

Man shot by Spotsy Sheriff's deputy

VICTIM WAS INJURED, TAKEN TO HOSPITAL; STATE POLICE LEADING INVESTIGATION

BY KEITH EPPS

THE FREE LANCE-STAR

A Spotsylvania man was hospitalized after being shot by a county deputy early Wednesday, authorities said.

Virginia State Police Sgt. Brent Coffey said Isaiah L. Brown, 32, was being treated at Mary Washington Hospital for serious but non-life-threatening injuries.

According to police, Spotsylvania Sheriff's deputies went to the 12200 block of Catharpin Road at 3:18 a.m. in response to a 911 call regarding a domestic altercation. A deputy, whose name has not been released, encountered Brown in the roadway walking away from his residence.

Coffey said the deputy attempted to talk to Brown and fired his service weapon during that exchange. Coffey said the deputy immediately gave medical aid after shooting Brown, but did not say what led the deputy to fire a shot.

SEE SHOOTING, A5

SHOOTING

► FROM A1

Virginia State Police took over the investigation at the request of the Sheriff's Office, and a portion of Catharpin Road

was closed for several hours for the investigation.

Coffey said that once state police finish the investigation, the results will be turned over to a special prosecutor for

review.

LaBravia Jenkins, commonwealth's attorney in Fredericksburg, will serve as the special prosecutor in this case, Coffey said.

Keith Epps: 540/374-5404
kepps@freelancestar.com

FOOTAGE, AUDIO RELEASED AFTER DEPUTY SHOOTING

BY KEITH EPPS

THE FREE LANCE-STAR

A 911 call released Friday by authorities indicates the Spotsylvania deputy who shot a 32-year-old county resident multiple times early Wednesday may have mistaken a phone for a gun.

Isaiah L. Brown was shot in the 12200 block of Catharpin Road shortly after calling 911 about 3:18 a.m. He told a dispatcher that he called because his brother wouldn't let him into his mother's room.

Brown was apparently con-



Supporters carry signs calling for prayers and justice for Brown, a Black man shot by a deputy early Wednesday.

VIDEO >> See the footage released by Spotsy Sheriff's Office at fredericksburg.com.

NORTH CAROLINA >>
7 deputies on leave after fatal shooting of Black man. **A4**

cerned about getting his car, which had already been towed after breaking down earlier that night. Brown's family members said Brown had received a ride home with the same deputy who later shot him.

SEE PROTEST, A7

PROTEST

► FROM A1

After being told that his stated reason for calling 911 was not a good one, Brown told the dispatcher that someone better come quick because, “I’m about to kill my brother.”

He initially responded “yup” when the dispatcher asked him if he had a gun, but said on at least two other occasions that he did not.

Brown was still on the phone with the dispatcher as sirens were heard approaching. A deputy moments later could be heard shouting for Brown to hold up his hands and, “Drop the gun! Drop the gun!” After telling someone that Brown had the gun up to his own head, the deputy was then heard yelling, “Stop walking toward me!”

Next on the recording were what sounded like seven shots being fired in rapid succession. The deputy, who said on the recording that he’d fired five shots, is then heard several times asking, “Where is the gun?” before the recording stopped. It turned out there was no gun.

After shooting Brown, the deputy immediately rendered first aid until Brown was taken to Mary Washington Hospital, where he was still being treated Friday for wounds to his abdomen and side.

A body cam video that accompanied the released 911 call added little to clarify the 911 call. Brown doesn’t show up in the blurry video until he was already on the ground after being shot.

Speaking to a crowd of about 75 people who showed up in the courthouse area Friday afternoon, Sheriff Roger Harris on Friday credited the deputy, who has been placed



PHOTOS BY MIKE MORONES / THE FREE LANCE-STAR

Spotsylvania County Sheriff Roger Harris speaks with protesters outside the Sheriff’s Office on Friday. Harris told the demonstrators he supports their efforts and strives for accountability and transparency.



Demonstrators hold a moment of silence for Isaiah Brown during the rally in Spotsylvania on Friday evening. Brown, 32, remains at a local hospital.

on administrative leave, with saving Brown’s life.

Harris told the Black Lives Matter contingent that he supports their efforts and strives for accountability and transparency.

Harris’ appearance ended abruptly when Jakuta

Williams challenged the sheriff about the March 8, 2018, death of his son, 16-year-old Jamil Harvey. Jamil was shot four times by a county deputy in a Salem Fields townhouse. Police ruled the shooting justified, something Harvey’s family disputes.



A group marches during Friday’s rally. ‘We want answers for a young man fighting for his life right now,’ said one organizer during the demonstration.

The sheriff responded to Williams’ challenge by walking back into the Sheriff’s Office and shutting the door.

The protesters repeated familiar chants while making the short march from the county administration building to the

Sheriff’s Office. Before making the march, they clashed verbally with counterprotesters and expressed their outrage about another Black man being shot by a police officer in the U.S.

“We want answers for a young man fighting for

his life right now,” said Anthony Foote, one of the protest organizers. “Isaiah needs to survive. It’s hard to know a story when there’s only one side.”

The two or three counter-protesters were led by Nick Ignacio, a candidate for the Board of Supervisors in Spotsylvania. Ignacio and another man who repeatedly shouted at the protesters and expressed support for law enforcement. They also tried to drown out the protest chants by blaring such music as the theme from the television show “Cops.”

The Virginia State Police is heading the investigation into Brown’s shooting. Fredericksburg Commonwealth’s Attorney LaBravia Jenkins has been appointed as special prosecutor and will decide what, if any, action will be taken against the unnamed deputy.

David Haynes, an attorney for Brown who works with the Cochran Firm in Washington, released a statement in which he said video and audio released by police Friday shows that Brown’s shooting was “completely avoidable.”

He said the deputy was 50 feet from Brown when he shot him and was never threatened.

“The officer mistook a cordless house phone for a gun,” Haynes said. “There is no indication that Isaiah did anything other than comply with dispatch’s orders and raised his hands with the phone in his hand as instructed.”

Haynes said the family is requesting more audio and said there was “obviously a failure of communication between dispatch and the officer which led to this tragic event.”

Keith Epps: 540/374-5404
kepps@freelancestar.com

FAMILY OF SHOOTING VICTIM WANTS AUDIO

BY KEITH EPPS
THE FREE LANCE-STAR

A lawyer representing the family of Spotsylvania County shooting victim Isaiah Brown announced Monday that he is demanding that all audio be released immediately involving the dispatcher Brown was on the phone with when he was shot early Wednesday and the deputy who shot him.

David Haynes, an attorney with the Cochran Firm in Washington, made the announcement before a throng of cameras and reporters outside the Spotsylvania Circuit Court building.

"This was clearly a failure of communication between dispatch and the officers," Haynes said. "This is an inci-



Brown

dent that should have never happened." Haynes, who was flanked by members of Brown's family and several others, said he would file a Freedom of Information Act request Monday with the Sheriff's Office. He said the 911 call and the body cam video released thus far leaves too many questions unanswered.

Brown, 32, was shot about 3:18 a.m. Wednesday morning near his residence in the 12200 block of Catharpin Road. Seven shots can be clearly heard on the 911 recording, but Haynes

said doctors informed the family that 10 bullets were found inside Brown. Only two of them had been removed as of Monday, he said.

Haynes said Brown remains in "critical but guarded" condition and is on a breathing machine. He called Brown's prognosis "touch and go."

According to the information released thus far, unnamed Spotsylvania deputies had given Brown a ride home about 30 to 45 minutes before the shooting, which Haynes described as a "good deed." Brown's car had broken down elsewhere in Spotsylvania.

Brown later called 911, expressing irritation with his brother and concern about getting to his car, which had

already been towed. At one point during the call, Brown told the dispatcher that someone better come because, "I'm about to kill my brother." He also answered "yup" when asked if he had a gun.

But he later stated at least twice that he was unarmed, and was outside on a cordless phone talking to a dispatcher when the same deputy who'd given him the ride home showed up.

Moments later, the deputy could be heard shouting for Brown to hold up hands and to, "Drop the gun!" The deputy then mentioned that Brown had the gun to his head; Brown was still on the phone talking with the 911 operator at

SEE BROWN, A5

the time. Brown's brother was home at the time and heard the commotion, but didn't actually see what happened, the lawyer said.

The deputy was then heard yelling, "Stop walking toward me," just before the shooting began. After it ended, the deputy asked, "Where's the gun? Where's the gun?"

The body cam footage released did not show Brown's response to the deputy's commands. He was already on the ground by the time he showed up on the video. But Haynes insisted that Brown did everything he was directed to do and posed no threat at any time.

The incident is still being investigated by the Virginia State Police. The deputy, whose name has not been released, has been placed on administrative leave pending the outcome of the investigation.

Fredericksburg Commonwealth's Attorney LaBravia Jenkins, who has been appointed as a special prosecutor for the case, said Monday that she will make an announcement after the state police



PETER CIHELKA / THE FREE LANCE-STAR

A group protesting the shooting of Isaiah Brown by a Spotsylvania sheriff's deputy walks past the courthouse in downtown Fredericksburg on Monday.

finish their work. She said there is no timetable for that at this point.

A group of about 25 people protested outside Jenkins' downtown office Monday afternoon.

Haynes said that deputies made "terrible, grave basic policing errors," including not waiting for backup, not properly lighting the area and overreacting. He also called Sheriff Roger Harris' statement that the deputy saved

Brown's life "incredulous," in light of the fact that it was the unnamed deputy who shot him.

Yolanda Brown, the victim's sister, said her brother is a home health care aide known for his smile and being the "life of the party."

"He has a good heart and is a good person," she said. "It's a lot to process; we're all kind of numb."

Jennifer Brown, Isaiah Brown's mother, said, "My

concern at this point is for my son to hopefully come home alive."

Among those joining the family at the press conference were Moe Petway, head of the Spotsylvania NAACP, Anthony Foote of Black Lives Matter FXBG and the Rev. Charles Wormley, senior pastor at Mount Zion Baptist Church in Spotsylvania.

Keith Epps: 540/374-5404
kepps@freelancestar.com

Group aims to buoy both deputy, Brown

WELL WISHES TAKEN TO SHERIFF'S OFFICE AND LOCAL HOSPITAL

BY JAMES SCOTT BARON
THE FREE LANCE-STAR

Amy Sudbeck believes the nation has a lot of healing to do in the wake of the May 25, 2020, killing of George Floyd in Minneapolis.

“There’s still so much divide and every time there’s an officer-involved shooting, you’ve got those on the left and those on the right,” said Sudbeck, founder of both Back the First Responders Foundation and Back the Badge, a “pro-blue” social media group of about 7,500 members. “In [Spotsylvania County’s Isaiah Brown] incident, that’s not the case. I feel bad for both men, and I think a lot of

people agree.”

On April 21, Spotsylvania Sheriff’s deputies were dispatched to a domestic altercation call in the early morning hours in the 12200 block of rural Catharpin Road. State police said a deputy, whose name has not been released by authorities, encountered Brown, 32, in the roadway walking away from his residence.

Virginia State Police Sgt. Brent Coffey said the deputy attempted to speak to Brown and it was during that encounter that the deputy fired his service weapon. Brown was shot multiple times and the deputy immediately rendered medical aid.

Brown was transported to Mary Washington Hospital, where he is still

SEE BADGE, A5

► FROM A1

being treated for what authorities described as serious but non-life threatening injuries.

The Sheriff's Office has released the 911 call and body camera footage of the shooting. The recordings indicate Brown was holding a cordless phone and the deputy may have mistaken the phone for a gun.

About 11 a.m. Saturday, Sudbeck led a small mobile caravan carrying two large white banners filled with messages of hope, prayer and sympathy in support of both the Spotsylvania deputy and Brown.

"This divide is only getting worse," said Sudbeck. "The polarization is awful, no one's thinking for themselves anymore, they just jump one side or the other and it's just pure hate, and it needs to stop."

Sudbeck said the actions of former Minneapolis police officer Derek Chauvin in the George Floyd case contributed significantly toward the animosity that's evident today between law enforcement officers and the public across much of the country.

"We're all disgusted by what Derek Chauvin did, but what one police officer did, it doesn't represent police officers across the country," said Sudbeck. "We need them and they need us. We don't want to live in a world without law enforcement."

Sudbeck's mother-in-law, Annette, of Fredericksburg said Saturday morning's event was all about raising awareness and promoting peace in one small part of America.

"We're all fellow human beings, we still have to love and care for each other, we still have to abide by the law, yes we do," she said. "It's not about the left, or about the right, we've got somebody fighting for their life in the hospital and we have an officer and his family fighting to live their lives, too, with all of what's going on in our society today."

About 20 members of the Back the Badge group met Saturday outside Gourmeltz 90's Music Bar & Draft House in Cosner's Corner to set out the long banners for Back the Badge members to write encouraging messages of optimism for both men



PHOTOS BY MIKE MORONES / THE FREE LANCE-STAR

Tom Sudbeck (right) offers a prayer after a signed banner is delivered to the Spotsylvania Sheriff's Office during an event on Saturday.



Back the Badge organizer Amy Sudbeck writes on banners for the Sheriff's Office and Isaiah Brown.

involved in the incident.

"We're praying and hoping that Isaiah recovers, we're praying for his family," said Jessie Leigh Bolinsky of Spotsylvania. "We're also here in support of the police officers who are fighting and working every day for our safety. It's very important for me to show my support here today."

Sudbeck said support for law enforcement is critical now because agencies across the county are losing men and women each day.

"I think police departments are hurting, they're losing people, they're having a harder time recruiting people," said Sudbeck. "And it's frustrating, because a lot of the stuff out there isn't true. Police officers have families, kids, parents—they're human beings doing a job."

For those who couldn't make the event, Sudbeck solicited messages

from her social media group ahead of the event then wrote the messages on each of the banners Saturday morning.

Once the messages were placed on the banners, a group of seven vehicles, some bearing the "thin blue line" and American flags, headed out together to deliver one banner adorned with the message "We Got Your Six" to officers on duty at the Spotsylvania Sheriff's Office. That banner will be passed along to the deputy involved in the case. The second banner for Brown offering well wishes was taken by a sole driver to his family at the hospital. Sudbeck said she hopes the banners to each of the men will help bring some assurance that the public is behind each of them, praying for both men involved.

"We hope these banners will bring them some comfort and some healing," said Sudbeck.

In the meantime, the Virginia State Police Bureau of Criminal Investigation's Culpeper Field Office, Police Shooting Investigation Team, continues to investigate the incident. Once that investigation is completed, Fredericksburg Commonwealth's Attorney LaBravia Jenkins will review the findings and decide whether charges are warranted.

James Scott Baron: 540/374-5438
jbaron@freelancestar.com

Religious leaders hold prayer vigil for Brown

BY JAMES SCOTT BARON
THE FREE LANCE-STAR

Nearly a dozen of the region's pastors and religious leaders led a group of about 50 people in words of Scripture, hope and unity Sunday afternoon during a prayer vigil for Isaiah Brown, his family and the county deputy involved in a shooting last month from which Brown remains hospitalized.

"What we hope to promote today is unity within our community to work through difficult circumstances together with unbiased grace, discernment, truth and love with an eye towards impartial justice," said Temaki Carr, founder and CEO of Fredericksburg's Loving the Nations Missions Ministry.

Carr is part of the One



The Rev. Raymond A. Bell Jr., senior pastor at Mount Hope Baptist Church, speaks at a vigil hosted by The Ministers Coalition for Social Change, One Church Rappahannock Region and the NAACP's Spotsylvania County branch.

Church Rappahannock Region, a group of Black and white evangelical Christian churches formed after the kill-

ing of George Floyd by a Minneapolis Police officer almost one year ago. That incident touched off protests across the

country, including the Fredericksburg region.

"We love Isaiah and we love the police department and today we intercede for our community," Carr told the crowd.

Adam Blosser, senior pastor of Goshen Baptist Church in Spotsylvania, also prayed publicly during the vigil. He said the One Church organization has four pillars: Christ, unity, solidarity and justice.

"That kind of describes what we're about with Christ being first," said Carr.

Mike and JoAnne Wilson drove from Stafford County to attend the peaceful event, held under warm, bright sunshine on the steps of the Spotsylvania County government center.

"We're all here, basically,

SEE PRAYER, A5

PRAYER

► FROM A1

praying for our country,” said Mike Wilson. “Yes, we are praying for the Brown family and for Isaiah, but we’re also praying for the police, because they’re not all bad. They do a tough job and they need prayer and they need support.”

During his prayer to the group, Robert Becker, pastor of New City Fellowship in Fredericksburg, asked God to stop the division in America—a message that was clear in each presentation.

“Oh Lord, we pray that we would be the one true church at this time and through it, you would do a mighty act and that all would know it’s by your hand that it has been done,” said Becker.

In addition to One Church Rappahannock Region members, Mozett Petway, president of the Spotsylvania County branch of the NAACP, said his organization hosted the 3 p.m. event, along with the Ministers Coalition of Spotsylvania and Surrounding Counties for Social Change.

Carr said the gathering was necessary today in the wake of Brown’s recent shooting, as some in the community are now feeling even more distanced and divided from law enforcement officers than they did one year ago.

Brown was shot early April 21 after he called 911 to report a conflict with his brother.

That morning, Spotsylvania Sheriff’s deputies were dispatched to the 12200 block of rural Catharpin Road where state police said a deputy, whose name has not been released by authorities, encountered Brown walking in the roadway.

Virginia State Police Sgt. Brent Coffey said the deputy attempted to speak to Brown and it was during the encounter that the deputy fired his weapon resulting in



PHOTOS BY MIKE MORONES / THE FREE LANCE-STAR

Participants raise their hands in prayer at a vigil at the Holbert Building. Isaiah Brown remains in serious condition after being shot by a county deputy April 21.

the 32-year-old being shot multiple times. The deputy immediately rendered medical aid before Brown was transported to Mary Washington Hospital, where he is still being treated for what authorities described as serious but non-life threatening injuries.

The Sheriff’s Office has released the 911 call and body camera footage of the shooting. The recordings indicate Brown was holding a cordless phone and the deputy may have mistaken the phone for a gun.

Blosser said he believes cases similar to Brown’s should be prayerfully examined before passing judgment.

“When these things happen, they have a potential to be divisive in a community, and as ministers in the region, we want to be able to come together and show the unity that we have in Christ and to cry out to God in prayer,” said Blosser.

Carr also believes Floyd’s death left America a useful foundation from which the Fredericksburg region and the nation can build on toward achieving absolute racial equality for everyone.

“Prior to George Floyd, we were not engaging this issue like we are now,” said Carr. “One year of doing



Participants bow their heads in prayer during a vigil.

this work is not going to solve the community’s issues or the nation’s issues, this has to be something that we continue to talk about and continue to work with, but we believe things are at least turned and heading into the right direction.”

Carr also said Sunday’s vigil might set an example for the rest of the nation to follow.

“We’re here in what symbolizes the birthplace of George Washington,” said Carr. “If we can get it correct here, then perhaps what we do can reverberate around the nation.”

Blosser said he believes God heard the prayers offered by those attending Sunday’s vigil and he believes God will answer those prayers in time.

“We’re trusting him

for that,” said Blosser. “We can always pray at home, but I think there is something powerful about coming together as evangelical Christians to pray. He doesn’t always answer our prayers the way that we’d like him to, but we believe he answers our prayers.”

The shooting incident remains under investigation by the Virginia State Police Bureau of Criminal Investigation’s Culpeper Field Office, Police Shooting Investigation Team. Once that investigation is completed, Fredericksburg Commonwealth’s Attorney LaBravia Jenkins will review the findings and decide whether charges are warranted.

James Scott Baron: 540/374-5438
jbaron@freelancestar.com

Brown continues fight for survival

BY TAFT COGHILL JR.
THE FREE LANCE-STAR

An attorney for a man shot multiple times by an unnamed Spotsylvania County deputy last month said his client has undergone four surgeries and doctors have concerns about infection, sepsis and other life-threatening conditions.



Brown

David Haynes, who represents Isiah Brown—the 32-year-old unarmed Black man shot by the deputy on April 21, added that if his client survives, he'll likely have long-term damage and will need to spend time in a rehabilitation facility.

According to Haynes, Brown also suffered a broken leg and injuries to his bowel. He has at least nine entry or exit wounds cleaned on a regular basis.

Ten bullet fragments entered his body and two have been successfully removed, Haynes said during a virtual listen-

ing session hosted by the Spotsylvania County Branch NAACP on Saturday. He said then that Brown's most recent surgery had been Friday.

Haynes said he and Brown's family are "hoping and expectant" that criminal charges will be filed against the officer. The Virginia State Police has taken over the investigation and Fredericksburg Commonwealth Attorney LaBravia Jenkins has been appointed special prosecutor.

Haynes said he has learned the deputy that shot Brown has been with the Spotsylvania Sheriff's Office for one or two months. The deputy was placed on administrative leave after the shooting.

Haynes of the Cochran Firm in Washington filed a Freedom of Information Act request last week seeking all body camera and dash camera footage associated with the incident. The request also seeks the name of the deputy and the 911 dispatcher Brown was talking to on the phone at the time

SEE BROWN, A5

► FROM A1

of the shooting as well as their personnel files and hiring dates.

He said he expects an answer regarding the information this week. Jenkins said last week that she did not plan to release any information until the investigation is completed and there was no timetable for completing the probe.

Haynes said the officer was alone when he responded to the 12200 block of Catharpin Road for a reported domestic disturbance at 3:18 a.m. A recording of the 911 call Brown made indicates the deputy may have mistaken the cordless phone Brown was using for a firearm. The deputy began shooting after asking Brown to drop the gun.

No gun was found on Brown and Haynes said his client is not under investigation for anything. He said it's a "totally unjustified shooting" and he accused the deputy of panicking, overreacting and escalating the situation.

Haynes was joined on the Zoom session Saturday by Spotsylvania Supervisor Deborah Frazier, U.S. Rep. Abigail Spanberger, Virginia State Police Capt. John Defillipi and other community members.

The event was facilitated by Spotsylvania NAACP President Moe Petway and branch member Dondrae Maiden. Another listening session to update the incident is scheduled for May 29.

According to the 911 recording, Brown initially told the dispatcher "yup" when asked if he had a gun, but later answered "no" on two occasions.

"Isiah Brown was unarmed," Haynes said. "He made it clear he had no weapon, no gun. He was on a cordless house phone and he complied with all instructions from dispatch to raise his hands and wait for the officer.

"There's no question that Mr. Brown never presented any threat of serious injury or bodily harm and the deputy's actions of unloading a flurry of bullets into Isiah Brown was grossly negligent, inappropriate and clearly

preventable," the attorney added.

Defillipi spoke to the forum regarding policies and procedures of the Virginia State Police when it takes over an investigation, but did not address any specifics of the shooting or respond to statements by Haynes. He noted that local law enforcement agencies are not required to turn over such investigations to the state police, but it's occurring more regularly now that a spotlight has been placed on use of force by police across the country.

Spanberger, a Democrat whose represents Spotsylvania in Congress, spoke about police reform efforts at the federal level. She discussed the George Floyd Justice in Policing Act of 2021 that passed the House of Representatives in March but hasn't been voted on by the Senate. The civil rights bill was drafted by Democrats and aims to combat police misconduct, excessive force and racial bias in policing.

Spanberger said she's concerned that Blacks are killed at a disproportionate rate in engagement with law enforcement.

"We can say that law enforcement is a difficult job. It's a lifestyle job," Spanberger said. "But it's also a job of tremendous responsibility. We as community members can maintain tremendous respect for that job and also affirm that we have high expectations for anyone that wants to do that type of work."

Frazier—who became the first Black person voted to the Spotsylvania Board of Supervisors when she won the Salem District race in 2019—suggested Sheriff Roger Harris' office may need a third party to vet the hiring of deputies.

Community member Bill Jordan said more robust psychological testing needs to be done before and after an officer is hired.

"There are never going to be perfect police because there are not perfect individuals," Jordan said. "We have to do like we do with apples. We inspect them before we put them in the barrel."

Racial justice protests expose local divisions

BY TAFT COGHILL JR.
THE FREE LANCE-STAR

As Spotsylvania County Sheriff Roger Harris addressed protesters outside his office on April 23, he attempted to give Moe Petway an opportunity to speak.

Petway is the president of the Spotsylvania Branch of the NAACP and has established a working relationship with county law enforcement.

The sheriff said he had nothing else to add about what happened to 32-year-old Isiah Brown, an unarmed Black man who had been shot multiple times by a Sheriff's



Black Lives Matter protests began in Fredericksburg last May after George Floyd was killed in Minneapolis.

deputy April 21.

But before Petway could speak, Japharii Jones, who represents the group Black Lives Matter 757, told the 67-year-old pastor and former probation officer that he's part of the problem with Blacks being killed by police at disproportionate rates.

"How are we as a community to feel safe with you coming up here and coercing with the same people who are oppressing us?" Jones asked Petway. "How does it play in our favor for them to come out here and pass the mic and you to shuck and jive and

SEE DIVIDE, A4

► FROM A1

move your feet in their direction and we're out here suffering?"

Jones' sentiment about the local NAACP chapter is shared by several young activists in the Fredericksburg area.

A schism has developed between America's oldest and largest civil rights organization and the local Black Lives Matter movement, as well as other younger activists who have demanded change since the murder of George Floyd last May by Minneapolis police officer Derek Chauvin.

Petway said it was "disheartening" that day to hear the younger generation call him an "Uncle Tom"—a Black man considered to be subservient to whites—but added he believes that different approaches are part of the process for change.

"Change comes about by collaborating, working with people and trying to get things done," Petway said. "Sometimes it may appear that you're not as forceful as other people would like, but we've learned throughout time that we've got to negotiate and work things out."

Petway said the divide that's developed between him and the youthful activists stems from a lack of understanding of his role in the community. He said it's necessary for the protesters to draw attention to issues like the shooting of Brown, who has been in Mary Washington Hospital for a month.

Petway said protests are meant to open the ears of lawmakers and community stakeholders, but "now somebody has to come in and talk." He believes that's where the NAACP steps in.

"I can be their voice," Petway said. "I have the influence already. I can help them achieve what they're trying to achieve."

Petway noted that the Spotsylvania NAACP negotiated the release of the video and 911 recording of Brown's shooting. He believes progress was demonstrated when the Spotsylvania Sheriff's Office immediately turned over the investigation to the Virginia State Police and Fredericksburg Commonwealth's Attorney LaBravia Jenkins was appointed special prosecutor.

He said his conversations with Harris led to the Spotsylvania Sheriff's Office implementing a "duty to intervene" policy in case officers witness one of their own using excessive force.

A coalition of local Black religious leaders, including Petway, encouraged the Spotsylvania Board of Supervisors to issue a proclamation that it "commits to addressing and working to



FILE PHOTOS BY MIKE MORONES / THE FREE LANCE-STAR

Moe Petway of the Spotsylvania NAACP (right) listens as Anthony Foote of Black Lives Matter FXBG (left) talks with counter-protesters at a rally in Spotsylvania on April 23.

eliminate intolerance and discrimination in the community" and the coalition is now working to improve conditions at the Rappahannock Regional Jail.

Da'Quan Love, executive director of the Virginia State Conference of the NAACP, attended a listening session hosted by Petway earlier this month to provide an update on the Brown shooting. Love said one of the things he's most proud of is the Spotsylvania branch's relationship with law enforcement.

"The NAACP will not stand by," Love said. "We are taking action to change the policies that surround our interactions with law enforcement."

"We are thankful for the activists that are on the ground leading the struggle. Just as we know that all five fingers have a role to play in making a mighty fist, we know the role of the NAACP is that of changing policies for the long term."

▲ YOUTH MOVEMENT

Younger activists who took to the streets of Fredericksburg last year to protest Floyd's death said Petway's comments about roles aren't accurate.

Anthony Foote, president of Black Lives Matter FXBG, said it's a "slap in the face" because he and others have had discussions with local government officials and police officers and his organization recently joined the Fredericksburg Regional Chamber of Commerce.

Wesley Burton, a Stafford High School graduate who protested last year, noted that he's a rising junior political science major at Virginia Wesleyan



Wesley Burton of the Melanin Cooperative, a local protest group, leads a chant at a rally last year in King George.

University with aspirations of becoming a mayor. Burton said he and other protesters are comfortable discussing policies with government officials.

"We're not going to rattle the cage and then walk away and let them take over," Burton said. "As much as the NAACP is beneficial, at the end of the day, the things that get done are going to affect our generation because we're 18, 19 and 20. So the things we're trying to get done will have the most long-term impact on us."

Chanise Jackson, a rising senior law and policy major at the University of Washington, was one of the protesters tear-gassed by Fredericksburg police officers during protests a year ago. The Stafford High graduate's writing about the experience earned her a \$30,000 Harry S.

Truman Presidential Scholarship last month.

Jackson is also planning to write her thesis on the events in Fredericksburg last year and said she's planning to run for office in the city down the road. Jackson said protesters have had discussions with Fredericksburg officials, but "they just weren't receptive to us because of our public involvement."

Jackson said she believes the older Black generation has become complacent because overt discrimination, such as segregated schools and laws against interracial marriage, has ended. She recalled that NAACP leaders were booed at a protest in Fredericksburg last year because demonstrators believed they wanted to "water down" their message.

"The equality they fought for was very physical and in-your-face," Jackson said. "It was discrimination-centered, very vocal and public racism. We're fighting things that have been imbedded in our systems. They don't see it as we see it."

Lanaisha Foreman is one of the leaders of the FXBG Freedom Initiative. Foreman said her concern with the NAACP is that when the protests began last year, the leaders were critical of the methods of the younger generation.

Foreman said her only recollection of local NAACP chapters was "them telling us how to protest." She said they weren't available when more than 50 demonstrators needed legal assistance after receiving summonses charging them with violating a city curfew. Most of those charged were eventually

acquitted or agreed to perform community service in exchange for the charges being expunged.

"We were on Instagram trying to find clips of people who got arrested," Burton said. "Our entire protest group was talking to lawyers all the time about the 52 people who ended up getting charged. ... No disrespect, but I didn't see the NAACP. I saw some 19- and 20-year-olds talking to lawyers and trying to put in work."

▲ TENSE EVENING

Foote called Petway ahead of time to inform him that Black Lives Matter FXBG was coming to Spotsylvania last month to protest Brown's shooting.

Foote said the idea wasn't well-received initially, but he told Petway that he was only calling ahead as a courtesy and not seeking his permission.

Tensions between Petway and protesters became inflamed after the NAACP president bargained with counter-protesters Nick Ignacio and Mike Dickinson.

Ignacio and Dickinson antagonized demonstrators by playing the theme song from the television show "COPS." Dickinson also shouted that Floyd and other Black men killed by the police were criminals who deserved their fate.

Petway said he told Ignacio and Dickinson they were being disrespectful before welcoming them to the other side of the street. Foote said he intended to ignore them.

There were several face-to-face confrontations between Ignacio and protesters, but no violence ensued. Foote said Petway's actions that day were a "poor representation" of the NAACP and potentially ruined relationships between the organization and the community.

"Your duty right then and there was to stand bold, stand Black and unapologetic because Isiah Brown was fighting for his life," Foote said. "Your job was to stand for that, not anything else."

Petway said he was attempting to be a unifying force because he had a previous relationship with Ignacio, who is running for Battlefield District supervisor in Spotsylvania.

Still, Foote, Foreman, Jackson and Burton said they respect the NAACP and hope to move forward as a united front in the area. The latter three said they hope to eventually join the organization.

"As much as I've said some not-so-favorable things about the NAACP, I still recognize their importance," Burton said. "I know that without them, a lot of the freedoms we have now wouldn't be possible."

Taft Coghill Jr.: 540/374-5526
tcoghill@freelancestar.com

Man shot by Spotsy deputy is released

ISIAH BROWN DISCHARGED FROM HOSPITAL, RECOVERY WILL CONTINUE AT HOME

BY KEITH EPPS

THE FREE LANCE-STAR

The Spotsylvania man who was shot multiple times by a county deputy last month has been discharged from the hospital, his lawyer announced Wednesday.

Attorney David E. Haynes said 32-year-old Isiah Brown was released Tuesday and will continue his rehabilitation at home. Haynes said doctors told the family eight bullets were found in Brown's body, along with two exit wounds.



Brown

Brown was shot early April 21 during an incident in the 12200 block of Catharpin Road. The same deputy who'd given Brown a ride home earlier that night after his car broke down returned to Catharpin Road after Brown made a 911 call.

The portion of the 911 call released shortly after the shooting indicates the deputy thought that Brown had a gun, when he was actually on a portable phone talking to a dispatcher.

After Brown made a complaint that the dispatcher said did not merit a call to 911, Brown made a comment about killing his brother and initially told the dispatcher he had a gun. But he

SEE BROWN, A5

BROWN

► FROM A1

later said at least twice that he didn't have a gun. State police said no gun was found on Brown.

The deputy arrived and made excited comments such as "drop the gun" and "stop coming toward me" before firing a series of shots. Brown was critically injured and has undergone several surgeries since.

Haynes has filed Freedom of Information requests seeking more audio and video recordings connected to the incident, along with the names and work information about

the deputy and dispatcher involved. Special prosecutor LaBravia Jenkins has denied the requests, noting that the state police investigation into the shooting is ongoing.

Haynes said Wednesday he is filing follow-up requests in response to the denial letters he has received.

It remains unclear when the investigation might be over. State police just filed a search warrant Tuesday in Fredericksburg Circuit Court seeking all of Brown's hospital records from Mary Washington Hospital.

Keith Epps: 540/374-5404
kepps@freelancestar.com

Deputy in shooting case free until trial

VICTIM, FAMILY CALL FOR FIRING, BUT OFFICER WILL GET RECOGNIZANCE BOND

BY KEITH EPPS

THE FREE LANCE-STAR

The Spotsylvania deputy who was indicted Thursday in connection with the shooting of a county resident in April likely won't be going to jail, at least not before the end of his trial.

David Matthew Turbyfill, 23, is charged with felony reckless handling of a firearm for shooting county resident Isiah Brown multiple times in the 12200 block of Catharpin Road in Spotsylvania on April 21.

It was not clear Friday whether Turbyfill had been served with a warrant, but court records show that he would be released on a \$10,000 personal recognizance bond. As long as Turbyfill stays out of trouble and shows up at scheduled court hearings, he will remain free, at least until a decision is made on the charge.



Brown

The grand jury also considered a second felony charge against the deputy, unlawful wounding, but decided not to indict him on that count.

Turbyfill, a graduate of Fredericksburg Christian School and Virginia Military Institute, had been working as a deputy in Spotsylvania less than six months when the incident involving the 32-year-old Brown took place.

He had given Brown a ride home earlier that morning after Brown's car broke down, and returned to Catharpin Road after Brown made a 911 call in which he threatened to kill his brother.

Audio released by police indicated that Turbyfill mistakenly

SEE DEPUTY, A5

DEPUTY

► FROM A1

thought Brown had a gun as he walked toward the deputy outside his home. The deputy yelled for Brown to drop the gun and stop coming toward him before firing between seven and 10 shots.

Brown's attorney, David Haynes, said doctors found eight bullets in Brown's body. Brown survived the shooting and, after a lengthy hospital stay, is home recovering.

The Virginia State Police investigated the shooting and Fredericksburg Commonwealth's Attorney LaBravia Jenkins is serving as special prosecutor, though Jenkins is retiring Aug. 1 and will not be handling the court case.

Haynes released a state-

ment in which he said Brown and his family are pleased with the indictment and are calling for the immediate termination of Turbyfill.

Spotsylvania Sheriff's Maj. Troy Skebo said Turbyfill has been assigned to administrative duties since the shooting, which he described as standard practice in such cases, and added that the department will not be answering any questions related to the case.

"Isiah Brown's life was shattered and changed forever when he crossed paths with David Turbyfill," Haynes wrote. "While this indictment doesn't take Mr. Brown's physical pain away, it does signify a measure of justice."

Keith Epps: 540/374-5404
kepps@freelancestar.com

Man shot by deputy files \$26 million suit

LAWYERS FOR ISIAH BROWN
ACCUSE SPOTSY DEPUTY,
SHERIFF OF NEGLIGENCE

BY KEITH EPPS
THE FREE LANCE-STAR

The Spotsylvania man shot by a county deputy during a highly publicized incident on April 21 has filed a \$26 million lawsuit against the deputy and Sheriff Roger Harris.

Attorneys for Isiah Brown filed the suit Tuesday in U.S. District Court in Richmond. The suit accuses Deputy David Turbyfill of "gross negligence, battery and using excessive force."



Brown

Brown was shot multiple times early April 21 outside his mother's home in the 12200 block of Catharpin Road in Spotsylvania. He was holding a cordless telephone that the deputy apparently mistook for a gun.

Brown had gotten a ride home from Turbyfill earlier that night after his car broke down. The deputy returned to the residence about 3:18 a.m. after Brown made what a dispatcher told him was an unnecessary 911 call.

The call came after Brown

got into an argument with his brother. During the 911 call, Brown threatened to kill his brother and answered "yup" when the dispatcher asked if he had a gun. He later said he did not have a gun.

Turbyfill's voice can be heard on audio released by the Sheriff's Office shouting "drop the gun, drop the gun" before a series of shots rang out. State police, who investigated the shooting, said Brown didn't have a gun.

A special grand jury investigated the incident and indicted Turbyfill on a felony criminal charge of reckless handling of

a firearm. His arraignment in Spotsylvania Circuit Court has been continued several times, but is now scheduled for Dec. 22. Turbyfill is free on bond while he awaits trial.

David Haynes of the Cochran firm, the lead attorney in the case, wrote in the newly filed lawsuit that Brown was struck by at least eight bullets. He said Turbyfill did not provide any warning, though he had a reasonable opportunity to do so.

The suit states that the "flurry of bullets ... caused enormous injury" to Brown. Haynes wrote that Brown's intestines were

SEE LAWSUIT, A10

LAWSUIT

► FROM A1

pierced and he suffered a fractured rib and a “shredded” bladder. There was also damage to his abdomen, side, buttocks, legs and neck.

Brown spent weeks in the hospital as the result of his injuries and still requires ongoing care.

Sheriff Harris is being sued because the lawsuit

alleges that he shares responsibility for the actions of his deputies. Sheriff's Office spokesman Capt. Troy Skeebo said the sheriff had no comment on the lawsuit.

“Isiah Brown's life will never be the same after this tragic encounter with David Turbyfill,” Haynes said. “Our hope is that this lawsuit will provide a measure of justice.”

Keith Epps: 540/374-5404
kepps@freelancestar.com