

COMMONWEALTH of VIRGINIA



OFFICE OF THE COMMONWEALTH'S ATTORNEY CITY OF PORTSMOUTH



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MEDIA RELEASE

FOR IMMEDIATE PRESS RELEASE – July 8, 2020
Portsmouth, VA

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JUNE 10, 2020 STATUS UPDATE

PORTSMOUTH, VA –

Charging Process

To provide clarity on the charging process in Portsmouth this office submits the following information: The Portsmouth Commonwealth Attorney's office does not contain an intake unit and therefore does not initiate charges independently. 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 and traditionally receives case information at the time of arraignment in court. The other process, involving presentation to grand jury operates as follows: This office makes prosecutorial determination upon receipt of complete investigative results from the law enforcement body that conducted the investigation. For this office, submission of complete investigative results is a mandatory step, which determines whether the matter may be presented to a grand jury.

Status Update

As it relates to the events that occurred on June 10, 2020, this office has received no such results. The Portsmouth Commonwealth Attorney's office will remain committed to fairness and equity in all matters within the city of Portsmouth and will follow the same process it has previously followed for the past several years. This office will evaluate each matter presented to it for prosecution whether by warrant or complete investigative file, on a case by case basis. Again, no investigative files have been received. Should this office receive complete investigative results from a law enforcement body charged with conducting investigations in our city, it will provide an update to the public.

Other Relevant Information

Any blanket statements attributed to this office regarding the status of prosecution, especially pertaining to prosecution of destruction of property were made in error. For clarity on that issue, please see the attached letter from Ms. Brenda Spry of the Portsmouth Public Defender's Office. [Letter from Portsmouth Public Defender](#)



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July 2, 2020

To Whom it May Concern,

I have recently been made aware of the fact that a member of the Public Defender's office made a comment to the effect of "Stephanie won't prosecute", on the date of June 10, 2020, while at the confederate monument. In the interest of keeping the record straight, on June 10, 2020, the sole conversation that took place between the Commonwealth Attorney's office and The Public Defenders Office was between Brenda Spry and Stephanie Morales. That conversation solely addressed the two individuals who had already been arrested for trespassing at the monument.

Any statements made by any members of the Public Defenders Office, regarding the intentions of the Commonwealth Attorney, were not based upon any statements made by Ms. Morales and were based purely upon personal assumptions or opinions. At no time did the Commonwealth Attorney or any member of that office have any discussions with any member of the Public Defenders Office regarding any future arrests or prosecutions.

With Best Regards,


Brenda C. Spry
Public Defender

During this time, this office's focus is on the preservation of human life for the members of our community. While this office stands poised to evaluate all matters and investigative files presented to it, all office members are focused on the need to work together with other community members and stakeholders to address and drastically change the conditions in our society which lead to loss of life.

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Stephanie N. Morales, Commonwealth's Attorney
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