

HF9065 - 0 - BCA Special Investigation Unit

Chief Author: **Jamie Long**
 Committee: **Public Safety and Criminal Justice Reform Finance & Policy Division**
 Date Completed: **6/11/2020 4:36:42 PM**
 Agency: **Public Safety Dept**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2019	FY2020	FY2021	FY2022	FY2023
General Fund	-	-	3,365	3,272	3,272	
Total	-	-	3,365	3,272	3,272	
Biennial Total			3,365		6,544	

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2019	FY2020	FY2021	FY2022	FY2023
General Fund	-	-	22	22	22
Total	-	-	22	22	22

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Adam Blom **Date:** 6/11/2020 4:36:42 PM
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State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2019	FY2020	FY2021	FY2022	FY2023
General Fund	-	-	3,365	3,272	3,272	3,272
Total		-	-	3,365	3,272	3,272
Biennial Total				3,365		6,544
1 - Expenditures, Absorbed Costs*, Transfers Out*						
General Fund	-	-	3,365	3,272	3,272	3,272
Total		-	-	3,365	3,272	3,272
Biennial Total				3,365		6,544
2 - Revenues, Transfers In*						
General Fund	-	-	-	-	-	-
Total		-	-	-	-	-
Biennial Total				-		-

Bill Description

Subd. 1: Provides definitions of applicable terms for the creation of a special investigation unit in the Bureau of Criminal Apprehension (BCA) for purposes of investigating officer-involved deaths.

Subd. 2: Creates the Use of Force Investigations Unit within the BCA, for purposes of investigating officer-involved deaths. This Office is to be headed by a Special Agent in Charge selected by the Superintendent of the BCA, in consultation with the Commissioner of Public Safety.

Subd. 3: The unit may also investigate conflict of interest cases involving peace officers and other public officials accused of crimes, including but not limited to sexual assault.

Subd. 4: Further, the unit is given the authority to employ peace officers and staff to conduct these investigations and the superintendent must develop and implement policies and procedures to ensure no conflicts of interest with regards to agents assigned to an investigation. BCA resources not directly assigned to the unit may be used to assist the unit in fulfilling the duties noted in this section.

Subd. 5: When a peace officer employed by the BCA is the subject of an officer-involved death investigation, the investigation must be conducted by an investigatory agency selected by the attorney general.

Subd. 6: Outlines the duties of the Superintendent, including the requirement for an annual report to the legislature, the Commissioner, and the Governor, and the necessary components to this report.

Assumptions

The BCA currently investigates the majority of officer-involved shootings (OIS) and in custody death investigations in the State of MN. They are responsible for providing coverage to all 87 counties and must remain on call 24/7 in order to provide timely response. The number of personnel requested to comply with the proposed bill reflects the the staffing needed to maintain a separate specialized unit within the BCA that will be responsible only for OIS and in custody death investigations. These agents and other personnel will be strategically located throughout the state in order to provide timely response to these critical incidents. The tables below show data by case for 2012 to 2020 YTD.

Data by Case

Year	# Cases Opened	Total Hours Worked in Year	Average Hours per Case	Max Hours per Case	Min Hours per Case
2012	6	623.75	103.96	241.75	6.00

2013	9	1506.74	167.42	293.21	12.00
2014	11	2815.80	255.98	488.75	98.69
2015	11	2970.45	270.04	1048.00	80.00
2016	21	7480.42	356.21	1658.93	16.50
2017	16	7883.47	492.72	2301.88	208.73
2018	18	10,100.17	561.12	2152.14	159.44
2019	22	12,059.73	548.17	2074.90	65.96
2020 YTD	7	4726.25	675.18	1210.77	311.50

*This table is grouped by CASE. The sum of hours worked, average hours, etc. are hours worked per case opened in that year.

Hours worked by Time

Year	OIS Hours
2012	633.48
2013	1707.74
2014	2840.03
2015	2526.95
2016	7223.45
2017	7562.89
2018	11,688.90
2019	13,479.18
2020 YTD	7341.01

*This table shows the number of hours worked in OIS cases by year, regardless of when the case was initiated.

It is assumed that in order to comply with the requirements of the bill, the following positions (number of individuals in these positions are noted in parentheses) will need to be filled at the noted costs:

Position (Number Needed)	Cost Per Position
Special Agent in Charge (1)	\$170,357.00
Assistant Special Agent in Charge (1)	\$155,561.00
Senior Special Agent (12)	\$143,578.00
Criminal Intelligence Analyst (2)	\$99,000.00
Transcriptionist Support Staff (1)	\$89,000.00
Public Information Officer (1)	\$132,000.00
Digital Evidence Analyst (2)	\$96,547.00
Victim Witness Coordinator (1)	\$117,000.00
Firearms Scientist (1)	\$125,000.00

In total, twenty-two positions will need to be filled and would only do the duties outlined in this bill, in a standalone unit.

The first three positions noted are sworn staff and each employee hired for those positions will need the following equipment, supplies, and training per annum, at the noted costs:

Equipment	Per Annum Costs
Vehicle	8,000
Vehicle Maintenance	2,500
Radios	2,200
Phones	1,300
Computer Equipment	2,500
Miscellaneous Training & Supplies	5,000

The total cost of these items, per sworn staff member, is \$21,500.00 per annum.

The five positions following the sworn staff are non-sworn staff and each employee hired for those positions will need the following equipment, supplies, and training per annum, at the noted costs:

Equipment	Per Annum Costs
Phones	1,300
Computer Equipment	2,500
Miscellaneous Training & Supplies	5,000

The total cost of these items, per non-sworn staff member, is \$8,800.00 per annum.

The firearms scientist will need the following one-time equipment, supplies, and training:

Equipment	One-Time Costs
Lab Equipment	\$87,000
Initial Training	\$6,000

In addition to the above, the firearms scientist will need \$8,800.00 in annual equipment and supplies.

A lease for agents to be placed in Mankato will also be necessary at a cost of \$15,000.00 per annum.

Expenditure and/or Revenue Formula

The following number of positions at the level and cost noted, per position, will result in the costs noted below:

Position (Number Needed)	Cost Per Position	Total Cost Per Annum
Special Agent in Charge (1)	\$170,357.00	\$170,357.00
Assistant Special Agent in Charge (1)	\$155,561.00	\$155,561.00
Senior Special Agent (12)	\$143,578	\$1,722,936.00
Criminal Intelligence Analyst (2)	\$99,000.00	\$198,000.00
Transcriptionist Support Staff (1)	\$89,000.00	\$89,000.00

Public Information Officer (1)	\$132,000.00	\$132,000.00
Digital Evidence Analyst (2)	\$96,547.00	\$193,094.00
Victim Witness Coordinator (1)	\$117,000.00	\$117,000.00
Firearms Scientist (1)	\$125,000.00	\$125,000.00

The total cost of filling each of these positions per annum is \$2,902,948.00

The total cost of providing the fourteen sworn staff's annual equipment, supplies, and training is \$301,000.00 per annum.

The total cost of providing the five non-sworn staff's annual equipment, supplies, and training is \$44,000.00 per annum.

The total cost of one-time lab scientist equipment and initial training is \$93,000.00, to be spent in the fiscal year 2021.

In addition to these one-time costs, the firearms scientist will need \$8,800.00 in equipment and supplies per annum.

All of these items in addition to the lease in Mankato, at a cost of \$15,000.00 per annum, will result in \$3,364,748 in costs in fiscal year 2021 and \$3,271,748.00 in ongoing costs per annum.

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

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