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April 11, 2018

Denny Rhodes, Director
West Virginia Legislative Auditor's Office
Post Audit Division
1900 Kanawha Boulevard, East
Room W-329
Charleston, West Virginia 25305-0610

Dear Mr. Rhodes:

Justice Davis received your letter dated April 5, 2018, via hand delivery on Monday, April 9, 2018. She has reviewed the reservation list compiled by your office and is providing the requested information to the extent she can.

Due to the age of the entries on your list, Justice Davis independently recalls very few of them. However, she was able to obtain a copy of Arthur Angus' personal calendar for the relevant period and with the aid of those calendars she is able to provide the missing designations and purposes for most of the trips. Justice Davis has no personal or office calendars to assist her in this review.

We have prepared a chart to supply the missing information from your reservation list to the extent we have it. Have included the information from your chart for the relevant entries and anything we have added or corrected is highlighted in yellow. You should know that on some of the entries where you have indicated that the car was reserved for trips, Mr. Angus' calendar reflects no Court trip with Justice Davis on those dates. Because of this, Justice Davis believes the car was reserved but not used by Justice Davis on those dates, and has included a designation of "Do not believe car was used" on the chart. A copy of Justice Davis' reservation chart is attached hereto as Exhibit 1.

Mr. Angus and Mr. Gundy are two of the Court Security Officers for the entire Court. One part of their job duties is to drive the justices to Court functions. That has been the pattern and practice for many years.

Over the years, the Court has been exposed to disgruntled litigants and others who write threatening letters and make threatening and harassing phone calls. Some of these individuals have even shown up at the Administrative Office and Supreme Court Clerk's Office which appearances have necessitated Court Security escorting them from the Supreme Court Offices.

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Justice Davis has, in the past, been threatened to the point some threats have been considered as death threats. This is another reason she was driven by Mr. Angus.

While at the capitol complex, the justices are physically protected by Mr. Angus and Mr. Gundy who maintain offices both inside and outside the Justices' Chambers. The Justices' Chambers are also secured by a security code key pad. Additionally, the chamber door is reinforced with level three Kevlar ballistic material.

Finally, the Court Security Officers maintain security research which clearly explains the need for justices', or an individual justice's, security when traveling. See Exhibit 2 titled: Murdered Justice: An Exploratory Study of Targeted Attacks on the Justice Community.

Should you have any further questions, please do not hesitate to contact me.

Sincerely,



James M. Cole

JMC:mjp

Enclosures

RESERVATION CHART

EXHIBIT 1

| Destination | Reservation | Beginning Date | Ending Date | Purpose |
|---|--------------|----------------|-------------|--|
| Stonewall | Davis/Arthur | 9/14/11 | 9/14/11 | Specific purpose of trip not listed on calendar. |
| Charleston | Davis/Arthur | 9/20/11 | 9/20/11 | Do not believe car was used. |
| Morgantown | Davis/Arthur | 10/4/11 | 10/4/11 | Speaking Engagement at Lakeview |
| Clarksburg Village Senior Conference Ctr. | Davis/Arthur | 10/17/11 | 10/17/11 | Specific purpose of trip not listed on calendar. |
| Beckley | Davis/Arthur | 10/25/11 | 10/25/11 | Do not believe car was used. |
| Princeton | Davis/Arthur | 11/10/11 | 11/10/11 | Board of Education Truancy Meeting |
| Charleston | Davis/Arthur | 1/26/12 | 1/26/12 | Prosecuting Attorney Conference |
| Charleston | Davis/Arthur | 2/10/12 | 2/10/12 | Do not believe car was used. |
| Boone/Lincoln/ Putnam | Davis/Arthur | 2/22/12 | 2/22/12 | Met with Judge Thompson; looked at New Family Court Facility. In Hamlin looked at Methodist Church for potential Court Annex; Met with Putnam Co. Judges |

RESERVATION CHART

EXHIBIT 1

| | | | | |
|--|--------------|---------|---------|--|
| Mercer/ Wyoming/ McDowell | Davis/Arthur | 2/28/12 | 2/28/12 | Security Audit and Met with Judges |
| Spencer/Clay/ Fayetteville | Davis/Arthur | 3/15/12 | 3/16/12 | Security Audit and met with Judge Alsop. Security Audit and met with Judge Hatcher. |
| Pocahontas/ Greenbrier | Davis/Arthur | 3/28/12 | 3/28/12 | Security Audit and Meetings |
| Jackson County | Davis/Arthur | 4/9/12 | 4/9/12 | Met with Sheriff Bright; Security Audit and Truancy follow up |
| Taylor/Barbour/ Monroe & Summers Counties | Davis/Arthur | 4/12/12 | 4/13/12 | Security Audit and Truancy follow up meeting with Judge Moats. Security Audit and Truancy follow up meeting with Judge Irons. |
| Greenbrier | Davis/Arthur | 5/4/12 | 5/4/12 | Justice McHugh and Justice Davis spoke at the Greenbrier |
| Jackson County | Davis/Arthur | 5/29/12 | 5/29/12 | Specific purpose of trip not listed on calendar. |

RESERVATION CHART

EXHIBIT 1

| | | | | |
|--|--------------|----------|----------|--|
| Destination should be New Martinsville, Wetzel Co., Tyler Co., Pleasants Co. Wood County | Davis/Arthur | 6/22/12 | 6/22/12 | Security Audits |
| Bridgeport | Davis/Arthur | 7/24/12 | 7/24/12 | AARP - Do not believe car was used. |
| Morgantown | Davis/Arthur | 8/4/12 | 8/4/12 | Specific purpose of trip not listed on calendar. |
| Destination should be Morgantown Princeton | Davis/Arthur | 8/13/12 | 8/14/12 | Circuit Clerk Conference in Morgantown Waterfront Do not believe car was used on 8/14/12 |
| | Davis/Arthur | 8/21/12 | 8/24/12 | Do not believe car was used. |
| Greenbrier County | Davis/Arthur | 8/29/12 | 8/29/12 | Do not believe car was used. |
| Webster Springs | Davis/Arthur | 9/7/12 | 9/7/12 | Security Audits |
| Snowshoe | Davis/Arthur | 9/16/12 | 9/16/12 | Specific purpose of trip not listed on calendar. |
| Elkins | Davis/Arthur | 9/25/12 | 9/25/12 | Do not believe car was used. |
| Buckhannon/ Morgantown | Davis/Arthur | 10/9/12 | 10/9/12 | Spoke at Rotary Club and met with Newspaper |
| Oglebay/ Wheeling | Davis/Arthur | 10/16/12 | 10/16/12 | Do not believe car was used. |

RESERVATION CHART

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| | | | | |
|---------------------------------------|-----------------------|----------|----------|--|
| Princeton | Davis/Arthur | 10/18/12 | 10/18/12 | Do not believe car was used. |
| Huntington | Davis/Arthur | 10/24/12 | 10/24/12 | Specific purpose of trip not listed on calendar. |
| Logan | Ketchum/Davis /Arthur | 11/1/12 | 11/1/12 | Court Business |
| Wheeling Ohio County Courthouse | Davis/Arthur | 4/25/13 | 4/25/13 | Specific purpose of trip not listed on calendar. |
| Clay | Davis/Arthur | 1/17/14 | 1/17/14 | Specific purpose of trip not listed on calendar. |
| Boone | Davis/Arthur | 4/7/14 | 4/7/14 | LAWS program at courthouse |
| The Greenbrier | Davis/Arthur | 7/17/14 | 7/24/14 | CCJ/COSCA Conf. 7/20-7/22/2014* travel shows personal vehicle used. (See attached Exxon Mobil Statement) Scott Segal drove Robin Jean Davis. RJD returned to Charleston, WV with Pat Tillery. |

RESERVATION CHART

EXHIBIT 1

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|--|-------------------------|----------|----------|--|
| The Greenbrier Courtroom #4 Kanawha County | Davis/Arthur | 9/22/14 | 9/25/14 | Plantz Hearing. Justice Davis did not attend the Plantz hearing. Arthur Angus transported Circuit Judges Wilkes, Miller and Sweeney to Courtroom #4 in Kanawha County. |
| Chapmanville Funeral Home, Teays Valley | Davis/Arthur | 12/17/14 | 12/17/14 | Funeral of Judge Spaulding |
| | Davis/Arthur | 9/14/15 | 9/14/15 | Do not believe car was used. |
| Cross Lanes Christian School | Davis/Arthur | 11/9/15 | 11/9/15 | School Function/ Judging |
| Monroe Co. | Ellis/Davis/ Lori P. | 1/19/18 | 1/19/18 | Robin Jean Davis was not on this trip. Reservation under the name Lori Paletta- Davis and Kim Ellis |