

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 18, 2017

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2619 by Giddings (Relating to grant programs to maintain peace officers' mental health and provide critical incident stress debriefing for certain officers.), **As Engrossed**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2619, As Engrossed: an impact of \$0 through the biennium ending August 31, 2019.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2018	\$0
2019	\$0
2020	\$0
2021	\$0
2022	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from Federal Funds 555	Change in Number of State Employees from FY 2017
2018	(\$1,158,042)	1.0
2019	(\$1,157,042)	1.0
2020	(\$1,158,042)	1.0
2021	(\$1,157,042)	1.0
2022	(\$1,158,042)	1.0

Fiscal Analysis

The bill would amend Government Code relating to grant programs to maintain peace officers' mental health and provide critical incident stress debriefing for certain officers.

The bill would require the Criminal Justice Division (CJD) in the Trusted Programs Within the Office of the Governor to establish and administer a grant program for law enforcement agencies to apply for grants to implement certain programs, practices, and services to address direct and indirect emotional harm suffered by police officers. The bill would require CJD to evaluate and compare the practices implemented by grant recipients to determine the most successful. The bill allows CJD to contract with a third party to conduct the evaluations. The bill requires CJD to biennially report the results and performance of the grant program.

The bill would also require the CJD to establish and administer a grant program for law enforcement agencies to apply for grants to provide critical incident stress debriefing to peace officers. The bill would also allow the grants to fund the development of critical incident stress debriefing curricula, materials or best practices for use by law enforcement agencies. The bill would require CJD to establish certain criteria and procedures for the grant program. The bill would require CJD to biennially report the results and performance of the grant program. The bill would require the CJD to establish the program by October 1, 2017 and to begin to award grants not later than January 1, 2018.

The bill would take effect September 1, 2017.

Methodology

The Office of the Governor anticipates both the Peace Officers Mental Health Grant Program and the Critical Incident Stress Debriefing Grant Program will be eligible for federal Victims of Crime Act (VOCA) funding administered by CJD. However, as VOCA funds have specific usage restrictions, this analysis assumes the program would be structured to only provide programs and services for VOCA-eligible victims and activities under the provisions of the bill. Based on information provided by the Office of the Governor, the agency would have an estimated cost of \$1,158,042 in fiscal year 2018, and \$1,157,042 in fiscal year 2019 in Federal Funds to implement the provisions of the legislation, related to the curriculum development, grants, and one Full-time Equivalent (FTE) to implement the program.

Once the Peace Officers Mental Health Grant Program is established, the Office of the Governor anticipates using \$250,000 of Federal Funds in fiscal year 2018 for grants to law enforcement agencies in a pilot program to evaluate most successful practices. The amount available for awards will increase to \$500,000 each subsequent fiscal year.

This analysis assumes the CJD will use existing resources in fiscal year 2018 to absorb the cost of initial Peace Officers Mental Health Grant Program design, implementation, and contracting with a third party to conduct programmatic evidence-based evaluations.

For the Critical Incident Stress Debriefing Grant Program, according to fiscal year 2016 information submitted by law enforcement agencies to the Attorney General's Office, there were 273 incidents of officer-involved injuries or deaths across 93 separate agencies, and 33 incidents of peace officer injuries/deaths across 17 separate agencies due to firearms. This totals 306 incidents across 110 agencies. At an estimated 35% application rate, CJD expects to fund 39 agencies under this program.

According to the Office of the Governor, Critical Incident Stress Debriefings (CISD) generally consist of a small homogeneous group of officers who have had the same level of exposure to the incident 24-72 hours after the incident. These CISD groups are led by a specially trained team of 2-4 people depending on group size. The debriefings generally take 1-3 hours to complete and may require several sessions a week over 2-3 weeks. Considering maximum VOCA contractual rates (\$81.25/hr.) and using the above CISD guidelines, the Office of the Governor anticipates that personnel costs for each CISD performed will be approximately \$5000.

This analysis assumes each agency would experience an average of three critical incidents per fiscal year, resulting in awards of \$585,000 (39 agencies x 3 incidents x \$5,000 per debriefing) each fiscal year for a total of \$1,170,000 in grants over the 2018-19 biennium.

The Office of the Governor anticipates a one-time cost of \$250,000 in fiscal year 2018 to develop or adopt evidence-based curriculum to be implemented across all agencies.

According to the Office of the Governor, one FTE would be hired for the administration and monitoring of the grants, funded with Federal VOCA dollars. The costs would include one Grants Coordinator I (\$52,000), employee benefits such as retirement and insurance (\$19,042), other operating expenses (\$1,000 every other year), and travel (\$1,000), for a total of \$145,084 for the 2018-19 biennium.

Local Government Impact

According to the Texas Association of Counties, the fiscal impact to counties to implement the provisions of the bill is not anticipated to be significant.

Source Agencies: 300 Trusted Programs Within the Office of the Governor, 304 Comptroller of Public Accounts

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