

FBI investigating Va. in-custody death

Linwood Lambert Jr. died in 2013 after officers who brought him to a hospital for a mental health evaluation used ECDs to subdue him

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By Larry O'Dell
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RICHMOND, Va. — The FBI is conducting a civil rights investigation into the death of a Virginia man who died in police custody after being shocked by stun guns. The federal agency's move follows criticism that the state probe has taken too long.

Linwood Lambert Jr. died in 2013 after officers who brought him to a hospital for a mental health evaluation used stun guns to subdue him. A county prosecutor launched an investigation into the death but has not announced a conclusion. Civil rights leaders want to know why, and whether the officers involved will be criminally charged.

"A black man was killed while in custody of South Boston police," said Jack Gravelly, executive director of the NAACP in Virginia. "Why did he die? What did he die of, and why has it taken the commonwealth's attorney more than two years to issue a report on the death of Linwood Lambert Jr.?"

Adam Lee, the head of the federal agency's Richmond division, told The Associated Press that he personally went to the home of Linwood Lambert Jr.'s sister and told her the FBI is investigating. The federal inquiry is separate from a local prosecutor's investigation.

Virginia State Police previously looked into the death of Lambert while he was in the custody of officers in South Boston, a town of about 8,000 near the North Carolina border. Their findings were turned over to Halifax County Commonwealth's Attorney Tracy Quackenbush Martin, who has been criticized by the Lambert family and civil rights groups for not yet deciding whether the officers should be charged.

Martin said in an email Thursday that she wants to finish her investigation "as expeditiously as

possible," but she has to be thorough and there is more evidence in the case than most people are aware.

"Considering all the relevant information I can reasonably receive, and having the patience and fortitude to wait for it — even in the face of controversy — is part of fulfilling the demands of justice," Martin wrote.

Lee said the FBI is "working in partnership" with South Boston and state police.

"This is not second-guessing, not looking over their shoulder," he said.

Civil rights leaders requested the federal inquiry because they believe questions remain unanswered, and they are unhappy with the pace of the prosecutor's investigation.

David Heilberg, a defense attorney in Charlottesville who is not involved in Lambert's case, said he has never heard of an investigation of this kind taking so long.

Lee said that in addition to visiting Lambert's sister, Gwendolyn Smalls, he called the NAACP to report the FBI's involvement.

"We want to make sure the families are aware and interest groups are aware that if there's anything to it, it will be borne out by a thorough and complete review," Lee said.

Videos released in November show three officers using stun guns on Lambert multiple times after taking him to a hospital for a mental health evaluation. Lambert ran from the officers at the hospital, and instead of taking him to the emergency room, they took Lambert to jail.

An ambulance later brought him back to the same hospital, where he was pronounced dead.

An autopsy report says Lambert died of "acute cocaine intoxication." Attorneys representing Smalls in a \$25 million lawsuit alleging the use of excessive force have argued that the videos cast doubt on that finding.

Joe Messa, an attorney for Smalls, called the involvement of a law enforcement agency that has no ties to the state or local police department a "positive development."

"The goal here is justice for the Lambert family," he said.

Linwood Lambert Sr. recently sent a letter urging Gov. Terry McAuliffe to press Martin to conclude her investigation. He wrote that "the manner in which my son died adds to the devastation" and has made it difficult for him and other family members to sleep and focus on day-to-day activities.

"It's been almost three years thus, we are seeking some form of closure," he wrote.

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