

May 14, 2024

Michele Howell
FOIA Officer, University Public Affairs
Virginia Commonwealth University
Box 842041
Richmond, VA 23284-2041
FOIAVCU@vcu.edu

BY ELECTRONIC MAIL

RE: FOIA Request, VCU's Response to Gaza-related Protests



P.O. Box 26464
Richmond, VA 23261
(804) 644-8022
acluva.org

Dear FOIA Officer Howell:

The American Civil Liberties Union Foundation of Virginia (“ACLU of Virginia”), through the undersigned citizen of Virginia, makes this request for records regarding the recent protests (hereinafter referred to as “Gaza-related protests”) from Virginia Commonwealth University (“VCU”). This request is pursuant to the Virginia Freedom of Information Act (“VFOIA”), Va. Code Ann. § 2.2-3700, et seq.

Specifically, we request the following records from March 1, 2024 to the date this request is processed:

1. All communications between VCU administration (including but not limited to the Office of the President, Cabinet, and the Board of Visitors) and the Office of Governor Glenn Youngkin concerning the Gaza-related protests.
2. All communications between VCU administration (including but not limited to the Office of the President, Cabinet, and the Board of Visitors) and the Virginia Attorney General’s Office concerning the Gaza-related protests.
3. All communications between VCU administration (including but not limited to the Office of the President, Cabinet, and the Board of Visitors) and the Richmond Police Department concerning the Gaza-related protests.
4. All communications between VCU administration (including but not limited to the Office of the President, Cabinet, and the Board of Visitors) and the Virginia State Police concerning the Gaza-related protests.



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5. All communications between VCU administration (including but not limited to the Office of the President, Cabinet, and the Board of Visitors) and the VCU Police Department concerning the Gaza-related protests.
6. All communications between the VCU Police Department and the Richmond Police Department concerning the Gaza-related protests.
7. All communications between the VCU Police Department and the Virginia State Police concerning the Gaza-related protests.
8. All records (including directives, agreements, communications, memoranda, and notes) relating to VCU's "Reservation and Use of Space" policy, and any changes made to the policy or administrative directives issued pursuant to the policy in response to the Gaza-related protests.
9. All records (including directives, agreements, communications, memoranda, and notes) relating to any VCU policy that was enforced by police or university officials in response to the Gaza-related protests.
10. All records (including directives, agreements, contracts, communications, memoranda, and notes) relating to the proposal, approval, or authorization to deploy police (VCU Police, Richmond Police Department, and/or Virginia State Police) in response to the Gaza-related protests.
11. All records (including directives, agreements, contracts, communications, memoranda, and notes) relating to the proposal, approval, or authorization to permit the deployment of chemical irritants, such as tear gas or pepper spray, and/or the use of automatic or semi-automatic firearms in response to the Gaza-related protests.
12. All records (including communications, memoranda, and notes) memorializing the use of chemical irritants in response to the Gaza-related protests.
13. Records sufficient to identify the total amount of funds expended by VCU on the police response (VCU Police, Richmond Police Department, and/or Virginia State Police) to the Gaza-related protests.
14. All records (including directives, communications, memoranda, and notes) relating to disciplinary action proposed or taken against students involved in the Gaza-related protests. We do not seek personal identifying information, such as student names or social security numbers. We do expect, however, the release of all segregable portions of otherwise exempt materials, as required by Va. Code Ann. § 2.2-3700.

Please search for responsive records regardless of format, medium, or physical characteristics. We seek records of any kind, including paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical material. Our request includes without limitation all correspondence, letters, emails, text messages, facsimiles, telephone messages, voice mail messages, and transcripts, notes, or minutes of any meetings, telephone conversations, or discussions. Our request also includes any attachments to emails and other records, as well as emails to which the subjects of this request were cc'ed or bcc'ed.

Please exclude records consisting solely of news articles, press clippings, and other publicly available material, if the records include no accompanying discussion by government officials.

If it is your position that any portion of the requested records is exempt from disclosure, please provide with reasonable particularity the volume and subject matter of the withheld records, and cite, as to each category of withheld records, the specific Code section that authorizes the withholding. If some portions of the requested records are properly exempt from disclosure, please redact those portions and produce the remainder of the requested records.

Please provide the requested records or respond as required by state law (§ 2.2-3704B) within 5 days from your receipt of this letter. Our preferred form for public records is digital (.ppt, .docx, or .pdf files) sent as email attachments to mgolski@acluva.org. If records are only available in paper form or any other physical medium, please mail them to Attn: Molly Golski, ACLU of Virginia, P.O. Box 26464, Richmond, VA 23261 or advise of a manner in which I may retrieve them.

Should transcription to a digital medium or any other activities required for retrieval and transmission of the requested records incur a cost more than \$100, please provide me with an estimate before processing this request per §2.2-2704F of the Code of Virginia. However, I would also like to request a waiver of all fees. I am a paralegal with the ACLU of Virginia, a non-profit civil rights organization, and I attest that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of government activities. This information is not being sought for commercial purposes.

In the estimate of costs, please separate any cost for accessing or searching for the records from the cost of duplication so I may decide whether to exercise my right to inspect the records during normal business hours before asking to have any records duplicated.



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Thank you for your prompt attention to this matter. Should you have any questions, please do not hesitate to contact me at (804) 494-8149 or mgolski@acluva.org.

Sincerely,



Molly Golski
Paralegal
ACLU of Virginia



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