

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1471 - SB 1322

March 11, 2019

SUMMARY OF BILL: Requires law enforcement agencies to enter into an agreement with the Tennessee Bureau of Investigation (TBI) that requires the TBI to investigate any officer-involved shooting. Requires the TBI to report any findings to the District Attorney General of the involved county and the Attorney General. Specifies that the report be disclosed to the public, regardless of whether the person in question dies as a result of the shooting.

Defines “officer-involved shooting” as a shooting of a person by a law enforcement officer while the officer is on duty or while the officer is off duty but performing activities that are within the scope of the officer’s duties that results in the death or critical injury of the person.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – \$118,800

Assumptions:

- Pursuant to Tenn. Code Ann. § 38-6-102(a), the TBI Director, upon the request of the district attorney general of any judicial district, may assign the criminal investigators to aid that district attorney general in the investigation of any crime committed in the district attorney general's judicial district, but only when the district attorney general requests such aid.
- Between 2013 and 2018, the TBI investigated 205 officer-involved shootings.
- According to statistics received from the Knoxville Police Department, the Chattanooga Police Department, the Hamilton County Sheriff's Department, the Metro Nashville Police Department, the Memphis Police Department, and the Shelby County Sheriff's Department, combined, these agencies investigated approximately 106 officer-involved-shootings involving death or injury during the calendar years 2013 through 2018.
- If the TBI investigated all 106 officer-involved shootings in the specified time period, it would have resulted in an approximate 51 percent increase in such cases.
- Typically, the TBI responds to a request to investigate an officer-involved-shooting with a minimum of one supervisor and five agents. The crime scene processing and initial investigation can often require six agents to work an average of 15 continuous hours or more. In addition, agents can conceivably work an additional 300 hours in the continuing investigation of an officer-involved-shooting. On average, it would be

reasonable to assume an officer-involved-shooting investigation could require approximately 390 agent hours per investigation.

- Given the minimum 51 percent increase in cases under the provisions of this legislation, it is estimated that the TBI would require an additional two criminal investigators.
- The recurring salary and benefits for an individual TBI criminal investigator is \$59,414 (\$45,324 salary + \$14,090 benefits).
- It is estimated that the required supplies and training for these new positions can be accommodated within the existing TBI resources.
- The recurring increase in state expenditures is estimated to be \$118,828 (\$59,414 x 2).

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