

Criminal Justice Services Board
Minutes

June 12, 2008

Members Present

Sheriff Beth Arthur
The Honorable Marcus D. Williams
The Honorable Robert L. Bushnell
Mr. Jeffrey Dion
Mr. Sherman Carl Vaughn, Sr.
The Honorable Marlene Randall
Ms. Helen Fahey
Chief James R. Lavinder
Mr. Christopher Webb
The Honorable Delegate Jackson Miller
Mr. Edward M. Macon
Mr. Barry Green
Dr. Jay Malcan
Mr. Jonathan McGrady
Ms. Nancy St. Clair Finch
Ms. Danielle Ferguson
Mr. Walter A. McFarlane
Mr. Alan Katz (proxy for Ms. Marla Decker)
Lt. Col. Robert Northern (proxy for Col. Steve Flaherty)

Members Absent

Delegate Beverly Sherwood
Senator Kenneth W. Stolle
Senator Janet D. Howell
Ms. Jerry Smith
The Honorable Archer L. Yeatts III
Ms. Cookie Scott
Sgt. Charles Condon
Chief A.M. "Jake" Jacocks
Sheriff Charles W. Phelps
Mr. Kevin Hodges

DCJS Staff Present

Leonard Cooke
Kathi Lee
Priscilla Bowers
Loretta Lynch
Leon Baker
Lisa McGee
Roz Trent
Sheila Anderson
Janice Waddy
Paula Harpster
Carol Lee-Raimo
Jana Braswell
Dan Catley
Rudi Schuster
Jim McDonough
Debbie Roberts
Laurel Marks
Demian Futterman
Neadie Lee
Lisa Thornton
Eileen Guertler
Rick Arrington
Joe Marshall
Sam Hoffman
Deb Dowling
Butch Johnstone
Kathleen Demro
Heather D'Amore
John Colligan
Fran Ecker
B.J. Northington

Guests

Richard Vaughan
Doug Carver
Lt. Pete Fagan
Brian Edgell
Patrick Harris
S.W. Kelly

K. Hartman
Dennis Mook
Mark Merriman
Sheri Neil
George Haudricourt
Erin Bryant

Call to Order

Chairwoman Arthur called the meeting to order at 11:00 a.m. in House Room “D” of the General Assembly Building.

Chairman Arthur asked for a moment of silence for Officer Todd Allen Bahr, of the Fredericksburg Police Department, killed in the line of duty on Friday, June 6. Officer Bahr was the first city officer killed in the line of duty in more than 40 years.

Chairwoman Arthur began the meeting by reminding guests and staff of DCJS to please sign in for the purpose of the minutes. Chairwoman Arthur also reminded all Board members to please state their name when making a motion and when seconding, and to ensure that their microphones were turned on at their seating area; and to please speak clearly for the purpose of the minutes. Also, she reminded staff and individuals, when speaking from the floor to please step up to the podium to speak so that the microphone would pick up their comments for the purpose of the minutes.

Chairwoman Arthur then asked Priscilla Bowers to take the roll. Ms. Bowers proceeded to call the roll and stated that there was a quorum with **19** members present.

Chairwoman Arthur thanked everyone for attending the meeting today. Chairwoman Arthur also thanked those individuals who were sitting in as proxies for representatives of the Board: Mr. Alan Katz and Lt. Col. Robert Northern. She also acknowledged staff from the Office of the Secretary of Public Safety, Ms. Erin Bryant.

Chairwoman Arthur informed the members of the Board that we had with us today, Ms. Marlene Randall, Vice Mayor for the City of Portsmouth. Ms. Randall was appointed by the Governor effective May 12, 2008 for an unexpired term beginning February 26, 2008 and ending June 30, 2010 to succeed Mr. Alfred Dowe. Ms. Randall represents the Virginia Municipal League. Ms. Randall was asked if she would like to say a few words. Ms. Randall stated that it was an honor and a pleasure to be appointed to serve on this Board and that she intends to serve to the best of her ability on behalf of the Commonwealth.

Chairwoman Arthur then mentioned the following appointments/and re-appointments: Senator Janet D. Howell, appointed by the Senate Committee on Rules for a term coincident with her term of office. Senator Howell was unable to be present.

Chairwoman Arthur then stated that Senator Kenneth W. Stolle was reappointed by the Senate committee on Rules to serve a term coincident with his term of office. Unfortunately Senator Stolle was also unable to be present.

Chairwoman Arthur further mentioned that Delegate Jackson H. Miller was appointed by the Speaker of the House, for a term coincident with the term for which he has been elected to the House of Delegates. The Honorable Jackson H. Miller was in attendance and stated that he was honored to be here to serve on behalf of the Commonwealth of Virginia. Chairman Arthur then asked the Board and the audience to join her in welcoming all of the new members and re-appointees to the Board. All were welcomed by way of applause.

Chairwoman Arthur stated that at the last meeting we held an Administrative Hearing; The Department of Criminal Justice Services vs. Bob Carver. At that time we upheld the Director's decision to revoke the bail bondsman license of Mr. Carver. Since that time, Mr. Carver has appealed the decision of this Board to the Circuit Court of Pulaski County, Virginia as of March 19. Mr. Carver has 30 days to provide the department with a transcript at which time; we will verify the information and will keep the Board informed of the outcome.

Chairwoman Arthur mentioned that Board member packets included a handout regarding the Virginia Crime Trends 1998 - 2007. This information was provided to members for informational purposes only. Also attached was a cover sheet with an explanation of the information provided. Staff was present to briefly address questions. There were none.

Approval of Minutes

Chairwoman Arthur called for any corrections, deletions or additions to the minutes of the March 13, 2008 Criminal Justice Services Board meeting.

Chairwoman Arthur then called for a motion to approve the minutes of the March 13, 2008 meeting. With no corrections or questions, a motion to adopt the March 13, 2008 minutes was made by Mr. Green and seconded by Mr. Vaughn. The motion was granted to approve the minutes with no corrections. Chairwoman Arthur stated that the minutes from the March 13, 2008 meeting were unanimously approved.

The following board members abstained from voting to approve the minutes due to their absence at the March meeting: Ms. Nancy St. Clair Finch, Mr. Edward Macon, Mr. Christopher Webb, and The Honorable Marcus D. Williams.

Director's Report

Chairwoman Arthur then called upon Director Leonard Cooke to give a brief Director's Report. Director Cooke thanked everyone for attending the meeting today and acknowledged and welcomed new members Senator Janet Howell, Delegate Jackson Miller, and The Honorable Marlene Randall. He also acknowledged the reappointments of Senator Stolle and Delegate Sherwood. He then gave a brief report as follows.

DCJS Organizational Changes

Director Cooke mentioned that the agency is going through a change in their management team. Craig Hartley, who recently headed the Division of Law Enforcement and Research Services, will be leaving later this month. Mr. Hartley has accepted a position with the Commission for the Accreditation of Law Enforcement Agencies. Director Cooke further stated that John Colligan, Division Director for Administration, will now lead Law Enforcement and Research Services Sections in the interim.

Last month, the agency held its Annual Employee Recognition Awards Ceremony. This event is an opportunity to acknowledge the excellent work of DCJS staff. He also mentioned; this year the agency will also mark its 40th Anniversary and we are exploring ways to celebrate in conjunction with the September Board meeting. Board members will be apprised of the details.

Blueprints & Criminal Justice Plan

Director Cooke stated that in connection with the September meeting, were planning another “Blueprints” policy meeting. Topics of these sessions will be on critical or emerging criminal justice issues. Key officials and policy makers will be invited to discuss and craft recommendations, after which we will publish “white papers” recapping the discussions and setting out their recommendations. Director Cooke stated that these sessions are seen as a good way to bring together people from around the state who have expertise and interest in the issues, and who can bring their expertise to bear on creating responses to them. Director Cooke also stated that the Board’s September meeting will be an occasion for us to present our criminal justice plan, if all goes well.

Mental Health/Criminal Justice Transformation Conference

Director Cooke stated that the Governor issued an Executive Order in January establishing the Commonwealth Consortium for Criminal Justice/Mental Health Transformation. The consortium is charged with improving the treatment of persons with mental illness by diverting them from the criminal justice system when appropriate, and by increasing their access to mental health treatment if they cannot be diverted. DCJS and the Department of Mental Health, Mental Retardation and Substance Abuse Services are leading this effort. Together, they convened the Consortium’s first major training conference “The Governors Conference for Criminal Justice and Mental Health Transformation” which was held last month in Virginia Beach of which more than 300 people attended.

Legislation

Director Cooke mentioned that the legislative session produced some legislation that will affect the Board and the Department. Specifically, the Board’s Executive Committee has now been codified and will have the authority to conduct hearings that previously had to be held in front of the full Board. In addition, legislation enacted this year gives DCJS regulatory responsibilities for locksmiths. The Governor has also proposed a series of bills to begin implementing recommendations of the Sexual Assault Commission, and DCJS played a role in helping to get them passed by the General Assembly. One of the bills require a law enforcement agency to establish polices on arrests in domestic violence and family abuse cases; DCJS is tasked in that

bill with providing technical support and assistance to agencies as they develop polices. DCJS will report to the legislature late this year on the implementation of the new requirements and we will provide the Board with the information.

Budget/Federal Funds

Director Cooke stated that the biennial budget was another major product of the legislative session. The Assembly extended the budget reductions that Governor Kaine implemented last fall to the new biennium and adopted his recommendations for additional cuts. For DCJS, that means reductions of just over \$11.5 million in each year of the biennium. Almost all of which comes from the “599” appropriation. Campus Safety got added attention, and DCJS was given an additional position and funding for it to augment our Campus Safety Center.

The budget also contains an additional \$450,000 per year in the funding we use to support sexual assault centers around the state, which will help us partially offset an anticipated reduction in Federal Victims of Crime Act funds. Allocation of Byrne Justice Assistance Grant Program (JAG) funds for federal FY08 is about 65% less than the previous year, and the impact of the cut is severe. There is a very slim possibility that some JAG funding will be restored via a supplemental appropriations bill that is now pending before the Congress. This concluded Director Cooke’s report.

Chairwoman Arthur thanked Director Cooke for his report, and then asked the Board if they had any questions or comments. There were none.

Committee Reports

Committee on Training (COT) Report

A report was given by Dr. Jay Malcan regarding the Committee on Training’s meeting this morning. Dr. Malcan mentioned that there were no voting items at this meeting. He reported that under old business there was a lengthy dialogue on Academy Recertification. Ms. Kirkendall also presented the names of the appointed members to the Jailor/Civil Process/Courtroom Security Curriculum Review.

Mr. Gotschalk gave a brief update on the status of the Standards and Training Manual which is in need or revision. Dr. Malcan mentioned that under new business there was some discussion on the Agency’s Strategic Plan and how it relates to Training and the Committee on Training. Another topic was Homeland Security Training Efforts. At the conclusion of normal business, there was a public comment period of which Training Academy Directors addressed the academy recertification process. This concluded Dr. Malcan’s report.

Chairwoman Arthur thanked Dr. Malcan for his report and called for questions or comments. There were none.

Nominations and Appointments Subcommittee (Handouts)

Chairman Arthur called upon Nancy St. Clair Finch to give a brief report on Nominations and appointments of the Private Security Services Advisory Board.

Ms. Finch reported that effective July 1, 2008, there would be 5 vacant positions on the Private Security Services Advisory Board. The vacancies will occur in the following areas:

- * Personal Protection Representative
- * Private Investigative Representative
- * Armored Car Representative
- * Certified Private Security Instructor
- * Bail Bondsman Representative

On June 9, 2008, the Nominations/Appointments Subcommittee of the Criminal Justice Services Board conducted a meeting to review applicants for the five vacancies.

The Subcommittee is comprised of Mr. Edward Macon, Sheriff Charles W Phelps, Nancy St. Clair Finch, and Kevin Hodges. Lisa McGee and Burt Walker provided staff support to the Committee.

The Subcommittee reviewed 11 applications from many highly qualified individuals for the vacancies. The committee considered the applicant's experience, service to the industry, and the geographic region they represent.

Bail Bondsman Representative – 1 applicant
Armored Car Representative – 1 applicant
Personal Protection Representative – 3 applicants
Private Investigative Representative – 2 applicants
Certified Private Security Instructor – 4 applicants

The Criminal Justice Services Board Nominations/Appointment Subcommittee evaluated all applicants for the vacancies prior to making a recommendation to appoint members to the PSSAB. Based on this evaluation the following individuals and term of appointments are being recommended to the full Board:

Bail Bondsman Representative (1 Vacancy)

Carl D. Armstrong – (July 1, 2008 – June 30, 2012)

Private Investigator Representative (1 Vacancy)

Christopher J. DiMartino – (July 1, 2008 – June 30, 2011)

Armored Car Representative (1 Vacancy)

Kevin S. Hodges – (July 1, 2008 – June 30, 2010)

Personal Protection Representative (1 Vacancy)

Charles E. Tobin – (July 1, 2008 – June 30, 2013)

Certified Private Security Instructor Representative (1 Vacancy)

Stephen F. Demma – (July 1, 2008 – June 30, 2009)

Ms. Finch stated that a copy of a brief bio for each recommendation was enclosed in Board member packets.

Chairwoman Arthur thanked Ms. Finch for her report and asked the Board if they had any questions or comments. There were none. Chairwoman Arthur then called for a motion to accept the recommendations of the Subcommittee. Ms. Finch made the motion and Mr. Webb seconded.

Recusals: None

Certified Crime Prevention Community (CCPC) Recertifications (Handouts)

Chairwoman Arthur called upon Mr. Walter McFarlane to give a brief report on the Certified Crime Prevention Community Certifications (City of Newport News, Bristol, and the County of Prince William).

Mr. McFarlane stated that the Subcommittee met on June 5 to review the applications of three candidates for re-certification as Certified Crime Prevention Communities. To meet certification requirements, the applicants must meet twelve (12) core elements (programs) and no less than seven (7) optional elements. Mr. McFarlane gave the following report:

The **City of Newport News** is a tidewater city with an estimated population of 185, 242 and covers approximately 69 square miles. The city is served by a sworn police contingency of 415 officers.

The City of Newport News has recognized that not-for-profit organizations, such as the Neighborhood Watch Coalition, (Core Element 1) fill an important role in improving the quality of life in the community. It is noteworthy that they have supported crime prevention efforts through grant funding in order to use budgeted funds for other needs. For the past three years, the Neighborhood Watch Coalition has applied for and received grants totaling \$80, 328 (\$26,776) from the city. These funds are used for citizens to attend workshops and training in and out of the Commonwealth of Virginia, such as the annual National Youth Crime Prevention Convention.

The Business Outreach Element (Core IX) is one that many communities have difficulty in keeping active. Newport News initially also experienced difficulty until they reached out to businesses with a Crime Prevention through Environmental Design (CPTED) survey. This single successful site CPTED survey in June of 2006, demonstrated the value of business working with law enforcement. Since the CPTED initiative, the program has grown to a strong

outreach program in which even a mall manager hired a private security company to patrol the shopping center during business hours. Lighting issues were improved and monthly meetings that stressed awareness of what to look for in criminal behavior increased. The result has been that almost all violent crimes in the shopping center have been eliminated. There has not been a business robbery on the property in over 15 months. For the past three years, trained officers specializing in CPTED conducted safety assessments and provided business safety presentations for any business that requests “A Safety and Security in Your Business” survey. The officers estimated that 60% of the recommendations given to the owners were implemented.

(Core XI) Recognizing that addressing delinquency begins with establishing positive relationships with youth, the Chief’s Youth Advisory Committee was formed. A group of 14 students formed the first Youth Advisory Committee in August of 2006. The Chief meets monthly with the members to discuss the concerns of the city’s youth under the age of 18. The Youth Advisory Committee published a manual titled, “You Have the Right to Remain Silent/But Now You Don’t Have To”. This manual was the brainchild of the youth who served on the Committee and it was promoted in New Orleans to youth from each of the fifty states at the national League of Cities Conferences.

The **County of Prince William** is located in the northern Virginia area and serves a population of 280, 813 in a 348 square mile radius. The law enforcement contingent contains 500 sworn officers.

Prince William’s Crime Prevention Council has taken the unique step of becoming certified as a non-profit organization to raise funds to accomplish prevention activities and to support their Neighborhood Watches. (Core Element 1) Between 2004, when they first received the non-profit designation and 2006, they have raised in excess of \$15,000 to purchase crime prevention materials to accomplish their prevention goals. Their council is made up of members from the Neighborhood watches, which strengthens the continued interests by their “Watch” groups. (Core element 3) Prince William’s Watch groups are active in combating crime. As an example of the involvement of their “Watches”, the documentation evidences that “Watches” were active in disassembling a prostitution ring.

Under Core Element 8, the community demonstrates the desired cooperation, communication, and information sharing that should be the norm in the conducting of school safety audits. The cooperation includes the Police Department, the school’s Office of Risk Management and Security Services, as well as the 63 certified School Security officers in conducting school safety audits.

In 2005, using the Certified Crime Prevention Community Program as a model, the Crime Prevention Unit developed the Certified Crime Prevention Business Program. (Core Element 9) The Certified Crime Prevention Business Program is the ultimate level their businesses seek to reach. There are several other levels of prevention that the business outreach programs address. Each of the levels requires more of each business and the most stringent is the Certified Crime Prevention Business Program which is built around four main elements. These elements are; the existence of written policies, training, security assessments, and liaison with the Police Department.

The **City of Bristol** received three extensions of time in order to aid it in presenting a qualified application for re-certification. On April 30, 2008, the Bristol Sheriff and Chief of Police wrote a letter to Director Cooke informing him of their inability to reach the final extension given.

The letter revealed that the City was unable to meet the final deadline due to the fact that staff members that had originally worked on the submission were no longer in the program. The new staff members who were assigned to the positions in 2005 and 2006 were unable to locate working papers from their predecessors.

Inasmuch as they could not locate the needed documents to draft the re-certification, the City has requested that it be allowed to withdraw from the process of re-certification and from the Certified Crime Prevention Community program temporarily until they have time to develop the missing elements to insure compliance and to re-apply as a CCPC.

Mr. McFarlane reported that the Subcommittee regrets that it must recommend to the Board that it decertify the City of Bristol. He further stated that this raised the issue as to whether there is a waiting period before the City will be allowed to re-apply. He said the Subcommittee recommends that a one year waiting period be instituted before Bristol, or any other Certified Crime Prevention Community which hereinafter fails in gaining acceptance of its recertification application, may be able to re-apply.

Mr. McFarlane further stated that the Subcommittee complemented the localities who have very significantly demonstrated their exceptional planning, hard work, dedication and constant attention to the implementation of crime prevention programs, all of which promotes the health and safety of their respective citizens who can be very proud of and comforted by their efforts. He then made a motion for the Board to accept the recommendations of the Subcommittee to re-certify the City of Newport News and the County of Prince William and to de-certify the City of Bristol.

In conclusion, Mr. McFarlane mentioned that the Subcommittee also greatly appreciates the hard work of Rick Arrington and Tami Wyrick. He stated that they have done an outstanding job in collating and presenting the applications. He said it required an extraordinary amount of effort to put all the voluminous materials together in a coherent and understandable manner.

Chairwoman Arthur thanked Mr. McFarlane for his report and then called for questions or comments. There were none. She then called for a motion for the Board to accept the recommendation of the Subcommittee to **re-certify** the City of Newport News and the County of Prince William. Mr. McFarlane made the motion and Mr. Dion seconded.

Recusals: None

Chairwoman Arthur then called for a motion for the Board to accept the recommendation of the Subcommittee to **de-certify** the City of Bristol along with the recommendation that there would be a one year waiting period to re-apply for re-certification. Mr. McFarlane made the motion and Dr. Malcan seconded.

Recusals: None

Mr. McFarlane noted that representatives from Newport News and Prince William County were present. Chairwoman Arthur asked representatives if they would like to say a few words. The two gentlemen spoke a few words on behalf of their localities and thanked staff for their assistance and Board members for their time. Chairwoman Arthur thanked them for their words and asked the Board and audience to join her in congratulating the two localities on their re-certifications.

[NOTE: In the interest of time, the order of the agenda was changed so as to present the numerous Grants being presented to the Board, prior to giving any other informational presentations]

Consideration of Grant Applications

Chairman Arthur mentioned that before we begin approving grant requests, she wanted to make sure that Board members and members of the public in attendance were aware of the severe challenges we are facing regarding funding from the JAG/Byrne grant program. She stated that because of a 66% reduction in the federal appropriation, we have significantly more in requests than we have available funds to meet those requests. For new grants under the JAG/Byrne program we received \$8.3 million in funding requests and have available \$1.4 million dollars.

She further stated that DCJS staff and CJSB members on the JAG/Byrne Subcommittee have had to make some difficult choices in their funding recommendations to the entire Board. Lastly, she mentioned that at this point, the future of JAG/Byrne funding is uncertain. She said; Director Cooke has assured her that DCJS and the Administration are actively involved in this issue and will keep the Board informed.

Advisory Committee on Juvenile Justice

Juvenile Justice and Delinquency Prevention (JJDP) Title II and Title V Grants

Chairman Arthur called upon Ms. Laurel Marks to give a brief report on the grant applications received by the Advisory Committee on Juvenile Justice:

Ms. Marks reported that the Advisory Committee on Juvenile Justice met on April 16 to review the recommendations of the Grants Subcommittee. She stated that although there was not a quorum present, the majority of the members present made the following recommendations for funding that the Board had before them.

The Subcommittee reviewed 17 applications for continuation funding and made recommendations to the full Advisory Committee on Juvenile Justice. The Advisory Committee recommends funding all 17 Title II continuation grants as requested.

The Subcommittee also reviewed 4 applications for continuation funding and made recommendations to the full Advisory Committee on Juvenile Justice. The Advisory Committee recommends funding all 4 Title V continuation grants as requested.

Chairwoman Arthur called for questions or comments. There were none.

Chairman Arthur called for a motion to approve the recommendations of the Advisory Committee on the Title II and Title V continuation grants. Mr. Webb made the motion and Mr. Vaughn seconded.

Recusals:	Mr. Barry Green	Portsmouth, Fairfax Title II
	Chief James Lavinder	Roanoke City
	Mr. Walter McFarlane	Correctional Ed
	The Honorable Marcus Williams	Fairfax

Juvenile Accountability Block (JABG) Grants

Ms. Marks reported that the Subcommittee reviewed 1 application for continuation funding and made recommendations to the full Advisory Committee on Juvenile Justice. The Advisory Committee recommends funding 1 JABG continuation grant as requested.

Chairwoman Arthur called for questions or comments. There were none. Chairwoman Arthur then called for a motion to approve the recommendation of the Advisory Committee on Juvenile Justice for 1 JABG continuation grant. Mr. Dion made the motion and Ms. Randall seconded.

Recusals:	Mr. Walter McFarlane	Correctional Ed
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Byrne/Justice Assistance Grants

Ms. Marks reported that the Subcommittee reviewed 4 applications for funding; 2 for continuation funding and 2 for new programs and made recommendations to the full Advisory Committee juvenile Justice. She mentioned that the Board also had a summary for a fifth grant to the Supreme Court before them. This grant was not assigned to a Subcommittee, but was reviewed by staff and recommended for continuation funding. Ms. Marks stated that the Advisory Committee recommends funding for 4 applications and denial of the fifth, as indicated in the summaries.

Chairwoman Arthur called for questions or comments. Mr. Macon inquired. Chairwoman Arthur called for a motion to approve the recommendations of the Advisory Committee on Juvenile Justice to fund the 4 continuation grants and to deny the fifth grant. Lt. Col. Robert Northern made the motion and Ms. Ferguson seconded.

Recusals:	Mr. Christopher Webb	Lynchburg City
	The Honorable Marcus Williams	All Grants
	Mr. Edward Macon	Supreme Court

Chairwoman Arthur thanked Ms. Marks for her reports.

Corrections Subcommittee

Chairwoman Arthur called upon Mr. Chris Webb to give a brief report on the grant applications received by the Corrections Subcommittee.

Mr. Webb stated that the Subcommittee had reviewed over 50 grant applications and recommended the award of almost \$25 million in four different categories of grants. Correctional Services staff was present to answer any questions from the Board.

Comprehensive Community Corrections Act (CCCA) and Pretrial Services Act (PSA) Grants

Mr. Webb reported that the Subcommittee received 37 continuation applications for continuation of Community Corrections (local probation) agencies serving 128 of Virginia’s 134 local governments and Pretrial Services agencies serving 80 localities. These grants have been stable and operational since 1995. He said this was the largest block of funding that we reviewed (about \$21.5M). He noted that there was a small increase in funding over last year because these programs were added to the Department of Planning and Budgets’ “local computation” list which builds in a cost-of-living increase that parallels state salary increases and that no new “program funding” was provided by the General Assembly. Mr. Webb stated that it is the Subcommittee’s recommendation that all 37 requests be funded as requested.

Chairwoman Arthur called for questions or comments. There were none. Chairwoman Arthur called for a motion to approve the 37 CCCA/PSA grants recommended by the Corrections Subcommittee. Mr. Webb made the motion for approval and it was seconded by Mr. McGrady.

Recusals:	Sheriff Beth Arthur	Arlington
	Chief James Lavinder	Roanoke City
	The Honorable Marcus Williams	Fairfax
	Mr. Chris Webb	Lynchburg City

Reentry Program Continuation Grants

Mr. Webb reported that the Subcommittee reviewed 9 Reentry program continuation grant applications (Offender Reentry and Transitional Services/formerly PAPIS). He noted that these are programs designed to assist released offenders make a successful transition from prison or jail back to the community. Mr. Webb stated that it is increasingly clear that much recidivism is caused by matters (food; clothing; stable housing; a job; supportive treatment for mental health or substance abuse problems; etc.) that might have been addressed if programs like these were more broadly available. A total of \$2,379,195 was requested. Mr. Webb stated that the Subcommittee recommends approval of all 9 requests for a total \$2,378,013. One program did ask for slightly more than what was available and that they would be required to revise their budget.

Chairwoman Arthur called for questions or comments. There were none. Chairwoman Arthur then called for a motion to approve the 9 Reentry program continuation grants. Mr. Webb made the motion for approval and Mr. Green seconded the motion.

Recusals: Mr. Christopher Webb Lynchburg City
 Chief James Lavinder Roanoke City

Law Enforcement Subcommittee

Chairman Arthur called upon Mr. Walter McFarlane to give a brief report on the following Law Enforcement Grants:

Byrne/Justice Assistance Grants

Mr. McFarlane mentioned that included in Board member packets was a summary of the Law Enforcement Subcommittee's meeting notes and recommendations. He stated that the Subcommittee wanted to thank the DCJS staff for their extremely hard work in arriving at their conclusions and recommendations which they presented to the Subcommittee. He stated that they were faced with a daunting task and handled it well. Chairwoman Arthur thanked staff and Board members for their hard work on the number of grants reviewed.

Mr. McFarlane further stated that it is always easier to allocate grant funds when there are adequate funds to meet the needs from qualified requests and with the case at hand, there were only approximately \$1.4 million in available funds with approximately \$8.3 million in requests. As a result, the Subcommittee was faced with a very difficult choice in making the appropriate decisions and the circumstances made for an extremely lengthy session.

Mr. McFarlane reported that there were two types of grant requests: first time grants and continuation grants. As a result there were a total of 151 grant requests of which 31 were continuation requests and 120 first time requests. Mr. McFarlane stated that DCJS staff had done a marvelous job in sorting out the most qualified recipients for their recommendations to the Subcommittee. They had divided the first time requests among their various members with the goal of the very top scores receiving 26 points. It was determined that the lowest acceptable score would be 23, with 22 being awarded on a selective basis.

Mr. McFarlane stated that it was recognized that with this system, the grading was subjective, as is the case with any point system. In an attempt to make the selections as objective as possible, after the initial cuts had been made by the individual staff members on their portion of the grants, the entire group got together to go over their particular points allocation and selections. This allowed other staff members to question the selections in an attempt to eliminate as much subjectivity as possible.

Mr. McFarlane also stated that it was important to recognize the fact that if a grant application was rejected, in a majority of the cases, it was not a reflection upon the quality of the application or the merits of the proposal. Because of the extreme limitation of funds, numerous applications were denied which in good times would have been readily approved. In reality, it turned out to be a competition where only the most superior applications among all of the very good applications were selected.

Mr. McFarlane stated that DCJS staff recommended 9 applications be accepted; however, the subcommittee recommends that 10 new applications be accepted for a total of \$633,012 be approved. The Subcommittee recommends that 24 continuation grants be accepted for a total of \$1, 187.520. Mr. McFarlane also mentioned that for specificity as to those applications that were recommended and those denied, for Board members to please refer to the summary pages where each grant is discussed.

Chairwoman Arthur called for questions or comments. The following members made inquiries or comments of which were addressed by Ms. Janice Waddy: Mr. Bushnell, Sheriff Arthur, Mr. Vaughn and Dr. Malcan.

Chairman Arthur then called for a motion to approve the recommendations of the Law Enforcement Subcommittee as stated above. Mr. McFarlane made the motion for approval and it was seconded by Mr. Vaughn.

Recusals:	Mr. Alan Katz	
	The Honorable Marcus Williams	
	Mr. Edward Macon	
	Mr. Walter McFarlane	University of Richmond
	Mr. Sherman Vaughn	Nottoway County
	Mr. Robert Bushnell	
	Sheriff Beth Arthur	Arlington

School Resource Officers Grants

Mr. McFarlane stated that the Subcommittee reviewed a total of 49 grant requests for School Resource Officer (SRO) projects. He stated that the staff of the DCJS was thorough in their recommendations and the work product that they presented to the Subcommittee made the task of the Subcommittee much easier, and the members very much appreciate their efforts.

Mr. McFarlane reported that staff reviewed 34 grant applications for new SRO projects. Staff recommended 16 applications for new SRO projects for approval at the requested level or reduced levels. Staff recommended denial of 18 applications for new SRO projects for reasons including:

- failure to adhere to grant guidelines;
- ineligibility for funding.

Mr. McFarlane further reported that staff reviewed 15 grant applications for continuation funding. Staff recommended 14 applications for continuation funding for approval at the requested or at reduced level. Staff recommended denial on 1 application because of failure to adhere to grant guidelines. The total amount of state funding recommended by the Law Enforcement Subcommittee for new and continuation SRO Incentive Grants Fund projects is \$860,872.

Sheriff Arthur thanked Mr. McFarlane for his report and asked the Board if they had any questions or comments. Mr. McGrady made a brief comment. Chairwoman Arthur then called for a motion to accept the recommendations of the Law Enforcement Subcommittee as stated above. Mr. McFarlane made the motion and Mr. Webb seconded the motion.

Recusals: The Honorable Marcus Williams

Victims Services Subcommittee

Chairman Arthur called upon Ms. Helen Fahey to give a brief report on the following grants:

Byrne/Justice Assistance Grants

Ms. Fahey reported that the Victims Services Subcommittee met on June 2 to review Victims Services Grants. Ms. Fahey reported that there was 1 Byrne grant up for review. The Subcommittee considered an application from the Supreme Court seeking Byrne grant funds to support purchase, and installation of hearing assistance devices for hearing impaired and limited English proficiency persons in courtrooms. DCJS Staff recommended denial of this application due to insufficient funds (requests total approximately \$8.1 million; funding available is \$1.4 million). Ms. Fahey made a motion on behalf of the Subcommittee to the Board to deny funding based on insufficient funds.

Chairwoman Arthur called for questions or comments. There were none. Chairwoman Arthur then called for a second motion. Mr. Dion seconded the motion.

Recusals: Mr. Edward Macon
Chief James Lavinder
The Honorable Marcus Williams

Sexual Assault Grant Program

Ms. Fahey gave an update on federal VOCA funding, which still has not been officially determined and awarded to DCJS at the present time. She reported that all of the recommended VOCA grant awards at this time are based on estimated VOCA funding to be made available to Virginia.

Ms. Fahey reported that consistent with the recommendations of the Governor's Commission on Sexual Violence, the Governor's budget sought an increase in General Funds supporting these programs. That increase (\$450,000) was included in the budget passed during the 2008 Session. Because of the increase in General Funds available to support sexual assault programs, there is a net increase in funding available to support these programs. Staff recommended awarding \$3,049,301 to provide continuation funding to 38 sexual assault grant programs in FY2009.

This recommendation allows DCJS to provide a 3% increase to all of the FY2009 projected Sexual Assault grant awards approved by the Board at last year's June meeting. Ms. Fahey stated that the Subcommittee made the recommendation authorizing staff to adjust awards depending on the actual federal VOCA award received. After a series of questions, comments, and clarification, Ms. Fahey made a motion for the Board to accept the recommendation of the Subcommittee. Ms. Ferguson seconded the motion. The Honorable Marcus Williams abstained from voting because he was not a member of the Board at the time these original awards were given.

Recusals: None

Victim/Witness Grant Program

Ms. Fahey reported that due to expected reduction in Federal and Special Funds available to DCJS and no increase in General Funds available, staff recommended Victim/Witness awards represent an 8% reduction in FY2009 funding compared to the amount awarded in FY2008.

DCJS staff recommended an award of \$8,501,111 each year (FY2009 and FY2010) to provide continuation grant funding to 102 local Victim/Witness Programs and four statewide victim assistance programs. Ms. Fahey stated that the Subcommittee made a motion to adopt the recommendation, again allowing for staff flexibility depending on the actual VOCA award received. Ms. Fahey then made a motion for the Board to accept the recommendation of the Subcommittee as stated above. Chairwoman Arthur thanked Ms. Fahey for her report and then called for questions or comments. There were none. Chairwoman Arthur then called for a second motion. Mr. Dion seconded the motion.

Recusals:	The Honorable Robert Bushnell	Henry County
	Sheriff Beth Arthur	Arlington
	Mr. Chris Webb	Appomattox, Bedford, Amherst, Halifax
	The Honorable Marcus Williams	All Grants

Committee on Criminal Justice Information Systems (CJIS)

Chairwoman Arthur called upon Mr. Butch Johnstone to give a brief report on the Criminal Justice Information Systems Grants.

Byrne/Justice Assistance Grants (JAG)

Mr. Johnstone reported that the Criminal Justice Information Systems Committee met on May 29, 2008 and reviewed 87 grant applications: 77 new and 4 continuation applications under the Byrne Criminal History Records Improvement Program and 6 continuation applications for the Byrne/Justice Assistance Program.

As mentioned by DCJS staff discussing previous grant applications under different programs, the availability of grant funds for all programs is extremely limited. An application scoring system was universally applied to all applications. Proposals that were most closely aligned with the program's guidelines scored higher than others, and were recommended for funding. A \$50,000 cap for new applications was adopted; continuation applications were not limited to this cap, however they were limited to funding at a level at or below previous grant(s). Each locality was limited to grant funding for a single project.

He mentioned that the committee's detailed recommendations are contained in the Board member information packets. Within the Byrne Criminal History Records Improvement Program 37 new and 2 continuation applications are recommended for funding. Four of the six applications for continuation funding under the Byrne/Justice Assistance Program are recommended for funding. Continuation programs not recommended for funding are either

time-barred (exceed the 48 months allowed) or do not meet the priorities for funding described within the program. New applications denied funding are attributable to lower scores and insufficient funds available within the program.

Chairwoman Arthur thanked Mr. Johnstone for his report and called for questions or comments. Mr. Green had an inquiry of which was answered satisfactorily. Chairwoman Arthur then made a brief comment. There were no further questions or comments. Chairwoman Arthur then called for a motion to accept the recommendations of the committee as stated above. Mr. Green made the motion and Mr. Vaughn seconded.

Recusals:	The Honorable Marcus Williams	Fairfax
	Mr. Sherman Carl Vaughn	Blacksburg
	Mr. Chris Webb	Amherst
	Chief James Lavinder	Roanoke
	Sheriff Beth Arthur	Arlington County

At this time, Sheriff Arthur called for a break for lunch. Lunch was provided to Board members.

Presentation

At 1:00 p.m. Vice-Chair Barry Green called the meeting back to order and chaired the meeting from this point on. He called upon Mr. Tim Paul to introduce the next item on the agenda.

Regional Information Sharing for Law Enforcement (Handouts)

Mr. Tim Paul gave a brief overview of the upcoming presentation on “Law Enforcement Information Sharing - Local Applications with National Implications”. He mentioned that information sharing is important and essential to both solving crime and preventing terrorist acts. He said the key concept is to enable information sharing by individual agencies or regionally to a central system.

He further stated that many agencies in Virginia have already developed systems to allow important information to be shared for the purposes of crime fighting and criminal investigation. He further stated that with the emergence of N-DEx (national) and the existence of regional information systems within the Commonwealth, the Department of Criminal Justice Services sees a need to develop a plan acceptable to local, state and federal law enforcement officials which complements every agency’s mission on fighting crime effectively.

Today’s presentation by representatives from the Virginia State Police, Federal Bureau of Investigation and NCIS is intended to highlight the importance of this matter, enlighten this Board about the subject, and begin the process of generating support for a unified and effective approach to his important public safety issue in Virginia.

Mr. Paul then introduced Mr. Dennis Mook who is a former member of the Criminal Justice Services Board, a retired Chief of Police from Newport News and a long time friend of DCJS. Mr. Mook now serves as Special Assistant to the Executive Assistant Director for Atlantic and

European Operations for the United States Naval Criminal Investigative Service. He also serves as a subject matter expert on the Department of Justice's National Data Exchange project.

Mr. Dennis Mook gave a PowerPoint presentation and shared with the Board N-DEX's national level system in which data is submitted and shared by federal, state and local law enforcement agencies from across the United States. The N-DEX system is intended to allow law enforcement to "connect the dots" across broad jurisdictional lines and connect either regional systems or individual agencies when investigations involve multiple localities, departments, and states. N-DEX, when fully deployed, has the potential to provide criminal information sharing on a national level, an invaluable tool in the fight against crime and terrorism.

At the conclusion of Mr. Mook's presentation, several Board members asked general questions that were satisfactorily answered by Mr. Mook. Vice-Chair Green thanked Mr. Mook for his presentation.

Mr. Tim Paul then introduced Lt. Pete Fagan, Virginia State Police's Criminal Justice Information Services Division. Lt. Fagan currently serves as the Assistant Division Commander. He is Chairman of the N-DEX Audit Plan Task Force appointed to the Information Sharing Task Force and UCR Subcommittee for the FBI-CJIS Advisory Policy Board process.

Lt. Fagan informed the Board about Virginia State Police's plans for the vital information sharing process in which they engage on a daily basis. Presenting along with Lt. Fagan was Mr. Brian Edgell, FBI Supervisor and Project Manager for the N-DEX Program. At the conclusion of their presentation, Board member questions were answered.

Director Cooke mentioned to the Board that he has asked staff to work with these agencies to craft the further development of this information sharing system and to advise DCJS of our role. He stated that he first wanted to provide educational information to the Board on the system. He said that he would also advise the Secretary of Public Safety's office as to our intent to work with State Police and the FBI to further this development of "Law Enforcement Information Sharing".

Vice-Chair Green thanked Mr. Mook, Lt. Fagan and Mr. Edgell for their presentations. He also thanked Mr. Tim Paul for his introduction of the presenters.

Old/New Business

Vice-Chair Green asked the Board if there was any old or new business to be discussed. There were none.

Public Comment

Vice-Chair Green then called for public comments. There were none.

Next Meeting Date

Vice-Chair Green reminded the Board that the next meeting of the Criminal Justice Services Board is scheduled for Thursday, September 18 at 11:00 a.m. in House Room “D” of the General Assembly Building.

Adjournment

Vice-Chair Green called for a motion to adjourn at approximately 2:15p.m. The Board unanimously agreed to adjourn. Vice-Chair Green thanked the Board, guests and staff for their attendance at the meeting today.

Respectfully submitted,

Priscilla Bowers
CJSB Secretary

Approved:

Beth Arthur
Chairwoman

Barry Green
Vice-Chairman