

Multiple Agency Fiscal Note Summary

Bill Number: 5502 SB	Title: Juvenile sentencing
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Estimated Cash Receipts

Agency Name	2005-07		2007-09		2009-11	
	GF- State	Total	GF- State	Total	GF- State	Total
Department of Social and Health Services	0	(4,000)	0	(6,000)	0	(6,000)
Total \$	0	(4,000)	0	(6,000)	0	(6,000)

Local Gov. Courts *						
Local Gov. Other **						
Local Gov. Total						

Estimated Expenditures

Agency Name	2005-07			2007-09			2009-11		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Office of Administrator for the Courts	Non-zero but indeterminate cost. Please see discussion.								
Department of Social and Health Services	(1.9)	35,000	31,000	(2.8)	26,000	20,000	(2.8)	26,000	20,000
Sentencing Guidelines Commission	.0	0	0	.0	0	0	.0	0	0
Total	(1.9)	\$35,000	\$31,000	(2.8)	\$26,000	\$20,000	(2.8)	\$26,000	\$20,000

Local Gov. Courts *	Non-zero but indeterminate cost. Please see discussion.								
Local Gov. Other **									
Local Gov. Total									

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Prepared by: Nick Lutes, OFM	Phone: 360-902-0413	Date Published: Final 2/24/2005
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* See Office of the Administrator for the Courts judicial fiscal note

** See local government fiscal note

Judicial Impact Fiscal Note

Bill Number: 5502 SB	Title: Juvenile sentencing	Agency: 055-Office of Administrator for Courts
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

FUND	FY 2006	FY 2007	2005-07	2007-09	2009-11
Counties					
Cities					
Total \$					

Estimated Expenditures from:

Non-zero but indeterminate cost. Please see discussion.

The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☒ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.

Legislative Contact: Chelsea Buchanan	Phone: (360)786-7446	Date: 02/07/2005
Agency Preparation: Yvonne Pettus	Phone: (360) 705-5314	Date: 02/08/2005
Agency Approval: Jeff Hall	Phone: 360-357-2131	Date: 02/09/2005
OFM Review: Garry Austin	Phone: 360-902-0564	Date: 02/09/2005

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact on the Courts

The bill would eliminate the standard range of 15 to 65 weeks. The offender would be subject to a diposition involving confinement by DSHS. The bill would provide several classes of offenders who are ineligible for the mental health diposition alternative.

II. B - Cash Receipts Impact

II. C - Expenditures

Given that Mental Health Disposition Alternative disposition hearings require a little more time than an average juvenile offender disposition hearing, this bill could result in some additional court time, but it would be negligible.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

Individual State Agency Fiscal Note

Bill Number: 5502 SB	Title: Juvenile sentencing	Agency: 300-Dept of Social and Health Services
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

FUND	FY 2006	FY 2007	2005-07	2007-09	2009-11
General Fund-Federal 001-2	(1,000)	(3,000)	(4,000)	(6,000)	(6,000)
Total \$	(1,000)	(3,000)	(4,000)	(6,000)	(6,000)

Estimated Expenditures from:

	FY 2006	FY 2007	2005-07	2007-09	2009-11
FTE Staff Years	(1.0)	(2.8)	(1.9)	(2.8)	(2.8)
Fund					
General Fund-State 001-1	22,000	13,000	35,000	26,000	26,000
General Fund-Federal 001-2	(1,000)	(3,000)	(4,000)	(6,000)	(6,000)
Total \$	21,000	10,000	31,000	20,000	20,000

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☒ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Chelsea Buchanan	Phone: (360)786-7446	Date: 02/07/2005
Agency Preparation: Tammy Hay	Phone: 360-902-8077	Date: 02/07/2005
Agency Approval: Sue Breen	Phone: 360-902-8183	Date: 02/17/2005
OFM Review: Nick Lutes	Phone: 360-902-0413	Date: 02/24/2005

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

The purpose of this bill is to amend the Mental Health Disposition Alternative (MHDA) eligibility requirements, thereby expanding the pool of eligible youth.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

Cash receipts are federal Title XIX.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Section 1; Amends RCW 13.40.167 and 2003 c 378 s 4 and includes:

Changing the eligibility requirement of “subject to a standard range commitment of 15 to 65 weeks,” to “standard range disposition involving confinement by the department.”

Ineligible offenses of A+ felony offenses; for youth who are 14 years of age or older and adjudicated for: a class A offense or an attempt, conspiracy, or solicitation to commit a class A offense; Manslaughter 1st degree; or any of the following offenses, when the offense includes infliction of bodily harm upon another during the commission or immediate withdrawal from the offense the respondent was armed with a deadly weapon: Assault in the 2nd degree, extortion in the 1st degree, kidnapping in the 2nd degree, robbery in the 2nd degree, residential burglary, burglary in the 2nd degree, drive by shooting, vehicular homicide, hit and run death, intimidating a witness, violation of the uniform controlled substances act, or manslaughter 2.

Youth Served: Actual costs are indeterminate requiring a range estimation of youth served. Range is from 2 to 20 additional youth will receive this disposition since it is unknown how many counties will participate in this program. The low end of the range is developed based on Fiscal Year 2004 participation in the Mental Health Disposition Alternative (MHDA) by counties (6 youth in two counties in FY04). JRA assumes the number of eligible youth for this disposition will increase by approximately 25%. (25% of 6 youth participating in MHDA rounds to 2 youth) The high point of the range is estimated to be 20 youth (based on a King County estimate). Fiscal impact of this proposed legislation is calculated at mid-range or 11 additional youth per year will receive this disposition alternative.

Based upon the mid-range estimates for youth served, bed savings to Juvenile Rehabilitation Administration is approximately 8 beds per fiscal year. Estimated bed savings for JRA are assumed at a marginal rate since an entire residential unit will not be taken off line. This assumes 11 youth with an average stay of 277 days, will receive this disposition annually and of those youth 25% will have their disposition revoked and committed to the department. See attachment 05-SB 5502 Attachment 1.xls.

Cost Assumptions:

JRA Annual Marginal Bed Rate	\$24,000
Diagnostics per Recommitment	\$713.50
Enhanced Parole Annual Cost per Youth	\$4,150
MHDA Supervision per Youth	\$12,775
MHDA Treatment per Youth	\$5,000

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2006	FY 2007	2005-07	2007-09	2009-11
FTE Staff Years	(1.0)	(2.8)	(1.9)	(2.8)	(2.8)
A-Salaries and Wages	(31,000)	(93,000)	(124,000)	(186,000)	(186,000)
B-Employee Benefits	(8,000)	(22,000)	(30,000)	(44,000)	(44,000)
C-Personal Service Contracts					
E-Goods and Services	(10,000)	(30,000)	(40,000)	(60,000)	(60,000)
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services	68,000	150,000	218,000	300,000	300,000
P-Debt Service					
S-Interagency Reimbursements	2,000	5,000	7,000	10,000	10,000
T-Intra-Agency Reimbursements					
Total:	\$21,000	\$10,000	\$31,000	\$20,000	\$20,000

III. B - Detail: List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

Job Classification	Salary	FY 2006	FY 2007	2005-07	2007-09	2009-11
Juvenile Parole Counselor	39,492	(0.1)	(0.1)	(0.1)	(0.1)	(0.1)
Juvenile Rehabilitation Counselor	39,492	(0.9)	(2.7)	(1.8)	(2.7)	(2.7)
Total FTE's		(1.0)	(2.8)	(1.9)	(2.8)	(2.8)

Part IV: Capital Budget Impact

None

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

None

ATTACHMENT 1

SB 5502

Mental Health Disposition Alternative Fiscal Summary

	FY06	FY07	FY08	FY09	FY10	FY11
I. Summary of Major Impacts to JRA:						
A. Bed impact estimates: FY 04 base						
JRA Youth to County	(4)	(8)	(8)	(8)	(8)	(8)
Revocations	2	2	2	2	2	2
TOTAL Projected Bed Needs	(2)	(6)	(6)	(6)	(6)	(6)
B. Other Workload Impact - Caseload						
Enhanced Parole	(1)	(2)	(2)	(2)	(2)	(2)
Diagnostics	3	3	3	3	3	3
II. DSHS Operating Budget Cost Impact						
Parole	(4,000)	(8,000)	(8,000)	(8,000)	(8,000)	(8,000)
Diagnostics	2,000	2,000	2,000	2,000	2,000	2,000
MHDA Payments to Counties	71,000	160,000	160,000	160,000	160,000	160,000
Residential Beds	(48,000)	(144,000)	(144,000)	(144,000)	(144,000)	(144,000)
Total OPERATING Impact	21,000	10,000	10,000	10,000	10,000	10,000
III. DSHS FTE impact						
Parole	(0.1)	(0.1)	(0.1)	(0.1)	(0.1)	(0.1)
Residential Beds	(0.9)	(2.7)	(2.7)	(2.7)	(2.7)	(2.7)
Total FTE impact	(1.0)	(2.8)	(2.8)	(2.8)	(2.8)	(2.8)
IV. Source of Funds						
Fund 001-1	22,000	13,000	13,000	13,000	13,000	13,000
Fund 001-2	(1,000)	(3,000)	(3,000)	(3,000)	(3,000)	(3,000)
Fund 001-7 Local Supporting Revenue	0	0	0	0	0	0
Total -- All Funds	21,000	10,000	10,000	10,000	10,000	10,000

Individual State Agency Fiscal Note

Bill Number: 5502 SB	Title: Juvenile sentencing	Agency: 325-Sentencing Guidelines Commission
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Part I: Estimates

☒ **No Fiscal Impact**

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

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- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Chelsea Buchanan	Phone: (360)786-7446	Date: 02/07/2005
Agency Preparation: Teresa Waller	Phone: 360-407-1062	Date: 02/15/2005
Agency Approval: Ida Leggett	Phone: (360) 956-2130	Date: 02/15/2005
OFM Review: Nick Lutes	Phone: 360-902-0413	Date: 02/17/2005

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

none

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

none

Part III: Expenditure Detail

Part IV: Capital Budget Impact

none

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

none

SB 5502
JUVENILE SENTENCING - REVISED
325 – Sentencing Guidelines Commission
February 15, 2005

SUMMARY

A brief description of what the measure does that has fiscal impact.

Section 1 amends RCW13.40.167(1) to include all dispositions involving confinement by the department as eligible for sentencing under this chapter.

amends and adds to RCW13.40.167(1)(10) by extending the list of juvenile offenses ineligible for sentencing under the Mental Health Disposition Option.

EXPENDITURES

Assumptions.

none.

Impact on the Sentencing Guidelines Commission.

This bill would require modification of the Commission's database and data entry programs. These recurring costs are included in the agency's budget.

Impact on prison and jail beds.

The bill alters the eligibility criteria for sentencing offenders under the Mental Health Disposition Option.

In fiscal year 2004 there were 4 offenders who were sentenced to this option under the existing rules. In the previous fiscal note, the data was selected from all Juvenile offenders and not for dispositions involving confinement by the JRA. A review of the SGC database for offenders involving JRA confinement reveals there were 625 juvenile offenders in FY 2004 who would be eligible for consideration of the proposed mental health disposition alternative. The Sentencing Guidelines Commission's database has no data relating to whether an offender has a current diagnosis of psychiatric disorders, which are also a pre-requisite for this disposition alternative, therefore a bed impact cannot be projected.

LOCAL GOVERNMENT FISCAL NOTE

Department of Community, Trade and Economic Development

Bill Number: 5502 SB	Title: Juvenile sentencing
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Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- ☐ Cities:
- ☐ Counties:
- ☐ Special Districts:
- ☐ Specific jurisdictions only:
- ☐ Variance occurs due to:

Part II: Estimates

- ☒ No fiscal impacts.
- ☐ Expenditures represent one-time costs:
- ☐ Legislation provides local option:
- ☐ Key variables cannot be estimated with certainty at this time:

Part III: Preparation and Approval

Fiscal Note Analyst: Linda Bradford	Phone: 360-725-5035	Date: 02/07/2005
Leg. Committee Contact: Chelsea Buchanan	Phone: (360)786-7446	Date: 02/07/2005
Agency Approval: Louise Deng Davis	Phone: (360) 725-5034	Date: 02/16/2005
OFM Review: Nick Lutes	Phone: 360-902-0413	Date: 02/17/2005

Part IV: Analysis

A. SUMMARY OF BILL

Provide a clear, succinct description of the bill with an emphasis on how it impacts local government.

This bill would amend RCW 13.40.167 (re: the Mental Health Disposition Alternative) to eliminate the standard range of 15 to 65 weeks and would extend the list of juvenile offenses ineligible for sentencing under the Mental Health Disposition Alternative (MHDA) (subsection 10) if the offender is:

- (1) Adjudicated of an A+ offense;
- (2) Fourteen years of age or older and is adjudicated of one or more of the following offenses:
 - (a) A class A offense, or an attempt, conspiracy, or solicitation to commit a class A offense;
 - (b) manslaughter in the first degree (RCW 9A.32.060); or
 - (c) any of the following offenses, when the offense includes infliction of bodily harm upon another or when during the commission or immediate withdrawal from the offense the respondent was armed with a deadly weapon: Assault in the second degree (RCW 9A.36.021), extortion in the first degree (RCW 9A.56.120), kidnapping in the second degree (RCW 9A.40.030), robbery in the second degree (RCW 9A.56.210), residential burglary (RCW 9A.52.025), burglary in the second degree (RCW 9A.52.030), drive-by shooting (RCW 9A.36.045), vehicular homicide (RCW 46.61.520), hit and run death (RCW 46.52.020(4)(a)), intimidating a witness (RCW 9A.72.110), violation of the uniform controlled substances act (RCW 69.50.401(2) (a) and (b)), or manslaughter 2 (RCW 9A.32.070);
- (3) Ordered to serve a disposition for a firearm violation under RCW 13.40.193.

The bill also amends the MHDA provisions to eliminate the exclusion of offenders who are adjudicated of a violent offense (subsection 10(d)).

B. SUMMARY OF EXPENDITURE IMPACTS

Briefly describe and quantify the expenditure impacts of the legislation on local governments, identifying the expenditure provisions by section number, and when appropriate, the detail of expenditures. Delineate between city, county and special district impacts.

This bill would expand (with certain limitations addressed in the summary) the number of juveniles who would be eligible for the MHDA, which removes the youth from incarceration through the Juvenile Rehabilitation Administration (JRA) and returns him/her to the community. Since MHDA treatment generally costs less than juvenile incarceration, the state (through DSHS/JRA), would actually be saving money. In return, it is expected that the JRA would reimburse the county for its participation in the youth's rehabilitation, so there would be no additional expenses for the county.

As a point of reference, however, actual local costs for caring for such a youth under the MHDA (were they not reimbursed) would consist of a Comprehensive Mental Health Evaluation for \$600, Multi-Systemic Therapy for \$5,500, and supervision at \$30 per day for approximately 9 months (or 275 days) for \$8,250, or a total of \$14,350 per case.

SOURCES:

WA Assn. of Juvenile Court Administrators (Clallam, Pierce, Benton/Franklin, King)
Administrative Office for the Courts
LGFN Juvenile Jail Bed Survey

C. SUMMARY OF REVENUE IMPACTS

Briefly describe and quantify the revenue impacts of the legislation on local governments, identifying the revenue provisions by section number, and when appropriate, the detail of revenue sources. Delineate between city, county and special district impacts.

Other than reimbursement by DSHS, there would be no cash receipts.