

Our View

What constitutes 'good behavior'?

The tragic, baffling and infuriating murder saga of Karla Dominguez has taken another bizarre turn with the sentencing of former bondsman Man Nguyen to one year in jail with all but 30 days suspended for "good behavior." The sentencing on March 31 followed a Jan. 26 trial where Nguyen was found guilty of criminal contempt of court for his actions in the Dominguez murder case.

We have two questions: How could the sentence have been so light? And exactly when does Nguyen's "good behavior" begin?

Did it begin when Nguyen, at the time a licensed bondsman, posted \$25,000 and signed for the release of Ibrahim Bouaichi, a long-time acquaintance, despite his emphatic refusal to familiarize himself with the terms of that bond?

During his hearing before the Virginia Department of Criminal Justice Services in September 2020, Nguyen said he was not aware of the terms of Bouaichi's release because he wrote 16 to 20 bonds a week and it was "not his job" to track, or apparently be aware of, the terms of Bouaichi's bond. Nguyen's former boss, Dave Gamble, testified during Nguyen's trial for criminal contempt of court on Jan. 26 that bondsmen are "not responsible for the behavior" of those they bail out of jail, but they are required to "know the conditions of the bond."

Did it begin when Nguyen then actively helped Bouaichi violate the terms of his bond by meeting him in a park, employing him at his Kiosk in a nearby Maryland shopping mall or, unbelievably, giving Bouaichi access to his house, car and easily findable handguns and ammunition, which Bouaichi used while Nguyen was away on vacation to allegedly kill Dominguez and then himself?

In Nguyen's criminal contempt of court trial, Judge Charles Sharp said that Nguyen was being tried for "serious malfeasance ... almost on a daily basis." At the hearing when Nguyen's bondsman's license was revoked, presiding officer Terry C. Frye said, "I believe that if a bondsman is acting in a competent manner, he cannot

take affirmative steps to enable the Defendant to violate the terms of the bond, which the bondsman himself has signed off on."

Did it begin when Nguyen told the Times in an interview in October 2021, of which we have a voice recording, that he knew Bouaichi had been arrested for DUI while out on bond? Or when, according to the Washington Post, Nguyen testified during his contempt of court trial that he was unaware of Bouaichi's arrest for DUI? Both statements, one in an interview and one under oath, can't be true.

"I don't recall [when] exactly, but he called me and told me, 'Yeah, I got arrested a month ago, blah blah blah, got a DUI in the Wendy's parking lot, you know,'" Nguyen said to the Times. "And in my mind, I'm like, 'If he got arrested again or whatever, shouldn't pretrial violate his condition and put him back in jail?'"

Or did Nguyen's good behavior begin when he repeatedly showed no remorse for his role in this sad saga, and repeatedly denied any culpability while blaming others?

"My only bad judgment was to trust this individual," Nguyen said in January, defending himself against the charge that he violated the recognizance he signed by helping Bouaichi violate the terms of his bond. Former Magistrate Elizabeth Fuller told the Times that before she reported Nguyen to DCJS and he lost his bondsman's license, he came into the office talking about his role in Bouaichi's killing of Dominguez. "He was telling this officer about what happened and almost bragging about it. The officer said to me, 'You will never believe what he just said to me,'" Fuller said.

Commonwealth's Attorney Bryan Porter, who to his credit did prosecute Nguyen for criminal contempt of court, told the Times that Nguyen's conviction shows "the defendant made a serious error for which he has rightly been held accountable."

Is 30 days in jail for "good behavior" being held accountable?

Karla Dominguez was a powerless victim who was failed by the system at every turn. Say her name.

Our View

Don't strangle Duke Street

Putting pressure on something that's already bursting at the seams usually doesn't end well.

That could mean squeezing into an already tight shirt after visiting an all-you-can-eat buffet. It could mean stuffing the 26th marshmallow into your mouth during a game of "chubby bunny." Or it could mean crowding an already gridlocked roadway from multiple pressure points.

While perhaps it's been a while since most residents played chubby bunny, it's likely not been long since any Alexandria resident experienced the unhappy delays involved in traveling virtually any distance on Duke Street.

City planners are doing their best to deal with Alexandria's major roadway that is beset with multiple problems:

1) It's already gridlocked and is getting more so with each new housing unit, whether single- or multi-family, that's built in the city.

2) It's unsafe for pedestrians or cyclists in its current configuration.

3) It's ill-suited to rapid-speed public transit buses.

4) Existing gridlock leads to dangerous cut-through traffic in nearby neighborhoods.

Our city leaders deserve credit for not simply ignoring these issues. Unfortunately, while each solution that's being developed looks reasonable when taken individually, when put together they will make Duke Street unpassable for people in private motor vehicles.

It's been well-documented in this space that we think the negative consequences

of Alexandria's rapid over-development of the past 10 years far outweigh any potential benefits.

More people moving to Alexandria result in more cars on our roadways – and not just from new residents with cars. People without cars of their own often rely on Uber rides and DoorDash deliveries, or on rides from friends with cars. More residents result in more vehicles on our roadways, one way or another.

Duke Street in recent years has been the scene of several tragic pedestrian fatalities, and it's a brave bicyclist that will attempt to traverse the crowded roadway on two wheels. City planners are also working on a design to introduce a bus lane in an effort to get more people to ride buses instead of driving cars. The plans would simultaneously provide safer passage for cyclists and pedestrians.

Unfortunately, current plans call for squeezing the already overstuffed street by eliminating one of the four traffic lanes, at least in certain places, according to preliminary renderings. Current plans also call for eliminating traffic cutting through adjacent neighborhoods by lengthening traffic signals to the point that it makes cutting through take longer.

While we agree with the need to reduce cut-through traffic, the intended result of this effort is to force that traffic back onto Duke Street – which is the street that's already gridlocked with traffic and is likely to lose at least one lane in places.

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Imagine going through that buffet and then, instead of attempting to squeeze into your existing too-small shirt, you choose one that's two sizes smaller. You simply won't fit.

Pedestrian and bicycle safety improvements need to happen. This should be done by reconfiguring

without losing any existing lanes for privately owned vehicles. In places where that's not possible, widen Duke Street.

If bus lanes must be added, then that addition should be done by widening Duke Street rather than eliminating private vehicle lanes. If that can't be done, then punt the bus lanes, even if that means turning

down grant money.

If a chubby bunny participant already has 25 marshmallows in their mouth and you attempt to cram six more in at once, they will choke. We shouldn't strangle Alexandria's motorists with well-intentioned but misguided plans. Look at the whole picture and not the individual pieces.

Our View

Education vs. ideology

Two stories in the Alexandria Times in the last two weeks highlight the shift of our school district from emphasizing education to pushing ideology – and the dismal results this shift is producing. Any decision that doesn't ask the question: "Will this decision help students learn better?" is ideologically focused rather than education based.

Last week's story "School Board ponders grading changes" revealed that a consultant hired by ACPS is proposing, among other things, that penalties be removed for students who don't complete homework – which would effectively make homework optional. The proposal was tabled after being roundly criticized, including by a student School Board representative, but School Board Chair Meagan Alderton made it clear that she supports ultimate passage.

It's difficult to know which statements were most troubling from this meeting. Was it Alderton's assertion that ACPS teachers "are pawns of the institutions that gave us our education"? Yes, we're all influenced by the environment in which we are raised and educated. But labeling teachers as "pawns" is a step too far, as it implies that educators are not capable of thinking for themselves, or of sifting the wheat from the chaff.

The most shocking revelation was that ACPS teachers were not involved in developing the homework proposal. Our School Board was asked to pass a radical departure from the way ACPS educators currently teach – four days into the school year – without giving them input into the proposal.

That outgoing Superintendent Gregory Hutchings, Ed.D., at his last School Board meeting voiced support for an ideologically rooted proposal from an outside consultant that teachers had no say in developing speaks volumes about his priorities during his tenure at ACPS.

While all manner of changes are being made in the name of "equity," it's amazing what hasn't been done. From our perspective, equity in education should mean making decisions that are geared toward raising all students up.

Was it equitable that ACPS remained closed to large-scale, in-person learning much longer than other school districts in Virginia, including longer than all of our Northern Virginia counterparts, during the COVID-19 pandemic? Particularly when test results fairly quickly showed that minority students, English-language learners and students with disabilities – in short, the very groups that equity is supposed to help – were faring worst with remote learning? The achievement gap widened during COVID-19. There's a straight line from this fact to decisions made by Hutchings and the School Board.

This week's front-page story "Alexandria SOL scores lag behind state" on 2021-2022 school year Standards of Learning data further reveals the extent to which ACPS trails the rest of Virginia in educating our students. It's simply unacceptable that more than half of our students are not proficient in math or science – and that ACPS lags 17 and 16 percentage points behind the average Virginia school in these categories.

Yes, the COVID-19 pandemic hurt learning. But all Virginians were subject to the same pandemic. In fact, vaccination locations and medical care were much more readily available in Northern Virginia than in rural parts of the state.

When an ideological agenda is prioritized over educational attainment – and is done as blatantly as it has been at ACPS these past four years – it's apt to wonder just who the pawns are and what the chess master is after.