

VIRGINIA FREEDOM OF INFORMATION ACT REQUEST

April 21, 2026

Wise County Commonwealth's Attorney's Office
206 East Main Street, Suite 123
Wise, VA 24293
Commonwealth's Attorney Brett Hall

RE: Request for Public Records under the Virginia Freedom of Information Act, Va.

Code § 2.2-3700 et seq.

Dear Commonwealth's Attorney Hall:

Under the Virginia Freedom of Information Act, Va. Code § 2.2-3700 et seq., I am requesting copies of the following public records:

1. Prosecution Records - VADOC Referrals (2016-Present)

All records showing prosecution outcomes of cases referred by the Virginia Department of Corrections Office of Law Enforcement Services and/or the VADOC Inspector General's office to the Wise County Commonwealth's Attorney's office from January 1, 2016, to present, including but not limited to:

- a. The total number of cases referred during the tenure of Commonwealth's Attorney C.H. "Chuck" Slemp (2016-2022);
- b. The total number of cases referred during the tenure of Commonwealth's Attorney Brett Hall (2022-present);
- c. The number of indictments issued for cases referred during each prosecutor's tenure;
- d. The number of cases declined for prosecution during each prosecutor's tenure;
- e. Case disposition records showing outcomes (convictions, dismissals, plea agreements, etc.) for all referred cases;
- f. Any statistical summaries, reports, or databases tracking VADOC-referred cases and their outcomes.

2. Records Related to Aubrey McKay Death Investigation

All records related to the death of Aubrey McKay at Wallen's Ridge State Prison on June 4, 2025, including but not limited to:

- a. Any criminal referrals received from VADOC Office of Law Enforcement Services or the VADOC Inspector General's office;
- b. Any investigative reports, witness statements, or evidence received from VADOC;
- c. Any prosecutorial decision memoranda or declination letters;
- d. Any correspondence with VADOC officials regarding potential prosecution;
- e. Any records of grand jury proceedings or presentations (to the extent permitted by law).

3. Communications with VADOC administration

All email, [including attachments) and text message communications between Commonwealth's Attorney Brett Hall (and any assistant commonwealth's attorneys) and former VADOC Chief of Corrections Operations David A. Robinson, and Deputy Director for Professional Standards Carl Beckett containing the keywords "McKay" and or "Aubrey" from June 4, 2025, to present.

Fee Waiver Request:

I request a waiver of all fees associated with this request pursuant to Va. Code § 2.2-3704(F), as the records are being requested for a noncommercial purpose, and the release of the information is in public interest.

Statutory Timeline:

Under Va. Code § 2.23704(B), you have five working days to respond to this request. If you need additional time, please provide a written explanation as required by the statute.

Partial Release:

If any portions of the requested records are exempt from disclosure, I request that you provide all nonexempt portions with redactions clearly marked and cited to the specific statutory exemption.

Thank you for your attention to this matter. Please contact me if you have any questions about this request.

Sincerely,

Laura French
Investigative Reporter
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