

February 10, 2023

R. Joseph Rothrock  
Section Chief  
Public Corruption and Civil Rights  
Federal Bureau of Investigation

Dear Mr. Rothrock,

In your letter declining to investigate the potential multistate, criminal conspiracy to unlawfully acquire and share voting system software, dated January 18, 2023, and forwarded by email February 8, 2023, you stated:

“Though the FBI may provide investigative support to state and local authorities, a formal request for assistance must be made through an investigating authority. Should the local authorities make such a request, the FBI will assist as deemed appropriate.”

We are writing because the statements in your letter appear to ignore several key facts underpinning our original request to the Bureau sent on December 12, 2022.<sup>1</sup>

First, more than four months ago, a local investigating authority, the Georgia State Elections Board (SEB) publicly announced that it *has requested assistance from the FBI*. At a September 2022 meeting of the SEB, the SEB chair, Judge William S. Duffey stated:

*“The investigation is currently being conducted for the Board by the investigations of the division of the Georgia Bureau of Investigation with help from investigators in the Secretary of State's Office assigned to the Board. Because the conduct in Coffee County paralleled conduct in other states, we requested the Federal Bureau of Investigations Office in the Southern District of Georgia to participate in the investigation. Because the request involves an election, it has to be processed through channels that probably ultimately decided (inaudible) justice in Washington, D.C.”<sup>2</sup>*

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<sup>1</sup> Available at: [https://freespeechforpeople.org/wp-content/uploads/2022/12/doj.fbi\\_dhs\\_coffee.ga\\_12.12.2022.pdf](https://freespeechforpeople.org/wp-content/uploads/2022/12/doj.fbi_dhs_coffee.ga_12.12.2022.pdf)

<sup>2</sup> Transcript available at: [https://sos.ga.gov/sites/default/files/forms/2022%20Transcripts\\_3.pdf](https://sos.ga.gov/sites/default/files/forms/2022%20Transcripts_3.pdf) page 527-528.

Furthermore, our letter does not request the FBI provide “assistance” or “investigative support” to the local law enforcement; it explicitly cites evidence, gathered through discovery in a civil lawsuit, of a possible multistate criminal conspiracy (also alluded to by Chair Duffey) that could constitute federal crimes. Coordinated conspiracies that span multiple states are plainly out of the scope of state and local law enforcement and necessitate a separate federal investigation.

In addition, the FBI has explicit authority to investigate cyber crime<sup>3</sup> and public corruption<sup>4</sup>, both of which appear to be implicated by the evidence gathered through the civil lawsuit. As detailed in our letter, documents and testimony indicate that Sidney Powell hired operatives to unlawfully access, copy, and distribute voting system software in Michigan and Georgia. The software was then uploaded to a sharefile site and distributed to an unknown number of individuals and entities in various states. Because this plot was orchestrated by individuals currently under investigation for their attempts to overturn the 2020 presidential election, it is possible that the coordinated effort to obtain voting system software was also part of an ongoing conspiracy to overturn elections. This calls for a vigorous and swift investigation by the Federal Bureau of Investigation.

Therefore, we respectfully request you re-review the request made by the SEB, and the extensive information outlined in our letter and promptly initiate an investigation, as requested by the Georgia SEB.

If we can answer any questions or provide additional information, please feel free to contact us.

Sincerely,

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<sup>3</sup> <https://www.fbi.gov/investigate/cyber>

<sup>4</sup> <https://www.fbi.gov/investigate/public-corruption>