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118TH YEAR, NO. 26

WEDNESDAY, APRIL 19, 2023

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Examining a fatal crash investigation: Part 3

BY TITUS MOHLER
 STAFF WRITER

Publisher's note: This is part three of a three-part story examining the investigation into a 2019 fatal crash in Southampton County. To accommodate the limited space available on the printed page, part three continues as part two did — without introductory context. For context, please see parts one and two in the April 5 and 12 print editions, respectively, and online

at www.TheTidewaterNews.com.

INTERACTIONS WITH THE COMMONWEALTH'S ATTORNEY

At the sentencing hearing, Jamie Lee said Fuller and White went to Cooke and asked him not to take the Lees' case. *The Tidewater News* asked the sheriff's office if Fuller went to Cooke and asked him not to bring charges against Pittman. "No," White said. "Mr. Cooke was aware of the incident the morning that it occurred. Once

the investigation was complete, the evidence was presented to Mr. Cooke, and at that time, Mr. Cooke agreed that there was not enough evidence to charge Ms. Pittman with any criminal actions.

"Mr. Cooke's opinion of the crash did not change until there was a change in what the witnesses reported to the sheriff's office and what was testified to in the deposition," White continued. "At no time did Sgt. Fuller, or anyone else at this office,

request that criminal charges should not be obtained on Ms. Pittman nor request that the criminal charges that were ultimately obtained on Ms. Pittman be reduced from a felony to a misdemeanor."

At the sentencing hearing, Jamie Lee said Fuller refused to draw Pittman's blood despite being instructed to do so by Cooke, and Lee said he had a sworn statement from his lawyer saying Cooke gave this instruction.

The Tidewater News asked Cooke if he ever asked Fuller or anyone to draw Pittman's blood.

"In my phone conversation with Sgt. Fuller the night of the crash, I encouraged him to obtain a blood sample if the crash proved to be a fatality and alcohol was a factor," Cooke said. "I

SEE INVESTIGATION, A8



Emporia businessman Hermie Sadler, left, and Virginia State Del. Emily Brewer, R-Isle of Wight, right, listen as *The Smithfield Times* publisher and owner Steve Stewart, center, opens the Virginia Senate District 17 Republican candidate forum in Franklin on Thursday evening, April 13.

TITUS MOHLER | THE TIDEWATER NEWS

Brewer, Sadler vie for conservative vote in forum

BY TITUS MOHLER
 STAFF WRITER

Virginia State Del. Emily Brewer, R-Isle of Wight, and Emporia businessman Hermie Sadler shared their views on a variety of topics and engaged in some pointed exchanges Thursday evening, April 13, before a crowd of more than 120 people at the Virginia Senate District 17 Republican candidate forum in Franklin.

The forum, sponsored by *The Tidewater News*, *Windsor Weekly*,

The Smithfield Times and *Suffolk News-Herald*, was held at the Paul D. Camp Community College Workforce Development Center and was also livestreamed on each of the publications' websites, where the complete video recording of the forum is now available.

THE STAKES OF THIS ELECTION

The Smithfield Times publisher and owner Steve Stewart moder-

SEE FORUM, A7

Withdraw Isle of Wight County Schools from state school board association?

BY STEPHEN FALESKI
 STAFF WRITER

The Virginia School Boards Association boasts 100% membership among all 132 school divisions in the state, but could become minus one if Jason Maresh gets his way.

Maresh, vice chairman of Isle of Wight County's School Board, has asked for a review of the cost versus benefit of continuing the division's membership.

The VSBA, founded in 1906,

SEE SCHOOLS, A6

Primary candidates given 10-day extension to get on ballot

BY STEPHEN FALESKI
 STAFF WRITER

The State Board of Elections has granted a 10-day filing extension for candidates running in a primary election to get their names on the ballot.

The prior deadline was April 6. To date, the following candidates have qualified for the ballot.

Senate District 17 Del. Emily Brewer, R-Isle of Wight, and Hermie Sadler of Emporia will face each other in a Republican primary for the party's nomination.

Del. Clinton Jenkins, D-Suffolk, is presently unopposed for the Democratic Party's nomination. If he remains so

SEE EXTENSION, A6



Answering questions at the Eggs & Issues event Tuesday morning, April 18, in Franklin are, from left, Franklin Mayor Robert "Bobby" Cutchins, Franklin Ward 3 Councilman Gregory McLemore, Northeast District Supervisor Christopher D. Cornwell Sr., Northwest District Supervisor and Board of Supervisors Vice Chair William Hart Gillette, Franklin Ward 6 Councilwoman Jessica G. Banks, Southwest District Supervisor Lynda T. Updike, Ward 2 Councilman Ray Smith, Ward 1 Councilman Mark R. Kitchen and Ward 4 Councilman Dr. Linwood Johnson.

TITUS MOHLER | THE TIDEWATER NEWS

Eggs & Issues event highlights local government

BY TITUS MOHLER
 STAFF WRITER

The Franklin-Southampton Area Chamber of Commerce's Eggs & Issues event has hosted state legislators in the past, but it had a local focus this year.

Leaders of the Franklin and Southampton County governments were featured Tuesday morning, April 18, during the event, which was held at Camp Community College's Workforce Development Center. These leaders explained their roles and their

goals for the community to area citizens, including students from Franklin High School, Southampton High School and Southampton Academy, who were also invited.

SEE LOCAL, A8

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| INSIDE | |
|---------------------|------|
| OPINION | A2 |
| OBITUARIES | A3 |
| IT'S HAPPENING HERE | A4 |
| COMMUNITY NEWS | B1 |
| FAITH & WORSHIP | B2 |
| KID'S PAGE | B6 |
| CLASSIFIEDS | B7-8 |

DEATHS
 Nancy E. Bunn
 Jonas P. Carpenter
 Jesse M. Chambliss
 Pauline M. Dodson
 Brandon Jackson
 Charles H. Joyner
 Lewis E. Story



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Bingo in Branchville: Doors open at 6 p.m. on Thursday, April 20 in the Branchville Community Center and playing starts at 7 p.m. There will be regular pack and bulls-eye and pull-tabs available for purchase.

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FORUM: See full video of event at TheTidewaterNews.com

FROM PAGE A1

ated the forum and opened it by noting that the 17th Senate District is a new district resulting from redistricting following the completion of the 2020 Census.

As explained by the Virginia Public Access Project, the new district includes all of Western Tidewater, including the cities of Suffolk and Franklin, Southampton County and Isle of Wight County.

VPAP.org states that the district also includes all of Brunswick County, Greensville County and the city of Emporia, along with part of Dinwiddie County and the cities of Portsmouth and Chesapeake.

Suffolk represents the largest share of the district at 43.56%, with 71,608 registered voters, and Isle of Wight has the second-largest share at 18.94%, with 31,140 registered voters, according to VPAP. Southampton has the fourth-largest share at 8.03%, with 13,205 registered voters.

"The stakes are high," Stewart said. "Larry Sabato, well-known political analyst and prognosticator of the University of Virginia Center for Politics, says that the 2023 Virginia General Assembly election will be the nation's best political barometer of what to expect in the 2024 presidential and congressional elections.

"And within Virginia, the 17th is one of a handful of so-called 'purple' or swing districts that will determine whether the Senate remains in Democratic control or flips Republican," Stewart continued. "Should the Senate go Republican and should the House remain Republican, Gov. Glenn Youngkin would then have a clear path to enactment of his conservative policy agenda."

Brewer and Sadler will meet in a June 20 primary, and the winner will advance to the general election to meet state Del. Clinton Jenkins, D-Suffolk, who is unopposed for the Democratic Party nomination.

WHO IS THE MOST CONSERVATIVE?

Brewer and Sadler expressed agreement on a variety of issues addressed during the course of the forum, but there were also key moments of contrast. Some of those moments will be addressed in this story.

Stewart dedicated part of the forum to posing questions that pertained to topics discussed by Brewer and Sadler's respective campaigns in press releases, social media posts and emails.

One of those discussion points sought to answer the question "Who is the true conservative?" or "Who is the most conservative?" between Brewer and Sadler.

Stewart asked each candidate during the forum what made them the best choice for conservative voters.

Sadler said, "Anybody who knows my family and me personally knows who I am, what I stand for, and my family's always known what we stand for as well. And I always say what I feel and what I think and what I plan to do if I'm elected to represent the 17th District of the Senate.

"I think the challenge, somewhat, for Del. Brewer is that my personal opinion is I don't think she's as conservative as she wants the voting base to think she is," he continued. "And so especially when we thought we were headed for a convention, I think there was a race on her campaign's team to get as far right as possible."

He said that sometimes one has to simply look at what people do instead of what they say.

"But I know who I am, what I stand for, what my family stands for," he said. "I know I'm running for the right reasons. I know I can help the people of the 17th District in more ways than one, and most people in the Republican Party can sniff

out somebody who's not a true conservative sooner rather than later."

Brewer opened her answer by first saying that regardless of the method of nomination — convention, primary, etc. — she feels confident in her ability.

"Second, I'm proud of my conservative credentials because I have a voting record to back it up," she said, citing a 100% rating from Virginia Citizens Defense League and an A+ rating from the National Rifle Association, both ratings highlighting her strong support of the Second Amendment.

"But also I stood by and stood up for pro-life values," she said, adding that she has done this in a variety of ways. "I've done that through the work I've done on foster care and adoption. I've done that when I've stood up on the House floor, and when House Democrats tried to enshrine 40th-week abortion in the Virginia Constitution this year, I stood up proudly and stood against that because it's wrong, it's barbaric, and it shouldn't stand in our Virginia Constitution because it should not belong there."

She stated that being conservative is not just about a voting record; it is also about the effort put in daily.

"I am a battle-tested conservative, and I will tell you why — every single election, I've out-performed the ticket, ... I ran ahead of Gov. Youngkin," she said. "We're going to need somebody in a toss-up district that can knock (on) the doors, talk to the voters, go down any single street, regardless of the neighborhood, their socioeconomic status, where they've lived or what they look like to talk to voters, because otherwise, this seat is gone."

"And so I know that I'm battle-tested, I know that I have a strong conservative voting record, and I know if I have the opportunity and honor to represent you all as the Republican nominee that I will be able to push that conservative message, I will be able to tell voters why it's a positive, strong message, and I will be able to be victorious in November because I've proven it previously," she said.

ALLEGATIONS AGAINST SADLER

Stewart noted that many voters in the 17th District have recently received what is called a "push poll" that he said has "caused quite a stir between your campaigns."

He utilized the following definition from Wikipedia to explain what a push poll is: "A push poll is an interactive marketing technique, most commonly employed during political campaigning, in which an individual or organization attempts to manipulate or alter prospective voters' views under the guise of conducting an opinion poll."

Working through some of the questions or assertions made in the push poll, Stewart said one assertion was that Sadler supports radical Democrats.

"Yeah," Sadler said, "that's been a narrative by my opponent's campaign since I started, that I or my wife had donated money to Democrats, and that is not true."

Stewart noted that the Brewer campaign included the supporting detail of a contribution by Sadler's family's company to then-Del. Roslyn Tyler, a Democrat who represented the 75th District of Virginia.

Sadler alluded to this contribution as happening before he and his sister took over majority ownership of the company.

"I'll say it again — I have never given money to a Democrat," he said. "You have to dig a little bit for the truth."

Stewart noted that the push poll did use the plural — Democrats — in its allegation about Sadler's support, and Brewer brought



Brewer



Sadler

up another possible example.

She said, "Correct me if I'm wrong, and I'm sure you will, Mr. Sadler, but even on your podcast ... I heard it myself, is that you and (Virginia) Sen. (Bill) Stanley said that if you were the nominee, that (Democratic state Sen.) Louise Lucas wouldn't move and run here. And you said that if I were the nominee, she would."

"This seat is too precious for us to throw away to the Democrats," Brewer added, expressing concern about the possibility of deals being made with Democrats going into November.

Sadler said, "Your push poll said that I had made a deal with Louise Lucas to help my campaign."

He then asked for Brewer and her campaign to "provide documentation, communication, anything between Louise Lucas and I about any kind of deal that I made with Louise Lucas of any kind to help my campaign."

"The audio is on the podcast," she said, later adding, "Was it a joke?"

Sadler explained that the comment made on the podcast was originally made to him and his daughter by Lucas' chief of staff when Sadler and his daughter were visiting the capitol on Autism Advocacy Day.

"I don't know if it was in jest or tongue-in-cheek or not, but in our group while we were there, her chief of staff made the comment in front of the group that if I was the nominee, that Louise would not come to the 17th District," Sadler said. "So if you want more clarification, maybe you can ask Louise. She didn't say it to me directly, and I don't know what her chief of staff meant by that exactly other than to insinuate that she'd prefer not to run against me. That's what I took from it."

Brewer then stated that in the past, Sadler has actually praised some of Lucas' work.

"I just would like to know what work is that, because she literally has destroyed Virginia as she's gone further and further left in the last couple years in office," Brewer said.

"Give me an example of me praising her work," Sadler said.

Brewer said, "On Twitter, you said she was a great representative for Southside in a picture y'all took together."

Sadler said the bigger issue is that he and his family, as a business owner, have had to deal with Democratic Party representatives for the last 20 years.

"There's been no Republican representation, there's been nobody running and winning office seats," he said, adding that he does not have a personal relationship with Lucas to amount to anything. "But if you run and operate businesses, you have to deal with the people that you have."

"But I'll ask you again that I would like to know more about what the allegation is of my dealings with Louise Lucas, because the only thing... fuel taxes, minimum wage, the things like that that they are trying to ruin small business with has been the crux of my communication with Louise Lucas," he added.

APPROACHES ON HANDLING

solar or for anything else. I'm saying overall, I'm opposed to the government telling people what to do with their property."

Brewer said, "We have to truly look at what these solar panels may do to the environment long term, and I think that's the bigger crux of the issue here that we really truly have to look at."

REACTIONS TO REPUBLICAN PARTY INFIGHTING

As staff writer Stephen Faleski has previously reported, a Richmond judge ordered that the State Board of Elections hold a primary to decide the Republican Party's nominee for Virginia's 17th Senate District, finding in favor of an ousted GOP official's lawsuit.

A March 9 letter from Virginia Department of Elections Commissioner Susan Beals to local electoral boards listed June 20 Republican primaries for 27 Senate races, including the 17th, but a nearly identical March 10 letter showed primaries for only 26 races, the 17th no longer among them.

Dawn Jones, whom Republican officials ousted as Suffolk's GOP chairwoman in February, has been fighting her removal and had filed a lawsuit on March 16, alleging Youngkin and Virginia Attorney General Jason Miyares unlawfully pressured Beals to make the change for the benefit of one of two candidates vying for the GOP nomination.

Sadler, in a March 10 email to The Smithfield Times, had alleged a convention would give Brewer an edge because it would be presided over by one of her supporters.

Stewart explained that in addition to a lawsuit and allegations of the governor and attorney general's heavy-handedness, "we've even had a criminal assault charge filed stemming from a Republican Party meeting in the 17th District."

Stewart asked Brewer and Sadler if they have any regrets about what has been occurring and if they have any concerns that what has been occurring has dam-

aged the party.

Brewer emphasized that a lot of people are watching the 17th Senate District race and that it is crucial for Republicans to win it if they are going to regain the state Senate.

"At the end of the day, what is the most important thing — and lest people forget — is to defeat the Democrats in November — that's our goal, that's our job, and that's our calling," she said, urging party unity.

Sadler said, "First of all, I'm glad to hear Del. Brewer say — which I agree with — that we should run a positive campaign on the issues, unite the party and send whoever the people vote for in June, send to November and support that candidate. If not, neither one of us is going to win."

"But to get back to your question as far as what happened in the Republican Party, it's embarrassing," he continued. "It is really and truly embarrassing, but some fights just need to be fought."

He said he was not involved in the aforementioned lawsuit.

"I had nothing to do with it, but the fact of the matter is, the LDC, the Republicans at the grassroots level are supposed to make decisions on what the nomination process is and who the candidates are," he said.

"And a bunch of people got caught with their hand in the cookie jar, and a judge had to step in and remind them who is supposed to decide what the election nomination process is supposed to be."

Sadler indicated that some of these fights may not help him, but they may aid another candidate in the future that decides to run.

Stewart directly asked Sadler and Brewer if they would support each other if the other received the nomination, and they both said, "Yes."

The full video of the candidate forum can be viewed at www.tidewaternews.com/2023/04/14/brewer-sadler-vie-for-conservative-vote-in-forum/.

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Commonwealth's attorney candidates debate at forum



TITUS MOHLER | THE TIDEWATER NEWS

Southampton County Commonwealth's Attorney Eric A. Cooke speaks during the Candidates' Forum held by the Alpha Kappa Alpha Sorority Inc. Lambda Psi Omega Chapter on Wednesday, Oct. 18, at Franklin High School.



Attorney James S. Ellenson, a Southampton County commonwealth's attorney candidate, speaks during the Candidates' Forum held Wednesday, Oct. 18, at Franklin High School by the Alpha Kappa Alpha Sorority Inc. Lambda Psi Omega Chapter.

BY TITUS MOHLER
STAFF WRITER

The race for who will serve the next four-year term as Southampton County's commonwealth's attorney has been a hotly contested one, and that trend continued at the Candidates' Forum held Wednesday evening, Oct. 18, at Franklin High School by the Alpha Kappa Alpha Sorority Inc. Lambda Psi Omega Chapter.

Eric A. Cooke has served as Southampton County's commonwealth's attorney for 20 years, and this year he is being challenged by attorney James S. Ellenson. This is the first time Cooke has been challenged in an election since 2003.

This story will highlight a few of the moments in which Ellenson and Cooke clashed during the

Oct. 18 forum.

In Ellenson's two-minute introduction at the forum, he explained why he was running to be the commonwealth's attorney.

"Just a few months ago, Greg McLemore and Ricky Sykes approached me and asked me would I consider running because they felt that Eric Cooke, along with his mentor Dick Grizzard, were the architects and designers of massive incarceration," Ellenson said. "And then I talked to people out at the county, and there were a number of other people out in the county who are quite dissatisfied with the way Mr. Cooke has been running his office. They asked me to run also. I agreed to."

An individual from the audience noted that Cooke has been accused of being a bully, asking

for maximum sentences, and in a question, they gave Cooke an opportunity to respond to this characterization.

"The short answer to that question is I don't behave like a bully in the courtroom," Cooke said. "I am very mindful of the sentences that I ask for, and they're based on people's conduct in the particular instance and their background."

He stated that what happens so many times is that by the time people get to the point where they are appearing in circuit court, they may have been arrested 15 or 20 times. He said that if people are nonviolent criminals,

SEE DEBATE, A11

IWAlert system to notify of utility emergencies

BY TITUS MOHLER
STAFF WRITER

The town of Windsor is making arrangements to be able to quickly provide its citizens with crucial information in the event of a utility-related emergency, like a water line repair that necessitates a sudden, temporary cutoff in service.



Saunders

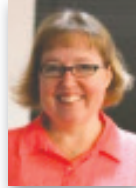
The method of conveying this important information will be Isle of Wight County's IWAlert Emergency Notification System, for which people can sign up.

SEE EMERGENCY, A10

FCPS officials give positive review of intersessions

BY TITUS MOHLER
STAFF WRITER

Franklin City Public Schools Superintendent Dr. Carlton Carter has been exploring the option of year-round schools at the elementary and middle school levels in Franklin, and a component of this kind of schedule could be what is known as an intersession.



Johnson

SEE INTERSESSIONS, A10



TITUS MOHLER | THE TIDEWATER NEWS

Franklin City Public Schools Director of Operations Dr. Clint Walters recently shared insights on intersessions with the Franklin City School Board that he and At-Large Board Member Carrie Johnson gleaned from a recent trip to Hopewell.

Police seek two suspects in alleged Ivor armed robbery

STAFF REPORT

Local law enforcement is investigating an alleged armed robbery at a Dollar General store in Ivor on Tuesday evening, Oct. 17, and is searching for two suspects.

A Southampton County Sheriff's Office news release stated that county deputies were called at around 8:50 p.m. on Tuesday to respond to a robbery that had occurred at the Dollar General on Broadwater Road and General Mahone Boulevard in Ivor.

"Deputies arrived and were informed that two Black males had

SEE ROBBERY, A11

Town conveys land for Building Trades Program

BY TITUS MOHLER
STAFF WRITER

Students in the Isle of Wight County Schools' Career and Technical Education Building Trades Program have a new resource at their disposal following action taken by the Windsor Town Council on Tuesday, Oct. 10.

Council members voted unanimously at their meeting Tuesday to adopt a Memorandum of Understanding and a resolution approving the conveyance of a small piece of land in Windsor from the council to the Isle of Wight County School Board

SEE LAND, A11



TITUS MOHLER | THE TIDEWATER NEWS

This land near the intersection of North Court Street and Joyner Town Lane in Windsor could be the site of a new home built in part by students of Isle of Wight County Schools' Career and Technical Education Building Trades Program.

Jenkins speaks briefly at Franklin forum

BY TITUS MOHLER
STAFF WRITER

Del. Clinton Jenkins, a Democrat running for the Virginia State Senate District 17 seat, spoke briefly at the conclusion of the Candidates' Forum held Wednesday evening, Oct. 18, at Franklin High School by the Alpha Kappa Alpha Sorority Inc. Lambda Psi Omega Chapter.

Among those invited to the forum were Jenkins, who represents Virginia's 76th District in the House of Delegates, and his opponent in the race for the state Senate District 17 seat, Del. Emily Brewer, a Republican who represents Virginia's 64th District in the House of Delegates.



TITUS MOHLER | THE TIDEWATER NEWS

Del. Clinton L. Jenkins introduces himself at the end of the Candidates' Forum held Wednesday evening, Oct. 18, at Franklin High School by the Alpha Kappa Alpha Sorority Inc. Lambda Psi Omega Chapter.

It was announced at the beginning of the forum that organizers of the event had not heard back from either Jenkins or Brewer,

but Jenkins ended up being in attendance and was given a few minutes at the

SEE JENKINS, A10

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| INSIDE | |
|---------------------|---------|
| OPINION | A2 |
| OBITUARIES | A3 |
| IT'S HAPPENING HERE | A4 |
| SPORTS | B1 |
| FAITH & WORSHIP | B2 |
| KID'S PAGE | B8 |
| CLASSIFIEDS | B10-B11 |

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BEST BET
Remote control car racing: Come out on Saturday, Oct. 28 and bring the kids for a fun, exciting, wonderful and good time at Camp Community College parking lot in Franklin from 2 - 6 p.m. We want to introduce Project Youth Remote Car Racing to everyone, but especially the kids. Light snacks will be available.

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LAND: "I think it's an excellent benefit," Bernacki said

FROM PAGE A1

for potential home construction that students would be involved in.

The council's votes followed a public hearing in which no one spoke.

Windsor Town Manager William Saunders shared the details of the land conveyance at Tuesday's meeting, noting that the council was being presented with two votes relevant to the matter — one on an MOU and another on a resolution to convey the property.

"So the Town Council negotiated a Memorandum of Understanding with Isle of

Wight County School Board to materially assist their Career and Technical Education Building Trades Program," Saunders said. "Specifically, this agreement allows the town to assist the CTE Building Trades Program in the potential construction of a single-family home as hands-on experience for students in the program."

He said that the town's assistance comes primarily in the form of conveying to the School Board by deed 0.38 acres, plus or minus, of land located near the intersection of North Court Street and Joyner Town Lane in the town of Windsor and identified as

Tax Parcel No. 54-01-019.

"This parcel was previously a well site for the town water system, but the well has since been abandoned," Saunders said. "Further, this project has the potential to put a vacant property to beneficial use as a new home site."

If it does not prove possible to build a home on the land due to zoning issues or other complications, the land is still expected to serve as a valuable teaching tool for students by giving them a glimpse of the challenges they may face if they purchase land and aim to build on it.

Councilman Walter Bernacki made the motion to adopt the MOU and also the motion to adopt the resolution that conveyed the land for the benefit of the CTE Building Trades Program.

"I think it's an excellent benefit," Bernacki said.

IWCS Director of Secondary Education Dr. Marsha Cale said, "We are very excited about our partnership with the Windsor Town Council and grateful to them for helping us create real-world learning experiences for the students while also allowing us to contribute positively to our school community."

"We would love to speak

with any local businesses in the building trades field who are interested in supporting or assisting IWCS with this project," she added.

IWCS officials noted that the program will need help with some of the larger aspects of the project, such as clearing the land, digging footers and pouring concrete. Businesses can contact Cale via email at mcale@iwcs.k12.va.us or by calling 757-357-4393.

Cale shared more information on the project, noting that students will have the opportunity to plan, design and build a residential home from the ground up.

"Mr. (Robert) Rodgers, the building trades instructor, will lead the students through all aspects of the construction process, including surveying, permitting and inspection, drafting, pricing and constructing the home," Cale said. "Once completed, the house will be marketed and sold, thus creating an opportunity for an additional tax-paying resident of the town."

"The town will be reimbursed the current tax value of the property and associated costs at closing and additional profits will be donated back to the Building Trades Program to start the process over again," she added.

ROBBERY: Police search for suspects in armed robbery of Dollar General

FROM PAGE A1

entered the store with hoods, masks and gloves on and that one of the men was armed with a pistol," Maj. Camden Cobb said. "The men demanded money and after receiving it left the store on foot and ran in the direction of Brown's Avenue."

The Virginia State Police were called and attempted a K-9 track and assisted with canvassing the area around the store.

The release continued by noting that one male is described as approximately 6 feet tall, and the other is described as approximately 5 feet, 8 inches tall. Additional details of their description are not available.

"Detectives are investigating this incident," Cobb said. "Store security photos of the suspects are included. Detectives also believe that a small dark-colored sedan was possibly involved. No further information on the vehicle has been confirmed."

Anyone with information is asked to contact Detective M. Green by calling 757-653-2100. Those who would like to remain anonymous can call the Franklin/Southampton Crime Solvers at 757-516-7100, or they can submit a tip to the P3 app. People with information leading to an arrest may be eligible for a cash reward.



SUBMITTED | SOUTHAMPTON COUNTY SHERIFF'S OFFICE
This is a store security photo of one of the suspects in an alleged armed robbery of a Dollar General store in Ivor on Tuesday evening, Oct. 17.



This is a store security photo of one of the suspects in an alleged armed robbery of a Dollar General store in Ivor on Tuesday evening, Oct. 17.



Pictured is a small, dark-colored sedan that detectives believe was possibly involved in an alleged armed robbery of an Ivor Dollar General store Tuesday evening, Oct. 17.

DEBATE: Candidates disagree on scope of commonwealth's attorney office

FROM PAGE A1

they have to work pretty hard to get to the penitentiary.

"But the sentencing guidelines don't really take into account everything in question," he said. "For instance, if you commit a burglary, your guidelines may call for probation, and those are discretionary with the judges, but it will be very rarely that I would agree with that, because I know the damage that that does to people."

"Likewise, aggravated sexual battery, that may call for probation — I'm not about that," he added. "I think people need to be held accountable to be mindful of the rule of law. That's why I individually make the determinations that I make and proceed that way."

Later Ellenson was asked a question that gave him an opportunity to respond to Cooke's comments.

He acknowledged the examples that Cooke cited, but then he said, "But there's probably 40 or 50, at least, criminal offenses, and every day, routinely, Mr. Cooke asks for a sentence in excess of the sentencing guidelines."

"The sentencing guidelines are promulgated so that the entire state of Virginia gets pretty much the same thing," he continued. "Mr. Cooke thinks the laws of physics do not apply to Southampton County. He thinks that here, everybody's getting everything as much as they can."

Ellenson said this results in excessive sentences.

"He was mentored by the biggest bully in Southampton County, Dick Grizzard, and that's how he practices law, and it's just way too over the top, and we just need to be in the middle, reasonable," Ellenson said. "Yeah, there's certain times you're going to have to give somebody more time, but they have to be few and far between, and the guy really has to deserve it. It's not just each and every time."

Cooke was asked the following question: Can you tell us what you have done or not done about the complaints raised by some members of the Board of Supervisors about the school finances of Southampton County Public Schools?

"What's been brought to me was an interest in charging people with crimes for teaching Critical Race Theory and a tremendous concern about transgender bathrooms," Cooke said. "That's what's been brought to me, and I'm not going to prosecute anything that is not a crime. It has to be a crime. So if somebody thinks it's bad policy, it may or may not be, but I'm not going to prosecute someone for bad policy. That will never happen."

"In terms of the other things that were brought to me, I got an anonymous letter from a lawyer with a bunch of allegations with no substantiation, and it was clear to me that that was being done for political reasons in advance of that elected-versus-appointed-school-board issue," he added.

Ellenson received the following request from a member of the forum audience: Instead of explaining what someone is not doing, tell us what changes you propose if elected?

"One of the first things I would do is review every sentence that was in excess of 10 years on a nonviolent felony, and I'm afraid that there were many, and those excesses will need to be corrected, if possible," he said. "That's the first thing I will do."

"I would also try to increase diversity in the commonwealth's attorney's office," he continued. "Mr. Cooke complains he doesn't have enough money. There has never been a person of color in Southampton County's commonwealth's attorney's office — ever."

"Eighty-five percent of the jail population is African American in Southampton County," he added. "Is somebody targeting a certain demographic? That will stop also."

Cooke was given a chance to respond.

"What Mr. Ellenson just said about my staff is entirely inaccurate, and it's reflective of the fact that he doesn't know how we operate because he has not worked very much in our court system," Cooke said. "The reality of it is, I had a wonderful African American prosecutor. She stayed with me for four years and then moved on and has a great government position

elsewhere.

"I would gladly hire qualified African Americans just as I would gladly hire qualified non-African Americans to fill the positions that I have," he continued. "In the last year and five months, I've had two applicants for the vacant attorney position."

"But the allegation that I'm targeting people because of their race or religion or for any other reason is just blatantly false, but it is consistent with the way Mr. Ellenson has operated during this campaign," he added.

In response, Ellenson said, "How come the Meherin Drug Task Force only operates on South Street?"

Ellenson asked Cooke why the task force does not operate in the county, enticing people who are there.

"That's targeting a certain demographic," Ellenson said.

Given another opportunity to respond, Cooke said, "The reality of it is, the drug task force brings me cases for those people who sell drugs, that are selling to informants, and often what we get is informants who say, 'I can buy...' and then they name the people they can buy from. Those people are committing crimes, and if we're able to arrest them for that, I'm very happy to do that, whether they are white, whether they are Black, or otherwise. It does not matter to me someone's skin color. There is no targeting."

"And if you look at the way we have sentences and recommendations to the court, which they may or may not follow, you can rest assured that my recommendations are the same, regardless of someone's sex or racial or ethnic origin or anything else," he added. "What I'm looking at is the conduct and their background, period."

A later question led to the opportunity for Ellenson and Cooke to speak more on the topic of what the commonwealth's attorney's office can do in relation to the Southampton County School Board.

Ellenson said, "Eric talks about transgender and CRT — that's not the issue. The issue is an audit of the finances of the School Board, and that has nothing to do with color. That only has to do with the color of green, which is how much money

is being spent, and why won't the School Board allow everybody in Southampton County to know where every single penny is spent? That's not a controversial issue. Color does not enter into that."

In his response, Cooke said, "What's being offered is that Mr. Ellenson says he'll impanel a special grand jury to investigate the School Board. My question is, 'For what?' Because the commonwealth's attorney's job is to deal with crime. 'The School Board gets audited every year by the county and by the state,' Cooke continued. "If there are abnormalities there, people need to come forward and tell it, unlike what was given to me. If they want to talk about something that's a crime, I'm interested. If it simply is bad policy or bad management, that is not the role of the commonwealth's attorney's office — not now, not ever." Ellenson countered, "The

audits were very superficial."

He said that all the county and state audits established was that money was spent, but he said that there were no actual details of who received the money, what the salary structures were, etc.

"(Freedom of Information

Act) requests have repeatedly been denied," Ellenson said. "It's just a transparency in government issue, and the commonwealth's attorney can do more than just prosecute crimes. That's just a very limited, narrow view of what our office does."

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The Tidewater News

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Examining a fatal crash investigation: Part 3

BY TITUS MOHLER
STAFF WRITER

Publisher's note: This is part three of a three-part story examining the investigation into a 2019 fatal crash in Southampton County. To accommodate the limited space available on the printed page, part three continues as part two did — without introductory context. For context, please see parts one and two in the April 5 and 12 print editions, respectively, and online

at www.TheTidewaterNews.com.

INTERACTIONS WITH THE COMMONWEALTH'S ATTORNEY

At the sentencing hearing, Jamie Lee said Fuller and White went to Cooke and asked him not to take the Lees' case. *The Tidewater News* asked the sheriff's office if Fuller went to Cooke and asked him not to bring charges against Pittman. "No," White said. "Mr. Cooke was aware of the incident the morning that it occurred. Once

the investigation was complete, the evidence was presented to Mr. Cooke, and at that time, Mr. Cooke agreed that there was not enough evidence to charge Ms. Pittman with any criminal actions.

"Mr. Cooke's opinion of the crash did not change until there was a change in what the witnesses reported to the sheriff's office and what was testified to in the deposition," White continued. "At no time did Sgt. Fuller, or anyone else at this office,

request that criminal charges should not be obtained on Ms. Pittman nor request that the criminal charges that were ultimately obtained on Ms. Pittman be reduced from a felony to a misdemeanor."

At the sentencing hearing, Jamie Lee said Fuller refused to draw Pittman's blood despite being instructed to do so by Cooke, and Lee said he had a sworn statement from his lawyer saying Cooke gave this instruction.

The Tidewater News asked Cooke if he ever asked Fuller or anyone to draw Pittman's blood.

"In my phone conversation with Sgt. Fuller the night of the crash, I encouraged him to obtain a blood sample if the crash proved to be a fatality and alcohol was a factor," Cooke said. "I

SEE INVESTIGATION, A8



Emporia businessman Hermie Sadler, left, and Virginia State Del. Emily Brewer, R-Isle of Wight, right, listen as *The Smithfield Times* publisher and owner Steve Stewart, center, opens the Virginia Senate District 17 Republican candidate forum in Franklin on Thursday evening, April 13.

TITUS MOHLER | THE TIDEWATER NEWS

Brewer, Sadler vie for conservative vote in forum

BY TITUS MOHLER
STAFF WRITER

Virginia State Del. Emily Brewer, R-Isle of Wight, and Emporia businessman Hermie Sadler shared their views on a variety of topics and engaged in some pointed exchanges Thursday evening, April 13, before a crowd of more than 120 people at the Virginia Senate District 17 Republican candidate forum in Franklin.

The forum, sponsored by *The Tidewater News*, *Windsor Weekly*,

The Smithfield Times and *Suffolk News-Herald*, was held at the Paul D. Camp Community College Workforce Development Center and was also livestreamed on each of the publications' websites, where the complete video recording of the forum is now available.

THE STAKES OF THIS ELECTION

The Smithfield Times publisher and owner Steve Stewart moder-

SEE FORUM, A7

Withdraw Isle of Wight County Schools from state school board association?

BY STEPHEN FALESKI
STAFF WRITER

The Virginia School Boards Association boasts 100% membership among all 132 school divisions in the state, but could become minus one if Jason Maresh gets his way.

Maresh, vice chairman of Isle of Wight County's School Board, has asked for a review of the cost versus benefit of continuing the division's membership.

The VSBA, founded in 1906,

SEE SCHOOLS, A6

Primary candidates given 10-day extension to get on ballot

BY STEPHEN FALESKI
STAFF WRITER

The State Board of Elections has granted a 10-day filing extension for candidates running in a primary election to get their names on the ballot.

The prior deadline was April 6. To date, the following candidates have qualified for the ballot.

Senate District 17 Del. Emily Brewer, R-Isle of Wight, and Hermie Sadler of Emporia will face each other in a Republican primary for the party's nomination.

Del. Clinton Jenkins, D-Suffolk, is presently unopposed for the Democratic Party's nomination. If he remains so

SEE EXTENSION, A6



Answering questions at the Eggs & Issues event Tuesday morning, April 18, in Franklin are, from left, Franklin Mayor Robert "Bobby" Cutchins, Franklin Ward 3 Councilman Gregory McLemore, Northeast District Supervisor Christopher D. Cornwell Sr., Northwest District Supervisor and Board of Supervisors Vice Chair William Hart Gillette, Franklin Ward 6 Councilwoman Jessica G. Banks, Southwest District Supervisor Lynda T. Updike, Ward 2 Councilman Ray Smith, Ward 1 Councilman Mark R. Kitchen and Ward 4 Councilman Dr. Linwood Johnson.

TITUS MOHLER | THE TIDEWATER NEWS

Eggs & Issues event highlights local government

BY TITUS MOHLER
STAFF WRITER

The Franklin-Southampton Area Chamber of Commerce's Eggs & Issues event has hosted state legislators in the past, but it had a local focus this year.

Leaders of the Franklin and Southampton County governments were featured Tuesday morning, April 18, during the event, which was held at Camp Community College's Workforce Development Center. These leaders explained their roles and their

goals for the community to area citizens, including students from Franklin High School, Southampton High School and Southampton Academy, who were also invited.

SEE LOCAL, A8

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| INSIDE | |
|---------------------|------|
| OPINION | A2 |
| OBITUARIES | A3 |
| IT'S HAPPENING HERE | A4 |
| COMMUNITY NEWS | B1 |
| FAITH & WORSHIP | B2 |
| KID'S PAGE | B6 |
| CLASSIFIEDS | B7-8 |

| DEATHS | |
|--------------------|--|
| Nancy E. Bunn | |
| Jonas P. Carpenter | |
| Jesse M. Chambliss | |
| Pauline M. Dodson | |
| Brandon Jackson | |
| Charles H. Joyner | |
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BEST BET
Bingo in Branchville: Doors open at 6 p.m. on Thursday, April 20 in the Branchville Community Center and playing starts at 7 p.m. There will be regular pack and bulls-eye and pull-tabs available for purchase.

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LOCAL: 'The biggest thing we need is unity...' Cutchins said

FROM PAGE A1

Including the students, there were more than 75 people in attendance for the event, which was presented by the chamber, the college and Franklin Southamton Economic Development Inc. and sponsored by Dominion Energy.

Running from 7:30-9 a.m., Eggs & Issues started with a breakfast catered by the FHS and SHS culinary programs.

Attendees fellowshiped as they ate, and the formal part of the event began at 8 a.m.

Welcoming everyone and setting the stage for the local government officials were Chamber President Marshall Rabil, CCC Director of Workforce Development Dr. Antoinette "Toni" Johnson and FSEDI Board of Directors Chair Meghan Council.

Franklin was in the spotlight next. Sharing details about themselves and their roles were Franklin City Manager Amanda C. Jarratt, Mayor Robert "Bobby" Cutchins, Ward 1 Councilman Mark R. Kitchen, Ward 2 Councilman Ray Smith, Ward 6 Councilwoman Jessica G. Banks, Ward 3 Councilman Gregory McLemore and Ward 4

Councilman Dr. Linwood Johnson.

Introducing themselves and their roles in relation to Southamton County were County Administrator Brian S. Thrower, Northeast District Supervisor Christopher D. Cornwell Sr., Northwest District Supervisor and Board of Supervisors Vice Chair William Hart Gillette and Southwest District Supervisor Lynda T. Updike.

OPPORTUNITIES FOR CITY-COUNTY COLLABORATION

Rabil then posed a few questions to the elected representatives, giving them brief opportunities to respond, if they chose to.

The first question was, "What do you see as opportunities for collaboration between the city and the county?"

McLemore responded with a word — tourism — and then elaborated on it.

"Virginia's participation in the act of slavery made Virginia stand out of all the states in the United States, and Southamton County stood out even more, so I think we can take something negative and turn it into something positive and capitalize on tourism, if we work together," he said.

Cutchins said that as Franklin and Southamton are collaborating on a radio communications system for fire and rescue and police, more collaboration is possible due to the amount of land that the county has — land for the growth of business development and more homes.

UNDERUTILIZED ASSETS THAT WOULD DRAW PEOPLE, BUSINESSES

Rabil then asked the elected officials what they would identify as underutilized community assets that would draw people and businesses to Franklin-Southamton.

Smith pointed to the Franklin Municipal Airport.

"I think we have a lot of people coming here that fly and use our airport and then they have to go somewhere else to either rent a car or get a hotel or whatever their needs are," he said. "So one of the biggest opportunities we have in the city is to exploit our airport."

Cornwell said, "(U.S. Route) 460 and 58 both traverse our county to the north and south and the Port of Virginia with its ever-expanding boundaries should be capitalized on whenever possible."

Gillette noted an abundance of old buildings in the county that used to be businesses, and he envisioned the possibility of putting these buildings to use as sites for training people in trades.

He also emphasized the importance of taking advantage of grants that are available.

Updike highlighted the importance of cleanliness in attracting people to the area.

"I think if we're going to grow this county and this city, we need to pick up the trash," she said.

McLemore said the community's greatest asset is its young people, and it is important to find ways to improve the city and county to help its young people want to stay.

HOW WE ARE PREPARING FOR THE GROWTH

Rabil next asked, "How are we getting ready for the growth that we want our community to see?"

Johnson replied, "Basically we're getting ready for the growth by building a workforce. A workforce is very important. You can't have growth without a workforce, and that comes from the college and the high schools. Trade is very

important to build a workforce."

He noted that once a locality has a workforce, then it can bring in corporations of all natures.

Banks said, "In addition to trade, I'm a very big advocate for education, so not only with trade but educating — make sure we're pouring into our youth. If you want to see growth, you have to start with our youth."

WHAT DO YOU WANT TO COME TO THE AREA?

Rabil asked the elected representatives to name one product, service or store they use that is not in the city or county that they would like to see come to the area.

Banks and Gillette both said Chick-fil-A. Updike said a nice hotel.

Smith said, "The need for overnight housing here is overwhelming. It's overwhelming to the point where we're going to get to a position if we can't get a private industry to do it, we're going to have to use some other method, whether it be economic development, whether it be building into the city or the county. We've got to have some housing. My son probably has 20 people a

day looking for overnight housing. We don't have either a camping facility, overnight housing facility or any place for people to stay overnight, and it's hurting us economically to a point I don't think we realize."

Kitchen noted he would like to see "safe, clean, on-schedule, reliable public transportation," which prompted applause.

Johnson agreed that public transportation is quite important and then emphasized the need for a supermarket in the city to help meet a need found when shelves of existing grocery stores are empty.

"All of those things require people," McLemore said. "I think if you have people, Chick-fil-A may come here, same way we're getting Dunkin' Donuts, we're getting Wawa. And to me, we need an industry that's going to attract people, and the easiest industry for us to target without building is tourism."

Cutchins offered a final word: "The biggest thing we need is unity to where we can all work together and make it all happen. There's a recipe that can be developed and put together. We've just got to do it."

INVESTIGATION: The Lees seek closure after 3 1/2 years

FROM PAGE A1

am confident he would have done so had it been indicated by the facts at the scene of the investigation. Ms. Pittman showed no signs of impairment when Sgt. Fuller encountered her several hours later. In the absence of probable cause, a search warrant for Ms. Pittman's blood was not an option."

In his deposition testimony, Fuller said, "As far as the alcohol goes or anything like that, believe me, I rack my brain. That's one of the things I'm big in at the sheriff's office, as I have more DUI arrests than anybody at the office. If there was any way at all possible that I felt that I could have charged her with an alcohol-related offense as far as driving goes, she would have

been charged. Myself and Detective White, we racked our brains beside the road, and I had nothing as far as that goes."

THE MISSED DEADLINE

At the sentencing hearing, Jamie Lee said he received a call from Randall letting him know that Bush had made a motion to have the case thrown out of court because the commonwealth's attorney's office had not sent them the proper paperwork.

"This all happened at the time Mr. Cooke was out of work with a detached retina and the courthouse was being temporarily moved," Lee said. "Jack advised us to accept a plea agreement from Mr. Bush to have (Deana's) charges reduced from felony hit and

run to a misdemeanor of reckless driving, with the admission of alcohol and speed being a factor, which we did because of his advice. No justice here."

The Tidewater News asked Cooke if there was any information he could share to confirm, clarify or correct that record of events.

"I did miss a deadline to file a list of witnesses with the defense attorney," he said. "At about the same time I did have an eye problem, which has been repaired. The missing of the deadline, and every mistake made in my office, is my responsibility. It was a technical violation which in my estimation would not have adversely impacted the outcome of the case. It could have resulted in a continuance or perhaps necessitated a Nolle Prose, which is legal speak for a dismissal without prejudice. Had that been necessary, I would have returned another indictment and proceeded to trial on the felony charge. "So there is no misun-

derstanding, the defense attorney had full access to witness subpoenas filed in the clerk's office as a matter of public record and had a full understanding of the case," Cooke continued. "There was no attempt to conceal the identity of witnesses from the defense, most or all of whom had been deposed in connection with a civil case brought by the Lees."

Cooke stated that he was not party to the Lees' discussions with their civil lawyer, but the ethics rules prohibit him from discussing a case with a represented party without the consent of their attorney.

"The framework of the plea agreement in this case was proposed to me by the Lees through their attorney," Cooke said. "As mentioned at the sentencing hearing, it was indicated to me that they did not wish to ruin Ms. Pittman's life and did not want to saddle her with a felony conviction. "I made minor amendments and additions to their proposal and made the offer, independently believing it to be an appropriate disposition in the case while still being perfectly comfortable with the felony charge had she declined to accept the offer," he added.

He noted that part of the agreement required Pittman to accept that her consumption of alcohol and speed contributed to the crash.

"That was very important to the Lees for their own reasons, as was a letter of apology from Ms. Pittman," Cooke said. "The jail sentence was left to the court's discretion with an upper limit of six months to serve under the agreement."

He later added, "Had the facts of the case been different, for example if Ms. Pittman had been demonstrably intoxicated and arrested within the relevant period, that

would not have mandated a manslaughter charge. We would still have to establish that her intoxication is what caused the crash. In this case, the issue of proving causation remained problematic throughout."

INTERNAL INVESTIGATION OF FULLER

Jamie Lee shared at the sentencing hearing how he and Sherry made an appointment with Sheriff Josh A. Wyche Sr. The crash took place nearly two months before Wyche was elected and three-and-a-half months before he took office, but the Lees went to him because he was the leader of the office as of Jan. 1, 2020.

They brought forth eight accusations against Fuller, all of which have been alluded to in the previous sections of this three-part story. Jamie Lee said Wyche responded three weeks later, exonerating Fuller in reference to all of their accusations, citing some of the information provided by the sheriff's and commonwealth's attorney's offices in different sections of this story.

The Tidewater News asked the sheriff's office a few questions in reference to an internal investigation into Fuller and his performance relevant to the Sept. 15, 2019, crash investigation.

Cobb said, "Our office does not release information relating to personnel or internal or administrative investigations."

CONTRASTING VIEWS

Near the end of his statement at the sentencing hearing, Jamie Lee said to Judge Sandwich, "Your honor, the legal system has failed us. Deana will get hardly any jail time even if you sentence her for the maximum amount the law allows."

In their written impact statement submitted to Cooke, the Lee family shared their grievances with Pittman and her behavior and then added, "We are just as mad with Deputy Fuller because of the decisions that he made the night of James' accident and the days that followed."

Cooke expressed a contrasting view.

"This investigation and prosecution were not perfect," he said. "Nor were

they done poorly. Investigations and prosecutions, like people, are never perfect. I encourage you to look at Sgt. Fuller's record of achievements relevant to DUI enforcement in particular. He has received awards year after year for his aggressive enforcement actions. In fairness to him and his agency, that should be spelled out. What I see is a sheriff and his entire department working very hard to serve this community, frequently under adverse conditions, and they are doing it well."

The Tidewater News asked the sheriff's office if it was its position that its investigation into the Sept. 15, 2019, crash was thorough and complete and that the Lees did not need to invest resources to mount their own investigation into it.

"The necessary information needed to complete this investigation was obtained by the deputies who worked this crash," Cobb said.

SEEKING CLOSURE

Jamie Lee concluded his letter at Pittman's sentencing hearing by saying, "In closing your honor, my family begs you to give Deana the maximum sentence allowed by law and give us a small portion of the justice that we should be getting as well as some closure to this nightmare that has gone on for over three-and-a-half years."

After Sandwich did give Pittman the maximum sentence allowed by law, Randall told *The Tidewater News*, "There was justice for the Lee family today. It wasn't perfect justice."

Cooke concluded his comments to *The Tidewater News* in March by saying, "I recognize that this is a case of significant interest to the community, and I empathize with the Lees for the loss of their son, who died much too soon. At the same time, I am glad there has been some accountability for Ms. Pittman's actions. These alcohol-related tragedies are entirely avoidable. It is my hope that the attention brought to this matter will encourage young and old alike to act responsibly while consuming alcohol."

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