2022 Special Session I

Budget Bill - HB30 (Chapter 2)

Compensation Board

Item 72

	First Year - FY2023	Second Year - FY2024
Financial Assistance for Sheriffs' Offices and Regional Jails (30700)	**$573,722,067**	**$584,196,128**
Financial Assistance for Regional Jail Operations (30710)	$198,332,868	$204,067,663
Financial Assistance for Local Law Enforcement (30712)	$108,643,817	$109,464,232
Financial Assistance for Local Court Services (30713)	$66,038,779	$66,665,308
Financial Assistance to Sheriffs (30716)	$13,664,735	$13,786,048
Financial Assistance for Local Jail Operations (30718)	$187,041,868	$190,212,877
Fund Sources:		
General	$565,719,409	$576,193,470
Dedicated Special Revenue	$8,002,658	$8,002,658

Authority: Title 15.2, Chapter 16, Articles 3 and 6.1; and §§ 53.1-83.1 and 53.1-85, Code of Virginia.

A.1. The annual salaries of the sheriffs of the counties and cities of the Commonwealth shall be as hereinafter prescribed, according to the population of the city or county served and whether the sheriff is charged with civil processing and courtroom security responsibilities only, or the added responsibilities of law enforcement or operation of a jail, or both. Execution of arrest warrants shall not, in and of itself, constitute law enforcement responsibilities for the purpose of determining the salary for which a sheriff is eligible.

2. Whenever a sheriff is such for a county and city together, or for two or more cities, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such sheriff under the provisions of this item and such sheriff shall receive as additional compensation the sum of one thousand dollars.

	August 1, 2022 to June 30, 2023	**July 1, 2023 to November 30, 2023**	**December 1, 2023 to June 30, 2024**
Law Enforcement and Jail Responsibility			
Less than 10,000	$78,853	$82,796	$82,796
10,000 to 19,999	$90,633	$95,165	$95,165
20,000 to 39,999	$99,599	$104,579	$104,579
40,000 to 69,999	$108,260	$113,673	$113,673
70,000 to 99,999	$120,288	$126,302	$126,302

100,000 to 174,999	$133,657	$140,340	$140,340
175,000 to 249,999	$140,688	$147,722	$147,722
250,000 and above	$156,320	$164,136	$164,136
Law Enforcement or Jail			
Less than 10,000	$77,273	$81,137	$81,137
10,000 to 19,999	$88,822	$93,263	$93,263
20,000 to 39,999	$97,606	$102,486	$102,486
40,000 to 69,999	$106,095	$111,400	$111,400
70,000 to 99,999	$117,882	$123,776	$123,776
100,000 to 174,999	$130,980	$137,529	$137,529
175,000 to 249,999	$137,876	$144,770	$144,770
250,000 and above	$153,976	$161,675	$161,675
No Law Enforcement or Jail Responsibility			
Less than 10,000	$72,609	$76,239	$76,239
10,000 to 19,999	$80,676	$84,710	$84,710
20,000 to 39,999	$89,637	$94,119	$94,119
40,000 to 69,999	$99,599	$104,579	$104,579
70,000 to 99,999	$110,667	$116,200	$116,200
100,000 to 174,999	$122,960	$129,108	$129,108
175,000 to 249,999	$129,430	$135,902	$135,902
250,000 and above	$145,378	$152,647	$152,647

B. Out of the amounts provided for in this Item, no expenditures shall be made to provide security devices such as magnetometers in standard use in major metropolitan airports. Personnel expenditures for operation of such equipment incidental to the duties of courtroom and courthouse security deputies may be authorized, provided that no additional expenditures for personnel shall be approved for the principal purpose of operating these devices.

C. In accordance with the provisions of § 53.1-120, Code of Virginia, sheriffs are responsible for ensuring courtroom safety and chief judges are responsible, by agreement with the sheriff of the jurisdiction, for the designation of courtroom security deputies for their respective courts. However, unless a judge provides the sheriff with a written order stating that a substantial security risk exists in a particular case, no courtroom security deputies may be ordered by a judge for civil cases, not more than one deputy may be ordered by a judge for criminal cases in a district court, and not more than two deputies may be ordered by a judge for criminal cases in a circuit court. In complying with such orders for additional security, the sheriff may consider other deputies present in the courtroom as part of his security force.

D. Should the scheduled opening date of any facility be delayed for which funds are available in this Item, the Director, Department of Planning and Budget, may allot such funds as the Compensation Board may request to allow the employment of staff for training purposes not more than 45 days prior to the rescheduled opening date

for the facility.

E. Consistent with the provisions of paragraph B of Item 79, the board shall allocate the additional jail deputies provided in this appropriation using a ratio of one jail deputy for every 3.0 beds of operational capacity. Operational capacity shall be determined by the Department of Corrections. No additional deputy sheriffs shall be provided from this appropriation to a local jail in which the present staffing exceeds this ratio unless the jail is overcrowded. Overcrowding for these purposes shall be defined as when the average annual daily population exceeds the operational capacity. In those jails experiencing overcrowding, the board may allocate one additional jail deputy for every five average annual daily prisoners above operational capacity. Should overcrowding be reduced or eliminated in any jail, the Compensation Board shall reallocate positions previously assigned due to overcrowding to other jails in the Commonwealth that are experiencing overcrowding.

F. Two-thirds of the salaries set by the Compensation Board of medical, treatment, and inmate classification positions approved by the Compensation Board for local correctional facilities shall be paid out of this appropriation.

G.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a master deputy pay grade to those sheriffs' offices which had certified, on or before January 1, 1997, having a career development plan for deputy sheriffs that meet the minimum criteria set forth by the Compensation Board for such plans. The Compensation Board shall allow for additional grade 9 positions, at a level not to exceed one grade 9 master deputy per every five Compensation Board grade 7 and 8 deputy positions in each sheriff's office.

2. Each sheriff who desires to participate in the Master Deputy Program who had not certified a career development plan on or before January 1, 1997, may elect to participate by certifying to the Compensation Board that the career development plan in effect in his office meets the minimum criteria for such plans as set by the Compensation Board. Such election shall be made by July 1 for an effective date of participation the following July 1.

3. Subject to appropriations by the General Assembly for this purpose, funding shall be provided by the Compensation Board for participation in the Master Deputy Program to sheriffs' offices electing participation after January 1, 1997, according to the date of receipt by the Compensation Board of the election by the sheriff.

H. The Compensation Board shall estimate biannually the number of additional law enforcement deputies which will be needed in accordance with § 15.2-1609.1, Code of Virginia. Such estimate of the number of positions and related costs shall be included in the board's biennial budget request submission to the Governor and General Assembly. The allocation of such positions, established by the Governor and General Assembly in Item 79 of this act, shall be determined by the Compensation Board on an annual basis. The annual allocation of these positions to local sheriffs' offices shall be based upon the most recent final population estimate for the locality that is available to the Compensation Board at the time when the agency's annual budget request is completed. The source of such population estimates shall be the Weldon Cooper Center for Public Service of the University of Virginia or the United States Bureau of the Census. For the first year of the biennium, the Compensation Board shall allocate positions based upon the most recent provisional population estimates available at the time the agency's annual budget is completed.

I. Any amount in the program Financial Assistance for Sheriffs' Offices and Regional Jails may be transferred between Items 72 and 73, as needed, to cover any deficits incurred in the programs Financial Assistance for Confinement of Inmates in Local and Regional Facilities, and Financial Assistance for Sheriffs' Offices and Regional Jails.

J.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Sheriffs' Career Development Program.

2. Following receipt of a sheriff's certification that the minimum requirements of the Sheriffs' Career Development

Program have been met, and provided that such certification is submitted by sheriffs as part of their annual budget request to the Compensation Board on or before February 1 of each year, the Compensation Board shall increase the annual salary shown in paragraph A of this Item by the percentage shown herein for a twelve-month period effective the following July 1.

a. 9.3 percent increase for all sheriffs who certify their compliance with the established minimum criteria for the Sheriffs' Career Development Program where such criteria includes that a sheriff has achieved certification in a program agreed upon by the Compensation Board and the Virginia Sheriffs' Institute by Virginia Commonwealth University , or, where such criteria include that a sheriff's office seeking accreditation has been assessed and will be considered for accreditation by the accrediting body no later than March 1, and have achieved accreditation by March 1 from the Virginia Law Enforcement Professional Standards Commission, or the Commission on Accreditation of Law Enforcement agencies, or the American Correctional Association.

3. Other constitutional officers' associations may request the General Assembly to include certification in a program agreed upon by the Compensation Board and the officers' associations by the Weldon Cooper Center for Public Service to the requirements for participation in their respective career development programs.

K. Notwithstanding the provisions of Article 7, Chapter 15, Title 56, Code of Virginia, $8,000,000 the first year and $8,000,000 the second year from the Wireless E-911 Fund is included in this appropriation for local law enforcement dispatchers to offset dispatch center operations and related costs.

L. Notwithstanding the provisions of §§ 53.1-131 through 53.1 -131.3, Code of Virginia, local and regional jails may charge inmates participating in inmate work programs a reasonable daily amount, not to exceed the actual daily cost, to operate the program.

M.1. Included in this appropriation is $ 1,856,649 the first year and $1,856,649 the second year from the general fund for the Compensation Board to contract for services to be provided by the Virginia Center for Policing Innovation to implement and maintain the interface between all local and regional jails in the Commonwealth and the Statewide Automated Victim Information and Notification (SAVIN) system, to provide for SAVIN program coordination, and to maintain the interface between SAVIN and the Virginia Sex Offender Registry and provide for automated protective order notifications. All law enforcement agencies receiving general funds pursuant to this item shall provide the data requirements necessary to participate in the SAVIN system.

2. The data collected for purposes of the Statewide Automated Victim Information and Notification (SAVIN) system may be used to support additional public safety systems authorized by statute or the Appropriation Act. In support of these systems, the data may be used to determine or supplement risk factors, provide notifications, or data-driven information. The Commonwealth of Virginia's Chief Data Officer and the Compensation Board shall be permitted access to, and extraction of, such raw state data provided for these purposes, under terms agreed to by both the vendor collecting data under contract with the Virginia Center for Policing Innovation and the Commonwealth of Virginia's Chief Data Officer. No raw data shall be transferred beyond the SAVIN system except that which is shared with the Commonwealth of Virginia's Chief Data Officer in such mutually agreed upon manner.

N. Included in this appropriation is $2,478,556 the first year and $2,478,556 the second year from the general fund to support staffing costs associated with the expansion project at Prince William/Manassas Regional Jail.

O. Included in this appropriation is $2,194,589 the first year and $2,194,589 the second year from the general fund to support staffing costs associated with the Henry County jail replacement project.

P. Out of the amounts appropriated in this item, $7,332,246 the first year and $9,835,820 the second year from the general fund is provided for additional behavioral health case managers and medical treatment positions in local and regional jails. The Compensation Board shall provide a progress report on the implementation of these

positions, including but not limited to the amount of funding allocated to each jail and how the jail utilized the funding, behavioral health screening and assessment of individuals committed to local correctional facilities, the type of mental health services provided, the number of individuals with serious mental illness assessed as requiring behavioral health services who (i) needed and (ii) received discharge planning upon release from the local correctional facility, and barriers to implementing the initiative. A progress report shall be submitted to the Governor, the Secretary of Administration, the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee, and the Director, Department of Planning and Budget, on or before November 1, 2022 and November 1, 2023.

Q. Out of the amounts appropriated in this item, $32,154,902 the first year and $38,585,989 the second year from the general fund is provided to raise the entry level annual salary of sworn sheriff deputies and regional jail officers personnel to $42,000, effective August 1, 2022. The Compensation Board shall report on the allocation of these funds and the specific measures of effectiveness that indicate the degree to which these salary adjustments reduce the number of departures and vacancies. A report is due to the Governor, the Chairs of the House Appropriation and Senate Finance and Appropriation Committees, and the Director, Department of Planning and Budget no later than October 15, 2023.

R. Included in this item, $6,777,219 the first year and $8,132,664 the second year from the general fund to provide a base salary increase of $100 for each full year of service for sworn personnel who have three or more years of continuous state service up to thirty years, effective August 1, 2022.