

ALERT TOP STORY

## Spotsy man from viral video gets jail time for pointing gun at young Black men

Keith Epps

Nov 12, 2020

**A** Spotsylvania man who pointed a rifle for several minutes toward five young men who had entered a private subdivision in the county earlier this year was ordered Thursday to serve 60 days in jail.

Dennis Lee Berry, 46, of Partlow, was convicted in Spotsylvania General District Court of five counts of brandishing a firearm. Judge Richard McGrath sentenced Berry to a total of two and a half years in jail, with all but 60 days suspended.

McGrath gave Berry until Nov. 20 to report to the Rappahannock Regional Jail to begin serving his sentence. Because the convictions are misdemeanors, Berry would only have to serve half of his active sentence, or 30 days.

Berry still has the option of appealing his convictions to circuit court. If he does so, he would face a trial and risk the possibility of a longer sentence.

The cases against Berry stemmed from an incident that occurred June 14 on a cul-de-sac in Whelan Ridge Estates in the Partlow area. Three brothers—Jeremiah, Isaiah and Joshua Griffin—and two other friends, Alistair Streat and Jon Foster, had gotten together that day to socialize.

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Four members of the group were on motorcycles and one was in a car that evening when they ended up in Whelan Ridge Estates. They said they rode there because one of them used to live in that area.

The cul-de-sac is not on Berry's property, but he grabbed his AR-15 rifle after hearing a commotion down the road from his home and confronted the group about trespassing. The victims accused Berry of pointing the gun at them because they are all Black.

Berry didn't mention race during the part of the confrontation that was captured on video, but he did use profane language toward the group. The victims said they didn't see a sign that read "Private Road No Trespassing," but authorities said Berry had no authority to enforce the sign, and those who could have filed a complaint declined to do so.

The videotaped confrontation went viral online, and Berry's behavior was criticized as racist by numerous viewers.

On Thursday, Berry testified that race had nothing to do with his actions. He said he was simply looking out for his neighborhood and said the victims didn't leave after he repeatedly told them to do so.

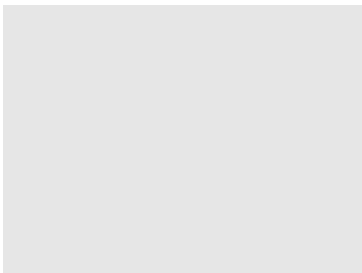
"I thought it was some kind of Black Lives Matter stuff," he said at one point Thursday.

Berry said he pointed his gun because he felt threatened and still doesn't think he did anything wrong. Asked if he was scared, he said, "in a way I was and in a way I wasn't." Berry said he lost his job as a result of the bad publicity stemming from the incident.

Defense attorney Julian Viscidi argued that Berry was calm during the confrontation and was trying to "de-escalate a potentially dangerous situation." He agreed that it would have been better had Berry simply called police in the first place, but said his actions were not excessive and that he was the victim of "extraordinary circumstances."

Prosecutors Alexandra Vakos and Ryan Mehaffey said Berry's actions were far beyond reasonable. They said he deserved a lengthy jail sentence.

"At best he's an impenitent vigilante," Mehaffey said. "At worst, he's an unapologetic racist."



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