

MultipleAgencyFiscalNoteSummary

BillNumber: 5853SB

Title: Racialprofiling

EstimatedCashReceipts

AgencyName						
	GF-State	Total	GF-State	Total	GF-State	Total
Total:						
LocalGov.Courts*						
LocalGov.Other**						
LocalGov.Total						

EstimatedExpenditures

AgencyName	2001-03			2003-05			2005-07		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
WashingtonState Patrol	.0	0	0	.0	0	0	.0	0	0
CriminalJustice TrainingCommission	.5	0	560,700	.5	0	535,700	.5	0	535,700
Total:	0.5	\$0	\$560,700	0.5	\$0	\$535,700	0.5	\$0	\$535,700

LocalGov.Courts*									
LocalGov.Other**			758,332			758,332			758,332
LocalGov.Total			758,332			758,332			758,332

Preparedby: LindaSwanson,OFM

Phone:

360-902-0541

DatePublished:

Revised4/10/2001

* SeeOfficeoftheAdministratorfortheCourtsjudicialfiscalnote

** Seelocalgovernmentfiscalnote

IndividualStateAgencyFiscalNote

BillNumber: 5853SB	Title: Racialprofiling	Agency: 225-WashingtonState Patrol
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PartI:Estimates

☒ NoFiscalImpact

Thecashreceiptsandexpenditureestimatesonthispagerepresentthemostlikelyfiscalimpact.Factorsimpactingtheprecisionoftheseestimates, andalternateranges(ifappropriate),areexplainedinPartII.

Checkapplicableboxesandfollowcorrespondinginstructions:

- ☐ Iffiscalimpactisgreaterthan\$50,000perfiscalyearinthecurrentbienniumorinsubsequentbiennia,completeentirefiscalnote formPartsI-V.
- ☐ Iffiscalimpactislessthan\$50,000perfiscalyearinthecurrentbienniumorinsubsequentbiennia,completethispageonly(PartI).
- ☐ Capitalbudgetimpact,completePartIV.
- ☐ Requiresnewrulemaking,completePartV.

LegislativeContact:	Phone:	Date: 02/09/2001
AgencyPreparation: AngelaPeterson	Phone: 753-5763	Date: 02/21/2001
AgencyApproval: CaptainStevenT.Jewell	Phone: (360)753-0588	Date: 02/21/2001
OFMReview: GarryAustin	Phone: 360-902-0564	Date: 02/22/2001

PartII:NarrativeExplanation

II.A-BriefDescriptionOfWhatTheMeasureDoesThatHasFiscalImpact

Brieflydescribe,bysectionnumber,thesignificantprovisionsofthebill,andanyrelatedworkloadorpolicyassumptions,thathaverevenueor expenditureimpactontherespondingagency.

SenateBill5853,anditscompanionmeasure,HouseBill2017,wouldrequiretraffickenforcementagenciestosubmitan annualreporttotheCriminalJusticeTrainingCommission(CJTC)ontraffic-stopracialprofiling.Theinitialreportis dueonJuly1,2002exceptforagenciesalreadycompilingracialprofilingdata.

DataistobereportedonformsprovidedbyCJTCbyeachtraffickenforcementagencytoCJTCthatincludesthe following:

- 1.Thenumberofindividualsstoppedforroutinetraffickenforcement.
- 2.Identifyingcharacteristicsoftheindividualstopped,includingtherace,ethnicity,ageandgender.
- 3.Identifyingthetrafficinfractionorviolationthatledtothestop.
- 4.Whetherasearchwasconductedasaresultofthestop.
- 5.Thelegalbasisforthesearch,includingwhetherconsentwasobtained,whetheracanineunitwasalerted,and whethertherewasaprobablecauseorreasonablesuspicionontosuspectacrime.
- 6.Whetheranarrestwasmadeorawrittencitationwasissued.

II.B-CashreceiptsImpact

Brieflydescribeandquantifythecashreceiptsimpactofthelegislationontherespondingagency,identifyingthecashreceiptsprovisionsbysection numberandwhenappropriatethedetailoftherevenuesources.Brieflydescribethefactualbasisoftheassumptionsandthemethodbywhichthe cashreceiptsimpactisderived.Explainhowworkloadassumptionstranslateintoestimates.Distinguishbetweenonetimeandongoingfunctions.

II.C-Expenditures

Brieflydescribetheagencyexpendituresnecessarytoimplementthislegislation(orsavingsresultingfromthislegislation),identifyingbysection numbertheprovisionsofthelegislationthatresultintheexpenditures(orsavings).Brieflydescribethefactualbasisoftheassumptionsandthe methodbywhichtheexpenditureimpactisderived.Explainhowworkloadassumptionstranslateintocostestimates.Distinguishbetweenonetime andongoingfunctions.

TheWashingtonStatePatrolhasbeenengagedincollectingstatisticaldataonracialprofilingsinceOctober1999and alreadycollectsmostofthedataelementsrequiredbythisbill.However,additionalprogrammingoftheagency'sTime andActivitySystemwillbenecessarytocollecttheremainingelements.TheprogrammingchangenEEDEDISminimaland canbeaccomplishedbytheagency'sFinancialSystemsDevelopmentSection.Thecostoftheadditionalprogramming canbeabsorbedwithinthecurrentbudgetresources.

PartIII:ExpenditureDetail

PartIV:CapitalBudgetImpact

PartV:NewRuleMakingRequired

Identifyprovisionsofthemeasurethatrequiretheagencytoadoptnewadministrativerulesorrepeal/revisesexistingrules.

IndividualStateAgencyFiscalNote

BillNumber: 5853SB	Title: Racialprofiling	Agency: 227-WaStCriminal JusticeTrainComm
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PartI:Estimates

☐ NoFiscalImpact

EstimatedCashReceiptsto:

Fund					
Total					

EstimatedExpendituresfrom:

	FY2002	FY2003	2001-03	2003-05	2005-07
FTEStaffYears	0.5	0.5	0.5	0.5	0.5
Fund					
PublicSafetyandEducation Account-State 02V-1	292,850	267,850	560,700	535,700	535,700
Total	292,850	267,850	560,700	535,700	535,700

Thecashreceiptsandexpenditureestimatesonthispagerepresentthemostlikelyfiscalimpact.Factorsimpactingtheprecisionoftheseestimates, andalternateranges(ifappropriate),areexplainedinPartII.

Checkapplicableboxesandfollowcorrespondinginstructions:

- ☒ Iffiscalimpactisgreaterthan\$50,000perfiscalyearinthecurrentbienniumorinsubsequentbiennia,completeentirefiscalnote formPartsI-V.
- ☐ Iffiscalimpactislessthan\$50,000perfiscalyearinthecurrentbienniumorinsubsequentbiennia,completethispageonly(PartI).
- ☐ Capitalbudgetimpact,completePartIV.
- ☒ Requiresnewrulemaking,completePartV.

LegislativeContact:	Phone:	Date: 02/09/2001
AgencyPreparation: BrianElliott	Phone: 360-459-6342	Date: 02/09/2001
AgencyApproval: VirgilSweeney	Phone: 360-459-6342	Date: 02/15/2001
OFMReview: RandiWarick	Phone: 360-902-0570	Date: 02/21/2001

PartII:NarrativeExplanation

II.A-BriefDescriptionOfWhatTheMeasureDoesThatHasFiscalImpact

Brieflydescribe,bysectionnumber,thesignificantprovisionsofthebill,andanyrelatedworkloadorpolicyassumptions,thathaverevenueor expenditureimpactontherespondingagency.

ThisbillrequiresthattheCriminalJusticeTrainingCommission(CJTC)compiledefinedinformationcollectedonan annualbasisfromtraffickenforcementagencies.ThisbillalsorequiresCJTCToprovideanannualreportthatistobe usedinvariousmannersdefinedinsection2,subsection2.CJTCwillneedtodevelopanddistributeatraffic-stopracial profilingformannuallytoeverytraffickenforcementagencyinthestateofWashingtonandensurethatformsarereceived fromeveryagency.CJTCwillalsoneedtoenterintoacontractwithanoutsidevendorforthecreationofadatabaseto compileallofthedata.

II.B-CashreceiptsImpact

Brieflydescribeandquantifythecashreceiptsimpactofthelegislationontherespondingagency,identifyingthecashreceiptsprovisionsbysection numberandwhenappropriaetthedetailoftherevenuesources.Brieflydescribethefactualbasisoftheassumptionsandthemethodbywhichthe cashreceiptsimpactisderived.Explainhowworkloadassumptionstranslateintoestimates.Distinguishbetweenonetimeandongoingfunctions.

II.C-Expenditures

Brieflydescribethagencyexpendituresnecessarytoimplementthislegislation(orsavingsresultingfromthislegislation),identifyingbysection numbertheprovisionsofthelegislationthatresultintheexpenditures(orsavings).Brieflydescribethefactualbasisoftheassumptionsandthe methodbywhichtheexpenditureimpactisderived.Explainhowworkloadassumptionstranslateintocostestimates.Distinguishbetweenonetime andongoingfunctions.

1/2ofaFTEwillbeneededforthecreationofformstobesentouttoalltraffickenforcementagencies,ensurereturnof formsfromagencies,andinputofdataintodatabase.A1/2timeofficeassistantearning\$1,190amonthwillbeableto performtheseduties.Theannualexpendituresforthispositionwillbe\$14,280(1,190x12months)insalaryand\$3,570 (14,280x25%)inbenefits.

Thecreationofthedatabasewillbecontractedtoanoutsidevendorandisanticipatedtocost\$25,000. Theanalysisandcreationofareportofthecollecteddatawillalsobecontractedtoanoutsidevendor.Theanalysis willneedtotakeintoaccountnorming,demographicdata,andcurrentcensusinformation.Withoutthiscomparativeand analyticalapproachitisunknownastowhethertheinformationgatheredwouldbeadequatelyanalyzed.Asnotedearlier thistaskwillneedtobecontractedouttoanuniversityofprivatefirmatanestimatedcostof\$250,000peryear.This estimateisbasedupondiscussionswithNicholasP.LoveridgewhoistheDirectoroftheDivisionofGovernmental StudiesandServicesatWashingtonStateUniversity(WSU)andMichaelGaffneywhoistheResearchCoordinatoratthe DivisionofGovernmentalStudiesandServicesatWSU.Byrequestingthereportingagenciestosendtherawdatatothe CriminalJusticeTrainingCommission(CJTC),thedatacanbeanalyzedtoproducetheinformationrequestedbythe legislature.Thisprocesswillprecludetheidentificationofanyindividualofficerwhentheanalysisisconducted.The processshouldbethesamewhetherornotthedataisreportedtotheCJTCTotheWashingtonAssociationofSheriffs andPoliceChiefs(WASPC).

Oneveryimportantitemthatneedstobementionedwhichwouldchangesomeoftheaboveinformationisifthe WashingtonAssociationofSheriffsandPoliceChiefs(WASPC)gathersthisinformationbyexpandingthecurrent UniformCrimeReport(UCR),thenasecondformwouldnotbenecessary.ThecurrentUCRreportingformcouldbe modifiedtoincludetheelementsnotedinthelegislativeproposal.Therewouldstillbeacosttoprocesstheinformation andtheanalysiswouldstillhavetobedonebyathirdpartysuchasauniversityorotherexternalagency. TheadvantagetothiswouldbefoundnotonlyinonelessformbutalsoinWASPCbeingtherepositoryofsuch informationwhichmightbeusedforotherpurposesinthefuture.Sincethisisnotwithinthescopeofthebillatthistime, theCJTChasnotprovidedthefiscalanalysisreflectingthispossibility.

Part III: Expenditure Detail

III.A-Expenditures By Object Or Purpose

	FY2002	FY2003	2001-03	2003-05	2005-07
FTE Staff Years	0.5	0.5	0.5	0.5	0.5
A-Salaries and Wages	14,280	14,280	28,560	28,560	28,560
B-Employee Benefits	3,570	3,570	7,140	7,140	7,140
C-Personal Service Contracts	275,000	250,000	525,000	500,000	500,000
E-Goods and Services					
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
Total:	\$292,850	\$267,850	\$560,700	\$535,700	\$535,700

III.B-FTE 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	FY2002	FY2003	2001-03	2003-05	2005-07
Office Assistant	2,380	.5	.5	.5	.5	.5
Total		.5	.5	.5	.5	.5

Part IV: Capital Budget Impact

Part V: New Rule Making Required

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

Beginning July 1, 2002, except for traffic enforcement agencies already compiling the information required by this section, every traffic enforcement agency in this state shall provide an annual report to the Criminal Justice Training Commission, on forms provided by the commission. Section 2 subsection 1 defines the information that is to be on the forms and reported. Section 2 also states that the Criminal Justice Training Commission will compile all of the information received from the traffic enforcement agencies and provide a report that will be a valuable tool in ways described in section 2.

LOCAL GOVERNMENT FISCAL NOTE

Revised

Department of Community, Trade and Economic Development

Bill Number: 5853SB	Title: Racial profiling
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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 jurisdiction 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:

Estimated revenue impacts to:

Jurisdiction	FY2002	FY2003	2001-03	2003-05	2005-07
City					
County					
Special District					
TOTAL					
GRAND TOTAL					

Estimated expenditure impacts to:

Jurisdiction	FY2002	FY2003	2001-03	2003-05	2005-07
City	\$250,250	\$250,250	\$500,500	\$500,500	\$500,500
County	\$128,916	\$128,916	\$257,832	\$257,832	\$257,832
Special District					
TOTAL	\$379,166	\$379,166	\$758,332	\$758,332	\$758,332
GRAND TOTAL					\$2,274,996

Part III: Preparation and Approval

Fiscal Note Analyst: Louise Davis	Phone: (360)725-5034	Date: 04/09/2001
Leg. Committee Contact:	Phone:	Date: 02/09/2001
Agency Approval: Val Richey	Phone: 360-725-5036	Date: 04/09/2001
OFM Review: Linda Swanson	Phone: 360-902-0541	Date: 04/10/2001

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 require every traffic enforcement agency in the state (except for those already compiling the required information) to provide an annual report to the Criminal Justice Training Commission, on forms provided by the commission, of the following:

- the number of individuals stopped for routine traffic enforcement, whether or not a citation or warning was issued;
- identifying characteristics of the individual stopped, including the race or ethnicity, approximate age, and gender;
- the nature of the alleged traffic infraction or violation that led to the stop;
- whether a search was instituted as a result of the stop;
- the legal basis for the search, including whether consent was obtained, whether a canine unit was alerted, and whether there was probable cause or reasonable suspicion to suspect a crime; and
- whether an arrest was made, or a written citation issued, as a result of the stop or search.

The information shall be reported to the Criminal Justice Training Commission (which would compile the above information) with codes used to identify areas of patrol within the jurisdiction.

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.

The estimated local government expenditure impacts of collecting data at traffic stops, including administrative costs for data entry, would be a total of \$379,166 annually, as follows:

City impact: \$250,250 for police departments

County Impact: \$128,916 for sheriff's offices

These numbers are revised from previous estimates using an average of 5 minutes per traffic stop, based on surveys conducted in the early months of 2000. Subsequent estimates based on the May 2000 implementation of a traffic stop data collection program by the Washington State Patrol, and confirmed by the Washington Association of Sheriffs and Police Chiefs, indicate an approximate 30 seconds for recording traffic stop data (not including time for data entry of collected information).

(See attached spreadsheet for discussion.)

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.

None.

Summary of Expenditure Impacts for HB 2017/SB 5853 regarding monitoring traffic-stop racial profiling:

The estimated local government expenditure impacts of this bill for collecting and recording data from traffic stops would be a total of \$379,166 annually, as follows:

City impact: \$250,250 for police departments

County Impact: \$128,916 for sheriff's offices

Assumptions:

Number of traffic stops: According to the Washington Association of Sheriffs and Police Chiefs (WASPC), local government law enforcement officers make approximately 1,000,000 traffic stops per year. This analysis assumes there would be no change in the number of traffic stops as a result of this bill.

It is unclear whether the information to be gathered relates only to the driver of the vehicle or to all occupants of the vehicle. This analysis assumes that only information related to the driver of the vehicle would be collected.

Number of law enforcement agencies: WASPC indicates that there are 281 law enforcement agencies in the state and 9192 commissioned officers, as summarized in the following table.

	Number of agencies	Number of officers
Police departments	202	5783
Sheriff departments	39	2975
Tribes	28	185
Colleges & universities	7	119
Ports & airports	5	130
Total	281	9192

This analysis includes only police and sheriff departments, which comprising 95% of all law enforcement officers.

Data collection costs:

Data to be collected: Six information items would be recorded under the provisions of this bill. There may be additional administrative information required by each department such as the code that will be used to identify the area of patrol within the jurisdiction of the traffic enforcement agency. The agencies may also require additional administrative information such as officer and/or department identification. Several departments indicated that a major portion of their stops are currently "verbal stops" that require no paperwork. This bill would require paperwork to be collected and data to be entered for each of these stops.

Average time per stop: In early 2000, ten local law enforcement agencies provided estimates of the amount of officer time required to collect the information. These departments ranged in size from four officers to 179 officers. The estimates of these departments ranged from 5 to 15 minutes, with the majority indicating this bill would add 5 minutes to each traffic stop. Based in part on discussion with the Washington State Patrol, which implemented a program to collect traffic stop information in May 2000, and also consultation with WASPC, this analysis uses a revised estimate of 0.5 minutes per stop.

Hourly rate: An average hourly total compensation figure was determined from the 1999 Police/Fire Compensation Survey published by the Association of Washington Cities. This survey covers all cities with populations over 5,000 and all counties with populations over 10,000. The weighted average hourly compensation was determined to be \$27.50 (including benefits and overhead at 30%).

Average cost per stop: Assuming five minutes per stop required by law enforcement officers to collect the data, at \$27.50 per hour, the annual cost would be \$229,166 (1,000,000 stops times 0.5 minutes divided

by 60 minutes times \$27.50 hourly compensation). The estimated cost of data collection would be allocated as follows:

	Number of officers	Percent of officers	Number of stops	Data collection annual cost
Police departments	5783	66%	660,000	\$151,250
Sheriff's offices	2975	34%	340,000	\$77,916
Total	8758	100%	1,000,000	\$229,166

Data entry costs:

Under this bill law enforcement agencies would submit the information recorded by officers in an annual report to the Criminal Justice Training Commission (CJTC), which be responsible for compilation and analysis of the data (see Criminal Justice Training Commission Fiscal Note). The CJTC plans to send each law enforcement agency a computer program that would allow the agency to enter the 6 required information items in the same format and send this data in electronic form to the CJTC. It is estimated that the required data entry would take approximately 30 seconds per record by a records clerk at approximately \$18 per hour (based on 1999 salary surveys). For 1 million records, the estimated cost would be 1,000,000 records x 0.5 minutes x \$18 per 60 minutes = \$150,000. Based on the 66-34 allocation of officers between cities and counties, city police departments would incur 66% x 150,000 = \$99,000 of data entry costs, and county sheriff's offices, \$51,000.

Total costs to local governments for data collection and data entry under this bill:

	Annual data collection costs	Annual data entry costs	Total annual data collection and entry costs
Police departments	\$151,250	\$99,000	\$250,250
Sheriff's offices	\$77,916	\$51,000	\$128,916
Total	\$229,166	\$150,000	\$379,166