



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

Garth L. Wheeler
Director

Criminal Justice Services Board
September 16, 2010

1100 Bank Street
Richmond, Virginia 23219
(804) 786-4000
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Members Present

Sheriff Charles Jett (Chairman)
Mr. Matthew Geary (Vice-Chair)
Sergeant Carol Adams
Chief Jeffrey Brown
Robert Bushnell
Mr. Ted Byrd
Mr. Charles Ciccioiti
Chief Rick Clark
Ms. Helen Fahey
Mr. Carlos Hopkins
Ms. Helivi Holland
The Honorable Clarence N. Jenkins, Jr.
Mr. Alan Katz
Mr. Edward M. Macon
The Honorable Jackson H. Miller
Sheriff Charles W. Phelps
Colonel David Rohrer
Mr. Bobby Russell
Ms. N. H. Cookie Scott
Ms. Debbie Smith
The Honorable Sherman Carl Vaughn, Sr.
Pastor Aaron Wheeler
The Honorable Marcus D. Williams
Mr. Patrick Wilson

Members Absent

Sergeant Charles Condon
Ms. Helen Fahey
Colonel Steve Flaherty
The Honorable Janet Howell
The Honorable William Roscoe Reynolds
The Honorable Beverly Sherwood

DCJS Staff Present

Garth Wheeler
Debra D. Gardner
Priscilla Bowers
Leon Baker
Baron Blakley
John Colligan
Sam Hoffman
Laureen Hyman
John Kirby
Laurel Marks
Gayle Turner
Fran Ecker
Laurel Marks
Lisa McGee
Demian Futterman
Kathi Lee
Joe Marshall
Ashaki McNeil
Rick Arrington
Dan Catley
Jim McDonough
Janice Waddy

Guests Present

Marty Alford, NRCJA
Barry Bland, HCSO
Shannon Dion, OAG
Richard Farmer, HCSO
Robert Harris, CASC
George Haudricourt, ADT
Carlos Hopkins, VIDC
Jim McElligott, VBPD
Jim McLaughlin, HCSO
Steve Pullen, DJJ

Prior to the meeting convening, Director Wheeler showed a quick video of the Department of Criminal Justice Services and its responsibilities. DCJS is behind every aspect of the criminal justice system and is an integral part of the success of the criminal justice system and of public safety. He explained that the video was created entirely in-house and is one of the mechanisms DCJS will use to get the agency message out to our constituency base. The Director personally thanked Mr. Baron Blakley, Ms. Gayle Turner and Ms. Debra Gardner for their work on the trailer, as well as other staff members who were involved in the process.

The Director welcomed and introduced all of the Board members that were newly appointed:

- **Chairman Sheriff Charles Jett**, who succeeds Sheriff Arthur. Has served as the Sheriff of Stafford County, Virginia, since 2000. He began his law enforcement career when he joined the Stafford Sheriff's Office at the age of 19. During his tenure he served in various positions from Field Operations to Criminal Investigations. In 1991 he was promoted to Captain in Charge of Field Operations where he served until 1999 when he was elected Sheriff. He is a graduate of the FBI National Academy 187th Session. He has served as Chairman of the Virginia Law Enforcement Professional Standards Commission; State Chair for Special Olympics Virginia; the National Sheriffs' Association Traffic Safety Committee; Virginia Law Enforcement Executive Advisory Committee on Crime Prevention; Virginia Commonwealth University Public Safety Institute Inaugural Member; and, is currently the President of the 7000 member Virginia Sheriffs' Association.
- **Pastor Aaron Wheeler**, of Chesapeake, who succeeds Jeffrey Dion.
- **Sergeant Carol Adams**, Richmond Police Department, who succeeds Jerri Smith.
- **Chief Jeffrey Brown**, Christopher Newport University Police Department, succeeds Jay Malcan; he represents the Crime Prevention Association.
- **Mr. Ted Byrd**, Harrisonburg City Council, succeeds Marlene Randall, and represents the Municipal League.
- **Mr. Charles Ciccioiti**, Portsmouth, succeeds Kevin Hodges and represents the private security industry.
- **Chief Rick Clark**, Galax Police Department, representing the Chiefs' Association.
- **Matthew Geary**, Richmond, succeeds Jonathan McCready
- **Col. David Rohrer**, Chief of Police, Fairfax County, succeeds Chief Jacocks, represents the Chiefs' Association.
- **Mr. Bobby Russell**, Superintendent, Western Regional Jail in Salem, succeeds Christopher Webb, represents the regional jails association.
- **Ms. Debbie Smith** of Charles City, Founder of H.E.A.R.T. (Hope Exists After Rape Trauma), succeeds Kenneth Bynum

The Director then asked all DCJS staff present to stand up and introduce themselves to the Board.

Call to Order

Chairman Jett called the meeting to order at 11:00 a.m., and welcomed everyone to the meeting.

Chairman Jett reminded guests to please sign the attendance sheet for the purpose of the minutes and asked the Board members to state their name when making a motion or seconding, to speak clearly for the purpose of the minutes and to check that their microphone was turned on at their

seating area. He further reminded staff/persons speaking from the floor to step up to the podium when speaking so that the microphone could pick up their voice for the purpose of the minutes.

Chairman Jett then asked Ms. Priscilla Bowers to take the roll call. Ms. Bowers stated that there was a quorum with 23 members present.

Approval of Minutes from Last Meeting

Sheriff Jett called for corrections, deletions, or additions to the minutes of the June 10, 2010, Criminal Justices Services Board meeting. There were no corrections, deletions or additions brought forth by members.

Chairman Jett then called for a motion to approve the minutes of the June 10th meeting. Mr. Vaughn made the motion, Mr. Macon seconded the motion and Sheriff Phelps and Mr. Bushnell recused themselves as they were absent at the meeting. Chairman Jett stated that it had been motioned and seconded that the Board approve the minutes of the June 10th meeting with no corrections, additions, or deletions.

Director's Report

Director Wheeler asked members to hold the date of November 4th for new member orientation. The orientation will provide information about the work of the Board and its responsibilities. The board has a number of subcommittees that work with staff in reviewing grant proposals and in presenting recommendations to the Board. The Board acts on approximately 900 grant applications during the course of a typical year.

The DCJS Research Center pulled Virginia-specific data from the FBI's 2009 edition of: "Crime in the United States" to share with Board members. Rates for all major types of violent crime declined in both Virginia and nationwide in 2009, but Virginia's total violent crime rate decreased by nearly 12%. This is almost twice the national rate of decline. Property crime rates declined in both Virginia and nationwide in 2009, and Virginia's rate decreased by 3.7%, nationally it decreased by 5.5%. A 10- year crime report will be posted on the DCJS website with this 2009 data in the near future.

Director Wheeler gave an overview of the third Victim Assistance Academy which took place on the campus of the University of Richmond. It was co-sponsored by DCJS, the University of Richmond, the Criminal Injuries Compensation Fund, and the Family and Children's Trust Fund. This Academy provided an intensive five-day program of study that included 36 hours of comprehensive, academic, interdisciplinary and interactive training for victims' service providers and others who work with crime victims. Virginia is one of 36 states presenting state victim assistance academies. They are modeled after the National Victim Assistance Academy and provide state specific training on victims' issues. A highlight of this year's Academy was Governor McDonnell's speech to the graduates, during which he declared July 30, 2010, as "Victim Advocate Day".

Director Wheeler also noted that DCJS held another round of "Blueprints for Change" sessions in July. These annual "Blueprints" sessions invite practitioners and policy makers to gather and discuss key criminal justice issues and to develop recommendations for addressing these issues.

These sessions are designed to stimulate discussions on a select topic and provide state and local decision makers with useful guidance on making change. This year's facilitated sessions dealt with: adult re-entry, juvenile re-entry and gangs. A summary of each session will be posted on the DCJS website in the near future.

Director Wheeler reported that the Training Records System (law enforcement and corrections training records) at DCJS is in need of an update and a Training Records Steering Committee has been established to oversee this project.

Director Wheeler explained that the Department of Planning and Budget (DPB), at Secretary Decker's request, conducted an organizational review of DCJS over the course of the spring and summer. DPB submitted its report last month and a summary of its key findings and recommendations was provided to all of the agency's staff members. The changes implemented last year left the agency with a structure that is not operating efficiently and has caused confusion for customers. A number of changes were recommended from the DPB report, including the creation of a law enforcement division to consolidate law enforcement related functions, together with school and campus safety. There will be a programs division that will house our corrections, victims' services and juvenile justice programs; and there will be a regulatory division for license and certification work for private security, bail bondsmen and locksmiths. DCJS is using these recommendations with guidance from Secretary Decker as the agency proceeds with organizational changes. Several full-time positions were eliminated, but the agency is working on moving forward in implementing a new organizational structure that is more consistent with our core functions.

The Advisory Committee on Juvenile Justice will hold its annual planning meeting in Charlottesville on September 23-24, 2010. The Virginia Law Enforcement Accreditation Coalition's annual conference will take place in Lynchburg on October 13-14, 2010. The agency's next "ChildFirst" training is scheduled for October 25-29 in Radford. "ChildFirst" provides training in forensic interviewing of child victims in abuse cases.

Upcoming DCJS Training Events

DCJS will host a symposium on Campus Threat Assessment on November 12th at Virginia Tech. Tech's International Summit to Prevent Violence takes place on the following day.

Our Court Appointed Special Advocate (CASA) conference will be held on November 12-13th in Newport News.

Chairman Jett thanked Director Wheeler for his report and asked the Board if they had any questions or comments. There were no comments.

Committee Reports

Committee on Training (COT)

Chairman Jett called upon Sheriff Phelps to give a brief report on the Committee on Training (COT). Sheriff Phelps reported that the COT met this morning at 9:00 a.m., in House Room D of the General Assembly building.

Ms. Donna Michaelis presented information on campus and school security training that is taking place. This program is moving forward on a solid track and the committee is very pleased with the progress.

Ms. Sharon Gray presented new training for sheriffs in regional jails. There has been much conversation concerning dividing the jail training from the courts security and civil process training. Progress is a bit slower than anticipated due to less participation from sheriffs than expected. In the future, jail officers will be trained separately from those needing civil process and court security, which will save manpower and money.

Ms. Judy Kirkendall reported on the Jails and Court Security and Civil Process Code Curriculum Review Committee with suggestions for three new members: Tony Lippa, Sheriff of Caroline County, Sergeant David Lester, Rockingham County Sheriff's Office, and Lt. Shane Roberts, Portsmouth Sheriff's Office Academy. The COT voted unanimously to accept these individuals on the Curriculum Review Committee. Sheriff Phelps then made a motion that the Criminal Justice Services Board accepts the COT's recommendation of these three individuals to serve on the Curriculum Review Committee. Sheriff Jett called for questions or comments. There were none. The motion was approved. Sheriff Jett then called for a second to the motion. Mr. Bobby Russell seconded the motion.

Mr. Leon Baker presented a law enforcement training records system update. There has been a division for years in the process of keeping training records on the local level and the state level. This is an issue that needed to be addressed and the COT members were pleased that this is being done, and what is being emphasized with the training records - even down to the point of designating SRO's so this information would be part of the records. This concluded the business of the COT. There were no public comments. The next meeting of the COT is scheduled for December 9, 2010.

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

Law Enforcement Subcommittee

Chairman Jett called upon Sheriff Phelps to give a brief report on the Law Enforcement Subcommittee. Sheriff Phelps reported that the Law Enforcement Subcommittee met September 8, 2010, to review the applications of two candidates for re-certification as Certified Crime Prevention Communities: the City of Virginia Beach and Hanover County. Sheriff Phelps stated that in order to meet re-certification, the applicants must meet twelve (12) core elements (programs) and no less than seven (7) optional elements. He then proceeded with a report on each of the applicants:

City of Virginia Beach

The City of Virginia Beach has an estimated population of 430,000 and is served by a sworn police contingency of approximately 810 officers. Virginia Beach has remained one of the safest cities of its size in the United States. They claim the lowest violent crime rate in the nation of all cities with a population between 350,000 and 750,000. It is clear when reviewing their

submission that the success is due to their partnership with the community in providing programs and services. Their efforts to reach at-risk youth through community involvement and programs are notable. In Core element 11 a number of community-based programs are noted. Virginia Beach is also one of the few localities to provide DARE in Private Schools. The involvement of the citizen advisory committees (Core Element 1) and the numerous community awards given annually no doubt contribute to the willingness of the community, the businesses, and the citizens to voluntarily be part of the solution to crime. Virginia Beach is also noted for their involvement in Crime Prevention through Environmental Design and recommendations for safer environments, (Core elements 6 and 8) and they are a Virginia leader in the Crimestoppers program. In 2009 alone, a year of difficult economic issues for all, the Crimestoppers Board raised \$51,594.

County of Hanover

The County of Hanover has an estimated population of 100,000 and is served by a sworn police contingency of approximately 219 deputies, including court services staff. Hanover's emphasis on their senior and youth populations is clearly demonstrated in the strongest of their elements. Specifically, the School Safety Audit element (Core 8), Delinquency Prevention (Core 11), and their optional elements of DARE, TRIAD and School Resource Officer are their strongest and most outstanding elements. Among their successes of note is that Hanover County had the sixth highest graduation rate in Virginia with 99.2%, compared to the state average of 76.7% and they also claim to have the lowest business crime levels in the Metro-Richmond area, having seen a decrease of 22 % during the 2006-2009 reporting period.

Chairman Jett thanked Sheriff Phelps for his report and asked the Board if they had any questions or comments. There were no comments.

Chairman Jett then called for a motion. Sheriff Phelps made the motion and Pastor Wheeler seconded the motion to accept the recommendation of the Law Enforcement Subcommittee to approve the re-certification of the City of Virginia Beach as a Certified Crime Prevention Community.

At this time, Sheriff Jett noted the presence of Jim McElligott from the City of Virginia Beach. Officer McElligott acknowledged Rick Arrington of DCJS and thanked him for his assistance with the re-certification. Officer McElligott remarked that this is their second re-certification and the support from the Board is appreciated.

Chairman Jett then called for a motion. Sheriff Phelps made the motion and Ms. Cookie Scott seconded the motion to accept the recommendation of the Law Enforcement Subcommittee to approve the re-certification of Hanover County as a Certified Crime Prevention Community.

At this time, Sheriff Jett noted the presence of Deputy Barry Bland, Crime Prevention Specialist, from the Hanover Sheriff's Office. This is Hanover County's second re-certification as well. Deputy Bland stated that "this has been a very challenging and eye opening process. I had no realization that our department and the other agencies within our county and community members worked so well together to keep crime out of our communities." Deputy Bland also thanked Rick Arrington of DCJS for his assistance and support with the re-certification.

Private Security Services Advisory Board

Sheriff Phelps noted that the Criminal Justice Services Board Nominations Appointment Committee received two applications for the law enforcement representative position vacancy for the Private Security Services Advisory Board. The committee met on September 13, 2010, and evaluated the applications. Based upon this evaluation, the committee recommended Deputy Chief Craig Branch of the J. Sergeant Reynolds police department be appointed to the advisory board. He has over 16 years of law enforcement and security experience, currently serves on the Virginia Center for School Safety's Campus Police and Safety Advisory Board and comes highly recommended as a leader in his field.

Chairman Jett thanked Sheriff Phelps for his report and then called for comments or questions. There were none.

Sheriff Phelps then made a motion that Deputy Chief Craig Branch be appointed to the Private Security Services Advisory Board, with the term to expire June 30, 2012, when he would be eligible for another term. Mr. Vaughn seconded the motion.

Chairman Jett stated that it had been motioned and seconded that the Board accept the recommendations of the Private Security Services Advisory Board to appoint Deputy Chief Craig Branch to the Private Security Services Advisory Board.

Advisory Committee on Juvenile Justice

Sheriff Phelps gave a brief report on the Advisory Committee on Juvenile Justice. There will be a planning meeting in Charlottesville, Virginia, September 23-24, 2010. A regular meeting was scheduled for August 18th; however, a quorum was not to be present so the meeting was cancelled. Sheriff Phelps remarked that he enjoyed working with Ms. Laurel Marks of DCJS and that there are a lot of good people on the committee from across the state that do good work. One of the items to be on the August 18th agenda was a continuation grant before the Board today. A Project description and the progress to date was e-mailed to all Advisory Committee Members who were asked to review and respond to DCJS with their support or denial of the grant. All those who responded (more than half of the ACJJ members) indicated support for the recommendation to fund the fourth and final year of the JABG continuation grant for the University of Virginia.

Sheriff Phelps made a motion that the Board accepts the recommendation of the ACJJ to fund this JABG continuation grant for the University of Virginia. The motion was seconded by Judge Williams and approved unanimously.

Old/New Business

Sheriff Jett asked if there were any old/new business to be discussed or added to the agenda.

New Business

Mr. Bushnell introduced Ms. Fran Ecker of DCJS and Mr. Bob Harris, Executive Director of the Commonwealth Attorney Services Council (CASC). The Commonwealth's Attorneys' Services Council holds approximately 14-16 training programs a year for Virginia's 700+ prosecutors and

also for law enforcement officers. Mr. Bushnell asked that the CASC be considered as a future agenda item to showcase the Case Management System and the mission of the CASC.

Public Comment

Chairman Jett called for public comment. There were none.

As mentioned earlier, the Criminal Justice Service Board new member orientation will be on November 4th.

Conflict of Interest filing and training will be needed at the end of the year for all members. New members who have already completed this training will not need to repeat.

Board member profiles will also be prepared by the staff. These profiles are due at the end of each year to advise the Governor and the Secretary of the Commonwealth of the number of meetings held, board member attendance, etc.

Chairman Jett announced that, as a result of the board expirations, this board does not currently have a Vice-Chair. A recommendation was received for a nomination of Matthew Geary to serve as Vice-Chair of the Board. Chairman Jett asked Mr. Geary if he would be willing to serve as Vice-Chair. Mr. Geary agreed.

Mr. Bushnell made the motion that the Board accepts the nomination of Mr. Geary to serve as Vice-Chair of the Criminal Justice Services Board. This motion was seconded by Mr. Vaughn.

Sheriff Jett explained that since the Governor appointed new members to the Board and all seats are filled, members of the Board need to be appointed to serve on the various subcommittees:

- Executive subcommittee
- Grant Appeals Subcommittee
- Asset Forfeiture Subcommittee
- Victims Services Subcommittee
- Corrections Subcommittee
- Nominations and Appointments Subcommittees

Should you have an interest in serving on one of these Committees/Subcommittees, please let it be known as soon as possible.

Due to recent legislation, the Executive Committee is now able to conduct Administrative Hearings based on appeals made by individuals relating to decisions brought forth by formal hearings held by the Department to revoke/suspend licenses.

There is an urgency to appoint members to serve on the Executive Committee because we have two hearings that are waiting to be scheduled. This committee consists of 7 members (including the Chairman and the Vice-Chairman of this Board) and members serve a term of two years. This Committee will meet as necessary and in the past there have been 1-2 meetings per year.

In the interest of time, recommendations have been made to appoint the following individuals to serve on the Executive Committee:

- Bobby Russell (Regional Jails Representative)
- Charles Ciccioiti (Private Security Representative)
- Col. David Rohrer (VACP Representative)
- Alan Katz (AG Representative)

Chairman Jett asked if these members would accept the nomination and serve as members of the Executive Committee.

Mr. Katz noted that if the committee is going to be hearing appeals, and the department is represented by the Attorney General's office, then he would have to recuse himself from any hearing that might occur. Mr. Katz will be removed from the list.

Chairman Jett asked if there were any individuals that would be willing to serve on the Executive Committee, as one more individual was needed. Hearing none, since there would be a quorum for the Executive Committee without Mr. Katz, members were asked to let staff know if they would be interested in serving.

A motion was then made by Ms. Scott and seconded by Chief Clark to accept Mr. Russell, Mr. Ciccioiti and Colonel Rohrer to serve as members of the Executive Committee.

Next Meeting

The next meeting date for the Board will be on December 9, 2010. Please note that the time of the meeting has been changed to 1:00 p.m., due to a lengthy Committee on Training meeting where there will be multiple Public Hearings scheduled. Please be sure to mark your calendars to reflect this change.

Future Meeting Dates

Based on the By-Laws, meeting dates for the following year (2011) are to be presented at the September meeting (today) and approved at the next meeting in December.

Proposed meeting dates for 2011 have been prepared and are as follows: March 10th, May 12th, June 9th, September 15th and December 8th. Please review these dates and, should there be any major conflicts, please let staff know and we will take a look at them prior to the next meeting.

Adjournment

There being no further business, Chairman Jett called for a motion to adjourn the meeting. Mr. Geary made the motion and Sheriff Phelps seconded the motion. Chairman Jett stated that the meeting was officially adjourned at 12:10 p.m.