

Alleged sexual assault comes to light

Parents frustrated with district's handling of Minnie Howard incident

BY OLIVIA ANDERSON

Back in October 2021, an alleged multi-assailant sexual assault took place on the Minnie Howard campus and at the time Alexandria City Public Schools did not notify parents. After the

incident came to light last week via National Review, a conservative editorial magazine, ACPS parents have criticized the district for handling the situation in a manner that left them in the dark.

Most recently, the City of Alexandria released a statement on March 18 in

SEE ASSAULT | 12



PHOTO/CODY MELLO-KLEIN

Many parents are criticizing ACPS for failing to notify them after an alleged sexual assault took place on the Minnie Howard campus in October 2021.

ASSAULT

FROM | 1

response to swelling public interest in the case, saying that the city “is aware of the incident, that it was adjudicated in Court, and that the defendant was acquitted.”

The statement went on to say that details regarding incidents involving juveniles “must remain confidential and cannot be shared” pursuant to Virginia State Law Section 16.1 – 301.

The section in question details the confidentiality of juvenile law enforcement records and disclosures to the school principal and related persons. Specifically, section A states that “such records with respect to such juvenile shall not be open to public inspection nor their contents disclosed to the public unless a juvenile 14 years of age or older is charged with a violent felony.”

But section B states that, “Notwithstanding any other provision of law, the chief of police or sheriff of a jurisdiction or his designee may disclose, for the protection of the juvenile, his fellow students and school personnel, to the school principal that a juvenile is a suspect in or has been charged with a violent felony.”

The law also states that the principal may use discretion in providing such information to a “threat assessment team established by the local school division,” although the threat assessment team is barred from sharing information about the juvenile with the public.

In the case of the incident at Minnie Howard, one of the students was charged with aggravated sexual battery, rape and forcible sodomy, all of which are felonies under Virginia code.

The incident was mentioned at a School Board meeting on March 3, during which ACPS staff presented to the board a

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– Anonymous
ACPS parent

summary of security incidents that had taken place in the first two quarters of the school year.

“Upon notification of the allegation, the alleged aggressor was removed from campus,” ACPS staff said in the report presented to the School Board. “This student was placed into virtual learning as APD investigated the allegation. This student was officially charged with an offense related to this allegation on Jan. 13, 2022.”

But many parents and community members contend that the city could have – and should have – informed the community immediately that an incident was, more broadly, being investigated, without sharing specific details or names.

In fact, on Oct. 6, 2021, Alexandria City High School Principal Peter Balas released a statement informing families of an incident at ACHS in which a student was arrested for bringing a handgun on campus.

“The safety and security of our Titan students and staff are a top priority. Please be assured that all information provided to us on such matters is taken seriously and that we will continue to be purposeful and persistent in our approaches to school safety,” the statement read.

Recently, an incident at Thomas Dale High School in Chesterfield County resulted in the arrest of a 15-year-old student for rape and abduc-

tion charges of a classmate who was forced into a school restroom. The school’s principal confirmed the incident to parents and community members without naming the suspect or providing specific details.

ACPS spokesperson Julia Burgos told the Washington Post that the district “followed its normal protocols” in handling the October assault.

“[Burgos] said the school system informs all parents at a school campus, in consultation with police, when there is a possible threat to campus safety. Sometimes, she noted, the school and police must together consider whether releasing information will impede law enforcement investigations,” the Post article said.

This has left some parents wondering: If the district felt it appropriate to release general information about a student bringing a gun on campus, why didn’t it also release general information about the alleged assault?

One ACPS parent, who wished to remain anonymous because his daughter is still a student at Minnie Howard and will be referred to as John, expressed frustration over the fact that parents were not provided with any information on the Oct. 6 incident.

“[Events like this] are nothing new, but don’t bury it and hide it. You can inform us every day on everything else; why can’t you inform us on this?” John said. “... The fact that it took the press to break the story is unacceptable. Sunshine is the best disinfectant.”

Another parent, who also has children in the system and thus wished to remain anonymous and will be referred to as Jane, said her daughter was jumped by several girls back on Oct. 18, 2018. The Times was able to independently verify that the incident resulted in an arrest, according to the

police report submitted for the incident. Jane said, the group videotaped the assault, which showed them hitting and ripping out the girl’s hair.

According to Jane, Commonwealth’s Attorney Bryan Porter called her and discouraged her from pressing charges, which she said she declined.

“He said, ‘Is your daughter really sure she’s going through with this or is this you?’ and that [we] were going to ruin [the perpetrator’s] life,” Jane said. “So it was pressure, pressure, and finally I was like, ‘Bryan, I’m sorry, I don’t appreciate the phone call. We’re going through with this.’”

Regarding the current incident, the parent said she experienced a flurry of anger all over again.

“It makes me furious. As a parent I’m not looking for who did it, just transparency from the schools,” Jane said. “Just some communication of, ‘Hey this is what happened, and these are the steps that we’re going to do to make sure that your students feel safe coming to school.’”

In response to the allegation from Jane, Porter said in a statement: “I have determined that the case was charged and that my office prosecuted the matter to a conclusion (ie. the case was not dropped by my office). In light of the Code of Virginia, which provides for strict confidentiality for juvenile proceedings, and given this was a misdemeanor matter, my office cannot make any additional comments.”

However, he did speak separately on the October incident at Minnie Howard, stating in an interview with the Times that in order to protect the involved juveniles, the Code of Virginia “places strict limits on the information law enforcement agencies may share regarding juvenile investigations, arrests and court proceedings. These limits are

especially important where the outcome of a juvenile case does not result in an adjudication of criminal responsibility.”

He went on to say that because of the public interest in the case, his office “confirms it worked with the Alexandria Police Department to investigate allegations, that a juvenile was charged with several serious offenses, that the matter was tried and that the juvenile was found to not be criminally responsible for the charged offenses. Given the outcome of the case, pursuant to section 16.1-301, -305B1, -305C and 16.1-309, the Office of the Commonwealth’s Attorney can make no further comment on this matter.”

In response to the Times’ request for comment, Burgos reiterated in an emailed statement that ACPS followed policy.

“We do not provide details regarding specifics about students due to privacy concerns. ACPS followed protocols and worked closely with police in this situation. We are unable to provide specific information about the incident and any disciplinary consequences for the students involved,” Burgos said.

Alexandria police spokesperson Marcel Bassett said that the Alexandria Police Department was made aware of the March 18 city statement before its release. He also confirmed in an email that APD worked with the city to investigate the October assault.

“We were notified of the incident, and as we do in all the situations of the same caliber, we investigated, found reason to charge a suspect and arrested a suspect,” Bassett said.

In an email on Oct. 9 that was part of the National Review FOIA, and which the Times obtained separately, Acting Police Chief Don Hayes

ASSAULT FROM | 12

also confirmed the incident to a concerned parent, saying, “There was a large fight on Tuesday at the Bradlee Shopping Center, and we are investigating a sexual assault and a weapons charge that occurred on Wednesday.”

Some have speculated that the assault may have influenced the ongoing debate about school resource officers in schools. City Council voted to reinstate SROs on Oct. 13, 2021, shortly after School Board Chair Meagan Alderton sent an email, which was quoted in the National Review and obtained separately by the Times, to council notifying them that an alleged incident was being investigated. Mayor Justin Wilson, who has consistently voted to keep SROs, told the Times that while he supported the decision to reinstate them, the issue is about more than any one incident.

“SROs are one of many supports that we provide for safety and security for our kids. I’m never going to point at one incident and say, ‘Got ya, that’s why we need SROs’ because there’s no way you could make an argument that something would or would not happen because of an SRO,” Wilson said.

Wilson did not refute any of the facts in the initial National Review article – a followup piece was released on Monday – but said there is more to the story and that the press release from the city was a step in the right direction.

“I’m going to try to get that out to the public to the extent we can,” Wilson said. “... Hopefully the police department and the Commonwealth Attorney’s Office will be able to provide some additional information ... about exactly

what happened on the city’s side of the equation. I’ll let the schools speak for themselves on their piece.”



**JULIA
BURGOS**

It should also be noted that in a March 14 School Board meeting, four days before the National Review story was published, ACPS Superintendent Dr. Gregory Hutchings, Ed.D. discouraged board members from speaking with the media on division-wide topics during a conversation about the board’s operating procedures.

“I get bombarded by people at events as soon as I step off the stage, and I say, ‘You gotta wait until I talk to my team first, because I want to make sure what the pros and cons are of it’” Hutchings said. “Sometimes I want to respond to something and when I talk to the team they’re like, ‘But

if you do this, then this could happen’ and sometimes I want to respond anyway, but at least I get to hear their perspective around, ‘Well what are the implications of my response or how could somebody take this out of context?’ which has happened to me before.”

At the meeting, School Board member Abdel Elnoubi pushed back.

“We are accountable to our constituents,” Elnoubi said. “Officials should be able to talk to our community without filtering anything if we don’t have to or if we don’t want to.”

In response to the Times’ request for comment on Hutchings’ statement to the board, Burgos pointed to the ACPS Media and Public Relations Policy, which states that, “News and information concerning school events, personnel, students, and programs shall be released to the press only with the approval of the Office of Communications and

in accordance with State and federal laws regarding confidentiality.”

The statement goes on to say that, “All matters representing the official position of the School Board prepared for publication by any of its employees shall be approved by the Office of Communications, the Superintendent or designee, and the School Board Chair or designee prior to release.”

John asserted ACPS’ handling of the Minnie Howard incident should serve as a jumping off point for a change in district policy to both prevent similar instances from occurring in the future and keep the community in the loop.

“Hiding it doesn’t help us solve the problem. The community solves this problem,” John said. “If you highlight it, you start addressing it immediately, and you change your businesses and procedures.”

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