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May 7, 2024

The Honorable Denis R. McDonough
Secretary of Veterans Affairs
810 Vermont Ave NW
Washington, DC 20420

Dear Secretary McDonough,

I write to you today to express grave concerns related to the operations of the Department of Veterans Affairs (VA) Police and VA's gross lack of compliance with statutorily required crisis intervention and suicide prevention training for VA Police Officers. It is imperative for the health and safety of these officers and the veterans served by the Department that this required training be provided as Congress has directed.

On December 5, 2020, President Trump signed into law the *Veterans Comprehensive Prevention, Access to Care, and Treatment (COMPACT) Act*. The Act requires VA to provide its Police Officers with annual training on the prevention of suicide through effective behavioral science procedures, crisis intervention and de-escalation skills, and by leveraging local law enforcement crisis intervention teams and other resources available in the community in which the police officers serve. As the Chairman of the Senate Veterans' Affairs Committee at the time, I worked with then-House Committee on Veterans' Affairs Chairman Takano to codify these requirements as a further enhancement to the *Commander John Scott Hannon Veterans Mental Health Care Improvement Act*, which invested in veteran mental health care and suicide prevention programs and research.

Whistleblowers recently came to my office to disclose serious concerns with the Department's lack of compliance with the training requirements in the *COMPACT Act*. Allegedly, the training developed by VA's Law Enforcement Training Center was allowed to languish in the Office of Security and Law Enforcement and with VHA's Office of the Senior Security Officer without any direction to the field to complete the training and without any requirement to track and report on compliance.

VA's response to a request for information from my office corroborated these allegations. From January 2023 to March 2024, only 1,297 out of 4,505 armed VA Police Officers were in compliance with the annual training requirement of the *COMPACT Act* representing a compliance rate of only 28%. This is wholly unacceptable and I fear it is our veterans and VA's workforce who are paying the price.

VA's National Veteran Suicide Prevention Annual Report found that, in 2021, the most recent year for which data is available, more than 6,300 veterans died by suicide.¹ Yet, VA's own police force is not trained in de-escalation skills and suicide prevention, as required by law. There is no excuse for VA not taking all the steps the Department can – much less the steps that Congress requires - to prevent the unnecessary loss of life.

Recent tragedies involving VA Medical Centers across the country demonstrate the critical importance of VA's compliance with the crisis intervention training requirements of the *COMPACT Act*. For example, last year we saw reports of VA Police Officers escorting a veteran receiving mental health care at the San Diego VA Medical Center off the premises where the veteran was then struck by a car and killed later that night.² We also saw reports of excessive use of force at the West Los Angeles VA Medical Center,³ and of the shooting death of a veteran patient in a VA emergency room in Decatur, Georgia.⁴ Last month, in a case that hits especially close to home, a VA Police Officer assigned to the Eisenhower VA Medical Center in Leavenworth, Kansas, died by suicide after allegedly murdering his wife and son.

When Congress passed and the president signed the *COMPACT Act* into law, it was with precisely these types of cases in mind. VA leadership has prided itself on being ahead of the curve nationally when it comes to training officers in de-escalation and crisis intervention, yet recent tragedies indicate there is much more work to do. When a VA Police Officer is called upon to act in the course of their duties, they should have every resource and method available to them to carry out their mission safely and successfully.

Approximately 90% of VA Police Officers are veterans themselves.⁵ VA Police Officers take their duties and responsibilities to their fellow veterans, law enforcement partners, and VA workforce seriously. I expect VA's leadership to take their duties and responsibilities just as seriously in order to equip these men and women with the training and resources necessary to provide the level of care our veterans have earned. Please explain the Department's lack of compliance with the *COMPACT Act* and, by May 24, provide me with a plan to guarantee the Department's compliance going forward.

Sincerely,



Jerry Moran
Ranking Member

cc: Michael Missal, Inspector General, Department of Veterans Affairs

¹ 2023 *National Veteran Suicide Prevention Annual Report*, U.S. Department of Veterans Affairs, 16 Nov. 2023.

² "Mental Health Emergency Response Documentation Inaccuracy, and Policy and Practice Inconsistencies at the VA San Diego Healthcare System in California." Department of Veterans Affairs, 3 May 2023.

³ "Veterans Affairs Police Officer Indicted on Federal Civil Rights and Assault Charges for Beating Man Approximately 45 Times with Baton." United States Department of Justice, 29 Sept. 2023.

⁴ Shirek, Jon. "Mother Expresses Grief for Son Shot, Killed by Officer after Wielding Knife at DeKalb VA Hospital." 11 Alive News, 31 Jan. 2024.

⁵ "Jobs for Veterans and Transitioning Military." VA Careers, U.S. Department of Veterans Affairs, 17 Oct. 2023.