

Multiple Agency Fiscal Note Summary

Bill Number: 2712 S HB	Title: Criminal street gangs
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Estimated Cash Receipts

Agency Name	2007-09		2009-11		2011-13	
	GF- State	Total	GF- State	Total	GF- State	Total
Total \$						

Local Gov. Courts *						
Local Gov. Other **	Fiscal note not available					
Local Gov. Total						

Estimated Expenditures

Agency Name	2007-09			2009-11			2011-13		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Administrative Office of the Courts	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Office of Attorney General	Fiscal note not available								
Department of Community, Trade, and Economic Development	1.3	1,283,904	1,283,904	2.5	2,549,472	2,549,472	2.5	2,551,530	2,551,530
Washington State Patrol	1.0	385,600	385,600	2.0	443,600	443,600	2.0	443,600	443,600
Criminal Justice Training Commission	.0	1,000,000	3,000,000	.0	0	0	.0	0	0
Department of Social and Health Services	.6	171,000	171,000	1.3	9,829,000	9,829,000	.0	0	0
Department of Corrections	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Sentencing Guidelines Commission	.0	0	0	.0	0	0	.0	0	0
Superintendent of Public Instruction	Fiscal note not available								
Total	2.9	\$2,840,504	\$4,840,504	5.8	\$12,822,072	\$12,822,072	4.5	\$2,995,130	\$2,995,130

Local Gov. Courts *	Non-zero but indeterminate cost. Please see discussion.								
Local Gov. Other **	Fiscal note not available								
Local Gov. Total									

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Prepared by: Brian Enslow, OFM	Phone: 360-902-0539	Date Published: Preliminary 2/ 4/2008
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* See Office of the Administrator for the Courts judicial fiscal note

** See local government fiscal note

FNPID: 19323

Judicial Impact Fiscal Note

Bill Number: 2712 S HB	Title: Criminal street gangs	Agency: 055-Admin Office of the Courts
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

FUND	FY 2008	FY 2009	2007-09	2009-11	2011-13
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:	Phone:	Date: 01/31/2008
Agency Preparation: Julia Appel	Phone: (360) 705-5229	Date: 01/31/2008
Agency Approval: Jeff Hall	Phone: 360-357-2131	Date: 02/01/2008
OFM Review: Garry Austin	Phone: 360-902-0564	Date: 02/01/2008

Part II: Narrative Explanation

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

The substitute bill adds the following sections which will impact the courts:

Section 502 - Provides that the prosecution may file a special allegation that the felony offense involved the compensation, threatening, or solicitation of a minor in order to involve that minor in the commission of the felony offense. The jury must find a special verdict, or if no jury is had, the court must make a finding of fact regarding the special allegation.

Section 506 - creates the new gross misdemeanor crime of criminal street gang tagging and graffiti.

The following remains the same (other than section 502 is now section 503 in the substitute)

Section 402 - Paragraph (1) Provides a new cause of action for equitable relief to “enjoin, abate and prevent criminal street gang activity.” Finding by the court must be by a preponderance of the evidence and 5 elements must be shown.

Paragraph (3) - Specifies that in addition to the AG, PA, a city attorney or city prosecutor may bring an action for equitable relief.

Paragraph (4) – Provides that a court of competent jurisdiction is to conduct an evidentiary hearing on the complaint. “The hearing may be conducted ex parte.”

Paragraph (6) – Final order of injunction is to contain an opt out provision, which would allow an alleged member included in the order to petition at any time for removal from the injunction – after a period of 5 years. The petitioner may request a court hearing on the matter.

Section 501 - This section addresses enhancements for standard sentencing ranges.

Paragraph (10) (a) – Provides a sentencing enhancement for adults whose conviction involves a minor.

Section 503 - This section concerns aggravating factors for sentencing outside the standard range.

Section 507 - Adds a new section to RCW 4.24 to provide a civil cause of action for graffiti and tagging. Provides for additional civil penalties, and also makes a parent or legal guardian having custody of a minor who commits malicious mischief liable for a civil penalty. Provides for suspension of fine or penalty against the parent or legal guardian.

II. B - Cash Receipts Impact

II. C - Expenditures

There is no data available to estimate the fiscal impact of this bill. However, it is assumed that the impact would be greater than \$50,000 per year because the bill contains a new gross misdemeanor crime, two new causes of civil action that could require multiple hearings, and enhancements to sentencing that could increase the trial rate and trial length. There will be a one-time impact in FY09 to create two new causes of action in the judicial information system of \$5,400 (45 hours at \$120 per hour). See detail below.

The \$50,000 expenditure level represents approximately 79 hours (0.07 FTE) of superior court judicial officer time annually cumulative for all superior courts in the state with associated support staff and operational costs. It is therefore assumed that this bill would require more than 79 hours of judicial officer time statewide on an annual basis.

Section 402 establishes a new cause of civil action which will result in additional hearings. Since this is a new action it is not possible to estimate the number of hearings that would result.

Sections 501 and 503 could impact the criminal trial rate slightly because sentences could lengthen and more trials could result. There is no data available to estimate how many additional trials might result.

Section 506 could result in more criminal filings, but it is not possible to predict how many new cases might be seen in superior court or courts of limited jurisdiction.

Section 507 provides for a new cause of civil action. There is no data available to estimate how many additional actions might occur.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

Individual State Agency Fiscal Note

Bill Number: 2712 S HB	Title: Criminal street gangs	Agency: 103-Community, Trade & Economic Develop
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

FUND					
Total \$					

Estimated Expenditures from:

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years	0.0	2.5	1.3	2.5	2.5
Fund					
General Fund-State 001-1	0	1,283,904	1,283,904	2,549,472	2,551,530
Total \$	0	1,283,904	1,283,904	2,549,472	2,551,530

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:	Phone:	Date: 01/31/2008
Agency Preparation: Naomi Ramos	Phone: (360)725-2832	Date: 01/31/2008
Agency Approval: Bev Emery	Phone: 360-725-2886	Date: 02/01/2008
OFM Review: Mike Woods	Phone: 360-902-9819	Date: 02/01/2008

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 substitute bill has several sections that are different from the original; however, there is no difference in language that has a fiscal impact to CTED.

Section 701. This section establishes a temporary witness assistance program, administered by CTED’s Office of Crime Victims Advocacy (OCVA). OCVA shall work in collaboration with local prosecuting attorney’s offices to determine how funding and assistance shall be distributed. The program is to include temporary relocation and shelter services (see assumptions in Part C). The bill directs OCVA to provide such a program within available funds.

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.

Section 701.

FTE Salary and Benefits: FY09-13 requires 2.53 FTE at a cost of \$153,235 each fiscal year.

Program consists of 2.53 FTE: 0.10 of a WMS 2; 1.0 CTED Specialist 2; 0.20 AA 3; and 1.0 CTED Specialist I; the remaining FTE is part of the department administration, as explained below. The Managing Director will have management and development oversight, including development of policy, criteria, personnel, budget development, and monitoring of expenditures, contracts, and performance. The CTED Specialist II will act as program coordinator that will include frequent work with each of the 39 county prosecutor’s offices; implementation of eligibility criteria, acceptance and review of witness applicants; placement, organization of housing, food, and other allowed expenditures. The Specialist II will also be responsible for payment of reimbursement vouchers, tracking expenses, monitoring use of funds. The AA 3 will provide support to the program through routine correspondence, record-keeping, verifying travel arrangements, maintenance of forms and records, etc. The CTED Specialist I will assist in tracking housing availability, placement, periodic contacts with witnesses, and referrals to local victim/witness and crime victim service agencies.

Goods and Services (G&S)

FY08-FY13: \$963,941 each fiscal year.

-standard G&S: \$69,658

-space and utilities: \$11,683

-non-standard G&S: \$882,600 (apartment, food, utilities, phone; please see attached worksheet)

All cost estimates are based on the following assumptions to create and implement a temporary witness relocation assistance program. Please see the attached worksheet for clarification of calculations.

*One witness per case, to be temporarily relocated; this does not include any family members.

*Witnesses are temporarily relocated within Washington State.

*For an average year, 120 people will qualify and participate in this program. This is based on the experience of a prosecutor in a medium-sized county and then expanded to be statewide. In addition, an extra 10% factor for counties

with a higher than average incidence of gang activity than the county that supplied the base estimate.

*Relocation assumes a need for and the provision of housing, food, transportation, telephone, and utilities for an average of 3 months per witness relocated.

*Food costs are based on regional per diem rates throughout the state. This includes 3 meals per day for the 90 day duration of relocation (total cost \$578,700 each fiscal year).

*Housing cost is based on assumption of a furnished apartment (total cost \$276,900 each fiscal year).

*While in relocation status, each witness will receive a \$25 prepaid phone card for each of the 3 months (total cost \$9,000 each fiscal).

*Utility costs are for the usual costs related to utility, garbage, water, etc., associated with housing during the 3 month relocation (total cost \$18,000 each fiscal year).

*Assumption do not take into consideration any current financial obligations such as permanent housing, consumer debt, child support, child care, etc.

*Assumptions do not take into consideration employment, either help in finding or compensation for job loss while in relocation status.

*Assumptions do not include any consideration for education, whether K-12 or any technical, vocational, or other higher education.

*Assumption does not include any other personal, daily living, clothing, etc., expenses or financial support.

Note: Standard goods and services costs include supplies and materials, employee development and training, mandatory state seat of government and Department of Personnel charges, and CTED agency administration. CTED administration provides general standard governmental services including, but not limited to: budgeting, accounting, payroll, and purchasing services; personnel and employee services; internal information technology systems, desktop and network support services; facilities management services; public affairs services; policy and risk management services; and other support services.

Travel: FY09-13 \$157,560 for each fiscal year. Please see attached worksheet for clarification of calculations.

*Transportation (witness use own vehicles) includes one round trip to and back from the relocation area (total cost \$12,120 each fiscal year); 3 trips during the 3-month relocation for court-related activities (total cost \$36,360 each fiscal year); and mileage reimbursement for minimal daily living travel while in relocation status (total cost \$109,080 each fiscal year).

Capital Outlay:

FY09: \$9,168 for two standard office equipment to support the FTE.

FY12: \$2,058 for replacement of two computers and monitors.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years		2.5	1.3	2.5	2.5
A-Salaries & Wages		117,300	117,300	234,600	234,600
B-Employee Benefits		35,935	35,935	71,870	71,870
C-Personal Serv Contr					
E-Goods and Services		963,941	963,941	1,927,882	1,927,882
G-Travel		157,560	157,560	315,120	315,120
J-Capital Outlays		9,168	9,168		2,058
M-Inter Agency Fund Transfers					
N-Grants, Benefits Services					
P-Debt Service					
S-Interagency Reimburesement					
T-Intra-Agency Reimbursement					
Total:	\$0	\$1,283,904	\$1,283,904	\$2,549,472	\$2,551,530

Request # 145-300-1

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 2008	FY 2009	2007-09	2009-11	2011-13
Administrative Assistant 3	39,732		0.2	0.1	0.2	0.2
Comm, Trade and Econ Dev	47,220		1.0	0.5	1.0	1.0
Specialist 1						
Comm, Trade and Econ Dev	54,744		1.0	0.5	1.0	1.0
Specialist 2						
Various Administrative Services	55,478		0.2	0.1	0.2	0.2
WMS Band 2	73,900		0.1	0.1	0.1	0.1
Total FTE's			2.5	1.3	2.5	2.5

III. C - Expenditures By Program (optional)

Program	FY 2008	FY 2009	2007-09	2009-11	2011-13
Agency Administration (100)		58,689	58,689	117,378	117,378
Community Services (300)		1,225,215	1,225,215	2,432,094	2,434,152
Total \$		1,283,904	1,283,904	2,549,472	2,551,530

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

Individual State Agency Fiscal Note

Bill Number: 2712 S HB	Title: Criminal street gangs	Agency: 225-Washington State Patrol
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

FUND					
Total \$					

Estimated Expenditures from:

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years	0.0	2.0	1.0	2.0	2.0
Fund					
General Fund-State 001-1	0	385,600	385,600	443,600	443,600
Total \$	0	385,600	385,600	443,600	443,600

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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- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 01/31/2008
Agency Preparation: Susan Aschenbrenner	Phone: (360) 753-0679	Date: 02/04/2008
Agency Approval: Heidi Thomsen	Phone: (360) 753-0755	Date: 02/04/2008
OFM Review: Garry Austin	Phone: 360-902-0564	Date: 02/04/2008

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.

This bill adds a new section to 43.43 RCW that requires the Washington State Patrol to create, or contract with a vendor to create, administer, and maintain a statewide gang database for assessing and addressing the problems associated with criminal street gangs.

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.

There are no cash receipt impacts.

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.

The Washington State Patrol (WSP) will incur equipment and maintenance costs for establishing and maintaining an internet-based multi-agency, multi-location, information sharing application that operates in a network fashion.

Washington Crime Information Center (WACIC) costs: \$30,000 for programming an additional type of registration in WACIC; \$10,000 for programming to extract the necessary information from the website; \$15,000 for the development of reports that will be extracted from the database by local law enforcement agencies.

A Centralized Enforcement Service System (ACCESS) costs: \$10,000 to allow access to the ACCESS database.

Washington States Information Network (WSIN) Interface costs: \$10,000 fee from WSIN to make it possible to share information with the WSIN database.

User Interface costs: Costs include servers, networking costs, software, to develop screens, browser interfaces and presentations - \$70,000.

One Information Technology Specialist 6 position (Project Manager) will be needed to oversee the development, execution, and ongoing support of the new website. The Project Manager will be responsible for managing the development effort to assure the project is completed on time, within budget, and meets the needs of project stakeholders. Duties include, but are not limited to: the development of a project plan and schedule, oversight and coordination of all tasks in that plan, creating the security and firewall requirements, identifying what hardware is needed, writing the application program for the website, and providing status to project stakeholders.

The WSP will also need a second Information Technology Specialist 4 (ITS4) position. The ITS4 position will be assisting the Project Manager in implementing the tasks needed to get the website up and running. The WSP assumes that since the website is used by other law enforcement agencies there will be requests by these agencies to obtain information. This position will be responsible for gathering the requests from the law enforcement agencies and providing feedback on the website. Also, since there will always be new offenders, and other information changes throughout the year, the WSP will need someone to update the website in a timely manner for providing correct data.

The funding for this proposal is based on the WSP cost allocation plan for the Information Technology Division and the ACCESS/WACIC section.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years		2.0	1.0	2.0	2.0
A-Salaries and Wages		154,800	154,800	309,600	309,600
B-Employee Benefits		38,400	38,400	76,800	76,800
C-Personal Service Contracts		80,000	80,000		
E-Goods and Services		87,600	87,600	45,200	45,200
G-Travel		2,400	2,400	4,800	4,800
J-Capital Outlays		22,400	22,400	7,200	7,200
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
Total:	\$0	\$385,600	\$385,600	\$443,600	\$443,600

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 2008	FY 2009	2007-09	2009-11	2011-13
Information Technology Specialist 4	70,092		1.0	0.5	1.0	1.0
Information Technology Specialist 6	85,392		1.0	0.5	1.0	1.0
Total FTE's			2.0	1.0	2.0	2.0

Part IV: Capital Budget Impact

There are no capital impacts that result from this bill.

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.

N/A

Individual State Agency Fiscal Note

Bill Number: 2712 S HB	Title: Criminal street gangs	Agency: 227-Wa St Criminal Justice Train Comm
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

FUND					
Total \$					

Estimated Expenditures from:

	FY 2008	FY 2009	2007-09	2009-11	2011-13
Fund					
General Fund-State 001-1	0	1,000,000	1,000,000	0	0
Public Safety and Education Account-State 02V-1	0	2,000,000	2,000,000	0	0
Total \$	0	3,000,000	3,000,000	0	0

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:	Phone:	Date: 01/31/2008
Agency Preparation: Brian Elliott	Phone: 360-486-2436	Date: 02/04/2008
Agency Approval: Brian Elliott	Phone: 360-486-2436	Date: 02/04/2008
OFM Review: Garry Austin	Phone: 360-902-0564	Date: 02/04/2008

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.

Section 201 (1) states the Washington Association of Sheriffs and Police Chiefs (WASPC) shall establish a grant program to local law enforcement agencies to support special enforcement emphasis targeting gang crime.

Section 201 (3) states the cost of administering the grants shall not exceed four percent of appropriated funding.

Section 202 (1) states the Washington Association of Sheriffs and Police Chiefs shall establish a grant program to assist local law enforcement agencies in the support of graffiti or tagging abatement programs located in local communities.

Section 202 (3) states the cost of administering the grants shall not exceed four percent of funding.

Section 203 states two million dollars is appropriated to WASPC for the purposes of section 201.

Section 204 states one million dollars is appropriated to WASPC for the purposes of section 202.

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.

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.

For section 201 of this measure, \$1,920,000 will be granted to local law enforcement agencies to support special enforcement emphasis targeting gang crime. The Washington Association of Sheriffs and Police Chiefs cost to administer this grant program is \$80,000.

For section 202 of this measure, \$960,000 will be granted to local law enforcement agencies to support graffiti tagging abatement programs located in local communities. The Washington Association of Sheriffs and Police Chiefs cost to administer this grant program is \$40,000.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Personal Service Contracts					
E-Goods and Services					
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services		3,000,000	3,000,000		
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
Total:	\$0	\$3,000,000	\$3,000,000	\$0	\$0

Part IV: Capital Budget Impact

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.

Individual State Agency Fiscal Note

Bill Number: 2712 S HB	Title: Criminal street gangs	Agency: 300-Dept of Social and Health Services
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

FUND					
Total \$					

Estimated Expenditures from:

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years	0.0	1.3	0.6	1.3	0.0
Fund					
General Fund-State 001-1	0	171,000	171,000	9,829,000	0
Total \$	0	171,000	171,000	9,829,000	0

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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- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 01/31/2008
Agency Preparation: Bryce Andersen	Phone: 360-902-8284	Date: 01/31/2008
Agency Approval: Sue Breen	Phone: 360-902-8183	Date: 02/01/2008
OFM Review: Brian Enslow	Phone: 360-902-0539	Date: 02/04/2008

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.

Section 101 - Requires the Governor's Juvenile Justice Advisory Committee to implement five pilot projects throughout the state that focus on combating criminal street gangs and violence.

Section 102 - Provides up to ten million dollars in the 2009-11 Biennium to cover the cost of both administering & providing grants throughout the state.

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.

N/A

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.

HB 2712 requires DSHS to implement pilot projects throughout the state which will aim to reduce criminal street gangs and violence. Administration of the grants would require:

Office Assistant 2 (0.25 FTE impact):

- Provide logistical support for four quarterly meetings (arrange meeting space, lodging, meals, transportation, etc.)
- Prepare meeting agenda, per direction of State Gang Work Group; arrange for speakers, presentations, etc.

Estimated cost per year = ~ \$12,000

Juvenile Justice Program Coordinator (1.0 FTE impact):

- Research and prepare materials in response to Work Group requests and needs
- Develop 'Request for Proposal' (RFP) process and protocol, to solicit communities' participation in the initiative
- Draft criteria and process for community selection
- Provide regional RFP bidder's conferences
- Provide staff support to Work Group, including RFP process and community selection. Work Group would approve RFP, community selection criteria and process, select communities, and other tasks as defined. Develop universal and community-specific statement of work
- Assist Initiative communities to develop statewide measurable outcomes, as well as community specific outcomes

Estimated cost per year = ~ \$125,000 (including travel)

Travel Reimbursements

- Four quarterly meetings (Seattle-Tacoma, Olympia, Yakima, and Spokane); 20 Work Group members; 12 requesting reimbursement (non-legislators do not have discretionary travel funds). Includes travel, (mileage or air), lodging, meals, light snacks, and beverages.

Estimated cost per year = ~ \$12,000

Request for Proposal (RFP) Administrative Cost

- Development of reporting requirements
- Tracking of financial forms
- Execute contracts by May 1 for July 1 start date.

FY 09 estimated cost = ~ \$22,000

Total estimated administrative cost over 3 years = \$487,000

\$10,000,000 appropriated in the bill - \$487,000 estimated administrative costs = \$9,513,000 remaining which would be split evenly between FY 2010 & FY 2011.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years		1.3	0.6	1.3	
A-Salaries and Wages		74,000	74,000	148,000	
B-Employee Benefits		23,000	23,000	46,000	
C-Personal Service Contracts					
E-Goods and Services		20,000	20,000	40,000	
G-Travel		37,000	37,000	74,000	
J-Capital Outlays		16,000	16,000	6,000	
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services				9,513,000	
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements		1,000	1,000	2,000	
Total:	\$0	\$171,000	\$171,000	\$9,829,000	\$0

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 2008	FY 2009	2007-09	2009-11	2011-13
Juvenile Justice Program	66.036		1.0	0.5	1.0	
Coordinator						
Office Assistant 2	31.176		0.3	0.1	0.3	
Total FTE's			1.3	0.6	1.3	0.0

Part IV: Capital Budget Impact

N/A

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.

Individual State Agency Fiscal Note

Bill Number: 2712 S HB	Title: Criminal street gangs	Agency: 310-Department of Corrections
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

FUND					
Total \$					

Estimated Expenditures from:

Non-zero but indeterminate cost. Please see discussion.

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:	Phone:	Date: 01/31/2008
Agency Preparation: Ronna Cole	Phone: 360-725-8263	Date: 02/01/2008
Agency Approval: Clela Steelhammer	Phone: 360-725-8267	Date: 02/04/2008
OFM Review: Brian Enslow	Phone: 360-902-0539	Date: 02/04/2008

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.

PART I – FIVE PILOT PROJECTS FOR FISCAL YEARS 2009-2011

Section 101 Creates a new chapter in 43.20A establishing a pilot project through the state to focus on combating street gangs and violence. The proposal creates a State Gang Workgroup consisting of 20 members that will meet quarterly each year to provide oversight of the pilot projects. Membership includes:

- * One member of each of the two largest caucuses of the Senate, appointed by the President of the Senate;
- * One member of each of the two largest caucuses of the House, appointed by the Speaker of the House;
- * Attorney General or designee;
- * Prosecutor appointed by the Washington Association of Prosecuting Attorney's;
- * A Defender appointed by the Washington Defender Association of the Washington Association of Criminal Defense Lawyers;
- * State Superintendent of Public Instruction or designee;
- * The Secretary of the Department of Corrections or designee;
- * Secretary of the Department of Social and Health Services or designee;
- * Chief of the Washington State Patrol or designee;
- * Representative of the Association of Cities;
- * Representative of the Association of Counties;
- * Representative appointed by the Governor that shall include city law enforcement, county law enforcement, court administrators, and experts in gang or delinquency prevention.

Costs associated with travel will be provided within the available resources.

Section 102 appropriates ten million dollars for the biennium ending June 30, 2011 to DSHS for the pilot projects and State Gang Workgroup.

PART II – NEAR-TERM RELIEF FOR 2008; TWO MILLION DOLLARS WASHINGTON ASSOCIATION OF SHERIFFS AND POLICE CHIEFS (WASPC) GRANT PROGRAM TO COMMUNITIES

Sections 201 through 204 provides grant funding through WASPC for local law enforcement agencies to support special emphasis on targeting gang crime.

PART III – STATEWIDE GANG INFORMATION DATABASE

Section 301 creates a new chapter in 43.43 requiring the Washington State Patrol to create, administer, and maintain a state-wide gang database available to all local, state, and federal law enforcement and criminal justice agencies (including the Department of Corrections) solely for gang enforcement and for tracking gangs, gang members, and gang incidents. Database shall be an internet-based multi-agency, multi-location, information-sharing application. The database shall be used solely as a law enforcement intelligence tool and shall not be used as evidence in any criminal, civil, or administrative proceeding. Access to the database shall be determined by the chief executive officer of each participating agency.

Each agency using the database will be required to:

1. Identify a system administrator that is responsible for annually auditing the use of the system within his or her respective agency to ensure agency compliance with policies established for the use of the database;
2. Ensure that all users of the database receive training on the use of the database before granting the users access to the database;
3. Ensure that any/all information being entered into the database about a criminal street gang associate or gang member, as defined in RCW 9.94A.030 is twelve years old or older;

PART IV – CIVIL INJUNCTIONS

Section 401 creates a new chapter on civil injunctions is created, using definitions of “criminal street gang” and “pattern

of criminal street gang activity” amended into RCW 9.94A.030.

Section 402 creates a new chapter allowing courts to issue injunctions to “enjoin, abate and prevent” criminal street gang activity, whether it is a private or public nuisance, if certain requirements are met. The injunction may prohibit gang-related criminal acts as defined in RCW 9.94A.030(36) or “associated noncriminal acts which are known precursors to gang-related criminal acts” as specified in subsection (2) of this section. Violations of the civil injunctions are enforced by the crime of contempt of court.

PART V – ADDITIONAL MEASURES TO COMBAT GANG-RELATED CRIME; INCREASE IN SENTENCES FOR ADULTS WHO RECRUIT JUVENILES

Section 501 amends RCW 9.94A.533 describes adjustments to standard sentences for certain types of crimes. This bill adds an enhancement related to adults recruiting minors to commit a crime. If a person age 18 or older “compensated, threatened, or solicited a minor” to involve the minor in the commission of a felony, the presumptive sentence range is to be multiplied by 125%. If the enhanced sentence exceeds the statutory maximum, then the statutory maximum is the presumptive sentence. The enhancement does not apply if the underlying felony for which the offender is convicted already has as an element involving a minor in the commission of the felony.

Section 502 creates a new section to chapter 9.94A allowing in the prosecution of a felony offense, the prosecution may file a special allegation that the offense involved the compensation, threatening, or solicitation of a minor in order to involve that minor in the commission of the felony offense. The state has the burden of proving a special allegation beyond a reasonable doubt. In a jury trial, if the jury finds the defendant guilty, they must also find a special verdict if the felony offense involved the special allegation in the commission of the felony offense. If there is not jury, the court shall make a finding of fact if the felony offense involved the special allegation in the commission of the felony offense.

Section 503 amends RCW 9.94A.535 expanding the list of aggravating factors that a judge may consider when imposing an exceptional sentence. If the prosecution proves that defendant committed the offense to cause benefit to a criminal street gang, the sentence may be aggravated.

Section 504 amends RCW 9.94A.545 requiring a community custody sentence if the offender is found guilty of unlawful possession of a firearm.

Section 505 amends RCW 9.94A.715 requiring community custody for an offense involving the unlawful possession of a firearm.

Section 506 creates a new chapter in 9A.48 creating subsequent convictions of Malicious Mischief 3 a gross misdemeanor offense.

Section 509 amends RCW 9.94A.030 (SRA Definitions) to add definitions for “criminal street gang”, “criminal street gang associate or member” and “criminal street gang-related offense”. A definition of “pattern of criminal street gang activity” is also added.

PART VI – STATE PREEMPTION

Section 601 creates a new section in RCW 9.94A allowing the State to fully occupy and preempts the entire field of definitions used for purposes of substantive criminal law (as proposed) in RCW 9.94A.030 are expressly preempt any conflicting city or county codes or ordinances. Requires that cities, towns, counties, or other municipalities may enact laws and ordinances relating to criminal street gangs that contains definitions that are consistent with the proposed definitions, however, any inconsistent definitions shall not be enacted and are preempted and repealed regardless of the nature of the code, charter, or home rule status of such city, town, county, or municipality. Further clarifies that the preemption does not apply to gang as defined in RCW 28A.600.455 (common school provisions act) or RCW 59.18.030 (landlord – tenant act). Further clarifies that the preemption does not restrict the adoption or use of uniform state definition for gang, gang member, or gang associate for the purposes of the statewide gang database.

PART VII – TEMPORARY WITNESS RELOCATION PROGRAM

PART VIII – STUDY ON BEST PRACTICES TO REDUCE GANG INVOLVEMENT WHILE INCARCERATED

Requires the Department to study and establish best practices to reduce gang involvement and recruitment among incarcerated offenders. The Department shall study and make recommendations regarding the establishment of:

1. Intervention programs within institutions of the Department for offenders who are seeking to opt out of gangs;
2. The intervention program shall include but are not limited to tattoo removal, anger management, GED, and other interventions; and intervention programs to assist with successful re-entry into the community.

Report is due to the Legislature by January 1, 2009.

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.

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.

PART I – FIVE PILOT PROJECTS FOR FISCAL YEARS 2009-2011

Identifies the Secretary of the Department of Corrections or designee as a member of the State Gang Workgroup. The proposed legislation provides funding for any travel associated with the State Gang Workgroup, therefore, there is no fiscal impact to the Department.

PART III – STATEWIDE GANG INFORMATION DATABASE

The Department of Correction will have increased workload associated with the management of database access, auditing of the system use, and entering of information into the database. This new application with potentially new interface requirements for the agency's current Gang database and future OMNI applications may require additional funding for this proposed change. Until the application is designed by the vendor for the Washington State Patrol, the Department cannot reliably estimate the actual impacts to its offender data systems. The Department as of December 30, 2007 has 18,049 offenders in confinement and 27,878 active field cases. The Department cannot reliably estimate the actual impact of the workload until the application is developed and expectations of the responsibility to update data are defined for the criminal justice agencies. Therefore, the Department is estimating the impacts to the offender data system will be indeterminate.

PART V – ADDITIONAL MEASURES TO COMBAT GANG-RELATED CRIME; INCREASE IN SENTENCES FOR ADULTS WHO RECRUIT JUVENILES

Prison Bed Impacts:

The proposed bill creates a new sentencing enhancement for a person age eighteen or older convicted of any felony for which the person compensated, threatened, or solicited a minor in order to involve the minor in the commission of the felony, the standard sentencing range for the completed crime is calculated by multiplying the range by one hundred twenty-five percent. If the standard sentence range exceeds the statutory maximum for the sentence, the sentence shall be the statutory maximum. The Sentencing Guidelines Commission (SGC) has no information with which to predict how the changes proposed by the bill will affect the number of sentences per fiscal year for the enhanced sentence for the offense and therefore, cannot reliably estimate prison bed impacts. The Department assumes that this bill would likely result in an ADP increase, although the impact cannot be estimated. Consequently, while the fiscal impact for this piece of the proposed bill is indeterminate, the Department assumes that the costs will exceed \$50,000 per year based on a rental bed rate of \$61 per offender per day.

Community Supervision Impacts:

The proposed bill requires the offenses of Unlawful Use of a Firearm in the First or Second Degree to receive a sentence of Community Custody. The bill amended RCW 9.94A.545 and 9.94A.715, which would require the court to sentence an

offender to a community custody range when released from prison or for any sentence of one year or less. This legislation does not add the offenses of Unlawful Possession of a Firearm to the specified list of offenses that the Department can supervise under RCW 9.94A.501. Because of the possible conflict between these statutes, the fiscal impacts estimated below assumes that the Department would have the authority to supervise the offenders sentenced to a community custody range for the offenses of Unlawful Possession of a Firearm 1 or 2.

The proposed bill language did not specify duration of time for community custody. The Sentencing Guidelines Commission (SGC) provided two scenarios one based on the community custody range for a drug offense, 9 to 12 months; and one based on the community custody range of a crime against person, 9 to 18 months. The Department's cost estimates are based on the community custody range for a crime against person or 9 to 18 months.

For the impacts provided by SGC based on the community custody range for a drug offense (9 to 12 months), the following estimated population increase and cost is:

Fiscal Year 2009: 1 ADP, Fiscal impact of \$500
Fiscal Year 2010: 33 ADP, Fiscal impact of \$184,000
Fiscal Year 2011: 118 ADP, Fiscal impact of \$518,000
Fiscal Year 2012 : 186 ADP, Fiscal impact of \$798,000
Fiscal Year 2013: 223 ADP, Fiscal impact of \$904,000

For the impacts provided by SGC based on the community custody range for a crime against a person (9 to 18 months), the following estimated population increase and cost is:

Fiscal Year 2009: 1 ADP, Fiscal impact of \$500
Fiscal Year 2010: 35 ADP, Fiscal impact of \$196,000
Fiscal Year 2011: 163 ADP, Fiscal impact of \$713,000
Fiscal Year 2012 : 295 ADP, Fiscal impact of \$1,242,000
Fiscal Year 2013: 374 ADP, Fiscal impact of \$1,500,000

PART VIII – STUDY ON BEST PRACTICES TO REDUCE GANG INVOLVEMENT WHILE INCARCERATED

Requires the Department to conduct a study and establish best practices to reduce gang involvement and recruitment among incarcerated offenders. The Department shall study and make recommendations regarding the establishment of:

3. Intervention programs within institutions of the Department for offenders who are seeking to opt out of gangs;
4. The intervention program shall include but are not limited to tattoo removal, anger management, GED, and other interventions; and intervention programs to assist with successful re-entry into the community.

Report is due to the Legislature by January 1, 2009.

The Department estimates \$200,000 to contract with a research agency or private company to complete the report by January 1, 2009 for the legislature.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

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.

Individual State Agency Fiscal Note

Bill Number: 2712 S HB	Title: Criminal street gangs	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:

- ☐ 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:	Phone:	Date: 01/31/2008
Agency Preparation: Keri-Anne Jetzer	Phone: 360-407-1060	Date: 02/04/2008
Agency Approval: Duc Luu	Phone: 360-407-1075	Date: 02/04/2008
OFM Review: Brian Enslow	Phone: 360-902-0539	Date: 02/04/2008

SHB 2712
CRIMINAL STREET GANGS
325 – Sentencing Guidelines Commission
February 4, 2008

SUMMARY

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

Part IV

Section 401: A new chapter on civil injunctions is created, using definitions of “criminal street gang” and “pattern of criminal street gang activity” amended into RCW 9.94A.030.

Section 402: Courts are given authority to issue injunctions to “enjoin, abate and prevent” criminal street gang activity, whether it is a private or public nuisance, if certain requirements are met. The injunction may prohibit gang-related criminal acts as defined in RCW 9.94A.030(36) or “associated noncriminal acts which are known precursors to gang-related criminal acts” as specified in subsection (2) of this section. Violations of the civil injunctions are enforced by the crime of contempt of court.

Part V

Section 501: RCW 9.94A.533 describes adjustments to standard sentences for certain types of crimes. This bill adds an enhancement related to adults recruiting minors to commit a crime. If a person age 18 or older “compensated, threatened, or solicited a minor” to involve the minor in the commission of a felony, the presumptive sentence range is to be multiplied by 125%. If the enhanced sentence exceeds the statutory maximum, then the statutory maximum is the presumptive sentence. The enhancement does not apply if the underlying felony for which the offender is convicted already has as an element involving a minor in the commission of the felony.

Section 502: A new section is added to RCW 9.94A to describe the procedures by which the sentence enhancement related to adults recruiting minors is proven.

Section 503: A new circumstance that may be proven to justify an aggravated sentence is added to RCW 9.94A.535. If the prosecution proves that defendant committed the offense to cause benefit to a criminal street gang, the sentence may be aggravated.

Section 504: RCW 9.94A.545 related to “Community Custody” is amended to require a community custody sentence if the offender is found guilty of unlawful possession of a firearm.

Section 505: Under this section, RCW 9.94A.715 is amended in conjunction with Section 504.

Section 506: A new section is added to RCW 9A.48 to create a new crime called “criminal street gang tagging and graffiti”, violation of which is a gross misdemeanor.

Section 508: Malicious mischief is added to the list of misdemeanors which may not be compromised in accordance with RCW 10.22.

Section 509: The definitions section of the Sentencing Reform Act. RCW 9.94A.030 is amended to add definitions for “criminal street gang”, “criminal street gang associate or member” and “criminal street gang-related offense”. A definition of “pattern of criminal street gang activity” is also added.

EXPENDITURES

Assumptions.

The Community Custody impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2007 adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Community Custody ranges assigned for multiple convictions received per cause are served concurrently.
- DOSA sentences were not included in the calculation of the community custody impacts for this bill.
- Community Custody impacts are calculated with a phase-in factor for “Other” offenses
- Community Custody impacts were calculated using weighted cases to account for the disparity between the number of Judgment and Sentence forms and the actual number of people those forms represent.
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- Although Community Custody is assigned as a range, it is assumed that offenders will serve the upper end of the range.
- Two scenarios for Community Custody impact were completed. One scenario uses the 9-12 month range and the other uses the 9-18 month range, the lowest existing Community Custody ranges.
- Method: For offenders with no Community Custody assigned, the upper end of the proposed Community Custody range was applied after their release date. For offenders currently assigned a range of Community Custody, their assigned Community Custody range was adjusted to reflect the upper end of the proposed Community Custody range.
- No range exists for Unlawful Possession of a Firearm. If the bill passes, the Sentencing Guidelines Commission would have to establish an appropriate range.

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 Commission database does not track the information necessary to analyze bed impact in relation to the enhancement and aggravated sentence proposed. It also does not track gross misdemeanor sentences. While bed impacts cannot be calculated, prison and jail bed impacts are likely.

The Community Custody range for this bill would, according to RCW 9.94A.715 and RCW 9.94A.850, be established by the Sentencing Guidelines Commission, but after the bill has passed; therefore, two scenarios have been completed.

The first scenario uses the Community Custody range of 9-12 months. There would be an initial caseload increase of 250 by FY 15, which then tops out at 260 by FY 21.

The second scenario uses the Community Custody range of 9-18 months. There would be an initial caseload increase of 453 by FY17, which then tops out at 460 by FY 24.

Average Monthly Community Custody Caseload Impact (9-12mos Range)

HB 2712 Criminal Street Gangs

Sentencing Guidelines Commission

February 4, 2008

	Fiscal Year									
	FY09	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18
Community Custody (Total)	1	36	121	188	224	241	248	253	256	257

	Fiscal Year									
	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28
Community Custody (Total)	258	259	260	260	260	260	260	260	260	260

End of Year Community Custody Caseload Impact (9-12mos Range)

HB 2712 Criminal Street Gangs

Sentencing Guidelines Commission

February 4, 2008

	Fiscal Year									
	FY09	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18
Community Custody (Total)	5	73	157	210	234	245	250	255	257	258

	Fiscal Year									
	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28
Community Custody (Total)	259	259	260	260	260	260	260	260	260	260

Community Custody Impact (9-12mos Range)

HB 2712 Criminal Street Gangs

Sentencing Guidelines Commission

February 4, 2008

Month	Pop.	Month	Pop.	Month	Pop.	Month	Pop.	Month	Pop.
1	0	49	212	97	255	145	259	193	260
2	0	50	215	98	255	146	259	194	260
3	0	51	217	99	255	147	259	195	260
4	0	52	220	100	255	148	259	196	260
5	0	53	222	101	256	149	259	197	260
6	0	54	224	102	256	150	259	198	260
7	0	55	226	103	256	151	259	199	260
8	0	56	227	104	256	152	259	200	260
9	1	57	229	105	256	153	260	201	260
10	2	58	231	106	256	154	260	202	260
11	3	59	232	107	257	155	260	203	260
12	5	60	234	108	257	156	260	204	260
13	8	61	235	109	257	157	260	205	260
14	11	62	236	110	257	158	260	206	260
15	14	63	238	111	257	159	260	207	260
16	19	64	239	112	257	160	260	208	260
17	24	65	240	113	257	161	260	209	260
18	30	66	241	114	257	162	260	210	260
19	36	67	241	115	257	163	260	211	260
20	43	68	242	116	258	164	260	212	260
21	50	69	243	117	258	165	260	213	260
22	58	70	244	118	258	166	260	214	260
23	65	71	244	119	258	167	260	215	260
24	73	72	245	120	258	168	260	216	260
25	81	73	245	121	258	169	260	217	260
26	89	74	246	122	258	170	260	218	260
27	96	75	247	123	258	171	260	219	260
28	104	76	247	124	258	172	260	220	260
29	111	77	248	125	258	173	260	221	260
30	119	78	248	126	258	174	260	222	260
31	126	79	248	127	258	175	260	223	260
32	132	80	249	128	258	176	260	224	260
33	139	81	249	129	258	177	260	225	260
34	145	82	250	130	258	178	260	226	260
35	151	83	250	131	259	179	260	227	260
36	157	84	250	132	259	180	260	228	260
37	163	85	251	133	259	181	260	229	260
38	168	86	251	134	259	182	260	230	260
39	173	87	252	135	259	183	260	231	260
40	178	88	252	136	259	184	260	232	260
41	183	89	252	137	259	185	260	233	260
42	187	90	253	138	259	186	260	234	260
43	192	91	253	139	259	187	260	235	260
44	196	92	253	140	259	188	260	236	260
45	200	93	254	141	259	189	260	237	260
46	203	94	254	142	259	190	260	238	260
47	207	95	254	143	259	191	260	239	260
48	210	96	255	144	259	192	260	240	260

Average Monthly Community Custody Caseload Impact (9-18mos Range)

**HB 2712 Criminal Street Gangs
Sentencing Guidelines Commission
February 4, 2008**

	Fiscal Year									
	FY09	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18
Community Custody (Total)	1	37	148	259	325	356	370	378	383	386

	Fiscal Year									
	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28
Community Custody (Total)	387	388	389	390	390	390	390	390	390	390

End of Year Community Custody Caseload Impact (9-18mos Range)

**HB 2712 Criminal Street Gangs
Sentencing Guidelines Commission
February 4, 2008**

	Fiscal Year									
	FY09	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18
Community Custody (Total)	5	87	237	342	397	424	439	448	453	456

	Fiscal Year									
	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28
Community Custody (Total)	457	458	459	459	459	460	460	460	460	460

Community Custody Impact (9-18mos Range)

HB 2712 Criminal Street Gangs

Sentencing Guidelines Commission

February 4, 2008

Month	Pop.	Month	Pop.	Month	Pop.	Month	Pop.	Month	Pop.
1	0	49	349	97	448	145	458	193	460
2	0	50	355	98	449	146	459	194	460
3	0	51	361	99	450	147	459	195	460
4	0	52	366	100	450	148	459	196	460
5	0	53	371	101	451	149	459	197	460
6	0	54	376	102	451	150	459	198	460
7	0	55	380	103	451	151	459	199	460
8	0	56	384	104	452	152	459	200	460
9	1	57	388	105	452	153	459	201	460
10	2	58	391	106	452	154	459	202	460
11	3	59	394	107	453	155	459	203	460
12	5	60	397	108	453	156	459	204	460
13	8	61	400	109	453	157	459	205	460
14	11	62	403	110	454	158	459	206	460
15	14	63	406	111	454	159	459	207	460
16	19	64	408	112	454	160	459	208	460
17	24	65	411	113	455	161	459	209	460
18	30	66	413	114	455	162	459	210	460
19	37	67	415	115	455	163	459	211	460
20	45	68	417	116	455	164	459	212	460
21	54	69	419	117	455	165	459	213	460
22	64	70	421	118	455	166	459	214	460
23	75	71	423	119	456	167	459	215	460
24	87	72	424	120	456	168	459	216	460
25	99	73	426	121	456	169	459	217	460
26	112	74	427	122	456	170	459	218	460
27	125	75	429	123	456	171	459	219	460
28	139	76	430	124	456	172	459	220	460
29	152	77	431	125	457	173	459	221	460
30	164	78	432	126	457	174	459	222	460
31	177	79	433	127	457	175	459	223	460
32	189	80	434	128	457	176	459	224	460
33	201	81	435	129	457	177	459	225	460
34	213	82	436	130	457	178	459	226	460
35	225	83	437	131	457	179	459	227	460
36	237	84	439	132	457	180	459	228	460
37	248	85	440	133	457	181	460	229	460
38	259	86	440	134	457	182	460	230	460
39	269	87	441	135	457	183	460	231	460
40	279	88	442	136	458	184	460	232	460
41	288	89	443	137	458	185	460	233	460
42	297	90	444	138	458	186	460	234	460
43	306	91	444	139	458	187	460	235	460
44	314	92	445	140	458	188	460	236	460
45	321	93	446	141	458	189	460	237	460
46	328	94	446	142	458	190	460	238	460
47	335	95	447	143	458	191	460	239	460
48	342	96	448	144	458	192	460	240	460