

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 6165

BILL NUMBER: SB 177

NOTE PREPARED: Nov 12, 2020

BILL AMENDED:

SUBJECT: Victim's Rights and Investigations.

FIRST AUTHOR: Sen. Messmer

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill requires the State Police Department, upon the written request of an immediate family member of the deceased, to conduct a new and independent investigation into the cause of death if a local law enforcement agency has determined that the death was not the result of a criminal act committed by a third person.

Effective Date: July 1, 2021.

Explanation of State Expenditures: The bill's requirements represent an additional workload and expenditures on the Indiana State Police (ISP). While the ISP possesses the capability to conduct investigations as required by this bill, it does not currently have any obligation to conduct an investigation at the request of a private citizen. In addition to conducting the investigations, ISP will have to develop systems for receiving these requests, determining the validity of each request, and returning findings to requesters. These investigations would be outside of the agency's routine administrative functions, and existing staffing and resource levels, if currently being used to capacity, may be insufficient for full implementation. The additional funds and resources required could be supplied through existing staff and resources currently being used in another program or with new appropriations. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend on legislative and administrative actions.

Additional Information: The increase in workload will depend on the number of requests ISP receives in a given year. It is currently unknown how many investigations per year result in an uncharged death or what percentage of uncharged deaths are considered incorrect by the family of the deceased. According to the ISP, homicide investigations typically require approximately 150 hours, which is consistent with historical trends

across the U.S. If additional ISP officers are required, each additional ISP officer will cost approximately \$106,000 per year in pay and benefits.

Explanation of State Revenues:

Explanation of Local Expenditures: Under this bill, local law enforcement agencies are required to cooperate with and assist the ISP in the conduct of the new investigation. These requirements are within the capabilities of the affected agencies but constitute an additional workload that may be outside a given agency's capacity. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend on legislative and administrative actions.

Explanation of Local Revenues:

State Agencies Affected: Indiana State Police.

Local Agencies Affected: Law enforcement agencies.

Information Sources: Allocation of Personnel: Methodology for Required Staffing of Detectives (<http://www.fdle.state.fl.us/FCJEI/Programs/SLP/Documents/Full-Text/Gribble>); Eric Wandersee, ISP.

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