

THE PROSECUTOR'S PROGRESS

AN UPDATE FROM THE VIRGINIA BEACH COMMONWEALTH'S ATTORNEY'S OFFICE



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A MESSAGE FROM THE COMMONWEALTH'S ATTORNEY



As I review the VBPD's 2017 Crime Statistics report, I am happy see that the overall crime rate (violent crimes and property crimes) decreased in 2017. Most significantly, the homicide rate dropped by over 36%. This is a result of the hard work of our law enforcement officers as well as our watchful and concerned citizens. Virginia Beach police and residents have really come together to

make our city even safer than it was before.

The number of robberies in Virginia Beach, however, increased in 2017. I am confident that through continued police patrols and efforts by vigilant citizens, we will be able to see a decrease in these numbers moving forward. I remind you to be alert and aware of your surroundings, keep your valuables safe and secure, and lock your vehicles at night. If you see something strange or concerning, report it to police right away. Always trust your instincts.

Again I appreciate the role you play in the fight against crime. A safe community truly is the result of a partnership between law enforcement, the Commonwealth's Attorney's Office, and the residents of Virginia Beach. Thank you, and I wish you a safe and happy 2018.

Sincerely,
Colin Stolle

SPECIAL POINTS OF INTEREST:

- *Message from the Commonwealth's Attorney: Most Violent Crime Rates Decreased in 2017*
- *Commonwealth's Attorney's Office Pictorial Dedication Ceremony*
- *New App Alert: Yellow*
- *Featured Cases of the Quarter*
- *Consumer Corner: Scammers Targeting Apple Users*

COMMONWEALTH'S ATTORNEY DEDICATION CEREMONY

On Friday, November 3, 2017, the Office held a dedication ceremony for the families of previous Commonwealth's Attorneys. Former Commonwealth's Attorneys Harvey Bryant, Robert Humphreys, and Paul Sciortino were present for the ceremony.

Stolle began searching for and collecting portraits when he was elected Commonwealth's Attorney in 2014. The families of the former Commonwealth's Attorneys were instrumental in providing the portraits.

"The portraits of these former prosecutors tell the story of how this office has developed, grown, and changed over the past century," Stolle said. "This office has grown tremendously and Virginia law has evolved quite a bit over time, yet my predecessors and I share one commonality: the pursuit of justice. While processes are constantly changing, our mission has always been to prosecute those who violate the laws of the Commonwealth of Virginia."

The former Commonwealth's Attorneys whose portraits are now on display in the Commonwealth's Attorney's Office lobby include:

Benjamin Dey White, 1901-1909

A.J. Ackiss, 1909-1914

Edwin James Smith, 1915-1932

Paul W. Ackiss Jr., 1932-1954

Robert Stanley Wahab Jr., 1955-1958

Robert L. Simpson, 1959-1967

Andre Evans, 1968-1981

Paul A. Sciortino, 1982-1989

Robert J. Humphreys, 1990-2000

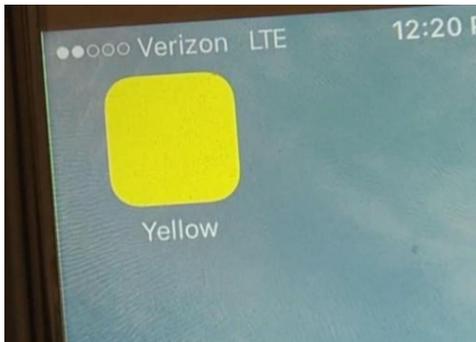
Harvey L. Bryant III, 2000-2013

Colin D. Stolle, 2014-



*Left to right:
Robert Humphreys, Colin Stolle,
Paul Sciortino, Harvey Bryant*

NEW APP ALERT: YELLOW

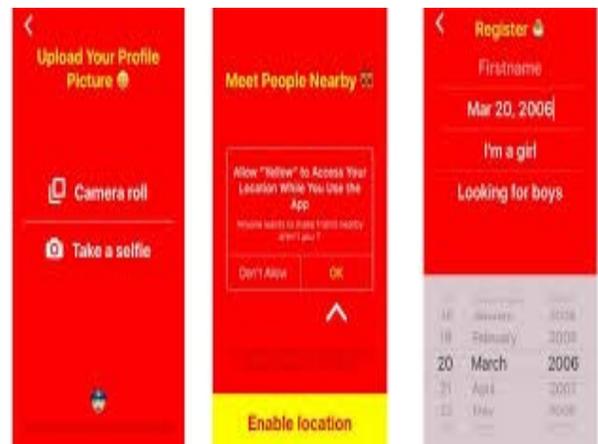


A new app, Yellow, has been dubbed “Tinder for teens,” and parents should monitor their teens’ usage if they choose to allow their teens to use it. Yellow describes itself as “a social app to meet new friends and have fun with them.” The app also claims that using the app is like “being in a party and meeting cool people every 10 seconds.” It allows users to meet strangers over social media and decide if they want to meet in person.

While teens might make genuine social connections, the threat of developing inappropriate relationships with strangers, to include adults and pedophiles, is very real.

How does Yellow work? Users enter their Snapchat username and give their first name, gender, and date of birth. Users then choose if they want to connect with girls, boys, or both. Users can upload a profile picture and up to five (5) other photos. Yellow encourages users to describe themselves using emojis. Users must enable the location on their device because the app uses location technology to find other users nearby. Users may decide to connect their Yellow profile to their Instagram account.

Teens “swipe right” on the Yellow app if they see someone they want to connect with; “swipe left” if they are not interested (this method is similar to the adult dating app, Tinder). If both Yellow users “swipe right” on each other, their Snapchat identities are automatically added to their Yellow contacts list, and they can message each other through Yellow or Snapchat. Snapchat has been a concern for parents for years. Because its photos and videos are deleted after a few seconds, parents are often unable to effectively monitor the app and ensure their teens’ communication is appropriate.



The Yellow app should be monitored for communications about drugs, alcohol, sex, nudity, and profanity. Its ability to match teens with strangers in their same geographical area is most concerning. This app is not safe for children and teens, but parents who decide to let their children use it should talk to their children about the dangers of meeting in person with someone they meet online. As always, parents should have the passcodes to their children’s devices and search them regularly.

FEATURED CASES OF THE QUARTER

Commonwealth v. Edward Charles Brooks



Charge: First Degree Murder

Sentence: Life in Prison

Facts: On November 7, 2015, Brooks and the victim, Derrell Stephens, were both at Members Barbershop, where they both worked. They did not get along due to an argument months earlier over money from a dominoes game. After a minor exchange of words, Stephens walked to the front of the shop away from Brooks. Brooks stated to co-workers that he'd show them a "real American Horror Story." He stepped into the shop where Stephens sat peacefully in chair, drew a knife from his pocket, and stabbed him. Stephens died later that night after surgery.

Commonwealth v. Nicholas Isaiah Cates



Charges: First Degree Murder, Use of a Firearm, Accessory after the fact—Homicide

Sentence: 50 Years

Facts: On December 2, 2016, Cates and another juvenile drove to the Cardinal Estates neighborhood while on Cates' break in his shift at Taco Bell. The juvenile told Cates to stop the car when they saw Zacarias Aguilar-Ayala sitting in his truck. They did not know Aguilar-Ayala. The juvenile used Cates' gun and shot Aguilar-Ayala several times, killing him. Cates returned to his shift at Taco Bell. On December 4, 2016, Cates and Maurice Boney left Cates' home in the middle of the night to "take a life." They drove to Champion Court and saw Christine Bender, who was not known to them, outside her home smoking a cigarette. Cates said, "She's the one." He then motioned for Bender to come to his car, asked to borrow a lighter, then shot her several times in the back. Cates made incriminating statements to police.

Commonwealth v. Raymond Ernest Ellis



Charges: Forcible Sodomy (2 counts), Abduction, Robbery, Attempted Abduction

Sentence: 225 Years

Facts: On two separate dates in Jan. 2016, Ellis attacked people in their vehicles near Wawa on S. Rosemont Road. On Jan. 16, Ellis attacked a woman getting into her car, but she was ultimately able to push him away. She later noticed blood on her stomach area, where Ellis had been repeatedly poking her during the struggle. Ten days later, Ellis forced a man at knifepoint to drive to a bank and withdraw \$600. He then sexually assaulted him at knifepoint. He threatened to kill the man and his family if the man reported the incident to police. Ellis has a lengthy criminal history with prior rape, robbery, and abduction convictions.

Commonwealth v. Andrea Catrina Gehring



Charges: Malicious Wounding, Child Abuse/Neglect

Sentence: 8 Years

Facts: On the evening of November 25, 2016, Gehring left a child home alone. Shortly thereafter, Gehring's boyfriend came to the house looking for her. The child told him where Gehring was. Around 1:00 a.m., Gehring returned home in a fit of rage. She beat the child repeatedly with an aluminum baseball bat in the face, shoulders, thighs, and feet. When the child tried to block her face from the strikes, Gehring hit her in the hands with the bat. The child then asked another adult to take her to the hospital, but the adult refused to take her. A friend of Gehring observed the child a day later and contacted a family member of the child. The child was taken to the hospital and had a broken hand and swelling to the eyes, lips, arms, shoulders, and legs.

For more details on these cases and other Commonwealth's Attorney's Office news, visit: www.vbgov.com/oca.



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TOGETHER, WE CAN KEEP VIRGINIA BEACH SAFE!

The Office of the
Commonwealth's Attorney is
dedicated to serving our
community.

To request the Office's
assistance at your community
event, please e-mail Public
Information Officer
Macie Allen at
mpallen@vb.gov.

If you have additional questions, or if you've been a victim of a scam involving your Apple device, call Apple at 800-275-2273 (U.S.) or [contact Apple Support](#) online.

The Consumer Corner

New Scam Targeting Apple Users — Attempt to Steal Your Info

These days, a smartphone is basically a computer, causing smartphone users to be increasingly susceptible to hacks and scams. Many Americans are fearful of identity theft. Thieves are preying upon that fear in a scam targeting Apple users.



There are a couple ways this scam works. In some versions, someone calls the Apple user (pretending to be from Apple) claiming there has been a breach in the system. They ask for personal information to verify the user's account. The caller even claims to be from Apple's support team and tries to trick unsuspecting victims into

granting access to their device or account over the phone. In another version, scammers send Apple users a text or email that appears to be from Apple. It may state that the user is a victim of a breach and needs to reset his or her Apple ID account by clicking on the link provided in the message.

BEWARE! Granting access to your device or clicking the link provided could give scammers access to your Apple account. This may include any personal and financial information, especially if you use your phone to manage bank accounts or credit cards. In yet another version of the scam, the caller may claim that the victim needs to wire money to "Apple" immediately in order to restore security on his or her device. This money will be claimed by the scammer in no time, and will likely be impossible to recover.

Here's how you can protect yourself:

- Do not click on any link that you're not expecting. To determine whether a message is legitimate, go to the official website for the business that is contacting you, or research their phone number and give them a call. Just because a message appears to be legitimate doesn't make it so.
- Don't open, click on, or respond to messages from unknown numbers. It's smart to delete those. If you're unsure of whether you need to update your profile or security settings, log into your account separately through the official website or call the company directly.
- Pay close attention to your phone bill and check for services you haven't ordered. Check your bank accounts and credit card statements frequently.
- Watch out for look-alike URLs. Anyone can create a web address that looks similar to a legitimate one.
- Ask your phone carrier about blocking third-party charges. Mobile phone carriers permit outside businesses to place charges on your phone bill, but many carriers offer you the ability to block this.
- If you receive a text you think may be spam, forward it to 7726 (SPAM). Your cell phone provider should then block future texts from that number.