

Criminal Justice Services Board
March 25, 2010

Members Present

Sheriff Beth Arthur (Chairman)
Mr. Sam Abed
Mr. Jeff Dion
Ms. Helen Fahey
The Honorable Sherman Carl Vaughn, Sr.
Lt. Jerri Smith
Chief James R. Lavinder
Ms. Danielle Ferguson
The Honorable Clarence N. Jenkins
Mr. Edward M. Macon
Ms. Cookie Scott
Chief A.M. "Jake" Jacocks
Dr. Jay Malcan
Mr. Jonathan McGrady
Colonel W. Steve Flaherty
Sheriff Charles W. Phelps
Mr. Alan Katz
Mr. Kevin S. Hodges
Mr. Christopher R. Webb
The Honorable Marcus D. Williams
The Honorable Jackson H. Miller

Members Absent

The Honorable Robert L. Bushnell
The Honorable Marlene Randall
The Honorable Janet D. Howell
The Honorable Beverly Sherwood
Sgt. Charles Condon
Mr. Patrick Wilson

DCJS Staff Present

John Colligan
Leon Baker
Gayle Turner
Fran Ecker
Laurel Marks
Dan Catley
Joe Marshall
Janice Waddy
Rick Arrington
Lisa McGee
Eileen Guertler
Loretta Lynch
Sam Hoffman
Ashaki McNeil
Mandie Patterson
Janice Cosel
Priscilla Bowers

Guests Present

George Haudricourt
The Honorable Marla Decker
The Honorable John Buckovich

Call to Order

Chairwoman Arthur called the meeting to order at 11:00 a.m. and welcomed everyone to the meeting. She welcomed and introduced John Colligan as the Interim Director for the Department. Chairwoman Arthur reminded guests that a sign-in sheet was located at the front entrance and asked individuals to please sign in for the purpose of the minutes, including DCJS staff.

Chairwoman Arthur further reminded Board members to please state their name when making a motion and when seconding, to please speak clearly for the purpose of the minutes and to ensure that their microphone was turned on at their seating area. Further, she reminded staff and persons speaking from the floor to please step up to the podium when speaking so that the microphone would pick up their voice for the purpose of the minutes.

Chairwoman Arthur then asked Priscilla Bowers to take the roll. Ms. Bowers proceeded with roll call and stated that there was a quorum with 21 members present. Chairwoman Arthur thanked Board members for attending the meeting today and also thanked those individuals who were sitting in as proxies for representatives of the Board: Lt. Colonel Robert Northern, proxy for Colonel Flaherty.

Chairwoman Arthur stated that as a result of the change in Administration, Mr. Barry Green and Mr. Walter McFarlane was no longer serving on the board. She then acknowledged and thanked Mr. Green and Mr. McFarlane (in their absence) for their service to this Board and to the Commonwealth. Chairwoman Arthur mentioned that Mr. Green not only served on this board but also served as Vice-Chair of the Board and on the Executive Committee. Additionally, Mr. Green served on numerous other committees/subcommittees: The Advisory Committee on Juvenile Justice, the Committee on Criminal Justice Information Systems and the Grants Appeal Subcommittee.

Chairwoman Arthur further stated that Mr. McFarlane served as Chair of the Law Enforcement Subcommittee and also served on the Corrections Subcommittee. She then asked the Board and the audience to join her in acknowledging and thanking Mr. Green and Mr. McFarlane for their commitment to serve on this Board and on the various committees of which they served during their tenure.

Chairwoman Arthur also reported that the Board had two new members; representing the Dept. of Juvenile Justice was Mr. Sam Abed, Interim Director and representing the Dept. of Correctional Education was Mr. Patrick Wilson, Interim Superintendent. She then asked the Board and the audience to join her in welcoming Mr. Abed who was present at the meeting today and Mr. Wilson who was unable to be here but would be present at the next meeting.

Chairwoman Arthur made note that Mr. Alan Katz was now the official representative for the Attorney General's Office. She further noted that a copy of an updated board member listing had been included in board member packets.

Chairwoman Arthur mentioned that there were a few vacancies on the Board of which the Governor, in due time would appoint a replacement for the representative of crime victims' interest seat and the Senate Committee for the Courts of Justice seat.

Chairwoman Arthur reported that there were various members whose term would expire on June 30th. She noted the following members who have served 2 terms (8 years) and are not eligible for reappointment: Mr. Jeff Dion, Dr. Jay Malcan, Mr. Chris Webb and herself. She stated the June meeting would be their last meeting.

She further mentioned that there were also a number of members whose 1st term would also expire; however, they were eligible to serve a 2nd term if interested. She asked that those members who were interested in being reappointed for another term, to please see Ms. Bowers to get contact information to send their letter of interest to the Secretary of the Commonwealth (SOC). She also asked that they copy Ms. Bowers.

At this time, Chairwoman Arthur informed members that as of April 1, individuals interested in Board appointments/re-appointments would be able to fill out their application on-line via the SOC website. She further mentioned that board member profiles have been prepared and submitted to the Governor's office as of March 15. These profiles list board members' names, contact information, date of appointment, no. of terms served, term expiration, attendance, and seat requirement. She mentioned that the department would keep the Board informed regarding appointments.

Approval of Minutes

Chairwoman Arthur called for corrections, deletions or additions to the minutes of the December 10, 2009 Criminal Justice Services Board meeting. There were no corrections, deletions or additions brought forth by members.

Chairwoman Arthur then called for a motion to approve the minutes of the December 10th meeting. Mr. McGrady made the motion and Mr. Macon seconded the motion. Chairwoman Arthur stated that it had been motioned and seconded that the Board approve the minutes of the December 10 meeting with no corrections, additions or deletions.

Director's Report

Chairwoman Arthur called upon Interim Director John Colligan to give a brief Director's Report. Mr. Colligan welcomed and thanked everyone for attending the meeting. He then proceeded with the following updates:

Mr. Colligan mentioned that DCJS staff met with the new Secretary of Public Safety, The Honorable Marla Decker and Deputy Secretary John Buckovich. He further stated that the agency was also working with Banci Tewolde, Prisoner Re-Entry Coordinator for the Governor's Initiative on Re-Entry. Mr. Colligan also stated that the General Assembly Session was over and that the overwhelming item was the budget of which a presentation would be given to the Board later on in the meeting.

Mr. Colligan reported that at the request of the Secretary, the Department of Planning and Budget was performing an organizational review of the agency to look at organizational changes. He said they were interviewing selected staff members from all levels and also representatives of the agency's key constituencies and that recommendations on ways to improve the agency structure

would be forthcoming in the next couple of months. He further stated that the Auditor of Public Accounts was also conducting a bi-annual review of the agency and Federal Auditors were doing a review of the grants process.

Mr. Colligan then acknowledged Secretary Marla Decker and Deputy Secretary John Buckovich in the audience and briefly introduced them. Secretary Decker briefly addressed the Board and the audience and thanked the Board for their work.

Mr. Colligan continued with his report and mentioned that the agency had re-vamped its website which became live in January. He said it is intended to offer visitors many options to find what they need and to learn about what DCJS has to offer. He further stated that this is a work in-progress. He encouraged members to visit the site and to advise staff how we can further improve the agency website.

Mr. Colligan mentioned Victims Rights Week is April 18 – 24 and the application deadline for the Victim Assistance Academy is April 16. He reported that the Academy would take place July 26 – 30 and was being sponsored by DCJS, the University of Richmond and the Criminal Justice Compensation Fund. This concluded Mr. Colligan's report. Chairwoman Arthur thanked Mr. Colligan for his report and asked the Board if they had any questions or comments. There were none.

Committee Reports

Committee on Training (COT)

Chairwoman Arthur called upon Sheriff Phelps to give a brief report on the Committee on Training. Sheriff Phelps reported that the COT met this morning prior to the full board. He stated that items of discussion were Campus Security Regs and an update on Campus and School Security Training issues. Ron Bessent and Sharon Gray presented on the Jails Training Service Delivery Plan and the changes that would be brought forward as a result of the budget. Paul Ludwig presented on Firearms Range Inspection/Certification Training Plan and the increase in private ranges by agencies to conduct basic and annual firearms qualifications, including the qualifications for the Law Enforcement Officer Safety Act (LEOSA). Sheriff Phelps reported that there were no items to be voted upon by the Board. This concluded Sheriff Phelps' report.

Chairwoman Arthur thanked Sheriff Phelps for his report and asked the Board if they had any questions or comments. There were none.

Law Enforcement Subcommittee Report

Evaluation Report on Certified Crime Prevention Communities (CCPC) Program (Handout)

Chairwoman Arthur called upon Mr. Rick Arrington to give a brief report on the Evaluation of the Certified Crime Prevention Communities Program. Mr. Arrington gave an overview of the report as per the handout given to members which touched on the background of the CCPC, the purpose of the evaluation, the key findings and the needs identified.

Chairwoman Arthur thanked Mr. Arrington for his report and asked the Board if they had any questions or comments. There was a comment made by a member of the Board that certifications within a community should also include the bigger universities such as VCU. This point was well taken.

Nominations and Appointments Subcommittee

Court Appointed Special Advocate/Children's Justice Act (CASA/CJA) Advisory Committee Nomination (Handout)

Chairwoman Arthur called upon Sheriff Phelps to give a brief report on the CASA/CJA nominations. Sheriff Phelps gave a brief overview of the nomination for the position of Mental Health Representative of which Ms. Viola Vaughan-Eden was nominated. A copy of her bio was included in Board member packets for their review. Sheriff Phelps then made a motion to accept the recommendation of the Nominations and Appointment Subcommittee. Mr. Hodges seconded the motion. Chairwoman Arthur then called for questions or comments. There were none.

Chairwoman Arthur stated that it had been motioned and seconded that the Board accept the nomination of the Subcommittee for Ms. Vaughan-Eden to serve as the Mental Health Representative on the CASA/CJA.

Private Security Services Advisory Board (PSSAB) Nomination (Handout)

Sheriff Phelps gave a brief overview of the nomination for the Personal Protection Specialist Business Representative of which Mr. Frank Phillips was nominated. A copy of Mr. Phillips' bio was included in Board member packets for their review. Sheriff Phelps then made a motion and Mr. Hodges seconded the motion. There were no questions or comments.

Chairwoman Arthur stated that it had been motioned and seconded that the Board accept the recommendation of the Subcommittee to elect Mr. Phillips as Personal Protective Specialist Business Representative on the PSSAB.

Presentations

Legislative Update (Handout)

Chairwoman Arthur called upon Ms. Fran Ecker to give a brief report on Legislation. Ms. Ecker briefly reported on the department's 2010 legislation to include a general overview of the number of pieces of tracked legislation relating to public safety and the actual number of bills passed by both chambers that was awaiting the Governor's signature. She mentioned that of the 31 pieces of surviving legislation, 12 bills directly related to the agency and its constituency. She then gave a brief summary of the following bills:

HB 144 (O'Bannon)	HB 930 (Bell)
HB 368 (Ware)	HB 931 (Bell)
HB 600 (Edmunds)	HB 1204 (Lingamfelter)
HB 682 (Miller)	HB 1255 (Iquinto)
HB 913 (Bell)	SB 620 (Deeds)

Ms. Ecker reported that there were no agency-related studies which passed this session. This concluded Ms. Ecker's report. Chairwoman Arthur thanked Ms. Ecker for her report and called for questions or comments. There were none.

Budget Update (Handout)

Chairwoman Arthur called upon Mr. Colligan to give a brief update on the Budget. Mr. Colligan gave a brief update on the budget to include the following:

- Alzheimer Program (eliminate)
- 7 Vacant Positions and Funding (eliminate-reduction taken in FY2010)
- 5 FTE's and Funding (eliminate)
- CASA Program (reduction)
- School Resource Officer (reduction)
- Internet Crimes Against Children (new funding-non-general funds – court fee)
- Va. Center for Policing Innovation (eliminate)
- Regional Training Academy (reduction-general fund portion)
- Sexual Assault Program (reduction)
- Offender Reentry Program (reduction)
- Victim Witness Program (reduction-general fund portion only)
- HB599 (eliminates non-general funds)

This concluded Mr. Colligan's budget report. Chairwoman Arthur thanked Mr. Colligan for his report. There were no questions or comments.

2009 State Homeland Security Program Grant Awards for Local Law Enforcement (Handout)

Chairwoman Arthur called upon Mr. Sam Hoffman to give a brief update on the 2009 State Homeland Security Program Grant Awards for Local Law Enforcement. Mr. Hoffman gave a brief report on the Homeland Security Program Grant Awards as per handout given to members. Mr. Hoffman mentioned that the Board was briefed in March, 2009 on these awards. This report was for informational purposes only and did not require any Board action. Chairwoman Arthur thanked Mr. Hoffman for his report and called for questions or comments. There were none.

Sexual Assault Services Formula Grant Program Update

Chairwoman Arthur called upon Mr. John Mahoney to give a brief update on the Sexual Assault Services Formula Grant Program.

Mr. Mahoney reported that the Sexual Assault Services Program (SASP) was created by the federal Violence Against Women Act and is the first federal funding stream dedicated solely to the provision of services for victims of sexual assault. SASP is designed to supplement other funding sources directed at serving sexual assault victims. States are required to use the funding to support rape crisis centers and other nonprofit, nongovernmental organizations that provide core services to victims of sexual assault.

Mr. Mahoney mentioned that the department worked with the Virginia Sexual and Domestic Violence Action Alliance and other stakeholders to develop Virginia's SASP application and proposed allocation strategy. In the application the department proposed to allocate funding equally among all 37 Sexual Assault Crisis Centers or programs serving both domestic violence and sexual assault victims. The Federal Office on Violence Against Women (OVW) approved the formula allocation strategy. However, OVW interprets the federal statute to preclude funding programs lacking nonprofit non-governmental status. As a result, 33 of 37 Virginia Centers are eligible for awards. DCJS issued grant guidelines in February and applications are due March 26th. A total of \$281,598 is available for award. Consequently 33 programs may apply for awards of up to \$8,533 each. The department expects that programs will add staff hours so that additional victims can receive services including crisis intervention, hospital accompaniment, and counseling or use funds to maintain these services, in the face of other cut-backs.

Mr. Mahoney further reported that because the award amounts are determined by formula, application review and award processes can be efficiently and fairly handled by DCJS staff. To expedite the award process, the department is requesting that the Board authorize staff to issue formula awards to all eligible programs submitting applications which comply with the grant guidelines, without further Board review.

Because the federal statute indicates that only non-profit and non-governmental programs are eligible to receive SASP funding, four sexual assault programs are ineligible. These programs are located in:

- Victim Assistance Network (Fairfax)
- Sexual Assault Response and Awareness (Alexandria)
- Violence Intervention Program (Arlington)
- 6th Court Service Unit Family Violence Prevention Program (Emporia)

Each of these programs currently receives grant funding from DCJS through a different funding stream – The Sexual Assault Grant Program. Funding comes from the federal Victims of Crime Act (VOCA) and from a General Fund appropriation.

If sufficient funds are available from these sources, we request that the Board authorize increases in FY2011 grant awards to provide funding equal to the amount these programs would have received through SASP. To sum up the report, Mr. Mahoney requested Board authorization to do two things:

First, authorize the department to issue SASP formula awards to all SASP applicants meeting grant requirements without further Board review.

Second, if sufficient funds are available, authorize the department to increase FY2011 VOCA grant awards to the SASP ineligible programs by \$8,533 to provide funding equal to what they each would have received through SASP. This concluded Mr. Mahoney's report. Chairwoman Arthur thanked Mr. Mahoney for his report and asked the Board if they had any questions or comments. Mr. Dion posed a question regarding the 33 programs that are eligible but may not apply for these funds. Mr. Mahoney answered his question satisfactorily. There were no further questions.

Chairwoman Arthur called for a motion for the first voting item. Mr. Dion made a motion and Ms. Ferguson seconded the motion.

Recusals: Mr. Jeff Dion Sexual Assault Advocacy Programs

Chairwoman Arthur then called for a motion for the second voting item. Mr. Dion made the motion and Ms. Ferguson seconded the motion.

Recusals: Sheriff Beth Arthur Arlington

Chairwoman Arthur stated that it had been motioned and seconded that the Board authorize the department to issue SASP formula awards to all SASP applicants meeting grant requirements without further Board review and if sufficient funds are available, authorize the department to increase FY2011 VOCA grant awards to the SASP ineligible programs by \$8,533 to provide funding equal to what they each would have received through SASP.

Consideration of Grant Applications

Advisory Committee on Juvenile Justice (ACJJ)

Juvenile Justice and Delinquency Prevention (JJDP) Act – Title V Grants

Chairwoman Arthur called upon Dr. Jay Malcan to give a brief report on the JJDP Act Title V Grants.

Dr. Malcan reported that DCJS issued a Title V solicitation for proposals for summer programming to address risk factors for delinquency. The Grants Subcommittee reviewed the 6 applications received and made recommendations to the Advisory Committee on Juvenile Justice (ACJJ), which met on January 27, 2010 to review the recommendations of the Grants Subcommittee. By way of a motion, Dr. Malcan asked the Board to accept the recommendation of the ACJJ and recommend funding 5 new grants and not funding 1 as shown in board member summaries.

Chairwoman Arthur thanked Dr. Malcan for his report and called for questions or comments. There were none. She then called for a second motion. Mr. Webb seconded the motion.

Recusals: None

Chairwoman Arthur stated that it had been motioned and seconded that the Board accept the recommendation of the ACJJ to award funding as stated above.

Victims Services Subcommittee

Violence Against Women (V-STOP) Grants

Chairwoman Arthur called upon Ms. Fahey to give a brief report on the V-STOP Grants. Ms. Fahey reported that the Victim Services Grant Review Subcommittee met on Thursday, March 25, 2010. Present at the meeting were Jeff Dion, Danielle Ferguson, and Helen Fahey.

Ms. Fahey reported that a balance of approximately \$38,000 remained after the 2010 V-STOP Grant Review in the law enforcement category (approximately \$5,000) and in the discretionary category (approximately \$33,000). Two in-house grants were developed by staff to spend down this balance.

The first grant of \$7,500 provides thirty (30) scholarships for advocates and volunteers to attend the annual training retreat sponsored by the Virginia Sexual and Domestic Violence Action Alliance.

The second grant of \$30,740 supports two instructor schools for law enforcement officers: Law Enforcement Response to Domestic Violence: A Training for Trainers and Law Enforcement Response to Adult Sexual Violence: A Training for Trainers. Funds will be used for instructor fees, meals and lodging for instructors and participants. Approximately forty (40) participants will attend each school. This concluded Mr. Fahey's report. By way of a motion, Ms. Fahey asked that the Board accept the recommendations of the Victims Services Subcommittee to award the grants as stated above.

Chairwoman Arthur thanked Ms. Fahey for her report and asked the Board if they had any questions or comments. There were none. She then called for a second motion. Mr. Dion seconded the motion.

Recusals: None

Chairwoman Arthur stated that it had been motioned and seconded that the Board accept the recommendations of the Victim Services Subcommittee to award the funding as stated above.

Old/New Business

Old Business

Chairwoman Arthur inquired of the Board if there was any old business to be discussed. There was none.

New Business

Chairwoman Arthur noted that there were vacancies on the various subcommittees of which the department will look to fill after the Governor makes his appointments to the full Board.

Chairwoman Arthur further mentioned that the Board needed to appoint a new Vice-Chair. She stated that based on the Code of Virginia §9.1-108 and the CJSB By-Laws, the Board shall designate one or more Vice-Chairman from among its members who shall serve at the pleasure of the Board. The Interim Director, John Colligan and Chairwoman Arthur made a decision to temporarily select someone from the members of the Board to serve as Interim Vice-Chair for the months of May and June. She then asked members of the Board if they had someone they would like to nominate as Vice-Chair. Dr. Malcan nominated Mr. Chris Webb and Mr. McGrady seconded the motion. Mr. Webb accepted the nomination and agreed to serve as Vice-Chair for the duration of his term on the Board which expires June 30, 2010.

Chairwoman Arthur stated that it had been motioned and seconded that Mr. Webb serves as Vice-Chair for the timeframe allocated.

Administrative Hearing

Chairwoman Arthur mentioned that there was tentatively scheduled for the May 20 meeting, an Administrative Hearing: The Department of Criminal Justice Services vs. Randall W. Dixon. Mr. Dixon is appealing the Director's decision given at a formal hearing held on December 10, 2009. The Executive Committee will convene to hear this case immediately at the conclusion of the normal business of the Board. We will keep those members posted and ask that they be prepared to attend. Members of the Executive Committee are as follows:

Bob Bushnell	Kevin Hodges
Chief James Lavinder	Cookie Scott
Marcus Williams	Vice-Chair, Chris Webb
Chairman, Beth Arthur	

Public Comment

Chairwoman Arthur called for public comment. There was none.

Next Meeting Date

Chairwoman Arthur mentioned that the next meeting of the Board is scheduled for May 20, 2010. However, the department does not anticipate any grants being presented at that time as the various grant programs are trying to hold off to ensure we have appropriations. She stated that the June meeting would therefore be grant filled. Due to vacancies on the various subcommittees, Chairwoman Arthur asked the Board for the full participation of members who currently serve on these subcommittees. She said attendance at these meetings will be critical to grant review and recommendations to the full Board for the numerous grants being presented for approval. The following subcommittees will meet at that time to review grants:

Law Enforcement Subcommittee
Criminal Justice Information Systems Committee
Victims Services Subcommittee
Corrections Subcommittee
Advisory Committee on Juvenile Justice

She thanked members in advance for their attendance at these upcoming subcommittee meetings.

Adjournment

There being no further business, Chairwoman Arthur called for a motion to adjourn the meeting. Ms. Ferguson made the motion and Chief Jacocks seconded the motion. Chairwoman Arthur stated that the meeting was officially adjourned at 12:30 p.m. and thanked members for attending.

Respectfully submitted,

Priscilla Bowers
CJSB Secretary

Approved by:

Sheriff Beth Arthur, Chairwoman