



June 8, 2020

SUMMARY OF ORIGINAL BILL: Changes, from 14 to 21, the number of calendar days in which a hearing requested by a police officer who has been dismissed, demoted, suspended, or transferred for punitive reasons must be set following the request.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (018265): Adds language to the legislation to prohibit a law enforcement officer from firing a weapon at a moving vehicle unless that vehicle is being operated in a manner that poses an immediate threat to life or safety.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 38-8-305(a), a police officer who is dismissed, demoted, suspended or transferred for punitive reasons, may within a reasonable amount of time following such action, as set by the officer's agency, request a hearing. If such request is made in a timely manner, a hearing shall be held within a reasonable amount of time set by the agency. The hearing shall be set no later than 14 calendar days following the date of request, unless a later date is acceptable to the police officer.
- Increasing to timeframe by which a hearing is to be set by one week will not result in a significant impact to state or local government expenditures.
- According to the Metropolitan Nashville Police Department Manual (section 11-10-130), officers are only authorized to use deadly force if they have probable cause to believe that the individual poses a threat of death or serious bodily injury, either to the employee or to others unless immediately apprehended and if all other means of apprehension available have been exhausted.
- It is assumed that other law enforcement agencies have similar policies. Thus, there will not be a significant impact to state or local expenditures as a result of prohibiting a law enforcement office from firing a weapon at a moving vehicle unless that vehicle is being operated in a manner that poses an immediate threat to life or safety.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/jmg