

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4937-01
Bill No.: SB 628
Subject: Cities, Towns and Villages; Law Enforcement Officers and Agencies; Department of Public Safety
Type: Original
Date: February 16, 2016

Bill Summary: This proposal requires law enforcement agencies in certain cities to require their officers to wear a camera while on duty and in uniform and record all contacts with people.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
General Revenue	(Up to \$5,662,200)	(\$203,550)	(\$203,550)
Total Estimated Net Effect on General Revenue	(Up to \$5,662,200)	(\$203,550)	(\$203,550)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 9 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Local Government	(Unknown)	(Unknown)	(Unknown)

FISCAL ANALYSIS

ASSUMPTION

Section 590.198 - Body Cameras:

Officials from the **Department of Public Safety - Office of the Director (DPS)** made, for purposes of this fiscal note, the following assumptions:

Cities with a population of over 100,000 inhabitants, and the number of police officers in the city per our POST listing:

Kansas City	1,403
St. Louis City	1,319
Springfield	302
Independence	203
Columbia	<u>165</u>
Total of Peace Officers	3,392

Body Cameras w/ Extended Warranty/Training	\$600.00 ea
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Server estimates are based on the required two year storage time for approximately 9 body cameras per server. We cannot determine how each law enforcement agency would handle the body camera storage, so these costs could fluctuate, depending on how storage of the recordings is handled.

We have included all cities with a population over 100,000, regardless of whether or not they are using body cameras at this point, since the legislation does not state if the intent is to set up the city initially, or if the costs continue through replacement, etc. The life of a body camera is generally two years, so replacement due to wear, in addition to damage, would raise the cost of the fiscal note long range.

In addition to the costs there would also possibly be Office of Administration - Information Technology Services Division (ITSD) FTE requirements within the individual departments due to this legislation. That cost has not been included in this estimate, and would be the responsibility of the law enforcement agency.

ASSUMPTION (continued)

			FY 2017	FY 2018
Cameras	3,392	@ \$600 each	\$2,035,200	\$0
Servers	390	@ \$5,000 each	\$1,950,000	\$0
SQL Server Licenses	390	@ \$4,300 each	\$1,677,000	\$0
Replacement Cameras	339	\$600 each (339 per year starting in FY 2018)		\$203,550
TOTAL			\$5,662,200	\$203,550

This estimate totals \$5,662,200, based on these assumptions.

This legislation requires the funds for this estimate be provided by the Department of Public Safety. There is no current appropriation in place to provide the funds for this legislation in our budget.

The replacement of cost of these cameras since their life expectancy is two years: There is no intent as to exactly how long the Department of Public Safety would be providing these cameras, servers, etc. These possible continuing costs have not been included in the fiscal estimate.

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** state this legislation would require the MHP to outfit 1,379 officers (1,155 officers, 120 CVO/CVI officers, and 104 command staff) with the following technology along with 161 servers and supporting software. Twenty-three of the 161 servers and supporting software will be needed at the CVE scale houses, 13 will be needed for the Division of Drug and Crime Control (DDCC) and the remaining 125 (23+13+125 = 161) will be installed in zone offices and troop headquarters. Cost estimates are as follows:

FirstVu HD Advanced Body Camera Video Systems (1,379 x \$695)	\$958,405
147 VuVault Server Software Licenses (161 x \$995)	\$160,195
147 Servers (161 x \$5,000)	\$805,000
147 Windows Servers Licenses (161 x \$2,300)	\$370,300
147 Sequel Server License (161 x \$2,000)	<u>\$322,000</u>
	\$2,615,900

The total cost for the initial equipment would be \$2,615,900. This cost would be proportionately divided between the General Revenue Fund (4.9%), Highway Funds (82.9%), Gaming Funds (10.2%) and the Water Patrol Fund (2%).

ASSUMPTION (continued)

The life expectancy of this type of unit is two to three years. Therefore, the MHP suggests replacing one-third of these units annually ($1,379/3 = 460$). It is suggested to have a full replacement of these units due to continual upgrades to cameras and hard drives.

The Information and Communication Technology Division (ICTD) of the Highway Patrol will be required to hire two additional FTE (one Computer Information Technologist I (at \$36,204 annually) and one Computer Information Technologist III (at \$45,156 annually)) to implement and maintain this mission critical application. These specialists will be responsible for working with the network and server group to install and configure the servers and other related hardware necessary for the smooth operation of this technology. In addition, they would be responsible for training officers on the usage, care, and maintenance of the video equipment and instructing officers on basic troubleshooting and repair of the video equipment. The cost for the FTE would be out of Highway Funds.

There will be recurring costs of \$650 per year per FTE for office supplies and phone charges and no standard equipment charges would be required.

The Missouri State Highway Patrol averages 382,500 (five year average 2010-2014) traffic stops annually. This number alone is a very conservative figure of the potential number of videos that could be created annually by members of the Patrol, as it does not include the potential for other videos that may be created following interactions other than traffic stops.

Given this, if only 5% of the videos created were sought through an open records "Sunshine Law" request, this would equate to approximately 19,125 ($382,500 \times .05$) additional records requests annually and would require an additional 25 FTE to complete.

1 FTE = 1,864 hours (average work hours per year). An estimate of the amount of time per request to research (determine if record is available and whether it is an open/closed record), review (watch/listen to each recording to ensure it does not contain additional information that may need redaction), and process (create the record and prepare paperwork to track the dissemination) is 2.5 hours. Therefore, one FTE can process approximately 745 of these requests annually ($1,864/2.5 = 745.6$). $19,125$ initial record requests / 745 requests processed by 1 FTE per year = 25 FTE.

$$1\% = 382,500 \times .01 = 3,825 / 745 = 5 \text{ FTE}$$

$$5\% = 382,500 \times .05 = 19,125 / 745 = 25 \text{ FTE}$$

$$10\% = 382,500 \times .10 = 38,250 / 745 = 51 \text{ FTE}$$

$$20\% = 382,500 \times .20 = 76,500 / 745 = 102 \text{ FTE}$$

ASSUMPTION (continued)

The Patrol Records Division would have to initiate the use of work shifts (sharing work stations) in order to physically accommodate 25 FTE needed to process only 5% of the possible record requests. The division currently has workspace for 30 full-time employees, not including supervisors. Processing more than five percent of the possible expungements would require additional workspace. The physical requirements would increase with the number of FTE required to meet the demand for record requests. Employees sharing cubicles would not require additional equipment; however, there would be recurring costs of \$650 per year per FTE for office supplies and phone charges. FTE requiring new work stations and equipment would incur a one-time cost of \$6,094 per FTE.

25 Information Analysts (\$1,076 x 24)	\$645,600
Equipment/Office Furniture	\$6,094

RECURRING COSTS

Phone Charges per FTE	\$350
Office Supplies per FTE	\$300

Oversight assumes the new body camera requirements apply to law enforcement officers within a city with a population of at least 100,000 inhabitants (Kansas City, City of St. Louis, Springfield, Independence, Columbia, and perhaps soon to Lee's Summit). Oversight assumes the proposal would not apply to the Missouri Highway Patrol.

Officials from the **Springfield Police Department** estimated a \$250,000 initial expense, plus an additional \$250,000 per year for storage fees, as well as \$37,913 for an additional staff person to manage the sunshine law requests.

In response to a similar proposal from last session, HB 75, officials at the **City of Columbia** stated that the department currently has body cameras for its Patrol Division. It will cost a minimum of \$40,000 to have cameras, licenses, docking stations and video storage. This figure is expected to increase yearly. In addition, they will need to create a new position to handle the enormous task of filling open records requests regarding video footage.

Officials from the **Attorney General's Office** assume that any potential costs arising from this proposal can be absorbed with existing resources.

Officials from the **City of Kansas City** assume the current proposal would not fiscally impact their agency.

ASSUMPTION (continued)

Oversight assumes some of the law enforcement officers currently have cameras; therefore, Oversight will range the fiscal impact as "up to" the estimate provided by DPS. Oversight will assume the local law enforcement agencies will incur costs maintaining the body cameras and the large amounts of data that will not be supplied by DPS, which is only providing "equipment." Therefore, Oversight will assume a the cities will need to hire additional FTE to handle the responsibilities of the body cameras. Oversight will assume an unknown amount of costs.

<u>FISCAL IMPACT - State Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
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GENERAL REVENUE FUND

Costs - DPS (Section 590.198)

Costs associated with body cameras and related equipment	(Up to <u>\$5,662,200</u>)	(<u>\$203,550</u>)	(<u>\$203,550</u>)
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ESTIMATED NET EFFECT TO GENERAL REVENUE FUND	(Up to <u>\$5,662,200</u>)	(<u>\$203,550</u>)	(<u>\$203,550</u>)
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<u>FISCAL IMPACT - Local Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
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LOCAL POLITICAL SUBDIVISIONS

<u>Income</u> - from DPS - for body cameras, servers, licenses, replacement cameras, etc.	Up to \$5,662,200	\$203,550	\$203,550
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<u>Costs</u> - Body cameras and ongoing replacement	(Up to \$5,662,200)	(\$203,550)	(\$203,550)
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<u>Costs</u> - Additional FTE and other expenses may be needed to administer the body cameras	(<u>Unknown</u>)	(<u>Unknown</u>)	(<u>Unknown</u>)
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ESTIMATED NET EFFECT TO LOCAL POLITICAL SUBDIVISIONS	(<u>Unknown</u>)	(<u>Unknown</u>)	(<u>Unknown</u>)
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FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

Under this act, each law enforcement agency in a city with a population of more than 100,000 must require its officers to wear a body-worn camera at all times while on duty and in uniform. The officers must activate the camera to record, from beginning to end, all contacts with people in the performance of their official duties.

The recordings from the cameras must be retained by the law enforcement agency for at least two years and are open records in the same manner as incident reports are open records.

The officer must inform people that they are being recorded unless doing so would be unsafe, impractical, or impossible.

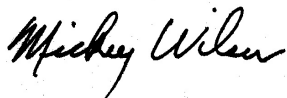
This act provides that an officer who fails to record a contact must be suspended without pay until the completion of an investigation into why the contact was not recorded.

The Department of Public Safety must provide the funds for the recording equipment.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Public Safety
Attorney General's Office
Springfield Police Department
Office of the Attorney General
Kansas City Police Department
City of Columbia



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