

# COMMONWEALTH of VIRGINIA



## OFFICE OF THE COMMONWEALTH'S ATTORNEY CITY OF PORTSMOUTH



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### MEDIA RELEASE

FOR IMMEDIATE PRESS RELEASE – August 18, 2020

Portsmouth, VA

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### INVESTIGATIONS WITHIN THE CITY OF PORTSMOUTH

#### PORTSMOUTH, VA —

After having received a copy of several felony arrest warrants and a probable cause summary, our office was made aware that the Commonwealth Attorney for the City of Portsmouth was listed as a witness, which could effectively create a conflict of interest and prohibit the Commonwealth Attorney from being involved in a job she was elected, by the citizens of this city, to do. In this probable cause summary, Mrs. Morales is identified as a "potential material and eyewitness... likely to be called to testify by either the prosecution or defense". If served with a subpoena, it is our office's intent to file a motion to quash the subpoena, as Mrs. Morales was not on scene to be an eyewitness to any of the matters listed. If that motion is denied and a special prosecutor is sought, it removes the ability of this Commonwealth Attorney from acting and places the matters in the hands of a special prosecutor who is not accountable to this city.

As indicated in our July 8, 2020, media release, the Portsmouth Commonwealth Attorney's office does not contain an intake unit. Warrants are obtained when complaining witnesses, including law enforcement, render probable cause to a magistrate who may issue a charging instrument. This office does not take part in this process. A police officer swearing information, under oath, to a magistrate to obtain warrants is the traditional process frequently utilized by the Portsmouth Police within the Portsmouth Police Department.

This office makes prosecutorial determination when indictments are requested upon receipt of complete investigative results. As it relates to the alleged events that occurred on June 10, 2020, our office released a statement on July 8, 2020, that we had not received such results and as of today, August 18, 2020, has still received no such investigative results. The Portsmouth Police Department chose their traditional process of securing warrants, albeit over two months after the alleged events, in lieu of submitting complete investigative results to this office.

We call for a fair and equitable process for all involved.

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