



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

Shannon Dion
Director

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Criminal Justice Services Board Grants Committee Meeting

March 3, 2022

Members Present

Chief Craig Branch, Chair
Mr. Edward Macon
Mr. Dave Johnson
Officer Bennie Evans, Jr.
Dr. Sessa Moon
Ms. Ebony Clark

Members of the public

I. Call to Order

Chief Craig Branch called the meeting to order at 12:10 PM

II. Roll Call

Chief Branch asked Ms. DeAndrea Williams to conduct the Roll Call. Ms. Williams stated there was a quorum with six members present.

III. Introductions

Chief Branch officially welcomed new members to the CJSB Grants Committee.

IV. Approval of Minutes from Last Meeting

Chief Branch called for a corrections, deletions, and/or additions to the minutes from the November 30, 2021 meeting. Dave Johnson made the motion to approve the minutes, seconded by Eddie Macon.

V. Nominations and Election of Vice Chair

Chief Branch called for nominations from the floor. Eddie Macon was nominated by Dave Johnson. The committee unanimously voted Eddie Macon as Vice Chair.

VI. Grant Review

A. Adult Justice Programs

Drive to Work - Manager – Adult Justice Programs, Jennifer MacArthur

The Department of Criminal Justice Services (DCJS) administers general appropriation funds to Drive to Work (DTW). The Appropriations Act provides DTW with \$75,000 in state general funds and an additional \$75,000 in federal funds when available. The federal funds have historically come from the Edward Byrne Memorial Justice Assistance Grant (JAG).

DTW provides assistance to low income and previously incarcerated individuals to restore their driving privileges so they can drive to work and keep a job. DTW is the only organization which provides legal assistance to help individuals whose licenses are suspended by the Virginia Department of Motor Vehicles (DMV) to reinstate their driver's license. They also provide educational services to individuals wishing to have their licenses reinstated.

The total DTW funds DCJS plans to award for FY23 are \$150,000. DCJS respectfully requests that the CJSB approve these awards contingent on appropriate grant applications and budget requests. If unexpected issues arise with applications or budget requests, DCJS will work with DTW to be in compliance with program expectations.

A motion was made by Dave Johnson, seconded by Edward Macon. The motion passed unanimously. Recusals are noted in the attachment to the minutes.

Addiction Recovery Grant Program (ARGP) – Criminal Justice Behavioral Health & Substance Use Disorder Response Coordinator, Leslie Egen

The purpose for Addiction Recovery Grant Program (ARGP) is to develop and maintain a model addiction recovery program in local or regional jails. The programs are based on best practices in existing research, related standards developed for substance use disorder treatment and criminal justice programming, and practices identified by experienced practitioners that are effective interventions in criminal justice settings.

The Appropriation Act provides funding for four pilot ARGP programs that were chosen in consultation with the Department of Behavioral Health and Developmental Services shall not receive grants for more than \$38,400 each.

There are currently four ARGP programs that receive level funding to support their substance use disorder treatment. The total ARGP funds DCJS plans to award for FY23 is \$153,600. We respectfully request that the CJSB approve these awards contingent on appropriate grant applications and budget requests. If unexpected issues arise with applications or budget requests, DCJS will work with programs to be in compliance with program expectations.

A motion was made by Dave Johnson, seconded by Officer Bennie Evans, Jr. The motion passed unanimously. Recusals are noted in the attachment to the minutes.

Pre-release and Post Incarceration Services (PAPIS) - Manager – Adult Justice Programs, Jennifer MacArthur

The Pre-release and Post Incarceration Services (PAPIS) programs supports professional services and guidance that increase the opportunity for, and the likelihood of, successful reintegration into the community by adult offenders upon release from prisons or jails.

The PAPIS programs provide case management, reentry planning, transitional housing, treatment, employment readiness, and employment placement for individuals returning to the community. In addition to providing resources for basic needs, programs incorporate research-informed practices that target individual criminogenic risk factors and needs associated with recidivism.

Pre-release services are intended to prepare individuals for transition from incarceration to the community. Jail pre-release services include risk/need assessment, reentry and transition planning, programming, information, and referrals to resources in the community. Pre-release services in state correctional institutions include collaboration with Department of Corrections’ staff in developing reentry and transition plans, and connection with providers in the community prior to release.

Post incarceration services are intended to provide services to individuals that have been recently released from incarceration. These services may include job readiness and employment services, educational groups, treatment groups, and emergency services such as food, clothing, transportation, and shelter. Post incarceration services may also include risk and recidivism reduction services, such as cognitive-behavioral programming and interventions.

There are currently nine PAPIS programs that receive level grant funding from DCJS to support jail and community based services to assist individuals preparing for and returning to communities. The total PAPIS funds DCJS plans to award for FY23 are \$3,121,837. DCJS respectfully requests that the CJSB approve these awards contingent on appropriate grant applications and budget requests. If unexpected issues arise with applications or budget requests, DCJS will work with programs to be in compliance with program expectations.

A motion was made by Dave Johnson, seconded by Eddie Macon. The motion passed unanimously. Recusals are noted in the attachment to the minutes.

Jail Mental Health Program (JMHP) – Criminal Justice Behavioral Health & Substance Use Disorder Response Coordinator, Leslie Egen

The Department of Criminal Justice Services (DCJS) administers general appropriation funds to continue the pilot Jail Mental Health Programs (JMHP) at six local and regional jails. These programs provide mental health services for individuals housed in their facilities. Per the Appropriations Act, the programs cannot be expanded beyond those receiving funds during the first year of the pilot program.

There are currently six JMHP sites in Virginia that receive level grant funding to support their mental health services to mentally ill individuals. The total JMHP funds DCJS plans to award for FY23 is 2,375,000. DCJS respectfully requests that the CJSB approve these awards contingent on appropriate grant applications and budget requests. If unexpected issues arise with applications or budget requests, DCJS will work with programs to be in compliance with program expectations.

A motion was made by Eddie Macon, seconded by Dave Johnson. The motion passed unanimously. Recusals are noted in the attachment to the minutes.

Comprehensive Community Corrections Act for Local – Responsible Offenders (CCCA) and the Pretrial Services Act (PSA) – Criminal Justice Program Coordinator, Ken Rose

The Department of Criminal Justice Services (DCJS) administers general appropriation funds designated for the purpose of supporting the Comprehensive Community Corrections Act for Local-Responsible Offenders (CCCA) and the Pretrial Services Act (PSA) as discretionary grants to local units of government. Only county or city governments that currently receive funds are eligible to receive CCCA and PSA grants. Each applicant is required to have an active Community Criminal Justice Board (CCJB) to serve as an advisory body to the local governing body on matters pertaining to local criminal justice issues. The composition of the CCJB is specified in §9.1-178 of the Code of Virginia.

Local community-based probation agencies were created in 1995 by the Comprehensive Community Corrections Act (CCCA, §9.1-173 COV). They were created to provide an alternative to incarceration for individuals convicted of certain misdemeanors or non-violent felonies for which sentences would be 12 months or less in a local or regional jail. Local community-based probation agencies provide services or referrals to services to include community service, assessment, education and/or treatment, and substance abuse testing.

Pretrial services were first created in Virginia in 1989, pursuant to authorizing language in the Appropriations Act. In 1995, pretrial services agencies were authorized by statute with the passage of the Pretrial Services Act (PSA, § 19.2-152.2 COV). Pretrial services agencies provide information, to include risk of failure to appear for court hearings and risk to public safety, to judicial officers (judges and magistrates) to help them make release decisions. Pretrial services agencies also supervise those released to the community and ordered to pretrial supervision pending trial. Pretrial services assist court-ordered individuals in meeting the conditions of their bail, such as compliance with substance abuse testing and Home Electronic Monitoring.

There are currently 37 CCCA and 35 PSA agencies that receive level grant funding to support local probation and pretrial services. Local probation is available in all 133 localities in Virginia and pretrial services are available in 115. The total CCCA/PSA funds DCJS plans to award for FY23 are \$28,652,145. Included is a spreadsheet with awards for each CCCA/PSA agency for the FY23 award period. DCJS respectfully requests that the CJSB approve these awards contingent on appropriate grant applications and budget

requests. If unexpected issues arise with applications or budget requests, DCJS will work with programs to be in compliance with program expectations.

A motion was made by Dave Johnson, seconded by Eddie Macon. The motion passed unanimously. Recusals are noted in the attachment to the minutes.

B. Juvenile and Child Welfare Section

Court Appointed Special Advocate (CASA) – CASA Grant Monitor and Quality Assurance Coordinator, Terry Willie-Surratt

Court Appointed Special Advocate (CASA) programs receive both state general funds and federal Victims of Crime Act (VOCA) funds. The state funds meet the match requirement under the federal VOCA funds, so no additional match is required.

CASA programs provide trained, citizen volunteer advocates to be assigned to cases involving allegations of child abuse and neglect in the juvenile and domestic relations district courts. CASA programs are enabled by the Code of Virginia, Sections 9.1-151 - 157. CASA volunteers gather information about their assigned child, submit written reports to the court with recommendations regarding the best interest of child, monitor the court orders for compliance, assist the Guardian ad litem, and report any suspected incidents of abuse or neglect. Most importantly, CASA volunteers provide a constant presence in the life of a child during a very difficult time in their life.

There are 27 CASA programs in Virginia; all receive grant funding from DCJS. Funds are awarded on a formula basis, including a base award and a per-child allocation once the program serves more than 60 children. Calculations for the formula are based upon the number of children served by a program in the previous fiscal year.

CASA programs are required to provide quarterly and annual reports demonstrating progress toward meeting annual performance measures and outcomes. All CASA programs are required to use the same data tracking system (CASA Manager) which features a state aggregate reporting tool (CASA Connect) to allow for analysis of statewide data.

The total amount represented by these grant requests for local CASA programs is \$1,534,256 in state general funds and \$1,499,114 in federal VOCA funds for grant awards totaling \$3,033,370. Included is a spreadsheet with awards for each of the local CASA programs for the FY23 grant year along with a map to cross reference where each CASA program serves throughout the Commonwealth. The 27 CASA programs serve in 85 localities and 26 judicial districts.

A motion was made by Eddie Macon, seconded by Officer Bennie Evans, Jr. The motion passed unanimously. Recusals are noted in the attachment to the minutes.

C. **Victims Services**

Virginia Sexual and Domestic Violence Victim Fund (VSDVVF) – Manager – Victims Services, Kristina Vadas

The purpose of the Virginia Sexual and Domestic Violence Victim Fund (VSDVVF) is to provide funding for: 1) prosecution of sexual violence, domestic violence, and stalking; and 2) services for victims of, and children affected by, sexual violence, domestic violence, and stalking. Funding from this grant program supports projects in prosecutors' offices and in other victim-serving organizations.

This grant program is supported by a state special fund established for this purpose in Code of Virginia § 9.1-116.1. While the Appropriations Act includes \$3 million per year for the VSDVVF, the revenues collected from fees deposited into the special fund for the grant program are significantly less than the appropriated amount. As shown in the chart below, recent trends indicate an ongoing decline in the fund.

In recent years, DCJS has made efforts to supplement the fund by using federal funds to aid in rebuilding the reserve. Several years ago DCJS transferred some grants to the VOCA and VSTOP funding streams, and in the fall of 2021 used Byrne/JAG funding.

Given these factors, DCJS is proposing a continuation of existing grant awards for one year as we continue to monitor the balance in the state special fund. DCJS plans to fund these awards with the remaining balances of the American Rescue Plan Act (ARPA) funds that were appropriated during the 2021 Special Session II of the General Assembly to fund services to victims of crime, if ARPA funds that were appropriated for use in FY22 are available in FY23. DCJS is currently working with the Department of Planning and Budget to determine the availability of the ARPA funds for FY23. If the ARPA funds are not available, DCJS will fund these grants with the available funds in the VSDVVF.

During this one-year continuation, the DCJS will continue to monitor revenue levels as well as assess the projects currently supported by these grant funds. DCJS will also issue a new solicitation for FY 2024, likely this summer, for approval by the CJSB this calendar year, in order to provide current grantees with plenty of notice if their grants are not awarded in FY 2024.

Currently, the VSDVVF supports grants to 45 organizations. For Fiscal Year 2023, DCJS requests approval to award grants to these 45 organizations at level-funding amounts, totaling \$1,874,969. Included is a spreadsheet with a list of funded organizations and award amounts.

A motion was made by Dave Johnson, seconded by Edward Macon. The motion passed unanimously. Recusals are noted in the attachment to the minutes.

VII. Other Business

Tom Fitzpatrick, Division Director of Programs and Services presented an update on the distribution of ARPA funding to Victim Services Grant Program (VSGP) subgrantees and some concerns DCJS staff had with one of the subgrantees regarding their ability to properly manage the VSGP grant they received from DCJS. As an update, the Executive Committee asked that staff provide a more detailed presentation to the Grants Committee.

The program of concern is the Southside Center for Violence Prevention. They provide sexual assault and domestic violence services for victims and survivors in the counties of Amelia, Buckingham, Cumberland, Lunenburg, Mecklenburg, Nottoway, and Prince Edward. DCJS' concerns are not new. For the last several years staff has provided technical assistance to the program, including several site visits and trainings. The areas of concern fall into 5 areas: lack of capacity to meet goals and objectives, inconsistencies in financial management practices and internal controls weaknesses, submitting multiple requests for unreasonable and unjustified costs and projects, low service numbers, and frequent and ongoing turnover in grant funded staff.

Since the ARPA grant was approved conditionally upon DCJS staff approval of the budget, DCJS recommends rescinding the ARPA award of \$98,000.

A motion was made by Dave Johnson, seconded by Officer Bennie Evans, Jr. The motion passed unanimously. Recusals are noted in the attachment to the minutes.

VIII. New Business

No New Business was brought forth at this meeting.

IX. Public Comment

There was no public comment.

X. Announcements

Chief Branch announced that the date for the next meeting was TBD.

XI. Adjourn

The meeting adjourned at 1:12 pm.

Attachment A: Recusals

Chief Craig Branch

CCCA: Culpeper, Fredericksburg

CASA: Rappahannock

VSDVVF: 1198, 1383, 1180, 1236, 1404, 1284, 1070, 1368