



Criminal Justice Services Board (CJSB) Executive Committee

December 9, 2021, at 1:00 p.m.

*The meeting took place at DCJS, 1100 Bank Street, Richmond, Virginia
in the 12th floor Conference Room*

Members Present

Chief James Williams, Chair
Chief Craig Branch
Mr. David Johnson
Mr. Jagdish Katyal
The Hon. Bryan Porter, Vice-Chair
LTC Tracy Russillo, Proxy for Colonel Gary Settle
Chief Kelvin Wright

Members Absent

Sheriff Vanessa Crawford

I. Call to Order

Chairman James Williams called the meeting of the Executive Committee of the Criminal Justice Services Board to order at 1:00 p.m. A quorum was present.

II. Approval of Minutes

Chief Kelvin Wright made the motion, seconded by Chief Craig Branch, to accept the minutes of the October 25, 2021, meeting of the Executive Committee. The motion passed unanimously.

III. Old Business

There was no old business to discuss.

IV. New Business

Before hearing the Decertification Appeal of Mr. Daniel Smith, who was employed by the Chesapeake Police Department, Chief Wright recused himself from the appeal hearing to avoid a conflict of interest.

Decertification – Mr. Daniel Smith

The Chairman called on Ms. Cathie Hutchins, Senior Assistant Attorney General, to give a summary of Mr. Smith’s certification status and to present the facts resulting in his decertification as a law-enforcement officer from the Chesapeake Police Department. Mr. Smith was decertified pursuant to clause (B)(vi) of § 15.2-1707 of the *Code of Virginia*.

The Executive Committee also heard from Mr. Smith and his counsel and representatives from the Chesapeake Police Department.

Chief Branch made a motion, seconded by Mr. David Johnson that the Executive Committee meet in closed session for the purpose of discussing the decertification of Mr. Smith with legal counsel. The motion passed unanimously.

Once the Executive Committee had concluded its closed session, Mr. Johnson made a motion, seconded by Chief Branch, 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 Williams noted that the Executive Committee would like to continue the decertification pending the final grievance decision by the Chesapeake Police Department. Chief Williams asked Mr. Smith’s counsel if they could waive the statutory deadline of thirty days so the Executive Committee could vote at that time.

Mr. Smith’s counsel agreed and confirmed that they would put this in the writing for the record.

Decertification – Mr. Brian Russell

The Chairman called on Ms. Cathie Hutchins, Senior Assistant Attorney General, to give a summary of Mr. Russell’s certification status and to present the facts resulting in his decertification as a law-enforcement officer from the King and Queen County Sheriff’s Office. Mr. Russell was decertified pursuant to clauses (A)(iv) and (B)(iii) of § 15.2-1707 of the *Code of Virginia*.

The Executive Committee also heard from Mr. Russell and his counsel who established that Mr. Russell appealed his conviction upon which the decertification was based to circuit court and was ultimately acquitted of the charge.

Chief Wright made a motion, seconded by Mr. David Johnson, that the Executive Committee reinstate Mr. Russell’s eligibility for certification as a law-enforcement officer. The motion passed unanimously.

V. Public Comment

There was no public comment.

VI. Next Meetings

The next meeting date scheduled is January 20, 2022.

VII. Adjournment

The meeting adjourned at 3:10 pm.