

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 6008-01
Bill No.: SB 1087
Subject: Law Enforcement Officers and Agencies; Office of Administration; Highway Patrol
Type: Original
Date: April 1, 2016

Bill Summary: This proposal creates the Office of Missing Persons Advocate.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND				
FUND AFFECTED	FY 2017	FY 2018	FY 2019	Fully Implemented (FY 2020)
General Revenue	(\$5,585,307)	(\$5,300,929)	(\$5,716,383)	(\$5,618,200)
Total Estimated Net Effect on General Revenue	(\$5,585,307)	(\$5,300,929)	(\$5,716,383)	(\$5,618,200)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS				
FUND AFFECTED	FY 2017	FY 2018	FY 2019	Fully Implemented (FY 2020)
Capitol Improvement	(\$13,500,000)	\$0	\$0	\$0
State Facilities Management Operations	\$0	\$0	\$0	(\$347,378)
Total Estimated Net Effect on Other State Funds	(\$13,500,000)	\$0	\$0	(\$347,378)

Numbers within parentheses: () indicate costs or losses. This fiscal note contains 10 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS				
FUND AFFECTED	FY 2017	FY 2018	FY 2019	Fully Implemented (FY 2020)
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)				
FUND AFFECTED	FY 2017	FY 2018	FY 2019	Fully Implemented (FY 2020)
General Revenue	51	51	51	51
State Facilities Management Operations	0	0	0	2
Total Estimated Net Effect on FTE	51	51	51	53

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	Fully Implemented (FY 2020)
Local Government	(Unknown)	(Unknown)	(Unknown)	(Unknown)

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Springfield Police Department** assume the current proposal would not fiscally impact their agency.

Officials from the from the **Office of Administration - Commissioner's Office (OA)** note OA has no previous experience or expertise in missing person advocacy. To comply with the proposal, OA assumes 5 FTE would be needed to fully staff the Office of Missing Persons Advocate. This is based on the number of FTE currently budgeted for the Office of Child Advocate (OCA).

1 Director/Program Manager: \$72,186
1 Assistant Director/Program Manager: \$59,590
1 Legal Counsel: \$66,000
1 Investigator: \$46,567
1 Executive I: \$34,596

OA assumes a yearly employee training would be necessary for the Advocate at a cost of \$1,208. Per the Association of Talent Development (ATD), in 2013 organizations spent an average of \$1,208 per employee on training and development. The estimated annual training/professional development costs: \$6,040 (for 5 staff).

OA assumes there would be estimated cost for office space in Jefferson City: \$35,000. (2,000 square feet x \$14 rental rate + 2,000 square feet x \$3.50 janitorial and utilities)

Officials from the **Office of Administration - Division of Accounting** assume the current proposal would not fiscally impact their agency.

Officials from the **Office of Administration - Facilities Management, Design and Construction (FMDC)** assume this proposal will require additional capital improvement, to accommodate DPS - Missouri Highway Patrol for a new 45,000 sq. ft. crime lab in Jefferson City that will house 45 new FTE. The new capital improvement budget would need to be \$13.5 Million. The funds would need to be appropriated in FY18 for a completion date in FY 20. In addition, FMDC will need additional operating costs to maintain this additional square footage. This would include the need for 2 additional FTE (Maintenance Worker II - \$59,766 each/annually) and maintenance, fuel and utility costs.

ASSUMPTION (continued)

Officials from the **Office of Administration - Information Technology and Services Division (ITSD)** assume this proposal would require a new interface to retrieve and update data within the Department of Public Safety missing person database. ITSD also assumes that the Department of Public Safety missing person database will be accessible to the new office and have the needed fields and interfaces for data exchange with the national databases since this function can currently be performed today. Initial ITSD consulting costs include 622.08 hours at \$75 per hour, totaling \$46,656 in FY 17. With the Office of Missing Person Advocate being new to OA without any experience with DNA data, DNA interfaces or data exchange and the possibility of enhanced security with DNA data, we see maintenance hours for the first couple years of 2,000 estimated hours until the system is stable.

Officials from the **St. Louis County Police Department** assume this proposal would require policy changes, new system implementation and procedural changes for missing person's reports. The procedural changes for missing person's cases that exceed thirty days would create a fiscal impact. Additional information to be collected after thirty days includes familial DNA, x-rays, and dental records among other things.

The estimated time spent tracking down additional information on each case that exceeds thirty days would take between 2-5 days to obtain. In 2015, approximately 150 cases exceeded thirty days. There are currently one detective and one supervisor who handle missing person's cases. Approximately 150 weeks of additional work would be created. Two additional detectives would have to be hired. The total salary with benefits of a missing person's detective is approximately \$77,051.

The proposal would also require that the samples be processed and placed into the state database. Each case would cost a minimum of \$50 not including man hours it would take to enter the information. Based on the estimate of 150 cases a year, each year would cost \$7,500.

ASSUMPTION (continued)

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** assume the following:

Section 37.1000

MHP state that while all of the abilities and requirements of the Office of Missing Persons Advocate are noted in this legislation, the Office of Missing Persons Advocate within the Office of Administration is a noncriminal justice agency and would not be authorized to obtain an Originating Agency Identifier (ORI) to view or have access to criminal justice information within the Missouri Uniform Law Enforcement System (MULES)/National Crime Information Center (NCIC) or other relevant criminal justice databases. Providing access would be a violation of Section 610,100, RSMo, and federal law Title 28, Part 20 which deals with the Judicial Administration of Criminal Justice Information Systems.

Section 43.401.3

MHP assume this proposal would result in additional responsibilities for the Missouri Persons Unit of the Highway Patrol. One Criminal Intelligence Analyst II (\$36,204/annually) would be needed to collect, analyze, evaluate, and disseminate information and intelligence to local, state, and federal law enforcement agencies, as well as prosecutors, regarding the identification of key suspects, associates, and witnesses using numerous databases during all phases of an investigation.

There will be recurring costs of \$650 per year for office supplies and phone chargers, and computer equipment would be required at a one-time cost of \$829.

Section 43.401.8

MHP assume all DNA samples obtained in missing persons cases shall be immediately forwarded to an appropriate crime laboratory for analysis. The laboratory shall establish procedures for determining how to prioritize analysis of the samples relating to missing persons cases. According to MHP's missing persons statistics, there were 9,770 reported missing persons in 2015. To perform DNA analysis on nearly 10,000 new cases a year, the Crime Laboratory would need 40 Criminalists (\$38,928/annually) and 5 Forensic Laboratory Technicians (\$28,536/annually) to support the work of the Criminalists. This is based on the average DNA case output of 250 cases a year per Criminalist.

ASSUMPTION (continued)

There will be recurring costs of \$650 per year per FTE for office supplies and phone chargers. Computer equipment would be required at a one-time cost of \$829 per FTE.

Consumables to include lab supplies, proficiency testing, and accreditation costs and training would be required yearly for the DNA Criminalists at a cost of \$23,000 per FTE.

To perform DNA analysis on approximately 10,000 new cases each year, this new Crime Laboratory would need up to \$1,240,611 worth of equipment. A maintenance contract will be needed on the equipment beginning with the second year at a cost of \$98,224 annually.

STACS-CW Enterprise Software (StaCS) system is specific to tracking within a DNA laboratory. StaCS integrates instrumentation with the process and quality assurance by tracking, controlling and documenting every step in a procedure that converts biological samples into DNA profiles. This software significantly increases lab productivity and quality; moreover, it reduces turnaround time and eliminates redundancy in the process. The system can acquire and maintain all necessary information related to the processing of DNA samples on an automated workstation and will interface with genetic analyzers, RT-PCR and most of our other instruments and software. The software also imports and exports data to CODIS and can generate reports. The software has a unique quality assurance and quality control features that help minimize and track unexpected/unexplained DNA profiles. The software is constantly evolving as science, quality control and accreditation requirements to change. Consequently, the MHP pays a yearly support and maintenance fee to support the ongoing changes and this fee is charged on a per sample processed basis. StaCS® CW is proprietary and only available from StaCS DNA Inc. No other software product in the marketplace provides the specialized functionality available in StaCS®. StaCS® can only be purchased from StaCS DNA Inc. as there are no resellers or subcontractors for licenses and support and training services for the product. This will require an annual fee of \$342,000.

The Crime Laboratory anticipates 45 FTE would be needed to perform DNA testing on “all samples obtained in missing persons case” as stated in the proposal. The industry standard of 1,000 square feet per FTE or 45,000 square feet of new laboratory working space will be necessary at an estimated cost of \$300 per square foot for a total cost of \$13,500,000 (45,000 x \$300).

On going operation costs for maintaining the lab (utilities, etc) are estimated at \$7.72 a square foot for a yearly cost of \$347,400 (45,000 x \$7.72).

<u>FISCAL IMPACT -</u> <u>State Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019	Fully Implemented (FY 2020)
GENERAL REVENUE FUND				
<u>Costs - OA</u>				
Salaries	(\$232,449)	(\$281,728)	(\$284,546)	(\$287,391)
Fringe Benefits	(\$105,555)	(\$127,428)	(\$128,198)	(\$129,480)
Equipment and Expense	(\$46,598)	(\$9,026)	(\$9,181)	(\$9,273)
Other Costs	<u>(\$35,000)</u>	<u>(\$35,875)</u>	<u>(\$36,772)</u>	<u>(\$37,140)</u>
<u>Total Costs - OA</u>	(\$419,602)	(\$454,057)	(\$458,697)	(\$463,284)
FTE Change - OA	5 FTE	5 FTE	5 FTE	5 FTE
<u>Costs - ITSD</u>				
Equipment and Expense	(\$46,656)	(\$150,000)	(\$153,750)	<u>\$0</u>
<u>Costs - MHP</u>				
Salaries	(\$1,446,670)	(\$1,753,364)	(\$1,770,898)	(\$1,788,607)
Fringe Benefits	(\$1,260,050)	(\$1,527,180)	(\$1,542,452)	(\$1,557,877)
Equipment and Expense	<u>(\$2,412,329)</u>	<u>(\$1,416,328)</u>	<u>(\$1,790,586)</u>	<u>(\$1,808,492)</u>
<u>Total Costs - MHP</u>	<u>(\$5,119,049)</u>	<u>(\$4,696,872)</u>	<u>(\$5,103,936)</u>	<u>(\$5,154,976)</u>
FTE Change - MHP	46 FTE	46 FTE	46 FTE	46 FTE
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND				
	<u>(\$5,585,307)</u>	<u>(\$5,300,929)</u>	<u>(\$5,716,383)</u>	<u>(\$463,284)</u>
Estimated Net FTE Change on the General Revenue Fund	51 FTE	51 FTE	51 FTE	51 FTE

<u>FISCAL IMPACT -</u> <u>State Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019	Fully Implemented (FY 2020)
CAPITAL IMPROVEMENT FUND				
<u>Costs - FMDC</u>	<u>(\$13,500,000)</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
ESTIMATED NET EFFECT ON CAPITAL IMPROVEMENT FUND	<u>(\$13,500,000)</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
STATE FACILITIES MANAGEMENT OPERATIONS FUND				
<u>Costs - FMDC</u>				
Salaries	\$0	\$0	\$0	(\$59,766)
Fringe Benefits	\$0	\$0	\$0	(\$36,512)
Equipment and Expenses	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>(\$251,100)</u>
<u>Total Costs - FMDC</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>(\$347,378)</u>
Net FTE Change	0 FTE	0 FTE	0 FTE	2 FTE
ESTIMATED NET EFFECT ON STATE FACILITIES MANAGEMENT OPERATIONS FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>(\$347,378)</u>
Estimated Net FTE Change on the State Facilities Management Operations Fund	0 FTE	0 FTE	0 FTE	2 FTE

<u>FISCAL IMPACT -</u> <u>Local Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019	Fully Implemented (FY 2020)
LOCAL LAW ENFORCEMENT				
<u>Costs - Missing Persons Case Requirements</u>	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT ON LOCAL LAW ENFORCEMENT	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>

FISCAL IMPACT - Small Business

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

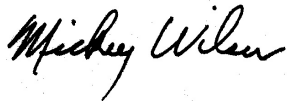
FISCAL DESCRIPTION

This act establishes, within the Office of Administration, the "Office of Missing Persons Advocate" to assist family members of missing persons and others in understanding law enforcement duties and resources, communicating with law enforcement officers and agencies, county coroners, medical examiners, and other agencies, and providing advice. The office is to be administered by a director and deputy director, who are to be appointed by the governor with the advice and consent of the senate for a term of six years. This act specifies the information that the office has access to, the powers granted to the office, and the requirements of the office.

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

SOURCES OF INFORMATION

Department of Public Safety - Missouri Highway Patrol
Office of Administration
 Commissioner's Office
 Division of Accounting
 Facilities Management, Design and Construction
 Information Technology Services Division
St. Louis County Police Department
Springfield Police Department



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