



Criminal Justice Services Board (CJSB) Executive Committee

January 17, 2025, at 10:00 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
Sheriff C. O. Balderson
Chief Maggie DeBoard
LTC Kirk Marlowe, Proxy for COL Gary Settle
The Hon. Bryan Porter, Vice-Chair

Members Absent

Ms. Maria Jankowski
Mr. Jagdish Katyal, Jr.
Chief Ryan Zuidema

I. Call to Order

Chairman Craig Branch called the meeting of the Executive Committee of the Criminal Justice Services Board (CJSB) to order at 10:00 a.m. A quorum was present.

II. Old Business

There was no old business to be discussed.

III. New Business

It was noted at the beginning of these meetings that the purpose of these meetings is for the Executive Committee to hear law enforcement officer decertification appeals. The Executive Committee is now authorized to hold the appeal sessions in a duly convened closed meeting. Following each appeal, the Committee will reconvene in open meeting to take a vote and announce its decision.

Remand for Findings – Ms. Tashina Mial

The court remanded jurisdiction of this matter back to the CJSB Executive Committee for it to make written findings of the Petitioner's Appeal of Decertification of Law Enforcement Credentials.

Closed Session to discuss the decertification

Mr. Bryan Porter made a motion, seconded by Sheriff C. O. Balderson, that the Executive Committee meet in closed session pursuant to *Virginia Code §2.2-3711(A)55* for the purpose of discussing the remand for findings. The motion passed unanimously.

Out of Closed Session

Once the Executive Committee had concluded its closed session, Mr. Porter made a motion, seconded by Chief Maggie DeBoard, that the Executive Committee re-open the meeting to the public. The motion passed unanimously. All members of the Executive Committee certified that only public business was discussed during the closed session.

Closed Session to meet with Legal Counsel

Mr. Porter made a motion, seconded by Sheriff Balderson, that the Executive Committee meet in closed session pursuant to *Virginia Code §2.2-3711(A)8* for the purpose of discussing the remand for findings with legal counsel. The motion passed unanimously.

Out of Closed Session

Once the Executive Committee had concluded its closed session, Mr. Porter made a motion, seconded by Sheriff Balderson, 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.

Motion

Mr. Porter made the motion, seconded by Sheriff Balderson, that the Executive Committee will send its written findings to Ms. Mial's attorney and to the circuit court. The motion passed unanimously.

Decertification – Mr. Ethan Apffel, formerly with Fauquier County Sheriff's Office

Closed Session to discuss the decertification

Mr. Porter made a motion, seconded by Chief DeBoard, that the Executive Committee meet in closed session pursuant to *Virginia Code §2.2-3711(A)55* for the purpose of discussing the decertification of Mr. Apffel. The motion passed unanimously.

Out of Closed Session

Once the Executive Committee had concluded its closed session, Mr. Porter made a motion, seconded by Sheriff Balderson, that the Executive Committee re-open the meeting to the public. The motion passed unanimously. All members of the Executive Committee certified that only public business was discussed during the closed session.

Closed Session to meet with Legal Counsel

Mr. Porter made a motion, seconded by LTC Kirk Marlowe, that the Executive Committee meet in closed session pursuant to *Virginia Code §2.2-3711(A)8* for the purpose of discussing the decertification of Mr. Apffel with legal counsel. The motion passed unanimously.

Out of Closed Session

Once the Executive Committee had concluded its closed session, Mr. Porter made a motion, seconded by Chief DeBoard, 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.

Motion

Mr. Porter made the motion, seconded by Chief DeBoard, that the Executive Committee reinstate Mr. Apffel's certification as a law enforcement officer. The motion passed unanimously.

Decertification – Mr. Logan Beach, formerly with the Nelson County Sheriff’s Office

Closed Session to discuss the decertification

Mr. Porter made a motion, seconded by LTC Marlowe, that the Executive Committee meet in closed session pursuant to *Virginia Code §2.2-3711(A)55* for the purpose of discussing the decertification of Mr. Beach. The motion passed unanimously.

Out of Closed Session

Once the Executive Committee had concluded its closed session, Mr. Porter made a motion, seconded by Sheriff Balderson, that the Executive Committee re-open the meeting to the public. The motion passed unanimously. All members of the Executive Committee certified that only public business was discussed during the closed session.

Closed Session to meet with Legal Counsel

Mr. Porter made a motion, seconded by LTC Marlowe, that the Executive Committee meet in closed session pursuant to *Virginia Code §2.2-3711(A)8* for the purpose of discussing the decertification of Mr. Beach with legal counsel. The motion passed unanimously.

Out of Closed Session

Once the Executive Committee had concluded its closed session, Mr. Porter made a motion, seconded by Sheriff Balderson, 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.

Motion

Mr. Porter made the motion, seconded by Sheriff Balderson, that the Executive Committee sustain the decertification of Mr. Beach. The motion passed unanimously.

Decertification – Mr. Owen Johnson, formerly with the VCU Police Department

Chief Branch recused himself from this appeal as he was a former supervisor of Mr. Johnson at the VCU Police Department.

Closed Session to discuss the decertification

Sheriff Balderson made a motion, seconded by LTC Marlowe, that the Executive Committee meet in closed session pursuant to *Virginia Code §2.2-3711(A)55* for the purpose of discussing the decertification of Mr. Johnson. The motion passed unanimously.

Out of Closed Session

Once the Executive Committee had concluded its closed session, Sheriff Balderson made a motion, seconded by LTC Marlowe, that the Executive Committee re-open the meeting to the public. The motion passed unanimously. All members of the Executive Committee certified that only public business was discussed during the closed session.

Closed Session to meet with Legal Counsel

Sheriff Balderson made a motion, seconded by LTC Marlowe, that the Executive Committee meet in closed session pursuant to *Virginia Code §2.2-3711(A)8* for the purpose of discussing the decertification of Mr. Johnson with legal counsel. The motion passed unanimously.

Out of Closed Session

Once the Executive Committee had concluded its closed session, LTC Marlowe made a motion, seconded by Chief DeBoard, 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.

Motion

Sheriff Balderson made the motion, seconded by LTC Marlowe, that the Executive Committee sustain the decertification of Mr. Johnson. The motion passed unanimously.

IV. Public Comment

There was no public comment.

V. Adjournment

The meeting was adjourned at 2:50 p.m. The next meeting will take place on February 13, 2025.