



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

Francine C. Ecker
Director

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DRAFT

Criminal Justice Services Board

June 11, 2015

Members Present

Mr. Andy Block
Ms. Karen Brown
Mr. Charles Ciccotti
Sheriff Vanessa Crawford
Judge Sarah Deneke
The Hon. Michael Doucette
Sheriff Charles Jett, Chairman
Mr. Edward M. Macon
The Hon. Michelle Mosby
LTC Robert Northern for
Colonel Steve Flaherty
Delegate Chris Peace
Deputy Sheriff Kevin Pittman
Mr. Kevin Reynolds for Senator
Thomas Garrett, Jr.
Ms. Debbie Smith
Mr. Richard Vorhis
Chief James Williams
Lt. Scott Williams
Chief Kelvin Wright

Members Absent

Mr. John Boneta
Chief Jeff Brown
Senator Charles Carrico, Sr.
Mr. David Johnson
Judge Mary Malveaux
Delegate Jackson Miller
Colonel Bobby Russell
Mr. Gilbert Smith
Ms. Stephanie Wright

DCJS Staff Present

Kenny Adcock
John Colligan
Bruce Crusier
Shannon Dion
Fran Ecker
Julia Fuller-Wilson
Teresa Gooch
Sam Hoffman
Ed Holmes
Laureen Hyman
Joe Marshall
Lisa McGee
Donna Shiflett

Others Present

Dan Schmitt, PSSAB

I. 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 (CJSB).

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. Lauren Hyman to take the roll call. Ms. Hyman stated that there was a quorum with 14 members present.

II. Approval of Minutes from Last Meeting

Chairman Jett then called for a motion to approve the minutes of the May 7, 2015, meeting. Sheriff Crawford made the motion, and Mr. Charles Ciccotti seconded the motion. Chairman Jett stated that it had been motioned and seconded that the Board approve the minutes of the May 7, 2015, meeting.

III. Director's Report

Director Ecker noted that there were many grant items on the agenda as a result of the work of the Board's new Grant Committee which met for the first time on June 1, 2015. She asked committee members to let DCJS know if they had suggestions to further improve the process.

Prescription Drug Abuse-Heroin Task Force

Governor McAuliffe created the Prescription Drug Abuse-Heroin Task Force via an Executive Order he issued last fall, and he named Secretaries Moran and Hazel as Co-Chairs. The membership is broadly representative of the types of agencies that have roles in responding to these problems: treatment, health, law enforcement, judges, prosecutors; all the relevant state agencies. DCJS is providing staff support to the taskforce and 2 of its work groups, in addition to my serving as a member of the taskforce. Recommendations are being developed in five areas specified in the Executive Order: education, enforcement, treatment, data and monitoring and storage and disposal. The first report is due to the Governor at the end of June.

ABC Enforcement Review

The recent incidents involving ABC agents prompted the Governor to issue an Executive Order in March directing the retraining of all ABC enforcement agents using a curriculum designed by DCJS that addresses use-of-force, cultural diversity, and community policing. That training is underway now and should be completed by the end of July.

The Executive Order also directed Secretary Moran to convene an expert review panel to look at the agency's mission, structure, policies and training and report to Governor McAuliffe. The panel includes members of the General Assembly, other Executive Branch agencies, prosecution and law enforcement, licensees and academic representation. Work should be completed by the November 1, 2015, deadline set by the Executive Order.

Center for Behavioral Health and Justice

The Executive Leadership Council was charged with planning for the creation of a Center for Behavioral Health and Justice, pursuant to the Executive Directive Governor McAuliffe issued in March. The Governor wants the Center to identify ways to more effectively coordinate the use of resources and implementation of programs that address behavioral health needs, particularly for people involved in the criminal justice system. The Leadership Council consists of the Directors of the key state agencies in health, behavioral health and the criminal justice system including DCJS. In addition to identifying existing complementary efforts in Virginia, we're looking at the experiences of 5 other states that have established similar centers. The goal is to have a recommended organizational structure for the Center and an implementation plan with a timeline ready for the Governor by July 1, 2015.

Integrated Criminal Justice System Web Portal

An Item in the Appropriations Act tasks the Secretary of Public Safety and Homeland Security with reviewing the feasibility of implementing an integrated criminal justice system web portal to securely disseminate information to federal, state, and local criminal justice agencies. His findings and recommendations are due to the Governor and Money Committees by December 1, 2015. He has requested our help with this project; and we have offered him ideas on how to proceed, including reviewing previous data integration efforts in Virginia and experiences of other states that have undertaken similar projects.

Upcoming Training/Events

- A three day conference in Portsmouth will be held from June 17-19, 2015, titled “Confronting Domestic Violence: Strengthening Investigation and Prosecution.” It will feature workshops on effective investigation strategies, evidence based prosecution and trauma informed care for victims.
- Our annual “School and Campus Safety Training Forum” is scheduled for August 3-5 in Hampton and as usual will cover a wide range of school and campus safety-related topics.
- A one-day conference that is being planned and will be relevant in view of recent events around the country is the: “Building Trust and Legitimacy in Police-Community Relations Forum.” This forum will assist law enforcement leadership to strengthen and build sustainable community relations and culturally responsive policing and will lay the foundation for regional community policing training events that will be held over the next year.
- Sheriff Jett was thanked for his leadership and commitment to the Board as Chairman for the last four years and it was pointed out that he would stay on as a board member through the end of December. Effective July 1, 2015, Governor McAuliffe has named Mike Doucette as our new Board Chairman.

IV. Committee Reports

Advisory Committee on Juvenile Justice

Mr. Andy Block reported from the Grants Subcommittee of the ACJJ.

Mr. Block made the motion that the Board approve the award of Continuation Grant #16-D2634JJ13 to DCJS in the amount of \$73,416 as recommended by the ACJJ. The motion was seconded by Judge Deneke and unanimously approved.

Grants Committee

Lt. Williams reported from the Grants Committee of the CJSB which met for the first time at 10:00 a.m. on June 1, 2015, at DCJS to review grants from several different grant programs. A quorum of the membership was present. Lt. Williams was elected by unanimous consent as chair of the committee and Ms. Cookie Scott was elected, also by unanimous consent, to be Vice Chair.

The committee heard DCJS staff presentations on nine different agency grant programs. Seven of the programs had accompanying grants submitted for review and approval by the committee and two programs were presented for informational purposes to the committee. The Grants Committee presented recommendations on more than 225 individual grants totaling more than \$38M.

Byrne/Justice Assistance Grant Program

The federally funded Byrne/JAG grant program makes funding available that may be used to support grants across the criminal justice system. This year’s 13 new Byrne grants are focused

on evidence based programs or practices in the areas of law enforcement and juvenile prevention and education programming. The 25 continuation Byrne grant applications are submitted in the areas of: Law Enforcement, Juvenile Services; Correctional Services and Victims Services.

There were two new applications, one from Wise County and one from the City of Buena Vista that were recommended for approval, but were recommended to be reduced by more than 20% by staff because of unjustified expenditures in the application. Because the reduction was greater than 20% of the applied for amount, both localities were given the opportunity to submit written appeals of the reductions.

- Wise County submitted an appeal that the committee agreed did not adequately justify the requested budget items. The grant is recommended for approval at the reduced level.
- Buena Vista did not submit an appeal.

There are 25 continuation grants recommended for approval in the amount of \$1,388,370 and 13 new grants totaling \$1,335,712 recommended for approval. The total amount recommended for approval: \$2,724,082.

Lt. Williams made the motion to approve the Byrne/Justice Assistance Grants as recommended by the Grants Committee. The motion was seconded by Mr. Ed Macon. **Recusals:** *Mr. Block for the DJJ grant, Mr. Doucette for the City of Lynchburg police department grant, LTC Northern for the State Police Continuation grant, Ms. Mosby for the City of Richmond juvenile justice services grant, Mr. Vorhis for the Attorney General's grants, Lt. Williams for the Newport News grant, and Chief Williams for the City of Staunton Court Services Unit grant.*

Community Corrections and Pre-Trial Services Grants

The Community Corrections and Pre-Trial Services grant programs provide general funds to support local probation services to offenders sentenced to serve 12 months or less, and to pretrial services agencies which provide information and investigative services to judicial officers to help them make informed release decisions for defendants awaiting trial, and to supervise certain defendants released pending trial. There are a total of 39 Community Corrections and Pre-Trial Services continuation grants recommended for funding for a total of \$24,718,898.

Lt. Williams made the motion to approve the Community Corrections and Pre-Trial Services grants as recommended by the Grants Committee. The motion was seconded by Chief Williams. **Recusals:** *Sheriff Crawford for the City of Petersburg grant, Judge Deneke for the Hanover grant, Mr. Doucette for the Lynchburg grant, Chief Williams for the City of Staunton grant.*

Court Appointed Special Advocate (CASA) Program

The general funded Court Appointed Special Advocate (CASA) grant programs provide training to citizen volunteer advocates who are assigned by the juvenile and domestic relations court to cases involving allegations of child abuse and neglect. These 27 grants, currently funded at \$1.1M, will come before the CJSB for approval next year. This grant program was presented to the CJSB for informational purposes only – no action was required at this meeting.

Virginia Domestic Violence Victim Fund (VDVVF)

There were 65 grants submitted for approval from the special funded Virginia Domestic Violence Victim Fund grant program. These grants support non-profit programs, local units of government, and state agencies to provide services to victims of and/or children affected by

sexual violence, domestic violence, stalking, and family abuse. All 65 grants are for continuation funding. The total recommended funding is \$2,628,991.

Lt. Williams made the motion to approve the Domestic Violence Victim Fund (VDVVF) grants as recommended by the Grants Committee. The motion was seconded by Mr. Macon. **Recusals:** *Sheriff Jett for the Stafford County Commonwealth Attorney grant and the Empowerhouse grant, Sheriff Crawford for the James House grant, Judge Deneke for the Spotsylvania County Commonwealth Attorney's Office grant and the Empowerhouse grant, Mr. Doucette for the Lynchburg City Commonwealth Attorney's Office grant and the YWCA-Central Virginia grant, Lt. Williams for Newport News Commonwealth Attorney's Office grant, Chief Williams for the Blue Ridge Legal Services grant.*

Internet Crime Against Children (ICAC)

The Internet Crimes Against Children (ICAC) program provides state special funds for both the operations of the Southern Virginia ICAC task force and a grant program managed by DCJS to provide ICAC resources locally where they don't currently exist. ICAC funding provides resources to law enforcement to identify and investigate individuals involved in child pornography that assist in the prosecution of these crimes.

The ICAC grant program is divided between the Southern Virginia ICAC Taskforce operated by the Bedford Sheriff's office and the Northern Virginia ICAC Taskforce operated by the Virginia State Police. Each grant will be approximately \$475K for FY16.

This grant program was presented to the CJSB for informational purposes only – no action was required at this meeting.

Pre and Post Incarceration Services (PAPIS)

The Pre and Post Incarceration Services programs (PAPIS) provide offender reentry and transition services to individuals coming out of prison and jail and returning to local communities. Nine PAPIS continuation grants were recommended for funding totaling \$2,247,546.

Lt. Williams made the motion to approve the Pre and Post Incarceration Services (PAPIS) grants as recommended by the Grants Committee. The motion was seconded by Sheriff Crawford. **Recusals:** *Ms. Mosby for the OAR of Richmond grant.*

School Resource Officer/School Security Officer Grant Program

There were 52 new and continuation grant applications submitted for approval from the general funded SRO/SSO grant program. Funds are requested to place SROs or SSOs where they don't currently exist in elementary, middle and high schools across Virginia.

18 new applications were recommended for approval at \$880,796, and 34 continuation applications in the amount of \$1,733,190. Total amount recommended for approval: \$2,613,986.

Lt. Williams made the motion to approve the SRO/SSO Grants as recommended by the Grants Committee. The motion was seconded by LTC Northern. **Recusals:** *Sheriff Jett for the Stafford County grants, Judge Deneke for the Spotsylvania County Sheriff's Office grant, and Mr. Doucette for the City of Lynchburg grant.*

Sexual Assault Grant Program (SAGP)

There were 36 continuation applications submitted for approval from the Sexual Assault Grant Program. The Sexual Assault Grant Program is funded by both federal and general funds to

provide direct or enhanced services to victims of sexual assault. Total recommended funding for the 36 grants: \$3,396,222.

Lt. Williams made the motion to approve the SAGP Grants as recommended by the Grants Committee. The motion was seconded by Mr. Macon. **Recusals:** *Sheriff Jett for the Rappahannock CASA grant, Sheriff Crawford for the James House grant, Judge Deneke for the Hanover Safe Place grant and the Rappahannock CASA grant, Mr. Doucette for the YWCA Central Virginia grant, Chief Williams for the New Directions Center grant.*

Violence Against Women Act (VAWA)

The Violence Against Women Act promotes a coordinated, multidisciplinary approach to improving the criminal justice system's response to violent crimes against women. DCJS submitted an in-house grant application to utilize FY12 STOP funding to put on the *Confronting Domestic Violence: Strengthening Investigation and Prosecution* Conference. The total recommended for the grant request is for \$17,110.

Lt. Williams made the motion to approve the Violence Against Women (VAWA) grants as recommended by the Grants Committee. The motion was seconded by Mr. Macon and was unanimously approved.

Private Security Services Advisory Board (PSSAB)

Mr. Charles Ciccotti reported from the PSSAB. Update on DCJS conversion to new Credential management System, should be implemented in sixty days.

VI. Old Business

Implementation of HB2314 – Felony Arrests of Bail Bondsmen

Ms. Gooch addressed the concerns Mr. Doucette expressed at the May 7, 2015, board meeting regarding ***BB-6VAC20-250-250 - Professional conduct standards; grounds for disciplinary action.***

Ms. Gooch explained this process in more detail to the board members present.

Sheriff Crawford asked how, once the disposition has taken place, that information gets back to the magistrates or the jurisdictions, to which Ms. Gooch answered that DCJS communicates with the magistrates in the jurisdiction where they are likely to be posting bond. Also, DCJS has a mechanism in our system for anyone to see if they have an active bonding license, or a consumer or magistrate may also access this information.

Mr. Macon asked if a bail bondsmen owns an agency and loses his license, can it affect employees that work under him or her? Yes, the property bail bondsmen license has to be in good standing or it will affect his or her employees as well.

Mr. Vorhis asked if a conviction had to occur before the Director could issue a summary suspension to which Ms. Gooch responded that a summary suspension could occur as a result of an arrest or a conviction. If the DCJS Director finds that the continued operation of a licensee or registrant would constitute a life-threatening situation or has resulted in personal injury or loss to the public or a consumer, then a summary suspension could be issued. The registrant or licensee is still entitled to the APA process, but cannot continue working.

Lt. Williams made the motion to approve DCJS' request to move forward with regulatory amendments to 6VAC20-250-250 to reflect new statutory requirements for the professional

conduct standards and grounds for disciplinary actions for bail bondsmen. The motion was seconded by Mr. Ciccotti and was unanimously approved.

VIII. New Business

There was no new business brought before the board for discussion at this meeting.

IX. Next Meeting

Chairman Jett thanked Board members and guests for attending the meeting and stated that the next meeting was scheduled for September 17, 2015, at 11:00 a.m. in House Room D of the General Assembly building.

XI. Adjournment

Sheriff Crawford made the motion to adjourn the meeting, the motion was seconded by Mr. Andy Block and was unanimously approved. The meeting was adjourned at 11:55 a.m.

Approved:

Mr. Michael Doucette, Chairman