

**Kevin Smith, Member, Gloucester County Board of Supervisors  
7924 Stokes Drive, Hayes, Virginia 23072**

September 27, 2021

The Honorable Kristin Clarke  
Assistant Attorney General  
Civil Rights Division  
United States Department of Justice  
950 Pennsylvania Avenue, NW, Room 1145  
Washington, D.C. 20530

Dear Ms. Clarke,

I am writing to request an investigation by the United States Department of Justice concerning an allegation of election fraud brought against me during my campaign for the Gloucester County Board of Supervisors in Virginia. Following a thorough investigation by law enforcement, the prosecuting attorney concluded there was “no evidence” that I had committed a crime.

The damaging allegation brought against me, and found to be without evidence, was in my opinion, an effort to suppress votes for my candidacy, possibly remove me as a candidate in the election, and involves interference with the rights of voters to participate in the electoral process.

I am enclosing a complete copy of the investigation report provided by the Virginia Beach Commonwealth’s Attorney’s Office, other important documents and photographs, and a summary of facts and statement by me.

I respectfully request that your office investigate whether violations of the following federal laws and provisions of the U.S. Constitution occurred:

1. Section 2 and Section 12(d) of the Voting Rights Act, 52 U.S.C. §§ 10301 and 10308(d). Section 2 of the Voting Rights Act prohibits enforcement of any voting qualification, prerequisite to voting, standard, practice, or procedure that results in the denial or abridgment of the right to vote on account of race, color, or language minority status or affects the right to register, vote, and to participate meaningfully in the democratic process.

2. 42 U.S. Code § 1985 - Conspiracy to interfere with civil rights: prohibits two or more persons from conspiring to use force, threats, or intimidation to deprive a person or persons from exercising their constitutional rights to vote or meaningfully participate in the electoral process.
3. Due Process and the Equal Protection of the Laws under the 14<sup>th</sup> Amendment of the U.S. Constitution. Prohibition of the denial of rights due to a voter's race or color under the 15<sup>th</sup> Amendment of the U.S. Constitution.

The damaging allegation brought against me undermines our most basic rights as Americans – the right to run for office, to participate in the election process, and to vote with a choice of candidates.

I thank you for your thorough review of these materials and respectfully request an investigation by the United States Department of Justice.

Sincerely,

Kevin M. Smith