

VA FOIA, FOIA, PA, & evidence preservation demand

On 24 January 2014, I was heading for AirTran flight 108 (boarding time 16:34 Eastern) from RIC to ATL. I was at the Transportation Security Agency ("TSA") checkpoint from approximately 14:30 to 15:30.

During my screening at that checkpoint, TSA and its agents violated TSA policy and clearly established law regarding medical liquids, disability, and video recording. Furthermore, RIC PD and its agents acting under color of law, apparently at TSA request, attempted to stop my disability companion from recording the checkpoint and my screening.

This letter is a formal Virginia Freedom of Information Act (VA FOIA, VA Code § 2.2-3700 *et seq*), Freedom of Information Act (FOIA, 5 USC §552), Privacy Act (PA, 5 USC §552a), and evidence preservation demand, requiring you to:

1. Promptly provide me with a digital copy of *all* Related Material
2. Preserve *all* Related Material, held by all Relevant Parties,
3. Inform *all* Relevant Parties of their legal obligation to do the same, regardless of whether or not you deem them responsive, releasable, private, confidential, SSI, or otherwise relevant

As used in this document, "Relevant Parties", "you" and "your" refers, jointly and severally, to:

- Capital Region Airport Commission and Richmond International Airport, in particular including its CCTV, radio, and other communications or surveillance operations and storage personnel,
- Transportation Security Agency, including both its national and RIC branches,
- TSA LTSO Christopher Luedecker, #890446,
- TSA TSM Robert Young, #890104,
- Richmond International Airport Police Department,
- Jane and John Doe, two RIC PD officers who arrived at the checkpoint to stop my companion from videotaping,
- all other RIC, RIC PD, and/or TSA personnel involved in, witness to, or contacted in relation to any of the above incidents,
- any person contacted in relation to this request,
- any person who has the ability to preserve or destroy any Related Material,

as well as all their predecessors, successors, corporate parents, subsidiaries, divisions or affiliates, and their respective officers, directors, agents, attorneys, accountants, employees, partners, supervisors, or other persons occupying similar positions or performing similar functions.

Related Material includes, but is not limited to:

- *all* recordings (including CCTV, radio, etc) at RIC on 24 January 2014 which covers myself, my companion, or any of the TSA or RIC PD agents with whom we interacted,
- *all* documents, such as TSA Incident Reports, police reports, RIC PD or TSA radio traffic recording, notes, correspondence, communications, etc., relating to the above events,
- the identities of all TSA officers involved, and their contacts for service of process (in both personal and official capacities),
- the identities of all RIC PD officers involved, and their contacts for service of process (in both personal and official capacities),
- *all* records of complaints against the two named TSA agents and the two unknown RIC PD officers,
- *all* documents relating to complaints against, or action taken by, any RIC TSA or RIC PD agent related to disability, medical liquids, or checkpoint recording,
- *all* records related to me or my companion held by any Relevant Parties, and
- *all* documents and communication related to responding to this request.

I am willing to pay up to \$20 in servicing this request, provided that a detailed listing of the exact costs and their statutory justification is provided. I may be willing to pay more money if it is necessary; please send a detailed explanation of the costs and their statutory justification, and service the maximum extent of the request that can be done for \$20.

I demand that this request be serviced electronically to the maximum extent possible — e.g. scans of documents rather than paper copies, AVI or MOV video rather than physical tapes, (S)FTP file transfer rather than CD, etc. I would be happy to provide assistance with this if necessary (e.g. by setting up an FTP site to which files can be uploaded).

If you believe some portion of a requested record is exempt, the law requires that you redact it to the minimum extent necessary to the exempt portion, justify the redaction, and provide all remaining non-exempt portions of the record.

If you deem any part of this request nonserviceable, you must state the exact statutory reason for your refusal to provide the records requested. Please note that I intend to appeal any such denial, and your duty to preserve all materials requested extends until all possible administrative and judicial relief on my part is exhausted.

Please include a *Vaughn* index of all withheld documents.

This request is simultaneously a VA FOIA request, personal FOIA request, PA request for materials that concern me and my ADA companion, and an evidence preservation demand for materials that are relevant to future litigation.

This is a qualified request for journalistic, public interest purposes, entitling me to reduced fees

and expedited processing. I intend to disseminate the results publicly, as they concern matters of national interest regarding violation of state and federal law by agents of the RIC TSA and RIC PD, as well as a widespread pattern and practice of TSA misconduct.

This request is urgent, due to the possibility of your routine destruction of any of the materials requested and my immediate journalistic need to disseminate some of the responsive materials to the public. As such, I request expedited processing.

Please note that the VA FOIA, FOIA, and Privacy Act all have very strict response time requirements, with which you must comply.

Please note that because you may be named as a defendant or witness in future litigation related to the events above, you have a legal duty to preserve *all* related documents (*and* to notify any other person who may affect their preservation). Failure to do so may be used against you in court. This includes paper, electronic, and *all* other records.

Please send *all* responses to this request, including any service of process or responsive documents, via email to tsa@saizai.com.

I was born on [REDACTED]. Per 28 USC § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. *(NOTE: The first sentence of this paragraph **must** be redacted in any public disclosure or court filing of this document.)*

Executed on 2 February 2014,

Sincerely,
Sai

Phone: +1 510 394 4724

Email: tsa@saizai.com

Physical mail: PO Box 401159, San Francisco, CA 94110