



# COMMONWEALTH of VIRGINIA

## Department of Criminal Justice Services

Shannon Dion  
Director

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### Criminal Justice Services Board Executive Committee

April 4, 2018

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

Chief Tanya Chapman  
Mr. David Johnson  
Superintendent Bobby Russell  
Mr. Robert Soles  
Chief Kelvin Wright  
Mr. Bryan Porter (arrived during  
the Regulatory Update)

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

Sheriff Crawford  
Ms. Cookie Scott

#### ***DCJS Staff Present***

Shannon Dion, Director  
John Colligan  
Teresa Gooch  
Barbara Peterson  
Erik Smith  
Albert Stokes

#### ***Others Present***

Eric Albert, Colonial Heights Fire & EMS  
Dispatch  
Jeff Flournoy, ESVA 9-1-1 Commission  
Jon Cliborne, Crater CJTA  
Martin R. Alford, New River CJTA  
Jerry J. Gentile, DPB

### **I. Call to Order**

Chairman Tonya Chapman called the meeting to order at 1:05 p.m. Chairman Chapman asked Ms. Barbara Peterson-Wilson to call the role. Ms. Peterson-Wilson stated there was a quorum with five members present.

### **II. Grant Committee Report**

Superintendent Bobby Russell provided the Executive Committee with the following Grant Committee report.

The grants committee met on Tuesday, March 13, 2018, to review and recommend grants to the Criminal Justice Services Board (CJSB) for the Byrne/Justice Assistance Grant Program. There was a quorum of committee members present at the meeting. DCJS staff provided an overview of the grant process and gave the following information:

- 249 grant applications were received and reviewed
- 182 agencies and organizations submitted applications
- \$8,278,590 in total requests were received

The grant committee made several recommendations and the Executive Committee acted on each.

**Recommendation One:**

Approve a total of 41 external grant awards totaling \$1,321,320. Local agencies and organizations received funding in the following categories:

1. General Law Enforcement Equipment
2. Crime Analysis Technology and Equipment
3. Law Enforcement Specialty Training and Certification
4. General Law Enforcement Training
5. Officer Wellness
6. Law Enforcement Staff Recruitment and Retention
7. Opioid Crisis – Naloxone Treatment Kits

*NOTE: Category for Community Safety in High Risk Neighborhoods: Public Housing and Section Communities UNFUNDED – 1 application reviewed. See attachment.*

A motion was made by Chief Wright and seconded by Mr. Johnson to accept Recommendation One. The motion passed unanimously.

**Recommendation Two:**

Approve one internal grant to the agency’s Public Safety Training Unit and the Center for School and Campus Safety award totaling \$233,900 to assist with:

- K-12 and Higher Education Threat Assessment training
- Civil Unrest training for law enforcement agencies (collaborative effort with State Police)

A motion was made by Chief Wright and seconded by Mr. Johnson to accept Recommendation Two. The motion passed unanimously.

**Recommendation Three:**

Approve a recommendation: To ensure that all available funds are used to support criminal justice agencies in Virginia, the Director of DCJS is requesting that the Criminal Justice Services Board authorize the use of any remaining Byrne/JAG funding that would otherwise expire by 9/30/2018 to make available to fund projects previously unfunded in the current solicitation. Applicants would receive consideration for funding based the current ranking of application scores.

A motion was made by Chief Wright and seconded by Mr. Johnson to accept Recommendation Three. The motion passed unanimously.

**Recommendation 4:**

Approve restoring funding for Grant #18-A4221AD11 that was approved at the December 2017 Board Meeting. DCJS originally funded the Hampton Roads Regional Criminal Justice Academy \$30,099 for technology upgrades. DCJS mistakenly understood a cost of \$11,699 to be an extended warranty contract, which is unallowable; the cost was in fact for IT support and is allowable. DCJS wishes to restore the \$11,699 and fund the grant for a total of \$41,798.

A motion was made by Chief Wright and seconded by Mr. Johnson. The following committee members voted in favor of the motion Mr. Johnson, Superintendent Russell, Mr. Sole, and Chief Wright. Recusals: Chief Chapman, as she is a member of the Hampton Roads Regional Criminal Justice Academy. The motion passed.

### **III. Regulatory Update**

Erik Smith, Standards and Policy Manager for the Law Enforcement Division provided an update on several DCJS regulations that have been pending, with no movement, for quite some time. The specific regulations in question are, as noted on the agenda:

- 6VAC20-20 Rules Relating to Compulsory Minimum Training Standards for Law-Enforcement Officers
- 6VAC20-50 Rules Relating to Compulsory Minimum Training Standards for Jailors or Custodial Officers, Courthouse and Courtroom Security Officers and Process Service Officers
- 6VAC20-60 Rules Relating to Compulsory Minimum Training Standards for Dispatchers
- 6VAC20-70 Rules Relating to Compulsory Minimum Training Standards for Noncustodial Employees of the Department of Corrections
- 6VAC20-100 Rules Relating to Compulsory Minimum Training Standards for Correctional Officers of the Department of Corrections, Division of Adult Institutions

Representatives from our agency met with the prior administration's policy office in December to discuss the current status of the pending regulations. The administration had questions regarding the composition of the regulations and the oversight authority provided by the regulations.

To address these issues, several pending regulations (6VAC20-20, 6VAC20-60, 6VAC20-70, and 6VAC20-100) will be withdrawn. 6VAC20-50 has already been withdrawn. DCJS will be proposing a series of revisions to the existing regulations to address the concerns of the administration. This will include cleaning up each discipline's regulation to separate agency responsibility and academy responsibility. In short, academy responsibilities will be removed from the agency regulation and placed in the academy regulation. DCJS will open an action on 6VAC20-90 Rules Relating to Regional Criminal Justice Training Academies. The academy regulation will be clarified to make it clear that it governs both regional and independent academies.

Some of the revisions will be a codification of current policies and practices but, there will be some new concepts placed into regulation. The academy regulation will include requirements for the creation of both regional and independent academies, certification and recertification of academies, enforcement actions and the range of potential non-compliance sanctions. Additionally, there will be requirements regarding testing, grading, and reporting of basic and in-service training.

In December 2017, Governor McAuliffe granted a public safety exemption for the regulatory updates, for these regulations. The standard regulatory process has three stages and can take two years or more to complete. Exempt actions have a reduced time of approximately six months. There will still be an opportunity for public comment.

We are currently drafting the proposed changes for 6VAC20-20, 6VAC20-50, 6VAC20-60, 6VAC20-70, 6VAC20-90, and 6VAC20-100. Once completed, the drafts will be submitted to the registrar for publication, published, available for public comment, and then ready to be finalized.

6VAC20-130 related to background checks for firearms purchases, has not been identified as having any issues and is currently being reviewed by the Governor's office. DCJS does not anticipate any problems moving forward.

#### **New Concepts:**

- Modifying the law enforcement certification exam to require a passing score (85%) in each category rather than overall.

- Officers will now be required to complete field training AFTER the academy.
- Field training will be defined to clarify the requirement of responding to law enforcement calls for service as the primary responding unit.
- There will be no training extensions for failure.
- The director is also the arbiter for academy recertification or revocation decisions, with an appeal available to the Executive Board.
- Member agencies of certified training academies will be required provide certified instructors.
- Satellite facilities will be limited to one per academy and must have the same capability as the primary academy. This change is needed due to the over-proliferation of satellites and the inability of the primary academy and DCJS to properly monitor these sites which include public libraries, guns, etc.

DCJS will give a presentation to the Committee on Training and the Board at the May meetings.

Executive Committee members asked several questions regarding the proposed revisions.

**How will DCJS address field training for those smaller jurisdictions that get fewer calls?** DCJS is open to working with those jurisdictions.

**Will exemptions be granted for medical reasons?** Current draft language addresses and allows for medical and FMLA exemptions.

**Will existing satellite facilities be grandfathered?** This has not been discussed but the proposed language is still being drafted. DCJS is concerned about the oversight and quality of instruction provided by satellites.

**How is an academy and satellite facility defined?** The following definitions were provided:

Certified training academy means a training facility in compliance with academy certification and recertification standards operated by the state or local unit or units of government for the purpose of training criminal justice professionals regulated by the department and board.

Satellite Facility means a temporary facility, located away from the certified academy facility, which the certified academy uses to conduct mandated training.

**Why is the term temporary used in the satellite facility definition?** DCJS will review the status of satellite facilities every three year during an academies recertification. Academies will have to show a documented need for the satellite.

#### **IV. Adjournment**

Chief Chapman congratulated Shannon Dion on being appointed director.

Director Dion thanked everyone for coming and accommodating their schedules to allow the Executive Committee to meet and stated she looks forward to working with everyone to improve public safety.

Chief Chapman adjourned the meeting.

**DCJS Byrne/JAG Law Enforcement Grants Recommended for Funding 04/01/2018 to 09/30/2018**

<u>Grant Number</u>	<u>Applicant Name</u>	<u>Grant Type</u>		<u>Funds Requested</u>
18-A4292AD	Arlington Co. PD	Law Enforcement Training	civil disturbance response unit training	\$ 40,500
18-A4294AD	Ashland, Town PD	Equipment & Technology	crime analysis software and surveillance equipment	\$ 19,000
18-A4296AD	Bedford Co. SO	Equipment & Technology	civil disturbance unit training & thermal carriers for motor carrier safety inspections	\$ 26,894
18-A4306AD	Buckingham Co. SO	Equipment & Technology	police vehicle mobile data terminals & surveillance equipment	\$ 42,528
18-A4309AD	Campbell Co. SO	Equipment & Technology	police vehicle mobile data terminals	\$ 49,855
18-A4320AD	Chesterfield Co. PD	Law Enforcement Staff	law enforcement recruitment advertising & staff management software	\$ 25,000
18-A4327AD	Crater Criminal Justice Academy	Community Safety	distribute Naloxone treatment kits to member agencies	\$ 11,250
18-A4337AD	Virginia Department of Corrections	Law Enforcement Staff	correctional staff recruitment radio PSA's and community college outreach	\$ 24,960
18-A	Virginia Dept Criminal Justice Services	Law Enforcement Training	school safety training	\$ 233,900
18-A4347AD	Fairfax Co. PD	Equipment & Technology	cellular service access kits to respond to high volume emergency response events or when cellular service is disrupted	\$ 47,892
18-A4357AD	Fredericksburg PD	Equipment & Technology	civil disturbance response unit gear and equipment	\$ 49,266
18-A4361AD	Front Royal PD	Law Enforcement Training	civil disturbance response unit training	\$ 19,560
18-A4366AD	Greene Co. SO	Equipment & Technology	police vehicle mobile data terminals	\$ 49,980
18-A4377AD	Henrico Co. SO	Law Enforcement Training	laptop computers to support training academy courses	\$ 24,989
18-A4383AD	Honaker, PD	Equipment & Technology	Radio Enhancement	\$ 48,936
18-A4387AD	J. Sarg. Reynolds Comm. College PD	Law Enforcement Training	RAD instructor conference and Int. Assoc of Campus LE conference	\$ 14,103
18-A4404AD	Manassas PD	Equipment & Technology	civil disturbance response unit gear and equipment	\$ 49,212
18-A4409AD	Mathews Co. SO	Equipment & Technology	police in-car camera systems	\$ 17,970
18-A4414AD	Narrows PD	Equipment & Technology	police vehicle mobile data terminals	\$ 28,580
18-A4416AD	New Kent Co. SO	Equipment & Technology	firearms training simulator for in-house and regional training	\$ 49,826
18-A4419AD	Newport News PD	Equipment & Technology	video streaming services for department owned drone aircraft	\$ 26,696
18-A4420AD	Norfolk PD	Equipment & Technology	soft body armor for law enforcement staff	\$ 47,561
18-A4421AD	Norfolk SO	Law Enforcement Staff	staff recruiting and retention advertising and outreach activities	\$ 16,958
18-A4427AD	Old Dominion Univ. PD	Community Safety	naloxone treatment kits & discarded prescription drug collection box	\$ 18,341
18-A4430AD	Page Co. SO	Equipment & Technology	police vehicle mobile data terminals	\$ 50,000
18-A4431AD	Patrick Co. SO	Equipment & Technology	crime scene forensic equipment - tactical flashlights	\$ 24,685
18-A4433AD	Pembroke PD	Equipment & Technology	Tasers, body cameras and portable radios	\$ 11,868
18-A4468AD	Russell Co. SO	Equipment & Technology	police vehicle mobile data terminals	\$ 44,615
18-A4485AD	Southwest VA Criminal Justice Acad.	Law Enforcement Training	civil disturbance response training courses	\$ 43,179
18-A4487AD	Spotsylvania Co. SO	Law Enforcement Staff	Deputy Wellness and Maintenance Response Team training	\$ 46,226

**DCJS Byrne/JAG Law Enforcement Grants Recommended for Funding 04/01/2018 to 09/30/2018**

18-A4489AD	<b>Stafford Co. SO</b>	Law Enforcement Staff	deputy peer support program	\$ 17,880
18-A4491AD	<b>Stanley PD</b>	Equipment & Technology	police vehicle mobile data terminals & Tasers	\$ 50,000
18-A4494AD	<b>Staunton City SO</b>	Equipment & Technology	courthouse security & surveillance system & soft body armor	\$ 23,491
18-A4497AD	<b>Suffolk PD</b>	Equipment & Technology	active shooter response shields & traffic safety monitoring equipment	\$ 24,066
18-A4509AD	<b>Virginia Beach PD</b>	Law Enforcement Staff	military & higher education minority and female recruiting & outreach	\$ 23,480
18-A4518AD	<b>Virginia Peer Support Association</b>	Law Enforcement Staff	law enforcement peer support team development and training	\$ 48,792
18-A4513AD	<b>Virginia State Police</b>	Law Enforcement Training	pre and post critical incident training	\$ 25,000
18-A4511AD	<b>Virginia Western Comm. College PD</b>	Equipment & Technology	body worn cameras	\$ 10,601
18-A4521AD	<b>Waverly PD</b>	Equipment & Technology	police vehicle mobile data terminals	\$ 45,786
18-A4535AD	<b>Williamsburg PD</b>	Law Enforcement Training	verbal de-escalation & surviving verbal conflict train the trainer training	\$ 29,850
18-A4525AD	<b>Wise Co. SO (1)</b>	Law Enforcement Training	civil disturbance response training courses	\$ 49,944
			<b>TOTAL</b>	<b>\$ 1,553,220</b>