

VIRGINIA FREEDOM OF INFORMATION ACT REQUEST

4/21/26

Virginia Department of Corrections Office of Law Enforcement Services

FOIA Coordinator

P.O. Box 26963

Richmond, VA 23261-6963

Re: Freedom of Information Act Request

Dear FOIA Coordinator:

Under the Virginia Freedom of Information Act, Va. Code Ann. §§ 2.2-3700 to 2.2-3714, I am requesting copies of the following records:

1. Cases Referred to Wise County Commonwealth's Attorney (June 1, 2020 - Present)

All records identifying cases investigated by the Virginia Department of Corrections Office of Law Enforcement Services involving officer-involved incidents at Virginia correctional facilities that were referred to the Wise County Commonwealth's Attorney's office for prosecutorial consideration from June 1, 2020, through the present date, including but not limited to:

- a. The total number of such cases referred;
- b. The name of each correctional facility where the incident occurred;
- c. The date each case was referred;
- d. A brief description of the nature of each incident;
- e. Whether the case involved a correctional officer, staff member, or other VADOC employee;

2. Aubrey McKay Case - Wallens Ridge State Prison

All records related to the death of inmate Aubrey McKay at Wallens Ridge State Prison in June 2025, including but not limited to:

- a. The complete investigative file from the VADOC Office of Law Enforcement Services;
- b. Records identifying which person, office, or entity requested that the Virginia State Police investigate this case rather than VADOC conducting the investigation internally;
- c. All correspondence between VADOC Deputy Director of Professional Standards Carl Beckett and the Wise County Commonwealth's Attorney Brett Hall with any of the key words McKay, indict, prosecute and video between June 4, 2025, and April 1, 2026.
- d. Any recommendations made by VADOC Office of Law Enforcement Services to the Wise County Commonwealth's Attorney regarding prosecution in the McKay case.

3. Virginia State Police Referrals vs. Internal Investigations

Statistical data and records showing, for the period June 1, 2020 through present:

- a. The total number of officer-involved incidents investigated by the VADOC Office of Law Enforcement Services;
- b. The number and percentage of those cases that were referred to the Virginia State Police for investigation;
- c. The number and percentage of those cases that were investigated internally by VADOC;
- d. The criteria or policy used to determine whether a case is referred to VSP or investigated internally by VADOC.

I am kindly requesting these records in electronic format. If certain portions of the requested records are exempt from disclosure, please provide me with all non-exempt portions.

As a journalist working on a matter of public interest concerning government accountability and public safety in Virginia's correctional system, I request that you waive any fees associated with this request. The death of Aubrey McKay at Wallens Ridge State Prison and the patterns of prosecution of officer-involved incidents at Virginia correctional facilities are matters of significant public concern. The information sought will contribute to public understanding of how cases of alleged misconduct by correctional officers are investigated and prosecuted.

If my request is denied in whole or in part, I ask that you justify all deletions by reference to specific exemptions of the VFOIA. I kindly expect a response within five working days as required by Va. Code Ann. § 2.2-3704(B).

Thank you for your assistance.

Sincerely,

Laura French

Investigative Reporter

WTVR-TV

Lfrench@wtvr.com

804-393-1455