



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

Francine C. Ecker
Director

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Criminal Justice Services Board

May 8, 2014

Members Present

Sgt. Carol Adams
Mr. Peter Baruch
Mr. Andy Block
Mr. Ted Byrd
Mr. Charles Ciccotti
Judge Sarah Deneke
The Hon. Michael Doucette
Hon. Thomas Garrett, Jr.
Sheriff Charles Jett, Chairman
Mr. Richard Vorhis for Mr. Alan Katz
Mr. Edward M. Macon
Senator Henry L. Marsh, III
Delegate Jackson Miller
Mr. William Muse
LTC Northern for Colonel W. Steve Flaherty
Mr. Bobby Russell
Ms. Cookie Scott
Ms. Debbie Smith
Mr. Gilbert Smith
Pastor Aaron Wheeler
Chief James Williams
Lt. Scott Williams

Members Absent

Chief Jeffrey Brown
Chief Rick Clark
Mr. David Johnson
Judge Mary Malveaux
Sheriff Dennis Proffitt

DCJS Staff Present

Kenny Adcock
Rick Arrington
Kassandra Bullock
Tommy Clarke
Joann Coleman
John Colligan
Bruce Crusier
Shannon Dion
Barbara Drudge
Fran Ecker
Teresa Gooch
Sam Hoffman
Lauren Hyman
Tracey Jenkins
Laurel Marks
Joe Marshall
Lisa McGee
Jim McDonough
Drew Molloy

Neadie Moore
Donna Shiflett
Reeva Tilley
Heather Smolka
Albert Stokes
Kristina Vadas
Janice Waddy

Others Present

David Aldridge, VCU PD
William Butters, VCU PD
Corey Byers, VCU PD
Tom Cleator, VSCC
Stanley Corn, ESA-VA
Greg Dickie, VML Insurance Programs
Sean Ingram, VCU PD
John Jacobs, UofR PD
Erik Johnston, VACO
Linda Lilly, TRS-DRM
Don LeMond, TRS
Dave McCoy, UofR PD
CPT O'Berry, VCU PD
Christopher Preuss, VCU PD
Matthew Ruland, VCU PD
Sonia Thornton, RPD
Dan Schmitt, PSSAB
James St. John, GSE
Chief Venuti, VCU PD

I. Call to Order

Chairman Charles Jett 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).

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Criminal Justice Service Board • Committee on Training • Advisory Committee on Juvenile Justice
Advisory Committee to Court Appointed Special Advocate and Children's Justice Act Programs
Private Security Services Advisory Board • Criminal Justice Information Systems Committee

Chairman Jett reminded guests to please sign the attendance sheet for the purpose of the minutes and asked the Board members to state their name when making a motion or seconding, to speak clearly for the purpose of the minutes and to check that their microphone was turned on at their seating area. He further reminded staff/persons speaking from the floor to step up to the podium and speak into the microphone for the purpose of the minutes.

Chairman Jett then asked Ms. Laureen Hyman to take the roll call. Ms. Hyman stated that there was a quorum with 22 members present.

II. Approval of Minutes from Last Meeting

Chairman Jett then called for a motion to approve the minutes of the March 13, 2014, meeting. Mr. Bobby Russell made the motion, and Mr. Gilbert Smith seconded the motion. Chairman Jett stated that it had been motioned and seconded that the Board approve the minutes of the March 13, 2014, meeting with no corrections, additions, or deletions.

Chairman Jett introduced Brian Moran, Secretary of Public Safety and Homeland Security, who introduced the Department of Criminal Justice Services' new Director, Francine C. Ecker.

III. Director's Report

Director Ecker acknowledged the board members and stated that she was glad to be back at DCJS and working with the board again. She noted that during her years on the staff at DCJS, and since, she has seen DCJS as having responsibilities that relate to all aspects of the criminal justice system, including state and local and non-criminal justice related agencies. She has worked with DCJS' counterparts across the country and assured board members that Virginia has one of the most robust portfolios of criminal justice assistance and regulatory programs in the country. Secretary Moran was also recognized for his leadership in Public Safety and Homeland Security and for taking a keen interest in the issues of the criminal justice system. He and Deputy Secretary Cochran were both recognized for their support. Ms. Ecker stressed the importance of working in collaboration with affected agencies and constituencies.

Ms. Ecker summarized some of the meetings and conferences she had attended since becoming Director at DCJS a few weeks ago. She also noted out that DCJS and the Virginia Community Criminal Association (VCCJA), (which represents the local probation and pretrial services agencies), are co-sponsoring a Pretrial Symposium on May 30, 2014, at the Capitol. The symposium is an invitation-only event to look at policy and practice issues affecting pretrial services and to develop strategies for improvement.

IV. Committee Reports

Law Enforcement Subcommittee

The Law Enforcement Subcommittee of the Criminal Justice Services Board (CJSB) met Tuesday, April 29, 2014, at 1:00 p.m. at the Department of Criminal Justice Services in Richmond. Chairperson Rick Clark and Mr. Alan Katz were present.

Internet Crimes Against Children (ICAC) Fund - Program Funding Summary for State FY 2015

DCJS administers a portion of the state's Internet Crimes Against Children (ICAC) Fund to support grants, training, and equipment for local law enforcement agencies to use for investigating and prosecuting Internet crimes against children. Staff briefed the Subcommittee on DCJS' plan to disburse its portion of the 2015 ICAC funds. As it did in 2014, DCJS will disburse an equal amount of ICAC funds to the Southern Virginia (SOVA) ICAC Task Force, coordinated by Bedford County Sheriff's Office, and to the Northern Virginia – District of Columbia (NOVA-DC) ICAC Task Force, coordinated by the Department

of State Police. The amount available in this non-competitive solicitation is approximately \$363,000 for each ICAC Task Force for the period between July 1, 2014 and June 30, 2015. Bedford County Sheriff's Office and the Department of State Police have each submitted satisfactory plans to DCJS for the administration and distribution of 2015 ICAC funds to their respective ICAC law enforcement affiliates for allowable, ICAC-related project needs.

This briefing was informational and does not require any action by the Law Enforcement Subcommittee or Criminal Justice Services Board.

Internet Crimes Against Children (ICAC) – Continuation

The Subcommittee considered five (5) applications for their final year of continuation funding through the Internet Crimes Against Children Program. The Subcommittee recommends that all five (5) applicants be funded at the requested level for a total of \$332,298 in state ICAC funding.

Pastor Wheeler made the motion that the Board accept the recommendation of the Law Enforcement Subcommittee by providing ICAC funding as defined above. Lt. Scott Williams seconded the motion.

2014 Byrne Justice Assistance Grant (JAG) – Continuation

The Subcommittee considered thirteen (13) applications for continued federal funding through the Byrne/Justice Assistance Grant (JAG) Program. Chairman Clark recused himself from voting on the Galax grant application. The Subcommittee recommends that:

- Twelve (12) applications be funded at the requested level;
- One (1) application be reduced to level funding (15-D2584AD13 to DCJS);
- Total of \$520,156 in federal JAG funds.

Pastor Wheeler made the motion that the Board accept the recommendation of the Law Enforcement Subcommittee and provide Byrne/JAG funding as defined above. Senator Marsh seconded the motion. **Recusals:** LTC Northern for VSP, Ms. Cookie Scott for DOC, Mr. Mike Doucette for the City of Lynchburg.

2014 School Resource Officer and School Security Officer Incentive Grant Program – New

The Subcommittee considered thirty-three (33) grant applications, requesting \$1,071,155 in state School Resource Officer and School Security Officer Incentive Grant funding. DCJS had \$466,270 available for new projects. These funds may be used to pay salary and benefits for full-time School Resource Officers or School Security Officers in Virginia public high schools, middle schools, alternative schools, and elementary schools. The Subcommittee recommends that:

- Thirteen (13) applications be denied due to insufficient funds;
- Three (3) applications be funded at reduced levels;
- Seventeen (17) applications be funded at the requested level;
- Total of \$441,430 in state SRO/SSO Incentive Grant funds.

Pastor Wheeler made the motion that the Board accept the recommendation of the Law Enforcement Subcommittee for providing SRO funding as defined above. LTC Northern seconded the motion.

Certified Crime Prevention Campus Applications

Staff provided the Subcommittee with summaries of the Certified Crime Prevention Campus applications submitted to DCJS by the University of Richmond and Virginia Commonwealth University. DCJS first introduced the Certified Crime Prevention Campus program in June 2013 to recognize crime prevention efforts on Virginia's college campuses. Staff indicated that the University of Richmond and the Virginia Commonwealth University exceeded the program requirements for universities of their respective sizes. The Law Enforcement Subcommittee recommends that the Board certify the University of Richmond and Virginia Commonwealth University as Virginia's *first* Certified Crime Prevention Campuses.

Senator Marsh made the motion that the Board accept the recommendation of the Law Enforcement Subcommittee to allow the University of Richmond and Virginia Commonwealth University to become Certified Crime Prevention Campuses. Chief Williams seconded the motion.

Chief McCoy, Chief of Police of the University of Richmond, thanked the Board and CJSB for the approval of the Certified Crime Prevention Campus. Chief Venuti, Chief of Police, for Virginia Commonwealth University (VCU), briefly spoke regarding receiving this certification for VCU.

Private Security Services Advisory Board (PSSAB)

Mr. Charles Ciccotti reported from the Private Security Services Advisory Board (PSSAB), which met on Tuesday, May 6, 2014, at the Glen Allen Library in Henrico. The new DCJS Director, Ms. Francine C. Ecker, was in attendance at the meeting and was offered an opportunity to introduce herself and address the Board and the meeting attendees. There was also a presentation by Ms. Maria Everett, who is the Executive Director of the FOIA Council. Ms. Everett provided information on the Freedom of Information Act as it related to the activities of the PSSAB, focusing on the use of email, requirements for meetings and other FOIA provisions.

The PSSAB was provided with draft proposals for the separation of the Private Security Services Regulations. The package included three regulatory chapters addressing individual regulations for businesses, schools and registered personnel. These draft proposals will be reviewed by the PSSAB who will then provide comment to DCJS. Separating the private security services regulations is consistent with the regulatory reform initiative and recommendations received during the executive review during the last regulatory process.

Old Business

Special Conservator of the Peace (SCOP) – Bond Requirements

The PSSAB discussed DCJS' current review of the bond requirements for registered SCOPs. The discussion included issues of liability, variances between armed and unarmed special conservators, current liability requirements for private security services businesses, and possible fiscal impacts to the SCOP industry. It was acknowledged that changes need to be made after further investigation and research before a recommendation is made to the CJSB.

CJSB Bylaws

The PSSAB discussed the proposed amendments to the CJSB bylaws which included the recommendation that the Chairman of the PSSAB be appointed by the Chairman of the CJSB. The PSSAB voted to request that the CJSB include language allowing PSSAB to make recommendations to the CJSB Chairman for consideration, and allow for the PSSAB to recommend removal of a standing PSSAB Chairman if necessary.

PSSAB Vacancies

As of July 1, 2014, there will be three open seats on the Advisory Board. Notices have been sent to the industry and applications are being accepted until tomorrow, May 9, 2014. The Nominations and Appointments subcommittee will meet prior to the next CJSB meeting in order to provide recommendations to this Board for appointments in the following three areas: Personal Protection, Electronic Security, and Private Investigation.

The next quarterly meeting is scheduled for September 30, 2014, in conjunction with the DCJS/ Crime Clinic Conference in Virginia Beach.

Victims Witness Grant Review Subcommittee

Mr. Doucette reported from the Victims Witness Grant Review Subcommittee which met on May 1, 2014, at 10:00 a.m. The subcommittee would like to make one recommendation supporting law enforcement training and the investigation of sex crimes for Campus Police and Public Safety Agencies. The STOP program promotes a coordinated, multidisciplinary approach to improving the criminal justice system's response to violent crimes against women and encourages the development and strengthening of effective law enforcement and prosecution strategies to address violent crimes against women and the development and strengthening of victim services in cases involving violent crimes against women.

In our efforts to strengthen law enforcement and prosecution strategies as they relate to violent crimes against women and sexual assault on college campuses and universities, an in-house grant was established to support a law enforcement training on the Investigation of Sex Crimes for Campus Police and Public Safety Agencies.

This curriculum for this training is based on "Promoting Effective Criminal Investigations of Campus Sex Crimes" a report that was published following the Campus Sex Crime Forum that was conducted by U.S. Department of Justice Office for Victims of Crime (OVC), Office on Violence Against Women (OVW) and Office of Community Oriented Policing Services (COPS).

Due to turnovers of grant funded staff and delayed program implementation, reverted and unused funds are being utilized to support this training. These funds will no longer be available after June 30, 2014.

Mr. Doucette made the motion that the Board approve awarding \$13,800 to support law enforcement training on the Investigation of Sex Crimes for Campus Police and Public Safety Agencies. Mr. Muse seconded the motion.

V. SCOP Bond and Insurance Amounts – Mr. Greg Dickle and Mr. Don Lemond

This topic was presented at the March 13, 2014, meeting regarding our authority to establish a reasonable bond insurance amount for Special Conservators of the Peace (SCOPs). DCJS staff and PSSAB members were asked to continue researching this matter and give an update today.

Currently the bond and insurance amounts are \$10,000. Insurance is a general liability policy. Before and after the meeting, staff met with representatives of the Division of Risk Management under the Department of Treasury and a representative from the Virginia Municipal League Insurance Program, also known as VML. PSSAB members also participated in the meeting. Representatives from the Virginia Association of Counties, Risk Management program indicated that their customers are typically not law enforcement departments and could not provide relevant information on this discussion.

A presentation was given to the Board by Mr. Greg Dickie and Mr. Don Lemond on the appropriate types of coverage for SCOPs.

Sheriff Jett asked Mr. Ciccotti to have a report prepared by the next meeting on June 12, 2014, with advice on the reasonable amount of bond and the types of bonds that may apply. DCJS will bring that recommendation before the Board at the next meeting. Mr. Russell made the motion that these recommendations be presented at the next meeting, and Lt Williams seconded that motion.

V. CJSB Bylaws Proposed Revisions – Ms. Shannon Dion, DCJS

Ms. Dion reiterated the proposed changes to the CJSB Bylaws that were discussed at the last CJSB meeting. Most changes are to make the Bylaws more consistent with the *Code*. In some areas, more clarification is being made to areas related to the PSSAB.

The requirements have been met for public and board notice. Staff will continue to review the bylaws and will make changes in the future (with a vote) as necessary.

A motion was made by Mr. Ciccotti to accept the Bylaws changes presented to the Board. Sergeant Adams' seconded the motion.

VII. Report of Officer Decertification

Two Decertifications of Law Enforcement Officers were read by Sheriff Jett into the record.

IX. Old/New Business

Mr. James St. John spoke regarding the Private Security Services Advisory Board (PSSAB) and Special Conservators of the Peace (SCOP). He indicated that the CJSB does not have the power to make a motion or vote on the PSSAB bylaws or on the SCOP bond or insurance amounts. He indicated that he was willing to either go before the General Assembly or file a lawsuit regarding these issues.

Mr. St. John feels that DCJS is misinformed about the SCOP Program and what is required for the program. Mr. St. John also feels that SCOPs are being targeted by DCJS and is concerned that DCJS is looking at requiring an increase in bond requirements that is not necessary.

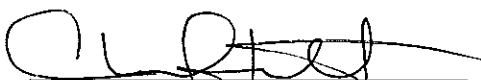
Senator Garrett asked James St. John for the number of employees at his business, but Mr. St. John did not provide an approximate number.

X. Next Meeting

Chairman Jett thanked Board members and guests for attending the meeting and stated that the next meeting was scheduled for June 12, 2014, at 11:00 a.m. in House Room D of the General Assembly building.

Mr. Russell made the motion to adjourn the meeting, the motion was seconded by Judge Deneke. The meeting was adjourned at 12:17 p.m.

Approved:



Sheriff Charles Jett, Chairman