



CITY OF RICHMOND  
CITY AUDITOR

**DATE:** February 5, 2020

**TO:** Dr. Antoinette V. Irving, Sheriff  
Richmond Justice Center

**FROM:** Louis Lassiter *LL*  
City Auditor

**SUBJECT:** Sheriff's Office Overtime Audit

The City Auditor's Office has completed the Sheriff's Office Overtime audit and the final report is attached.

We would like to thank the staff of the Sheriff's Office for their cooperation and assistance during this audit.

Attachment

cc: The Richmond Audit Committee  
The Richmond City Council  
Lenora Reid, Acting Chief Administration Officer

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City of  
**RICHMOND**  
Office of the City Auditor

Audit Report# 2020-10

**Sheriff's Office Overtime Audit**

February 5, 2020



**Audit Report Staff**

Louis Lassiter, City Auditor  
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Management Responses Appendix A

## Highlights

*Audit Report to the Audit Committee,  
City Council, and the Administration*

### Why We Did This Audit

The Office of the City Auditor conducted this audit as part of the FY20 audit plan approved by the Audit Committee. This audit focused on the three highest pay periods for the top 25 overtime earners in FY2019 and the controls and procedures in place to monitor and approve the hours. The audit was also conducted to identify attributing factors for the increase in overtime.

### What We Recommend

- We recommend the Sheriff periodically analyze the pod capacity usage and staffing assignments to identify opportunities to reduce overtime while still maintaining the safety and security of the inmates and employees.



## Sheriff's Office Overtime

### Background

The Richmond City Sheriff's Office is a Constitutional Office that is responsible for the operation of the Richmond Justice Center including the safety and security of the jail residents. The Sheriff's Office is also responsible for the safety of the citizens, judges, and staff within the City's three courthouses (John Marshall, Manchester, and Oliver Hill). The Justice Center is a direct supervision facility with 1,596 beds. The design of the Justice Center reduces the physical barriers between the inmate and staff and allows for continuous interaction within the housing units and active supervision to identify problems in the early states.

The Sheriff's Office approved budgeted expenditures for FY2019 was \$24,906,570 and actual expenditures were \$27,741,078, which resulted in a budget overrun of approximately \$2.8 million. The majority of the overrun was attributed to an increase in overtime expenditures. Overtime payments increased by approximately \$2 million (333%) between FY2018 and FY2019. Overtime expenditures increased annually between FY2017 and FY2019 despite a decline in inmate population.

Overtime for sworn employees is generally used to provide jail coverage for vacant positions, employees on leave, and inmate off-site hospitalization. Non-exempt sworn employees are paid overtime at a rate of time and half for all hours over 80 (worked or in paid leave) in a 14 day pay period. Non-exempt civilian employees are paid overtime at a rate of time and half for all hours over 40 in a work week.

### Works Well

We reviewed the three highest overtime pay periods for each of the top 25 overtime earners and noted all hours were:

- properly approved and documented; and
- processed and paid in compliance with the State's overtime regulations and the Sheriff's Office policies and procedures.

### Needs Improvement

#### Finding #1 – Pod Capacity and Staffing Assignments

The amount of overtime paid has increased each year between FY2017 and FY2019 despite a decline in the jail population during the same period. We analyzed inmate populations and staffing assignments for eight days (4 in 2017 and 4 in 2018/2019) and noted the below attributing factors for the increase in overtime.

- Inmates are housed in pods with capacities ranging between 10 and 72 beds. The number of open pods has remained relatively constant while the inmate population has decreased. The same number of pods are being used to house fewer inmates. The pod capacity utilization rate decreased from 66% to 46% between 2017 and 2019. This resulted in a need for additional staffing assignments as the current practice is to have one officer per pod.
- Staffing assignments increased despite experiencing a decrease in sworn active staff and a decline in jail population.

The Sheriff indicated the utilization of the current number of pods and staffing assignments are necessary in order to properly divide the jail population to maintain safety for inmates and staff. Management concurred with 1 of 1 recommendation(s). We appreciate the cooperation received from management, and staff while conducting this audit.

## BACKGROUND, OBJECTIVES, SCOPE, METHODOLOGY, MANAGEMENT RESPONSIBILITY and INTERNAL CONTROLS

This audit was conducted in accordance with the Generally Accepted Government Auditing Standards promulgated by the Comptroller General of the United States. Those Standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on the audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on the audit objectives.

### BACKGROUND

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The Richmond City Sheriff's Office is a Constitutional Office that is responsible for the operation of the Richmond Justice Center including the safety and security of the jail residents. The Sheriff's Office is also responsible for the safety of the citizens, judges, and staff within the City's three courthouses (John Marshall, Manchester, and Oliver Hill). In addition, the Sheriff's Office also provides civil processing services; execution of court ordered documents; and transportation of inmates. The mission of the Sheriff's Office is "to maintain a secure jail and a safe court system along with seamless inmate transport and civil process to preserve public safety."

The City of Richmond Justice Center is a direct supervision facility with 1,596 beds. Direct supervision, as defined by the National Institute of Corrections, combines two key elements; the physical design of a jail and an inmate management strategy to significantly reduce inmate problematic behavior commonly seen in jails. The direct supervision jails focus on managing inmate behavior to produce a jail that is safe and secure for all. The design of the Justice Center reduces the physical barriers between the inmate and staff and allows for continuous interaction within the housing units and active supervision to identify problems in the early stages.

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*Sheriff's Office Overtime*

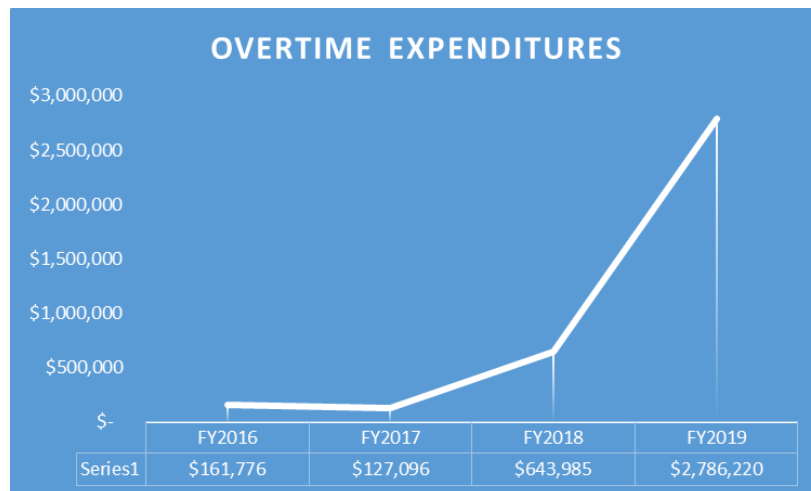
*February 5, 2020*

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The inmates are placed in one of 28 pods. The current Sheriff's practice is to post one deputy for each pod. Deputies are also posted throughout the Justice Center such as in the front lobby, visitation area, kitchen, medical unit, and master control room. Deputies also accompany inmates to the hospital and court. There were 388 authorized sworn positions with 64 vacancies for a total of 324 active (filled) positions as of May 31, 2019.

The Sheriff's Office approved budgeted expenditures for FY2019 was \$24,906,570 and actual expenditures were \$27,741,078, which resulted in budget overruns of approximately \$2.8 million. The majority of the overrun was attributed to overtime expenditures. Overtime payments increased by approximately \$2 million (333%) between FY2018 and FY2019. Overtime for sworn employees is generally used to provide jail coverage for vacant positions, employees on leave, and inmate off-site hospitalization. Non-exempt sworn employees are paid overtime at a rate of time and half for all hours over 80 (worked or in paid leave) in a 14 day pay period. Non-exempt civilian employees are paid overtime at a rate of time and half for all hours over 40 in a work week.

Below is a summary of the overtime expenditures for fiscal years 2016-2019.



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The top five overtime earners for fiscal year 2019 are summarized below.

<b>Employee</b>	<b>OT Hours</b>	<b>OT Amount</b>	<b>Regular Salary</b>
A	1367.50	\$ 41,997	\$ 43,809
B	1367.25	\$ 36,847	\$ 40,133
C	1304.50	\$ 35,866	\$ 41,072
D	1321.50	\$ 35,639	\$ 40,133
E	1307.50	\$ 35,587	\$ 38,581

As noted in the previous graph, the overtime expenditures remained flat in fiscal years 2016 and 2017 with significant increases in fiscal years 2018 and 2019. The inmate population and active sworn positions have steadily decreased. As such, this audit was commissioned to identify the attributing factors for the increase in overtime.

### **OBJECTIVES**

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To evaluate overtime usage, recordkeeping, and test payments for compliance and to identify attributing factors for the increase in overtime

### **SCOPE**

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The three highest overtime pay periods for the top 25 overtime earners during FY2019 were reviewed. Also, inmate population and staffing assignments were analyzed.

### **METHODOLOGY**

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The auditors performed the following procedures to complete this audit:

- Interviewed management and staff;
- Reviewed and evaluated relevant policies and procedures and tested for compliance;
- Reviewed hard copy files for timesheets and overtime approval forms;
- Analyzed inmate populations and staffing levels to determine why overtime increased;
- Performed other tests, as deemed necessary.

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## ***Richmond City Auditor's Report #2020-10***

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### **MANAGEMENT RESPONSIBILITY**

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The Sheriff Office's management is responsible for ensuring resources are managed properly and used in compliance with laws and regulations; programs are achieving their objectives; and services are being provided efficiently, effectively, and economically.

### **INTERNAL CONTROLS**

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According to the Government Auditing Standards, internal control, in the broadest sense, encompasses the agency's plan, policies, procedures, methods, and processes adopted by management to meet its mission, goals, and objectives. Internal control includes the processes for planning, organizing, directing, and controlling program operations. It also includes systems for measuring, reporting, and monitoring program performance. An effective control structure is one that provides reasonable assurance regarding:

- Efficiency and effectiveness of operations;
- Accurate financial reporting; and
- Compliance with laws and regulations.

Based on the audit test work, the auditors concluded adequate controls and procedures are in place to ensure the overtime is properly approved, documented and processed in compliance with applicable regulations and policies and procedures. However, the pod capacity and staffing levels should be periodically reviewed to identify opportunities to reduce overtime while still maintaining the safety and security of the inmates and staff.



## FINDINGS and RECOMMENDATIONS

### What Works Well

The highest three overtime pay periods for the top overtime earners in FY2019 totaling approximately \$128,000 were reviewed. The tested overtime payments were properly approved, adequately supported, and in compliance with applicable overtime regulations and the Sheriff's Office overtime policies and procedures.

### What Needs Improvement

#### Finding #1 – Pod Capacity and Staffing Levels

The amount of overtime paid has increased each year between FY2017 and FY2019 despite a decline in the jail's inmate population. Approximately, \$2.8 million was paid in FY2019, which represents a 333% increase from FY2018. The average jail population decreased from 952 at the end of fiscal year 2018 to 750 at the end of fiscal year 2019, which represents a 21% decrease. The jail population and staffing level of sworn employees have an inverse correlation to overtime spending.

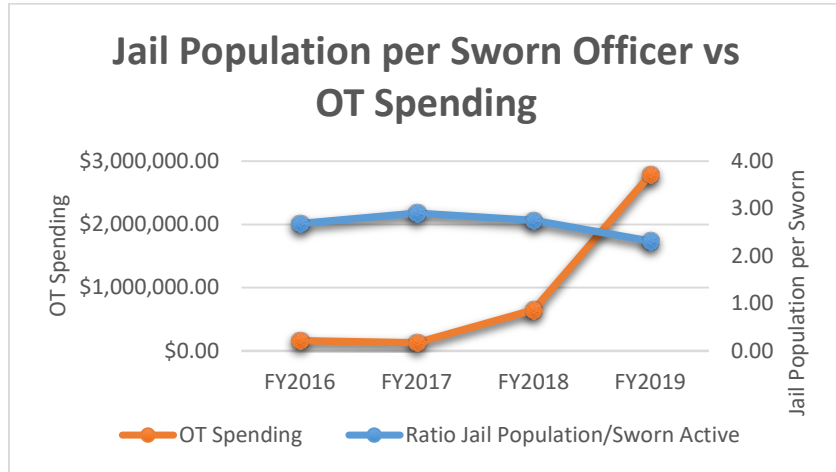
Below is the jail population, staffing level and overtime spending trend analysis.

Fiscal Year	Avg Jail Population	OT Spending	Avg Jail Population % Change	OT Spending % Change
2016	970	\$ 161,776	-	-
2017	996	\$ 127,096	3	-21%
2018	952	\$ 643,985	-4%	407%
2019	750	\$ 2,786,220	-21%	333%

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We analyzed inmate populations and staffing assignments for eight days (4 in 2017 and 4 in 2018/2019) and noted the below attributing factors for the increase in overtime, which correlated with the information obtained from staff interviews. The analysis was limited to only eight days as the needed inmate and staffing data was maintained in hardcopy documentation and had to be manually keyed for each pod and staff assignment each day. Data was reviewed and compared for periods prior to and during the overtime increased.

***Underutilized Pod Capacity***

Inmates are housed in pods with capacities ranging between 10 and 72 beds. As demonstrated below, the number of open pods remained relatively constant while the inmate population has decreased. The same number of pods were used to house fewer inmates. The pod capacity utilization rate decreased from 66% to 46% between 2017 and 2019. This resulted in a need for additional staffing assignments as the current practice is to have one officer per pod.

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Pod Usage by Inmate Population				
Date	Populated Pods	Inmates	Total Bed Capacity for Pods	Pod Capacity Utilization
2/24/2017	25	993	1514	66%
4/18/2017	26	1021	1538	66%
8/6/2017	26	1026	1538	67%
12/9/2017	26	969	1538	63%
8/7/2018	26	862	1500	57%
12/1/2018	25	784	1476	53%
2/21/2019	25	705	1476	48%
4/30/2019	25	679	1476	46%

***Increased Staffing Assignments***

Staffing assignments increased despite experiencing a decrease in sworn active staff and a decline in jail population. The number of active sworn staff and inmate population generally decreased from FY2016 – FY2019.

Staff by Inmate Population		
Date	Assignments	Inmates
2/24/2017	37	993
4/18/2017	41	1021
8/6/2017	41	1026
12/9/2017	31	969
8/7/2018	53	862
12/1/2018	41	784
2/21/2019	39	705
4/30/2019	47	679

	FY2016	FY2017	FY2018	FY2019
Sworn Active	361	343	346	324
% Change	-	-5%	1%	-6%

The Sheriff indicated the utilization of the current number of pods and staffing assignments is necessary in order to properly divide the jail population to maintain safety for inmates and staff. Additionally, the Sheriff has been working on increasing daily staff coverage of all jail posts, in order to maintain the direct supervision of inmates that is required of the jail type.

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In addition to the above observations, it should be noted that the Sheriff Office staff received salary increases (e.g. compression pay, promotions, etc.) during FY2019 that minimally contributed to the overtime increase.

**Recommendation:**

- 1. We recommend the Sheriff periodically analyze the pod capacity usage and staffing assignments to identify opportunities to reduce overtime while still maintaining the safety and security of the inmates and employees.*

**APPENDIX A: MANAGEMENT RESPONSE FORM**  
**2020-10 Sheriff's Office Overtime Audit**

#	RECOMMENDATION	CONCUR Y/N	ACTION STEPS
1	We recommend the Sheriff periodically analyze the pod capacity usage and staffing assignments to identify opportunities to reduce overtime while still maintaining the safety and security of the inmates and employees.	Y	The Commander of the Shift analyzes each pod on a daily basis and advises the Major if additional staffing is needed.
	<b>TITLE OF RESPONSIBLE PERSON</b>		<b>TARGET DATE</b>
	Major of Security		Immediately
	<b>IF IN PROGRESS, EXPLAIN ANY DELAYS</b>		<b>IF IMPLEMENTED, DETAILS OF IMPLEMENTATION</b>
			See Below

The current Sheriff took office on January 1, 2018 with the promise of making the inmates and staff safe in the Richmond City Justice Center.

The Sheriff is responsible for care and custody, which includes life, health and safety of inmates once they are the booked into the facility of the Richmond City Justice Center.

This facility is a direct supervision facility which means that there is a deputy assigned to each pod that has inmates assigned to them.

In an attempt to manage both staffing and overtime spent, we have closed pods as needed. We have also accessed pods when there is a need to open them based on the following:

- **Keep Separates-** This is a condition where inmates are enemies or combatants with other inmates in the facility. They are kept apart because they will hurt each other if in the same pod.
- **Suicide Watch-** This watch is consistent with inmates with suicidal tendencies or have attempted to harm themselves. These inmates have the potential of committing suicide (especially high-profile) inmates.
- **Hospital Security-** This is a situation where an inmate could have been injured prior to coming into jail or injured while in jail, enemy interaction or disagreement , outside/neighborhood incident or during their recreation time, also the medical or mental state of the individual/s could result in the need be hospitalized.
- **Clinic Appointments/Outside Consults and Therapy Appointments-** Inmates have clinic appointments and our deputies have to accompany them for therapy and other conditions that they may have had entering the facility.
- **Jail Emergencies (Medical Emergencies, Disturbances, etc.)-** This is an occurrence where the inmates may have a stroke or heart attack and needs immediate assistance that was not planned. Also, if there is a riot or other uprising of the inmates more deputies are needed to squelch a disturbance in the facility.
- **Storm/Disaster-**If there is a storm or other natural disaster, the Sheriff, at her discretion will have to call in deputies to man the public shelters or work with the emergency operations center for the City Of Richmond.
- **Mandated staffing-** There is also a staffing requirement from the state of Virginia which mandates a ratio of 3:1 which means there should be (3) inmates for every (1) deputy.

**APPENDIX A: MANAGEMENT RESPONSE FORM**  
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The Sheriff has attempted to reduce vacancies by increasing pay by 11% for incoming deputies, which is still 6-8% less than neighboring facilities; nevertheless, there are currently (71) seventy -one vacancies as we have been averaging 65 vacancies. This is comparable to the number of vacancies at other agencies and slightly less than that found when entering in 2018. While we show a decrease in the staffing numbers we are continuously working to improve in this area. We have obtained a grant to market for hiring to reduce our vacancies. The current staffing levels align with the facility design for direct supervision. There are still times when staffing levels are not 100%, we strive to staff the most critical or highest threat level areas in the facility.

We have taken steps to reduce overtime such as, eliminate holidays and holiday credits/holiday pay and increased vacation accruals to manage time taken by sworn staff.

We also have put a system in place that requires a justification for all overtime.

While overtime has increased and the inmate population has decreased the facility is a much safer place to visit and reside. We continuously evaluate the pulse of the environment of the jail and the housing needs for the inmate population. Our utmost concern is to ensure the life, health and safety of inmates, staff, and volunteers.

The Sheriff of the City Of Richmond is committed to ensure the safety and well-being of staff and inmates in her care with the best and most efficient use of funds entrusted. The Sheriff and her management team has been transparent with staff and methods of operation here at the Richmond City Sheriff's Office and appreciate the support of the City of Richmond to ensure that we are providing quality service and security for all.