

Charles Paullin Public Safety Writing W17

Virginia Supreme Court refuses to hear appeals over the renaming of Shenandoah County schools

By Charles Paullin
The Northern Virginia Daily

WOODSTOCK — The Supreme Court of Virginia last week declined to hear two appeals related to the Shenandoah County School Board’s decision to rename schools and a mascot with Confederate ties.

In July 2020, the board renamed Stonewall Jackson High School to Mountain View, Ashby Lee Elementary School to Honey Run while North Fork Middle School’s mascot changed from the Rebels to the Generals.

A petition to reverse the renaming was dismissed by Shenandoah County Circuit Judge John Wetsel in March. An appeal of that decision — which the state’s supreme court will not hear — was filed by attorney Robert Vaughn, who was lead counsel in the case, with Shenandoah County Board of Supervisor member Bradley Pollack acting as co-counsel.

After the petition was dismissed, school board attorney Lindsay Brubaker filed a request for Vaughan and Pollack to pay the \$41,000-plus in legal fees her firm spent arguing the case. The request was denied in Shenandoah County Circuit Court. Virginia’s supreme court also declined to hear an appeal of that decision.

A supreme court order detailing the decision to not hear the appeals states “... the court is of the opinion there is no reversible error in the judgement complained of.”

Pollack stated by phone interview he wasn’t sure Vaughn’s argument would have actually reversed the school renaming decision. Vaughn’s argument, in part, said Wetsel erred in deciding Vaughn’s petition had no legal standing.

As for not having to pay legal fees, Pollack said, “It’s a good thing that’s gone.” He pursued the litigation in good faith, Pollack said, despite Brubaker arguing in court that Pollack knew it was frivolous.

Vaughn could file a petition to rehear the case, Pollack added, but that was “by and large” up to him and something he “may or may not do.”

In another case related to the changes dismissed in Shenandoah County Circuit Court, Pollack sought to overturn the reallocation of \$300,000 budgeted to pay for actually changing the names on school property. An appeal of the dismissal is pending with the supreme court as a school board response to the court filings is still to come, according to the state supreme court clerk’s office.

In the appeal, Pollack argued that Judge Kevin Black erred in his dismissal by stating there was no legal standing for the challenge. Black said allowing legal challenges of the school board's budgetary decisions would make a "jungle" of the court system. In arguing for dismissal of the case, Brubaker said, "Just because there's a difference of opinion, it doesn't mean there was anything ... illegal [done]."

"I think that the petition for appeal of the budget amendment, at least Judge Black's regarding standing, is real solid," Pollack said.

Vaughn and Brubaker did not immediately return requests for comment Monday.

Front Royal man gets nearly 30 years for murder of Tristen Brinklow

By Charles Paullin

The Northern Virginia Daily

FRONT ROYAL — Tristen Brinklow, 20, of Warren County, will no longer be able to open the door and have his mom see him standing there as he says, "Hi mom."

His mother, Jennifer Brinklow, has post-traumatic stress disorder, she told the court Monday during the sentencing hearing for Richard Crouch, who pleaded guilty in July to killing her son.

Her son is her first and last thought every day, she said, and she has learned the Sanskrit word vilomah, which is a term for a parent losing a child.

"I don't have any more memories I get to make with him," Brinklow said at Crouch's sentencing.

Crouch, of Front Royal, was sentenced Monday in Warren County Circuit Court to 28 years and 9 months for the Sept. 28, 2019, murder of Brinklow. The punishment includes time as well for beating his girlfriend a few days before the murder and selling methamphetamine. Over 30 years of prison time was suspended in Crouch's sentence.

During the sentencing hearing, a rally to raise awareness of Tristen "Trey" Brinklow's life was held outside the courthouse.

Crouch pleaded guilty in July to second-degree murder, concealing a dead body and defiling a dead body. Crouch also pleaded guilty to unlawful wounding, two counts of strangulation and intent to distribute methamphetamine in the other incidents.

George Good, the co-defendant in the case, provided statements implicating Crouch as the primary assaulter in the incident. Good was sentenced in August to 10 years in prison with 25 years suspended as part of a plea deal.

Warren County Commonwealth's Attorney John Bell noted during Crouch's sentencing that Good's statements detailing what happened line up with what Crouch told a cellmate informant.

Good also provided the location of evidence, including a necklace, class ring and clump of hair, which was consistent with a clump of hair missing from Crouch's girlfriend, who was beaten a few days prior to the murder. Tristen Brinklow's injuries were also consistent with the girlfriend's injuries, Bell stated.

"He is responsible for the death of Tristen Brinklow," Bell said of Crouch.

In his defense, Crouch testified that he was under a methamphetamine-induced altered consciousness, and that Good was the primary assaulter.

Crouch, Good and Tristen Brinklow met at a McDonald's before going to Good's apartment on Sept. 28, 2019, Crouch said in his testimony. There, a party ensued and people, including Tristen Brinklow, started smoking and snorting drugs, Crouch said.

Crouch said that after Good beat Brinklow to death, they concealed his body inside a refrigerator. Brinklow's body was later found in the Thunderbird Farms area of Warren County.

"I am deeply sorry for the loss of your son," Crouch said to Jennifer Brinklow while testifying Monday.

Crouch said he's going to help people with addiction.

Judge William Sharp said Crouch clearly participated in the incident.

It may not be fair for both defendants that Good's plea deal came first and resulted in less prison time, Sharp said.

"It's a hard reality of any case," Sharp said.

Crouch's initial first-degree murder charge was reduced to second-degree murder based on evidence indicting the killing was impulsive and not premeditated, Bell explained after the sentencing.

The sentencing was the maximum amount of prison time Crouch could have received per the plea agreement.

"Jennifer Brinklow did a wonderful job in presenting who her son is to the court," Bell said.

"It's important to remember this case was about Trey, about Tristen Brinklow, about his life, not primarily about Crouch, or for that matter, Good."

SU students' research shows benefit of community policing

By Charles Paullin
The Northern Virginia Daily

While police around the nation are grappling with how to do their jobs in the wake of interactions that have resulted in deaths and demonstrators taking to the streets, a group of Shenandoah University students has been studying the impact of community policing by focusing on the Town of Strasburg.

Elise Rocconi, Anna Burns, Tessa Myers, Domonique Gholson, Madison Hansen and Alisa Van de Crommert, all SU students in an occupational therapy master's program taught by professor Alicia Lutman, reviewed over 31,000 calls between 2016 and 2020 that Strasburg police responded to and classified them into two categories: reactive or proactive.

The reactive calls are those that police are typically involved with. That is, making arrests, handing out citations and responding to emergencies. The proactive calls are ones in which a police response was not needed, and they were out in the community at the time handling other matters.

According to the calls reviewed between the years of 2016-2020, there was a statistically significant increase found in proactive calls, about 1,501. At the same time, between the years of 2017-2020, there was a statistically significant decrease found in reactive calls, about 309.

The difference between those two groups of data? Wayne Sager took over as chief of police in 2017 and has stressed the importance of community policing, Lutman said. Reactive calls back to 2016 were looked at to determine that strategy's impact, Lutman said.

"Chief Sager and I were working on an autism project together and I happened to mention the results of the previous study to him and he told me that he strongly supports community policing in the Strasburg community," Lutman said.

Occupational therapy is the study of how people complete everyday activities and implement ways they can go about doing them. Lutman has been studying how first responders interact with people who have special needs, such as those with autism, and how school resource officers interact with people who have behavioral issues.

Bridging the gap between first responders, after they receive training on how to interact with those individuals, and the community is something that's needed to prevent negative results from an interaction involving the two, Lutman said. So studying community policing was the next logical step and it was pure coincidence that she chose to study it with everything that happened last summer, she said.

"And then...yeah, everything just exploded," Lutman said of the massive protests following the death of George Floyd. Former Minneapolis police Officer Derek Chauvin was found guilty of murder and manslaughter in Floyd's death this week.

But the study's results went beyond just the quantitative data results showing community policing and its impact. It found qualitative data, too, through the form of an anonymous

survey sent to members of the department asking for their perceptions within the department. Seven officers were also interviewed about their experience with community policing.

Of the 17 police officers within the Strasburg Police Department, eight responded to the survey, with one officer having three to five years of experience, two officers having five to 10 years of experience and five officers with over 10 years of experience.

Among the survey results, officers said community policing is a positive component of the job. One officer states, “When I first arrived at the department, for the most part the town had a negative view of SPD. I started to notice...the next couple years Chief Sager emphasize community policing in our town and noticed a shift where the town started to be more comfortable with the PD.”

Another officer stated when law enforcement normally interacts with the community, it’s usually during a negative interaction or crisis, “so it’s important to have a positive outreach.”

While community policing is great for the department’s image and makes people more comfortable with people approaching them, one officer noted that not everyone approaching police have the intent of being kind. “Being approachable makes us take our guard down and that’s how we get hurt,” that officer stated. “Complacency. It’s a double-edged sword.”

Lutman states in an email that officers noted significant changes in future interactions during times of crisis due to their prior positive interactions with individuals in the community.

Because of time constraints with the study, only the seven officers who responded to the interview requests first were questioned. Because the survey was anonymous, it’s not clear if the seven interviewed were the same ones who responded to the survey, Lutman explained. The interviews were held online over Zoom, and then transcribed word for word.

Among the responses, many common themes were identified, including that of the socio-cultural climate making it difficult to be an officer, the training and responsibilities an officer must maintain to make good decisions, and how community policing allows officers to advocate for themselves, Lutman shared.

“For officers to be willing to open up to us in a time like this is significant,” Lutman said.

In a group interview with the six researchers at the school’s Winchester Campus/Health Profession Building at the Winchester Medical Center, the students appreciated the ability to speak with the officers directly and hear from them their take on policing. The students shared with the Northern Virginia Daily their thoughts about what they found and how it factors into the current climate about policing.

“They can’t share their personal opinion,” Myers said was something officers deal with when responding to incidents As someone who prefers to hear about experiences first-hand and gather the research for herself, Myers suggested creating safe spaces that allow the officers to be in their role and more human.

Hansen echoed those sentiments, saying that it seemed like the officers enjoyed speaking out and it was beneficial to hear what makes a situation tense for them and what they look for in certain circumstances. Officers holding the door for people at a gas station, or playing basketball with kids is a way they can connect with the community, she said, as part of community policing.

The benefit of crisis intervention training as a tool for officers to interact with people dealing with mental health conditions, and the importance of preaching that tool from the chief down to officers, was a takeaway by Burns. The importance of addressing burnout among officers was recognized as a need by Van de Crommert.

Gholson, who is from Richmond where several demonstrations broke out following Floyd's death, noted the small size of the Strasburg department and wondered what the results would be from a metropolitan area.

"Their experiences in bigger populations might alter what they think," she said.

Gholson stated that it is intimidating to see an officer in uniform, and suggested having a less official uniform that still displays police or a badge for less-tense situations, like patrolling a park.

The big picture is that everyone needs to be educated on what a crisis looks like, Gholson said, adding that "the hope is to build a better relationship between us and the officers."

Rocconi stated the research was tedious, but necessary.

Lutman acknowledged Gholson's point, saying a larger sample size should be studied. Correlation doesn't mean causation, she also acknowledged, as something else may have contributed to the decrease in reactionary calls. But there is something to be found with the research, she said.

Sager, who had not yet reviewed the results of the study when he was interviewed for this story, said community policing is a high priority for him, as is being approachable and accountable to the public. Officers are people, too, and while there may be bad apples in the profession as there are in every profession, a majority of officers want to serve and help the community, Sager said.

"If we can have these positive community events, the community can interact with a law enforcement officer in a positive manner and we can all be there together to build our trust and relationship in a positive manner," Sager said. "I think it's important. It's very important we do that."