

Criminal Justice Services Board

Minutes

December 14, 2006

**Members Present**

Sheriff Beth Arthur  
Ms. Nancy St. Clair Finch  
The Honorable Robert L. Bushnell  
Mr. Jeffrey Dion  
Ms. Helen Fahey  
Mr. Sherman Carl Vaughn, Sr.  
Ms. Jerri Smith  
Chief James R. Lavinder  
Mr. Edward M. Macon  
Ms. Cookie Scott  
Mr. Barry Green  
Dr. Jay Malcan  
Mr. Jonathan McGrady  
Colonel Steve W. Flaherty  
Sargeant Charles J. Condon  
Mr. Walter A. McFarlane  
Chief A.M. "Jake" Jacocks  
Mr. Alfred T. Dowe, Jr.  
Mr. Alan Katz (Proxy for Ms. Marla Decker)  
Mr. Kevin S. Hodges  
Mr. Christopher R. Webb  
The Honorable Richard D. Taylor, Jr.  
Delegate Beverly Sherwood

**Members Absent**

The Honorable Archer L. Yeatts, III  
Ms. D.J. Geiger

Sheriff Charles W. Phelps  
Delegate Robert Hurt  
Senator Kenneth W. Stolle  
Senator Frederick M. Quayle

**DCJS Staff Present**

Leonard G. Cooke  
Priscilla Bowers  
Robert Mathieson  
John Colligan  
Leon Baker  
Fran Ecker  
Eileen Guertler  
Joe Marshall  
Dan Catley  
Lisa Hahn  
Janice Waddy  
Shelia Anderson  
Kathi Lee  
Heather D'Amore  
Mandie Patterson  
Rick Arrington  
Butch Johnstone  
Melissa O'Neill

**Guests**

Wayne Thomas  
Sgt. B.J. Walker  
Don Boswell  
Linda Jacocks  
Tim Kindrick

**Call to Order**

Chairwoman Beth Arthur called the meeting to order at 11:00 a.m. in House Room "D" of the General Assembly Building. She reminded guests and staff to please sign in for the purpose of the minutes.

Chairwoman Arthur also reminded Board members to please state their name when making a motion and when seconding, and to please speak clearly for the purpose of the minutes.

Chairwoman Arthur asked Priscilla Bowers to take the roll. Ms. Bowers called the roll and stated that there was a quorum present.

Chairwoman Arthur mentioned that we had a new Board member present: Chief James Lavinder, Roanoke County Police Department. Chief Lavinder was appointed by the Governor on August 16, 2006 for a term of four years, effective July 1, 2006 and ending June 30, 2010, to represent the Va. Association of Chiefs of Police. Chief Lavinder replaces Chief Joe Gaskins. Chief Lavinder was unable to be present at the September meeting due to a conflict. She thanked the Chief for coming today and asked the Board and the audience to please join her in welcoming Chief Lavinder.

Chief Lavinder made a brief comment. Chairwoman Arthur also noted that Mr. Alan Katz was present today representing Ms. Marla Decker of the Attorney General's office. She thanked Mr. Katz for taking the time out of his busy schedule to attend the meeting.

Chairwoman Arthur then mentioned that Governor-appointed members of the Board are required to complete a Financial Disclosure statement each year and Conflict of Interest Act Training every other year. She thanked those members who had already completed and submitted their statements and training and reminded those who have not yet complied, to please do so. She also mentioned that Eileen Guertler, DCJS staff member, had copies of the disclosure form and was available to answer questions, if any, today.

### **Approval of Minutes**

Chairwoman Arthur called for a motion to accept the minutes of the September 14, 2006 Criminal Justice Services Board meeting.

Ms. St. Clair Finch stated that she had a correction to the minutes regarding the Private Security Services Advisory Board (PSSAB) Appointments. Correction: Ms. Finch did not participate in the Board's Nomination Committee teleconference held on September 7 to review applications for the vacant Private Security Industry Representative on the PSSAB. This correction was made to the final signed copy of the September Criminal Justice Services Board minutes.

Chief Jacocks made a motion and Mr. Dowe seconded the motion. Chairwoman Arthur stated that the minutes were approved from the September 14 meeting with one minor correction.

### **Director's Report**

Director Cooke welcomed Board member, Chief James Lavinder and mentioned that the Board and DCJS staff looks forward to his involvement in the work of the Board and further stated that staff would be available to assist him in whatever way they can.

### Chief Mark Marshall, IACP

Director Cooke mentioned that Chief Mark Marshall of Smithfield recently became the Fourth Vice President of the International Association of Chiefs of Police (IACP). Chief Marshall has been active with the IACP for some time and he will continue to be an excellent representative of Virginia law enforcement.

### Federal Budget

Director Cooke stated that the 109<sup>th</sup> Congress adjourned without taking final action on several appropriations bills for federal FY 2007, including the Justice Department's. They left it up to the new Congress, the 110<sup>th</sup>, which will take office in January, to take care of the unfinished business. A continuing resolution was passed, which essentially holds spending at FY 2006 levels for the time being.

Director Cooke further stated that we learned yesterday that, once the new Congress convenes on January 4, the leadership plans to act quickly to pass a joint resolution encompassing the nine appropriations bills that were left unfinished by the 109<sup>th</sup> Congress. There is some indication they may put additional funding into programs they feel have been "shortchanged" in recent years, including grants for law enforcement.

The leadership has also decided that there will be no earmarks of funds for federal FY '07 and probably not for federal FY '08 either. This could have a significant impact on a number of initiatives in Virginia, at both the state and local levels that are beneficiaries of earmarked funds. Director Cooke stated that we would be watching with interest as the new Congress starts work and will keep the Board posted.

### Report on the Victim/Witness Fund

Director Cooke reported that the 2006 Appropriations Act directed DCJS to prepare a report on the current and projected status of federal, state and local funding for victim/witness programs supported by the Victim/Witness Fund. As you know, the Board bi-annually awards grants to 102 local Victim/Witness Programs and four statewide victim assistance programs. The report outlines concerns regarding the funding outlook for these programs. We reported that there is no longer enough money in the state Victim/Witness Fund to support our currently funded programs statewide. It would take an additional amount of at least \$2.7 million for FY '08 to maintain the funding for these programs and avoid cutbacks in services. We are committed to working in partnership with the Administration and the General Assembly to address this issue.

### DCJS Website Survey

Director Cooke mentioned that Board members should have received e-mails awhile back inviting them to complete a brief online survey on the usability of our website. He thanked those members who took the survey, and stated that for those who have not, there is still time. The survey is open until tomorrow. As part of our ongoing website redesign project, we invited a wide range of our constituents to participate in the survey and we will use the responses we

receive to help us as we redesign the site and to make it more informative and useful. He asked that members take the opportunity to participate and give their input.

### Coming Events

Director Cooke stated that after the holidays, the main event for a while (until February 24<sup>th</sup>) would be the legislative session. After that, the agency is discussing the possibility of co-sponsoring a 1 to 2 day conference on Disproportionate Minority Contact (DMC) within the juvenile justice system with Virginia State University (VSU). This was one of the topics discussed at the agency's "Blueprints" policy conference last fall. We are working with Dr. Malcan and other members of the VSU faculty on this, aiming for dates in March or April. We will keep you posted and hope you'll be able to attend.

Also, we are assisting in the development of a Re-entry Conference possibly in late April or May. We are working with the Secretary of Public Safety's office and other agencies on this conference. Again, we will keep you posted. This concluded the Director's report.

Chairwoman Arthur thanked Director Cooke for his report and asked the Board if they had any questions or comments. There were none. Chairwoman Arthur also thanked staff for the fine job they do at DCJS.

### Committee Reports

#### Executive Committee Report

Chairwoman Arthur reported that at the September Board meeting, the Executive Committee met along with DCJS staff to discuss administrative issues of the Board. Members present were: The Honorable Robert Bushnell, Mr. Kevin Hodges, Ms. "Cookie" Scott, Mr. Barry Green, and herself.

The By-Laws articulate the make-up of this committee and as mentioned at our last meeting, we were in the process of adding language to the By-Laws to add the Vice-Chair, Barry Green, to the Executive Committee membership. Therefore, we decided to invite him to participate in the meeting as well. That meeting was an open public meeting. We discussed the structure and make-up of the Board's various committees and subcommittees, particularly those with grant review responsibilities. We looked at a staff proposal to make some changes. Chairwoman Arthur mentioned that in the material the Board was given this morning was a memo from the Chairwoman (herself) with an attachment that provided the details on the committees and subcommittees, and incorporated changes in the number and membership of subcommittees. She asked that members please take note of which committees/subcommittees they were on, and if they would like to make a change to please call or e-mail Director Cooke or herself.

Chairwoman Arthur stated that one of the changes members would see in the material is the elimination of the Justice Assistance Grant Program (JAG) Subcommittee in favor of distributing JAG grant review chores to the other subcommittees based on the contents of

the applications. Law Enforcement grants would go to the new Law Enforcement Subcommittee, juvenile justice-related grants would go to the Advisory Committee on Juvenile Justice, and so on.

Mr. Green, soon to be a member of the Executive Committee, raised an interesting question about that change in the handling of JAG grants. Chairwoman Arthur asked Mr. Green if he would be willing to re-state his concern to the full board and also stated that she would like to hear from other members if they have any thoughts on this. She said that members had in their packets, the information on the new formation of subcommittees.

Mr. Green then posed the question regarding splitting the JAG grants between two committees. His concern was, if there was limited funding available and grant requests exceeded the funding, how would the two subcommittees prioritize?

Director Cooke responded and stated that he did address Mr. Green's concern with staff. He then called upon Mr. Joe Marshall to address the issue.

Mr. Marshall stated that one option would be to target our grant guidelines a little more specifically so that we establish some dollar limits up front and then each subcommittee that reviews it, the number of JAG grants would work against that target dollar amount. This is one of the options that we looked at and we think that we can come up with a solution that would address Mr. Green's concern. It actually involves more than two committees but three or four, depending on the nature of the grant applications that we receive. Another point is that in recent years, it has been fairly rare that we had a situation where requests exceeded the dollars available, particularly after the staff goes through its review of the grant applications. There are situations where grant specific proposals get called out because they are unallowable or budget items in grant applications gets reduced for one reason or another. Usually, as a result of that process we end up with dollars proposed to the subcommittee or to the Board that are within the dollar amounts that are available. In situations where that might not be the case, we believe we could devise a process that would solve the problem. Mr. Marshall's suggestion was that we lay this out for the Chairwoman and come back sometime in January and if this suits, we can move forward with the restructuring as proposed.

Chairwoman Arthur pointed out that part of what we are trying to do is to streamline some of these processes for Board members who sit on these subcommittees so as to utilize their time efficiently and effectively. She also stated that we are in the process of looking at the possibility of performing these subcommittee meetings via teleconferencing. There are some legal issues that we are looking into and will get back to you shortly. Chairwoman Arthur thanked the Executive Committee for their work on the issues presented at that meeting and also thanked DCJS staff for their hard work as well.

Director Cooke stated that we will continue to take into consideration, Mr. Green's concerns as staff continue to meet to address issues and finalize these subcommittees.

Mr. Marshall further stated that the Executive Committee discussed the scheduling of subcommittee meetings as it relates to the Board's meeting schedule. Staff has put together a

draft grant subcommittee meeting calendar that lays out the subcommittee meeting dates to coordinate with the CJSB meeting dates. We are trying to time the subcommittee meetings to allow time for staff review, to allow sufficient time for members to look at the summaries. In conjunction with it, we will be getting the materials that the Board needs to review in a more timely fashion. The schedule will be laid out in a way that allows more time before the Board would have to act on them. We hope that the scheduling and the timeliness of the material will be taken care of as we do this grant review schedule for the many different grant programs that the agency and the Board is involved in. The calendar will be finalized in January and will be disseminated to Board members shortly thereafter.

Mr. Marshall also mentioned that the Executive Committee also discussed having an off-site Board meeting once a year. We had talked about meeting in Northern Virginia; however, that location appeared cost-prohibitive. We are inviting members of the Board to offer their locality (and model program) to host one of these off-site meetings. Mr. McGrady stated that he would be willing to host a meeting in his locality of Hillsville, Virginia.

Mr. Dowe had a concern about staff time and reimbursement of expenses. He stated that anything outside of the Richmond area might be cost ineffective. Director Cooke stated that we have considered this and there are benefits for off-site Board meetings at least once a year and we are looking as to how best to accomplish this.

Mr. Marshall further stated that the issue of subcommittee teleconferencing came up at the Executive Committee meeting. He stated that we are looking into this and consulting with the Attorney General's office regarding the regulations and the possibility of doing this.

Chairwoman Arthur asked if there were any further questions or comments regarding the Executive Committee Meeting and this discussion. There were none. DCJS staff will report back to the Board at the March meeting to finalize these issues.

#### Committee on Training Report (COT)

Chairwoman Arthur called upon Chief Jacocks to give a brief report on the Committee on Training.

Chief Jacocks mentioned that the COT met this morning and that he chaired the meeting in the absence of Sheriff Phelps. There was a quorum with 11 members present.

Chief Jacocks reported that he opened the meeting with the Public Hearings on Revisions to the Rules Relating to Compulsory Minimum Training Standards for Law Enforcement Officers. The recommendation of the COT to the full Board is to adopt the revisions to the Rules Relating to Compulsory Minimum Training Standards.

Chief Jacocks mentioned with regards to the Rules Relating to the Certification of Criminal Justice Instructors, the committee was not able to reach a decision on the recommendations and have tabled this until the next meeting to obtain further information from staff. Ms. Colette Brown gave an abbreviated briefing on the Acetrack/Acescore System. Ms. Lisa McGee briefed

the committee on the Bail Enforcement Regulations. The recommendation of the Committee is that they continue with the current temporary methods of enforcing the bail enforcement regulations while the final regulations are under executive review. This concluded Chief Jacocks' report.

Chairwoman Arthur thanked Chief Jacocks for his report and asked the committee if they had any comments or questions. There were none.

#### Victim/Witness Issues Subcommittee

Chairwoman Arthur called upon Mr. Jeff Dion to give a brief report on the Victim/Witness Issues Subcommittee.

Mr. Dion reported that the Victim/Witness Issues Subcommittee met on September 28. The committee discussed the planning for our state Victim Service Training Academy of which we received a federal grant. We also continued our discussion with district court clerks as we looked to improve the administration of restitution in the Commonwealth. The committee further discussed their concern for funding for Victim/Witness programs. Mr. Dion stated that he is troubled by the \$2.7 million dollar shortfall and stated that some of these programs are funded so little that a reduction of 15 - 30 % would necessitate the elimination of some of the programs in a particular locality. He strongly urged members of the Board to talk to the General Assembly (GA) to fill that shortfall and for those of who represent localities to speak with their locality and ask them to express their concerns with the GA as well. Should the GA not fund these programs, some of these shortfalls are going to end up having to be funded by those localities themselves if these programs are going to stay in place.

Mr. Bushnell, Chairwoman Arthur, Chief Jacocks, Mr. Dowe, Mr. McGrady and Mr. Green all commented on this issue and/or asked questions of staff relative to the current funding, and the budget, which were satisfactorily answered by Ms. Fran Ecker and Ms. Mandie Patterson, DCJS staff.

Director Cooke stated that he would take this funding issue up with the Secretary and the Governor and forward a letter of support outlining the concerns of the Board.

Chairwoman Arthur thanked Mr. Dion for his report and called for a motion to accept the report of the Victim/Witness Issues Subcommittee and to also put Mr. Dion's request into action in the form of a letter of support for Victim/Witness programs. Mr. Bushnell made a motion and Mr. McGrady seconded the motion.

Chairwoman Arthur stated that it had been motioned and seconded that the Director submit a letter of support on behalf of the Board for continued funding for these programs.

## Certified Crime Prevention Community Subcommittee

Chairwoman Arthur called upon Mr. Walter McFarlane to give a brief report on the Certified Crime Prevention Community Subcommittee.

Mr. McFarlane reported that the subcommittee met on December 7, 2006 to review the application of the Town of Herndon to become a Certified Crime Prevention Community (CCPC). This is a new chapter in the CCPC Program, inasmuch as Herndon is the first town to apply for the honor. Twelve communities have been certified as of today. Four of those were counties and the remaining eight were cities.

The Subcommittee found that the application was well prepared and evidenced a significant effort on the part of the town, whose police department is composed of a total of 70 personnel, 58 of which are sworn. The town evidenced that it had met the obligations of the 12 core requirements. It did not submit a School Safety Audit because it does not operate any schools within its jurisdiction. Any efforts in this area, therefore, would be an infringement on and duplicative of the efforts of the surrounding jurisdiction.

Of the seven optional programs, two stood out as examples for other communities to emulate: The Citizen Support Team and the Gang Prevention Task Force.

The Subcommittee was very impressed with the programs being undertaken by the town and the dedication and enthusiasm exhibited by the members of the Herndon Police Department. The fact that this is a small town makes it even more impressive and leads the way for other such localities throughout the state to follow its example.

Mr. McFarlane mentioned that the Subcommittee appreciates the hard work of Mr. Rick Arrington, DCJS Staff for his work with Herndon in assuring that the application was properly prepared, and for his thorough presentation of the application to the Subcommittee.

Mr. McFarlane further stated that in light of the foregoing, the Subcommittee congratulates the Town of Herndon for its fine dedication to law enforcement. He then made a motion and recommended to the Board that it certify the Town as a Certified Crime Prevention Community. Colonel Flaherty seconded the motion.

Chairwoman Arthur thanked Mr. McFarlane for his report and asked the Board if they had any questions or comments. There were none. She also noted that there was no one present from the Town of Herndon to comment.

Recusals:       None

Chairwoman Arthur stated that it had been motioned and seconded that the Board accept the report of the Subcommittee and certify the Town of Herndon becoming a Certified Crime Prevention Community.

## **Nominations and Appointments**

### **Court Appointed Special Advocate/Children's Justice Act Committee Appointments (CASA/CJA)**

Chairwoman Arthur called upon Mr. Kevin Hodges to give a brief report on the CASA/CJA appointments.

Mr. Hodges stated that the Criminal Justice Services Board (CJSB) has the authority to appoint members to the Advisory Committee to the CASA and Children's Justice Act Programs. Included in member handouts was the biographical information for two nominees. Ms. Sally Cipolla was nominated for the position of CASA Volunteer and Ms. Darby Lowe was nominated for the position of Commonwealth's Attorney. Each would serve a four-year term if appointed.

Mr. Hodges further reported that the Nominations Subcommittee met on December 11 to review the candidates' qualifications and finds each to be outstanding nominees. On behalf of the Nominations Subcommittee of the CJSB, Mr. Hodges then made a motion to accept the recommendations of the subcommittee. Chief Jacocks seconded the motion.

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

Recusals:     None

Chairwoman Arthur stated that it had been motioned and seconded that the Board accept the recommendations of the Nominations Subcommittee.

## **Blueprints Policy Forum**

Chairwoman Arthur called upon Fran Ecker, DCJS to give a brief report on the Blueprints Policy Forum.

Ms. Ecker reported that the department held a "Blueprints" policy forum on August 28 and 29, 2006 in Charlottesville, Virginia. Attendees were from the various constituent groups as well as a few Board members. She stated that the topics discussed at this policy forum included Disproportionate Contact with the Juvenile Justice System, Regional Information Sharing Networks and Mental Health Issues in Jails, Detention, Enhancing Virginia's Campus Security and Safety Drug Enforcement Status, and Domestic Violence Protective Orders and Firearms.

Ms. Ecker mentioned that this policy forum was a success and that a "White Paper" was in the process of being finalized as a result. She stated that Board members will be provided a copy of this "White Paper" upon completion, and feedback is welcomed and encouraged. Ms. Ecker also mentioned that the department is in the process of planning for the upcoming policy forum for 2007 and that we look forward to the Board's input on topics of discussion for the various

sessions and their participation. This report will also be available on-line and in hard copy form to anyone interested.

Chairwoman Arthur thanked Ms. Ecker for her report and asked the Board if they had any questions or comments. There were none.

### **Consideration of Grant Applications**

#### **Juvenile Justice and Delinquency Prevention (JJDP) Grants**

Chairwoman Arthur called upon Mr. Wayne Thomas to give a brief report on the JJDP grants.

Mr. Thomas reported that members had before them summaries for four Juvenile Justice and Delinquency Prevention Act continuation grants (Warren County, Newport News, York County, and Loudoun). These continuation grants were all considered by the Grants Subcommittee of the Advisory Committee on Juvenile Justice and the Full Advisory Committee. Mr. Thomas recommended that the Board accept the recommendations of the Advisory Committee and award funding in the recommended amounts to all four of the continuation grants.

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

Chairwoman Arthur then called for a motion to accept the recommendations of the Advisory Committee. Chief Jacocks made the motion and Colonel Flaherty and Mr. Vaughn seconded the motion.

Recusals:      Mr. Barry Green                      Newport News (Court Service Unit)

Chairwoman Arthur stated that it had been moved and seconded that the Board accept the recommendations of the Advisory Committee to approve the grants as stated above.

#### **Juvenile Accountability Block Grants (JABG)**

Chairwoman Arthur called up Mr. Thomas to give a brief report on the JABG grants.

Mr. Thomas reported that members had before them two Juvenile Accountability Block Grant program continuation grants (the Department of Juvenile Justice and the Department of Mental Health, Mental Retardation and Substance Abuse Services). These grants were all considered by the grants subcommittee of the Advisory Committee on Juvenile Justice and the full Advisory Committee. Mr. Thomas recommended that the Board accept the recommendations of the Advisory Committee and award funding in the recommended amounts to the two continuation grants.

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

Chairwoman Arthur then called for a motion to accept the recommendations of the Advisory Committee. Chief Jacocks made the motion and Colonel Flaherty and Mr. Vaughn seconded the motion.

Recusals: Mr. Barry Green Dept. of Juvenile Justice

Chairwoman Arthur stated that it had been moved and seconded that the Board accept the recommendations of the Advisory Committee to approve the grants as stated above.

Justice Assistance Grants (JAG)

Chairwoman Arthur called upon Mr. Alfred Dowe to give a brief report on the Justice Assistance Grants.

Mr. Dowe reported that the Byrne/JAG Subcommittee comprised of Dr. Malcan and himself, met on December 1. There were 56 grant applications received for consideration. There were 11 grants recommended for denial. Seven of those 11 did not meet program guidelines as outlined in the grant application summaries and therefore were not eligible for an appeal. Three of the applications were eligible for appeals of which two localities have submitted those appeals. They are Chesterfield County and the City of Suffolk. A separate report presented by the appeals panel will be given.

There were 45 applications that were recommended for approval in categories such as Crisis Intervention Teams, Crime and Delinquency Prevention in Minority and Immigrant Communities, Recruiting and Retention of Criminal Justice Professionals and Criminal Justice System Improvements. There were nine requests from state agencies and 36 requests from local governments that are recommended for approval. The total amount recommended is \$1.4 million in federal funds.

Chairwoman Arthur thanked Mr. Dowe for his report and asked the Board if they had any comments or questions.

Mr. Green inquired as to the differences in the requested funding amounts vs. the recommended amounts of funding for the Spotsylvania County and the Radford University grants. Sheila Anderson, DCJS staff, addressed the question satisfactorily on the Spotsylvania County grant and stated that the grant reduction amount should be \$21,408 due to the removal of the medium shredder. Heather D'Amore, also DCJS staff, answered the question regarding the Radford University grant and stated that this is a request-as-funded, and all of the funding was approved. There was no cut to this grant.

Mr. Dion made a motion that the Board accept the recommendations of the Byrne/JAG Subcommittee. Mr. Hodges seconded the motion.

Recusals: Colonel Steve Flaherty Dept. of Criminal Justice Services (two grants)  
Department of Forensics

	Institute of Forensic Science
	Big Stone Gap
	Blacksburg
	Dept. of State Police
	Warrenton
	Pulaski
Mr. Edward Macon	Supreme Court (three grants)
Ms. "Cookie" Scott	Department of Corrections
Chief "Jake" Jacocks	Virginia Beach
Judge Richard Taylor	Supreme Court
Mr. Barry Green	Alexandria, Newport News (Court Services)
	Department of Juvenile Justice
Mr. Alfred Dowe	City of Roanoke
Chief James Lavinder	City of Roanoke
Sgt. Charles Condon	Virginia Beach
Sheriff Beth Arthur	Arlington P.D.

Chairwoman Arthur stated that it had been moved and seconded that the Board accept the recommendations of the Byrne/JAG Subcommittee to approve the grants as stated above.

Homeland Security Grants (Law Enforcement Terrorism Prevention Program - LETPP)

Chairwoman Arthur called upon Mr. Dowe to give a brief report of the Homeland Security Grants.

Mr. Dowe reported that there were six Homeland Security grants received for consideration and that all applications were from state agencies. Five grants were recommended for approval and one was denied funding because the grant application lacked key components as outlined in the summary. Staff has agreed to provide technical assistance to this agency so that further requests can be considered. Revised summaries were handed out to Board members today. The subcommittee recommends approval as outlined in the summaries.

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

Chairwoman Arthur then called for a motion to accept the recommendations of the Byrne/JAG Subcommittee. Mr. Webb made the motion and Mr. Green seconded.

Recusals:	Colonel Steve Flaherty	Dept. of State Police
		Supreme Court
		Dept. of Criminal Justice Services
	Mr. Edward Macon	Supreme Court
	Judge Richard Taylor	Supreme Court
	Sheriff Beth Arthur	Supreme Court (Courthouse Security)

Chairwoman Arthur stated that it had been moved and seconded that the Board accept the recommendations of the Byrne/JAG Subcommittee to approve the grants as stated above.

### Criminal History Record Improvements Grants (CHRI)

Chairwoman Arthur called upon Mr. Butch Johnstone to give a brief report on the CHRI grants.

Mr. Johnstone reported that the CHRI Subcommittee met on December 7 to review the grant applications that the Board had before them. The programs that were submitted for funding fall under three major categories: Field Reporting of Crime Incident Data, Improving Jails Records Management Systems, and Upgrades to the Commonwealth Attorney's Case Management System for Specific Agencies.

Mr. Johnstone gave a brief overview of the two programs and stated that the Board had before them the recommendations of the CHRI Subcommittee, and if Board members had any questions, he would be glad to answer them.

Chairwoman Arthur thanked Mr. Johnstone for his report and asked the Board if they had any comments or questions. Mr. Bushnell inquired as to whether or not any other individual Commonwealth's Attorney office had made applications for grants for similar purposes from this particular fund, as Rockbridge did, to cover the upgrade costs to keep current the Virginia Commonwealth's Attorney Information System. Mr. Johnstone answered his question satisfactorily and stated not in this particular go round, but in previous instances. There were no further questions.

Chairwoman Arthur then called for a motion to accept the recommendations of the CHRI committee. Mr. Dowe made a motion and Chief Jacocks seconded the motion.

Recusals:	Mr. Alfred Dowe	Roanoke City
	Chief James Lavinder	Roanoke County

### Virginia Sexual and Domestic Violence Victim Fund Grant Awards

Chairwoman Arthur called upon Ms. Helen Fahey to give a brief report on the Va. Sexual and Domestic Violence Victim Fund Grants

Ms. Fahey reported that the task of the subcommittee was to review grant applications to the Virginia Sexual and Domestic Violence Victim Fund. Approximately \$4.8 million is available for the 24-month funding cycle, beginning January 1, 2007 and ending December 31, 2008. Half of the dollars is designated for victim's services and the other half is designated for prosecution efforts.

Victims services' awards were decided upon through a competitive process and received 67 applications requesting \$2,802,540 for calendar year 2007 and \$2,734,935 for calendar year 2008. The subcommittee is recommending awards totaling \$1,201,096 for 2007 and \$1,153,489 for 2008. Awards will support 33 programs. Continuation funding was not recommended for

three (3) continuation applicants. These proposals were denied because of poor performance and incomplete grant applications. Because of insufficient funds, 31 grant applications requesting funding for new projects were denied.

Twenty-nine (29) prosecution offices were determined to be eligible for grants through this new fund and we recommend awards totaling \$1,118,128 for 2007 and \$1,116,101 for 2008 to support these efforts.

This concluded Ms. Fahey's report regarding the Virginia Sexual and Domestic Violence Victim Fund Grants. On behalf of the review committee, Ms. Fahey made a motion that the Board approve an award totaling \$2,319,224 for 2007 and \$2,269,590 for 2008 to support these initiatives.

Chairwoman Arthur thanked Ms. Fahey for her report and asked the Board if they had any comments or questions.

Ms. Scott inquired about the James City County grant application. Ms. Deb Downing responded satisfactorily to the inquiry that it was a typographical error. There were no further questions or comments. Mr. Dion seconded the motion.

Recusals:	Mr. Alfred Dowe	Roanoke City
	Sheriff Beth Arthur	Doorways for Women
	Chief James Lavinder	Roanoke City
	Mr. Chris Webb	Bedford
		Campbell County

Chairwoman Arthur stated that it had been moved and seconded that the Board accept the recommendations of the subcommittee as stated above.

### V-STOP Grants

Chairwoman Arthur called upon Ms. Fahey to give a brief report on the V-STOP grants (appeal).

Ms. Fahey reported that last year the Board approved ninety-one (91) two-year grants for the V-STOP program. All of those grants, except one (Southside Center for Violence Protection) are doing well. The Victim Services Subcommittee is recommending that this one grant that has not implemented its objectives nor met its administrative requirements, be denied second year funding.

Ms. Fahey stated that if there were any questions, staff was available to address them. Chairwoman Arthur asked if the Board had already adopted **not** funding them and then they appealed? Ms. Fahey replied that she believed this was the case.

Mr. Webb then reported that the Appeals Subcommittee met this morning and heard three appeals. Two of these were Justice Assistance Grants and one was a Violence Against Women Grant. The committee was comprised of Sgt. Condon and himself. The appeal of the Suffolk

Police Department was upheld. The Chesterfield County Sheriffs' Department's appeal was recommended at a reduced amount. The original amount was \$19,979 and is now being recommended at a lower amount of \$18,410. This amount was achieved through a reduction in the travel category. The Southside Center for Violence Prevention appeal was also heard. After hearing this appeal, the recommendation was to uphold the denial of the grant application.

This concluded Mr. Webb's report. Mr. Webb then made a motion that the Board accept the recommendations of the Appeals Subcommittee. Chief Jacocks seconded the motion.

Recusals: None

Chairwoman Arthur thanked Ms. Fahey and Mr. Webb for their reports and asked the Board if they had any comments or questions. There were none.

Chairwoman Arthur stated that it had been moved and seconded that the Board accept the recommendations of the Appeals Subcommittee as stated above.

## **Old/New Business**

### **Criminal Justice Services By-Laws Revisions**

Chairwoman Arthur called upon Mr. Joe Marshall, DCJS staff, to give a brief report on the By-laws revisions. Mr. Marshall stated that these amendments were presented to the Board at the September meeting. The By-Laws state that these amendments are to be put before the Board at one meeting and then approved at a subsequent meeting.

Mr. Marshall stated that these amendments were of a "housekeeping" nature. He further stated that the changes proposed were the result of a review by staff and an informal By-laws review committee consisting of Chief Jacocks, Mr. Hodges and Mr. McGrady. He stated that with the proposed changes having been put before the Board at the September meeting, they could be voted on at this meeting today. He further stated that the Board had before them the proposed amendments, which were intended primarily to update the section on the Private Security Services Advisory Board in keeping with recent changes in the *Code of Virginia*, add the Board's Vice Chairman to the Executive Committee and make technical changes in the way the *Code of Virginia* sections are noted. He mentioned that the existing language proposed for deletion is shown in strike-through text and new language was underlined. Mr. Marshall then indicated that on behalf of the By-Laws review committee he requests that the Board approve of the proposed changes.

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

Chairwoman Arthur then called for a motion to accept the recommendations for the amendments to the By-Laws as outlined. Colonel Flaherty made the motion and Chief Jacocks seconded the motion.

Recusals: None

Chairwoman Arthur stated that it had been motioned and seconded that the Board accept the recommendations to amend to the By-Laws as outlined.

### Administrative Hearing

Chairwoman Arthur updated the Board on the previous hearing of Mr. and Mrs. Mattiaccio. She mentioned that the Department of Criminal Justice Services received notice from Ishneila Moore, Counsel for the CJSB that Mr. and Mrs. Mattiaccio had informed the department that they intend to appeal the CJSB's decision to Stafford County Circuit Court. The Mattiaccio's have 33 days to submit to the Secretary of Public Safety what they believe is a true copy of the proceedings before the CJSB. If they do not submit the documents by the close of business on December 27, the CJSB can petition the court to dismiss the appeals and end the matter. We will keep you posted.

Chairwoman Arthur asked the Board if there was any Old/New business to be discussed. Mr. Dowe commented that last week he attended the National League of Cities in Reno, Nevada. He wanted to inform the Board that the National League of Cities adopted a resolution to hopefully start some remedies towards non-refundable monies from the federal government in the event of non-local travesties. He further stated that if you have a non-local catastrophe, the federal government does not reimburse you for the first 40 hours for your workforce. He said they would recognize and reimburse for overtime, but not the first 40 hours. Chairwoman Arthur thanked Mr. Dowe for his comment.

Mr. Dion mentioned that January is "Stalking Awareness Month" and every year more than 1 million women and 300,000 men are stalked in this country. Stalking is illegal in all 50 states. In light of the fact that we represent all aspects of the Criminal Justice System, he is asking that the CJSB request of the Governor, through the Secretary of Public Safety, to issue a proclamation recognizing "Stalking Awareness Month". Mr. Dion made a motion to move forward with this request and Mr. Vaughn seconded the motion.

Chairwoman Arthur thanked Mr. Dion and other members of the Board for their comments and stated that it had been motioned and seconded that the Board put forward a request to have the Governor sign a proclamation recognizing "Stalking Awareness Month" in January.

Chairwoman Arthur then called for Public Comment. There was none.

### Next Meeting Date

Chairwoman Arthur noted that proposed meeting dates for 2007 were discussed at the last meeting and that Board members were asked to note these dates on their calendars and be prepared to accept the meeting dates for 2007 at this meeting.

Chairwoman Arthur called for a motion to accept the dates for 2007. Mr. Dion made the motion and Chief Jacocks seconded.

Chairwoman Arthur stated that it had been moved and seconded that the Board accept the approved meeting dates for 2007.

### **Adjournment**

There being no further business to be discussed, this concluded the meeting of the Criminal Justice Services Board. Chairwoman Arthur made a motion to adjourn the meeting. All was in agreement.

Chairwoman Arthur stated that it had been moved and seconded that the meeting be adjourned. The meeting was adjourned at approximately 12:25 p.m.

Chairwoman Arthur thanked everyone for coming today and stated that she looks forward to seeing everyone at the next meeting in March.

Respectfully submitted,

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Priscilla Bowers  
CJSB Secretary

Approved:

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Sheriff Beth Arthur  
Chairwoman