151st GENERAL ASSEMBLY
FISCAL NOTE

BILL:	**HOUSE BILL NO. 185**
SPONSOR:	**Representative Dorsey Walker**
DESCRIPTION:	**AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO BODY WORN CAMERAS.**

Assumptions:

1. This Act becomes effective upon signature by the Governor.
2. This Act requires certain law-enforcement officers to wear and use a body-worn camera (BWC) to record interactions with the public while on duty or in a role that is likely to result in interactions with the public. This Act requires law-enforcement agencies to retain BWC footage for a minimum of 90 days following the interaction.
3. This Act would require the Department of Safety and Homeland Security (DSHS), the Office of Management and Budget, the Department of Technology and Information, the Department of Justice (DOJ), and the Office of Defense Services (ODS) to implement a statewide BWC program through the procurement of cameras, development of a central data storage program, and provide adequate personnel to administer the program.
4. According to the DOJ, Delaware has 48 Law Enforcement Agencies (LEAs) with approximately 2,252 total officers statewide. Presently, 23 LEAs have a BWC program with an estimated 700 cameras in use and another 400 plus cameras expected once the Wilmington and Dover Police Department programs are fully deployed in June 2021. It is projected that approximately 1,000 BWCs (including a contingency of cameras), costing $965 each, will be needed for a total one-time cost of $965,000.
5. Essential to the establishment of a BWC program is for the ability of the DSHS to provide operational support for the program, which requires a minimum mandatory contractual five (5) year commitment. Fiscal Year 2022 contractual costs would be $320,400, with subsequent year costs estimated at $554,292 annually.
6. It is anticipated that centralized cloud storage, estimated to be a minimum of $800,000 annually, for the BWC program is the most cost-effective solution when it comes to having data stored in an accessible location.
7. The DSHS, the DOJ, and the ODS will have an immediate need for additional personnel based upon the expected deployment of additional BWCs in June 2021. The subsequent planning and deployment of a BWC program for the Delaware State Police (DSP) and remaining LEAs are anticipated to occur over a 2-year implementation period. The following agencies will incur the following personnel-related costs for the first year of this program:
    a. DSHS
        i. Recurring Costs of $457,908: for 6-months funding of Personnel Costs, including OECs (at a rate of 32.11%), for 2.0 FTEs, ISS Client Services Managers; and 11.0 FTEs, Digital Evidence Technicians.
        ii. One-Time Costs of $87,425: for computer equipment, software needs, and office furniture startup costs for the 13 new positions.

b. DOJ
   i. Recurring Costs of $1,079,087: for 10-months funding of Personnel Costs, including OECs (at a rate of 32.11%), for 6.0 FTEs, Deputy Attorneys General V; and 6.0 FTEs, Legal Assistants IV.
   ii. One-Time Costs of $55,000: for computer equipment, software needs, and office furniture startup costs for the six (6) new positions.

c. ODS
   i. Recurring Costs of $704,971: for 10-months of funding of Personnel Costs, including OECs (at a rate of 32.11%), for 4.0 FTEs, Assistant Public Defenders V; 2.0 FTEs, Law Clerks; and 2.0 FTEs, Paralegals II.
   ii. One-Time Costs of $30,400: for computer equipment, software needs, and office furniture startup costs for the eight (8) new positions.

8. As the DSP and additional LEAs start their BWC programs it is anticipated that the following impacted agencies will need additional personnel for the Fiscal Year 2023 (FY23) and beyond:

   a. DOJ
      i. Recurring Costs of $2,421,470: for the annualization of positions provided in the first year, and 10-months funding of Personnel Costs for new positions in FY23, including OECs (at a rate of 32.11%), for 6.0 FTEs, Deputy Attorneys General V; and 6.0 FTEs, Legal Assistants IV.
      ii. One-Time Costs of $55,000: for computer equipment, software needs, and office furniture startup costs for the six (6) new positions.

   b. ODS
      i. Recurring Costs of $1,581,954: for the annualization of positions provided in the first year, and 10-months of funding of Personnel Costs for new positions in FY23, including OECs (at a rate of 32.11%), for 4.0 FTEs, Assistant Public Defenders V; 2.0 FTEs, Law Clerks; and 2.0 FTEs, Paralegals II.
      ii. One-Time Costs of $30,400: for computer equipment, software needs, and office furniture startup costs for the eight (8) new positions.

9. The ODS, Office of Conflicts Counsel projects an increase in billable hours for conflict attorneys related to BWC footage review, estimated to be $207,000 annually. Additionally, the ODS anticipates in-house storage costs for evidence within case files associated with BWCs to be $15,000 annually.

10. Fiscal Year 2022 personnel costs for the DSHS are estimated at 6-months of funding and annualized in the following years. DSHS anticipates that it would take approximately 6-months to hire for these positions due to an extensive hiring process and required background check. Fiscal Year 2022 and 2023 personnel costs for the DOJ and ODS are estimated at 10-months of funding and annualized in the following years. All personnel costs are estimated to increase at a rate of 2.0% annually.

Cost:

	Operating/Recurring	**One-Time**
Fiscal Year 2022:	$3,584,365	$1,137,825
Fiscal Year 2023:	$6,513,849	$85,400
Fiscal Year 2024:	$6,983,827	

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