

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1183 HB	<b>Title:</b> DUI penalties
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## Estimated Cash Receipts

Agency Name						
	GF- State	Total	GF- State	Total	GF- State	Total
<b>Total \$</b>						

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

## Estimated Expenditures

Agency Name	2003-05			2005-07			2007-09		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Office of Administrator for the Courts	.3	86,490	86,490	.3	86,490	86,490	.3	86,490	86,490
Department of Licensing	.0	0	33,541	.0	0	0	.0	0	0
Department of Corrections	.0	6,756,555	6,756,555	113.4	15,654,343	15,654,343	117.6	16,235,704	16,235,704
Sentencing Guidelines Commission	.0	0	0	.0	0	0	.0	0	0
<b>Total</b>	0.3	\$6,843,045	\$6,876,586	113.7	\$15,740,833	\$15,740,833	117.9	\$16,322,194	\$16,322,194

Local Gov. Courts *	3.8		968,436	3.8		720,506	3.8		720,506
Local Gov. Other **	Indeterminate								
Local Gov. Total	3.8		968,436	3.8		720,506	3.8		720,506

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<b>Prepared by:</b> Randi Warick, OFM	<b>Phone:</b> 360-902-0570	<b>Date Published:</b> Final 1/30/2003
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\* See Office of the Administrator for the Courts judicial fiscal note

\*\* See local government fiscal note

# Judicial Impact Fiscal Note

<b>Bill Number:</b> 1183 HB	<b>Title:</b> DUI penalties	<b>Agency:</b> 055-Office of Administrator for Courts
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

FUND	FY 2004	FY 2005	2003-05	2005-07	2007-09
Counties					
Cities					
<b>Total \$</b>					

### Estimated Expenditures from:

STATE	FY 2004	FY 2005	2003-05	2005-07	2007-09
State FTE Staff Years	.3	.3	.3	.3	.3
<b>Fund</b>					
General Fund-State 001-1	43,245	43,245	86,490	86,490	86,490
State Subtotal \$	43,245	43,245	86,490	86,490	86,490
COUNTY	FY 2004	FY 2005	2003-05	2005-07	2007-09
County FTE Staff Years	3.8	3.8	3.8	3.8	3.8
<b>Fund</b>					
Local - Counties	608,183	360,253	968,436	720,506	720,506
Counties Subtotal \$	608,183	360,253	968,436	720,506	720,506
CITY	FY 2004	FY 2005	2003-05	2005-07	2007-09
City FTE Staff Years					
<b>Fund</b>					
Local - Cities					
Cities Subtotal \$					
Local Subtotal \$	608,183	360,253	968,436	720,506	720,506
<b>Total Estimated Expenditures \$</b>	<b>651,428</b>	<b>403,498</b>	<b>1,054,926</b>	<b>806,996</b>	<b>806,996</b>

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: 01/22/2003
Agency Preparation: Yvonne Pettus	Phone: (360) 705-5314	Date: 01/22/2003
Agency Approval: Janet McLane	Phone: (360) 705-5305	Date: 01/23/2003
OFM Review: Garry Austin	Phone: 360-902-0564	Date: 01/24/2003

## Part II: Narrative Explanation

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

Section 1. Defines the felony offenses of Driving Under the Influence (DUI) and Physical Control of a Vehicle while Under the Influence (PCV) as felony traffic offenses.

Section 2. Allows home detention to be imposed for offenders convicted of felony DUI.

Section 3. Allows the felony offenses of DUI and PCV to be vacated seven years after the applicant was discharged, instead of the normal five year period for Class C felonies.

Section 4. Ranks felony DUI and felony PCV at Seriousness Level IV on the sentencing grid.

Section 7. Excludes felony DUI and PCV offenses from the First-time Offender Waiver eligibility.

Section 8. Allows the court to order ignition interlock for a person convicted of felony DUI.

Section 9. Defines felony DUI as a class C felony, if the person has three or more prior offenses as defined in RCW 46.61.6055.

Section 10. Defines felony PCV as a class C felony, if the person has three or more prior offenses as defined in RCW 46.61.6055.

### II. B - Cash Receipts Impact

Distribution of revenue is the same for DUI at the courts of limited jurisdiction and the superior court. Therefore, it is anticipated there will be no cash receipts impact.

### II. C - Expenditures

The prior offenses included in this analysis are only DUI and PCV. At this time data is not available for negligent driving, reckless driving, reckless endangerment or vehicular homicide or vehicular assault committed while under the influence. Therefore, this note will underreport the number of incidents of DUI or physical control where the offender has three or more priors.

Using JIS figures, there were 433 DUI/physical control convictions in 1999 where the defendant had three or more priors. Based on 2001 caseload analysis, 74% of DUI/physical control filings result in a conviction. Extrapolating from 1999 convictions, 546 cases will be effected by this bill. In 2001, 42% (229) of these cases would have been heard in municipal courts and 58% (317) in district courts.

Based on the 1991 district court weighted caseload study, a DUI case has a case value of 35.27 minutes. Removing these cases from district and municipal courts will result in savings of 0.18 district court judges and 0.13 municipal court judges based on 1991 weighted caseload data. It is unlikely that these fractions of judicial positions would be eliminated, therefore it is not anticipated that there would be any actual dollar savings to district or municipal courts.

Based on the 1986 superior court weighted caseload study, a DUI would have a value of 68.1 minutes in superior court. The increased number of cases in superior court would result in the need for 0.55 judges, 1.32 administrative staff and 2.2 county clerk staff. The state is responsible for ½ of a superior court judge's salary and all of the benefits. The state's portion of the judge's salary and benefits would be \$43,245. The counties' portion would be \$33,336.

Based on 2001 salary and benefit data from the State Auditor's office, the salary and benefit increase in expense for superior court staff would be \$91,901 and \$91,280 for county clerk staff. The court operational costs would be \$129,987. The clerk's office operational costs would be \$13,748. The total increase for the county for the superior court would be \$608,183 in the first fiscal year and \$360,252 in the second and subsequent fiscal years.

## Part III: Expenditure Detail

### III. A - Expenditure By Object or Purpose (State)

<u>State</u>	FY 2004	FY 2005	2003-05	2005-07	2007-09
FTE Staff Years	.3	.3	.3	.3	.3
Salaries and Wages	30,391	30,391	60,782	60,782	60,782
Employee Benefits	12,854	12,854	25,708	25,708	25,708
Personal Service Contracts					
Goods and Services					
Travel					
Capital Outlays					
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services					
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements					
<b>Total \$</b>	43,245	43,245	86,490	86,490	86,490

### III. B - Expenditure By Object or Purpose (County)

<u>County</u>	FY 2004	FY 2005	2003-05	2005-07	2007-09
FTE Staff Years	3.8	3.8	3.8	3.8	3.8
Salaries & Benefits	216,517	216,517	433,034	433,034	433,034
Capital	247,930		247,930		
Other	143,735	143,735	287,470	287,470	287,470
<b>Total \$</b>	608,182	360,252	968,434	720,504	720,504

### III. C - Expenditure By Object or Purpose (City)

<u>City</u>					
FTE Staff Years					
<b>Total \$</b>					

### III. D - FTE Detail

Job Classification	Salary	FY 2004	FY 2005	2003-05	2005-07	2007-09
County Clerk Staff	41,582	2.2	2.2	2.2	2.2	2.2
Superior Court Judge	121,972	0.6	0.6	0.6	0.6	0.6
Superior Ct. Admin Staff	69,775	1.3	1.3	1.3	1.3	1.3
<b>Total FTE's</b>		4.1	4.1	4.1	4.1	4.1

## Part IV: Capital Budget Impact

Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods

Construction Estimate	FY 2004	FY 2005	2003-05	2005-07	2007-09
Acquisition					
Construction					
Other	247,930		247,930		
<b>Total \$</b>	247,930		247,930		

For every new superior court judge, 1,970 square feet are needed. For every new clerical position, 120 square feet are needed. The cost per square foot for court construction is estimated to be \$165.

Therefore the capital budget impact for the counties would be \$247,930 for superior court.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1183 HB	<b>Title:</b> DUI penalties	<b>Agency:</b> 240-Department of Licensing
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

<b>FUND</b>					
<b>Total \$</b>					

### Estimated Expenditures from:

	FY 2004	FY 2005	2003-05	2005-07	2007-09
<b>Fund</b>					
Highway Safety Account-State 106-1	33,541	0	33,541	0	0
<b>Total \$</b>	33,541	0	33,541	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:

- ☐ 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: 01/22/2003
Agency Preparation: Erik Hansen	Phone: 360-902-0120	Date: 01/22/2003
Agency Approval: Larry Dzieza	Phone: 360-902-3633	Date: 01/27/2003
OFM Review: Garry Austin	Phone: 360-902-0564	Date: 01/28/2003

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.

PLEASE REFER TO ATTACHMENT

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.

PLEASE REFER TO ATTACHMENT

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.

PLEASE REFER TO ATTACHMENT

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2004	FY 2005	2003-05	2005-07	2007-09
FTE Staff Years					
A-Salaries & Wages					
B-Employee Benefits					
C-Personal Serv Contr					
E-Goods and Services	33,541		33,541		
G-Travel					
J-Capital Outlays					
M-Inter Agency Fund Transfers					
N-Grants, Benefits Services					
P-Debt Service					
S-Interagency Reimburesement					
T-Intra-Agency Reimbursement					
Total:	\$33,541	\$0	\$33,541	\$0	\$0

III. C - Expenditures By Program (optional)

Program	FY 2004	FY 2005	2003-05	2005-07	2007-09
Mgmt & Support Services (100)	2,096		2,096		
Information Services (200)	1,497		1,497		
Vehicle Services (300)					
Driver Services (600)	29,948		29,948		
Business and Professions (700)					
Total \$	33,541		33,541		

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.

## Part II: Explanation

A 4<sup>th</sup> conviction of driving under the influence in seven years is made a class C felony. The penalties such as jail time and criminal sanctions are increased. The action by the Department of Licensing against a persons driving privilege will not change.

The effective date of the bill is July 1, 2004.

### II. A – Brief Description of What the Measure Does that Has Fiscal Impact

Sections 9, 10, 11 will require the Department of Licensing to establish new violation codes, departmental action codes, and new letters of notification to track the 4<sup>th</sup> conviction for driving under the influence as a class C felony on the driving record. DOL will be required to modify existing computer programs to accommodate the new violation codes, departmental codes and letters of notification.

### II. B – Cash Receipt Impact

N/A

### II. C – Expenditures

Driver Services assumes one months time of a contract programmer is needed to make computer changes on the Unisys mainframe. New violation codes, departmental action codes, and letters of notification regarding the disqualification must be added to the system. These programming changes will entail program coding, compiling, recompiling, unit testing, system testing, and implementation.

In addition to direct program costs, support services costs are included. The standard agency rate for cost of goods and services (supplies and materials, facilities, and training) are included for the Management and Support Services and Information Services programs.

## Part III: Expenditure Detail

### III. A – Expenditures by Object or Purpose

	FY 04	FY 05	03-05 Total	05-07 Total	07-09 Total
FTE Staff Years					
Salaries and Wages					
Employee Benefits					
Personal Service Contracts					
Goods and Services	33,541		33,541		
Travel					
Equipment					
Other					
<b>Total</b>	<b>33,541</b>		<b>33,541</b>		

**III. A (1) – Detail of Expenditures by Sub-Object for Goods & Services**

<b>Object E Breakdown:</b>	<b>FY 04</b>	<b>FY 05</b>	<b>03-05 Total</b>	<b>05-07 Total</b>	<b>07-09 Total</b>
EB Phone/Fax Install	300		300		
EB Phone/Fax/DP Lines	45		45		
EZ Other Goods & Svcs	3,593		3,593		
EQ Equipment - Under \$5,00	4,889		4,889		
EL Interagency DP Svcs	1,350		1,350		
ER DP Cont Programmers	23,364		23,364		
<b>Total Goods &amp; Svcs</b>	<b>33,541</b>		<b>33,541</b>		

**III. A (2) – Detail of Expenditures by Fund**

Additional information about assumptions and impacts is available directly from the Department of Licensing at 902-3633.

**III. B – Expenditures by Program (optional)**

<b>Program</b>	<b>FY 04</b>	<b>FY 05</b>	<b>03-05 Total</b>	<b>05-07 Total</b>	<b>07-09 Total</b>
100 - Mgmt & Support Services	2,096		2,096		
200 - Information Services	1,497		1,497		
300 - Vehicle Services					
600 - Driver Services	29,948		29,948		
700 - Business & Professions					
<i>Total</i>	33,541	-	33,541	-	-

**Part IV: Capital Budget Impact**

None

**Part V: New Rule Making Required**

None



# Individual State Agency Fiscal Note

Revised

<b>Bill Number:</b> 1183 HB	<b>Title:</b> DUI penalties	<b>Agency:</b> 310-Department of Corrections
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

<b>FUND</b>					
<b>Total \$</b>					

### Estimated Expenditures from:

	FY 2004	FY 2005	2003-05	2005-07	2007-09
FTE Staff Years	0.0	0.0	0.0	113.4	117.6
<b>Fund</b>					
General Fund-State 001-1	1,819,549	4,937,006	6,756,555	15,654,343	16,235,704
<b>Total \$</b>	1,819,549	4,937,006	6,756,555	15,654,343	16,235,704

*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: 01/22/2003
Agency Preparation: Ronna Cole	Phone: 360-664-0688	Date: 01/29/2003
Agency Approval: Ronna Cole	Phone: 360-664-0688	Date: 01/29/2003
OFM Review: Randi Warick	Phone: 360-902-0570	Date: 01/30/2003

## 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 1 amends the definition of felony traffic offense to include felony driving while under the influence of intoxicating liquor or any drug and felony physical control of a vehicle while under the influence of intoxicating liquor or any drug.

Section 2 allows for home detention to be imposed on offenders convicted of felony driving while under the influence of intoxicating liquor or any drug and felony physical control of a vehicle while under the influence of intoxicating liquor or any drug.

Section 3 amends wash-out provisions to specify that a conviction for felony driving while under the influence of intoxicating liquor or any drug or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug may be vacated seven years after an offender is discharged.

Section 4 ranks felony driving while under the influence at Seriousness Level IV on the adult felony sentencing grid. Ranks felony physical control of a vehicle while under the influence at Seriousness Level IV on the adult felony sentencing grid. This section expires July 1, 2004.

Section 5 ranks felony driving while under the influence at Seriousness Level IV on the adult felony sentencing grid. Ranks felony physical control of a vehicle while under the influence at Seriousness Level IV on the adult felony sentencing grid. This section takes effect July 1, 2004.

Section 6 amends scoring provisions to allow prior traffic and serious traffic offenses to score within seven years if the current offense is a felony driving while under the influence of intoxicating liquor or any drug or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug.

Section 7 amends the eligibility provisions of the First-time Offender Waiver to exclude felony driving while under the influence of intoxicating liquor or any drug and felony physical control of a vehicle while under the influence of intoxicating liquor or any drug.

Section 9 amends the definition of driving while under the influence of intoxicating liquor or any drug to establish it as a Class C felony if the offender has three or more prior offenses within seven years.

Section 10 amends the definition of physical control of a vehicle while under the influence of intoxicating liquor or any drug to establish it as a Class C felony if the offender has three or more prior offenses within seven years.

Section 11 amends punishment provisions pertaining to driving while under the influence of intoxicating liquor or any drug and physical control of a vehicle while under the influence of intoxicating liquor or any drug to allow for punishment as a felony when an offender has three or more prior offenses within seven years.

### 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.

This proposal will have impact on the average daily population (ADP) in Department facilities. Under current law, offenders defined within this proposal would serve an average of 6.0 months in jail. The proposal however, would require offenders that have three or more DUI or PCV convictions within seven year period to serve a prison sentence. The Department assumes that each prior conviction for a DUI or PCV will count in the offender score, therefore, each sentence will have a minimum offender score of two which is a presumptive prison sentence when combined with the seriousness level defined in this proposal for these offenses (Seriousness Level IV).

Cost estimates are based on population estimates developed by the Sentencing Guidelines Commission (SGC). The assumptions used by SGC are outlined in the SGC fiscal note for this bill. SGC estimates the Department's institutional ADP will increase by 91 in FY04, 246 in FY05, 282 in FY06, 293 in FY07, 298 in FY08, and 300 in FY09.

The Department assumes offenders would be housed out-of-state during Fiscal Years 2004 and 2005. This fiscal analysis uses current planning scenarios to calculate the fiscal impact of population changes associated with this bill. Population increases in Fiscal Years 2004 and 2005 are calculated at the estimated rental bed rate of \$55.00 per day per offender. Average daily population changes up to 192 are estimated using the marginal rate of \$15.73, the current direct variable cost. Population changes that exceed an average daily population change of 192 are estimated using the current full cost per offender rate of \$69.72. Average daily population changes of 192 or greater include capital construction costs.

## Part III: Expenditure Detail

### III. A - Expenditures by Object Or Purpose

	FY 2004	FY 2005	2003-05	2005-07	2007-09
FTE Staff Years				113.4	117.6
A-Salaries and Wages				8,366,885	8,676,467
B-Employee Benefits				2,050,949	2,126,810
C-Personal Service Contracts					
E-Goods and Services				3,020,515	3,135,297
G-Travel				40,915	42,422
J-Capital Outlays				91,814	94,109
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services	1,819,549	4,937,006	6,756,555	2,083,265	2,160,599
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
<b>Total:</b>	<b>\$1,819,549</b>	<b>\$4,937,006</b>	<b>\$6,756,555</b>	<b>\$15,654,343</b>	<b>\$16,235,704</b>

### 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 2004	FY 2005	2003-05	2005-07	2007-09
Financial Services Staff					3.7	3.8
Human Resource Staff					1.1	1.1
Information Technology Staff					2.2	2.2
Institutional Staff					106.5	110.5
<b>Total FTE's</b>					<b>113.5</b>	<b>117.6</b>

### III. C - Expenditures By Program (optional)

Program	FY 2004	FY 2005	2003-05	2005-07	2007-09
Administrative Services (100)				1,002,232	1,039,682
Correctional Operations (200)	1,819,549	4,937,006	6,756,555	14,652,111	15,196,022
<b>Total \$</b>	1,819,549	4,937,006	6,756,555	15,654,343	16,235,704

### Part IV: Capital Budget Impact

Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods

Construction Estimate	FY 2004	FY 2005	2003-05	2005-07	2007-09
Acquisition					
Construction	25,344,000		25,344,000		
Other					
<b>Total \$</b>	25,344,000		25,344,000		

The fiscal note assumes that new 192-bed unit would need to be constructed in Fiscal Year 2004 in order to house the increased offender population in Fiscal Year 2006.

### 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

<b>Bill Number:</b> 1183 HB	<b>Title:</b> DUI penalties	<b>Agency:</b> 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.*

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

Legislative Contact:	Phone:	Date: 01/22/2003
Agency Preparation: Ed Vukich	Phone: (360) 956-2143	Date: 01/22/2003
Agency Approval: Ida Leggett	Phone: (360) 956-2130	Date: 01/24/2003
OFM Review: Randi Warick	Phone: 360-902-0570	Date: 01/29/2003

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.

Please see the attachment.

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.

Please see the attachment.

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.

# **HB 1183**

## **DRIVING OR PHYSICAL CONTROL OF A VEHICLE WHILE UNDER THE INFLUENCE**

**325 – Sentencing Guidelines Commission  
January 22, 2003**

### **SUMMARY**

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

- Section 1 amends the definition of felony traffic offense to include felony driving while under the influence of intoxicating liquor or any drug and felony physical control of a vehicle while under the influence of intoxicating liquor or any drug.
- Section 2 allows for home detention to be imposed on offenders convicted of felony driving while under the influence of intoxicating liquor or any drug and felony physical control of a vehicle while under the influence of intoxicating liquor or any drug.
- Section 3 amends wash-out provisions to specify that a conviction for felony driving while under the influence of intoxicating liquor or any drug or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug may be vacated seven years after an offender is discharged.
- Section 4 ranks felony driving while under the influence at Seriousness Level IV on the adult felony sentencing grid. Ranks felony physical control of a vehicle while under the influence at Seriousness Level IV on the adult felony sentencing grid. This section expires July 1, 2004.
- Section 5 ranks felony driving while under the influence at Seriousness Level IV on the adult felony sentencing grid. Ranks felony physical control of a vehicle while under the influence at Seriousness Level IV on the adult felony sentencing grid. This section takes effect July 1, 2004.
- Section 6 amends scoring provisions to allow prior traffic and serious traffic offenses to score within seven years if the current offense is a felony driving while under the influence of intoxicating liquor or any drug or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug.
- Section 7 amends the eligibility provisions of the First-time Offender Waiver to exclude felony driving while under the influence of intoxicating liquor or any drug and felony physical control of a vehicle while under the influence of intoxicating liquor or any drug.
- Section 9 amends the definition of driving while under the influence of intoxicating liquor or any drug to establish it as a Class C felony if the offender has three or more prior offenses within seven years.
- Section 10 amends the definition of physical control of a vehicle while under the influence of intoxicating liquor or any drug to establish it as a Class C felony if the offender has three or more prior offenses within seven years.
- Section 11 amends punishment provisions pertaining to driving while under the influence of intoxicating liquor or any drug and physical control of a vehicle while under the influence of intoxicating liquor or any drug to allow for punishment as a felony when an offender has three or more prior offenses within seven years.

**A brief description of what the measure does that has fiscal impact. (Continued.)**

Given the above provisions, all individuals currently sentenced to jail for a third or more driving while under the influence of intoxicating liquor or any drug or physical control of a vehicle while under the influence of intoxicating liquor or any drug will be sentenced to prison, unless the sentence is to jail as a mitigated exceptional sentence.

**EXPENDITURES**

**Assumptions.**

The jail and prison bed impacts for this bill were calculated under the following assumptions.

- Sentences are based on Administrative Office of the Courts calendar year 1993 through calendar year 1999 conviction data for driving while under the influence of intoxicating liquor or any drug and physical control of a vehicle while under the influence of intoxicating liquor or any drug, 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).
- Current policy jail sentences are based on average sentence lengths, considering prior offenses, for driving while under the influence of intoxicating liquor or any drug and physical control of a vehicle while under the influence of intoxicating liquor or any drug sentences in calendar year 1999.
- Proposed policy jail and prison sentences are given at the midpoint of the standard range and are based on offender scores scoring only prior driving while under the influence of intoxicating liquor or any drug and physical control of a vehicle while under the influence of intoxicating liquor or any drug convictions. It is very likely that some of the sentences should be higher due to felony offenses in history that would add to the offender score.
- Sentences are distributed evenly by month.
- For jail sentences, length of stay in jail is calculated using a figure for average earned release, based on a recent survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- For prison sentences, average time spent in jail prior to transfer to the Department of Corrections is based on Department of Corrections' historical data for drug-related offenses, calculated and provided by the Caseload Forecast Council.
- For prison sentences, length of stay in prison is calculated using a figure for average percent of sentence served in prison for drug-related offenses, which is based on Department of Corrections' historical data, calculated and provided by the Department of Corrections.
- Bed impacts are calculated with a phase-in factor for drug-related offenses, which are based on Department of Corrections' historical data, calculated and provided by the Caseload Forecast Council.

**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.

This bill shifts 433 sentences from jail to prison.

The bill will result in a maximum jail bed impact of -68 beds, first reached at 75 months after implementation. Additionally, the bill will result in a maximum prison bed impact of 302 beds, first reached at 102 months after implementation.

- Under current policy, there are 433 jail sentences with an average length of 6.064 months. These sentences earn an estimated average of 1.698 months of earned release, resulting in an estimated average length of stay of 4.366 months.

Under the proposed policy, there are no jail sentences. However, the 433 sentences that shift from jail to prison will spend an estimated average length of 2.486 months in jail prior to transfer to the Department of Corrections.

- Under current policy, there are no prison sentences.

Under the proposed policy, there are 433 prison sentences with an average length of 14.293 months. This results in an estimated average length of stay of 8.376 months after time spent in jail and earned release (an estimated average of 5.917 months) are taken into account.

### Average Monthly Population Jail and Prison Impacts HB 1183 - Driving or Physical Control While Under the Influence Sentencing Guidelines Commission January 24, 2003

	Fiscal Year									
	FY04	FY05	FY06	FY07	FY08	FY09	FY10	FY11	FY12	FY13
Jail AMP	-23	-57	-64	-66	-67	-67	-68	-68	-68	-68
Prison AMP (Non-DOSA)	91	246	282	293	298	300	301	301	302	302

	Fiscal Year									
	FY14	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23
Jail AMP	-68	-68	-68	-68	-68	-68	-68	-68	-68	-68
Prison AMP (Non-DOSA)	302	302	302	302	302	302	302	302	302	302

**Current Policy - Jail Bed Estimate**  
**HB 1183 - Driving or Physical Control While Under the Influence**  
 Sentencing Guidelines Commission  
 January 24, 2003

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

**Proposed Policy - Jail Bed Estimate**  
**HB 1183 - Driving or Physical Control While Under the Influence**  
 Sentencing Guidelines Commission  
 January 24, 2003

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

**Jail Bed Impact**  
**HB 1183 - Driving or Physical Control While Under the Influence**  
**Sentencing Guidelines Commission**  
**January 24, 2003**

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

# Current Policy - Prison Bed Estimate (Non-DOSA Beds)

## HB 1183 - Driving or Physical Control While Under the Influence

### Sentencing Guidelines Commission

January 24, 2003

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

# Proposed Policy - Prison Bed Estimate (Non-DOSA Beds)

## HB 1183 - Driving or Physical Control While Under the Influence

### Sentencing Guidelines Commission

January 24, 2003

Month	Adm.	Rel.	Pop.	Month	Adm.	Rel.	Pop.	Month	Adm.	Rel.	Pop.	Month	Adm.	Rel.	Pop.
1	1	0	1	61	36	36	299	121	36	36	302	181	36	36	302
2	7	0	8	62	36	36	299	122	36	36	302	182	36	36	302
3	11	0	20	63	36	36	299	123	36	36	302	183	36	36	302
4	15	0	35	64	36	36	299	124	36	36	302	184	36	36	302
5	18	0	53	65	36	36	299	125	36	36	302	185	36	36	302
6	20	0	73	66	36	36	300	126	36	36	302	186	36	36	302
7	23	0	96	67	36	36	300	127	36	36	302	187	36	36	302
8	24	0	120	68	36	36	300	128	36	36	302	188	36	36	302
9	26	2	143	69	36	36	300	129	36	36	302	189	36	36	302
10	27	7	164	70	36	36	300	130	36	36	302	190	36	36	302
11	28	11	181	71	36	36	300	131	36	36	302	191	36	36	302
12	29	14	195	72	36	36	300	132	36	36	302	192	36	36	302
13	29	17	208	73	36	36	301	133	36	36	302	193	36	36	302
14	30	20	218	74	36	36	301	134	36	36	302	194	36	36	302
15	31	22	227	75	36	36	301	135	36	36	302	195	36	36	302
16	31	23	235	76	36	36	301	136	36	36	302	196	36	36	302
17	32	25	242	77	36	36	301	137	36	36	302	197	36	36	302
18	32	26	247	78	36	36	301	138	36	36	302	198	36	36	302
19	32	27	253	79	36	36	301	139	36	36	302	199	36	36	302
20	33	28	257	80	36	36	301	140	36	36	302	200	36	36	302
21	33	29	261	81	36	36	301	141	36	36	302	201	36	36	302
22	33	29	265	82	36	36	301	142	36	36	302	202	36	36	302
23	33	30	268	83	36	36	301	143	36	36	302	203	36	36	302
24	33	31	271	84	36	36	301	144	36	36	302	204	36	36	302
25	34	31	273	85	36	36	301	145	36	36	302	205	36	36	302
26	34	32	276	86	36	36	301	146	36	36	302	206	36	36	302
27	34	32	278	87	36	36	301	147	36	36	302	207	36	36	302
28	34	32	279	88	36	36	301	148	36	36	302	208	36	36	302
29	34	33	281	89	36	36	301	149	36	36	302	209	36	36	302
30	34	33	282	90	36	36	301	150	36	36	302	210	36	36	302
31	34	33	284	91	36	36	301	151	36	36	302	211	36	36	302
32	35	33	285	92	36	36	301	152	36	36	302	212	36	36	302
33	35	33	286	93	36	36	301	153	36	36	302	213	36	36	302
34	35	34	287	94	36	36	301	154	36	36	302	214	36	36	302
35	35	34	288	95	36	36	301	155	36	36	302	215	36	36	302
36	35	34	289	96	36	36	301	156	36	36	302	216	36	36	302
37	35	34	290	97	36	36	301	157	36	36	302	217	36	36	302
38	35	34	291	98	36	36	301	158	36	36	302	218	36	36	302
39	35	34	292	99	36	36	301	159	36	36	302	219	36	36	302
40	35	35	292	100	36	36	301	160	36	36	302	220	36	36	302
41	35	35	293	101	36	36	301	161	36	36	302	221	36	36	302
42	35	35	293	102	36	36	302	162	36	36	302	222	36	36	302
43	35	35	294	103	36	36	302	163	36	36	302	223	36	36	302
44	35	35	294	104	36	36	302	164	36	36	302	224	36	36	302
45	35	35	295	105	36	36	302	165	36	36	302	225	36	36	302
46	35	35	295	106	36	36	302	166	36	36	302	226	36	36	302
47	35	35	296	107	36	36	302	167	36	36	302	227	36	36	302
48	35	35	296	108	36	36	302	168	36	36	302	228	36	36	302
49	36	35	296	109	36	36	302	169	36	36	302	229	36	36	302
50	36	35	297	110	36	36	302	170	36	36	302	230	36	36	302
51	36	35	297	111	36	36	302	171	36	36	302	231	36	36	302
52	36	35	297	112	36	36	302	172	36	36	302	232	36	36	302
53	36	35	297	113	36	36	302	173	36	36	302	233	36	36	302
54	36	35	298	114	36	36	302	174	36	36	302	234	36	36	302
55	36	35	298	115	36	36	302	175	36	36	302	235	36	36	302
56	36	35	298	116	36	36	302	176	36	36	302	236	36	36	302
57	36	35	298	117	36	36	302	177	36	36	302	237	36	36	302
58	36	36	298	118	36	36	302	178	36	36	302	238	36	36	302
59	36	36	298	119	36	36	302	179	36	36	302	239	36	36	302
60	36	36	299	120	36	36	302	180	36	36	302	240	36	36	302

**Prison Bed Impact (Non-DOSA Beds)**  
**HB 1183 - Driving or Physical Control While Under the Influence**  
**Sentencing Guidelines Commission**  
**January 24, 2003**

Month	Pop.	Month	Pop.	Month	Pop.	Month	Pop.	Month	Pop.
1	1	49	296	97	301	145	302	193	302
2	8	50	297	98	301	146	302	194	302
3	20	51	297	99	301	147	302	195	302
4	35	52	297	100	301	148	302	196	302
5	53	53	297	101	301	149	302	197	302
6	73	54	298	102	302	150	302	198	302
7	96	55	298	103	302	151	302	199	302
8	120	56	298	104	302	152	302	200	302
9	143	57	298	105	302	153	302	201	302
10	164	58	298	106	302	154	302	202	302
11	181	59	298	107	302	155	302	203	302
<b>12</b>	<b>195</b>	<b>60</b>	<b>299</b>	<b>108</b>	<b>302</b>	<b>156</b>	<b>302</b>	<b>204</b>	<b>302</b>
13	208	61	299	109	302	157	302	205	302
14	218	62	299	110	302	158	302	206	302
15	227	63	299	111	302	159	302	207	302
16	235	64	299	112	302	160	302	208	302
17	242	65	299	113	302	161	302	209	302
18	247	66	300	114	302	162	302	210	302
19	253	67	300	115	302	163	302	211	302
20	257	68	300	116	302	164	302	212	302
21	261	69	300	117	302	165	302	213	302
22	265	70	300	118	302	166	302	214	302
23	268	71	300	119	302	167	302	215	302
<b>24</b>	<b>271</b>	<b>72</b>	<b>300</b>	<b>120</b>	<b>302</b>	<b>168</b>	<b>302</b>	<b>216</b>	<b>302</b>
25	273	73	301	121	302	169	302	217	302
26	276	74	301	122	302	170	302	218	302
27	278	75	301	123	302	171	302	219	302
28	279	76	301	124	302	172	302	220	302
29	281	77	301	125	302	173	302	221	302
30	282	78	301	126	302	174	302	222	302
31	284	79	301	127	302	175	302	223	302
32	285	80	301	128	302	176	302	224	302
33	286	81	301	129	302	177	302	225	302
34	287	82	301	130	302	178	302	226	302
35	288	83	301	131	302	179	302	227	302
<b>36</b>	<b>289</b>	<b>84</b>	<b>301</b>	<b>132</b>	<b>302</b>	<b>180</b>	<b>302</b>	<b>228</b>	<b>302</b>
37	290	85	301	133	302	181	302	229	302
38	291	86	301	134	302	182	302	230	302
39	292	87	301	135	302	183	302	231	302
40	292	88	301	136	302	184	302	232	302
41	293	89	301	137	302	185	302	233	302
42	293	90	301	138	302	186	302	234	302
43	294	91	301	139	302	187	302	235	302
44	294	92	301	140	302	188	302	236	302
45	295	93	301	141	302	189	302	237	302
46	295	94	301	142	302	190	302	238	302
47	296	95	301	143	302	191	302	239	302
<b>48</b>	<b>296</b>	<b>96</b>	<b>301</b>	<b>144</b>	<b>302</b>	<b>192</b>	<b>302</b>	<b>240</b>	<b>302</b>

# LOCAL GOVERNMENT FISCAL NOTE

Department of Community, Trade and Economic Development

**Bill Number:** 1183 HB      **Title:** DUI penalties

## Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

### Legislation Impacts:

- ☒ Cities: savings expected due to the shift of trials to district courts
- ☒ Counties: increased expenditures from the shift of trials to district courts, offset by jail cost savings, are expected
- ☐ 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: The amount of savings to cities and to counties for trials that would move from the municipal and district courts to superior courts under the bill.

### Estimated revenue impacts to:

Jurisdiction	FY 2004	FY 2005	2003-05	2005-07	2007-09
City					
County					
Special District					
<b>TOTAL \$</b>					
<b>GRAND TOTAL \$</b>					

### Estimated expenditure impacts to:

<b>Indeterminate Impact</b>
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## Part III: Preparation and Approval

Fiscal Note Analyst: Matthew Hanbey	Phone: (360) 725-5035	Date: 01/22/2003
Leg. Committee Contact:	Phone:	Date: 01/22/2003
Agency Approval: Louise Deng Davis	Phone: (360) 725-5034	Date: 01/29/2003
OFM Review: Randi Warick	Phone: 360-902-0570	Date: 01/30/2003



## **Part IV: Analysis**

### **A. SUMMARY OF BILL**

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

Section 1 (23)(a) would establish felony offenses for driving under the influence of intoxicating liquor or any drug (DUI) and for physical control of a vehicle under the influence of intoxicating liquor or any drug (PCV).

Section 2 (2)(b) would allow for home detention for offenders for felony DUI and felony PCV.

Section 3 (2)(f) would increase the time for a felony offense of DUI or felony PCV to be vacated from five years to seven years after the applicant was discharged.

Section 4 would rank felony DUI and felony PCV as seriousness level 4 offenses on the adult felony sentencing grid.

Section 7 (1)(e) would exclude felony DUI and felony PCV from first-time offender waiver eligibility.

Section 9 (6) would establish a class C felony for DUI when a person has three or more prior offenses within seven years.

Section 10 (6) would establish a class C felony for PCV when a person has three or more prior offenses within seven years.

Section 11 (4) would allow for home detention and would require a home detention term to be served consecutively.

Section 12 would require that a person who is convicted of nonfelony violations with a term of confinement over one year to serve the term consecutively.

### **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 cost to local government under the bill is indeterminate due to lack of information on the actual savings to cities and the additional costs to counties from shifting trials from municipal and district court to superior court. Counties are expected to incur savings in jail expenditures under this bill.

Estimated costs are as follows:

#### **Prosecution and Public Defense:**

Based on calculations by the Administrative Office of the Courts the changes under the bill would result in 546 additional trials. DUI trials are complex and new trials for felony offenses under the bill would be more complex than typical class C felony trials. Therefore the costs to prosecutors and to defenders may be higher.

-- prosecution costs under the bill would be 546 cases x \$2,203/case = \$1,202,838 per year. Costs per case are based on LGFN figures for prosecutors and assumes the cost for trials would be the same as the cost for trials for drug offenses.

-- defender costs under the bill would be 491 cases x \$616/case = \$302,456 per year. Costs per case are based on LGFN figures for public defenders and assumes 90% of felony trials require a public defender.

-- Therefore the total estimated cost to prosecutors and public defenders under the bill is \$1,505,294 per year.

#### **Jail Costs:**

Based on number from the Sentencing Guidelines Commission sentences for offenses under the bill would result in a decrease in jail population as follows: -23 in FY04, -57 in FY05, -64 in FY06, -66 in FY07, -67 in FY08 and FY09. The savings to local government (primarily counties) associated with decreased jail population is as follows: (\$512,221) in FY04, (\$1,269,417) in FY05, (\$1,425,311) in FY06, (\$1,469,852) in FY07, (\$1,492,122) in FY08 and FY09. See attached tables for calculations of jail costs.

### **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.*

Adult Jail Impact Across Counties, FY 2004

County	2001 Jail Capacity	2001 Avg. Daily Pop. (ADP)	Percent of Total ADP	Additional Demand on ADP	Local Daily Housing Rate*	JAIL COSTS
Adams	28	16.9	0.15%	-0.04	\$55.00	-\$703.67
Asotin	21	28.9	0.26%	-0.06	\$54.00	-\$1,181.44
Benton	194	356.7	3.22%	-0.74	\$52.71	-\$14,233.66
Chelan	197	276.8	2.50%	-0.57	\$56.00	-\$11,734.77
Cllallam	120	107.7	0.97%	-0.22	\$51.18	-\$4,172.89
Clark	461	715.8	6.45%	-1.48	\$52.68	-\$28,546.83
Columbia	5	4.2	0.04%	-0.01	\$40.00	-\$127.18
Cowlitz	149	305.3	2.75%	-0.63	\$55.90	-\$12,919.90
Ferry	22	17.8	0.16%	-0.04	\$50.00	-\$673.77
Franklin	157	159.5	1.44%	-0.33	\$51.00	-\$6,158.17
Garfield	6	4.2	0.04%	-0.01	\$35.00	-\$111.29
Grant	85	198.7	1.79%	-0.41	\$33.38	-\$5,021.17
Grays Harbor	120	133.2	1.20%	-0.28	\$65.00	-\$6,554.48
Island	58	67	0.60%	-0.14	\$50.00	-\$2,536.09
Jefferson	37	44.5	0.40%	-0.09	\$50.00	-\$1,684.42
King	2751	2892.9	26.09%	-6.00	\$77.37	-\$169,444.12
Kitsap	200	265.5	2.39%	-0.55	\$62.00	-\$12,461.68
Kittitas	45	91.3	0.82%	-0.19	\$55.00	-\$3,801.49
Klickitat	38	50.1	0.45%	-0.10	\$54.00	-\$2,048.10
Lewis	186	202.3	1.82%	-0.42	\$53.50	-\$8,193.51
Lincoln	15	18.1	0.16%	-0.04	\$100.00	-\$1,370.25
Mason	65	155.7	1.40%	-0.32	\$30.00	-\$3,536.15
Okanogan	132	113	1.02%	-0.23	\$54.00	-\$4,619.48
Pacific	29	32.5	0.29%	-0.07	\$75.00	-\$1,845.29
Pend Oreille	20	20.3	0.18%	-0.04	\$45.00	-\$691.56
Pierce	1272	1264.2	11.40%	-2.62	\$57.00	-\$54,552.06
San Juan**	0	0	0.00%	0.00	\$52.00	\$0.00
Skagit	145	216.3	1.95%	-0.45	\$57.00	-\$9,333.66
Skamania	17	23.9	0.22%	-0.05	\$50.00	-\$904.67
Snohomish	659	1065.9	9.61%	-2.21	\$63.01	-\$50,844.79
Spokane	519	616.9	5.56%	-1.28	\$60.00	-\$28,021.19
Stevens	22	47.4	0.43%	-0.10	\$50.00	-\$1,794.19
Thurston	408	402.8	3.63%	-0.84	\$54.44	-\$16,600.76
Wahkiakum	14	7.7	0.07%	-0.02	\$52.86	-\$308.13
Walla Walla	50	87.7	0.79%	-0.18	\$67.12	-\$4,456.28
Whatcom	212	226.4	2.04%	-0.47	\$68.00	-\$11,654.83
Whitman	34	34	0.31%	-0.07	\$40.00	-\$1,029.58
Yakima	958	817.1	7.37%	-1.69	\$45.83	-\$28,349.51
<b>TOTAL</b>	<b>9451</b>	<b>11089.2</b>	<b>100.00%</b>	<b>-23.00</b>	<b>\$54.60</b>	<b>(\$512,220.98)</b>
<b>-23</b>	ADP					
<b>365</b>	<b>1/29/2003</b>					

\* 2002 Daily Bed rates are based on a survey of counties by the Yakima County Department of Corrections for the amount charged by counties to cities for their prisoners on a daily basis for in-custody housing.

\*\* The San Juan County Jail is a short term holding facility

Jail Capacity Figures from WA Assn of Sheriff and Police Chiefs; Bed Rate information from Yakima Department of Corrections.

Adult Jail Impact Across Counties, FY 2005

County	2001 Jail Capacity	2001 Avg. Daily Pop. (ADP)	Percent of Total ADP	Additional Demand on ADP	Local Daily Housing Rate*	JAIL COSTS
Adams	28	16.9	0.15%	-0.09	\$55.00	-\$1,743.88
Asotin	21	28.9	0.26%	-0.15	\$54.00	-\$2,927.92
Benton	194	356.7	3.22%	-1.83	\$52.71	-\$35,274.72
Chelan	197	276.8	2.50%	-1.42	\$56.00	-\$29,081.82
Clallam	120	107.7	0.97%	-0.55	\$51.18	-\$10,341.50
Clark	461	715.8	6.45%	-3.68	\$52.68	-\$70,746.50
Columbia	5	4.2	0.04%	-0.02	\$40.00	-\$315.19
Cowlitz	149	305.3	2.75%	-1.57	\$55.90	-\$32,018.88
Ferry	22	17.8	0.16%	-0.09	\$50.00	-\$1,669.77
Franklin	157	159.5	1.44%	-0.82	\$51.00	-\$15,261.54
Garfield	6	4.2	0.04%	-0.02	\$35.00	-\$275.79
Grant	85	198.7	1.79%	-1.02	\$33.38	-\$12,443.76
Grays Harbor	120	133.2	1.20%	-0.68	\$65.00	-\$16,243.70
Island	58	67	0.60%	-0.34	\$50.00	-\$6,285.10
Jefferson	37	44.5	0.40%	-0.23	\$50.00	-\$4,174.43
King	2751	2892.9	26.09%	-14.87	\$77.37	-\$419,926.73
Kitsap	200	265.5	2.39%	-1.36	\$62.00	-\$30,883.30
Kittitas	45	91.3	0.82%	-0.47	\$55.00	-\$9,421.09
Klickitat	38	50.1	0.45%	-0.26	\$54.00	-\$5,075.74
Lewis	186	202.3	1.82%	-1.04	\$53.50	-\$20,305.66
Lincoln	15	18.1	0.16%	-0.09	\$100.00	-\$3,395.83
Mason	65	155.7	1.40%	-0.80	\$30.00	-\$8,763.50
Okanogan	132	113	1.02%	-0.58	\$54.00	-\$11,448.27
Pacific	29	32.5	0.29%	-0.17	\$75.00	-\$4,573.12
Pend Oreille	20	20.3	0.18%	-0.10	\$45.00	-\$1,713.86
Pierce	1272	1264.2	11.40%	-6.50	\$57.00	-\$135,194.23
San Juan**	0	0	0.00%	0.00	\$52.00	\$0.00
Skagit	145	216.3	1.95%	-1.11	\$57.00	-\$23,131.24
Skamania	17	23.9	0.22%	-0.12	\$50.00	-\$2,242.00
Snohomish	659	1065.9	9.61%	-5.48	\$63.01	-\$126,006.64
Spokane	519	616.9	5.56%	-3.17	\$60.00	-\$69,443.81
Stevens	22	47.4	0.43%	-0.24	\$50.00	-\$4,446.47
Thurston	408	402.8	3.63%	-2.07	\$54.44	-\$41,141.02
Wahkiakum	14	7.7	0.07%	-0.04	\$52.86	-\$763.63
Walla Walla	50	87.7	0.79%	-0.45	\$67.12	-\$11,043.81
Whatcom	212	226.4	2.04%	-1.16	\$68.00	-\$28,883.70
Whitman	34	34	0.31%	-0.17	\$40.00	-\$2,551.56
Yakima	958	817.1	7.37%	-4.20	\$45.83	-\$70,257.48
<b>TOTAL</b>	<b>9451</b>	<b>11089.2</b>	<b>100.00%</b>	<b>-57.00</b>	<b>\$54.60</b>	<b>(\$1,269,417.22)</b>
<b>-57 ADP</b>						
<b>365</b>						
<b>1/29/2003</b>						

\* 2002 Daily Bed rates are based on a survey of counties by the Yakima County Department of

\*\* The San Juan County Jail is a short term holding facility

Jail Capacity Figures from WA Assn of Sheriff and Police Chiefs; Bed Rate information from Yakima Department of Corrections.

Adult Jail Impact Across Counties, FY 2006

County	2001 Jail Capacity	2001 Avg. Daily Pop. (ADP)	Percent of Total ADP	Additional Demand on ADP	Local Daily Housing Rate*	JAIL COSTS
Adams	28	16.9	0.15%	-0.10	\$55.00	-\$1,958.04
Asotin	21	28.9	0.26%	-0.17	\$54.00	-\$3,287.49
Benton	194	356.7	3.22%	-2.06	\$52.71	-\$39,606.71
Chelan	197	276.8	2.50%	-1.60	\$56.00	-\$32,653.27
Clallam	120	107.7	0.97%	-0.62	\$51.18	-\$11,611.51
Clark	461	715.8	6.45%	-4.13	\$52.68	-\$79,434.67
Columbia	5	4.2	0.04%	-0.02	\$40.00	-\$353.90
Cowlitz	149	305.3	2.75%	-1.76	\$55.90	-\$35,951.02
Ferry	22	17.8	0.16%	-0.10	\$50.00	-\$1,874.83
Franklin	157	159.5	1.44%	-0.92	\$51.00	-\$17,135.76
Garfield	6	4.2	0.04%	-0.02	\$35.00	-\$309.66
Grant	85	198.7	1.79%	-1.15	\$33.38	-\$13,971.94
Grays Harbor	120	133.2	1.20%	-0.77	\$65.00	-\$18,238.55
Island	58	67	0.60%	-0.39	\$50.00	-\$7,056.96
Jefferson	37	44.5	0.40%	-0.26	\$50.00	-\$4,687.08
King	2751	2892.9	26.09%	-16.70	\$77.37	-\$471,496.68
Kitsap	200	265.5	2.39%	-1.53	\$62.00	-\$34,675.99
Kittitas	45	91.3	0.82%	-0.53	\$55.00	-\$10,578.06
Klickitat	38	50.1	0.45%	-0.29	\$54.00	-\$5,699.07
Lewis	186	202.3	1.82%	-1.17	\$53.50	-\$22,799.34
Lincoln	15	18.1	0.16%	-0.10	\$100.00	-\$3,812.86
Mason	65	155.7	1.40%	-0.90	\$30.00	-\$9,839.71
Okanogan	132	113	1.02%	-0.65	\$54.00	-\$12,854.19
Pacific	29	32.5	0.29%	-0.19	\$75.00	-\$5,134.73
Pend Oreille	20	20.3	0.18%	-0.12	\$45.00	-\$1,924.34
Pierce	1272	1264.2	11.40%	-7.30	\$57.00	-\$151,797.03
San Juan**	0	0	0.00%	0.00	\$52.00	\$0.00
Skagit	145	216.3	1.95%	-1.25	\$57.00	-\$25,971.92
Skamania	17	23.9	0.22%	-0.14	\$50.00	-\$2,517.33
Snohomish	659	1065.9	9.61%	-6.15	\$63.01	-\$141,481.14
Spokane	519	616.9	5.56%	-3.56	\$60.00	-\$77,971.99
Stevens	22	47.4	0.43%	-0.27	\$50.00	-\$4,992.53
Thurston	408	402.8	3.63%	-2.32	\$54.44	-\$46,193.43
Wahkiakum	14	7.7	0.07%	-0.04	\$52.86	-\$857.41
Walla Walla	50	87.7	0.79%	-0.51	\$67.12	-\$12,400.07
Whatcom	212	226.4	2.04%	-1.31	\$68.00	-\$32,430.82
Whitman	34	34	0.31%	-0.20	\$40.00	-\$2,864.91
Yakima	958	817.1	7.37%	-4.72	\$45.83	-\$78,885.59
<b>TOTAL</b>	<b>9451</b>	<b>11089.2</b>	<b>100.00%</b>	<b>-64.00</b>	<b>\$54.60</b>	<b>(\$1,425,310.56)</b>
-64	ADP					
365	1/29/2003					

\* 2002 Daily Bed rates are based on a survey of counties by the Yakima County Department of

\*\* The San Juan County Jail is a short term holding facility

Jail Capacity Figures from WA Assn of Sheriff and Police Chiefs; Bed Rate information from Yakima Department of Corrections.

Adult Jail Impact Across Counties, FY 2007

County	2001 Jail Capacity	2001 Avg. Daily Pop. (ADP)	Percent of Total ADP	Additional Demand on ADP	Local Daily Housing Rate*	JAIL COSTS
Adams	28	16.9	0.15%	-0.10	\$55.00	-\$2,019.23
Asotin	21	28.9	0.26%	-0.17	\$54.00	-\$3,390.22
Benton	194	356.7	3.22%	-2.12	\$52.71	-\$40,844.42
Chelan	197	276.8	2.50%	-1.65	\$56.00	-\$33,673.69
Clallam	120	107.7	0.97%	-0.64	\$51.18	-\$11,974.37
Clark	461	715.8	6.45%	-4.26	\$52.68	-\$81,917.00
Columbia	5	4.2	0.04%	-0.02	\$40.00	-\$364.96
Cowlitz	149	305.3	2.75%	-1.82	\$55.90	-\$37,074.49
Ferry	22	17.8	0.16%	-0.11	\$50.00	-\$1,933.42
Franklin	157	159.5	1.44%	-0.95	\$51.00	-\$17,671.26
Garfield	6	4.2	0.04%	-0.02	\$35.00	-\$319.34
Grant	85	198.7	1.79%	-1.18	\$33.38	-\$14,408.57
Grays Harbor	120	133.2	1.20%	-0.79	\$65.00	-\$18,808.50
Island	58	67	0.60%	-0.40	\$50.00	-\$7,277.49
Jefferson	37	44.5	0.40%	-0.26	\$50.00	-\$4,833.55
King	2751	2892.9	26.09%	-17.22	\$77.37	-\$486,230.95
Kitsap	200	265.5	2.39%	-1.58	\$62.00	-\$35,759.61
Kittitas	45	91.3	0.82%	-0.54	\$55.00	-\$10,908.63
Klickitat	38	50.1	0.45%	-0.30	\$54.00	-\$5,877.17
Lewis	186	202.3	1.82%	-1.20	\$53.50	-\$23,511.82
Lincoln	15	18.1	0.16%	-0.11	\$100.00	-\$3,932.01
Mason	65	155.7	1.40%	-0.93	\$30.00	-\$10,147.21
Okanogan	132	113	1.02%	-0.67	\$54.00	-\$13,255.89
Pacific	29	32.5	0.29%	-0.19	\$75.00	-\$5,295.19
Pend Oreille	20	20.3	0.18%	-0.12	\$45.00	-\$1,984.47
Pierce	1272	1264.2	11.40%	-7.52	\$57.00	-\$156,540.68
San Juan**	0	0	0.00%	0.00	\$52.00	\$0.00
Skagit	145	216.3	1.95%	-1.29	\$57.00	-\$26,783.54
Skamania	17	23.9	0.22%	-0.14	\$50.00	-\$2,596.00
Snohomish	659	1065.9	9.61%	-6.34	\$63.01	-\$145,902.43
Spokane	519	616.9	5.56%	-3.67	\$60.00	-\$80,408.62
Stevens	22	47.4	0.43%	-0.28	\$50.00	-\$5,148.55
Thurston	408	402.8	3.63%	-2.40	\$54.44	-\$47,636.97
Wahkiakum	14	7.7	0.07%	-0.05	\$52.86	-\$884.21
Walla Walla	50	87.7	0.79%	-0.52	\$67.12	-\$12,787.57
Whatcom	212	226.4	2.04%	-1.35	\$68.00	-\$33,444.29
Whitman	34	34	0.31%	-0.20	\$40.00	-\$2,954.44
Yakima	958	817.1	7.37%	-4.86	\$45.83	-\$81,350.77
<b>TOTAL</b>	<b>9451</b>	<b>11089.2</b>	<b>100.00%</b>	<b>-66.00</b>	<b>\$54.60</b>	<b>(\$1,469,851.52)</b>
-66 ADP						
365						
<b>1/29/2003</b>						

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Jail Capacity Figures from WA Assn of Sheriff and Police Chiefs; Bed Rate information from Yakima Department of Corrections.

Adult Jail Impact Across Counties, FY 08 and FY09

County	2001 Jail Capacity	2001 Avg. Daily Pop. (ADP)	Percent of Total ADP	Additional Demand on ADP	Local Daily Housing Rate*	JAIL COSTS
Adams	28	16.9	0.15%	-0.10	\$55.00	-\$2,049.83
Asotin	21	28.9	0.26%	-0.17	\$54.00	-\$3,441.59
Benton	194	356.7	3.22%	-2.16	\$52.71	-\$41,463.27
Chelan	197	276.8	2.50%	-1.67	\$56.00	-\$34,183.90
Clallam	120	107.7	0.97%	-0.65	\$51.18	-\$12,155.80
Clark	461	715.8	6.45%	-4.32	\$52.68	-\$83,158.17
Columbia	5	4.2	0.04%	-0.03	\$40.00	-\$370.49
Cowlitz	149	305.3	2.75%	-1.84	\$55.90	-\$37,636.23
Ferry	22	17.8	0.16%	-0.11	\$50.00	-\$1,962.72
Franklin	157	159.5	1.44%	-0.96	\$51.00	-\$17,939.00
Garfield	6	4.2	0.04%	-0.03	\$35.00	-\$324.18
Grant	85	198.7	1.79%	-1.20	\$33.38	-\$14,626.88
Grays Harbor	120	133.2	1.20%	-0.80	\$65.00	-\$19,093.48
Island	58	67	0.60%	-0.40	\$50.00	-\$7,387.75
Jefferson	37	44.5	0.40%	-0.27	\$50.00	-\$4,906.79
King	2751	2892.9	26.09%	-17.48	\$77.37	-\$493,598.09
Kitsap	200	265.5	2.39%	-1.60	\$62.00	-\$36,301.42
Kittitas	45	91.3	0.82%	-0.55	\$55.00	-\$11,073.91
Klickitat	38	50.1	0.45%	-0.30	\$54.00	-\$5,966.22
Lewis	186	202.3	1.82%	-1.22	\$53.50	-\$23,868.06
Lincoln	15	18.1	0.16%	-0.11	\$100.00	-\$3,991.59
Mason	65	155.7	1.40%	-0.94	\$30.00	-\$10,300.95
Okanogan	132	113	1.02%	-0.68	\$54.00	-\$13,456.73
Pacific	29	32.5	0.29%	-0.20	\$75.00	-\$5,375.42
Pend Oreille	20	20.3	0.18%	-0.12	\$45.00	-\$2,014.54
Pierce	1272	1264.2	11.40%	-7.64	\$57.00	-\$158,912.51
San Juan**	0	0	0.00%	0.00	\$52.00	\$0.00
Skagit	145	216.3	1.95%	-1.31	\$57.00	-\$27,189.35
Skamania	17	23.9	0.22%	-0.14	\$50.00	-\$2,635.33
Snohomish	659	1065.9	9.61%	-6.44	\$63.01	-\$148,113.07
Spokane	519	616.9	5.56%	-3.73	\$60.00	-\$81,626.93
Stevens	22	47.4	0.43%	-0.29	\$50.00	-\$5,226.56
Thurston	408	402.8	3.63%	-2.43	\$54.44	-\$48,358.75
Wahkiakum	14	7.7	0.07%	-0.05	\$52.86	-\$897.61
Walla Walla	50	87.7	0.79%	-0.53	\$67.12	-\$12,981.32
Whatcom	212	226.4	2.04%	-1.37	\$68.00	-\$33,951.02
Whitman	34	34	0.31%	-0.21	\$40.00	-\$2,999.21
Yakima	958	817.1	7.37%	-4.94	\$45.83	-\$82,583.35
<b>TOTAL</b>	<b>9451</b>	<b>11089.2</b>	<b>100.00%</b>	<b>-67.00</b>	<b>\$54.60</b>	<b>(\$1,492,122.00)</b>
<b>-67 ADP</b>						
<b>365</b>						
<b>1/29/2003</b>						

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Jail Capacity Figures from WA Assn of Sheriff and Police Chiefs; Bed Rate information from Yakima Department of Corrections.