

VIRGINIA:
IN THE CIRCUIT COURT OF THE CITY OF NEWPORT NEWS

COMMONWEALTH OF VIRGINIA,)
Complainant,)
)
v.)
)
DEJA NICOLE TAYLOR,)
Defendant.)

Case Nos: CR23000463-01; CR23000463-02

STIPULATION OF FACTS

The parties agree that the following facts are the Commonwealth’s evidence in this case, and that they are sufficient for conviction on a charge of **Felony Child Neglect**, in violation of §18.2-371.1 of the Code of Virginia (1950) as amended.

On January 6, 2023 a teacher was shot by a six-year-old student at Richneck Elementary School in Newport News. The shooter was positively identified as J.T., and his mother and primary caretaker is the Defendant.

In the moments after the shooting, officers entered the school and upon entering Room #11, officers saw an adult staff member restraining J.T. while a Taurus 9mm Semi-automatic handgun lay on the floor nearby. The gun’s slide was open and the gun contained a magazine with additional rounds. As police entered that classroom, J.T. shouted, “Fuck You! I shot my teacher” before breaking free and punching the staff member in the face. Officers then restrained J.T., who also said, “I got my mom’s gun last night.” J.T. pointed to the gun on the ground and said, “My mom had that . . . I stole that from my mom.” As he was being walked to a patrol vehicle, J.T. stated, “My mom had that gun . . . I stole it because I needed to shoot my teacher.”

Meanwhile the victim of the shooting, Ms. Abigail Zwerner, had gone to the office to seek medical attention. When later interviewed by police at the hospital, Zwerner reported that a student in her class named J.T. had shot her. J.T. was later interviewed in the presence of his parents, including his mom, Deja Taylor. When his mom asked him how he got the gun, J.T. replied that he stood on a drawer of her dresser, reached into her purse, and took it.

Deja Taylor was interviewed by police. During that interview she explained that she knew her son was troubled, and that he had been diagnosed with “Obstructive Defiance Disorder” and takes medication for it. She told police that J.T. lives with her full time, and his father stays elsewhere. Taylor described prior instances of J.T.’s unpredictable behavior. In one incident, J.T. got into his Mom’s purse and took the keys to her vehicle. Child Protective Services responded and created a safety plan for Taylor requiring her to lock her car keys in a lockbox rather than keeping them in her purse, to prevent J.T. from accessing them again. Taylor reported that she continued to store her loaded firearm

in her purse, even as she kept her car keys in a lockbox. Taylor told police J.T. had, as usual, been alone with her the night prior to the shooting and that she had taken him to school that morning.

J.T. had other incidents of which Taylor was aware. In the weeks leading up to the shooting, J.T. had been on a modified school schedule as a result of his behavior problems. This required a parent to attend school alongside him, which continued up to Christmas Break. The week of the shooting was the first week J.T. was able to attend school without a parent remaining with him. On the Wednesday prior to the shooting, J.T. became defiant and grabbed his teacher's cell phone, smashing it on the ground. J.T. said to Zwerner, "I'm never coming back to your room again, you bitch." Taylor was notified of this, and J.T. was suspended from school for the next day (Thursday). The day of the shooting was Friday, J.T.'s first day back to school from that suspension.

When a search warrant was executed at the home of Deja Taylor, investigators found narcotics packaging, narcotics paraphernalia, marijuana, marijuana edible packaging, and a box of ammunition. No gun safe, trigger lock, or key to a trigger lock was located.

In a past incident, occurring on June 23, 2022, a CPS report indicated that J.T. has played with a gun at his grandmother's house. When interviewed in reference to that incident, J.T. reported that he "wanted to visit a gun range."

The Taurus 9mm G2APT111 recovered from the classroom floor was determined to belong to Deja Taylor. It was test fired at the Virginia Department of Forensic Science, and they determined that the spent 9mm case recovered from the classroom had been fired by this firearm. Additionally, an analysis from the Department of Forensic Science confirmed that J.T. had primer residue on his hands.

By virtue of these facts, the parties recognize and admit that J.T. incurred emotional injury, and requires continuing treatment and counseling. The parties also recognize that as a result of these events, Ms. Zwerner and other students and staff at Richneck elementary suffered physical and emotional injury. These events occurred within the City of Newport News.

STIPULATED AND AGREED: