

The Senate of West Virginia
Charleston



LEE CASSIS
CLERK OF THE SENATE

STATE CAPITOL, ROOM M-211
1900 KANAWHA BLVD. EAST
CHARLESTON, WV 25305-0800
304-357-7800

December 15, 2021

Mehreen Rasheed
records@americanoversight.org
American Oversight

VIA EMAIL

RE: Freedom of Information Act Request

Dear Ms. Rasheed:

This letter is in response to your Freedom of Information Act (FOIA) request received on December 8, 2021. This response is filed within five business days, excluding weekends and holidays, of the request. Your request was reviewed in accordance with the West Virginia Code §29B-1-1 et. seq. and applicable legal standards. Based upon information and belief, this responds to your request in kind as follows:

American Oversight requests that the Senate produce the following:

All email communications (including emails, complete email chains, calendar invitations, and attachments thereto) and text message threads/conversations between (a) any of the West Virginia Senate members listed below, or anyone communicating on their behalf, and (b) any of the U.S. Congress members or staff listed below regarding the state or congressional redistricting processes.

West Virginia Senate Members:

- i. Senator Charles Trump, IV
- ii. Senator Rupie Phillips
- iii. Senator Chandler Swope
- iv. Senator Dave Sypolt
- v. Senator Eric Tarr
- vi. Senator Ryan Weld

U.S. House of Representatives Members and Staff:

- ii. Representative David McKinley, or his Chief of Staff, Mike Hamilton
- ii. Representative Alex Mooney, or his Chief of Staff, Michael Hough
- iii. Representative Carol Miller, or her Chief of Staff, Matt Donnellan
- iv. Senator Shelly Moore Capito, her Chief of Staff Joel Brubaker, or anyone communicating from an email address ending in @capito.senate.gov

American Oversight believes that records containing the terms listed below are likely to be responsive records, and requests that your office, at a minimum, employ these search terms:

- i. District*
- ii. Districts*
- iii. Redistricting*
- iv. Map*
- v. Maps*
- vi. Mapdrawing*
- vii. Map-drawing*
- viii. "Map drawing"*
- ix. "Map drawer"*
- x. "Map drawers"*
- xi. Mapmaking*
- xii. Map-making*
- xiii. "Map making"*
- xiv. "Map maker"*
- xv. "Map makers"*
- xvi. Boundary*
- xvii. Boundaries*
- xviii. Seat*
- xix. Gerrymander*
- xx. Gerrymandered*
- xxi. Gerrymandering*

Please provide all responsive records from November 3, 2020 through the date the search is conducted.

The West Virginia Senate is not in possession of any records responsive to your request.

The Senate reserves its right to assert any exemption from disclosure pursuant to WVC §29B-1-4, the legislative immunity provisions of the West Virginia Constitution, Article VI, Section 17, WVC §4-1A-1 through -16, the deliberative process privilege, the common law, and other applicable law.

I appreciate the opportunity to assist you with this matter. The West Virginia Senate elects to waive assessing any fees respecting your request (WVC §29B-1-3). You are further advised that the Freedom of Information Act affords you the opportunity to seek injunctive or declaratory relief in the Circuit Court of Kanawha County.

This concludes the West Virginia Senate's response to your West Virginia Freedom of Information Act request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lee Cassis".

Lee Cassis
Clerk of the Senate