



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

Shannon Dion
Director

1100 Bank Street
Richmond, Virginia 23219
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Criminal Justice Services Board

June 14, 2018

Members Present

Ms. Adrienne Bennett
Ms. Mary Biggs
Chief Tonya Chapman,
Chairman
Mayor Carolyn Dull
Delegate C. Todd Gilbert
Ms. Francine Horne
Mr. David Johnson
Mr. Edward M. Macon
Judge Mary Malveaux
The Hon. Bryan Porter
Sheriff Anthony Roper
Superintendent Bobby Russell
Colonel Gary Settle
Mr. Robert Soles
Chief James Williams
Chief Kelvin Wright

Members Absent

Ms. Victoria Pearson
Mr. Andy Block
Mr. John Boneta
Chief Craig Branch
Ms. Angie Carrera
Senator Charles Carrico, Sr.
Chief James Cervera
Sheriff Vanessa Crawford
Judge Sarah Deneke
Delegate Chris Peace
Senator Mark Peake
Ms. Cookie Scott
Ms. Stephanie Wright

DCJS Staff Present

Leon Baker
Jordan Burns
Janice Cosel
Shannon Dion
Tom Fitzpatrick
Teresa Gooch
Sharon Gray
Laureen Hyman
Jack Irvin
Jim McDonough

DCJS Staff Present (Cont'd)

Conor O'Donnell
Megan Peterson
Barbara Peterson-Wilson
Erik Smith
Albert Stokes
DeAndrea Williams

Others Present

Mr. Martin Alford, Executive
Director, New River Criminal
Justice Training Academy
Ms. Jeanette Beall,
Charlottesville/University of
Virginia/Albemarle Emergency
Communications Center
Mr. Gabe Elias, Virginia
Association of Public-Safety
Communications Officials (APCO)
Mr. George Goodwin, Senator
Peake's Office
Ms. Nicky Zamostny, Assistant
Secretary of Public Safety and
Homeland Security

I. Call to Order

Chairman Tonya Chapman called the meeting to order at 11:00 a.m., welcomed everyone to the meeting, and thanked them for their commitment to the Criminal Justice Services Board (CJSB).

Chairman Chapman then asked Ms. Laureen Hyman to take the roll. Ms. Hyman stated there was a quorum with 16 members present, including one General Assembly member.

II. Approval of Minutes from Last Meeting

Chairman Chapman called for a motion to approve the minutes of the May 15, 2018, meeting. Chief James Williams made the motion to accept the minutes and Ms. Mary Biggs seconded the motion. The motion unanimously passed.

III. Director's Report

- Ms. Shannon Dion gave her report. She is focusing on several areas within the Department, in particular, finance, budget, and grants administration. To ensure that DCJS operates in a manner that is transparent and meets state standards, staff was instructed to review all finance, budget, and grants records. DCJS discovered approximately \$700,000 that had not been previously allocated and was subject to return at the end of September 2018. The grant requests for these funds were presented and approved at the last meeting.
- The review process continues and as a result, \$240,000 in unused grant funds was also discovered. These funds also need to be used before the end of September. A request for these funds involving equipment needs at the Department of Forensic Science (DFS) will be presented to the board today.
- It was announced that Albert Stokes, who had previously been serving as an Acting Grants Manager, has been offered and accepted the Grants Manager position. One of the first objectives of the new Grants Manager is to establish policies and procedures that will be adopted agency-wide. A strategic plan will be developed with assistance from the CJSB that will be the roadmap for grants management and funding.
- Agency expenses are also being examined. Ms. Dion changed the delegation of purchasing authority so that any expenditure of \$5,000 or more must have her approval. A request came across her desk for DCJS to pay approximately \$25,000 for an insurance plan to cover medical expenses for probations on community service. This request was not immediately approved and Mr. David Cotter, Director of Policy and Legislative Affairs, was asked to look into the matter as it seemed odd that the state would pay for this. That inquiry led to another discover that the agency has paid for potentially unnecessary insurance. Based on Mr. Cotter's findings it appears that these insurance plans are duplicative of existing resources and insurance coverage already provided by the localities. The current data dates back to 2012 and shows that DCJS has paid more than \$320,000 in insurance premiums for only two claims that totaled less than \$1,400. There is a strong argument to be made that these insurance premiums are not necessary. DCJS is double-checking to ensure that there will be no detrimental impact if we no longer pay these premiums. Ideally, DCJS could reallocate these dollars in other ways to support the local pretrial and community corrections programs.
- An agency function that DCJS performs is law enforcement officer decertification. The process is governed by the Code of Virginia and DCJS does the decertifications on behalf of the CJSB. An outline of this process is included in your materials, along with 2018 data.

- Included in board packets is a summary of several naloxone grants to law enforcement agencies.

IV. Committee Reports

Committee on Training (COT)

- Superintendent Bobby Russell gave an overview of the COT meeting that took place on June 14, 2018, at 10:00 a.m.
- The Dispatcher Curriculum Review Committee presented the members of the COT with recommendations for a comprehensive rewrite of the dispatcher performance outcomes, training objectives, criteria for testing, and the lesson plan guide.
- The review committee worked over two years to conduct a review of the minimum training standards for dispatchers and worked tirelessly to modify, streamline, remove redundancy from, and clarify these standards.
- To meet regulatory requirements, the proposed revisions were posted to the DCJS website and a general notice with a 60-day public comment period was opened on the Virginia Regulatory Town Hall website. Two opportunities were given for interested parties to provide public comment on the proposed revisions.
- The Review Committee recommended approval of all the proposed revisions as presented to the COT.

Grants Committee

- Superintendent Russell gave an overview of the Grants Committee meeting that took place on June 5, 2018, at 10:00 a.m.

- **Addiction Recovery Grant Program (ARGP) (FY19)**

It was reported that due to the late state budget exact budgets for the ARGP were not currently available. However, it is the intention of DCJS to continue to fund the four pilot programs in FY 2019. Final budgets will be presented to the CJSB at the September meeting.

- **Comprehensive Community Corrections Act (CCCA) and Pretrial Services Act (PSA) (FY19)**

There are 37 CCCA/PSA continuation grants for FY 2019 to provide funding to local governments for local probation and pretrial services. This is for level funding with the exception of annualizing the salary increase that was awarded in FY 2018 for 11 months.

Superintendent Russell made a motion for the CJSB to approve CCCA/PSA funding in the amount of \$25,148,359. The motion was seconded by Ms. Francine Horne. *Recusals: Mayor Carolyn Dull for the City of Staunton.* The motion passed.

- **Court Appointed Special Advocate Program (CASA) (FY19)**

There are 27 CASA programs to be funded under this continuation grant. Funding supports child advocacy and provides trained volunteers to speak for abused and neglected children who are the subjects of juvenile court proceedings.

Superintendent Russell made a motion for the CJSB to approve CASA funding in the amount of \$3,268,938. The motion was seconded by Mr. David Johnson. *Recusals: Mayor Dull for the Blue Ridge CASA for Children program and Ms. Biggs for the New River Valley CASA program.* The motion passed.

- **Jail Mental Health Pilot Program (FY19)**

It was reported that due to the late state budget exact budgets for the Jail Mental Health Pilot Program were not currently available. However, it is the intention of DCJS to continue to fund the six pilot programs in FY 2019. Final budgets will be presented to the CJSB at the September meeting.

- **Juvenile Justice Delinquency Prevention Act (JJDP) (FY15)**

This grant award total is \$79,599 in JJDP funds. As a reminder, the Advisory Committee on Juvenile Justice and Prevention (ACJJP), and not the Grants Committee, reviews and recommends the JJDP grants. ACJJP reviewed this grant in May and recommended the grant for funding, but it was not brought before the CJSB for funding at that time. DCJS wanted to get an accurate number based on salary and travel projections. Now that the financial projections have been finalized the grant is recommended for approval.

Superintendent Russell made a motion for the CJSB to approve JJDP funding in the amount of \$79,599. The motion was seconded by Ms. Biggs. The motion unanimously passed.

- **Pre and Post Incarceration Services (PAPIS) (FY19)**

PAPIS grants support pre-release and post-incarceration professional services related to prisoner reentry. It is recommended that the nine continuation grants be approved in the amount of \$2,247,564.

Superintendent Russell made a motion for the CJSB to approve PAPIS funding in the amount of \$2,247,564. The motion was seconded by Ms. Adrienne Bennett. The motion unanimously passed.

- **Residential Substance Abuse Treatment (RSAT) (FY15, FY16)**

The Grants Committee recommended approval of two awards totaling \$386,532 in RSAT funds. The funding supports substance abuse treatment programs for the Department of Corrections and Western Virginia Regional Jail.

Chief Kelvin Wright made a motion for the CJSB to approve RSAT funding in the amount of \$386,532 as recommended by the Grants Committee. The motion was seconded by Ms. Bennett. *Recusals: Ms. Biggs and Superintendent Russell.* The motion passed.

- **School Resource Officer/School Security Officer (SRO/SSO) (FY19)**
The Grants Committee recommended approval for 40 SRO/SSO awards totaling \$1,867,853. Of the 40 grants, 22 were new applications and 18 were continuation applications.

Superintendent Russell made a motion for the CJSB to approve SRO/SSO funding in the amount of \$1,867,853. The motion was seconded by Ms. Horne. The motion unanimously passed.

- **Sexual Assault and Domestic Violence Victim Grants Program (SADVGP) (FY19)**
Fiscal Year 2019 is the final year of a three-year award cycle. The CJSB approved three years of SADVGP awards in FY 2017. For FY 2019, DCJS will award funding to 57 SADVGP recipients in the total amount of \$21,570,423. This equals FY 2018 funding totals.

- **Victim of Crime Act (VOCA) New Initiative Victim Assistance Grant Program (FY17)**
The CJSB approved VOCA New Initiatives projects for the two year period October 1, 2016, through September 30, 2018. The current grants will be extended to June 30, 2019.

- **Victim/Witness Grant Program (VWGP) (FY16, FY17)**
The Grants Committee recommended approval for 113 VWGP awards totaling \$18,727,316 for FY 2019. These awards consist of 112 continuation applications and one new application for a program serving Giles County. These awards cover a three-year award cycle (FY 2019-2021), with annual awards conditioned on performance, the availability of funds, and compliance with Statement of Grant Award provisions.

Superintendent Russell made a motion for the CJSB to approve VWGP awards totaling \$18,727,316 for FY 2019. The motion was seconded by Mr. Johnson. *Recusals: Ms. Biggs, Mayor Dull, and Chief Wright.* The motion passed.

- **Department of Forensic Science Byrne/JAG (FY13)**
The Grants Committee is recommending that DFS be awarded \$220,000 in Byrne/JAG Funds. The funds will allow DFS to purchase two gas chromatography/mass spectrometer instruments that will assist six newly hired forensic scientists to more quickly receive test results from submissions. The current backlog of cases is over 13,000. The equipment purchases along with the additional staff should result in significant decrease in the turnaround of test results. The current turnaround period is 131 days.

Superintendent Russell made a motion to accept the Grant Committee's recommendation to award DFS \$220,000 in Byrne/JAG Funds. The motion was seconded by Ms. Horne. The motion passed.

- **Nominations Committee**
The Nominations Committee met on June 14, 2018, and recommended that the CJSB approve the reappointments of Dr. Robin Foster (nominated for the position of health care

professional) and Ms. Alicia Lenahan (nominated for the position of CASA program representative) to the CASA/Children's Justice Act Advisory Committee. Each will serve for a four-year term.

The Nominations Committee also recommended that the CJSB approve the reappointments of Mr. Edwin DePolo (nominated for the position of private security services business representative), and Mr. Frank Weaver (nominated for the position of instructor representative) to the Private Security Services Advisory Board (PSSAB). Each will serve for a four-year term.

Mr. Edward Macon made a motion for the CJSB to approve the recommended appointments to the CASA/CJA Advisory Committee and to the PSSAB. The motion was seconded by Ms. Bennett. The motion unanimously passed.

- **Private Security Services Advisory Board (PSSAB)**

Mr. Robert Soles gave an update of the PSSAB which met on June 6, 2018. There was discussion related to the special conservator of the peace (SCOP) curriculum review. The PSSAB recommended support of the curriculum as it exists and they are looking forward to the review process.

V. Old Business

Ms. Teresa Gooch, DCJS Division Director of Law Enforcement, presented a summary of the recommendations of the SCOP Curriculum Review Committee, the full presentation occurring at the last meeting. She requested that the CJSB approve the Curriculum Review Committee's recommendations for SCOP Training Subjects.

The recommendations were as follows:

1. Allocations of hours and subjects for entry level training for unarmed SCOPs.
 - 4 Hours – Orientation on Special Conservators of the Peace Laws and Regulations
 - 12 Hours – Basic Laws
 - 8 Hours – Virginia Crimes
 - 22 Hours – Legal Procedures/Due Process
 - 20 Hours – Use of Force and Liability Issues
 - 16 Hours – Patrol Techniques
 - 16 Hours – Personal Safety – Defensive Tactics and Survival98 Total Hours
2. A separate exam on these subjects is appropriate and should not be considered part of the 98 hours of instruction.

3. Armed SCOPs should meet the same firearms performance outcomes and training objectives required for certified law enforcement officers.
 - 32 Total Hours of Firearms Training
 - 4 hours of classroom teaching for one handgun
 - 28 hours of range training for one handgun
 - SCOPS will have a choice of two qualifications courses
 - 200 rounds of ammunition fired in daylight
 - Qualifying score: 70% or better
 - Annual firearms training and recertification

4. All SCOPs should be required to complete in-service training each year.
 - 12 Total Hours of In-Service
 - 4 Hours - Legal Updates and Liability Issues
 - 8 Hours - Career Development
 - 4 hours of courses from the in-service list
 - 4 hours of courses from the advance list
 - Advanced courses may be tailored to suit the needs of the individual SCOP and his employer
 - Lists of approved in-service and advanced training topics were developed
 - SCOPs may receive credit for other training topics if the course/class has been approved by DCJS

At the request of the SCOP CRC, DCJS acknowledged and agreed to the following:

1. DCJS will require CPR and First Aid training as pre-qualification requirements for SCOP applicants instead of including it in the 98 hours designated for unarmed SCOPs.
2. DCJS will adopt the training waiver process currently available for law enforcement for SCOPs seeking waivers for previously obtained training.

A motion was made by Chief Williams to approve the Curriculum Review Committee's recommendations for SCOP Training Subjects. The motion was seconded by Chief Wright. The motion unanimously passed.

Chief Wright made a motion that the CJSB approve DCJS beginning a regulatory action for the SCOP Training Subjects. The motion was seconded by Superintendent Russell. The motion unanimously passed.

VI. New Business

Mr. Stokes informed the CJSB that over the last 90 days he has reached out to federal partners to ensure an open line of communication. He spoke with Dawn Hill, the Byrne/JAG Program Manager at the Department of Justice (DOJ) about our goals. Ms. Hill committed to offering training to DCJS and Office of the Attorney General staff, including training on federal reporting requirements. DCJS had originally appropriated \$29,333 to bring a vendor in to do this training. However, DOJ can help with the development of policies and procedures at no cost.

DCJS is now able to reappropriate the \$29,333 that would have been spent on training to another law enforcement agency.

Colonel Gary Settle made a motion for the CJSB to accept the appropriation of funds in the amount of \$29,333 to be awarded to the Bland County Sheriff's Office, or, if they decline, to the Farmville Police Department. The motion was seconded by Ms. Biggs and unanimously approved.

VII. Public Comment

No new public comment was brought before the CJSB for discussion at this meeting.

VIII. Adjournment

Chairman Chapman thanked Superintendent Russell for his commitment to the CJSB for the last eight years. The next meeting is scheduled for September 13, 2018, at 11 a.m.

A motion was made by Superintendent Russell to adjourn at 12:00 p.m. The motion was seconded by Chief Wright. The motion was unanimously passed.