

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

1. **Name**: State full name (include any former names used).

Matthew Lee Harvey (Matt Harvey)

2. **Position**: State the position for which you have been nominated.

United States Attorney, Northern District of West Virginia, U.S. Department of Justice

3. **Address**: List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

Office:

Jefferson County Prosecuting Attorney
120 South George Street
Charles Town, WV 25414

Residence:

Shepherdstown, WV

4. **Birthplace**: State date and place of birth.

1977; Pearisburg, Virginia

5. **Education**: List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

Appalachian School of Law, 2001-2004
J.D.-June 2004

Bluefield State University, 1998-2001
B.S. Business Administration-June 2001

Concord University, 1995-1998
No degree awarded

6. **Employment Record**: List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have

been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

October 2022-Present
Thursday Morning Talk Show Co-Host (Unpaid)
WRNR TV 10
1762 Eagle School Road
Martinsburg, WV 25404

January 2017-Present
Prosecuting Attorney
Jefferson County Prosecuting Attorney's Office
120 South George Street
Charles Town, WV 25414

August 2010-December 2017
Attorney
Taylor & Harvey, Attorneys at Law
134 West Burke Street
Martinsburg, WV 25401

August 2009-August 2010
Assistant Prosecuting Attorney
Kanawha County Prosecuting Attorney's Office
301 Virginia Street East
Charleston, WV 25301

May 2005-August 2009
Assistant Prosecuting Attorney
Berkeley County Prosecuting Attorney's Office
380 West South Street
Martinsburg, WV 25401

August 2006-May 2009
Adjunct Professor
Mountain State University
214 South Viking Way
Martinsburg, WV 25401

October 2004-May 2005
Associate Attorney
Brewster Morhous
418 Bland Street
Bluefield, WV 24701

Summer 2002-2003
Legal Intern
Monroe County Prosecuting Attorney's Office
55 Nota Street
Union, WV 24983

June 2001-August 2001
Laborer
Industrial Flooring
33 Island View Drive
Peterstown, WV 24963

7. **Military Service and Draft Status:** Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

I have not served in the U.S. military. I have registered for selective service.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

Richard Shelton Lighthouse Award, West Virginia Association of Counties (2025)

United States Patriot Award (2024)

Who's Who: American Law Students (2001)

Merit Scholarship Award (2001) Appalachian School of Law

National Dean's List (2000) Bluefield State University

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

Young Lawyers Section President 2016-2017
Young Lawyers Section, Board of Directors, 2011-2017

Bar and Court Admission:

- a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

West Virginia, January 2005

There have been no lapses in membership.

- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

United States District Court for the Northern District of West Virginia, (October 2011)

United States District Court for the Southern District of West Virginia, (January 2005)

All state courts in West Virginia (January 2005)

There have been no lapses in membership.

10. Memberships:

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

West Virginia First Foundation (2023-Present)

Chair of Board (2023-Present)

Jefferson County Community Corrections (2017-Present)

Vice-President (2024-Present)

Jefferson County Teen Court (2017-Present)

National District Attorney's Association (2017-Present)

Jefferson County Chamber of Commerce (2017-Present)

Jefferson County Farm Bureau (2017-Present)

West Virginia Association of Counties (2017-2024)

President (2022-2023)

Charles Town Rotary (2017-2020)

Boys and Girls Club of the Eastern Panhandle (2012-2016)

Eastern Panhandle Business Association (2011-2016)

I have made financial contributions to charitable organizations over the years. Some of these organizations may consider me a member by virtue of my financial contributions even though I did not otherwise participate in organization activities.

- b. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion

or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

To my knowledge, none of these organizations discriminates or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies.

11. Published Writings and Public Statements:

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

I have done my best to identify all books, articles, letters to the editor, editorial pieces and other published material, including through a review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials that I have been unable to identify, find, or remember. I have located the following:

An Update from Chairman Matthew Harvey, *Milestones Achieved: WVFF's Transformative Start*, Press Release, January 28, 2025. Copy supplied.

The County Line, *The President's View*, May 2023. Copy supplied.

The County Line, *The President's View*, March 2023. Copy supplied.

The County Line, *The President's View*, February 2023. Copy supplied.

The County Line, *The President's View*, November 2022. Copy supplied.

The County Line, *The President's View*, July 2022. Copy supplied.

Open letter regarding Opioid Epidemic, March 16, 2017. Copy supplied.

Report from the Chairperson of the Young Lawyers Section, *Future of Law...Coming Soon*, The West Virginia Lawyer, January-March 2017. Copy supplied

Report from the Chairperson of the Young Lawyers Section, *Take Time for Yourself*, The West Virginia Lawyer, October-December 2016. Copy supplied.

Report from the Chairperson of the Young Lawyers Section, *Finding Clay*, The West Virginia Lawyer, July-September 2016. Copy supplied.

Report from the Chairperson of the Young Lawyers Section, *Building Bridges for a Better Future*, The West Virginia Lawyer, April-June 2016. Copy supplied.

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

I have done my best to identify all reports, memoranda or policy statements I have prepared or contributed to, including through a review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials that I have been unable to identify, find, or remember. I have located the following:

The Opioid Epidemic; A State and Local Prosecutor Response, National District Attorney's Association (October 2018). Copy supplied.

- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

I have done my best to identify any testimony, official statements, or other communications related, in whole or part, to matters of public policy or legal interpretation, including through a review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials that I have been unable to identify, find, or remember. I have located the following:

Letter to Jefferson County Legislators, *Legislative priorities of the Jefferson County Prosecuting Attorney's Office*, January 31, 2025. Copy supplied.

Testimony to the West Virginia Senate Judiciary Committee on increasing the penalties for Negligent Homicide. I have no notes, transcript, or recording of these remarks. The address is 208 West, Building 1, State Capitol Complex, Charleston, WV 25305. February 23, 2023.

Testimony to the West Virginia Senate Judiciary Committee on increasing the penalties for Negligent Homicide. I have no notes, transcript, or recording of these remarks. The address is 208 West, Building 1, State Capitol Complex, Charleston, WV 25305. February 17, 2022.

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

I have done my best to identify any transcripts or recordings of all speeches or talks delivered, including through a review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials that I have been unable to identify, find, or remember. I have located the following:

March 20, 2025

West Virginia First Foundation (WVFF) awardee celebration

Days Inn and Suites

350 Days Drive

Sutton, WV 26601

As Chair of WVFF I was the emcee of an event to honor grant award recipients and to highlight the progress of the foundation. Prepared remarks supplied.

November 15, 2024

Senator Capito Opioid Summit

West Virginia State Police Academy

135 Academy Drive

Dunbar, WV 25064

I participated in a panel discussion, hosted by Senator Capito, about Research and Prevention regarding the Opioid Epidemic. PowerPoint and press release supplied.

November 14, 2024

Stubblefield Institute for Civil Political Communications

WVU Medicine Berkeley Medical Center

2500 Hospital Drive

Martinsburg, WV 25401

I participated in a panel discussion regarding the updates and future of the West Virginia First Foundation. I did not use prepared material as it was an audience driven Q and A format. News article supplied.

February 6, 2023

West Virginia Association of Counties

Embassy Suites
300 Court Street
Charleston, WV 25301

I gave the State of the Counties keynote address per my role as President of West Virginia Association of Counties. Outline of address supplied.

February 10, 2022
James Monroe Leadership Alliance
West Virginia Capitol Building
1900 Kanawha Blvd. E. Building 9
Charleston, WV 25305

I spoke to this group from my high school while they were in Charleston, WV visiting the Capitol. I spoke generally about my office and duties without the aid of prepared notes. There was no press coverage or transcript of which I am aware.

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

I have done my best to identify all interviews given, including through a review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials that I have been unable to identify, find, or remember. I have located the following:

House Bill 2871, a public safety bill jumpstarted by County Prosecutor Harvey and spearheaded by Del. Funkhouser, passed after four years of attempts in the legislature, Spirit of Jefferson, June 13, 2025, Copy Supplied.

West Virginia First Foundation launches 'New Horizons' Committee to advance opioid crisis innovation, WVNews, May 27, 2025, Copy supplied.

Jefferson County Prosecutor announces new 'aftercare' initiative for crime victims, Spirit of Jefferson, May 24, 2025, Copy Supplied.

West Virginia First Foundation celebrates Initial Opportunity Grant awardees, WVNews, May 20, 2025, Copy supplied.

Overdose deaths in West Virginia plummeted more than 42% in 2024. Now, proposed cuts within DHHS could gut the programs responsible for that decline, Spirit of Jefferson, May 17, 2025, Copy supplied.

Gillis receives maximum sentence for 24 convictions relating to November 2023 traffic stop, Spirit of Jefferson, April 1, 2025, Copy supplied.

Jefferson County Commission approves plan after announcing the closure of JCDR, The Journal, March 21, 2025, Copy supplied.

Jefferson County Day Report Center closing, cases temporarily to move to Berkeley County, Spirit of Jefferson, March 21, 2025, Copy supplied.

Friday deadline for nonprofits to resubmit applications to West Virginia First Foundation, WVNews, January 28, 2025, Copy supplied.

WV First Foundation releases logo, tagline—but not their cost, Spirit of Jefferson, January 2, 2025, Copy supplied.

Hopeful: Opioids recovery grants are a start, The Parkersburg News and Sentinel, December 27, 2024, Copy supplied.

West Virginia First Foundation elects officers for 2025, approves initial round of grants, The Real WV, December 15, 2024, Copy supplied.

WV First Foundation board approves Initial Opportunity Grants, announces supplemental round, and elects officers for 2025, West Virginia Press, December 13, 2024, Copy supplied.

West Virginia First Foundation members talk goals and concerns for opioid settlement funds, The Journal, November 15, 2024, Copy supplied.

Community Conversation Covers Transparency and Ways Opioid Settlement Funds can Assist Communities, The Panhandle News Network, November 15, 2024, <https://panhandlenewsnetwork.com/>

[2024/11/15/community-conversation-covers-transparency-and-ways-opioid-settlement-funds-can-assist-communities/](https://panhandlenewsnetwork.com/2024/11/15/community-conversation-covers-transparency-and-ways-opioid-settlement-funds-can-assist-communities/)

Martinsburg Panel Outlines Goals For Opioid Settlement Fund Distribution, WV Public Broadcasting, November 15, 2024, Copy supplied.

First Foundation Receives Nearly 200 Applications During First Grant Cycle, WV Public Broadcasting, October 11, 2024, Copy supplied.

New foundation charged with dispersing opioid funds meets for first time, Eyewitness News WCHS 08 Fox 11, September 12, 2024, Copy supplied.

Driver faces misdemeanor charge in fatal work zone car accident, Spirit of Jefferson, September 11, 2024, Copy supplied.

Jefferson County prosecutor, 3 delegates new owners of 1861 Lincoln document, MetroNews, June 27, 2024, Copy supplied.

Jefferson County Prosecutor Talks About Ruling That Expelled Two Commissioners, Panhandle News Network, May 2, 2024, <https://panhandlenewsnetwork.com/2024/05/02/jefferson-county-prosecutor-talks-about-ruling-that-expelled-two-commissioners/>

WV First Foundation strikes out with first person identified as executive director, WKMZ 103.3 FM, February 6, 2024, Copy supplied.

WV First Foundation strikes out with first person identified as executive director, MetroNews, February 2, 2024, Copy supplied.

Harvey leading new opioid disbursement foundation, Spirit of Jefferson, November 29, 2023, Copy supplied.

Petition to remove 2 Jefferson County commissioners from office advances, MetroNews, November 29, 2023, Copy supplied.

West Virginia First Foundation still working on public transparency policy, WVPA, November 28, 2023, Copy supplied.

Gibson-Learn pleads 'no contest' for running bus stoplight, Spirit of Jefferson, November 15, 2023, Copy supplied.

Prosecutor Tries to Remove Two Republicans From Office, Newsweek, November 14, 2023, Copy supplied.

Jefferson Co. prosecutor files petition to remove sitting county commissioners, The Journal, November 13, 2023, Copy supplied.

WV First Foundation begins the long, hard struggle to combat the state's opioid crisis, MetroNews, November 9, 2023, Copy supplied.

West Virginia First Foundation Holds Initial Meeting, The Intelligencer, November 7, 2023, Copy supplied.

West Virginia First Foundation board chair outlines priorities following first meeting this week, MetroNews, November 7, 2023, Copy supplied.

West Virginia First Foundation holds first organizational meeting to distribute opioids settlement, The Parkersburg News and Sentinel, November 7, 2023, Copy supplied.

Foundation to distribute opioid settlement funds has first meeting, West Virginia Record, November 6, 2023, Copy supplied.

No-quorum commission impacting county business, Spirit of Jefferson, October 25, 2023, Copy supplied.

'Butterfly Boy' pleads guilty to a false-reporting misdemeanor, Spirit of Jefferson, October 18, 2023, Copy supplied.

Harvey Says Appointment to West Virginia First Foundation Comes with Responsibility, The Panhandle News Network, August 29, 2023, Copy supplied.

Harvey says appointment to West Virginia First Foundation comes with responsibility, MetroNews, August 29, 2023, Copy supplied.

After 5 months, police chief, prosecutor won't yet identify dead killer, Spirit of Jefferson, August 9, 2023, Copy supplied.

COUNTY COMMISSION: Two rezonings approved for Franklinton, Kearneysville areas, Spirit of Jefferson, May 10, 2023, Copy supplied.

Charges upgraded in child abuse death of 36-day-old Infant in Jefferson County, MetroNews, March 1, 2023, Copy supplied.

The Right On Crime Podcast: Separating Innovative Prosecutors From Prosecutors Who Erode The Rule Of Law, Right on Crime, January 27, 2023, <https://rightoncrime.com/the-right-on-crime-podcast-separating-innovative-prosecutors-from-prosecutors-who-erode-the-rule-of-law/>

Teacher's student sex brings 2 decades in prison, Spirit of Jefferson, January 11, 2023, Copy supplied.

Former Jefferson County teacher sentenced to decades in prison on sex charges, MetroNews, January 5, 2023, Copy supplied.

Prosecutor's information filed in connection with Jefferson County traffic death, MetroNews, December 27, 2022, Copy supplied.

CRIME: Kearneysville man given 15 years for motel death, Spirit of Jefferson, November 9, 2022, Copy supplied.

COURTS: Woman faces prison term for Ranson man's motel death, Spirit of Jefferson, September 14, 2022, Copy supplied.

CRIME: Kearneysville man convicted as killer in missing man's death, Spirit of Jefferson, August 31, 2022, Copy supplied.

Harvey takes a yearlong helm atop county association, Spirit of Jefferson, June 29, 2022, Copy supplied.

Witnesses add more details in triple murders, Spirit of Jefferson, May 19, 2022, Copy supplied.

Prosecuting attorney announces new victim contact platform, The Journal, March 21, 2022, Copy supplied.

Documents trigger financial, possible legal scrutinies, Spirit of Jefferson, October 13, 2021, Copy supplied.

Summit Point man sentenced for murdering Good Samaritan, Spirit of Jefferson, May 12, 2021, Copy supplied.

Jefferson County Prosecutor Announces 51 People Indicted, Panhandle News Network, April 26, 2021, Copy supplied.

Man gets 32 years for Ranson Home invasion, Spirit of Jefferson, March 31, 2021, Copy supplied.

Man gets 32 years for Ranson Home invasion UPDATED, Spirit of Jefferson, March 31, 2021, Copy supplied.

COVID-19 roars back: Jefferson County coronavirus infections hit record levels, Spirit of Jefferson, November 18, 2020, Copy supplied.

Covid Testing PSA, Talk Radio WRNR FM 106.5 / AM 740, October 28, 2020, <https://www.facebook.com/talkradiowrnr/videos/639891106680004>

School board candidates charged with not filing campaign reports, Spirit of Jefferson, October 21, 2020, Copy supplied.

Jury gives Maryland man life without parole for Charles Town woman's murder, Spirit of Jefferson, September 29, 2020, Copy supplied.

Maryland man convicted of murder in death of Charles Town woman, The Journal, September 24, 2020, Copy supplied.

Jury finds Jefferson County woman guilty in death case, Herald Mail, August 21, 2020, Copy supplied.

Woman found guilty of charges stemming from woman's death, The Journal, August 21, 2020, Copy supplied.

Mayor's daughter convicted of illegally voting in town election, Spirit of Jefferson, July 22, 2020, Copy supplied.

Defense questions whether third suspect in Rippon murder was in fact at the scene, Spirit of Jefferson, July 8, 2020, Copy supplied.

W.Va. Supreme Court verdict: Count contested votes, Spirit of Jefferson, June 17, 2020, Copy supplied.

Candidate Profile: Matthew Harvey, The Journal, June 5, 2020, Copy supplied.

Rippon killing occurred after biker gang party, Spirit of Jefferson, May 27, 2020, Copy supplied.

Jefferson health officials tighten social-distancing rules, Spirit of Jefferson, April 8, 2020, Copy supplied.

Daughter of Harpers Ferry's mayor enters guilty plea for illegal voting, Spirit of Jefferson, February 11, 2020, Copy supplied.

Jefferson County Prosecutor Matthew Harvey seeks second term, The Journal, January 27, 2020, Copy supplied.

Jefferson County man gets maximum sentence in sex assault of girl, Herald Mail, January 17, 2020, Copy supplied.

Court will be asked to weigh in on ballot tampering, Spirit of Jefferson, December 4, 2019, Copy supplied.

Gone four years, and counting, Spirit of Jefferson, September 12, 2019, Copy supplied.

Authorities looking for Charles Town man who fled during jury deliberations of his trial, Herald Mail, August 30, 2019, Copy supplied.

New state expungement law to offer second chance, The Journal, June 21, 2019, Copy supplied.

Charles Town man faces up to 61 years in prison for attempted murder, The Journal, June 1, 2019, Copy supplied.

Man found guilty of heroin distribution in Jefferson County, W.Va., Herald Mail, March 29, 2019, Copy supplied.

Jurors convict Kearneysville man in woman's death, Spirit of Jefferson, March 28, 2019, Copy supplied.

Murder trial underway in Kearneysville slaying, Spirit of Jefferson, March 22, 2019, Copy supplied.

Kearneysville man gets life sentence in DUI crash, Spirit of Jefferson, March 7, 2019, Copy supplied.

Kearneysville man gets life sentence for multiple convictions after crash injures boy, Herald Mail, March 4, 2019, Copy supplied.

Va. man convicted in sexual assault of teen in Jefferson County, Herald Mail, February 14, 2019, Copy supplied.

Two Panhandle residents indicted on murder charges related to crash, Herald Mail, January 24, 2019, Copy supplied.

Charles Town woman faces arson charge in tent fire, Spirit of Jefferson, January 23, 2019, Copy supplied.

Md. man sentenced in fatal 2017 DUI crash in Shepherdstown, Herald Mail, January 22, 2019, Copy supplied.

Lawyer convicted of sex offense could be disbarred, Spirit of Jefferson, December 19, 2018, Copy supplied.

2 assistant prosecuting attorneys, victim advocate hired, The Journal, December 8, 2018, Copy supplied.

Jefferson prosecutor closer to resolving woman's 2017 death, Spirit of Jefferson, November 28, 2018, Copy supplied.

Md. man could get 15-year jail term in Shepherdstown crash, Spirit of Jefferson, October 31, 2018, Copy supplied.

Trial set in '17 crash that killed Shepherdstown father of 5, Spirit of Jefferson, October 24, 2018, Copy supplied.

Few answers about Aigeltinger — Authorities still investigating photographer missing since '15, Spirit of Jefferson, September 14, 2018, Copy supplied.

N.J. pair stunned as cops seize \$10k, Spirit of Jefferson, September 5, 2018, Copy supplied.

Few answers about Aigeltinger, Spirit of Jefferson, September 5, 2018, Copy supplied.

Man sentenced to life in prison under W.Va. 'three-strikes' law, Herald Mail, May 30, 2018, Copy supplied.

Teen charged in threat hoax, Spirit of Jefferson, February 22, 2018, Copy supplied.

City lawyer gets day in jail after exposure charge, Spirit of Jefferson, January 31, 2018, Copy supplied.

Kearneysville man found guilty in fatal 2016 shooting, Herald Mail, December 14, 2017, Copy supplied.

Newman, Boyd sentenced to life in Mumaw shooting death, Spirit of Jefferson, November 1, 2017, Copy supplied.

Strangulation as a Felony Offense: A New Penalty Under W. Va. Code § 61-2-9D, West Virginia Law Review, October 5, 2017, Copy supplied.

Harvey: Man deserves to die in prison, Spirit of Jefferson, September 6, 2017, Copy supplied.

20+ witnesses slated to take stand, Spirit of Jefferson, August 10, 2017, Copy supplied.

Eastern Panhandle judge dies from complications after heart surgery, Herald Mail, June 9, 2017, Copy supplied.

ERIC BELL TEEN SEX CASE: State Police investigator: Plea deal 'probably the best we could get', Spirit of Jefferson, May 3, 2017, Copy supplied.

ERIC BELL TEEN SEX CASE: Plea means \$1,000 fine, no jail time, Spirit of Jefferson, April 26, 2017, Copy supplied.

RYAN MUMAW SLAYING: Teen now faces murder charge, Spirit of Jefferson, April 19, 2017, Copy supplied.

inFocus Web Extra: Matthew Harvey (extended interview), DC News Now, March 26, 2017, <https://www.dcnewsnow.com/news/infocus-web-extra-matthew-harvey-extended-interview/>

52 charged in Eastern Panhandle heroin-ring bust, Herald Mail, March 24, 2017, Copy supplied.

Jefferson County Prosecuting Attorney calls for state of emergency, The Journal, March 16, 2017, Copy supplied.

Prosecutor making the office his own, Spirit of Jefferson, March 15, 2017, Copy supplied.

17-year-old may be tried for murder, Spirit of Jefferson, March 15, 2017, Copy supplied.

New Jefferson Co. prosecutor ready to tackle heroin epidemic, Herald Mail, January 8, 2017, Copy supplied.

Citizen's Fire Company hosts open house Saturday, The Journal, October 8, 2016, Copy supplied.

Interview with Elliot Simon, WSHC 89.7, June 10, 2016, No link or copy available.

Attorneys seek prosecutor's job, Spirit of Jefferson, March 23, 2016, Copy supplied.

Two plead guilty in Martinsburg casket break-ins, Spirit of Jefferson, April 29, 2014, Copy supplied.

Jefferson County Prosecuting Attorney Press Releases

Jefferson County Prosecuting Attorney: Jefferson County Grand Jury Indictments (April 18, 2025). Copy supplied.

Jefferson County Prosecuting Attorney: David Bernhard Gillis Sentenced with Photo (April 1, 2025). Copy supplied.

Jefferson County Prosecuting Attorney: State of West Virginia v. David Antonio Calderon (January 23, 2025). Copy supplied.

Jefferson County Prosecuting Attorney: Jefferson County Grand Jury Indictments (January 22, 2025). Copy supplied.

Jefferson County Prosecuting Attorney: Jefferson County Grand Jury Indictments (September 19, 2024). Copy supplied.

Jefferson County Prosecuting Attorney: Jefferson County Grand Jury Indictments (September 20, 2023). Copy supplied.

Jefferson County Prosecuting Attorney: Willie Edward Belmonte, Jr. Sentenced (January 4, 2023). Copy supplied.

Jefferson County Prosecuting Attorney: Charles “CJ” Wilbert Cook, Jr. Convicted (August 23, 2022). Copy supplied.

Jefferson County Prosecuting Attorney: Jefferson County Prosecuting Attorney Matthew Harvey Announces New Victim Contact Platform (March 17, 2022). Copy supplied.

Jefferson County Prosecuting Attorney: Jefferson County Grand Jury Indictments (April 23, 2021). Copy supplied.

Jefferson County Prosecuting Attorney: Habitual Offender to Serve a Minimum of 32 Years Behind Bars (March 23, 2021). Copy supplied.

Jefferson County Prosecuting Attorney: Kevin Ray Fowler, Jr. Found Guilty (November 9, 2020). Copy supplied.

Jefferson County Prosecuting Attorney: Elliott DeJohn Lansdowne Found Guilty (September 24, 2020). Copy supplied.

Jefferson County Prosecuting Attorney: Jefferson County Grand Jury Indictments (September 16, 2020). Copy supplied.

Jefferson County Prosecuting Attorney: Sherri Lynn Fritts Found Guilty (August 21, 2020). Copy supplied.

Jefferson County Prosecuting Attorney: Jefferson County Grand Jury Indictments (June 17, 2020). Copy supplied.

Jefferson County Prosecuting Attorney: Jefferson County Grand Jury Indictments (January 23, 2020). Copy supplied.

Jefferson County Prosecuting Attorney: Maximum sentence imposed on man who sexually assaulted 12 year old girl (January 17, 2020). Copy supplied.

Jefferson County Prosecuting Attorney: Jefferson County Grand Jury Indictments (September 19, 2019). Copy supplied.

Jefferson County Prosecuting Attorney: State of West Virginia v. Kenneth J. Lee (September 16, 2019). Copy supplied.

Jefferson County Prosecuting Attorney: State of West Virginia v. Cornell M. Georgie, Jr. with Photo (August 30, 2019). Copy supplied.

Jefferson County Prosecuting Attorney: Devin Michael Collins Sentencing (May 31, 2019). Copy supplied.

Jefferson County Prosecuting Attorney: State of West Virginia v. Mark Wayne Carter, Jr. (May 20, 2019). Copy supplied.

Jefferson County Prosecuting Attorney: Jefferson County Grand Jury Indictments (April 18, 2019). Copy supplied.

Jefferson County Prosecuting Attorney: State of West Virginia v. Karl Justin Dunn, III (March 29, 2019). Copy supplied.

Jefferson County Prosecuting Attorney: Mark Wayne Carter, Jr. Found Guilty (March 21, 2019). Copy supplied.

Jefferson County Prosecuting Attorney: State of West Virginia v. Kevin Travis Costello (March 4, 2019). Copy supplied.

Jefferson County Prosecuting Attorney: Devin Michael Collins Found Guilty (February 27, 2019). Copy supplied.

Jefferson County Prosecuting Attorney: State of West Virginia v. Michael Thomas Wade (February 13, 2019). Copy supplied.

Jefferson County Prosecuting Attorney: Jefferson County Grand Jury Indictments (January 17, 2019). Copy supplied.

Jefferson County Prosecuting Attorney: Third Strike Sends Convicted Drug Dealer to Prison for Life (May 30, 2018). Copy supplied.

Jefferson County Prosecuting Attorney: Jefferson County Grand Jury Indictments (April 20, 2018). Copy supplied.

Jefferson County Prosecuting Attorney: Jefferson County Grand Jury Indictments (January 18, 2018). Copy supplied.

Jefferson County Prosecuting Attorney: Man Found Guilty of Murder in the 1st Degree (December 14, 2017). Copy supplied.

Jefferson County Prosecuting Attorney: Malakye Boyd and Rakeem Newman found Guilty (August 18, 2017). Copy supplied.

Jefferson County Prosecuting Attorney: Jefferson County Grand Jury Indictments (April 21, 2017). Copy supplied.

Jefferson County Prosecuting Attorney: Jefferson County Prosecutor Requests State of Emergency with Letter (March 16, 2016). Copy Supplied.

West Virginia First Foundation Press Releases

West Virginia First Foundation: WVFF Launches “New Horizons” Committee to Advance Research and Innovation in Opioid Crisis Response (March 27, 2025). Copy supplied.

West Virginia First Foundation: WVFF Holds First Quarterly Board Meeting of 2025 (March 20, 2025). Copy supplied.

West Virginia First Foundation: WVFF Chairman Matthew Harvey Receives Richard “Dick” Shelton Lighthouse Award (March 7, 2025). Copy supplied.

West Virginia First Foundation: Milestones Achieved: WVFF’s Transformative Star (January 28, 2025). Copy supplied.

West Virginia First Foundation: West Virginia First Foundation Unveils New Brand Identity (January 2, 2025). Copy supplied.

West Virginia First Foundation: WVFF Announces Awardees of Initial Opportunity Grants (December 23, 2014). Copy supplied.

West Virginia First Foundation: WVFF Board Approves Initial Opportunity Grants, Announces Supplemental Round, and Elects Officers for 2025 (December 12, 2024). Copy supplied.

West Virginia First Foundation: West Virginia First Foundation Approves \$20 Million Funding Commitment for Groundbreaking Addiction Recovery Project (December 9, 2024). Copy supplied.

West Virginia First Foundation: West Virginia First Foundation Announces Initial Opportunity Grant (September 5, 2024). Copy supplied.

West Virginia Association of Counties Press Releases

Harvey to Lead County Officials in 2022-23 with Photos (June 10, 2022). Copy supplied.

House of Delegates Press Releases

Delegate Moore's Bill to Provide Much Needed Funding to State Police and County Goes into Effect July 1 (May 8, 2017). Copy Supplied.

12. Public Office, Political Activities and Affiliations:

- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

Elected Jefferson County Prosecuting Attorney, 2016-2020
120 South George Street
Charles Town, WV 25414

Elected Jefferson County Prosecuting Attorney, 2020-2024
120 South George Street
Charles Town, WV 25414

Republican for Delegate District Executive Committee Male 97th District, 2022

Elected Jefferson County Prosecuting Attorney, 2024-2028
120 South George Street
Charles Town, WV 25414

- b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

Local stand-by election night counsel for the West Virginia Republican Party, 2014.

Helping American Voters Act, Legal Team Member, election day observer in support of George W. Bush campaign, 2004.

13. **Legal Career:** Answer each part separately.

- a. Describe chronologically your law practice and legal experience after graduation from law school including:

- i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I have never clerked for a judge.

- ii. whether you practiced alone, and if so, the addresses and dates;

I have never practiced law alone.

- iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

October 2004-May 2005

Associate Attorney

Brewster Morhous

418 Bland Street

Bluefield, WV 24701

May 2005-August 2009

Assistant Prosecuting Attorney

Berkeley County Prosecuting Attorney's Office

380 West South Street

Martinsburg, WV 25401

August 2009-August 2010

Assistant Prosecuting Attorney

Kanawha County Prosecuting Attorney's Office

301 Virginia Street East

Charleston, WV 25301

August 2010-December 2017

Attorney

Taylor & Harvey, Attorneys at Law

134 West Burke Street
Martinsburg, WV 25401

January 2017-Present
Prosecuting Attorney
Jefferson County Prosecuting Attorney's Office
120 South George Street
Charles Town, WV 25414

- iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I have not served as a mediator or arbitrator.

- v. Whether you have held any judicial office, including positions as an administrative law judge, on any U.S. federal, state, tribal, or local court and if so, please provide the name of the court, the jurisdiction of that court, whether the position was appointed or elected, and the dates of your service.

I have not held any judicial office.

b. Describe:

- i. the general character of your law practice and indicate by date when its character has changed over the years.

In 2004, after completing my legal studies, I became an associate attorney at Brewster Morhous PLLC, in Bluefield, West Virginia, where my area of practice was civil litigation. My assigned responsibilities included all aspects of the pre-trial process including research, drafting all manner of legal pleadings, and exchanging discovery.

In 2005, I left private practice to become an Assistant Prosecuting Attorney in the Berkeley County Prosecuting Attorney's Office. Berkeley County is the second largest jurisdiction in West Virginia and was growing rapidly. I was involved in making charging decisions, directing evidence review, handling victim/witness interviews, and pre-trial research and motions practice. Ultimately, my responsibilities varied from case to case but could include charging decisions, motions practice, pre-trial practice, trials, and dispositive hearings such as sentencing. My role required extensive coordination and cooperation with fellow prosecutors as well as law enforcement.

In 2009, I transitioned to the Kanawha County Prosecuting Attorney's

Office in a similar role to the one I fulfilled in Berkeley County. Kanawha County is the largest county in West Virginia. My responsibilities and work performed were the same as they were in Berkeley County. I was initially responsible for the management of the magistrate court division of the office, who appeared before 10 magistrates. I progressed to full-time felony practice in circuit court. I prosecuted crimes ranging from misdemeanors to violent felonies.

In 2010, I returned to Berkeley County and entered into private practice with Paul Taylor, putting my experience to use in the field of criminal defense. My practice focused on representing individuals facing criminal allegations in state courts. These allegations ranged from traffic cases to violent felony offenses. I had the opportunity to handle appeals, addressing all aspects of appellate practice from brief writing to oral advocacy before the West Virginia Supreme Court of Appeals.

In November 2016, I was elected to serve as the Prosecuting Attorney for Jefferson County, West Virginia. I assumed that role on January 1, 2017. I currently manage a staff of 24 employees with an annual operating budget of approximately two million dollars. As a result, I spend my days shifting between criminal cases, civil issues, and addressing the concerns of the community. In my role as the chief law enforcement officer for Jefferson County, I am responsible for ensuring that all state criminal law violations are thoroughly investigated and appropriately prosecuted based on the facts and applicable law.

- ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

At Brewster Morhous PLLC, the focus of my practice was insurance defense. My typical clients were a variety of national insurance carriers and their insureds.

When acting as an Assistant Prosecuting Attorney in Berkeley County, I represented the State of West Virginia in the prosecution of state criminal law violations and provided legal advice to investigative agencies.

Upon joining the Kanawha County Prosecuting Attorney's Office as an Assistant Prosecuting Attorney, I again represented the State of West Virginia in the prosecution of state criminal law violations and provided legal advice to investigative agencies.

In 2010, when I entered into private practice, my clients were individuals charged with criminal offenses. In addition to the clients who retained my services, I assisted the courts by taking appointed cases for indigent clients. I defended clients who were accused of committing crimes of

violence, white collar matters, and firearms related offenses.

As the elected Prosecuting Attorney of Jefferson County, I represent the State of West Virginia in all criminal matters occurring in Jefferson County. I am also the statutory legal counsel for the county commission on civil matters and the state Department of Human Services on child abuse and neglect matters. I represent county agencies and boards. Additionally, I advise other Constitutional officers including the sheriff, tax assessor, and county clerk's office with regard to legal matters.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

All of my legal career has been litigation-focused. When I worked on civil litigation at Brewster Morhous, I did not appear in court. When I served as an Assistant Prosecuting Attorney in Berkeley and Kanawha counties, I was in court very frequently; usually three-to-four days a week for several hearings a day. In private practice, I was in various courts around the state at least three days a week. Since 2017, my ability to appear in court has been limited commensurate to my management responsibilities. I do not appear in court frequently, but I have oversight over all criminal prosecutions, juvenile petitions, child abuse and neglect proceedings, and responsibility over the civil division.

- i. Indicate the percentage of your practice in:

1. federal courts: 1%
2. state courts of record: 84%
3. other courts: 15%
4. administrative agencies: 0%

- ii. Indicate the percentage of your practice in:

1. civil proceedings: 20%
2. criminal proceedings: 80%

- d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

I have tried to conclusion 16 cases: six as sole counsel, nine as chief counsel, and one as associate counsel.

- i. What percentage of these trials were:

1. jury: 94%
2. non-jury: 6%

- e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have not argued orally before the Supreme Court.

14. **Litigation**: Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- a. the date of representation;
- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

1. Matthew L. Harvey as Prosecuting Attorney of Jefferson County v. Tricia Jackson and Jennifer Krouse

Case No. CC-19-2024-P-174

Jefferson County Circuit Court

The Honorable Joseph K. Reeder, Perri Jo DeChristopher, and Jason Wharton
2024

Tricia Jackson and Jennifer Krouse v. Matthew L. Harvey

Case No. 24-387

West Virginia Supreme Court of Appeals

Justices Elizabeth D. Walker, Tim Armstead, William R. Wooten, C. Haley Bunn, and John A. Hutchison
2024

I filed a Petition for Removal against respondents Tricia Jackson and Jennifer Krouse. At the time, the respondents were elected County Commissioners, but were intentionally refusing to attend scheduled commission meetings to deny a quorum and prevent the county from conducting business as a form of protest. The duo denied a quorum for seven straight meetings, or ten weeks, which precluded the county from acting on necessary business, such as approving contracts for necessary public safety measures, which nearly resulted in the shutdown of Jefferson County's 911 system. At the same time, the respondents were still collecting a salary and took trips to conferences.

The respondents were removed from office after a contested two-day trial in front of a three-judge panel. Respondents then appealed to the West Virginia Supreme Court of Appeals. The Supreme Court of Appeals unanimously affirmed the removal by the three-judge panel.

Primary Co-Counsel:

Nathan P. Cochran
Assistant Prosecuting Attorney, Jefferson County
120 S. George Street
Charles Town, WV 25414
(304) 728-3243

Opposing Counsel:

Traci Wiley
McCorkle Lavender
300 Summers Street, Suite 800
Charleston, WV 25301
(304) 344-5600

2. State of West Virginia vs. Charles Wilbert Cook, Jr.
Case No. CC-19-2022-F-35
Jefferson County Circuit Court
The Honorable David M. Hammer
2021-2022

I was the lead prosecutor in a murder prosecution. The defendant killed his friend at a local motel during an argument. He concealed the body for approximately a week in the room before disposing of the body in the motel's dumpster. The body, concealed in the trash, was then taken to an out-of-state landfill for disposal. I worked with a local task force and the F.B.I. in excavating the landfill in an attempt to recover the body and develop evidence.

Despite the extensive search effort, the body was not located. Despite this, the defendant ultimately entered a "no contest" plea to Voluntary Manslaughter, Concealment of a Deceased Human Body and Conspiracy to Commit a Felony. He was sentenced to serve a determinate sentence of 15 years for Voluntary Manslaughter as well as two indeterminate terms of not less than one year nor more than five years for Concealment of a Deceased Human Body and Felony Conspiracy.

The defendant appealed his convictions to the West Virginia Supreme Court of Appeals where the West Virginia Attorney General's Office handled the appeal

on behalf of the State. The Supreme Court of Appeals affirmed the Jefferson County Circuit Court by Memorandum Decision issued on July 31, 2024.

Primary Co-Counsel:

Gregory K. Jones
Assistant Prosecuting Attorney, Jefferson County
120 S. George Street
Charles Town, WV 25414
(304) 728-3243

Opposing Counsel:

B. Craig Manford
P.O. Box 3921
Martinsburg, WV 25402
(304) 263-5698

3. State of West Virginia vs. Daniel L. Herbert

Case No. CC-02-2012-F-204
Berkeley County Circuit Court
The Honorable John C. Yoder
2012-2013

Case Nos. 13-0962 and 13-1264
West Virginia Supreme Court of Appeals
Signed Opinion by Justice Menis Ketchum, Concurring Opinion by Justice Alan Loughry, II
2013-2014

I was sole defense attorney at the trial level for the defendant who was charged with two felony counts of Attempted Murder, three felony counts of Malicious Assault, five felony counts of Wanton Endangerment Involving a Firearm, one felony count of Prohibited Person in Possession of a Firearm, and one misdemeanor count of Fleeing a Law Enforcement Officer by Means Other than Use of a Vehicle.

The events transpired out of a shooting at a local park during Fourth of July festivities. I successfully severed the Prohibited Person count from the other charges for trial. We then went to trial by jury on each set of charges. At the first trial, Mr. Herbert was convicted of the felony Prohibited Person in Possession of a Firearm charge. At the trial on the remaining charges, I argued regarding a Sixth Amendment right to compulsory process issue that resulted from a witness's invocation of his right against self-incrimination outside of the presence of the jury. I argued the invocation must occur in the presence of the jury. I also successfully argued for the dismissal of three felony charges on double jeopardy

grounds, as they were lesser-included offenses of other charges before the jury. Ultimately, the jury convicted Mr. Herbert of the remaining charges. He was sentenced and appealed to the West Virginia Supreme Court of Appeals.

I handled the appeal of an issue regarding prior convictions as predicate offenses at a trial as it related to the Prohibited Person charge. Mr. Crawley-Woods was appointed for appellate purposes on the remaining charges. In a consolidated opinion addressing all issues before that court, the Supreme Court of Appeals found that I had correctly argued the issue of compulsory process. However, they found the error by the trial court harmless in light of the other evidence in the case. The Supreme Court of Appeals also found that I correctly raised an issue of bifurcation in the Prohibited Person trial based on precedent from that court. However, they then overruled that precedent and set a new rule rather than overturning the conviction and remanding for a new trial.

Primary Co-Counsel (on appeal):

Ben J. Crawley-Woods (now law clerk to the Honorable David M. Hammer)
Jefferson County Courthouse
100 E. Washington Street
Charles Town, WV 25414
304-728-3201

Opposing Counsel at Trial:

Gregory K. Jones
Assistant Prosecuting Attorney, Jefferson County (was working in Berkeley County at that time)
120 S. George Street
Charles Town, WV 25414
(304) 728-3243

Opposing Counsel on Appeal:

Cheryl K. Saville
Assistant Prosecuting Attorney, Berkeley County
380 W. South Street
Suite 1100
Martinsburg, WV 25401
(304) 264-1971

4. State of West Virginia v. David Antonio Calderon
Case Nos. CC-19-2024-F-109 and CC-19-2025-F-7
Jefferson County Circuit Court
The Honorable David M. Hammer
2024-2025

These cases involved a violent crime spree where an illegal immigrant, with a criminal history of violence in El Salvador, stabbed one man in an incident at a local hotel and, in a separate incident, beat a man and a woman with a metal baseball bat at a homeless encampment before, days later, murdering a woman and burning her body.

In the stabbing and baseball bat incidents, the defendant was sentenced to the penitentiary for a cumulative indeterminate term of not less than three years nor more than 15 years. The murder case is set for a change of plea on July 7, 2025, where the defendant is pleading guilty to First Degree Murder and Concealment of a Deceased Human Body. The Defendant will then be sentenced for the murder on July 23, 2025. I serve as supervising counsel on these matters.

Primary Co-Counsel:

Adam J. Ward
Senior Assistant Prosecuting Attorney, Jefferson County
120 S. George Street
Charles Town, WV 25414
(304) 728-3243

Gregory K. Jones
Assistant Prosecuting Attorney, Jefferson County
120 S. George Street
Charles Town, WV 25414
(304) 728-3243

Opposing Counsel:

Kirk H. Bottner
Bottner & Associates, Attorneys at Law
116 W. Washington St., Suite 2A
Charles Town, WV 25414
(304) 728-0158

5. State of West Virginia vs. Devin Collins
Case No. CC-19-2017-F-154 (superseding indictment)
Case No. CC-19-2017-F-28 (original indictment)
Jefferson County Circuit Court
The Honorable Steven Redding
2016-2019

I was the lead prosecutor in a criminal case charging three felony counts of Attempted Murder, one felony count of Kidnapping, one felony count of Burglary, seventeen felony counts of Wanton Endangerment Involving a Firearm, one felony count of Use of Firearm in the Commission of a Felony, and one felony count of Destruction of Property. Over the course of the long litigation in

this matter, we engaged in extensive motions practice before trial. The case culminated in a three-day jury trial in February 2019.

The Defendant in this case used a Bushmaster AR-15 rifle to shoot his way into a home occupied by his ex-girlfriend and her family. Once inside, he shot his way into the bedroom nearly striking his girlfriend and her parents who were hiding in the closet. The victims fought back and were able to wrestle the firearm away before police arrived to take the Defendant into custody. In his duffle bag were 250 additional rounds of ammunition, a large knife, brass knuckles, and yarn.

At trial, the jury convicted the defendant of all but three charges and he was sentenced to 61 years in prison.

The Defendant appealed his convictions to the West Virginia Supreme Court of Appeals. The West Virginia Attorney General's Office handled the appeal on behalf of the State. The Supreme Court of Appeals affirmed the Jefferson County Circuit Court by Memorandum Decision issued on September 4, 2020.

Primary Co-Counsel:

Neil J. Zahradnik
Assistant Prosecuting Attorney, Jefferson County
120 S. George Street
Charles Town, WV 25414
(304) 728-3243

Opposing Counsel:

B. Craig Manford
P.O. Box 3921
Martinsburg, WV 25402
(304) 263-5698

6. State of West Virginia vs Ronnie Allen Rush
Case No. CC-18-2007-F-24
Calhoun County Circuit Court (held in Jackson County Circuit Court after change of venue following first remand)
The Honorable Thomas C. Evans, III
2009-2010

In this case, a juvenile was tried as an adult for two homicides, robbery, and burglary. An elderly couple was executed while asleep in their bed. Cash and other property was taken from the home.

I handled this matter as a special prosecutor for a third trial after the case was overturned and remanded for new trial twice before, when handled by a different

prosecutor. The first set of convictions in this case was reversed and remanded after a violation of West Virginia's prompt presentment rule made the defendant's statement inadmissible. The second time the defendant was convicted, it was reversed and remanded over a prosecution witness speaking with jurors during a break in the trial.

The first jury convicted the defendant only of two felony counts of Voluntary Manslaughter (as lesser-included offenses of First Degree Murder), one felony count of Robbery, one felony count of Burglary, and one count of Felony Conspiracy. He was convicted and sentenced for those charges again in the second trial before it was remanded, constraining me to those charges for a third trial.

This case was rife with issues regarding preservation of integral evidence such as firearms and money from the crimes. Despite these and other issues, I was able to formulate a resolution that preserved the two homicide convictions, resulting in a 30 year prison sentence.

Primary Co-Counsel:

Woody Hill (currently in private practice at below address)
707 Virginia Street East
Chase Tower Suite 1450
Charleston, WV 25301
(304)-984-6700

Opposing Counsel:

Teresa Monk (deceased)
Public Defender Corporation, Fifth Judicial Circuit
214 Main Street
Ripley, WV 25271

7. State of West Virginia vs. Dylan Mills
Case No. 20-M19M-00507
Jefferson County Magistrate Court
Magistrate Vicki D'Angelo
2020

I was lead counsel in a criminal case charging two counts of Negligent Homicide. The defendant was driving a vehicle at a high rate of speed, passing vehicles on double solid yellow lines, and running other vehicles off the road before striking a pick-up truck head on. The Defendant's actions instantly killed the sole occupant of the truck, the mother of a young child, as well as an 18-year-old male passenger in defendant's vehicle.

Due to the state of West Virginia law at that time, which made Negligent Homicide a misdemeanor, the case was tried before a jury in Jefferson County Magistrate Court. The defendant was convicted of both charges and given a sentence by the magistrate that involved incarceration in jail for only 60 days to be followed by home incarceration, over the prosecution and victims' families' objections. This case resulted in four years of effort, whereby the legislature changed the law to elevate the offense to a felony and reclassify it as Vehicular Manslaughter. The Governor signed the bill into law this year.

Primary Co-Counsel:

Morgan Nick
Assistant Prosecuting Attorney, Jefferson County
120 S. George Street
Charles Town, WV 25414
(304) 728-3243

Opposing Counsel:

Christian Riddell
The Riddell Law Group
329 S Queen Street
Martinsburg, WV 25401
(304) 267-3949

8. State of West Virginia vs. Charles Marion Clark
Case No. CC-19-2016-F-86
Jefferson County Circuit Court
The Honorable Michael Lorensen
2017

I was lead counsel on a double murder case. The defendant executed his wife and adult daughter. The daughter was on the phone with dispatchers at 911 when the defendant killed his wife. He next executed his daughter. The 911 recording captured the executions and then the defendant calling other family members to explain what he did and what he planned to do next.

The events and initial prosecution occurred prior to my election as prosecutor and was set to resolve by agreement but the hearings were delayed to conduct a competency evaluation of the defendant. The initial plea offered by my predecessor's office would most likely have resulted in the defendant receiving the minimum sentence allowed by law for Second Degree Murder. Upon assuming office, I examined this case and fortunately found a technical deficiency in the plea that allowed the State to revoke the previously agreed upon offer. Subsequently, the defendant pled guilty to two counts of Second Degree Murder and was sentenced to the maximum sentence of 80 years in prison.

Primary Co-Counsel:

Timothy D. Helman
Assistant Prosecuting Attorney, Jefferson County
120 S. George Street
Charles Town, WV 25414
(304) 728-3243

Opposing Counsel:

Francine H. Phillips
Don M. Wrye (now retired)
Public Defender Corporation
214 W. Liberty Street
Charles Town, WV 25414
(304) 728-7811

9. State of West Virginia vs. Perrin Carter
Case No. CC-19-2017-F-152
Jefferson County Circuit Court
The Honorable Debra McLaughlin and Steven Redding
2017

Early in my time as elected Prosecuting Attorney, I was lead counsel in a prosecution for the felony offense of Gross Child Neglect Creating Substantial Risk of Death or Serious Bodily Injury. The defendant imperiled his child by using controlled substances with the child's mother. When police arrived both the defendant and mother were passed out behind a commercial establishment with the then seven-month-old child unable to fend for itself in the backseat.

This matter went to a jury trial. However, prior to closing arguments the defendant claimed that a plea offer had never been communicated from defense counsel to him. I moved to withdraw the plea but the judge allowed the defendant to accept it over my objections. The defendant took the offer, pled guilty to the charged felony child neglect offense, and was given probation by the judge. This case is one of the early examples of our office elevating the use of the child neglect statute to expand the protection of children.

Primary Co-Counsel:

Neil J. Zahradnik
Assistant Prosecuting Attorney, Jefferson County
120 S. George Street
Charles Town, WV 25414
(304) 728-3243

Opposing Counsel:

Don M. Wrye (now retired)
Public Defender Corporation
214 W. Liberty Street
Charles Town, WV 25414
(304) 728-7811

10. State of West Virginia vs. Jeremy Newkirk
Case No. CC-19-2020-F-51
Jefferson County Circuit Court
The Honorable David M. Hammer
2017

I was co-counsel on a First Degree Murder and Use of a Firearm in the Commission of a Felony case that occurred during the early days of COVID in March 2020. A woman moved in with her boyfriend, the defendant, during a weekend while they were both off work because of COVID. They consumed alcohol and the defendant consumed marijuana and prescription drugs. After a prolonged period of arguing, the woman reached out to several friends to try to find an alternative place to stay and a ride away from the defendant's home. A friend drove from approximately 45 minutes away to provide the woman a ride in the middle of the night. When the defendant and the woman were loading items into the friend's vehicle, a basket dropped. The friend started to exit the vehicle to help when the defendant, unprovoked, shot the friend in the head, killing him.

After consulting with a forensic toxicologist, we were able to discredit the defense's argument that the defendant was too intoxicated to have been able to premeditate and deliberate before committing the murder. We obtained the defendant's guilty plea to First Degree Murder and Use of a Firearm in the Commission of a Felony. He received a life sentence with parole eligibility after 15 years for the First Degree Murder conviction and a consecutive determinate sentence of ten 10 years in prison for the firearm offense.

Primary Co-Counsel:

Adam J. Ward
Senior Assistant Prosecuting Attorney, Jefferson County
120 S. George Street
Charles Town, WV 25414
(304) 728-3243

Opposing Counsel:

Suzanne Williams-McAuliffe (now retired)

Public Defender Corporation
214 W. Liberty Street
Charles Town, WV 25414
(304) 728-7811

15. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

I have had significant oversight and responsibility for various legal matters in my current role as Prosecuting Attorney. I work closely with a team of lawyers on a wide range of legal matters. Although I perform the expected criminal duties that are associated with the Prosecutor's office, the office's civil division provides legal advice on a wide range of matters. I consult regularly with both the office's civil and criminal divisions on pending cases and expected future matters. I am directly involved in the decision making and strategy for many criminal and civil cases.

Our local drug and violent crime task force is comprised of state and federal law enforcement officers. In my current role, I coordinate with the task force to address drug distribution in West Virginia through proactive measures such as obtaining a wiretap warrant. I also have worked with the task force and other federal law enforcement officials on a series of murders in the Eastern Panhandle of West Virginia by Maryland prison gang members. I have led investigative efforts that resulted in federal charges for a variety of crimes, including an elder abuse case where a defendant received 121 months in federal prison.

In my roles as a board member of the West Virginia Association of Counties, I would appear at the West Virginia Legislature once every legislative session to advocate for or against legislation affecting counties, specifically criminal law related matters.

16. **Teaching:** What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

I have taught the following courses:

Constitutional Law, Mountain State University, 2006-2009

This course focused on the historical development of the United States Constitution and the Bill of Rights; focused on analyzing Supreme Court interpretations of the Bill of Rights and their effects on American society and the criminal justice system. Syllabus supplied.

American Legal Systems, Mountain State University, 2006-2009

This course provided a working knowledge of the major structures and basic legal concepts that underlie the criminal courts; examined the structure of the courts, the nature of the criminal law they apply, and the procedures followed by the courts. It also analyzed the history of the state and federal court systems and the goals sought to be achieved by each. Syllabus supplied.

Legal Issues for Investigators, Mountain State University, 2006-2009

This course covered general principles of both substantive and procedural criminal law and their application within the criminal court system; examined the pretrial criminal process and preparation for trial. The course also covered substantive issues relevant to the forensic investigator's role in conjunction with law enforcement and prosecutorial agencies as well as procedural and constitutional issues regarding such areas as search and seizure, self-incrimination, and right to counsel. Syllabus supplied.

17. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

I do not have any arrangements in the future for compensation in any financial or business interest.

18. **Outside Commitments During Service:** Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.

No.

19. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

Please see my OGE-278 as provided by the Office of Government Ethics.

20. **Statement of Net Worth:** Please complete the attached financial net worth statement in detail (add schedules as called for).

See attached Net Worth Statement

21. **Potential Conflicts of Interest:**

- a. Identify the family members or other persons, parties, affiliations, pending and categories of litigation, financial arrangements or other factors that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Justice's designated agency ethics official to identify potential conflicts of interest. Any potential conflict of interest will be resolved in accordance with the terms of an ethics agreement that I have entered with the Department's designated agency ethics official.

- b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Justice's designated agency ethics official to identify potential conflicts of interest. Any potential conflict of interest will be resolved in accordance with the terms of an ethics agreement that I have entered with the Department's designated agency ethics official.

22. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each. If you are not an attorney, please use this opportunity to report significant charitable and volunteer work you may have done.

For the past eight and a half years I have served as the elected Prosecuting Attorney for Jefferson County, WV. Outside work is not permitted by statute. My first five years of practice was as an assistant prosecuting attorney and outside work was discouraged by policy to avoid conflicts.

For the six years in private practice, I did represent clients without charge. For example, courts would appoint private attorneys to indigent clients, and I would not bill the state for services rendered in some cases. Additionally, I took on some cases for private clients that did not have the ability to pay a retainer. I also participated as a mentor for the Jefferson County Juvenile Drug Court.

In 2023, the West Virginia First Foundation was established to receive and manage 72.5 percent of the one billion dollar opioid settlement owed by drug distributors, manufacturers, and pharmacies to West Virginia. I was appointed by then Governor Jim Justice to serve on the Board. At the initial meeting, I was elected Chair of the Board by my fellow board members. In 2024, I was reelected Chair and currently serve in that

role.

The Foundation's mission is to empower West Virginia to prevent substance use disorder, support recovery, and save lives. First Foundation grants have been dispersed to non-profits and local governments to fund prevention of substance use among youth, treatment for the growing problem of children born addicted to controlled substances, work force development, recovery homes, diversion programs, interdiction, and Child Advocacy Centers.

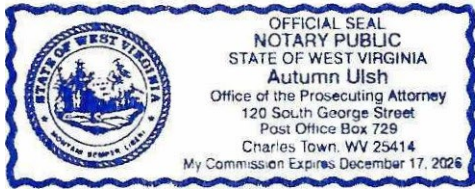
While I am not legal counsel to the First Foundation, my legal background and experience have allowed me to lead the efforts in setting up the Foundation from its initial creation to its active role today.

AFFIDAVIT

I, Matthew L. Harvey, do swear that
the information provided in this statement is, to the best of my knowledge, true and
accurate.

07/16/2025
(DATE)

Matthew L. Harvey
(NAME)



Autumn Ullsh
(NOTARY)