

COMMONWEALTH of VIRGINIA



OFFICE OF THE COMMONWEALTH'S ATTORNEY CITY OF PORTSMOUTH



Main Number: (757) 393-8581 · Fax: (757) 393-5135

Monday, September 25, 2023

The Honorable Jason S. Miyares
Attorney General
202 North Ninth Street
Richmond, Virginia 23219

Dear Mr. Jason Miyares:

The Portsmouth Commonwealth Attorney's Office is committed to fair, just and diligent prosecution in service of the members of our Portsmouth community. As you may be aware, I have engaged with your office many times, even speaking with and meeting your Community Liaison Officer at a violent crimes roundtable in Portsmouth with the Office of the Governor last spring, during which I shared the efforts our office makes on a daily basis to address accountability for violent crime. I advocated during that meeting for statewide funding for witness protection programs and shared this office's commitment to accountability for those who harm our community members.

To be clear, this office has directives in place that require adherence to all court rules, and while no one is perfect and variances happen, this office overwhelmingly takes seriously the rules of court and governing law. As it appears you have relied on news reports, I will share that one instance which you have classified as a dismissal due to a prosecutor's mistake is in fact a dismissal by the court based on inaccurate representations by defense counsel. I invite you to meet with me directly to review all pleadings and motions, which are public information, as we have a shared interest in ensuring that a miscarriage of justice does not happen in the City of Portsmouth or anywhere in the Commonwealth.

This office has been diligent in its fight to protect victims of violent crime and witnesses to such acts and we have always welcomed all resources and have worked and communicated with the Office of the Attorney General for many years. Should you wish to formally discuss how your office's resources may benefit the Portsmouth community, please share your availability for a meeting to discuss it.

Stephanie N. Morales, Commonwealth's Attorney
Portsmouth Judicial Center · 1345 Court Street, Suite 105
Portsmouth, Virginia 23704

In the interim, I would ask that instead of relying on news reports, for which one publication has already had to issue a serious correction as to a misstatement of what the law requires, you reach out to me so that I may share the properly preserved pleadings, motions and legal authority with you. The lines of communication with your office have been open and remain open. I hope you will join me in seeking a public accounting by the court as to why it will not hold a hearing on the record to address its reliance on incorrect information in making a critical ruling on a serious case.

Any assertions that individuals are not held accountable for violent crime in Portsmouth are incorrect. This office's prosecutors, victim witness advocates and administrative staff spend every day in this office seeking justice for victims and accountability for those who have harmed them, and we support law enforcement partners who seek to do the same in a fair and just manner.

Please let me know your availability for an in person meeting. I would be happy to welcome you to Portsmouth but I will certainly come to meet with you in Richmond if your schedule does not permit a visit to Portsmouth.

Sincerely,



Stephanie N. Morales
Commonwealth's Attorney
City of Portsmouth