



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

Shannon Dion
Director

Megan Peterson
Chief Deputy Director

Washington Building
1100 Bank Street
Richmond, Virginia 23219
(804) 786-4000
www.dcjs.virginia.gov

Criminal Justice Services Board (CJSB) Executive Committee

September 21, 2021, 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 James Williams, Chair
Mr. Jagdish Katyal
The Hon. Bryan Porter, Vice-Chair
LTC Matthew Hanley, Proxy for Colonel Gary Settle
Chief Kelvin Wright

Members Absent

Chief Craig Branch (attended meeting electronically)
Sheriff Vanessa Crawford
Mr. David Johnson

I. Call to Order

Chairman James Williams called the meeting of the Executive Committee of the Criminal Justice Services Board to order at 11:00 a.m. A quorum was present.

II. Approval of Minutes

Chief Kelvin Wright made the motion, seconded by Mr. Jagdish Katyal, to accept the minutes of the July 23, 2021, meeting of the Executive Committee. Chief Williams abstained from the vote. The motion passed.

III. Drive to Work – Byrne/JAG Grant

The Chairman called on Mr. Tom Fitzpatrick, Division Director, Programs and Services, DCJS, to give an update on the Drive to Work grant funds. Mr. Katyal made the motion, seconded by Mr. Bryan Porter, to approve the Drive to Work grant funds in the amount of \$75,000. The motion passed unanimously.

IV. Jail Mental Health Program Grant

The Chairman called on Mr. Tom Fitzpatrick to give an update on the Jail Mental Health Program grant funds. Chief Wright made the motion, seconded by Mr. Katyal, to approve the Jail Mental Health Program grant funds in the amount of \$340,700. The motion passed unanimously.

V. American Rescue Plan Act (ARPA) Grant Funds for Victims Services

The Chairman called on Mr. Tom Fitzpatrick to give an update on the Jail Mental Health Program grant funds. Chief Wright made the motion, seconded by Mr. Katyal, to approve the American Rescue Plan Act grant funds for victims services, in the amount of \$11,039,794. The motion passed unanimously.

VI. Decertification – Paul Brothers, IV

The Chairman called on Ms. Cathie Hutchins, Senior Assistant Attorney General, to give a summary of Mr. Brothers's certification status and to present the facts resulting in his decertification as a law-enforcement officer from the Westmoreland County Sheriff's Office.

Mr. Brothers was terminated from the Sheriff's Office after an incident on April 3, 2021, occurring when he responded to a 911 call regarding a person experiencing a mental health crisis. Two deputies, including Mr. Brothers, arrived at the scene. Another individual present at the scene became loud and unruly and appeared to be intoxicated. Mr. Brothers detained this individual and, while preparing to transport the individual to jail, took the individual to the ground resulting in the individual receiving injuries to his face and ribs.

The Commonwealth's Attorney's Office for Westmoreland County was asked to review this case to determine if excessive force was used and whether Mr. Brothers committed a criminal act. The case was ultimately assigned to the Commonwealth's Attorney's Office for Henrico County to act as a special prosecutor. That Office determined that Mr. Brothers did not use excessive force and did not commit a criminal act.

Mr. Porter made a motion, seconded by Chief Wright that the Executive Committee meet in closed session for the purpose of discussing the decertification of Mr. Brothers 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. Matthew Hanley, pursuant to Va. Code § 15.2-1708, that the Executive Committee reinstate Mr. Brothers's certification. The motion passed unanimously.

Chief Williams indicated to Mr. Brothers that his eligibility as a law enforcement officer had been reinstated.

VII. Public Comment

There was no public comment.

VIII. Next Meetings

It was explained that there may be a need to have Executive Committee meetings every other month for the decertification appeals. Members present were open to the idea. Dates will be proposed at a future time.

IX. Adjournment

The meeting adjourned at 12:07pm.