

# THE PROSECUTOR'S PROGRESS

## AN UPDATE FROM THE VIRGINIA BEACH COMMONWEALTH'S ATTORNEY'S OFFICE



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### A MESSAGE FROM THE COMMONWEALTH'S ATTORNEY



The "Something in the Water" festival April 26-28, 2019 was a great success in large part due to the collaboration between the community, visitors, city leadership, event staff, and law enforcement. An event of this magnitude spanning three days is unique to Virginia Beach. It required a lot of planning, organization, and city resources. I am proud of the way Virginia Beach worked diligently for months ahead of the event to make sure our community was safe and enjoyed the event. This could not have happened without the support of our law enforcement agencies, both from Virginia Beach and neighboring jurisdictions. Once again I applaud the citizens for being engaged and supportive of city and law enforcement efforts. Virginia Beach is one of the safest cities of its size through no accident — it's only through the collaborative efforts of our community and law enforcement agencies that this distinction is possible. Thank you to each of you for the role you play in keeping our community safe!

Sincerely,  
Colin Stolle

### SPECIAL POINTS OF INTEREST:

- *Message from the Commonwealth's Attorney: SITW*
- *VBDTC Celebrates First Graduation*
- *VBCWA Releases Second Domestic Violence PSA*
- *Featured Cases of the Quarter*
- *Consumer Corner: CWA Office Impersonated in Recent Scam*



## VIRGINIA BEACH DRUG TREATMENT COURT'S FIRST PARTICIPANT GRADUATES

The Virginia Beach Drug Treatment Court (VBDC) celebrated its first graduation on April 25, 2019, in Virginia Beach General District Court. Michelle Lee Howell, age 40, of Virginia Beach, Virginia, entered the VBDC on March 27, 2018, and diligently moved throughout each phase of the program until she completed the requirements on April 4, 2019. Howell remains clean for 18 months now, maintains employment as a manager at a local greenhouse, enjoys spending time with her family, and recently achieved her lifelong dream of purchasing a motorcycle.



*From L to R: Deputy CWA Vivian Henderson, Dr. Kevin Cuffee (DHS), Deputy Circuit Clerk Gigi Smith, Drug Court Administrator Maureen Barnard, Megan Skelding (Probation and Parole), Jermaine Brown (ACS Team Leader), graduate Michelle Howell, Public Defender Cal Bain*

The screening process for the VBDC began June 1, 2017, and the team includes representatives from the following Virginia Beach agencies: Commonwealth's Attorney's Office, Circuit Court (with the guidance of Judge Steven Frucci), Probation and Parole, Department of Human Services, Public Defender's Office, Police Department, Sheriff's Office and City Attorney's Office.

The goal of VBDC is to rehabilitate non-violent drug offenders and addicts and provide them with an alternative to prison in order to change their long-term behavior. In order to qualify for the program, offenders must reside in Virginia Beach, may not have supervision obligations outside of Virginia Beach, may not have a violent or weapons criminal history nor any prior convictions for Possession with Intent to Distribute drugs within the past 10 years, and must have a previously suspended jail or prison sentence in excess of 12 months.

The selection process begins when an offender violates terms of his or her probation. Once Probation and Parole makes a determination, at the time the violation is issued, that an offender is suitable for screening for the program,

the Commonwealth's Attorney's Office does an additional screening after the arrest on the violation. A therapeutic assessment is completed by the Drug Court Treatment Team. The offender is then evaluated by the Drug Court Team for final determination of acceptance into the program.

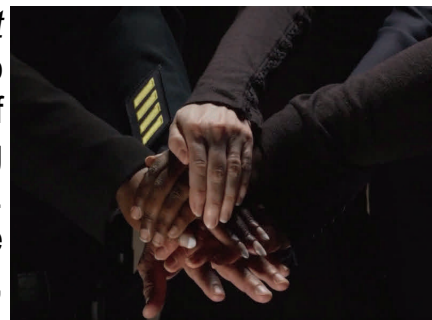
The VBDC involves several phases which have specific requirements for advancement. Incentives and sanctions are imposed, when necessary. Offenders attend the VBDC Docket in Circuit Court every Thursday at 2 p.m., report daily to their treatment provider, must maintain employment, complete community service, must complete homework, may not reside with other drug users, and must undergo frequent random drug testing. A positive drug screen or violation of a condition of the program can result in a variety of sanctions, including community service, jail time, or expulsion from the program.

At this time, the VBDC's nine other participants are working toward completion of the program and graduation. It is estimated that approximately \$15-20,000 is saved per participant who completes the VBDC instead of serving prison time. The program does not utilize any funding from taxpayers; each organization volunteers its time and resources to the program without hiring any additional personnel. In the future, the VBDC team hopes to expand this program through grant funding.

The graduation is especially timely as May is National Drug Court month, and this year marks the 30th anniversary of treatment courts. The team looks forward to future graduation ceremonies and the expansion of this program.

## COMMONWEALTH'S ATTORNEY LAUNCHES "IN THE RIGHT HANDS" VICTIM EMPOWERMENT CAMPAIGN DURING NATIONAL CRIME VICTIMS' RIGHTS WEEK

In April 2019, the VBCWA Office launched the office's "In the Right Hands" victim empowerment campaign, which encourages victims to reach out for help and provides education on the various forms of support available in the community. The campaign kicked off during National Crime Victims' Rights Week (NCVRW), April 7-13, 2019. This year's NCVRW theme, "Honoring our past. Creating hope for the future," urges the community to look toward a future of inclusive, accessible, and innovative resources and services for victims.



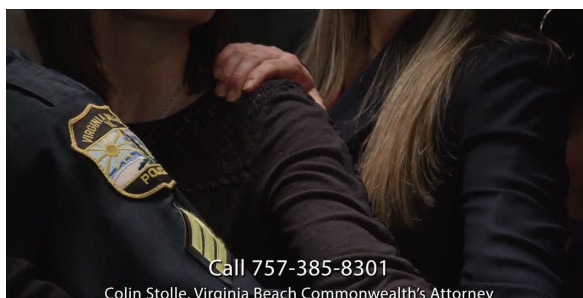
No matter what the crime, several factors may hinder victims from seeking assistance. Victims may not realize that there is a wealth of resources available in Virginia Beach, including law enforcement, prosecutors, counselors, victim advocates, and service groups.

"We recognize that not all victims are ready to escape a volatile situation or reach out for help," Stolle said. "My office is eager to provide assistance when the time is right. We can connect victims with safe shelter, counseling services, an advocate in court, and so much more."

In recent years, the VBCWA Office has prosecuted more than 1,500 domestic violence cases per year. Victims are often reluctant to come forward and report abuse and often struggle with participating in the prosecution of their loved one. Although there are multiple challenges involved in escaping an unsafe relationship, Stolle wants the community to understand that there are resources available to help, regardless of the situation.

With the assistance of Virginia Beach's Multimedia Services division, the office created a public service announcement which seeks to empower victims and encourage them to reach out for help. To view the 30-second PSA, click [here](#). It will air on local television as well as in Virginia Beach movie theaters.

Victims of domestic violence, sexual violence, stalking, or human trafficking should call the Samaritan House Crisis Response Hotline at (757) 430-2120. This hotline is monitored 24 hours a day, seven days a week. Those who are experiencing a medical emergency or are in immediate danger should always call 911. Victims of other crimes who may be in need of assistance or services may call the Commonwealth's Attorney's Office Victim-Witness Program at (757) 385-8301.



Call 757-385-8301  
Colin Stolle, Virginia Beach Commonwealth's Attorney

SAMARITAN  
HOUSE   
Stop the violence. Start the healing



## FEATURED CASES OF THE QUARTER

### Commonwealth v. Brando Colon



**Charges:** Forcible Sodomy- Victim Under Age 13, Aggravated Sexual Battery, and Indecent Liberties

**Sentence:** Life plus 25 years in prison and \$20,000 fine

**Facts:** Between May 10, 2015 and April 26, 2016, Brando Colon Jr. sexually molested a child known to him on a regular basis, multiple times per week. The child disclosed the abuse to a Child Protective Services caseworker and police began an investigation. The defendant also showed the child a video with sexually explicit content.

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### Commonwealth v. James Weil

**Charges:** Robbery, Abduction, and Use of a Firearm (2 counts)

**Sentence:** 38 Years



**Facts:** On May 18, 2016, Weil contacted a real estate agent regarding a property for sale. They scheduled an appointment for Weil to view the home later that day. The agent showed Weil around the residence until Weil expressed interest in viewing the detached garage. Once inside, Weil pulled out a gun and demanded the victim's ATM/credit cards, the PIN number, and her keys. She provided her PIN number and told Weil that her credit cards and purse were locked in her car outside the house. Weil told her not to scream or leave the garage, then attempted to lock her inside as he left. She unlocked the door and flagged down a garbage truck for help. The victim's cell phone, car keys, and purse were missing. Weil was identified after police did a search of the phone number used to set up the viewing appointment. The victim identified Weil in a photograph. Shortly after the robbery, her ATM card was used at a Rite Aid store, and Weil was captured on video surveillance making the transaction. When Weil was arrested the next day, inside his pocket was the key to the home that was for sale.

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### Commonwealth v. Richard Brown



**Charges:** Rape, Aggravated Sexual Battery, Forcible Sodomy, and Custodial Indecent Liberties

**Sentence:** 40 years

**Facts:** Between December 20, 2014 and February 29, 2016, Richard Allen Brown sexually abused a minor known to him on multiple occasions. A short time after, the victim reported the abuse to a trusted family member. DNA testing proved that Brown had sexual contact with the victim.

For more details on these cases and other Commonwealth's Attorney's Office news, visit: [www.vbgov.com/oca](http://www.vbgov.com/oca).



Virginia Beach  
Commonwealth's Attorney's Office  
2425 Nimmo Pkwy,  
Building 10 B, 2nd Floor  
Virginia Beach, VA 23456  
Phone: 757-385-4401  
E-mail: [oca@vbgov.com](mailto:oca@vbgov.com)



**TOGETHER, WE CAN  
KEEP VIRGINIA  
BEACH SAFE!**

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Commonwealth's Attorney is  
dedicated to serving our  
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assistance at your community  
event, please e-mail Public  
Information Officer  
Macie Allen at  
[mpallen@vbgov.com](mailto:mpallen@vbgov.com).



## The Consumer Corner

### Phone Scam Impersonates CWA Office

The Commonwealth's Attorney's Office recently learned of a phone scam in which the caller claims that they are from "ARS – a pre-legal division on behalf of the Virginia Beach Commonwealth's Attorney's Office." The caller may leave a voicemail that states that they are trying to set up a time for someone to serve arrest warrants and that the called party needs to be available between a specific time period or someone will come to their home or place of work to arrest them. The caller may request that you call a number in the 866 area code and try to obtain your personal or bank information. **The Office of the Commonwealth's Attorney is not affiliated with "ARS" and we do not have a "pre-legal division".**

This is similar to phone scams that impersonated the Virginia Beach Sheriff's Department and the Circuit Court Jury Administrator in recent years. Scammers often tell citizens that they can avoid arrest if they provide pre-paid debit or gift cards and read the card numbers back to the caller. They may also say that your social security number has been compromised in an effort to obtain that information. Never provide personal or bank account information to an unfamiliar caller.

Commonwealth's Attorney Stolle encourages citizens to be skeptical of phone calls from people who claim they are law enforcement officials or officers of the court system requesting money or personal information. Scammers can spoof caller ID to make it appear that the calls are coming from legitimate government offices. If you are concerned that you actually do owe fines or have papers that may need to be served, get the number from directory assistance and call that office or agency directly to verify the information. At no time will the Commonwealth's Attorney's Office or another government agency call you and request or demand that you pay money to avoid arrest or jury service.

If anyone receives this type of call, please contact the Virginia Beach Police Department's Economic Crime Unit at 757-385-4101 and provide as much information as possible so that they may investigate this activity.