



Criminal Justice Services Board (CJSB) Executive Committee

January 20, 2022, 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 Craig Branch, Chair
Mr. David Johnson
Mr. Jagdish Katyal (electronically)
The Hon. Bryan Porter, Vice-Chair
Lt. Col. Tracy Russillo, Proxy for Colonel Gary Settle
Chief Kelvin Wright

I. Call to Order

Chairman Craig Branch called the meeting of the Executive Committee of the Criminal Justice Services Board to order at 11:05 a.m. A quorum was present.

Mr. Jagdish Katyal participated through electronic communication pursuant to *Virginia Code* § 2.2-3708.2(A)(1)(b) due to weather conditions and participated in the call from Arlington County.

II. Approval of Minutes

Chief Kelvin Wright made the motion, seconded by Mr. David Johnson, to accept the minutes of the December 9, 2021, meeting of the Executive Committee. The motion passed unanimously.

III. Comprehensive Opioid Abuse Site-Based Program (COAP) Funding

Mr. Tom Fitzpatrick, Director, Division of Programs and Services, gave a report on COAP Funding. Chief Kelvin Wright made the motion, seconded by Mr. David Johnson, to approve the grant funding as recommended by the Department of Criminal Justice Services (DCJS). The motion passed unanimously.

IV. Office for Victims of Crime Antiterrorism and Emergency Assistance Program (AEAP) Grant

Mr. Tom Fitzpatrick gave a report on AEAP Grant Funding. Mr. Johnson made the motion, seconded by Lt. Col. Tracy Russillo, to approve the grant funding as recommended by DCJS. The motion passed unanimously.

- V. Update on Victim Services Grant Program/American Recovery Plan Act (ARPA) Grant**
Mr. Fitzpatrick reported on the distribution of ARPA grant funding to recipients of the Victim Services Grant Program (VSGP). The Executive Committee has previously conditionally approved the distribution of the ARPA grant funds to VSGP subgrantee pending budget approval by DCJS staff at the September meeting.

Mr. Fitzpatrick reported that all but one of the programs had received DCJS staff approval of the grants. The ARPA budget for one subgrantee was still under review by DCJS staff. DCJS has concerns that were raised during the grant monitoring site visit of this subgrantee in November and concerns about the ability of the subgrantee to meet the expectations of the VSGP grant, let alone new grant requirements of the ARPA funding.

After a brief discussion about some of the concerns raised by DCJS staff regarding this subgrantee, Mr. Johnson suggested that the Grants Committee of the CJSB should receive a full briefing of DCJS staff's concerns regarding this program at the March meeting of the Grants Committee and that DCJS staff should not approve the budget for the ARPA funding pending a full briefing to the Grants Committee meeting. A formal vote was not required or taken, but the other executive committee members concurred with this suggestion.

VI. Old Business

There was no old business to discuss.

VII. New Business

Decertification – Mr. Omar Higazi

Mr. Higazi's counsel requested that the Executive Committee allow his appeal to be continued as the two witnesses that were to testify were not able to attend and that they needed to get alternate witnesses. The continuation was approved and Mr. Higazi's appeal will be heard at the next Executive Committee meeting.

Decertification – Mr. Justin Miller

The Chairman called on Ms. Cathie Hutchins, Senior Assistant Attorney General, to give a summary of Mr. Miller's certification status and to present the facts resulting in his decertification as a law-enforcement officer from the Radford Police Department. Mr. Miller was decertified pursuant to clauses (A)(iv) of § 15.2-1707 of the *Code of Virginia*.

The Executive Committee also heard from Mr. Miller and his counsel and representatives of her former agency.

Mr. Bryan Porter made a motion, seconded by Mr. Johnson, that the Executive Committee meet in closed session for the purpose of discussing the decertification of Mr. Miller 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 Lt. Col. Russillo, that the Executive Committee uphold the decertification of Mr. Miller as a law enforcement officer. The motion passed unanimously.

VIII. Public Comment

There was no public comment.

IX. Next Meetings

The next meeting date scheduled is March 17, 2022.

X. Adjournment

The meeting adjourned at 12:16 pm.