

HAMPTON VA

May 4, 2022

Ms. Amina Matheny-Willard, Esq.
999 Waterside Drive, Suite 2525
Norfolk, Virginia 23510

Sent VIA U.S. Mail and Electronic Mail to amina@aminalaw.com

Re: Correspondence dated April 30, 2022 - Demand to Cease and Desist Harassment, Jury Tampering, and Obstruction of Justice by a Law Enforcement Officer

Dear Ms. Matheny-Willard:

On behalf of Mayor Donnie R. Tuck and Hampton Police Chief, Mark Talbot, I am acknowledging receipt of your correspondence dated April 30, 2022.

With regard to the notice provided pursuant to Virginia Code §15.2-209, the City's Risk Manager, Patricia Parker, will respond to you separately acknowledging receipt.

As to your requests for: (1) a public retraction of statements made by Chief Talbot; (2) to cease and desist from making public comments that could obstruct justice or tamper with a future jury pool; (3) ask the community not to harass/threaten the Bigsby family; and (4) issue a public apology to the Bigsby family for making statements that put their lives in danger, the City provides the following responses:

1. Chief Talbot will not retract any of his statements made in updates to the public about the disappearance of Codi Bigsby and the Hampton Police Division's ("HPD's") ongoing investigation into his whereabouts;
2. No statements made by Chief Talbot have obstructed justice or tampered with a potential jury pool. In fact, Chief Talbot has at all times sought to find Codi, to investigate his disappearance, and to protect the integrity of HPD's efforts in that regard.
3. The City does not endorse or condone harassment or threats made against anyone. If this occurs, the individuals being harassed and/or threatened should report it to law enforcement immediately.
4. The City denies that Chief Talbot made statements that put anyone's life in danger.

Lastly, among the many misstatements in your timeline, you state that HPD did not seek to initiate an Amber Alert. That is false. The Virginia State Police ("VSP") have

City Attorney's Office

22 Lincoln Street | Hampton, Virginia 23669

www.hampton.gov | P: (757) 727-6127

Fax: (757) 727-6788

clearly delineated criteria to issue such an alert. All aspects of the criteria must be met in order for one to occur. Although in HPD's assessment of the case it did not appear to meet the VSP criteria for an Amber Alert, HPD made an official request for one, which the VSP denied.

The City of Hampton and the Hampton Police Division's efforts remain focused on finding Codi Bigsby and will continue in this regard until such time as he is located.

Sincerely,



Cheran Cordell Ivery
City Attorney

cc: Donnie R. Tuck, Mayor
Hampton City Council
Mary Bunting, City Manager
Steven Bond, Assistant City Manager
Chief Mark Talbot, Hampton Police Division
Brandi Law, Deputy City Attorney