

Virginia Sheriffs' Association

Recommendations on Mental Health Crises

*Joint Subcommittee to Study Mental Health Services in
the Commonwealth in the 21st Century*



Virginia Sheriffs' Association
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Virginia Sheriffs' Association



Speaking on behalf of the Virginia Sheriffs' Association (VSA)

Sheriff Darrell W. Warren, Jr., Gloucester County,
President, VSA

Sheriff Arthur Townsend, Jr., Lunenburg County,
Legislative Committee Chairman, VSA

Mr. John W. Jones, Executive Director, VSA



The Virginia Sheriffs' Association (VSA) recommends the following immediate actions to address the crises in mental health.

Transport delays caused by a lack of beds translate to a critical drain of law enforcement officers available for LE services and create a budget deficit in sheriffs' budgets.



1. Fund the budget amendment submitted by Senator Deeds during the 2021 regular session providing critical overtime payments to sheriffs.

| Item 68 #3s | First Year - FY2021 | Second Year - FY2022 | |
|-----------------------|---------------------|----------------------|----|
| Administration | | | |
| Compensation Board | \$3,094,378 | \$773,594 | GF |

Language

Page 55, line 45, strike "\$493,782,962" and insert "\$496,877,340".

Page 55, line 45, strike "\$499,752,342" and insert "\$500,525,936".

Page 59, after line 15, insert:

"P. The appropriation in this item includes \$3,094,378 the first year and \$773,594 the second year from the general fund to support the cost of providing reimbursement of overtime pay for sheriffs' deputies and regional jail officers incurred during a period when a State of Emergency and Public Health Emergency has been declared by the Governor. Such funding may reimburse overtime pay expenses incurred for extended periods of oversight by sheriffs' deputies of individuals subject to a temporary detention order, and incurred due to overtime work required by periods of absence due to illness or quarantine of sheriffs' deputies and regional jail officers due to a health pandemic."

Explanation

(This amendment provides \$3.1 million GF the first year and \$773,594 GF the second year to reimburse localities for overtime pay expenses incurred by sheriffs' deputies and regional jails due to excessive staff absences as a result of the health pandemic and time spent in the service of Temporary Detention Orders while hospitals and mental health providers are unable to meet time requirements and provide bed space for individuals due to space limitations from the pandemic, based upon projected costs through September 30, 2021.)



2. Fund the budget amendment submitted by Senator Deeds during the 2021 to expand the role of the alternative transportation provider.

| Item 321 #3s | First Year - FY2021 | Second Year - FY2022 | |
|--|---------------------|----------------------|----|
| Health and Human Resources | | | |
| Department of Behavioral Health and Developmental Services | \$1,000,000 | \$3,359,416 | GF |

Language

Page 399, line 42, strike "\$43,947,196" and insert "\$44,947,196".

Page 399, line 42, strike "\$61,270,529" and insert "\$64,629,945".

Page 400, line 26, after "D.", insert "1.".

Page 400, after line 33, insert:

"2. Out of this appropriation, \$1,000,000 the first year and \$3,359,416 the second year from the general fund shall be provided to the Department of Behavioral Health and Developmental Services to make an emergency amendment to the current contract with the statewide alternative transportation provider. The emergency contract amendment shall provide for the alternative transportation provider to retain licensed security staff to provide an additional resource to law-enforcement agencies once a Temporary Detention Order has been issued and no bed is immediately available under § 37.2-810, Code of Virginia. Out of these funds, \$100,000 in the first year and \$100,000 in the second year is provided for the department to provide training and education to magistrates, law enforcement agencies, community services boards, and other stakeholders regarding the availability of licensed security staff under the contract and all alternative transportation options. The department shall report to the Governor and Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the effectiveness and outcomes of the program change by October 1 of each year."

Explanation

(This amendment provides \$1.0 million the first year and \$3.4 million the second year from the general fund for the Department of Behavioral Health and Developmental Services (DBHDS) to make an emergency amendment to the contract with the statewide alternative transportation provider (ATP). The amendment shall provide funding for licensed security staff to assist when a Temporary Detention Order is issued and no bed is immediately available. The funding includes \$100,000 in each for DBHDS to conduct training and education to stakeholders.)



3. Provide funding to address the excessive turnover of deputy sheriffs.

| | |
|--------------|--------------|
| Corrections: | 35% turnover |
| Courts: | 21% turnover |
| LE: | 27% turnover |

This recommendation is to provide an additional 3% across the board raise, plus compression increases.

Summary sheets attached show the cost summary and lateral transfer to VSP impact.



Staff Turnover

- Flash Points

- C7 - Correction officers/deputies = **35%**
- CS7 – Court Services deputies = **21%**
- L7 – Law Enforcement deputies = **27%**

- **Total turnover for all sworn staff = 16.47%**

- State compensation
 - Current starting salary = **\$33,475.00** (*without a local supplement*)

 - After 5% increase approved by General Assembly starting July 1, 2021 = **\$35,149.00**

- Commonwealth of Virginia Staffing Standards Shortages:

- Law Enforcement **short** by – **254**
- Jails **short** by – **691**
- Court Services **short** by -**115**

Total state responsible staffing shortage = 1,060



The cost to provide the compression increase for sworn deputy sheriffs and regional jail officers is as follows, effective July 1, 2021, providing \$100 per year of service between 3-30 years. Note that in the first year (FY22), there would be an 11-month cost, and in the subsequent year there would be an annualized cost.

| | |
|-------------|--------------------------------|
| \$5,917,486 | Annualized cost sheriffs |
| \$2,207,253 | Annualized cost regional jails |
| \$8,124,739 | Annualized cost total |
| \$5,424,362 | 11 mo cost sheriffs |
| \$2,023,316 | 11 mo cost regional jails |
| \$7,447,678 | 11 mo cost total |

The cost to provide the additional 3% increase (from 5% to 8%) on July 1, 2021 for sworn deputy sheriffs and regional jail officers is as follows. Note here as well that in the first year (FY22), there would be an 11-months cost, and in the subsequent year there would be an annualized cost.

| | |
|--------------|--------------------------------|
| \$9,174,224 | Annualized cost sheriffs |
| \$4,568,625 | Annualized cost regional jails |
| \$13,742,849 | Annualized cost total |
| \$8,278,546 | 11 mo cost sheriffs |
| \$4,187,906 | 11 mo cost regional jails |
| \$12,466,452 | 11 mo cost total |



Virginia State Police Deputy Sheriff Lateral Transfer Program

- Sheriffs responsible for law enforcement are losing LE certified deputies to Virginia State Police, through their “Lateral Transfer Program,” adding to the recruitment and retention struggles faced by sheriffs with primary law enforcement.
- In September 2020, 19 sheriff’s offices lost 26 deputy sheriffs to the “Lateral Transfer Program.”

| Number Hired | Agency Name |
|--------------|---------------------------------------|
| 1 | Alleghany County Sheriff's Office |
| 1 | Bedford County Sheriff's Office |
| 3 | Buchanan County Sheriff's Office |
| 1 | Caroline County Sheriff's Office |
| 1 | Carroll County Sheriff's Office |
| 1 | Dickenson County Sheriff's Office |
| 1 | Fauquier County Sheriff's Office |
| 1 | Floyd County Sheriff's Office |
| 1 | Franklin County Sheriff's Office |
| 3 | Grayson County Sheriff's Office |
| 1 | Halifax County Sheriff's Office |
| 1 | Hanover County Sheriff's Office |
| 2 | Isle of Wight County Sheriff's Office |
| 2 | Lunenburg County Sheriff's Office |
| 1 | Nelson County Sheriff's Office |
| 1 | Roanoke City Sheriff's Office |
| 2 | Rockbridge County Sheriff's Office |
| 1 | Smyth County Sheriff's Office |
| 1 | Westmoreland County Sheriff's Office |

