



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

Criminal Justice Services Board

September 15, 2011

Garth L. Wheeler
Director

1100 Bank Street
Richmond, Virginia 23219
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Members Present

Chief Jeffrey Brown
Hon. Robert Bushnell
Mr. Ted Byrd
Mr. Charles Ciccotti
Chief Rick Clark
Mr. Mark Gooch
Hon. Clarence Jenkins
Sheriff Charles Jett
Mr. Alan Katz
Mr. Edward M. Macon
Hon. Jackson Miller
Mr. William Muse
Lt. Colonel Robert B. Northern
Sheriff Charles Phelps
Mr. Bobby Russell
Mr. Joseph Sadighian
Ms. Cookie Scott
Ms. Debbie Smith
Hon. Sherman Vaughn, Sr.
Hon. Marcus Williams

Members Absent

Sgt Carol Adams
Sgt Charles Condon
Col. Steve Flaherty
Mr. Matthew Geary
Ms. Helivi Holland
Hon. Janet D. Howell

Hon. Wm. Roscoe Reynolds
Colonel David Rohrer
Hon. Beverly Sherwood
Pastor Aaron Wheeler
Mr. Patrick Wilson

DCJS Staff Present

Shelia Anderson
Stephanie Arnold
John Colligan
Demian Futterman
Teresa Gooch
Dennis Harrell
Sam Hoffman
Unique Hutchinson
Tracey Jenkins
Butch Johnstone
Loretta Lynch
Laurel Marks
James McDonough
Lisa McGee
Ashaki McNeil
Janice Waddy

Guests

Martin R. Alford
Jon Cliborne
James Pritchett
Ron Staton

Call to Order

Chairman Charles Jett called the meeting to order at 11:00 a.m., welcomed everyone to the meeting and thanked them for their commitment to the Criminal Justice Services Board.

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 and speak into the microphone for the purpose of the minutes.

Chairman Jett then asked Ms. Hutchinson to take the roll call. Ms. Hutchinson stated that there was a quorum with 20 members present.

Approval of Minutes from Last Meeting

Sheriff Jett called for corrections, deletions, or additions to the minutes of the June 9, 2011, Criminal Justice Services Board meeting. Mr. Edward Macon stated that there were several corrections that should be made. Corrections will be made to the minutes from the previous board meeting.

Chairman Jett then called for a motion to defer the minutes of the June 9, 2011, meeting, until the next board meeting. Hon. Sherman Vaughn, Sr., seconded the motion to defer the minutes. Chairman Jett stated that the deferment of the minutes had been motioned and seconded that the Board defer the minutes of the June 9, 2011, meeting back to the staff at DCJS for necessary revisions.

Director's Report

Director Garth Wheeler thanked everyone for their attendance at today's meeting.

Director Wheeler informed the group that the DCJS Annual School and Campus Safety Training Forum in early August drew over 600 participants and was, by all accounts, very successful.

DCJS also held the fourth annual Victim Witness Academy in July at Longwood University, where there were 32 graduates. The Academy provides comprehensive training to service providers, advocates and allied professionals.

More recently, DCJS was pleased to be able to help the Governor's Office for Substance Abuse Prevention with its Gang Awareness and Prevention Conference, attended by some 400 people from law enforcement, corrections, school & campus safety and a number of other fields.

DCJS has just finished co-hosting the 3-day Crisis Intervention Team International Conference in Virginia Beach. Its purpose was to address the challenging issues that often arise when law enforcement officers interact with individuals with mental illness in crisis situations. The co-hosts for the conference included the Virginia Department of Behavioral Health and Developmental Services, the City of Virginia Beach, the National Alliance on Mental Illness of Virginia (NAMI Virginia) and the Virginia Association of Community Services Boards.

Director Wheeler stated that DCJS has been providing staff support on an ongoing basis to two major initiatives of the Governor—the Governor's Domestic Violence Prevention and Response Advisory Board and the Governor's Prisoner and Juvenile Offender Re-Entry Council.

Legislature tasked DCJS and the Office of the Attorney General with advising law enforcement agencies and prosecutors on the identification, investigation, and prosecution of human trafficking using existing statutes in the *Code of Virginia* and common law. One way we were able to do that was by co-sponsoring, with the AG's office, a full day training session at the Capitol for law enforcement, prosecutors and victim services providers. 88 people from throughout the state attended.

Human trafficking pages have also been added to the agency website; they provide information resources and useful links.

Director Wheeler discussed the new Regulatory Online Credentialing System, a web-based system which will make it a lot easier for those we regulate to do business with us. The new system will allow private security personnel, bail bondsmen, bail enforcement agents and special conservators of the peace to apply for and renew their credentials online, update their personal information (address, phone number, etc.) online, and access their records with DCJS any time of the day or night.

On the regulatory front, several staff members of DCJS met last month with Mr. Harvey Bryant, Commonwealth's Attorney for Virginia Beach concerning his efforts to alert the public about DCJS' licensing and registration requirements for locksmiths and electronic security businesses.

Mr. Bryant's office has produced public service announcements to inform people about what credentials to ask for and how to contact DCJS if they have complaints. He has offered to make them available for use in other jurisdictions and DCJS is looking at other ways we can spread the word to more areas of the state.

As mentioned at the last Criminal Justice Services Board meeting, DCJS is partnering with the Virginia State Crime Clinic to host a joint conference for our law enforcement and private security constituents to highlight the value of the private and public sectors working together to enhance public safety. The conference is titled "Public & Private Partnership" and it's underway in Virginia Beach. It will conclude tomorrow.

Later this month, DCJS will be coordinating the "ChildFirst" 5-day intensive forensic interviewing training scheduled for September 26-30 at the Prince William Police Training Academy. DCJS received requests from 127 applicants for the 40 slots available for this important training on interviewing children who may be victims of sexual abuse.

ChildFirst™ Virginia is designed for multidisciplinary teams and is the ideal course for law enforcement officers, child protective service workers, prosecutors, child protection attorneys, and forensic interviewers who are seeking to enhance their ability to speak to and for abused children. It is an intensive five-day course in which students are taught the forensic interviewing protocol that has been specifically recognized and approved by a number of appellate courts.

Later in the fall, DCJS will be hosting the 2011 Conference of the International Association of Security and Investigative Regulators (IASIR) November 2-4, 2011, in Alexandria. Current membership of the Association includes 36 regulatory agencies or boards from 25 states, seven Canadian provinces and the United Arab Emirates. Lisa

McGee of the Division of Regulatory Affairs is a current member of their Board of Directors.

Director Wheeler stated that, aside from conferences, DCJS expects to issue a solicitation for grant proposals for Justice Assistance Grant Program (JAG) funds this fall. DCJS will more than likely use the two-step process that was used previously, in which interested parties are invited to submit concept papers first, and those whose papers are accepted are then invited to send DCJS full grant applications. Those grants will come to the Board next spring. The money for those grants will come from the DCJS allocation of federal FY 2011 JAG funds. DCJS will post a notice on our website with dates and details when we're ready to get the process underway.

In looking beyond federal FY 2011, it isn't known how the programs from which DCJS gets grant funds will fare. It's likely that there will be across-the-board reductions; but the funding for the crime victims' program may be spared.

Board members were reminded that the DCJS website has invaluable information and will give the viewer a comprehensive look at the trainings and events DCJS offers.

Lastly, Director Wheeler informed the group that the Secretary of Public Safety will be sponsoring a Public Safety Expo on November 10, 2011, to help support the victims of the tornados that struck Virginia earlier this year and to inform Public Safety personnel and the public about the work of Virginia's public safety agencies. The Expo takes place in the parking lot behind the headquarters of the Virginia State Police. The Expo will consist of information, demonstrations, exhibits, and trainings sponsored by Virginia's Public Safety agencies. DCJS will send additional information as the date approaches.

This concluded the Director's report.

Committee Reports

Committee on Training (COT)

Chairman Jett called upon Sheriff Phelps to give the Committee on Training (COT) report. Sheriff Phelps informed the group that the Committee on Training met at 9:00 a.m.

There was no old business to report; the new business included the report of the Law Enforcement Curriculum Review Committee, Performance Outcome 2.29, relating to protective orders involving crimes related to abuse and family offenses, and Performance Outcome 4.46, which relates to DUI offenses. There was a lot of discussion on the deadline date pertaining to Performance Outcome 4.46; the committee recommended that the implementing date be changed from January 1st 2012, to January 1st 2014. This recommendation was voted on and passed by the board members at the morning meeting.

Sheriff Phelps shared suggestions for new members of review committees, which includes Jailors, Court/Security/Civil Process and Dispatcher Curriculum Review Committees. There was a presentation done by Mr. Sam Hoffman with the Department of Criminal Justice Services.

The following are the nominations for the Curriculum Review Committee's (CRC) for the term of 2011 – 2014:

Law Enforcement:

- Douglas Cooley, Director, Southwest Virginia Criminal Justice Training Academy;
- Donald Hunter, Director, Crater Criminal Justice Training Academy;
- Stacy Kelly, Captain, Newport News Police Academy;
- John Landfair, Director, Chesapeake Police Academy;
- Lorrie Smith, Captain, Chesterfield County Police Academy;
- Lenmuel Terry, Director, Virginia State Police Training Academy; and
- David Vice, Director, Rappahannock Regional Criminal Justice Training Academy.

Jail/Court Security/Civil Process Service:

- Stephen Clear, Superintendent, Southwest Virginia Regional Jail Authority;
- Bruce Conover, Interim Superintendent, Northwestern Regional Adult Detention Center; and
- Bobby Russell, Superintendent, Western Virginia Regional Jail.

Dispatcher:

- Martin Alford, Director, New River Criminal Justice Training Academy.
- Robert Dillard, Commander, Training Unit, Henrico County Police Training Academy.
- Laura Erlandson, Communications Officer, Fairfax County Department of Public Safety Communications.
- Vince Ferrara, Director, Hampton Roads Criminal Justice Training Academy.
- Alfred Miller, Captain, Prince William County Criminal Justice Training Academy.
- Delores Rhodenizer, Virginia State Police Academy.
- Nicholas Stepaniak, Communications Officer, Stafford County.
- Emily Totten, Communications Training Director, Roanoke County Communications.
- Debbie Wade, Communications Officer Supervisor, Albemarle County.

Sheriff Phelps stated that the Curriculum Review Committee does not need a formal motion.

This concluded the Committee on Training's report.

Nominations Committee

CASA and Children's Justice Act Programs

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. Sheriff Phelps asked members to look at their handouts for the biographical information for the following six nominees:

- Ms. Lelia Hopper is nominated to serve as the representative knowledgeable in court matters.

- Mr. Malcolm King is nominated to serve as the representative with substance abuse or residential mental health background.
- Mr. Robin Morgan is nominated to serve as a defense attorney representing parents and children.
- Dr. Terry Morris is nominated to serve as an adult former victim of child abuse or neglect.
- Dr. Patricia Popp is nominated to serve as a representative experienced in working with homeless children and youth.
- Mr. Eric Reynolds is nominated to serve as a guardian ad litem representative.

Sheriff Phelps advised the board that all six would serve a four-year term if appointed and the nominations subcommittee has reviewed the candidate's qualifications and finds the nominees to be outstanding. Sheriff Phelps made a motion to nominate all of the individuals as stated. Mr. Charles Ciccotti seconded the motion. *Recusal:* Mr. Edward Macon, (Ms. Lelia Hopper)

ACJJ Grants Subcommittee

Chairman Jett called upon Ms. Laurel Marks to give a brief report from the ACJJ Grants Subcommittee. Ms. Marks reported that members of the Grants Subcommittee of the Advisory Committee on Juvenile Justice (ACJJ) met on August 30th, 2011.

Ms. Marks explained that DCJS put out a solicitation for one-time equipment requests of up to \$35,000 each, including match, and received approximately 188 applications for requests covering the spectrum of the criminal justice system with which we work: law enforcement, community corrections, victims services and juvenile justice. The total dollar amount requested was approximately \$4.7M; DCJS has approximately \$500,000 to distribute. The vast majority of these requests were from law enforcement agencies. These grants were distributed among the various program areas of the agency. Staff reviewed the grants both from a grants perspective and a content perspective. Based on the scores and the discussion at the agency table, which included involvement from senior management, mid-level management and staff, grants were recommended for funding. The grants were presented to the subcommittees for their review and their recommendations.

The ACJJ grants subcommittee reviewed 6 one-time equipment grant applications for Byrne/JAG funding. (Summaries of each of the projects requesting funding were included in board member handouts).

The subcommittee recommended funding two (2) of the grants requested: the Department of Juvenile Justice grant and the Appalachian Juvenile Commission grant. Others were denied due to insufficient funding.

The ACJJ Grant Review Subcommittee recommended that the Criminal Justice Services Board approve the two grants in the following amounts:

- \$53,350 in federal funds, plus match

Ms. Marks asked the board members if they had any particular questions on this portion of the report. There were no questions asked.

Sheriff Phelps motioned to approve the grant funds as requested in the amount of \$53,350. Rick Clark seconded the motion and the vote was approved to fund the grants as requested. *Recusal:* Mark Gooch, (#12-A2412)

Ms. Marks stated that the subcommittee also reviewed four (4) new applications for Title V funding. A total of \$88,626 in federal funds was requested. (Summaries of each of the projects providing description and intent were included in board member handouts).

The ACJJ Grant Review Subcommittee recommended that the Criminal Justice Services Board approves funding for the four requests for the following totals:

- \$ 75,115 in federal Title V funds, plus match

The Hon. Robert Bushnell asked DCJS staff if Louisa County was the only county to receive a reduction and not receive funding. Louisa County was the area that was mainly affected by the recent hurricane Irene in Virginia.

Ms. Ashaki McNeil responded that the solicitation was for new programs and Louisa County activities took place before the grant application solicitation.

Chief Rick Clark motioned to approve the grant funds as requested. Ms. Cookie Scott seconded the motion and the vote was unanimously approved to fund the grants as requested.

Correctional Services Subcommittee

Chairman Jett called upon Sheriff Phelps who then recognized Mr. Bobby Russell to give a brief report on the Correctional Services Subcommittee. The Correctional Services subcommittee met with DCJS staff on August 31st to review staff recommendations on three Residential Substance Abuse Treatment for Prisoners (RSAT) Grants, ten Byrne/JAG Equipment Grants and five Anti-Gang Re-entry Grants. Members present included Sergeant Carol Adams, Mr. Russell and Mr. Vaughn.

Three new RSAT grant applications were reviewed. This is first time in four years new RSAT projects have been solicited. DCJS received grant applications from Chesterfield County, DOC and Hampton City. The subcommittee recommended funding all three RSAT grants as requested.

Mr. Russell made a motion that funding be approved as requested for all three RSAT grants, in the amount of \$660,442. Mr. Vaughn seconded the motion and the vote was approved to fund the grants as requested. *Recusal:* Ms. Scott, (#12-A2352)

The subcommittee then reviewed ten Byrne/JAG equipment grants. Since there were very few victim-focused requests, the subcommittee reviewed those as well so as not to require the victims subcommittee to convene for such a small meeting.

Ten applications were reviewed within the Corrections Subcommittee and four (4) were recommended for funding. The subcommittee recommended funding the following requests: Albemarle County; Assisting Families of Inmates; Prince William County; and Westmoreland County. The subcommittee recommended denying the remaining

requests due to insufficient funds. Mr. Russell made the motion to approve funding as requested for four equipment grants, in the amount of \$37,286.

Mr. Ted Byrd seconded the motion and the vote was approved to fund the grants as requested. *Recusal:* Hon. Clarence Jenkins, (#12-A2404BY10)

The third and final set of grants reviewed was for the Public Safety Anti-Gang and Re-entry Initiative. Ms. Helvi Holland, DJJ's Director, joined us to ensure that the juvenile perspective was captured. This was a collaborative grant application that was to fund up to four projects at \$250,000 each. The subcommittee recommended funding the following requests: the Attorney General; DJJ; Manassas Park City; and Waynesboro City. The subcommittee recommended denying one request.

Mr. Russell made the motion to approve funding as requested for four anti-gang grants, in the amount of \$895,500. Mr. Vaughn seconded the motion and the vote was approved to fund the grants as requested. *Recusals:* Mr. Joseph Sadighian, (#12-A2551, #12-A2550, and #12-A2553), Hon. Marcus Williams, (#12-A2550 and #12-A2554), Hon. Clarence Jenkins, (#12-A2551, #12-A2550, #12-A2553 and #12-A2554), Mr. Alan Katz, (#12-A2551), Mr. Rick Clark, (#12-A2550), Mr. Mark Gooch, (#12-A2550)

Law Enforcement Subcommittee

Chairman Jett called upon Sheriff Charles Phelps to give a brief report from the Law Enforcement Subcommittee.

Sheriff Phelps called on Chief Rick Clark to give the report. Chief Clark reported that the Law Enforcement Subcommittee met on Wednesday, August 31, 2011. Subcommittee members present included: Chief Rick Clark (via conference call), Mr. Alan Katz, Mr. Vaughn, and Sheriff Charles Phelps. Several DCJS staff members were present. Chief Rick Clark discussed the following Grants and Recommendations:

The Subcommittee considered one application, from Scott County, requesting continuation funding for a School Resource Officer position. The Subcommittee recommended that the application be approved and that funding be reduced to \$32,320 to equal level funding.

Chief Clark made the motion that the Board approve funding as requested in the amount of \$32,320 to Scott County for this SRO grant. Mr. Mark Gooch seconded the motion and the vote was approved to fund the grants as requested. *Recusals:* Hon. Marcus Williams, (#12-C5903), Hon. Clarence Jenkins, (#12-C5903).

Chief Clark informed the group that the subcommittee also reviewed Byrne/JAG equipment grants. Twenty-two (22) applications were recommended by staff for funding. The list had been distributed to the board members of all of the applications considered by the Law Enforcement subcommittee.

Chief Clark made the motion that the Board approve funding as requested for the twenty-two applications, as recommended by staff, in the total amount of \$507,520. Mr. Vaughn seconded the motion and the vote was approved to fund the grants as requested. *Recusals:* Hon. Marcus Williams, (#12-A2430 and #12-A2431)

Hon. Clarence Jenkins, (#12-A2430 and #12-A2431), Mr. Joseph Sadighian, (#12-A2454, #12-A2515, #12-A2355, #12-A2420, #12-A2456, and #12-A2421).

Sheriff Phelps thanked the DCJS staff for all their hard work and efforts.

This concluded the Law Enforcement Subcommittee's report.

Old/New Business

Chairman Jett asked the Board if there were any Old/New business to be discussed or added to the agenda. There was no old or new business to report.

Chairman Jett asked for any questions or comments on any matters. There were none from the board members.

Chairman Jett asked for any questions or comments from the audience, and there were none.

Chairman Jett thanked Board members and guests for attending the meeting and stated that the next meeting was scheduled for December 8, 2011, at 11:00 a.m. in House Room D of the General Assembly building.

Approved:



Sheriff Charles Jett, Chairman