, Georgia

**Karl Racine**

Attorney General, District of Columbia

**Kwame Raoul**

Attorney General, State of Illinois

**Ira Reiner**

Former District Attorney, Los Angeles County, California

Former City Attorney, Los Angeles, California

**Mimi Rocah**

District Attorney, Westchester County, New York

**Rachael Rollins**

District Attorney, Suffolk County (Boston), Massachusetts

**Jeff Rosen**

District Attorney, Santa Clara County, California

**Marian Ryan**

District Attorney, Middlesex County, Massachusetts

**Tori Verber Salazar**

District Attorney, San Joaquin County, California

**Dan Satterberg**

Prosecuting Attorney, King County (Seattle), Washington

**Eli Savit**

Prosecuting Attorney, Washtenaw County (Ann Arbor), Michigan

**Mike Schmidt**

District Attorney, Multnomah County (Portland), Oregon

**Ronal Serpas**

Former Superintendent, New Orleans Police Department, Louisiana

Former Chief, Metropolitan Nashville Police Department, Tennessee

Former Chief, Washington State Patrol, Washington

**Harry L. Shorstein**

Former State Attorney, 4<sup>th</sup> Judicial Circuit, Florida

**Carol Siemon**

Prosecuting Attorney, Ingham County (Lansing), Michigan

**Norm Stamper**

Former Chief, Seattle Police Department, Washington

**Darrel Stephens**

Former Executive Director, Major City Chiefs Association

Former Chief, Charlotte-Mecklenburg Police Department, North Carolina

**Carter Stewart**

Former U.S. Attorney, Southern District of Ohio

**David Sullivan**

District Attorney, Northwestern District, Massachusetts

**Tom Synan**

Police Chief, Newton Police Department, Ohio

**Shannon Taylor**

Commonwealth's Attorney, Henrico County, Virginia

**Scott Thomson**

Former Chief, Camden Police Department, New Jersey

**Raúl Torrez**

District Attorney, Bernalillo County (Albuquerque), New Mexico

**Gregory Underwood**

Commonwealth's Attorney, City of Norfolk, Virginia

**Matthew Van Houten**

District Attorney, Tompkins County (Ithaca), New York

**Joyce Vance**

Former U.S. Attorney, Northern District of Alabama

**Cyrus R. Vance**

District Attorney, New York County (Manhattan), New York

**Andrew Warren**

State Attorney, 13<sup>th</sup> Judicial Circuit (Tampa), Florida



**Lynneice Washington**

District Attorney, Jefferson County, Bessemer District, Alabama

**Jared Williams**

District Attorney, Augusta, Georgia

**Todd Williams**

District Attorney, Buncombe County (Asheville), North Carolina



**President**

Sheriff Dennis Lemma  
Seminole County Sheriff's Office  
Sanford, FL

**Vice President**

Sheriff Bill Brown  
Santa Barbara County Sheriff's Office  
Santa Barbara, CA

**Vice President - Government  
Affairs**

Sheriff Michael J. Bouchard  
Oakland County Sheriff's Office  
Pontiac, MI

**Vice President - Homeland  
Security**

Sheriff Michael Chapman  
Loudoun County Sheriff's Office  
Leesburg, VA

**Treasurer**

Sheriff Robert Gualtieri  
Pinellas County Sheriff's Office  
Largo, FL

**Secretary**

Sheriff Leon Lott  
Richland County Sheriff's Office  
Columbia, SC

**Past President**

Sheriff Peter J. Koutoujian  
Middlesex County Sheriff's Office  
Medford, MA

**Region 1 Representative**

Sheriff Bill Ayub  
Ventura County Sheriff's Office  
Ventura, CA

**Region 2 Representative**

Sheriff Bill Waybourn Tarrant  
County Sheriff's Office  
Fort Worth, TX

**Region 4 Representative**

Sheriff Garry McFadden  
Mecklenburg County Sheriff's Office  
Charlotte, NC

**General Counsel**

Steven H. Cook

The Honorable Dick Durbin  
Chairman  
Committee on the Judiciary  
United States Senate  
Washington, D.C. 20510

The Honorable Chuck Grassley  
Ranking Member  
Committee on the Judiciary  
United States Senate  
Washington, D.C. 20510

Dear Chairman Durbin and Ranking Member Grassley:

On behalf of the Major County Sheriffs of America (MCSA), I write to express support for the nomination of Steven Dettelbach to serve as the Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). The MCSA is a professional law enforcement association of the 110 largest elected sheriffs' offices in the nation, representing over 130 million citizens.

Mr. Dettelbach has a distinguished career as a former U.S. Attorney and career prosecutor who spent two decades as a prosecutor of the Department of Justice. He has a proven track record of working with federal, state, and local law enforcement in fighting violent crime. Mr. Dettelbach has worked alongside the ATF through cases fighting domestic terrorism, anti-religion, hate crime and violent extremism. As a U.S. Attorney, Mr. Dettelbach used innovative approaches and partnerships to focus on crime prevention and reentry efforts, including data driven approaches to better target enforcement.

The MCSA Board of Directors recently met with Mr. Dettelbach and discussed some of the challenges we are facing as a law enforcement industry including violent crime using ghost guns as well as his positions on topics important to our profession and community. He expressed his commitment to working collaboratively and cooperatively with law enforcement leaders across the country, including the MCSA, to tackle the range of issues.

The MCSA supports Mr. Steven Dettelbach as the next ATF Director and urges the Committee and members of the Senate to confirm.

Respectfully,

Sheriff Dennis M. Lemma, President  
Major County Sheriffs of America

cc: Phillip Brest, Chief Nominations Counsel, Majority and Brendan Chestnut, Chief Nominations Counsel, Minority



National School Boards Association  
1680 Duke St. FL2, Alexandria, VA 22314-3493  
Phone: (703) 838.6722 • Fax: (703) 683.7590  
[www.nsba.org](http://www.nsba.org)

September 29, 2021

The Honorable Joseph R. Biden  
President of the United States  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

*Re: Federal Assistance to Stop Threats and Acts of Violence Against Public Schoolchildren, Public School Board Members, and Other Public School District Officials and Educators*

Dear Mr. President:

America's public schools and its education leaders are under an immediate threat. The National School Boards Association (NSBA) respectfully asks for federal law enforcement and other assistance to deal with the growing number of threats of violence and acts of intimidation occurring across the nation. Local school board members want to hear from their communities on important issues and that must be at the forefront of good school board governance and promotion of free speech. However, there also must be safeguards in place to protect public schools and dedicated education leaders as they do their jobs.

NSBA believes immediate assistance is required to protect our students, school board members, and educators who are susceptible to acts of violence affecting interstate commerce because of threats to their districts, families, and personal safety. As our school boards continue coronavirus recovery operations within their respective districts, they are also persevering against other challenges that could impede this progress in a number of communities. Coupled with attacks against school board members and educators for approving policies for masks to protect the health and safety of students and school employees, many public school officials are also facing physical threats because of propaganda purporting the false inclusion of critical race theory within classroom instruction and curricula.<sup>1</sup> This propaganda continues despite the fact that critical race theory is not taught in public schools and remains a complex law school and graduate school subject well beyond the scope of a K-12 class.

On behalf of our state associations and the more than 90,000 school board members who govern our country's 14,000 local public school districts educating more than 50 million schoolchildren, NSBA appreciates your leadership to end the proliferation of COVID-19 in our communities and our school districts. We also appreciate recent discussions with White House and U.S. Department of Education staff on many critical issues facing public schools, including threats school officials are receiving.

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<sup>1</sup> The Armed Conflict Location & Event Data Project (ACLED), "Fact Sheet: Demonstrations over Critical Race Theory in the United States," July 14, 2021, [https://acleddata.com/acleddatanew/wp-content/uploads/2021/07/ACLED\\_Fact-Sheet\\_CRT-Demos\\_2021.pdf](https://acleddata.com/acleddatanew/wp-content/uploads/2021/07/ACLED_Fact-Sheet_CRT-Demos_2021.pdf).

*The leading advocate for public education*

In addition, we applaud your actions to restore resources to school districts that have not yet received their education stabilization funding through the Project SAFE (Supporting America's Families and Educators) grant program for coronavirus recovery efforts, including the use of face masks and other precautions to help prevent COVID-19 infections among students and educators. Now, we ask that the federal government investigate, intercept, and prevent the current threats and acts of violence against our public school officials through existing statutes, executive authority, interagency and intergovernmental task forces, and other extraordinary measures to ensure the safety of our children and educators, to protect interstate commerce, and to preserve public school infrastructure and campuses.

While local and state law enforcement agencies are working with public school officials in several communities to prevent further disruptions to educational services and school district operations, law enforcement officials in some jurisdictions need assistance – including help with monitoring the threat levels. As these threats and acts of violence have become more prevalent – during public school board meetings, via documented threats transmitted through the U.S. Postal Service, through social media and other online platforms, and around personal properties – NSBA respectfully asks that a joint collaboration among federal law enforcement agencies, state and local law enforcement, and with public school officials be undertaken to focus on these threats.<sup>2</sup> NSBA specifically solicits the expertise and resources of the U.S. Department of Justice, Federal Bureau of Investigation (FBI), U.S. Department of Homeland Security, U.S. Secret Service, and its National Threat Assessment Center<sup>3</sup> regarding the level of risk to public schoolchildren, educators, board members, and facilities/campuses. We also request the assistance of the U.S. Postal Inspection Service to intervene against threatening letters and cyberbullying attacks that have been transmitted to students, school board members, district administrators, and other educators.

As these acts of malice, violence, and threats against public school officials have increased, the classification of these heinous actions could be the equivalent to a form of domestic terrorism and hate crimes. As such, NSBA requests a joint expedited review by the U.S. Departments of Justice, Education, and Homeland Security, along with the appropriate training, coordination, investigations, and enforcement mechanisms from the FBI, including any technical assistance necessary from, and state and local coordination with, its National Security Branch and Counterterrorism Division, as well as any other federal agency with relevant jurisdictional authority and oversight. Additionally, NSBA requests that such review examine appropriate enforceable actions against these crimes and acts of violence under the Gun-Free School Zones Act, the PATRIOT Act in regards to domestic terrorism, the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act, the Violent Interference with Federally Protected Rights statute, the Conspiracy Against Rights statute, an Executive Order to enforce all applicable federal laws for the

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<sup>2</sup> The Herald Editorial Board, *HeraldNet*, “Editorial: Mob’s actions at school board meeting unacceptable,” September 1, 2021, <https://www.heraldnet.com/opinion/editorial-mobs-actions-at-school-board-meeting-unacceptable/>.

<sup>3</sup> U.S. Secret Service, National Threat Assessment Center, “Averting Targeted School Violence,” March 2021, <https://www.secretservice.gov/sites/default/files/reports/2021-03/USSS%20Averting%20Targeted%20School%20Violence.2021.03.pdf>.

protection of students and public school district personnel, and any related measure. As the threats grow and news of extremist hate organizations showing up at school board meetings is being reported, this is a critical time for a proactive approach to deal with this difficult issue.

These threats or actual acts of violence against our school districts are impacting the delivery of educational services to students and families, as many districts receive federal funds and subsidies for services to millions of students with disabilities, health screenings and supplemental supports for disadvantaged students, child nutrition, broadband connectivity, educator development, school safety activities, career and technical education, and more. School board meetings have been disrupted in California<sup>4</sup>, Florida<sup>5</sup>, Georgia<sup>6</sup>, and other states<sup>7</sup> because of local directives for mask coverings to protect students and educators from COVID-19.

An individual was arrested in Illinois for aggravated battery and disorderly conduct during a school board meeting.<sup>8</sup> During two separate school board meetings in Michigan<sup>9</sup>, an individual yelled a Nazi salute in protest to masking requirements, and another individual prompted the board to call a recess because of opposition to critical race theory.

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<sup>4</sup> Elizabeth Marie Himchak, *Poway News Chieftain/ Rancho Bernardo News Journal*, "Protesters disrupt Poway Unified board meeting, cause its adjournment," September 9, 2021, <https://www.sandiegouniontribune.com/pomerado-news/news/schools/story/2021-09-09/protesters-disrupt-poway-unified-board-meeting-force-its-ag>.

<sup>5</sup> Ryan McKinnon, *Sarasota Herald-Tribune*, "Sarasota school board may limit public input after some meetings get disorderly," September 20, 2021, <https://www.heraldtribune.com/story/news/education/2021/09/20/sarasota-school-board-may-limit-public-input-after-meetings-gone-wild/8417784002/>.

<sup>6</sup> Alia Malik, *The Atlanta Journal-Constitution*, "Anti-mask crowd disrupts Gwinnett school board meeting," May 21, 2021, <https://www.ajc.com/news/anti-mask-crowd-disrupts-gwinnett-school-board-meeting/IYO7R6GHJ5DTLEFCQHER7V3GBA/>

<sup>7</sup> Julie Wootton-Greener, *Las Vegas Review-Journal*, "School board meeting turns contentious over COVID-19 policies," August 12, 2021, <https://www.reviewjournal.com/local/education/school-board-meeting-turns-contentious-over-covid-19-policies-2418652/>.

WAVY.com, "Norfolk school officials, police monitoring threats made toward Norview schools," September 21, 2021, <https://www.wavy.com/news/local-news/norfolk/norfolk-school-officials-police-monitoring-threats-made-toward-norview-schools/>.

WBTV-Charlotte, "Gov. Roy Cooper addresses 'threats, bullying, intimidation' at school board meetings over mask requirements," September 21, 2021, <https://www.wbvtv.com/2021/09/21/gov-roy-cooper-address-fight-against-covid-19-north-carolina/>.

<sup>8</sup> WGEM, "Mendon man arrested following disruption at Unity School board meeting," September 2, 2021, <https://wgem.com/2021/09/02/mendon-man-arrested-following-disruption-at-unity-school-board-meeting/>.

<sup>9</sup> Steve Neavling, *Detroit Metro Times*, "Nazi salute, insults hurled at chaotic Birmingham schools meeting over mask mandate," August 19, 2021, <https://www.metrotimes.com/news-hits/archives/2021/08/19/nazi-salute-insults-hurled-at-ruckus-birmingham-schools-meeting-over-mask-mandate>.

Kalie Marantette, *WLNS.com*, "Grand Ledge school board goes into recess due to public 'disruption,'" June 16, 2021, <https://www.wlns.com/news/grand-ledge-school-board-goes-into-recess-due-to-public-disruption/>.

In New Jersey<sup>10</sup>, Ohio<sup>11</sup>, and other states<sup>12</sup>, anti-mask proponents are inciting chaos during board meetings. In Virginia<sup>13</sup>, an individual was arrested, another man was ticketed for trespassing, and a third person was hurt during a school board meeting discussion distinguishing current curricula from critical race theory and regarding equity issues. In other states including Washington<sup>14</sup>, Texas<sup>15</sup>, Wisconsin<sup>16</sup>, Wyoming<sup>17</sup>, and Tennessee<sup>18</sup>, school boards have been confronted by angry mobs and forced to end meetings abruptly. A resident in Alabama, who proclaimed himself as “vaccine police,” has called school administrators while filming himself on Facebook Live.<sup>19</sup>

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<sup>10</sup> Joe Strupp, *Asbury Park Press*, “NJ mask mandate for students sparks school board disruption, suspends meeting,” August 26, 2021, <https://www.app.com/story/news/education/in-our-schools/2021/08/26/nj-school-mask-mandate-sparks-disruption-boe/5585283001/>.

<sup>11</sup> Maia Belay, *Fox8*, “Sheriff deputies called to tense Nordonia Hills school board meeting due to mask policy,” August 31, 2021, <https://fox8.com/news/sheriff-deputies-called-to-tense-nordonia-hills-school-board-meeting-due-to-mask-policy/>.

<sup>12</sup> Pete Bannon, *The Delaware County Daily Times*, “Mask protest brings police to Garnet Valley School Board meeting,” August 25, 2021, Updated August 26, 2021, <https://www.delcotimes.com/2021/08/25/mask-protest-brings-cops-to-garnet-valley-school-board-meeting/>.

Brenley Goertzen, *Salon.com*, “Anti-mask mob swarms school board meeting,” August 12, 2021, <https://www.salon.com/2021/08/12/anti-mask-mob-swarm-school-board-meeting/>.

<sup>13</sup> Drew Wilder, Jackie Bensen, Andrea Swalec and NBC4 Washington Staff, *NBCWashington.com*, “‘The Meeting Has Degenerated’: 1 Arrest, 1 Injury at Loudoun Schools Meeting on Equity,” June 22, 2021, Updated June 23, 2021, <https://www.nbcwashington.com/news/local/northern-virginia/loudoun-school-board-transgender-student-policy-race-equity/2708185/>.

Adele Uphaus, *The Free Lance-Star*, “Unruly crowd causes Spotsylvania School Board meeting to adjourn after 13 minutes,” August 24, 2021, [https://fredericksburg.com/news/local/unruly-crowd-causes-spotsylvania-school-board-meeting-to-adjourn-after-13-minutes/article\\_1d39b83c-fa43-5626-acca-4e2768a811de.html](https://fredericksburg.com/news/local/unruly-crowd-causes-spotsylvania-school-board-meeting-to-adjourn-after-13-minutes/article_1d39b83c-fa43-5626-acca-4e2768a811de.html).

<sup>14</sup> Emily Gilbert, *Whidbey News Times*, “Oak Harbor school board clears the room after audience shouts disrupt meeting,” August 13, 2021, <https://www.whidbeynewstimes.com/news/oak-harbor-school-board-clears-the-room-after-audience-shouts-disrupt-meeting/>.

<sup>15</sup> Talia Richman and Brayden Garcia, *The Dallas Morning News*, “‘Critical race theory’ roils Fort Worth school board meeting as Texas braces for continued fight,” June 22, 2021, <https://www.dallasnews.com/news/education/2021/06/22/critical-race-theory-roils-fort-worth-school-board-meeting-as-texas-braces-for-continued-fight/>.

<sup>16</sup> WBAY news staff and Jason Zimmerman, *WBAY.com*, “Oshkosh School Board meeting postponed after protesters disrupt it, argument breaks out,” August 25, 2021, Updated August 26, 2021, <https://www.wbay.com/2021/08/25/oshkosh-school-board-meeting-called-off-after-protesters-enter-board-members-walk-out/>.

<sup>17</sup> Margaret Austin, *Wyoming Tribune Eagle* via Wyoming News Exchange, *Pinedale Roundup*, “School board meeting over COVID stopped after disruption,” August 4, 2021, <https://pinedaleroundup.com/article/school-board-meeting-over-covid-stopped-after-disruption>.

<sup>18</sup> Jackie Delpilar, *WZTV Nashville*, “Anti-mask protesters show lack of empathy at recent Middle Tennessee school meetings,” September 12, 2021, <https://fox17.com/news/local/anti-mask-protesters-show-lack-of-empathy-at-recent-middle-tennessee-school-meetings>.

<sup>19</sup> Aubrey Bailey, *WHNT.com*, “‘If you give one more shot, you yourself will be executed’ Alabama man tells Missouri pharmacists,” August 24, 2021, <https://whnt.com/news/alabama-news/if-you-give-one-more-shot-you-yourself-will-be-executed-alabama-man-tells-missouri-pharmacists/>.

Other groups are posting watchlists against school boards and spreading misinformation that boards are adopting critical race theory curriculum and working to maintain online learning by haphazardly attributing it to COVID-19.<sup>20</sup>

In Ohio, an individual mailed a letter to a school board member labeling the return address on the envelope from a local neighborhood association and then enclosing threatening hate mail from another entity.<sup>21</sup> This correspondence states that, “We are coming after you and all the members on the ... BoE [Board of Education].” This hate mail continues by stating, “You are forcing them to wear mask—for no reason in this world other than control. And for that you will pay dearly.” Among other incendiaries, this same threat also calls the school board member a “filthy traitor,” implies loss of pension funds, and labels the school board as Marxist. Earlier this month, a student in Tennessee was mocked during a board meeting for advocating masks in schools after testifying that his grandmother, who was an educator, died because of COVID-19.<sup>22</sup> These threats and acts of violence are affecting our nation’s democracy at the very foundational levels, causing school board members – many who are not paid – to resign immediately and/or discontinue their service after their respective terms.<sup>23</sup> Further, this increasing violence is a clear and present danger to civic participation, in which other citizens who have been contemplating service as either an elected or appointed school board member have reconsidered their decision.

NSBA believes public discussions and transparency by local school board members are important for the safe and effective operations of schools.<sup>24</sup> It is vital that public discourses be encouraged in a safe and open environment, in which varying viewpoints can be offered in a peaceful manner. Our children are watching the examples of the current debates and we must encourage a positive dialogue even with different opinions. However, with such acute threats and actions that are disruptive to our students’ well-being, to the safety of public school officials and personnel, and to interstate commerce, we urge the federal government’s intervention against individuals or hate groups who are targeting our schools and educators.

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<sup>20</sup> Nick Surgery, *Documented*, “TPUSA launches project targeting school board members,” August 20, 2021, <https://substack.documented.net/p/tpusa-school-board-watchlist>

<sup>21</sup> Lindsey Mills, WBNS, “‘Disturbing’: Worthington school board member receives threats for masks in schools,” September 21, 2021, <https://www.10tv.com/article/news/local/worthington-school-board-member-receives-threats-for-masks-in-schools/530-f3c04240-76b4-456b-aad9-8555397b5427>.

<sup>22</sup> Kim Bellware, *The Washington Post*, “Student mocked at school board meeting after sharing that his grandmother died of covid-19,” September 10, 2021, [https://www.washingtonpost.com/nation/2021/09/10/grady-knox-tennessee/?utm\\_campaign=wp\\_main&utm\\_medium=social&utm\\_source=facebook&fbclid=IwAR29rIKzLY0tz4p0yB5VJDk\\_n\\_oIj5AJp6oiEvzJC1oRAYsMMMOPb8EvjY](https://www.washingtonpost.com/nation/2021/09/10/grady-knox-tennessee/?utm_campaign=wp_main&utm_medium=social&utm_source=facebook&fbclid=IwAR29rIKzLY0tz4p0yB5VJDk_n_oIj5AJp6oiEvzJC1oRAYsMMMOPb8EvjY).

<sup>23</sup> Andy Humbles, *The Nashville Tennessean*, “Jon White resigns as Wilson County School Board member,” September 8, 2021, <https://www.tennessean.com/story/news/local/wilson/2021/09/08/jon-white-resigns-wilson-county-school-board-member/5750949001/>.

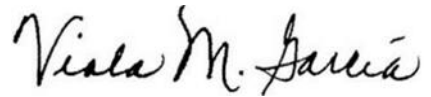
Terri Pederson, *The Daily Citizen*, “Beaver Dam school board member resigns citing safety concerns for family,” September 20, 2021, Updated September 21, 2021, [https://www.wiscnews.com/bdc/news/local/education/beaver-dam-school-board-member-resigns-citing-safety-concerns-for-family/article\\_066fc86c-4356-5a00-9940-187e02eb7340.html](https://www.wiscnews.com/bdc/news/local/education/beaver-dam-school-board-member-resigns-citing-safety-concerns-for-family/article_066fc86c-4356-5a00-9940-187e02eb7340.html).

<sup>24</sup> National School Boards Association and AASA, The School Superintendents Association, “NSBA, AASA Issue Joint Statement Calling for End to Threats and Violence Around Safe School Opening Decisions,” September 22, 2021, <https://www.nsba.org/News/2021/end-threats-violence-joint-statement>.

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September 29, 2021  
Page Six

NSBA is committed to working with you and your Administration as a partner to address this crisis affecting America's public schools, and greatly appreciates your prompt attention to our requests. We stand ready to work with you.

Respectfully,



Viola M. Garcia, EdD  
President



Chip Slaven, Esq.  
Interim Executive Director & CEO





March 3, 2022

The Honorable Henry J. Kerner  
Special Counsel  
Office of the Special Counsel  
1730 M Street, NW, Suite 218  
Washington, DC 20036

Re: Potential Hatch Act Violations

Dear Mr. Kerner:

America First Legal Foundation (“AFL”) respectfully requests that the Office of Special Counsel investigate whether Biden Administration officials from the White House, the Department of Justice, and the Department of Education violated the Hatch Act in an attempt to influence the outcome of the 2021 Virginia state elections—most notably, the gubernatorial race.

The Office of Special Counsel (“OSC”) is tasked with administration and enforcement of the Hatch Act, which restricts certain political activities of Federal employees to ensure that government resources are not used to advance partisan campaigns. To this end, OSC can conduct investigations of alleged violations of the Hatch Act.<sup>1</sup>

As described below, it appears as though Biden Administration officials concocted and executed a scheme designed to influence the outcome of the election, which culminated in the issuance of an unfounded memorandum from Attorney General Merrick Garland that threatened to chill the free speech rights of parents in Virginia and across the United States.

## I. **Background**

### *CRT Becomes a Central Issue in Virginia State Elections*

Throughout the summer of 2021, parents nationwide protested public school policies and practices associated with, among other things, the teaching of certain principles

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<sup>1</sup> 5 U.S.C. § 1216 (a)(1)(2).

of critical race theory (“CRT”) to K-12 students. Virginia became an epicenter for many of the parental protests, with Loudon County garnering national attention.<sup>2</sup>

The issue became a central focus in the Virginia gubernatorial race. By May 2021, Republican candidate Glenn Youngkin and other Republican candidates had signed a pledge to oppose the teaching of CRT in schools.<sup>3</sup> In June 2021, Democratic candidate Terry McAuliffe described concerns about CRT being taught in school as a “right-wing conspiracy.”<sup>4</sup> Media outlets noted how the CRT/school curriculum issue had become a central issue in the Virginia elections.<sup>5</sup>

In this context, Biden Administration officials at the White House, the Department of Justice, and the Department of Education coordinated with political allies including the National School Boards Association (“NSBA”) and others, likely including persons connected to, affiliated with, or funded by the National Education Association (“NEA”) and the American Federation of Teachers (“AFT”), to insert themselves into the debate in defense of CRT, in an attempt to benefit Democratic candidate McAuliffe.

According to our information, in early September 2021, Biden Administration officials discussed with key Administration allies avenues for potential federal action against parents who opposed the teaching of CRT in schools. Senior Department of Justice officials, including at least one political appointee in the Department’s Civil Rights Division, discussed potential federal action with these allies. Notably, officials in the White House are said to have separately expressed concern regarding the potential partisan political impact of parent mobilization and organization around school issues in the upcoming midterm elections.

Our information shows further that at the express direction of the White House, or with its express consent, Biden Administration officials developed a plan to use a

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<sup>2</sup> Leandra Bernstein, *Protests Erupt Over Teaching of Critical Race Theory in Schools*, ABC4NEWS (June 23, 2021), <https://abcnews4.com/news/nation-world/protests-erupt-over-teaching-of-critical-race-theory-in-schools>.

<sup>3</sup> Sam Dorman, *Virginia Election Timeline: How Education Became Crucial to Republican’s Victory*, FOX NEWS (Nov. 3, 2021), <https://www.foxnews.com/politics/education-issue-virginia-governor-youngkin-victory>.

<sup>4</sup> Cameron Cawthorne & Sam Dorman, *Terry McAuliffe Calls Critical Race Theory Concerns a “Right-Wing Conspiracy,”* FOX NEWS (June 14, 2021), <https://www.foxnews.com/us/mcauliffe-critical-race-theory-right-wing-conspiracy>.

<sup>5</sup> See, e.g., James Oliphant, Gabriella Borter, & Joseph Ax, *Culture War on Education Rages in Virginia Governor’s Race*, REUTERS (July 22, 2021), <https://www.reuters.com/world/us/culture-war-education-rages-virginia-governors-race-2021-07-22/>; Joshua Jamerson & Aaron Zitner, *Critical Race Theory Becomes Key to GOP Campaign Strategy in Virginia*, WALL STREET JOURNAL (July 26, 2021), <https://www.wsj.com/articles/virginia-campaign-will-test-whether-critical-race-theory-moves-voters-11627304401>; Trip Gabriel & Dana Goldstein, *Disputing Racism’s Reach, Republicans Rattle American Schools*, NY TIMES (June 2, 2021), <https://www.nytimes.com/2021/06/01/us/politics/critical-race-theory.html>.

letter from an outside group (with a preference for “not the usual suspects”) as pretext for federal action to chill, deter, and discourage parents from exercising their constitutional rights and privileges.

While this effort was underway in Washington D.C., there was a gubernatorial debate between candidates Youngkin and McAuliffe in Virginia on September 28, 2021. The issue of parental involvement in school curriculum was hotly contested by the two candidates, with Youngkin asserting, “I believe parents should be in charge of their kids’ education.”<sup>6</sup> McAuliffe responded, “I don’t think parents should be telling schools what they should teach.”<sup>7</sup>

In media reports following the debate, it became clear that McAuliffe’s statement dismissing parents’ concerns was a major liability for his election prospects. The Washington Examiner noted that “[f]ormer Virginia Gov. Terry McAuliffe handed his Republican gubernatorial opponent Glenn Youngkin a campaign ad on a silver platter during a Tuesday debate by stating that he would not allow parents to tell schools what to teach their children.”<sup>8</sup> Another report characterized McAuliffe’s comment as “an apparent rebuke of ongoing parental concerns in Loudoun County, Va,” where the education battle burned hottest throughout 2021.<sup>9</sup>

Indeed, those concerns about McAuliffe’s statement would prove to be valid, as throughout the month of October, and even after the election, political observers would point to that moment as the reason for his sinking prospects and, ultimately, his defeat on November 2, 2021.<sup>10</sup>

### *The Attorney General’s October 4, 2021, Memorandum*

On September 29, 2021, the very day after McAuliffe’s campaign-changing debate disaster, the National School Boards Association, citing legal authorities including the Patriot Act, sent a letter to President Biden demanding federal action to confront

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<sup>6</sup> John Clark, *McAuliffe: ‘I don’t think parents should be telling schools what they should teach,’* WTVO CHANNEL 17 (Sept. 29, 2021), <https://www.mystateline.com/news/politics/mcauliffe-i-dont-think-parents-should-be-telling-schools-what-they-should-teach/>.

<sup>7</sup> *Id.*

<sup>8</sup> Emily Brooks, *McAuliffe Says Parents Shouldn’t Tell Schools What to Teach, Handing Youngkin a Campaign Ad*, WASHINGTON EXAMINER (September 29, 2021), <https://www.yahoo.com/video/mcauliffe-says-parents-shouldn-t-173500644.html>.

<sup>9</sup> Alec Schemmel, *Va. Gubernatorial Candidate Says Parents Should Not Control What Schools Teach Their Kids*, THE NATIONAL DESK (September 29, 2021), <https://nbcmontana.com/news/nation-world/va-gubernatorial-candidate-says-parents-should-not-control-what-schools-teach-their-kids>.

<sup>10</sup> Brandon Gillespie, *CNN Sounds Alarm on Terry McAuliffe’s Campaign Blunders: He ‘Lets the Tongue Get Out Ahead of the Brain’*, FOX NEWS (October 12, 2021) <https://www.foxnews.com/media/cnn-alarm-terry-mcauliffe-campaign-blunders-tongue-brain>; Joe Concha, *Education Blunder Igniting Suburban Parents Driving McAuliffe Panic in Virginia*, THE HILL (October 28, 2021), <https://thehill.com/opinion/campaign/578885-education-blunder-igniting-suburban-parents-driving-mcauliffe-panic-in>.

“the growing number of threats of violence and acts of intimidation” to local school board members arising out of “policies for masks to protect the health and safety of students and school employees” and “propaganda purporting the false inclusion of critical race theory within classroom instruction and curricula.”<sup>11</sup>

Media reports indicate that Education Secretary Miguel Cardona solicited this letter from the NSBA.<sup>12</sup> According to an October 5, 2021, email obtained by Parents Defending Education via a Freedom of Information Act request, the NSBA Secretary-Treasurer recalled that the organization’s interim CEO “told the officers he was writing a letter to provide information to the White House, from a request by Secretary Cardona.”<sup>13</sup>

Meanwhile, on September 30, 2021, Loudoun County School Board Member Atoosa Reaser announced via Twitter that she would be campaigning with Vice-President Kamala Harris’s husband and Terry McAuliffe that weekend.<sup>14</sup> The next day, on October 1, 2021, Reaser tweeted, “School Boards Ask @JoeBiden to Review Threats and Violence as Possible ‘Domestic Terrorism’” and linked to an Education Week article about the NSBA letter.<sup>15</sup> A fellow school board member responded “Funny, our school board did NOT vote on this. I do not think it appropriate for an elected official on her official social media feed to make such a misleading statement without input from her full school board.”<sup>16</sup>

On October 2, 2021, Reaser tweeted, “Kicking off a weekend of action w/ @DouglasEmhoff @TerryMcAuliffe @JenniferWexton @MarkHerringVA @WendyGooditisVA @ShuasforVA @kmurphyva @biberajbb @SylviaBroadRun @MarkKeam @AtoosaReaser @JenniferBoysko” and included pictures from the campaign event with several of the Virginia Democrats running for election.<sup>17</sup>

Just two days later, and five days after the NSBA letter, on October 4, 2021 Attorney General Merrick Garland released a memorandum to the FBI Director, DOJ officials,

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<sup>11</sup> Nat’l School Board Ass’n, *Letter to Joseph R. Biden Re: Federal Assistance to Stop Threats and Acts of Violence Against Public Schoolchildren, Public School Board Members, and Other Public School District Officials and Educators* (sic) at 5 (Sept. 29, 2021) <https://nsba.org/-/media/NSBA/File/nsbaletter-to-president-biden-concerning-threats-to-public-schools-and-school-board-members-92921.pdf>.

<sup>12</sup> Peter Hasson, *Education Secretary Cardona solicited NSBA letter comparing protesting parents to domestic terrorists: email*, FOX NEWS, Jan. 11, 2022, <https://www.foxnews.com/politics/education-secretary-cardona-solicited-nsba-letter-comparing-parents-domestic-terrorists-email>.

<sup>13</sup> *Id.*

<sup>14</sup> @AtoosaReaser, TWITTER, (Sep. 30, 2021, 2:32 PM), <https://twitter.com/AtoosaReaser/status/1443649952907935744?s=20&t=CpICL5XX2az8SCyk1WNIIdw>.

<sup>15</sup> @AtoosaReaser, TWITTER, (Oct. 1, 2021, 10:25 AM), <https://twitter.com/AtoosaReaser/status/1443945107695222804?s=20&t=CpICL5XX2az8SCyk1WNIIdw>.

<sup>16</sup> @JeffreyMorse3, TWITTER, (Oct 2, 2021, 4:12 PM), [https://twitter.com/JeffreyMorse3/status/1444394834421293056?s=20&t=\\_mrnpZxmlfE0Ji\\_f9Dtgow](https://twitter.com/JeffreyMorse3/status/1444394834421293056?s=20&t=_mrnpZxmlfE0Ji_f9Dtgow).

<sup>17</sup> @AtoosaReaser, TWITTER, (Oct. 2, 2021, 2:11 PM), [https://twitter.com/AtoosaReaser/status/1444364451986165767?s=20&t=\\_mrnpZxmlfE0Ji\\_f9Dtgow](https://twitter.com/AtoosaReaser/status/1444364451986165767?s=20&t=_mrnpZxmlfE0Ji_f9Dtgow).

and U.S. Attorneys on the subject of “Partnership Among Federal, State, Local, Tribal, and Territorial Law Enforcement to Address Threats Against School Administrators, Board Members, Teachers, and Staff.”<sup>18</sup> Using language strikingly similar to that of the NSBA’s letter, the Memorandum cited “a disturbing spike in harassment, intimidation, and threats of violence against school administrators, board members, teachers, and staff,” before directing the FBI and U.S. Attorneys to “convene meetings with federal, state, local, Tribal, and territorial leaders ... to facilitate the discussion of strategies for addressing threats against school administrators, board members, teaches, and staff.”

The abbreviated period between the NSBA’s Wednesday, September 29th letter to President Biden and the Attorney General’s Monday, October 4th Memorandum strongly suggests coordination between the parties. It is extraordinarily rare for a letter to even be routed from the White House to an executive agency or department in such an abbreviated period—much less result in the issuance of a memorandum of the head of a cabinet department.

Notably, the Attorney General’s Memorandum does not appear to have been generated because of information collected by the FBI. Indeed, in response to a Freedom of Information request submitted to the FBI by AFL seeking, among other things, all records showing the “disturbing spike in harassment, intimidation, and threats of violence” referenced in the Attorney General’s Memorandum, as well as all records “relied upon to support that finding, the FBI denied having *any* responsive records whatsoever. This curious lack of records documenting a need for the Attorney General’s aggressive actions suggests that the Memorandum may have been spurred because of other—perhaps political—interests.

On October 14, 2021, during the White House Press Briefing, Press Secretary Jen Psaki admitted, “President [Biden], of course, wants former Governor McAuliffe to be the future governor of Virginia,” and that, “we’re going to do everything we can to help former Governor McAuliffe.” Later in the same press conference, Psaki assured that she expected President Biden would “do more to help his friend, Governor Terry McAuliffe.”<sup>19</sup>

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<sup>18</sup> U.S. Dep’t of Justice, ATTORNEY. GEN. MEM. RE PARTNERSHIP AMONG FEDERAL, STATE, LOCAL, TRIBAL, AND TERRITORIAL LAW ENFORCEMENT TO ADDRESS THREATS AGAINST SCHOOL ADMINISTRATORS, BOARD MEMBERS, TEACHERS, AND STAFF (Oct. 4, 2021) (the “Attorney General’s Memorandum”) <https://www.justice.gov/ag/page/file/1438986/download>.

<sup>19</sup> Jen Psaki, Press Sec’y, White House, Press Briefing by Press Secretary Jen Psaki (Oct. 14, 2021), (transcript available at <https://www.whitehouse.gov/briefing-room/press-briefings/2021/10/14/press-briefing-by-press-secretary-jen-psaki-october-14-2021/>); *see also*, *CREW Files Hatch Act Complaint Against Psaki* (Oct. 15, 2021), <https://www.citizensforethics.org/legal-action/legal-complaints/crew-files-hatch-act-complaint-against-psaki/>.

## II. Analysis

The Hatch Act prohibits any executive branch official or employee from “us[ing] his official authority or influence for the purpose of interfering with or affecting the result of an election.” 5 U.S.C. § 7323(a)(1). Certain federal employees, including employees of law enforcement agencies, are “further restricted,” meaning they are also prohibited from “tak[ing] an active part in political management or political campaigns.” *Id.* at § 7323

The chronology of events leading up to the release of the Attorney General’s October 4th Memorandum at a minimum creates the appearance of federal government intervention in several closely contested partisan state elections by taking official action on the central issue in those campaigns, for the purpose of influencing those elections. The close coordination and planning between government officials and non-government allies, the FBI’s own representation that the agency lacked any record of violence or threats of violence at the FBI, and the curious timing of the Attorney General’s actions, together suggest that the motivations behind these actions were impermissibly intended to reflect favorably on Democrat candidates, in violation of the Hatch Act.

## III. Conclusion

For the foregoing reasons, AFL respectfully requests that OSC investigate whether officials from the White House, the Department of Justice, the Department of Education, or others violated the Hatch Act.

Sincerely,

s/ Gene P. Hamilton  
Gene P. Hamilton  
Vice-President and General Counsel  
America First Legal Foundation

Cc: The Hon. Sen. Dick Durbin, Chairman, Committee on the Judiciary  
The Hon. Chuck Grassley, Ranking Member, Committee on the Judiciary  
The Hon. Rep. Jerrold Nadler, Chairman, House Committee on the Judiciary  
The Hon. Rep. Jim Jordan, Ranking Member, House Committee on the Judiciary