



**State Mandated Standards of Conduct for Law  
Enforcement and Jail Officers  
Advisory Working Group**

**Meeting # 4: *Tuesday, December 7th, 2021***

Time: *12:00 P.M.*

*Via ZOOM*

**MINUTES**

**Members Present**

Sheriff Beth Arthur

Chief William Babb

Ms. Elizabeth Barbour

Chief Eric English

Mr. Jack Fitzpatrick

Ms. Jennifer Gilmore

Chief Douglas Goodman

Ms. Erin Harrigan

Mr. Amari Harris

Ms. Joan Harris

Mr. Hamlet Hood

Major Harold Heatley

Major David Hughes

Mr. Calvin B. LaSmith, Sr.

Ms. Fatima Monastiriotis

Ms. Virginia Pharis

Major Caren Sterling

Ms. Elizabeth Blair Trent

Ms. Elizabeth Jones Valderrama

**Members Absent**

Mr. Steven Bond

Ms. Brandy Brown

Ms. Lisa Gray

Mr. Henry Ponton

Mr. Shiloh Jones

Sheriff Tony Lippa

Mr. Colin Stolle

Mr. Bryan Porter

## 1) Call To Order

The meeting was called to order by Mr. Jon Banberger, Law Enforcement Decertification Coordinator, Virginia Department of Criminal Justice Services (DCJS), at 12:05 p.m. Mr. Banberger reminded everyone of administrative notes such as a recording reminder and how to make comments.

## 2) Roll Call

Ms. Raquel Walker, Decertification Specialist, DCJS, conducted a roll call.

## 3) Director's Comments

Mr. Harvey Powers, Division Director, DCJS Division of Law Enforcement, welcomed and thanked all of the members for their participation in the Standards of Conduct project. He wished everyone well professionally and personally. He reminded members of the goals of the working group, including the requirement to have an in-person meeting at which to vote on the group's final proposal for statewide standards of conduct and decertifiable serious misconduct to be presented to the Criminal Justice Services Board for their consideration. He revisited the timeline for workgroup members, stating the initial timeline was too aggressive. He thanked specific members who provided good insight outside of scheduled meetings. He also recognized two new members of the DCJS Law Enforcement team, Ms. Raquel Walker and Mr. Todd Blair, both Decertification Specialists.

## 4) Serious Misconduct Discussion

Participants discussed possible wording and examples in regards to serious misconduct. This included, but was not limited to, the following points:

- Discriminatory Policing: including disability as a category in terms of bias
- Sexual Misconduct: should federal Prison Rape Elimination Act standards be referenced/included, and does Va. Code § 18.2-64.2 cover this area?
- Retaliation: needs to be tied to misconduct or reporting of misconduct; retaliation can't come as a result of alleging misconduct, lodging a complaint, or reporting these matters
- Gang/Hate Groups: what standard is to be used when identifying groups; goes back to the officer's actions; for example, being a member of a "gang" is not necessarily a crime, it is what you do (acts committed) as a member of that gang
- Mental Health: What are the standards for determining fitness? If a court finds an individual mentally unfit, they cannot serve as an officer because they lose their right to carry a firearm; however, jailors, sheriffs, etc. don't always carry weapons, and mental illness doesn't always rise to the level of intervention from

the courts; group members agreed that this is an area where the system as a whole could benefit from expanding on, although DCJS staff (Ms. Maria Garnett) noted that this specific workgroup is likely not the appropriate vehicle, given its focus on conduct

Participants completed an electronic survey created by Ms. Maria Garnett, DCJS Policy Advisor, for the purposes of determining levels of consensus on proposed categories of decertifiable serious misconduct. Ms. Garnett noted that any group members unable to attend the virtual meeting would have the opportunity to complete the survey as well.

**5) Public Comments**

There were no public comments.

**6) Next Meeting**

Participants were reminded to complete a survey to determine availability for the next meeting.

**7) Adjournment**

Mr. Banberger concluded the meeting at approximately 2:45 p.m.