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## Davenport faces new charges during re-trial

A former Caroline County deputy will face six new charges when he has a re-trial on charges that he sexually and physically abused a young boy more than a decade ago.

Clyde C. Davenport, 52, a Caroline sheriff's deputy for nine years and briefly a candidate for sheriff in 1997, was accused of physically abusing and sexually molesting a boy over a six-year period starting in 1998 when the boy was 8 years old.

Davenport waived an arraignment Thursday on five new sodomy charges and one count of aggravated sexual battery that he had been indicted on by a grand jury earlier this month. Those charges will be tried with two other charges during a three-day jury trial that begins May 23.

Special prosecutor George Elsasser, an assistant commonwealth's attorney in Stafford County, and defense attorney Cary Bowen were appointed by Ellis to handle the case after Caroline Commonwealth's Attorney Tony Spencer and defense attorney John LaFratta were removed from it last September.

Ellis said he had to remove them both because he felt their ability to remain professional was overwhelmed by their personal animosity toward each other.

Ellis also quashed five sodomy charges filed by Spencer after the mistrial.

Previously, a jury of five men and seven women found Davenport guilty of malicious wounding and child abuse resulting in serious injury in September 2010 during an emotional three-day trial.

The jury recommended that Davenport serve the maximum of 30 years in prison and pay a \$100,000 fine.

But that verdict was set aside by Ellis in May when he declared a mistrial after LaFratta argued that some statements made during the trial by Spencer about

Davenport being a porn dealer and racist were prejudicial against his client.

Davenport, who is out of jail on bond, is in poor health and will be living with his sister in King William County until the case goes back to court.

"This is a nightmare I have been living since May 2008," Davenport told The Free Lance-Star in September. "I have spent nine months in jail for nothing, for something that I did not do."

He said the allegations against him were made up because he and the victim's mother have had an ongoing court battle on an unrelated matter.

The charges against Davenport stem from a Virginia State Police investigation after a 2008 complaint from the Department of Social Services.

The victim, his mother and other witnesses said they called police about the abuse, but said they believed because of Davenport's relationship with the local Sheriff's Office, nothing would ever come of it

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Portisia Smith covers Caroline County government and schools.

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nothing would ever come of it.

Davenport was hired as a deputy in December 1988 by then-Sheriff O.J. Moore and left the force in August 1997, when Homer Johnson was sheriff.

He worked as a school resource officer and as a D.A.R.E. officer.

Davenport testified that he resigned in 1997 so that he could run for sheriff that year. However, he dropped out of the campaign.

By Portsia Smith on March 29th, 2012 3:01 pm

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