



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

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Criminal Justice Services Board (CJSB) Executive Committee

September 21, 2021, at 11:00 a.m.

*The meeting took place at DCJS, 1100 Bank Street, Richmond, Virginia
in the 12th floor conference room*

Members Present

Chief James Williams, Chair
Chief Craig Branch
Mr. Jagdish Katyal
The Hon. Bryan Porter, Vice-Chair
LTC Matthew Hanley, Proxy for Colonel Gary Settle
Chief Kelvin Wright

Members Absent

Sheriff Vanessa Crawford
Mr. David Johnson

I. Call to Order

Chairman James Williams called the meeting of the Executive Committee of the Criminal Justice Services Board to order at 11:00 a.m. A quorum was present.

II. Approval of Minutes

Chief Kelvin Wright made the motion, seconded by Mr. Jagdish Katyal, to accept the minutes of the July 23, 2021, meeting of the Executive Committee. Chief Williams abstained from the vote. The motion passed.

III. Drive to Work – Byrne/JAG Grant

The Chairman called on Mr. Tom Fitzpatrick, Division Director, Programs and Services, DCJS, to give an update on the Drive to Work grant funds. Mr. Katyal made the motion, seconded by Mr. Bryan Porter, to approve the Drive to Work grant funds in the amount of \$75,000. The motion passed unanimously.

IV. Jail Mental Health Program Grant

The Chairman called on Mr. Tom Fitzpatrick, Division Director, Programs and Services, DCJS, to give an update on the Jail Mental Health Program grant funds. Chief Wright made the motion, seconded by Mr. Katyal, to approve the Jail Mental Health Program grant funds in the amount of \$340,700. The motion passed unanimously.

V. American Rescue Plan Act (ARPA) Grant Funds for Victims Services

The Chairman called on Mr. Tom Fitzpatrick, Division Director, Programs and Services, DCJS, to give an update on the Jail Mental Health Program grant funds. Chief Wright made the motion, seconded by Mr. Katyal, to approve the Jail Mental Health Program grant funds in the amount of \$11,039,794. The motion passed unanimously.

VI. Decertification – Paul Brothers, IV

The Chairman called on Ms. Cathie Hutchins from the Office of the Attorney General, to give a summary of Paul Brother’s certification status.

The Chairman called on Ms. Cathie Hutchins, Senior Assistant Attorney General, to present the facts resulting in Mr. Brother’s decertification as a law-enforcement officer from the Westmoreland County Sheriff’s Office.

Mr. Brothers was terminated from the Sheriff’s Office after an incident on April 3, 2021, in which Mrs. Gail Frenzley made a 911 call requesting assistance with her adult son, Justin, who was having a mental health crisis. Upon arrival, two deputies were called to the scene, one of which was Mr. Brothers. Upon arrival at the scene, Justin’s father, Mr. Frenzley became loud and unruly and appeared to be intoxicated. Circumstances led Deputy Brothers to detain Mr. Frenzley in handcuffs and ultimately arrest him for obstruction of justice. After his arrest, Mr. Frenzley was transported to the Sheriff’s Office and held in a holding area for approximately 1.5 hours. In preparation to be transported to the jail, Deputy Brothers and the other deputy attempted to change Mr. Frenzley’s handcuffs and during the exchange, certain actions by Mr. Frenzley led Deputy Brothers to take him to the ground before re-cuffing him. During that time, Mr. Frenzley received injuries to his face and ribs. The Commonwealth’s Attorney’s Office for Westmoreland County was asked to review this case to determine if excessive force was used and whether Mr. Brothers committed a criminal act.

Mr. Porter made a motion, seconded by Chief Wright that the Executive Committee meet in closed session for the purpose of discussing the decertification of Mr. Brothers with legal counsel. The motion passed unanimously.

Once the Executive Committee had concluded its closed session, Mr. Porter made a motion, seconded by Chief Wright, that the Executive Committee re-open the meeting to the public. The motion passed unanimously. All members of the Executive Committee certified that only matters involving legal advice from counsel were discussed during the closed session.

Chief Wright made the motion, seconded by LTC Matthew Hanley, pursuant to §15.2-1707 E. that the Executive Committee approve to exercise its discretion to decline to decertify Mr. Brothers. The motion passed unanimously.

Chief Williams indicated to Mr. Brothers that his eligibility as a law enforcement officer had been reinstated.

VII. Public Comment

There was no public comment.

VIII. Next Meetings

It was explained that there may be a need to have Executive Committee meetings every other month for the decertification appeals. Members present were open to the idea. Dates will be proposed at a future time.

IX. Adjournment

The meeting adjourned at 12:07pm.