



March 20, 2025

**VIA EMAIL**

Office of the West Virginia Senate Clerk  
Room 211M, Bldg. 1  
State Capitol Complex  
Charleston, West Virginia 25305  
[senate.clerk@wvsenate.gov](mailto:senate.clerk@wvsenate.gov)

**Re: West Virginia Freedom of Information Act Request**

Dear Records Custodian:

Pursuant to the West Virginia Freedom of Information Act, W. Va. Code § 29B-1-1 et seq., American Oversight makes the following request for copies of records.

**Requested Records**

American Oversight requests that your agency produce the following records within five business days:<sup>1</sup>

1. Records sufficient to identify all materials (including, but not limited to, reports, analyses, recommendations, or guidance from internal or external entities) upon which former State Senator Craig Blair relied in determining the \$3,000,000 appropriation for pregnancy centers in Senate Bill 200 (2024).

**For part 1 of this request, please provide all responsive records from December 1, 2023, through March 10, 2024.**

2. Copies of any impact reports or assessments provided to former State Senator Craig Blair by any direct service provider operating under the West Virginia Mothers and Babies Support Program.

For part 2 of this request, please provide all responsive records from June 7, 2023, through January 8, 2025.

3. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) between (a) former State Senator Craig Blair, or anyone communicating on his behalf such as a chief of staff or legislative aide, and (b) the external

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<sup>1</sup> W. Va. Code § 29B-1-3(d) (requiring custodian to furnish requested records “as soon as practicable but within a maximum of five days not including Saturdays, Sundays or legal holidays.”).



entities and individuals listed below (including, but not limited to, anyone communicating from an email address ending in the listed domain(s)).

External Entities and Individuals:

1. Birthright International ([birthright.org](http://birthright.org))
2. Care Net ([care-net.org](http://care-net.org))
3. Charlotte Lozier Institute ([lozierinstitute.org](http://lozierinstitute.org))
4. Heartbeat International ([heartbeatinternational.org](http://heartbeatinternational.org))
5. Human Coalition ([humancoalition.org](http://humancoalition.org))
6. Jeanneane Maxon ([JNMaxonConsulting@gmail.com](mailto:JNMaxonConsulting@gmail.com))
7. Jenny Entsminger ([Jenny.E@wvpcc.org](mailto:Jenny.E@wvpcc.org)), Kristen Fry ([Kristen.F@wvpcc.org](mailto:Kristen.F@wvpcc.org)), or anyone communicating on behalf of West Virginia Pregnancy Center Coalition ([wvpcc.org](http://wvpcc.org))
8. Mike McKown ([mike.p.mckown@wv.gov](mailto:mike.p.mckown@wv.gov))
9. Misty Reese ([misty.reese@wv.gov](mailto:misty.reese@wv.gov))
10. National Institute of Family and Life Advocates ([nifla.org](http://nifla.org))
11. Students for Life Action ([studentsforlifeaction.org](http://studentsforlifeaction.org))
12. Students for Life of America ([studentsforlife.org](http://studentsforlife.org))
13. Susan B. Anthony Pro-Life America ([sbaproforlife.org](http://sbaproforlife.org))
14. West Virginia Mothers and Babies Support Program ([wvmothersandbabies.org](http://wvmothersandbabies.org))
15. West Virginia State Auditor's Office ([wvsao.gov](http://wvsao.gov))
16. West Virginians for Life ([wvforlife.org](http://wvforlife.org))

Please note that American Oversight does not seek, and that part 3 of this request specifically excludes, the initial mailing of news clips or other mass-distribution emails. However, subsequent communications forwarding such emails are responsive to this request. For example, if former Senator Blair received a mass-distribution news clip email from a listed external entity or individual, that initial email would not be responsive to this request. However, if he forwarded that email with his own commentary, that subsequent message would be responsive to this request and should be produced.

**For part 3 of this request, please provide all responsive records from December 1, 2023, through May 1, 2024.**

4. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) sent by State Senator Craig Blair, or anyone communicating on his behalf such as a chief of staff or legislative aide, and containing any of the key terms listed below.

Key Terms:

1. "alternatives to abortion"
2. "M&BSP"
3. "mothers and babies"
4. A2A

5. pregnancy
6. pregnant
7. WVPCC

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited part 4 of its request to emails sent by the listed officials. To be clear, however, American Oversight still requests that complete email chains be produced, displaying both sent and received messages. For example, both Senator Blair's response to an email containing a listed key term and the initial received message are responsive to this request and should be produced.

For part 4 of this request, please provide all responsive records from December 1, 2023, through May 1, 2024.

Please notify American Oversight of any anticipated fees or costs in excess of \$100 prior to incurring such costs or fees.

#### **Guidance Regarding the Search & Processing of Requested Records**

In connection with its request for records, American Oversight provides the following guidance regarding the scope of the records sought and the search and processing of records:

- Please search all locations and systems likely to have responsive records, regardless of format, medium, or physical characteristics.
- In conducting your search, please understand the term "record" in its broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind.<sup>2</sup> We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions.
- Our request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to our request, our request includes all prior messages sent or received in that email chain, as well as any attachments to the email.

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<sup>2</sup> See W. Va. Code § 29B-1-2(6) (defining "writing" to include "books, papers, maps, photographs, cards, tapes, recordings or other documentary materials regardless of physical form or characteristics.").

- Please search all relevant records or systems containing records regarding agency business.<sup>3</sup> Do not exclude records regarding agency business contained in files, email accounts, or devices in the personal custody of your officials, such as personal email accounts or text messages.
- In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records.<sup>4</sup> If a request is denied in whole, please state specifically whether it is not reasonable to segregate portions of the record for release.
- Please take appropriate steps to ensure that records responsive to this request are not deleted by the agency before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

### **Conclusion**

American Oversight is a 501(c)(3) nonprofit with the mission to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public

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<sup>3</sup> See W. Va. Code § 29B-1-2(5) (defining a “public record” to include “any writing containing information prepared or received by a public body” that “relates to the conduct of the public’s business.”).

<sup>4</sup> See *Farley v. Worley*, 215 W. Va. 412, 424, 599 S.E.2d 835, 847 (2004) (holding that a public body must redact or segregate exempt from non-exempt information contained within a responsive record, absent a written justification explaining that such segregation or redaction would impose an unreasonably high burden or expense).

website and promotes their availability on social media platforms, such as Facebook and X (formerly Twitter).<sup>5</sup>

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, please contact Loree Stark at [records@americanoversight.org](mailto:records@americanoversight.org) or (304) 913-6114.

Sincerely,

*/s/ Loree Stark*  
Loree Stark  
on behalf of  
American Oversight

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<sup>5</sup> American Oversight currently has approximately 16,000 followers on Facebook and 95,300 followers on X (formerly Twitter). American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Mar. 14, 2025); American Oversight (@weareoversight), X (formerly Twitter), <https://x.com/weareoversight> (last visited Mar. 14, 2025).