



# COMMONWEALTH of VIRGINIA

## Department of Criminal Justice Services

Shannon Dion  
Director

Megan Peterson  
Chief Deputy Director

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### Criminal Justice Services Board

March 25, 2021

***NOTE: This meeting was held by electronic means, via ZOOM meeting software, in response to the Governor’s Declaration of a State of Emergency due to Novel Coronavirus (COVID-19)***

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

Ms. Mary Biggs  
Chief Craig Branch  
Ms. Angie Carrera  
Sheriff Vanessa Crawford  
The Hon. Karrie Delaney  
The Hon. Sarah Deneke  
The Hon. Carolyn Dull  
Officer Bennie Evans, Jr.  
Ms. Lisa Hernandez for  
Mr. Harold Clarke  
Mr. Michael HuYoung  
Mr. Jagdish Katyal  
Mr. Edward M. Macon  
The Hon. Mary Malveaux  
Senator Jennifer McClellan  
Mr. K. Scott Miles

#### ***Members Present (Cont’d)***

Ms. Kristen Peterson for  
Ms. Valerie Boykin  
Sheriff Anthony Roper  
Colonel Gary Settle  
Ms. Pat Smith  
Superintendent William  
Smith  
Mr. Paul Taylor  
Mr. Matt Wheeler for  
Senator Joseph Morrissey  
Chief James Williams,  
Chair  
Chief Kelvin Wright

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

Ms. Tonya Chapman  
Mr. David Johnson  
Delegate Jerrauld “Jay” Jones  
The Hon. Bryan Porter

### **I. Call to Order and Approval of Minutes**

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

Chief Craig Branch made the motion, seconded by Ms. Mary Biggs, to accept the minutes of the December 17, 2020, meeting of the Board. The motion passed unanimously.

### **II. Director’s Report**

Ms. Shannon Dion, Director of the Virginia Department of Criminal Justice Services (DCJS), gave an update on the recent and upcoming activities of DCJS.

The recent violence on Asian American Communities was addressed. Ms. Dion mentioned that DCJS has an active attack program that is focused on teaching people how to respond to an active attack. The training is free and on-line as an interactive webinar. It can be provided to groups in evenings and on weekends. The following link was provided for more information on the training: <https://www.dcjs.virginia.gov/training-events/civilian-response-and-casualty-care-crcc-virtual-training>

DCJS has partnered with the University of Virginia to facilitate courageous conversations between law enforcement and marginalized communities to strengthen their relationships. The conversations focus on implicit bias, use of force, and the recruitment and training of officers. Each of the locations is collaborating on a project to address one or more of those areas. DCJS is not a part of the conversations but is observing, learning, and supporting.

### III. Committee Reports

#### ▪ Nominations and Appointments Subcommittee

Mr. Edward Macon gave an update from the Nominations and Appointments Subcommittee that met on March 25, 2021, to consider candidates regarding vacancies on the Court Appointed Special Advocate/Children’s Justice Act (CASA/CJA) Advisory Committee and the Private Security Services Advisory Board (PSSAB). Two vacant positions were considered:

#### **CASA/CJA Advisory Committee Vacancy**

**Court Appointed Special Advocate Program Representative-*Jeannine Panzera, J.D.***

#### **PSSAB Vacancy**

**Armored Car Personnel Representative-*Retha Marshall***

Mr. Macon made the motion, seconded by Mr. Jagdish Katyal, that the Board approve the recommendations of the Nominations and Appointments Subcommittee regarding appointments to the CASA/CJA Advisory Committee and the PSSAB.

### IV. Old Business

There was no old business.

### V. New Business

#### **Community Assessment Grants for Youth and Gang Violence Prevention**

The appropriations language from the 2020 General Assembly session gave DCJS the responsibility to “provide funding for youth and gang violence prevention grants” to six cities: Hampton, Newport News, Norfolk, Richmond, Roanoke, and Petersburg, to conduct community assessments for youth and gang violence prevention initiatives.

Because the cities are listed in the appropriations act, an official grant application is not required, but DCJS will work with them on how these assessments are conducted.

Mayor Carolyn Dull made the motion, seconded by Ms. Angie Carrera, to approve the award of \$25,000 to each of the following cities: Hampton, Newport News, Norfolk, Richmond, Roanoke, and Petersburg. The motion passed unanimously.

### **Law Enforcement Body Worn Camera Grant Program**

The proposed budget for the Body Worn Camera Grant Program for FY21, totaling \$2,583,044 was brought before the Board. This program required a 50/50 match of state funds from local sources. The total state funds to be awarded would be \$1,291,522 and local cash or in-kind match of \$1,291,522. The funds will support 61 new grants projects, which either create, expand, or maintain local body worn camera programs. The grants would be awarded for one year (12 months), beginning April 1, 2021, and ending March 30, 2022.

Chief Kelvin Wright made the motion, seconded by Mr. Macon, to approve the award of \$2,582,884 in Body Worn Camera grants. *Recusals: Chief Branch for the Town of Culpeper and Wytheville Community College, and Sheriff Anthony Roper for Clarke County.* The motion passed unanimously.

### **Substantial Risk Protective Order Grants (SRPO)**

A proposed budget for the Substantial Risk Protective Order Grant Program for FY21, totaling \$37,795, for funding the four grantees was brought before the Board: City of Williamsburg, Franklin County, the Town of Louisa and the Department of State Police. These funds would support local training projects designed to assist agencies with carrying out the requirements set forth in the new substantial risk protective order statutes.

Chief Branch made the motion, seconded by Sheriff Crawford, to approve funding for the SRPO Grant Program in the amount of \$37,795 to be awarded for one year (12 months), beginning April 1, 2021, and ending March 30, 2022. *Recusals: Chief Branch for the Department of State Police, and Colonel Gary Settle for the Department of State Police.* The motion passed unanimously.

### **Military Waivers**

Mr. Harvey Powers, Division Director of Law Enforcement, DCJS, gave an update to the Board on the new requirements for waivers for the use of certain military equipment by law-enforcement agencies.

The 2020 Special Session of the General Assembly passed legislation to prohibit localities and agencies employing law-enforcement officers, including police departments and sheriff's offices, from obtaining certain types of equipment. This list of equipment is listed in *Virginia Code* §§ 2.2-5515 and 15.2-1721.1 and reads as follows:

- (i) Weaponized unmanned aerial vehicles;
- (ii) Aircraft that are configured for combat or are combat-coded and have no established commercial flight application;
- (iii) Grenades or similar explosives or grenade launchers from a surplus program operated by the federal government;

- (iv) Armored multi-wheeled vehicles that are mine-resistant, ambush-protected, and configured for combat, also known as MRAPs, from a surplus program operated by the federal government;
- (v) Bayonets;
- (vi) Firearms of .50 caliber or higher;
- (vii) Ammunition of .50 caliber or higher;
- (viii) Weaponized tracked armored vehicles.

The *Virginia Code* also provides that any agency or locality that already possessed equipment on this list could only continue to use them if the agency or locality sought a waiver from the CJSB. In January of 2021, a waiver request form was developed and emailed to all law-enforcement agencies statewide. DCJS has also discussed this waiver at various other police forums. To date, 17 agencies have submitted waiver requests for 19 different items. Two of the items for which a waiver was sought are not on the list of equipment and the localities have been notified that their waiver was not needed. The remaining 17 items from 15 departments include 13 MRAPS, one CASSPIR Armored Vehicle (like an MRAP) and three .50 caliber firearms.

Chairman Williams informed the Board that the waivers and accompanying documentation that have been received so far will be sent to Board members for review before the next meeting in May. There will be a vote on the waivers at that time.

## **VI. Public Comment**

There was no public comment.

## **VII. Adjournment**

The meeting adjourned at 11:35 a.m.