

NAACP president urges prosecutor to release findings in Lambert death probe

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With the third anniversary of Linwood Lambert Jr.'s death rapidly approaching, Halifax County NAACP President Kevin Chandler on Wednesday emailed a letter to Halifax County Commonwealth's Attorney Tracy Quackenbush Martin calling for her to release her final report on Lambert's May 4, 2013 death while in the custody of South Boston Police Department.

In the letter, the Halifax County Branch of the NAACP president calls upon Martin to release her findings and "let the chips fall where they may."

Chandler says he believes this is a reasonable request, given the time this case surfaced.

However, the prosecutor said Thursday the death investigation is continuing.

She responded to Chandler's letter explaining her report is "progressing appropriately," and her report will be released once she has "all the relevant information."

However, Chandler pointed out in his letter it has been almost three years since Lambert died.

"As you well know, Mr. Linwood Lambert met his death almost three years ago, and your office has failed to issue a report, findings or any formal determination as to what happened. Your failure to release any report, findings or decision enables the public to race down any road of speculation as to what happened and why," Chandler said.

Earlier this week, U.S. District Senior Judge Jackson L. Kiser handed down an order that fails to dismiss a \$25 million lawsuit filed by Gwendolyn Smalls, the deceased man's sister.

Lambert's death occurred on May 4, 2013 after officers took him into custody at the Super 8 Motel on U.S. 58 in South Boston, according to the lawsuit filed April 29 in U.S. District Court in Danville.

In his search for answers, father goes to governor

Linwood Lambert Sr., the father of Linwood Raymond Lambert Jr. who died May 4, 2013 while in



MSNBC video

This photo taken from a video aired by MSNBC shows South Boston Police Department officers deploying Tasers on Linwood R. Lambert Jr. after he apparently ran from a police vehicle toward a door to Sentara Halifax Regional Hospital on May 4, 2013.

police custody, this week asked Gov. Terry McAuliffe to assist Lambert's family in "getting answers..."

Binner, Town of South Boston, South Boston Police Department Deputy Chief B. K. Lovelace, Corporal Tiffany Bratton and Officers Clifton Mann and Travis Clay were named as defendants in the suit.

In her suit, Smalls alleges Lambert was deprived of his civil rights and denied medical attention and also alleges a conspiracy to violate civil rights and intentional infliction of emotional distress.

The NAACP has openly supported the Lambert family in marches and rallies held in the county since last fall.

In his letter to the commonwealth's attorney, Chandler recognizes that Martin is a member of the NAACP, and states "in no way are we trying to create an 'us versus them' atmosphere. We call for you to operate on one of many campaign promises that you would be 'fair and just.'"

In this case, Chandler writes Martin has "yet to stand and properly operate."

He expresses admiration for Martin's effort to seek outside assistance with this matter by involving Richmond Commonwealth's Attorney Michael Herring and the Virginia State Police Bureau of Criminal Investigation.

"Although questionable," Chandler added, the Virginia State Police Bureau of Criminal Investigation has completed their finding in this case.

"While we respect Attorney Herring's accomplishments, his involvement in this case does not absolve your office of the responsibility to produce a timely and fair report on the death of Mr. Lambert," he continues.

He requests Martin, acting in her capacity as the commonwealth's attorney serving as chief law enforcement officer, to expeditiously do so.

The NAACP president said the Halifax County Branch of the NAACP will continue supporting the Lambert family.

"We will continue voicing our position and displeasure until your report is released," he writes.

"Linwood R. Lambert Jr. should not have died while in the custody of the South Boston Police," Chandler concludes in his emailed letter to the commonwealth's attorney.

Commonwealth's Attorney Martin said she understands the anxiousness Chandler expresses in his letter and "the desire to know the course and substance of my investigation as it progresses."

However, she says in her response, "The limits of propriety prevent me from discussing these matters until my investigation is complete. I fully appreciate that these limits create frustration for many

people. Abiding by these limits, nonetheless, is part of being fair and just.”

Martin said Chandler’s letter implies she is withholding a final report from the public.

“Nothing can be further from the truth,” Martin writes.

“To be clear, I cannot release a final report, not because I desire to withhold information from the public, but because the investigation, although progressing well, is not complete.”

She expresses her “desire to conclude the matter as expeditiously as possible. Nonetheless, the desire for an expeditious conclusion must be balanced against the need for a thorough investigation.

“I think we can agree that the death of any individual merits the highest level of consideration,” she adds.

Martin said she chose not to make a final determination based on the investigation by the Virginia State Police Bureau of Criminal Investigation—an investigation Chandler called “questionable.”

Instead, the prosecutor explains she has sought to expand the investigation to other sources of information.

For instance, Martin said only recently was she granted access to the medical experts in the civil matter — experts who would not have been funded and made available to her earlier.

“This and other information is highly relevant and necessary for me to consider before reaching any final conclusions,” she said.

“While outside observers may have the luxury of drawing conclusions based on the information in the media,” Martin said she does not.

“The evidence in this case is far more extensive than you or the public can know. My decision brings with it serious consequences for all interested parties. Considering all the relevant information I can reasonably receive and having the patience and fortitude to wait for it is part of being fair and just,” she writes in her letter to Chandler.

Martin said she will not ignore her responsibilities in this regard, “even in the face of controversy.”

She has chosen “to give greater weight to thoroughness over expediency in this weighty matter,” she says, adding, “The outstanding portions of my report are progressing appropriately. I assure you that once I have all the relevant information, you and all the citizens of Halifax County will have my report.”

Thomas N. Sweeney represents Small, and James. A. L. Daniel, represents Binner and co-defendants in the case that is scheduled to go to trial in U. S. Western District Court in Danville the week of May 16.