



SF 568 – Peace Officer, Critical Incidents (LSB2342SV)
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Fiscal Note Version – New

Description

[Senate File 568](#) relates to peace officer-involved shootings and critical incidents. The Bill requires the Iowa Law Enforcement Academy (ILEA) to develop and promulgate minimum educational standards related to training provided to peace officers who investigate officer-involved shootings or critical incidents. Such training is to be offered by any employing law enforcement agency to any peace officer performing investigations of officer-involved shootings or critical incidents, and to any supervisor who may respond to reports of such shootings or incidents on a periodic basis.

The Bill defines an “officer-involved critical incident” as any of the following in the officer’s official capacity as a peace officer:

- The use of a dangerous weapon by an officer against a person that causes serious bodily injury, which is defined as an injury that creates a substantial risk of death or is otherwise life-threatening;
- A fatal injury to any person except the officer resulting from the use of a motor vehicle by the officer;
- The death of a person in law enforcement custody, with the exception of a death resulting from illness, natural causes, or medical conditions diagnosed prior to the individual’s death;
- A fatal injury to a person resulting from an officer’s attempts to prevent custodial escape, make an arrest, or otherwise gain physical control of an individual.

An “officer-involved shooting” is defined as the discharge of a firearm by an officer that results in serious bodily injury or death, including an accidental discharge of a firearm. [Senate File 568](#) provides that an officer-involved shooting or critical incident must be reported to the Division of Criminal Investigation (DCI) under the Department of Public Safety (DPS) by a chief of police, sheriff, or head of a law enforcement agency within 24 hours of the incident. An investigation of such an incident may be requested by the Attorney General, a county attorney, a chief of police, a sheriff, or the head of any law enforcement agency. The officer who is the subject of the investigation, or the officer’s legal counsel, has the right to a copy of audio and video recordings of the incident at least 48 hours prior to an interview, interrogation, or grand jury proceeding as part of the investigation. The Bill delineates various confidentiality requirements for all parties involved in the investigation.

[Senate File 568](#) also requires the DCI to establish a searchable database on the DPS website providing statistics and demographic information regarding all officer-involved shootings and critical incidents reported each calendar year. The database shall be updated on a quarterly basis, and the Department is prohibited from reporting any personally identifying information of an officer involved in a shooting or other critical incident.

Background

Pursuant to Iowa Code section [801.4](#), “peace officers” or “officers” are defined as sheriffs and their regular deputies who are subject to mandated law enforcement training, marshals and police officers of cities, peace officer members of the DPS, parole and probation officers actively engaged in performance of duty, special security officers employed by the Board of Regents institutions, full-time conservation officers employed by the Department of Natural Resources, certain Department of Transportation employees, certain employees of an aviation authority and others designated by law.

Assumptions

- Although the Bill primarily codifies what is current practice regarding officer-involved shootings and critical incidents, no database solely devoted to tracking such incidents exists. It is likely that the DCI will need to invest in a new database solely for this purpose and will choose to do so through a third-party contract.
- It is likely that the DCI will need to hire additional information technology (IT) staff to accommodate the increased workload related to case tracking and database management.
- The ILEA estimates that it will need to hire one additional law enforcement instruction officer, as well as one additional administrative assistant, to implement the new educational standards and training related to shootings and critical incidents involving peace officers.

Fiscal Impact

Table 1 shows estimated costs the DCI expects to incur in developing and maintaining a searchable database on the DPS website, including salary and benefit costs for two additional IT employees. Costs are based on similar projects completed in recent years.

Table 1 — Estimated Expenditures Related to Database Development, DCI

	FY 2020	FY 2021
Third Party Contract, Database Development	\$300,000 to \$400,000	-
Database Management/Maintenance	-	\$0 to \$20,000
Information Technology Support Worker 3	\$48,600	\$48,600
Information Technology Support Worker 4	\$52,400	\$52,400
Total	\$401,000 to \$501,000	\$101,000 to \$121,000

Table 2 shows the estimated salary and benefit costs for one additional law enforcement instruction officer and one additional administrative assistant necessary to implement the provisions required of the ILEA by [SF 568](#).

Table 2 — Estimated Salary and Benefit Costs, ILEA

	FY 2020	FY 2021
Law Enforcement Instruction Officer - Salary/Benefits	\$ 80,100	\$ 80,100
Administrative Support Staff - Salary/Benefits	\$ 62,200	\$ 62,200
Total	\$ 142,300	\$ 142,300

Table 3 provides a range of total estimated costs for both the DPS and the ILEA related to the implementation of [SF 568](#).

Table 3 — Total Cost Estimates, [SF 568](#)

	FY 2020	FY 2021
Total Cost Estimate, DPS	\$401,000 to \$501,000	\$101,000 to \$121,000
Total Cost Estimate, ILEA	\$142,300	\$142,300
Total	\$543,300 to \$643,300	\$243,300 to 263,300

Sources

Department of Public Safety
Iowa Law Enforcement Academy
LSA analysis

/s/ Holly M. Lyons

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The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
