



# COMMONWEALTH of VIRGINIA

## *Department of Criminal Justice Services*

The Honorable Jackson H. Miller  
Director

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Chief Deputy Director

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### **DRAFT** **Criminal Justice Services Board**

May 11, 2023

***Patrick Henry Building***  
***1111 East Broad Street***  
***Richmond, VA 23219***  
***East Reading Room***

#### ***Members Present***

Sheriff C. O. Balderson  
Ms. Mary Biggs  
Chief Craig Branch, Chair  
Sheriff Michael Chapman  
Ms. Ebony Clark  
Senator R. Creigh Deeds  
(Virtual)  
The Hon. Sarah Deneke  
Officer Bennie Evans, Jr.  
Ms. Lisa Hernandez for  
Mr. Harold Clarke  
Sheriff Brian Heatt  
Ms. Maria Jankowski  
Mr. Jagdish Katyal  
Chief Jeffrey Katz  
Mr. Edward M. Macon

#### ***Members Present (Cont'd)***

D. Bradley Marshall, Esquire  
Ms. Renee Maxey  
Senator Jennifer McClellan  
Dr. Sesha Joi Moon  
Ms. Abbey Philips  
The Hon. Bryan Porter  
Colonel Gary Settle  
Superintendent William Smith  
Mr. James Towey for  
Ms. Amy Floriano  
Ms. Ashley Waddell  
Mr. Anthony Williams  
Mr. Robert Tracci for  
The Hon. Jason Miyares  
Delegate Wren Williams  
Delegate Scott Wyatt

#### ***Members Absent***

Chief Maggie DeBoard  
The Hon. Chadwick Dotson  
Judge Joseph Lindsey  
Senator Joe Morrissey

#### **I. Call to Order and Approval of Minutes**

Chairman Chief Craig Branch called the meeting of the Criminal Justice Services Board (CJSB) to order at 11:00 a.m. A quorum of the Board was present.

Senator R. Creigh Deeds participated through electronic communication pursuant to *Virginia Code* § 2.2-3708.2(A)(1)(b) due to having court that morning and not being able to drive to Richmond in time for the meeting, from Hot Springs, Virginia.

## II. Approval of Minutes

Mr. Anthony Williams made the motion, seconded by Ms. Mary Biggs, to accept the minutes of the December 8, 2022, meeting of the CJSB with one correction. The motion passed unanimously.

## III. Director's Report

Mr. Jackson Miller, Director of the Virginia Department of Criminal Justice Services (DCJS) gave his report to the Board.

- Ms. Aubrey Granderson was introduced, who was hired as DCJS' new Division Director of Licensure and Regulatory Services. She previously worked at the Virginia Department of Health in the Office of Vital Records and prior to that was the Manager of Law Enforcement Intake and Analysis at DMV.
- Next week is National Police Week and on May 19<sup>th</sup> at 10am there is a Law Enforcement Memorial Event taking place in Capitol Square next to the Public Safety Memorial. All are welcome to attend to honor fallen police officers in Virginia.
- The Campus Safety and Violence Prevention Forum took place in March in Norfolk. There were approximately 275 college and university personnel attending. Director Miller received many compliments for the DCJS team on a very informative and well-run conference.
- The Division of Programs and Services, Victims Services Team, and the DCJS Computer Services Team successfully launched a new data collection and reporting system for DCJS' 114 Victim Witness Grant Program recipients. The new system, called the Victims Services Data Collection System or VSDCS, replaces an extremely outdated Microsoft Access application implemented in 2002. VSDCS provides a data collection and reporting solution that is web-based, and that ensures data integrity, accessibility, compliance, security, and continuous operation. The first quarter of performance measure reporting went smoothly.

### **ARPA Fund Disbursement and SRO Grant Fund at the CJSB:**

- Included in the State Budget for Fiscal Year 2023, was an allocation of \$75 million in American Rescue Plan Act (ARPA) funds for the Department *"to make one-time grants to state and local law enforcement agencies located in the Commonwealth, including colleges and universities, local and regional jails, for the purpose of training and purchasing equipment and supplies to support law enforcement related activities.*
- Staff and qualified contractors provided a formula-based fund distribution opportunity, for a fair and equitable disbursement of the funds. Factors, such as crime rate, population, financial stress, and law enforcement officer population, were used to determine the maximum amount of the award for each locality.
- DCJS staff presented \$60,037,500 for CJSB approval bringing the total with previous approvals by this board to \$72,371,263 in ARPA funds. The remaining \$2,628,737 will be distributed in the coming months.

- Staff also presented \$20,814,482.00 in SRO/SSO grant funding for a total of 146 SRO grant applications supporting 298 SRO positions and 47 SSO applications supporting 135 SSO positions.

#### **DCJS Conferences**

- Violent Crime Conference to be held at the Hotel Roanoke June 5-7.
- School Safety Training Forum – July 24-27, Hampton
- Impact of Trauma on Law Enforcement Conference – September 13-15, Norfolk
- National Threat Assessment Conference – October 24-26, Virginia Beach

#### **BJA Grant Application- Threat Assessment Case Management Tool**

Staff has prepared for and plans to submit a BJA grant application for \$2 million to fund the legislatively mandated threat assessment case management tool for use by all school divisions. This threat assessment case management tool will make Virginia the first state in the nation to uniformly collect threat assessment case data from all K-12 public schools.

### **IV. Committee Reports**

#### **Committee on Training**

Chief Branch called on Superintendent William Smith to give a report from the Committee on Training (COT).

The COT approved the following Dispatcher Curriculum Review Committee (CRC) members:

- **Brad Nester**, Deputy Director - Pulaski 911, representing the New River Criminal Justice Academy
- **Heather Gearhardt**, Communications Training Coordinator representing the Central Shenandoah Criminal Justice Academy
- **Dawn Drewry**, Hanover ECC Senior Training Supervisor representing the Hanover County Sheriff's Training Academy
- **Jessica Boster**, Henrico County Police Communications Training Coordinator, representing the Henrico County Police Training Academy
- **Wayne Bushrod** representing the National Association for the Advancement of Colored People
- **Paige Chisom**, Roanoke ECC Communications Team Supervisor, representing the Roanoke County Emergency Communications Center
- **Jan Farruggio**, ECC Training Program Manager, representing the Charlottesville /UVA/Albemarle County Emergency Communications Center
- **Dyan McDermott**, ECC Chief Training Officer, representing the Emergency Communications/911 Norfolk
- **Michelle Armstrong**, Division 1 Dispatch Supervisor, representing the Virginia State Police Training Academy

The COT recommended that the CJSB approve the recertification of the Hanover County Sheriff's Office as a Certified Crime Prevention Community.

The Committee on Training made the motion, seconded by Superintendent Smith, to approve the recertification of the Chesterfield County Police Department as a Certified Crime Prevention Community. The motion passed unanimously.

The COT recommended that the CJSB also approve the recertification of the Henrico County Police Department as a Certified Crime Prevention Community.

The Committee on Training made the motion, seconded by Superintendent Smith, to approve the recertification of the Town of Christiansburg Police Department as a Certified Crime Prevention Community. The motion passed unanimously.

### **Executive Committee**

Chief Branch turned over the meeting to Vice-Chair Bryan Porter as he gave the following updates from the CJSB Executive Committee:

**On November 17-18, 2022, the Executive Committee heard a petition for reconsideration for Mr. Maddox.** After hearing the testimony and reviewing all information and arguments presented, the Executive Committee voted to uphold the decertification of Mr. Maddox.

#### **The Executive Committee then heard the decertification appeals of:**

- **Ms. Polly Griffin**, formerly with the Virginia Commonwealth University Police Department, and reinstated Ms. Griffin as a law enforcement officer.
- **Mr. Daniel Newland**, formerly with the Campbell County Sheriff's Office, and upheld the decertification of Mr. Newland as a law enforcement officer.
- **Mr. Brandon Robinson**, formerly with the Prince George County Police Department. This appeal was continued until a future date due to a medical emergency.
- **Mr. Troy Hinchey**, formerly with the Washington County Sheriff's Office. A request was made for a continuance for Mr. Hinchey's appeal.
- **Mr. Jason Davis**, formerly with the Buchanan County Sheriff's Office, and reinstated Mr. Davis as a law enforcement officer.

**On January 19-20, 2023, beginning at 10:00 a.m., the Executive Committee heard the decertification appeals of:**

- **Mr. Brandon Robinson**, formerly with the Prince George County Police Department, upheld the decertification of Mr. Robinson as a law enforcement officer.
- **Mr. Miles Davis**, formerly with the Nelson County Sheriff's Office, and reinstated Mr. Davis as a law enforcement officer.
- **Mr. Kyle Mann-Smith**, formerly with the Henrico County Sheriff's Office, upheld the decertification of Mr. Mann-Smith as a law enforcement officer.
- **Mr. Dayvon Jones**, formerly with the Petersburg Police Department. A request was made for a continuance for Mr. Jones' appeal.
- **Mr. Kyle Hall**, formerly with the Fairfax City Police Department, and upheld the decertification of Mr. Hall as a law enforcement officer.
- **Ms. Jamie Hamill**, formerly with the Powhatan Sheriff's Office, and reinstated Ms. Hamill as a law enforcement officer.

**On March 16, 2023, beginning at 10:00 a.m., the Executive Committee met.**

Grants that were to go before the full Criminal Justice Services Board (CJSB) were brought before the Executive Committee due to the March 9, 2023, meeting of the CJSB being cancelled.

Pursuant to the approved state budget for FY23 earmarked from the Virginia Firearm Violence Intervention and Prevention Fund appropriated one time funding specifically to the City of

Portsmouth in the amount of \$500,000 and the City of Norfolk in the amount of \$1,000,000 to support crime intervention and prevention through community engagement, including youth programs.

The remaining grants to be voted on at the meeting were continuation grant funds. There were no competitive grants presented. The following grants were approved in one block for grant funding:

- **Addiction Recovery Grant Program (ARGP).** DCJS received four applications totaling \$153,600. The Executive Committee approved funding in the amount of \$153,600 for four awards.
- **American Rescue Plan Act (ARPA) – Local Law Enforcement Equipment and Training.** DCJS received four applications totaling \$1,506,141. The Executive Committee approved funding in the amount of \$1,506,141 for four awards.
- **Comprehensive Community Corrections Act/Pretrial Services Act Grants (CCCA/PSA).** DCJS received 37 applications totaling \$30,136,780. The Executive Committee approved funding in the amount of \$30,136,780 for thirty-seven awards.
- **Court Appointed Special Advocate Grants (CASA).** DCJS received 27 applications totaling \$3,032,779. The Executive Committee approved funding in the amount of \$3,032,779 for twenty-seven awards.
- **Jail Mental Health Program Grants (JMHP).** DCJS received six applications totaling \$2,375,000. The Executive Committee approved funding in the amount of \$2,375,000 for six awards.
- **Pre-Release and Post Incarceration Services Grants (PAPIS).** DCJS received nine applications totaling \$3,596,429. The Executive Committee approved funding in the amount of \$3,596,429 for nine awards.

**The CJSB Executive Committee also heard the following decertifications:**

- **Mr. Randal Rich**, (formerly with the Salem Police Department), who requested consideration of reinstatement after his decertification period of five-years elapsed. The Executive Committee denied the recertification.
- **Mr. Bradley Pugh**, formerly with the Strasburg Police Department. The Executive Committee reinstated Mr. Pugh as a law enforcement officer.

### **Grants Committee**

Chief Branch gave the Grants Committee report. The Grants Committee met on May 2, 2023, and made the following recommendations:

- **American Rescue Plan Act (ARPA) – Law Enforcement Equipment and Training grants for local agencies.** The Grants Committee recommended funding in the amount of **\$53,500,000** for **246** awards.
- **American Rescue Plan Act (ARPA) – Law Enforcement Higher Ed Equipment grants.** The Grants Committee recommended funding in the amount of **\$2,553,000 in federal funds** for **40** awards.

- **American Rescue Plan Act (ARPA) – Law Enforcement Regional Jail Equipment grants.** The Grants Committee recommended funding in the amount of **\$3,984,500 in federal funds** for **23** awards.
- **Drive to Work (DTW).** The Grants Committee recommended funding in the amount of **\$75,000** in state funds **and \$75,000 in Federal Funds** for **one** award totaling **\$150,000**.
- **Firearm Violence Intervention and Prevention (FVIP).** The Grants Committee recommended funding in the amount of **\$199,587** in state funds for **five** awards.
- **Residential Substance Abuse Treatment (RSAT).** The Grants Committee recommended funding in the amount of **\$802,408 which includes \$601,809 in federal funds and \$200,599 in local match funds** for **six** awards.
- **School Resource Officer Grant Program/School Security Officer Grant Program.** The Grants Committee recommended funding in the amount of **\$20,814,482 from the SRO/SSO incentive grants fund** for **193** awards.
- **Sexual Assault Services Program (SASP) One Time Grants.** The Grants Committee recommended funding in the amount of **\$276,028** in federal funds for **14** awards.
- **Victims Services Grant Program (VSGP).** The Grants Committee recommended funding in the amount of **\$22,641,300 in Federal VOCA funds and \$2,432,892 in state Funds** for **96** awards **totaling \$25,074,192**.

There was some discussion about license plate readers. An email had been sent out to Board members prior to this meeting asking them to reject the use of grants to fund anything to do with license plate readers. It was noted that they are used regularly across the Commonwealth by numerous agencies including law enforcement. Legislation related to license plate readers was proposed during the last General Assembly session but did not pass. License plate readers are permissive by federal government for ARPA funds. Several examples were given that show that license plate readers are a valuable tool to solve crimes. License plate readers are currently not regulated, leaving police departments to ensure their policies for using license plate readers are upheld.

A motion was made by Dr. Moon to remove the ARPA fund grants and the School Resource Officer grants from the main block of grants that are being voted on. The motion was seconded by Ms. Abbey Philips. The motion passed. *Opposed: Sheriff Michael Chapman, Judge Sarah Deneke, Sheriff Brian Hieatt, Chief Jeffrey Katz, Ms. Renee Maxey, Superintendent William Smith. Abstentions: Mr. Anthony Williams.*

A motion was made by Chief Katz to approve the remaining block of grants as recommended by the Grants Committee. The motion was seconded by Superintendent Smith. The motion passed.

*Recusals: Sheriff C. O. Balderson for the FVIP Grant for the Boys and Girls Club-Northern Neck, VGSP Grant for The Haven Shelter and Services, Inc., Ms. Mary Biggs for the RSAT Grant for the City of Norfolk and the VGSP Grant for the Women’s Resource Center, NR Valley, Ms. Clark for the VGSP Grant for the Virginia Anti-Violence Project, Judge Deneke for the Sexual Assault Services Program Grant for the Rappahannock Council Against Sexual Assault*

*and Safe Harbor and the VGSP Grant for Empowerhouse, Rappahannock Council Against Sexual Assault, the Rappahannock Area CSB and Safe Harbor. Ms. Phillips for FVIP grant for the Uhuru Foundation, and the VGSP Grant for the Legal Aid Justice Center,*

A motion was made by Ms. Phillips to send the ARPA grants back to the Grants Committee for further review. The motion was seconded by Ms. Biggs so comments could be heard. The motion did not pass. *(Nays: 19, Yays: 4, Abstentions: Mr. Williams)*

A motion was made by Mr. D. Bradley Marshall to approve American Rescue Plan Act (ARPA) – Law Enforcement Equipment and Training grants for local agencies in the amount of \$53,500,000 for 246 awards. The motion was seconded by Ms. Maxey. *Opposed: Ms. Ebony Clark, Dr. Moon, Ms. Phillips, and Ms. Ashley Waddell.* The motion passed. *Abstentions: Mr. Williams.*

*Recusals: Sheriff Balderson for Colonial Beach and Westmoreland, Ms. Biggs for Blacksburg, Christiansburg and Montgomery, Judge Deneke for Bowling Green, Caroline County, and Fredericksburg, Chief Katz for Chesterfield, Sheriff Hieatt for Tazewell County, Mr. Marshall for the Town of Haymarket, the Town of Occoquan, Quantico, and Warrenton, and Mr. Bryan Porter for Alexandria.*

A motion was made by Chief Katz to approve American Rescue Plan Act (ARPA) – Law Enforcement Higher Ed Equipment grants in the amount of \$2,553,000 in federal funds for 40 awards. The motion was seconded by Superintendent Smith. *Opposed: Ms. Clark, Dr. Moon, Ms. Phillips, and Ms. Waddell.* The motion passed.

*Recusals: Ms. Biggs for Virginia Polytechnic Institute and State University and Western Regional Jail Authority.*

A motion was made by Mr. Williams to approve American Rescue Plan Act (ARPA) – Law Enforcement Regional Jail Equipment grants in the amount of \$3,984,500 in federal funds for 23 awards. The motion was seconded by Mr. Porter. *Opposed: Ms. Clark, Dr. Moon, Ms. Phillips, and Ms. Waddell.* The motion passed.

*Recusals: Sheriff Balderson for Westmoreland, Ms. Biggs for Western Virginia Regional Jail Authority, Judge Deneke for Pamunkey Regional Jail, Rappahannock Regional Jail, Sheriff Hieatt for Southwest Virginia Regional Jail Authority, and Superintendent Smith for Western Regional Jail.*

A motion was made by Ms. Biggs to approve School Resource Officer Grant Program/ School Security Officer Grant Program in the amount of \$20,814,482 from the SRO/SSO incentive grants fund for 193 awards. The motion was seconded by Sheriff Hieatt. *Opposed: Ms. Clark, Dr. Moon, Ms. Phillips, and Ms. Waddell.* The motion passed.

*Recusals: Sheriff Balderson for Colonial Beach and Westmoreland, Judge Deneke for Caroline and Fredericksburg, and Sheriff Hieatt for Tazewell County.*

## **V. Old Business**

There was no old business to be discussed.

## **VI. New Business**

### ***Policy for Remote Participation of Members and the Policy for All-Virtual Meetings.***

Mr. John Colligan, DCJS, spoke briefly regarding these new policies. They have been created by the FOIA council and are a template for all meetings within the Commonwealth. These policies will be voted on at the next CJSB meeting.

## **VI. Public Comment**

Mr. Michael Niner made public comment about his role on the Private Security Services Advisory Board.

## **VIII. Next Meeting**

The next Criminal Justice Services Board (CJSB) Meeting will take place on June 15, 2023, in the East Reading Room of the Patrick Henry Building, located at 1111 E. Broad Street, Richmond, VA 23219.

A motion was made by Mr. Porter to approve these meeting dates for 2023. The motion was seconded by Superintendent Smith. The motion passed.

## **IX. Adjournment**

The meeting adjourned at 12:35 p.m.