

PRISON/JAIL POPULATION COST ESTIMATE STATEMENT

Ninety-Sixth SESSION
2021 South Dakota Legislature

House Bill 1164

An Act to establish certain provisions related to law enforcement.

A prison/jail population cost estimate statement is required for HB1164 because it would create a new Class 5 felony for any law enforcement officer who uses a chokehold in the performance of the officer's duties unless deadly force is justified. Among other provisions, the Law Enforcement Standards Training Commission would be directed to promulgate rules to revoke the certification of any law enforcement officer who would be convicted under this bill.

The purpose of the felony penalty would be to enforce compliance. It is assumed there would be a high rate of compliance with this bill among law enforcement officers. Furthermore, a review of the public complaint reports posted by Rapid City and Sioux Falls since 2015 indicates that substantiated complaints concerning the use of force by law enforcement officers are rare in the state's two largest municipalities. For these reasons, the impact on prison and jail costs is estimated to be negligible.

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