

## **\$9.4 million for Alternative Transportation and Custody**

**The Governor’s introduced budget includes \$4.7 million in 2025 and 2026 to support the expansion of a pilot program to increase the number of individuals who can be served through alternative transportation (AT) and alternative custody (AC) and provide funding and language amendments needed to allow DBHDS to transport individuals under an involuntary commitment order.**

- Additional funding will be used to provide transport to individuals under involuntary commitment orders and provide support to expand a regional pilot program to eliminate exclusionary criteria, which will qualify a greater number of individuals to receive AT/AC services, reducing the burden on local law enforcement.
- The introduced budget also modifies language to combine funds for AT and AC into a single pot of funds which will provide DBHDS with the flexibility needed to deploy AT and AC resources based on the current needs of the system.
- The Governor’s introduced budget includes an additional \$4,733,920 in ongoing funding for AT and AC each fiscal year. With this addition, the funding for these services will total over \$14 million annually.

### **Provide AT/AC to Individuals Under Involuntary Commitment Orders**

- Current language only allows DBHDS to offer AT and AC to individuals under a TDO. Wait times for TDO beds may extend beyond the 72-hour limit, leaving individuals waiting extended periods of time in emergency departments for TDO beds.
- Individuals are required to have a hearing within the TDO timeframe, which has resulted in “bedside” hearings prior to transport to a TDO facility. Those who are involuntarily committed by a special justice at this juncture then move through the civil commitment process and are no longer under a TDO. Current language prevents DBHDS from providing AT or AC to these individuals, creating further burdens on law enforcement and hospital emergency departments.

### **Pilot Program to Eliminate Exclusionary Criteria for Transport**

- Exclusionary criteria and prohibition of the use of physical restraints in the initial contract with Allied Universal Security (AUS) (previously G4S Secure Solutions) have limited the program’s ability to maintain safe custody during transport.
- The Department has developed a pilot program with AUS to include the use of restraints for transporting individuals of all acuity levels. This requires specialized training and increases costs compared to the original, no-restraint approach. This pilot program is scheduled to be fully operational in March of 2024 and will include Rappahannock Area CSB, Encompass CSB, Region Ten CSB, Northwestern CSB, and Harrisonburg-Rockingham CSB.

- The additional funding will support the regional expansion of a pilot program to eliminate exclusionary criteria for safe custody and transport using lightweight, polypropylene restraint devices designed to be less traumatizing for individuals. This ability to restrain will qualify a greater percentage of individuals for AT and further reduce the burden on law enforcement. This pilot requires additional training in the use of restraint devices, non-escalation techniques, and 2:1 staffing for each transport which has significantly increased the cost to deliver the service.

#### **Language Only - Combination of Alternative Transportation and Custody Line Items**

- The General Assembly appropriated \$6.4 million for AT and \$3.3 million for AC in the FY 2024 budget funded in separate line items. Currently, the only means for law enforcement to transfer custody to another entity is through alternative transportation code §37.2-810. Since these two services are intricately connected in Code, it has been difficult for the Department to establish AT and AC as two separate services. The combination of these appropriations will provide DBHDS greater flexibility to deploy AT and AC resources with respect to the needs of each region.

#### **Status of AT and AC Programs**

- The Alternative Transportation (AT) program has been operational for four years through a contract that began in May of 2019. Alternative Transportation has completed over 6,800 successful transports traveling over 1.7 million miles during the life of the program with an average round-trip distance of 256 miles per transport.
- A new Request for Proposals (RFP) for custody and transport services will be issued in January 2024, as the original contract for AT expires in September 2024. The updated RFP will incorporate lessons from the first iteration and require the provider to have the capacity to maintain custody and transport all levels of acuity. DBHDS will seek bids for both regional and statewide proposals to provide services for individuals under a Temporary Detention Order (TDO).
- DBHDS is conducting a pilot for Alternative Custody and transport using Special Conservators of the Peace (SCOPs) in Southwest Virginia beginning in January of 2024.