

*voting rights laws. "So let's just audit the voting machines, publish it so everybody can see it."*¹

Your promise, without having access to ballots and the voting information we seek to preserve, cannot be meaningfully fulfilled.

Please follow through on your commitments by taking this basic and no-cost step to put Virginia on the road to confidence-inspiring elections. this fall, in 2023 and 2024 and beyond.

While our request is for you to order the preservation of election records and related communications statewide, our experiences here in Prince William County demonstrate why we are concerned and seek your immediate attention before records are destroyed.

- On April 23, 2022, ELECT voted to begin an OAG investigation into Prince William County's department of elections pursuant to Virginia code 24.2-104². The code clearly allows the Attorney General to preserve records to support an investigation. We understand that the goal of this investigation was to determine whether there were any deviations or irregularities in election administration procedures during the 2020 general election that could have impact access, turnout, and/or results. Senior Assistant Attorney General Joshua Lief and Prince William County General Register Eric Olsen promised that our party representatives and the public would have access to the impounded records upon conclusion of the investigation, despite the disposition schedule otherwise applicable. However, we believe that similar records from other jurisdictions should be preserved so that the Commonwealth can investigate whether the problems experienced in Prince William County occurred elsewhere.
- On June 6, 2022, a group of citizens including several from this county, briefed Elections Commissioner Susan Beals and Mr. Lief on 2020 and 2021 election irregularities, issues, and questions. A range of anomalies, errors and irregularities was presented in these areas: DemTech Poll Pads, Data Concerns, Registration and Voting Irregularities, Election Integrity Issues, and Investigative Canvassing. In the case of every issue raised, our aim is to understand what happened and to fix it in coming elections. This group of citizens expressly requested 2020 record preservation at that time. At this briefing, both Ms. Beals and Mr. Lief promised a response to the numerous questions that were posed, including with regard to record preservation. To date, this group has not received any feedback or response.

¹ WASHINGTON POST, *As Virginia election draws near, GOP's Youngkin continues campaigning on 'election integrity'*, Karina Elwood (Oct. 6, 2021).

² Virginia Code 24.2-104 states that "[the Attorney General shall have full authority to do whatever is necessary or appropriate to enforce the election laws or prosecute violations thereof. The Attorney General shall exercise the authority granted by this section to conduct an investigation, prosecute a violation, assure the enforcement of the elections laws, and report the results of the investigation to the State Board. *See generally* § 24.2-104. [Requesting assistance for attorney for the Commonwealth: investigative committees \(virginia.gov\)](#) (last viewed Aug. 28, 2022).

³ *See generally* https://drive.google.com/file/d/1hJRTU8PYbg-4_tyrC6Ey0MAV0hZVL7w/view?usp=sharing and Audio File at: <https://drive.google.com/file/d/15E8zrolrEz7m5KWDFqlm-jnIODzdd7R/view?usp=sharing>.