

Multiple Agency Fiscal Note Summary

Bill Number: 5259 E 2S SB AMH PS H1301.1	Title: Law enforcement data
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Estimated Cash Receipts

NONE

Estimated Operating Expenditures

Agency Name	2021-23				2023-25				2025-27			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Office of Attorney General	1.3	5,325,000	5,325,000	5,325,000	.5	6,094,000	6,094,000	6,094,000	.5	3,094,000	3,094,000	3,094,000
State Lottery	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State Gambling Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Insurance Commissioner	.0	0	0	0	.0	0	0	0	.0	0	0	0
Liquor and Cannabis Board	.0	0	0	0	.0	0	0	0	.0	0	0	0
Utilities and Transportation Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State Patrol	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Criminal Justice Training Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Social and Health Services	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Corrections	1.7	386,000	386,000	386,000	1.7	376,000	376,000	376,000	1.7	374,000	374,000	374,000
University of Washington	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State University	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Eastern Washington University	.0	0	0	0	.0	0	0	0	.0	0	0	0
Central Washington University	.1	32,662	32,662	32,662	.1	32,662	32,662	32,662	.1	32,662	32,662	32,662
The Evergreen State College	Fiscal note not available											
Western Washington University	.0	7,032	7,032	7,032	.0	3,432	3,432	3,432	.0	3,432	3,432	3,432
State Parks and Recreation Commission	.1	96,300	96,300	96,300	.0	11,800	11,800	11,800	.0	11,800	11,800	11,800
Department of Fish and Wildlife	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Natural Resources	.0	5,700	5,700	5,700	.1	11,400	11,400	11,400	.1	11,400	11,400	11,400
Total \$	3.2	5,852,694	5,852,694	5,852,694	2.4	6,529,294	6,529,294	6,529,294	2.4	3,527,294	3,527,294	3,527,294

Agency Name	2021-23			2023-25			2025-27		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Expenditures

Agency Name	2021-23			2023-25			2025-27		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
State Lottery	.0	0	0	.0	0	0	.0	0	0
Washington State Gambling Commission	.0	0	0	.0	0	0	.0	0	0
Office of Insurance Commissioner	.0	0	0	.0	0	0	.0	0	0
Liquor and Cannabis Board	.0	0	0	.0	0	0	.0	0	0
Utilities and Transportation Commission	.0	0	0	.0	0	0	.0	0	0
Washington State Patrol	.0	0	0	.0	0	0	.0	0	0
Criminal Justice Training Commission	.0	0	0	.0	0	0	.0	0	0
Department of Social and Health Services	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
University of Washington	.0	0	0	.0	0	0	.0	0	0
Washington State University	.0	0	0	.0	0	0	.0	0	0
Eastern Washington University	.0	0	0	.0	0	0	.0	0	0
Central Washington University	.0	0	0	.0	0	0	.0	0	0
The Evergreen State College	Fiscal note not available								
Western Washington University	.0	0	0	.0	0	0	.0	0	0
State Parks and Recreation Commission	.0	0	0	.0	0	0	.0	0	0
Department of Fish and Wildlife	.0	0	0	.0	0	0	.0	0	0
Department of Natural Resources	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2021-23			2023-25			2025-27		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Breakout

TESC unavailable

Prepared by: Tyler Lentz, OFM

Phone:
(360) 790-0055

Date Published:
Preliminary 4/12/2021

Individual State Agency Fiscal Note

Bill Number: 5259 E 2S SB AMH PS H1301.1	Title: Law enforcement data	Agency: 100-Office of Attorney General
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2022	FY 2023	2021-23	2023-25	2025-27
FTE Staff Years	2.0	0.5	1.3	0.5	0.5
Account					
General Fund-State 001-1	218,000	5,107,000	5,325,000	6,094,000	3,094,000
Total \$	218,000	5,107,000	5,325,000	6,094,000	3,094,000

Estimated Capital Budget Impact:

NONE

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: Yvonne Walker	Phone: 360-786-7841	Date: 03/25/2021
Agency Preparation: Bruce Turcott	Phone: (360) 586-2738	Date: 03/31/2021
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 03/31/2021
OFM Review: Tyler Lentz	Phone: (360) 790-0055	Date: 04/06/2021

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 is a statement of legislative findings.

Section 2 is a definitions section.

Section 3 requires the Attorney General's Office (AGO) to establish an advisory group, expiring January 1, 2023.

Section 4 requires law enforcement agencies to report incidents where a law enforcement officer used force.

Section 5 requires the AGO to contract with an institution of higher education to establish the statewide use of force data program.

Section 6 codifies Sections 1 through 5 as a new chapter in Title 10 RCW.

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.

These Attorney General's Office activities are funded with General Fund-State dollars. No cash receipt impact. There is no client agency to bill for legal services.

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.

Attorney General's Office (AGO) Agency Assumptions:

1. This bill is assumed effective 90 days after the end of the 2021 legislative session.
2. Total workload impact in this request includes standard assumption costs for good & services, travel, and capital outlays for all FTE identified.
3. The AGO Criminal Justice Division (CRJ) has reviewed this bill and determined it will not increase or decrease the division's workload in representing the Washington State Patrol (WSP). This bill requires law enforcement agencies, including WSP, to submit data to the University by way of incident reports or other electronic means, but this work is unlikely to require legal advice from CRJ. New legal services are nominal and costs are not included in this request.
4. The AGO University of Washington Division has reviewed this bill and determined it will not significantly increase the division's workload in representing the University of Washington. Although additional client advice will be needed, it will be provided with existing resources. New legal services are nominal and costs are not included in this request.
5. The AGO Washington State University Division has reviewed this bill and determined it will not increase or decrease the division's workload in representing Washington State University. New legal services are nominal and costs are not included in this request.

Assumptions for the AGO Administration Divisions (ADM):

1. These ADM activities are funded with General Fund-State (GF-S) dollars. There is no appropriate client agency to bill for legal services.
2. New ADM Staff will need to begin work immediately to hit the quick deadlines noted in this bill.
3. ADM staff are assumed to be located in King County.
4. New work includes, but is not limited to :
 - A. Appoint to advisory group (as well as any outreach necessary to meet legislative requirements for these appointments).
 - B. Facilitate advisory group meetings to come up with recommendations for April 2022 deadline.
 - C. Ongoing outreach and communications with external stakeholders as needed.
 - D. Ongoing meetings potentially through FY 2023.
 - E. Ongoing advice to the bidding process
5. Total workload impact:
FY 2022: 1.0 Policy Assistant (Exempt) at a cost of \$122,000.
FY 2023: 0.5 Policy Assistant (Exempt) at a cost of \$60,000.

Assumptions for the AGO Financial Services Division (FIS):

1. The AGO assumes these new expenditures for FIS activities related to the enactment of this law will be funded with GF-S.
2. The AGO assumes to be involved with the Advisory Board's solicitation and estimates new work for 0.5 Contract Specialist (CS) in FY 2022.
3. The AGO will is required to contract with selected universities and ensure deliverables are met. Verification will be required to ensure policy is followed. This work also would include contract compliance, fund administration, invoice payments and processing, auditing and reporting. New work for 0.5 Grant & Contracts Coordinator (GCC) is assumed in FY 2022 and ongoing in each FY thereafter.
4. Total workload impact:
FY 2022: 0.5 CS and 0.5 GCC at a cost of \$96,000.
FY 2023 and in each FY thereafter: 0.5 GCC at a cost of \$47,000.

Assumptions for AGO contract with Institution of Higher Education :

1. Institution of Higher Education :
 - A. Overall project administration and management
 - B. Personnel management of coders
 - C. Coordination with law enforcement agencies
 - D. Public website development and public dashboard design and management
 - E. Database management

- F. System design and development
- G. Research and analysis
- H. Report writing and presentations

2. Data Analytics Vendor:

- A. Collect and manage use of force incident reports
- B. Train coders (data entry)
- C. Oversee data collection and data extraction process
- D. Provide quality assurance measures to ensure data integrity
- E. Build relational database
- F. Manage dashboard software licenses and develop access protocols for agencies
- G. Develop internal dashboards for each agency with legal and risk analysis
- H. Develop interagency dashboards for comparative analysis
- I. Research and analysis
- J. Assist with report writing and presentations
- K. Training and technical support for 279 law enforcement agencies

3. Dashboard Vendor:

- A. Dashboard software licenses for 279 law enforcement agencies, vendors and universities
- B. Cloud based data storage and database management

4. Data Coders: Recruitment of about 100 coders from colleges and universities across Washington will be trained to extract information from use of force incident reports and enter data into a relational database.

5. Costs projected by contractor:

- FY 2023: 5,000,000
- FY 2024: 4,000,000
- FY 2025 and FY 2026: 2,000,000
- FY 2027 and in each FY thereafter: \$1,000,000

Assumptions for the data collection system:

The budget estimate is based on use of force data only. Some of the work may be scalable. For instance, the historical data that the AGO is assuming will be needed is about 2 to 5 years, depending on the size of the agency.

The AGO assumes that the more funds invested upfront to build an online data collection system the less the investment will be in the future because of the transition from a manual coding process from the incident reports to an online officer data entry portal.

By starting with a manual coding process the burden on local law enforcement agencies will be minimal in the early years. When the data entry portal is constructed the time spent by law enforcement agencies will need to increase but it will be minimal. The system should be designed to be efficient and cost effective.

Assumed approximate timeline for the Advisory Group and Contracting Services :

- A. October 2021 - Advisory Group determines program specifications
- B. January 2022 - AGO issues Request for Proposal
- C. April 2022 – Advisory Group submits program recommendations to AGO
- D. June 2022 – Contract is awarded
- E. July 2022 through March 2023 - Program developed by the contractor (higher-education institution)
- F. April 2023 - Data collection begins

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2022	FY 2023	2021-23	2023-25	2025-27
001-1	General Fund	State	218,000	5,107,000	5,325,000	6,094,000	3,094,000
Total \$			218,000	5,107,000	5,325,000	6,094,000	3,094,000

III. B - Expenditures by Object Or Purpose

	FY 2022	FY 2023	2021-23	2023-25	2025-27
FTE Staff Years	2.0	0.5	1.3	0.5	0.5
A-Salaries and Wages	138,000	69,000	207,000	58,000	58,000
B-Employee Benefits	50,000	24,000	74,000	22,000	22,000
C-Professional Service Contracts		5,000,000	5,000,000	6,000,000	3,000,000
E-Goods and Other Services	26,000	14,000	40,000	14,000	14,000
G-Travel					
J-Capital Outlays	4,000		4,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	218,000	5,107,000	5,325,000	6,094,000	3,094,000

III. C - Operating 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	FY 2022	FY 2023	2021-23	2023-25	2025-27
Contract Specialist I	58,260	0.5		0.3		
Exempt-Policy Assistant	80,000	1.0		0.5		
Grant & Contract Coordinator	58,260	0.5	0.5	0.5	0.5	0.5
Total FTEs		2.0	0.5	1.3	0.5	0.5

III. D - Expenditures By Program (optional)

Program	FY 2022	FY 2023	2021-23	2023-25	2025-27
Administration Division (ADM)	122,000	5,060,000	5,182,000	6,000,000	3,000,000
Financial Services Division (FIS)	96,000	47,000	143,000	94,000	94,000
Total \$	218,000	5,107,000	5,325,000	6,094,000	3,094,000

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part IVB*

NONE

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Bill Number: 5259 E 2S SB AMH PS H1301.1	Title: Law enforcement data	Agency: 116-State Lottery
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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: Yvonne Walker	Phone: 360-786-7841	Date: 03/25/2021
Agency Preparation: John Iyall	Phone: 360-810-2870	Date: 03/26/2021
Agency Approval: Josh Johnston	Phone: 360-810-2878	Date: 03/26/2021
OFM Review: Gwen Stamey	Phone: (360) 902-9810	Date: 03/29/2021

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.

5259-S2.E AMH PS H1301.1 relates to requiring, reporting, collecting, and publishing information regarding law enforcement activities. There is no fiscal impact on the Lottery.

Section 4 requires each general and limited authority law enforcement agency to report incidents where a law enforcement officer used force in certain defined situations.

Washington's Lottery is a limited authority law enforcement agency pursuant to RCW 67.70.330. However, Lottery employees do not carry weapons and are not authorized by the agency to initiate physical force. In the highly unlikely event a Lottery employee was required to employ physical force in a defensive manner, the reporting requirements could be met within existing resources.

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 III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part IVB*

NONE

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Bill Number: 5259 E 2S SB AMH PS H1301.1	Title: Law enforcement data	Agency: 117-Washington State Gambling Commission
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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: Yvonne Walker	Phone: 360-786-7841	Date: 03/25/2021
Agency Preparation: Christopher Stanley	Phone: 360-486-3489	Date: 03/26/2021
Agency Approval: Christopher Stanley	Phone: 360-486-3489	Date: 03/26/2021
OFM Review: Gwen Stamey	Phone: (360) 902-9810	Date: 03/29/2021

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 proposed amendment to the second engrossed substitute version of the bill does not change the prior fiscal analysis from the Washington State Gambling Commission. The prior analysis on the substitute bill is below.

Section 4 of the bill requires all law enforcement agencies to report all instances of the use of force no later than three months after the Attorney General's Office determines the contractor can accept reports. We do not anticipate that this will result in a calculable increase in costs. While there may be additional work relating to collecting this data, it is anticipated to be negligible - less than 10 hours per year. Therefore, WSGC assumes no fiscal impact from the bill.

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 III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part IVB*

NONE

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Bill Number: 5259 E 2S SB AMH PS H1301.1	Title: Law enforcement data	Agency: 160-Office of Insurance Commissioner
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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: Yvonne Walker	Phone: 360-786-7841	Date: 03/25/2021
Agency Preparation: Michael Walker	Phone: 360-725-7036	Date: 03/26/2021
Agency Approval: Bryon Welch	Phone: 360-725-7037	Date: 03/26/2021
OFM Review: Jason Brown	Phone: (360) 742-7277	Date: 03/29/2021

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 4, effective three months after the Office of the Attorney General determines that the system procured in section 5 can accept law enforcement agency reports, requires the Office of Insurance Commissioner (OIC) to report to the contracted institution of higher education, or its successor, all incidents when a law enforcement officer uses deadly force or when there is great or substantial bodily harm to a person. In the absence of either death or great or substantial bodily harm, OIC must report when a law enforcement officer discharges a firearm at or in the direction of a person; points a firearm at a person; uses a chokehold or vascular neck restraint; uses a Taser; or strikes a person with an impact weapon, body part or vehicle.

The OIC currently reports crime data monthly to the National Information Based Reporting System (NIBRS) maintained by the Federal Bureau of Investigations (FBI). The data required under section 4 is already being tracked and reported. OIC assumes that reporting via the online repository offered and maintained by the contracted institution of higher education will occur similarly to the reports submitted to the NIBRS. Therefore, the additional reporting of this data will have no fiscal impact on the OIC.

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 III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part IVB*

NONE

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Bill Number: 5259 E 2S SB AMH PS H1301.1	Title: Law enforcement data	Agency: 195-Liquor and Cannabis Board
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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: Yvonne Walker	Phone: 360-786-7841	Date: 03/25/2021
Agency Preparation: Colin O Neill	Phone: (360) 522-2281	Date: 03/26/2021
Agency Approval: Aaron Hanson	Phone: 360-664-1701	Date: 03/26/2021
OFM Review: Ramona Nabors	Phone: (360) 902-0547	Date: 03/31/2021

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 creates a statewide data collection program that creates a publicly accessible database to track metrics to help promote openness, transparency, and accountability. There is no fiscal impact to the agency as there have been only two uses of force by an agency enforcement employee in the past 5 years.

Section 4: Each law enforcement agency in the state is required to report each incident where a law enforcement officer employed by the agency used force, and at least one of the events enumerated in Section 4 (1) occurred.

Changes made by this version:

- Requires each law enforcement agency to submit use of force reports in accordance with the requirements of the statewide use of force data program, rather than providing that reports must be made in the format and time frame established in the program.
- Specifies that a law enforcement agency's use of force report must identify whether minors were present at the scene of the incident, if that information is known, and the involved law enforcement officer's name.
- Requires the advisory group for the program to recommend practices for the following:
 - Quality improvement, including periodically obtaining input from stakeholders about how the program can better meet the needs of the public and law enforcement;
 - Analysis of data, including, if possible, analysis using legal algorithms;
 - Public access to deidentified raw and/or refined incident-based data using an established open data standard, available online at no cost in a downloadable, machine-readable, nonproprietary format, redacted only as necessary to comply with the public records act and the Washington state criminal records privacy act; and
 - Public access to online data dashboards that summarize and analyze data, excluding personally identifiable information.
- Requires, rather than authorizes, the advisory group to recommend practices in the areas of analytical dashboards, agency level comparative dashboards, and incorporation of historical data.
- Requires the advocacy group for the program to contain the following:
 - At least three representatives from local nongovernmental organizations or advocacy groups with a focus on or expertise in the use and role of data as it relates to interactions between law enforcement and the community, rather than organizations or groups that are focused on the interactions between law enforcement and the community; and
 - At least three representatives from law enforcement agencies or organizations representing the interests of law enforcement in, rather than by, interacting and utilizing this data.
- Specifies that a law enforcement agency satisfies its reporting obligations to the program by submitting relevant information to the contractor, except as otherwise agreed to by the contractor and the agency.
- Prohibits the office of the attorney general from approving any recommendation that would disclose information that would jeopardize an active criminal investigation, confidential informant, or intelligence information.

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 III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part IVB*

NONE

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Bill Number: 5259 E 2S SB AMH PS H1301.1	Title: Law enforcement data	Agency: 215-Utilities and Transportation Commission
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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: Yvonne Walker	Phone: 360-786-7841	Date: 03/25/2021
Agency Preparation: Amanda Hathaway	Phone: 360-664-1249	Date: 03/26/2021
Agency Approval: Amanda Hathaway	Phone: 360-664-1249	Date: 03/26/2021
OFM Review: Jenna Forty	Phone: (564) 999-1671	Date: 03/26/2021

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 bill does not have any fiscal impact on UTC. The bill requires law enforcement agencies to submit use of force reports into a statewide use of force data program. There are several other components of the bill but UTC is not impacted.

The commission is a limited law enforcement agency but does not commission employees as peace officers, nor does it enforce criminal law. UTC employees do not receive certification as criminal justice personnel.

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.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part IVB*

NONE

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Bill Number: 5259 E 2S SB AMH PS H1301.1	Title: Law enforcement data	Agency: 225-Washington State Patrol
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated Capital Budget Impact:

NONE

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: Yvonne Walker	Phone: 360-786-7841	Date: 03/25/2021
Agency Preparation: Kendra Sanford	Phone: 360-596-4080	Date: 03/26/2021
Agency Approval: Walter Hamilton	Phone: 360-596-4046	Date: 03/26/2021
OFM Review: Jenna Forty	Phone: (564) 999-1671	Date: 03/26/2021

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 changes in the amended version of this proposed legislation do not change our fiscal impact as indicated in the original fiscal note.

New section 3(3)(c) prohibits the Attorney General's Office (AGO) from approving recommendations that would require any law enforcement agency to disclose information that would jeopardize an active criminal investigation, confidential informant, or intelligence information.

New section 4(2) specifies that a law enforcement agency's use of force report must identify minors were present at the scene of the incident if known, and the involved law enforcement officer's name.

New section 4(4) requires all law enforcement agencies to submit use of force reports in accordance with the requirements of the statewide use of force data program.

New section 4(5) adds that a law enforcement agency has satisfied its reporting obligations by submitting relevant information to the contractor, unless otherwise mutually agreed to between the contractor and the law enforcement agency.

There is no immediate expected fiscal impact to the Washington State Patrol (WSP) as significant duties will not change, but there may be a later fiscal impact due to technology availability and increase in public disclosure requests.

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.

We estimate the collection and submission of data for compliance in Section 4 will not require a significant amount of WSP personnel time, and can be done within current job duties.

A fiscal impact may occur if there is an increase in public disclosure requests. We are unable to determine the increased workload at this time.

We are unsure of the system's data collection process as it has not been created, therefore, we cannot know if it will result in a fiscal impact. A fiscal impact may occur if there is a required technology access fee or a change in WSP technology to interface with the new system.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

Non-zero but indeterminate cost and/or savings. Please see discussion.

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part IVB*

NONE

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Bill Number: 5259 E 2S SB AMH PS H1301.1	Title: Law enforcement data	Agency: 227-Criminal Justice Training Commission
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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: Yvonne Walker	Phone: 360-786-7841	Date: 03/25/2021
Agency Preparation: Brian Elliott	Phone: 206-835-7337	Date: 03/26/2021
Agency Approval: Brian Elliott	Phone: 206-835-7337	Date: 03/26/2021
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 03/28/2021

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 has no fiscal impact on the Criminal Justice Training Commission.

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.

This bill has no cash receipt impact on the Criminal Justice Training Commission.

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 bill has no expenditure impact on the Criminal Justice Training Commission.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part IVB*

NONE

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Bill Number: 5259 E 2S SB AMH PS H1301.1	Title: Law enforcement data	Agency: 300-Department of Social and Health Services
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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: Yvonne Walker	Phone: 360-786-7841	Date: 03/25/2021
Agency Preparation: Dan Winkley	Phone: 360-902-8236	Date: 03/28/2021
Agency Approval: Dan Winkley	Phone: 360-902-8236	Date: 03/28/2021
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 03/28/2021

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.

There is no fiscal impact to the Department of Social and Health Services (DSHS).

While being defined as a limited authority Washington law enforcement agency, DSHS does not have any Law enforcement officers.

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 III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part IVB*

NONE

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Bill Number: 5259 E 2S SB AMH PS H1301.1	Title: Law enforcement data	Agency: 310-Department of Corrections
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2022	FY 2023	2021-23	2023-25	2025-27
FTE Staff Years	1.7	1.7	1.7	1.7	1.7
Account					
General Fund-State 001-1	198,000	188,000	386,000	376,000	374,000
Total \$	198,000	188,000	386,000	376,000	374,000

Estimated Capital Budget Impact:

NONE

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: Yvonne Walker	Phone: 360-786-7841	Date: 03/25/2021
Agency Preparation: James Killough	Phone: 360-725-8277	Date: 03/29/2021
Agency Approval: Michael Steenhout	Phone: 360-725-8270	Date: 03/29/2021
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 04/01/2021

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.

E2SSB AMH 5259 requires each law enforcement agency to submit use of force reports in accordance with the requirements of the statewide use of force data program. It adds that reports must identify whether minors were present at the scene of the incident, if known, and the involved law enforcement officer's name. This version also specifies that a law enforcement agency satisfies its reporting obligations to the program by submitting relevant information to the contractor, except as otherwise agreed to by the contractor and the agency. There are some changes and updates made to the roles responsibilities of the advisory group and the Attorney General's Office (AGO) in this new version that do not create any additional impacts from the original bill to Department of Corrections (DOC).

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.

We assume this bill will have a fiscal impact to DOC greater than \$50,000 per Fiscal Year (FY). The second substitute bill causes no additional fiscal impacts from the original bill.

This bill creates guidelines for collecting and reporting the use of force by Washington State general and limited authority law enforcement officers to the selected institute of higher education.

Reporting and Information Technology Impacts

The DOC assumes 1.0 management analyst 4 (MA4) FTE will be required to manage the data collection and reporting for the entire agency and submit a quarterly report to the selected institute of higher education. The bill requires data collection beyond the current level and requires DOC to collect and report more information than is normally collected and in more situations. With more than 500 incidents documented a year, which would grow under the requirements of this bill, the MA4 would be the subject matter expert to collect all reports, review and follow-up with primary authors to ensure reports include all required information. Also, primary authors, which could be any officer agency wide, will not necessarily have access to some of the information required in section 4, such as age, race, ethnicity, tribal affiliation, mental health status. This information would need to be collected from other agency sources. Additionally, officers have been taught to keep reports concise and to the point, therefore revamping the entire process and retraining officers is required. One-time funding is needed to complete a significant retooling of DOC's Incident Management Report System (IMRS). IMRS is not currently configured to support the data collection and reporting requirements of this bill.

Information Governance Impacts

A 0.5 FTE - Communications Consultant 3 (CC3) is needed to redact information to include personal identifiable and medical information. This work is critical and cannot be absorbed within current staffing.

The DOC requests funding for the indirect costs of agency administration for the purpose of implementing this legislation. The indirect costs are incorporated into the amounts below. The approved agency indirect rate and associated cost of administration are calculated based on the salaries and benefits of staff conducting back office administrative functions, divided by all remaining salaries and benefits. The total costs per year are :

Part III: Expenditure Detail

FY2022: One-time Costs

- IT Application Development | \$75 per hour x 40 hours = \$3,000
- IT Quality Assurance | \$120 per hour x 10 hours = \$1,200
- IT Business Analyst | \$120 per hour x 5 hours = \$600
- TOTAL One-Time Costs in FY2022 = \$4,800

FY2022: \$198,000 and 1.7 FTEs (One-time/On-going)

FY2023: \$188,000 and 1.7 FTEs (On-going)

FY2024: \$188,000 and 1.7 FTEs (On-going)

FY2025: \$188,000 and 1.7 FTEs (On-going)

FY2026: \$187,000 and 1.7 FTEs (On-going)

FY2027: \$187,000 and 1.7 FTEs (On-going)

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2022	FY 2023	2021-23	2023-25	2025-27
001-1	General Fund	State	198,000	188,000	386,000	376,000	374,000
Total \$			198,000	188,000	386,000	376,000	374,000

III. B - Expenditures by Object Or Purpose

	FY 2022	FY 2023	2021-23	2023-25	2025-27
FTE Staff Years	1.7	1.7	1.7	1.7	1.7
A-Salaries and Wages	117,000	117,000	234,000	234,000	234,000
B-Employee Benefits	48,000	48,000	96,000	96,000	96,000
C-Professional Service Contracts					
E-Goods and Other Services	9,000	4,000	13,000	8,000	8,000
G-Travel	1,000	1,000	2,000	2,000	2,000
J-Capital Outlays	5,000		5,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements	18,000	18,000	36,000	36,000	34,000
9-					
Total \$	198,000	188,000	386,000	376,000	374,000

III. C - Operating 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	FY 2022	FY 2023	2021-23	2023-25	2025-27
Communications Consultant 3	73,000	0.5	0.5	0.5	0.5	0.5
Management Analyst 4	80,000	1.0	1.0	1.0	1.0	1.0
Management Analyst 5 (Indirect)	88,000	0.2	0.2	0.2	0.2	0.2
Total FTEs		1.7	1.7	1.7	1.7	1.7

III. D - Expenditures By Program (optional)

Program	FY 2022	FY 2023	2021-23	2023-25	2025-27
Administration and Support Services (100)	197,000	187,000	384,000	374,000	372,000
Interagency Payments (600)	1,000	1,000	2,000	2,000	2,000
Total \$	198,000	188,000	386,000	376,000	374,000

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part IVB*

NONE

None.

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Bill Number: 5259 E 2S SB AMH PS H1301.1	Title: Law enforcement data	Agency: 360-University of Washington
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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: Yvonne Walker	Phone: 360-786-7841	Date: 03/25/2021
Agency Preparation: Kelsey Rote	Phone: 2065437466	Date: 03/30/2021
Agency Approval: Kelsey Rote	Phone: 2065437466	Date: 03/30/2021
OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 03/31/2021

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 striker amendment makes several changes; these changes do not impact our fiscal note and we are submitting the same fiscal note as the previous version. Compared to the original version, this bill no longer calls out Washington State University (WSU) as the data collector and repository and instead says that a competitive bidding process would take place. We assume that the UW would not participate in this bidding process and is therefore not submitting costs related to running that data collection program. The other changes in the substitute bill do not alter our fiscal impact, and we are submitting the same fiscal note as before.

This bill would require the UW Police Department (UWPD) to must submit quarterly reports of use of force by an officer for certain use of force incidents as described in the bill. UWPD already collects the use of force details as described in this bill and submits data into a UWPD database specific for Use of Force. A synopsis is presented publicly in an annual report in compliance with accreditation standards. Submitting the information to a university repository would result in a minimal amount of additional processing that can be absorbed within current resources.

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 III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part IVB*

NONE

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Bill Number: 5259 E 2S SB AMH PS H1301.1	Title: Law enforcement data	Agency: 365-Washington State University
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated Capital Budget Impact:

NONE

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: Yvonne Walker	Phone: 360-786-7841	Date: 03/25/2021
Agency Preparation: Chris Jones	Phone: 509-335-9682	Date: 03/29/2021
Agency Approval: Chris Jones	Phone: 509-335-9682	Date: 03/29/2021
OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 03/31/2021

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 3 (1) requires the Attorney General's Office (AGO), subject to the amount appropriated, to establish an advisory group to assist with the office's design, development, and implementation of a statewide use of force data program. The advisory group will inform the AGO of its recommendations by April 1, 2022.

Section 4 requires law enforcement agencies to begin reporting use of force incidents no later than three months after the AGO determines that the system procured in Section 5 can accept law enforcement agency reports.

Per Section 5 (1) and subject to the availability of amounts appropriated, the AGO must engage in a competitive procurement to contract with an institution of higher education to implement the statewide use of force data program. Section 5(2) states that collaboration should be encouraged between the institution of higher education and other public and private institutions, businesses, and organizations with significant expertise and experience in collecting, tracking, and reporting data on law enforcement interactions with the public. The contractor must provide appropriate training to its staff and subcontractor staff including training on racial equity issues per Section 5 (5).

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.

It is unknown if WSU would be awarded the law enforcement data collection project if it submits a bid to the competitive procurement opportunity. For purposes of the fiscal note, WSU is assuming indeterminate costs. Costs would be above \$50,000 based on the requirements specified in the bill, but the complete scope of work will not be known until April 2022 at the earliest. An estimate of costs cannot be developed until detailed project deliverables and a project timeline are known.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

Non-zero but indeterminate cost and/or savings. Please see discussion.

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part IVB*

NONE

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Bill Number: 5259 E 2S SB AMH PS H1301.1	Title: Law enforcement data	Agency: 370-Eastern Washington University
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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: Yvonne Walker	Phone: 360-786-7841	Date: 03/25/2021
Agency Preparation: Alexandra Rosebrook	Phone: (509) 359-7364	Date: 03/31/2021
Agency Approval: Alexandra Rosebrook	Phone: (509) 359-7364	Date: 03/31/2021
OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 03/31/2021

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 requires each law enforcement agency to submit use of force reports in accordance with the requirements of the statewide data program, rather than providing that reports must be made in the format and time frame established in the program. Specifies that a law enforcement agency's use of force report incident. Changes to the recommended practices of the advisory group. Requires the advisory group to recommend practices in the areas of analytical dashboards, agency level comparative dashboards, and incorporation of historical data. Details what is required in the advocacy group for the program to contain. Specifies that a law enforcement agency satisfies its reporting obligations to the program by submitting relevant information to the contractor, except as otherwise agreed to by the contractor and the agency. Prohibits the office of the attorney general from approving any recommendation that would disclose information that would jeopardize an active criminal investigation, confidential informant, or intelligence information.

Section 2 provides definitions and adds (1) "Contractor" means the institution of higher education contracted with the office of the attorney general to implement the statewide use of force data program as provided in this chapter.

Section 3 the substitute bill requires the Attorney General's Office to establish an advisory group to assist with the officer's design, development, and implementation of a statewide use of force data program. By April 1, 2022 the advisory group shall submit to the Attorney General their recommendations for the statewide implementation of the data collection program, reporting and publication program.

New sections are added to RCW Title 10 Section 4 requires the University to report each incident where a law enforcement officer employed by the agency used force and a fatality occurred or bodily harm. The elements required to be reported are identified.

New Section 5 requires the office of the attorney general to engage a competitive procurement to contract with an institution of higher education to implement the statewide use of force data program.

EWU would not participate in the competitive bidding process to design, develop and manage the data. EWU's police department collects and reports on the information required to be submitted in this proposed bill therefore, we do not anticipate this proposed bill to have any fiscal impact.

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 III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part IVB*

NONE

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Bill Number: 5259 E 2S SB AMH PS H1301.1	Title: Law enforcement data	Agency: 375-Central Washington University
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2022	FY 2023	2021-23	2023-25	2025-27
FTE Staff Years	0.1	0.1	0.1	0.1	0.1
Account					
General Fund-State 001-1	16,331	16,331	32,662	32,662	32,662
Total \$	16,331	16,331	32,662	32,662	32,662

Estimated Capital Budget Impact:

NONE

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: Yvonne Walker	Phone: 360-786-7841	Date: 03/25/2021
Agency Preparation: Erin Sargent	Phone: 509-963-2395	Date: 03/29/2021
Agency Approval: Lisa Plesha	Phone: (509) 963-1233	Date: 03/29/2021
OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 03/31/2021

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.

E2S SB 5259 modifies section 3 which outlines the responsibilities of the advisory board. Section 4 which covers the reporting requirements of the agencies, now requires the name of the officer to be included in reports, as well as provides clarification that the presence of minors at the scene of an incident are to be reported "if known". (5) adds clarification that the agency is required to submit the data and has satisfied its reporting obligations once the information is submitted, however that does not prohibit the contractor from requesting additional clarification.

2S SB 5259 adds section 5 which outlines the RFP and selection process.

S SB 5259 makes the following changes to the bill :

Adds new section 3 which establishes an advisory group that will assess the data needs, make recommendations for the implementation of the data collection process, and once the program is approved, the group will select a university to design, develop, and manage the program. University selection will be done through a competitive bidding process.

Section 4 (section 3 in the original bill) adds additional reporting requirements for agencies reporting incidents which include any other information required by the policy under section 3, whether dashboard or body worn camera footage was recorded, the number of officers who were present, and the number of suspects who were present. (3) is added to section 4 to state that all law enforcement agencies shall adopt the reporting plan with the university.

SB 5259 would increase data collection by law enforcement agencies to increase transparency and accountability regarding the use of force.

Section 3: Recognizes actions that law enforcement agencies are required to report to WSU annually, by January 31 st, April 30th, July 31st, and October 31st, that occurred in the prior three months. These include any incidents that involve a fatality, great bodily harm, substantial bodily harm, or in the absence of those, an officer discharges or points a weapon at a person, uses a chokehold, an electronic control weapon, oleoresin capsicum spray, discharges a less-lethal shotgun at or towards a person, strikes a person with an impact weapon, strikes a person with their body or vehicle, or deployment and bites by a canine.

Agencies reporting incidents shall include the following information: date, time, location, employing agency or agencies, type of force, type of injury due to use of force, type of injury to the officer, whether the person was or was believed to be armed, type of weapon the person was armed with, the person's age, gender, race, and ethnicity, tribal affiliations, any signs of mental health conditions, the age, gender, race, and ethnicity of the officer, officer's years of service, reason for initial contact, if any minors were present, and the entity conducting the independent investigation.

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.

E2S SB 5259 makes minor changes to the reporting requirement, however, CWU does not expect these changes to pose any additional fiscal impact to those identified below.

2S SB 5259 adds section 5 which outlines the RFP and selection process that will determine the university that will collect and compile the data. This will not create an additional fiscal impact as CWU would still expect to opt-out of that process.

S SB 5259 adds new section 3 which establishes an advisory group with duties including selection of the university that will be managing the data reporting based on a competitive bidding process. CWU expects to opt-out of that process.

Section 4 (section 3 in the original bill) adds additional reporting requirements for agencies reporting incidents which include any other information required by the policy under section 3, whether dashboard or body worn camera footage was recorded, the number of officers who were present, and the number of suspects who were present. (3) is added to section 4 to state that all law enforcement agencies shall adopt the reporting plan with the university.

Because CWU expects to opt out of the bidding process, and because the additional data requested can be absorbed into current resources, CWU does not anticipate and fiscal impact beyond what was reported on the original note as described below:

CWU believes this bill will have a small impact on current operations. CWU Campus Police believe it will take an estimated 2 hours per week, or 104 hours annually, to compile the data required in this bill and report to WSU. This would require .05 FTE of the Campus Police Lieutenant at a salary of \$95,200 plus 33% benefits or \$6,331 (\$95,200*0.05*1.33=\$6,331) annually.

In addition to the reporting time, CWU is anticipating the need for a new program to assist with the collection and reporting requirements. It is estimated that the program will cost approximately \$10,000 in licensing fees annually.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2022	FY 2023	2021-23	2023-25	2025-27
001-1	General Fund	State	16,331	16,331	32,662	32,662	32,662
Total \$			16,331	16,331	32,662	32,662	32,662

III. B - Expenditures by Object Or Purpose

	FY 2022	FY 2023	2021-23	2023-25	2025-27
FTE Staff Years	0.1	0.1	0.1	0.1	0.1
A-Salaries and Wages	4,760	4,760	9,520	9,520	9,520
B-Employee Benefits	1,571	1,571	3,142	3,142	3,142
C-Professional Service Contracts					
E-Goods and Other Services	10,000	10,000	20,000	20,000	20,000
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					
9-					
Total \$	16,331	16,331	32,662	32,662	32,662

III. C - Operating 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	FY 2022	FY 2023	2021-23	2023-25	2025-27
Campus Police Lieutenant	95,200	0.1	0.1	0.1	0.1	0.1
Total FTEs		0.1	0.1	0.1	0.1	0.1

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part IVB*

NONE

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Bill Number: 5259 E 2S SB AMH PS H1301.1	Title: Law enforcement data	Agency: 380-Western Washington University
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2022	FY 2023	2021-23	2023-25	2025-27
FTE Staff Years	0.0	0.0	0.0	0.0	0.0
Account					
General Fund-State 001-1	5,316	1,716	7,032	3,432	3,432
Total \$	5,316	1,716	7,032	3,432	3,432

Estimated Capital Budget Impact:

NONE

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: Yvonne Walker	Phone: 360-786-7841	Date: 03/25/2021
Agency Preparation: Kristen Stouder	Phone: (360) 650-2811	Date: 03/30/2021
Agency Approval: Ted Castro	Phone: (360) 650-4694	Date: 03/30/2021
OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 03/31/2021

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.

SB 5259 establishes criteria to collect information regarding law enforcement activities to support policy decisions and develop effective trainings. The amendments in this version of the bill (5259 E2S SB AMH PS H1301.1) do not impact the costs from those estimated in prior fiscal notes. Our response is updated as necessary though the costs are the same.

Section 1 establishes the intent of the bill to develop a statewide data collection and reporting program for police use of force incidents.

Section 2 contains definitions.

Section 3 requires the Attorney General's Office to establish an advisory board to design and carry out the data collection and reporting program established under the chosen university. The advisory group may solicit information on the design and management of this program from qualified universities. The advisory group must submit a data collection program by April 1, 2022 that contains specific guidelines for data elements to be collected, procedures, deadlines, and best practices for data collection, procedures for the public to report to the university directly, public access to data on the university website, interactive reporting with visualization capability, analytical dashboards, and other elements. The requirements of Section 3 are subject to the availability of amounts appropriated. Section 3.1.b includes a provision of a \$100 per day stipend in for any member participating in the advisory board. New to this version of the bill is the requirement that deidentified raw incident data be made publicly available instead of available only for academic research. Section 3.3.c is added, which prohibits the attorney general's office from approving any recommendation that would disclose information that may jeopardize an active investigation.

Section 4 contains requirements for the university for data collection and reporting from agencies. This section also specifies requirements for agencies in reporting police use of force. Data elements include information about the incident, peace officer actions, and person(s) against whom force was used. Agencies are required to develop a reporting plan with the university for any additional data required (4.3). Agencies are required to report the data elements described on a quarterly basis beginning July 1, 2022. The reporting requirements for agencies are generally the same as prior requirements in SB 5259, therefore WWU anticipates the same costs (See expenditures section). Section 4.5 is added, and allows for the contractor to contact the agency directly to seek additional information or clarifications on the annual reporting submissions.

Section 5 specifies that the university shall be selected following a competitive bid process for the design, development, and management of the data collection program. The university selected shall be responsible for meeting all section 3 requirements designed by the advisory board. A new requirement is added to this section compared to prior versions clarifying that members of the advisory board may not participate in the competitive bid process.

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.

Western Washington University (WWU) anticipates no changes in fiscal impact with the changes made in this version of the bill (5259 E2S SB AMH PS H1301.1). The same fiscal note response applies as from SSB 5259, and is presented below.

For purposes of this fiscal note, we assume all implementation costs will begin in FY22.

Western Washington University (WWU) assumes that the competitive bid process described in Section 5 is elective. WWU would not choose to participate in this process, because of limited resources and expertise in this area. We therefore assume no additional costs from this section of the bill because WWU would not put forward a bid or elect to organize the reporting described under the duties of the "Contractor".

WWU anticipates the following costs for complying with 2S SB 5259 :

Forms and Records Specialist II (.02 FTE annually; recurring). A Forms and Records Analyst II would be needed for approximately 8 hours each quarter (32 hours annually, or approximately .02 FTE) in order to fulfill the quarterly reporting requirements as described in Section 4, and submit data to the selected contracted university. The annual salary for this position at WWU is \$60,000 with a 43% benefits rate for classified positions for a total of \$1,716 annually (\$1,200 in salaries, \$516 in benefits for .02FTE annually). Costs for this position would begin in FY22 and carry forward in subsequent years.

Commissioned officers would require initial training (approximately 4 hours per officer for 15 total officers; 60 hours total) on the new requirements outlined in this legislation. WWU estimates that cost to be a total of \$3,600 for FY22 only (average hourly rate of \$42.00 * 60 hours = \$2,520, benefits at 43% for classified staff = \$1,080).

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2022	FY 2023	2021-23	2023-25	2025-27
001-1	General Fund	State	5,316	1,716	7,032	3,432	3,432
Total \$			5,316	1,716	7,032	3,432	3,432

III. B - Expenditures by Object Or Purpose

	FY 2022	FY 2023	2021-23	2023-25	2025-27
FTE Staff Years	0.0	0.0	0.0	0.0	0.0
A-Salaries and Wages	3,720	1,200	4,920	2,400	2,400
B-Employee Benefits	1,596	516	2,112	1,032	1,032
C-Professional Service Contracts					
E-Goods and Other 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					
9-					
Total \$	5,316	1,716	7,032	3,432	3,432

III. C - Operating 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	FY 2022	FY 2023	2021-23	2023-25	2025-27
Forms and Records Analyst II	60,000	0.0	0.0	0.0	0.0	0.0
Total FTEs		0.0	0.0	0.0	0.0	0.0

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part IVB*

NONE

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Bill Number: 5259 E 2S SB AMH PS H1301.1	Title: Law enforcement data	Agency: 465-State Parks and Recreation Commission
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2022	FY 2023	2021-23	2023-25	2025-27
FTE Staff Years	0.1	0.0	0.1	0.0	0.0
Account					
General Fund-State 001-1	90,400	5,900	96,300	11,800	11,800
Total \$	90,400	5,900	96,300	11,800	11,800

Estimated Capital Budget Impact:

NONE

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: Yvonne Walker	Phone: 360-786-7841	Date: 03/25/2021
Agency Preparation: Robert Ingram	Phone: (360) 902-8615	Date: 03/29/2021
Agency Approval: Frank Gillis	Phone: (360) 902-8538	Date: 03/29/2021
OFM Review: Leslie Connelly	Phone: (360) 878-4371	Date: 03/29/2021

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.

5259 E2S SB AMH PS requires the reporting, collecting and publishing of information regarding certain law enforcement interactions with the public.

Section 4 (1) requires quarterly reporting by law enforcement agencies to Washington State University regarding any use of force by a law enforcement officer, including but not limited to those which resulted in fatality, great bodily harm, or substantial bodily harm.

Section 4 (2) requires that reporting under subsection (1) include incident data such as: date, time and location, employing agency, type of force used, injuries sustained, ethnicity of person against whom force was used, ethnicity of law enforcement officer, etc.

Section 4 (3) requires law enforcement agencies to also report any additional incidents and data required by the program developed in Section 3.

Section 4 (4) requires law enforcement agencies to submit data required by Section 4 no later than 3 months after the Office of the Attorney General determines that information can be accepted.

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 4 (1) and (2) - The Agency's law enforcement records management system (Spillman RMS) does not have the current capability to generate the reports required by this legislation. However, there is an add-on module (CompStat) available for this purpose, at a quoted one-time acquisition cost of \$74,000 plus an initial \$10,500 installation and maintenance fee.

Additionally, there will be an ongoing software maintenance cost, presumably rolled-in to the existing Spillman RMS annual maintenance fees (which covers the entire records management system, including all purchased modules).

It is also estimated that the initial one-time implementation will require 40-hours of staff time. An additional 80 hours of staff time per year will be required to operate and maintain the new module.

Software and Maintenance Costs:

One-time acquisition cost of CompStat add-on module for Spillman RMS (Year 1) = \$74,000
Initial installation and maintenance fee for CompStat module (Year 1) = \$10,500

On-going annual software maintenance costs (Year 2 and beyond) = \$2,000 (Object E)

Staff Costs:

Program Specialist 4 - Initial Implementation, Ops & Maintenance (Year 1) = \$4,300 (Object A), \$1,600 (Object B)

Program Specialist 4 - Ops & Maintenance (Year 2 and beyond) = \$2,900 (Object A), \$1,000 (Object B)

Section 4 (3) and (4) - Until it is determined what additional reporting and data will be required, the impacts of these sections are indeterminate. Depending on requirements, Spillman may or may not be able to provide a satisfactory module.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2022	FY 2023	2021-23	2023-25	2025-27
001-1	General Fund	State	90,400	5,900	96,300	11,800	11,800
Total \$			90,400	5,900	96,300	11,800	11,800

III. B - Expenditures by Object Or Purpose

	FY 2022	FY 2023	2021-23	2023-25	2025-27
FTE Staff Years	0.1	0.0	0.1	0.0	0.0
A-Salaries and Wages	4,300	2,900	7,200	5,800	5,800
B-Employee Benefits	1,600	1,000	2,600	2,000	2,000
C-Professional Service Contracts					
E-Goods and Other Services	84,500	2,000	86,500	4,000	4,000
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					
9-					
Total \$	90,400	5,900	96,300	11,800	11,800

III. C - Operating 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	FY 2022	FY 2023	2021-23	2023-25	2025-27
Program Specialist 3	74,604	0.1	0.0	0.1	0.0	0.0
Total FTEs		0.1	0.0	0.1	0.0	0.0

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part IVB*

NONE

None.

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Bill Number: 5259 E 2S SB AMH PS H1301.1	Title: Law enforcement data	Agency: 477-Department of Fish and Wildlife
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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: Yvonne Walker	Phone: 360-786-7841	Date: 03/25/2021
Agency Preparation: Amy Pizzollo	Phone: 360-791-7858	Date: 03/26/2021
Agency Approval: Amy Pizzollo	Phone: 360-791-7858	Date: 03/26/2021
OFM Review: Leslie Connelly	Phone: (360) 878-4371	Date: 03/29/2021

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.

NO CHANGE FROM PREVIOUS FISCAL NOTE: Differences in this bill version do not affect the fiscal impact to WDFW.

Section 3 directs the Attorney General's Office (AGO) to establish an advisory group, subject to availability of amounts appropriated for this purpose. The advisory group is to design a program to examine any additional data needs or gaps for a use of force data program. By April 1, 2022, the advisory group will submit recommendations to the AGO for the statewide implementation of a data collection program, reporting, and publication. It is assumed that any modifications to the required data will be consistent with the data currently being collected for WDFW management review and therefore will not cause additional workload impacts.

Section 4 directs the WDFW, a general authority Washington law enforcement agency, to report all incidents of the use of police force to the university (not yet identified). The reports must be made in the format and at the frequency established in the program. The reporting requirements will be determined by the newly established advisory board (section 3). The reports are to include 17 distinct data sets for each incident, which are specified in the bill. Reports will be required no later than 3 months after the AGO's determines that the newly procured system can accept law enforcement agency reports.

The Department already compiles, or has the means to compile, this information for internal reporting, so providing it to an external organization can be done within existing staff capacity. The new advisory board has not been established yet therefore neither has the new reporting system or process, but it is assumed that no upgrades to existing systems will be needed or no new additional technology (hardware/software) will need to be purchased, so there is no fiscal impact.

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 III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part IVB*

NONE

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Bill Number: 5259 E 2S SB AMH PS H1301.1	Title: Law enforcement data	Agency: 490-Department of Natural Resources
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2022	FY 2023	2021-23	2023-25	2025-27
FTE Staff Years	0.0	0.1	0.0	0.1	0.1
Account					
General Fund-State 001-1	0	5,700	5,700	11,400	11,400
Total \$	0	5,700	5,700	11,400	11,400

Estimated Capital Budget Impact:

NONE

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: Yvonne Walker	Phone: 360-786-7841	Date: 03/25/2021
Agency Preparation: Elayne Crow	Phone: 360-902-1121	Date: 03/29/2021
Agency Approval: Lenny Young	Phone: 360-902-1744	Date: 03/29/2021
OFM Review: Lisa Borkowski	Phone: (360) 902-0573	Date: 03/30/2021

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 4 of this bill requires all general authority and limited authority law enforcement agencies to report to a selected university all incidents of the use of force by a law enforcement officer including those in which: a fatality occurred; a person experienced substantial or great bodily harm; a law enforcement officer used force against a person, but the force did not result in a fatality, substantial bodily harm, or great bodily harm.

Section 4(5) of this version of the bill specifies that submitting reports to the selected contractor will satisfy the reporting requirements of this bill.

Section 3 creates an advisory group for the Attorney General's Office to assist with the design, development and implementation of a statewide use of force data program, with recommendations due April 1, 2022. Law enforcement agency quarterly data reports will be required three months after procurement of a data collection system. Section expires January 1, 2023.

Section 5 directs the Attorney General's Office to contract with a university for a system to collect, report and publish use of force data from law enforcement agencies.

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.

Section 4 of this bill requires the Department of Natural Resources (DNR) Law Enforcement to furnish statistical information to a selected university regarding incidents where uses of physical force have occurred in interactions with the public. Such incidents where reporting is required include those involving any of the following: a fatality, great bodily harm connected to use of force, discharge of firearms, uses of choke holds, deployment of Tasers and pepper spray, less lethal shotguns, use of impact weapons, or use of a part of the body or a vehicle to physically strike a person. Report submissions will be due on a quarterly basis, beginning three months after the procurement of a system to collect law enforcement data. For purposes of this fiscal note, the beginning reporting date is assumed to be July 1, 2022.

Staffing Assumptions: An Administrative Assistant 4 will prepare quarterly reports to fulfill the data reporting requirements of this bill. Assuming 20 hours per quarter to collect, analyze and report the data.

Administrative Assistant 4: 80 staff hours (.46 staff months) each fiscal year (.04 FTE)

Salary and benefits: \$3,100 per fiscal year

Goods and services and travel are calculated on actual program averages per person.

Administrative costs are calculated at 31% of staff salary and benefits and staff-related goods and services and travel. For fiscal note purposes, this cost is represented as a Fiscal Analyst 2 position (.01 FTE).

DNR has identified a need for GF-S because new money is required to accomplish the intent of the bill: the underlying accounts comprising the cost pool that funds DNR's Law Enforcement program are in varying degrees of distress, and the administrative staff are at capacity.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2022	FY 2023	2021-23	2023-25	2025-27
001-1	General Fund	State	0	5,700	5,700	11,400	11,400
Total \$			0	5,700	5,700	11,400	11,400

III. B - Expenditures by Object Or Purpose

	FY 2022	FY 2023	2021-23	2023-25	2025-27
FTE Staff Years		0.1	0.0	0.1	0.1
A-Salaries and Wages		2,200	2,200	4,400	4,400
B-Employee Benefits		900	900	1,800	1,800
C-Professional Service Contracts					
E-Goods and Other Services		400	400	800	800
G-Travel		900	900	1,800	1,800
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements		1,300	1,300	2,600	2,600
9-					
Total \$	0	5,700	5,700	11,400	11,400

III. C - Operating 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	FY 2022	FY 2023	2021-23	2023-25	2025-27
Administrative Assistant 4	56,856		0.0	0.0	0.0	0.0
Fiscal Analyst 2	54,108		0.0	0.0	0.0	0.0
Total FTEs			0.1	0.0	0.1	0.1

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part IVB*

NONE

Part V: New Rule Making Required

LOCAL GOVERNMENT FISCAL NOTE

Revised

Department of Commerce

Bill Number: 5259 E 2S SB AMH PS H1301.1	Title: Law enforcement data
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Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- Cities: Personnel costs incurred by police departments to record, categorize, and properly report data; indeterminate costs to develop a data reporting plan required per this legislation
- Counties: Same as above, but for sheriffs' offices
- 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: Exact costs incurred for creation of data reporting plan

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Part III: Preparation and Approval

Fiscal Note Analyst: Rebecca Duncan	Phone: 360-725-5040	Date: 04/06/2021
Leg. Committee Contact: Yvonne Walker	Phone: 360-786-7841	Date: 03/25/2021
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 04/06/2021
OFM Review: Tyler Lentz	Phone: (360) 790-0055	Date: 04/12/2021

Part IV: Analysis

A. SUMMARY OF BILL

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

CHANGES FROM PRIOR BILL VERSION

The proposed engrossed substitute would make several changes to sections 3 and 4 .

The new bill version would add specific topics for investigation and recommendation for the advisory , and would require, rather than authorize, the advisory group to recommend practices in the areas of analytical dashboards , agency level comparative dashboards , and incorporation of historical data .

The new bill version would also expand the required participants in the advocacy group .

Further changes specify that a law enforcement agency satisfies its reporting obligations to the program by submitting relevant information to the contractor. Each law enforcement agency must also submit use of force reports in accordance with the requirements of the statewide use of force data program. Use of force reports would also need to identify whether minors were present at the scene of the incident , if that information is known, and the involved law enforcement officer's name .

Finally, the new bill version would prohibit the Attorney General's Office (AGO) from approving any recommendation that would disclose information that would jeopardize an active criminal investigation , confidential informant, or intelligence information .

These changes would have no fiscal impact on local governments .

SUMMARY OF CURRENT BILL VERSION:

Section 2 would define the terms "great bodily harm" and "substantial bodily harm" as having the same meanings as they have in RCW 9A.04.110. Section 2 also defines "law enforcement agency" or "agency" to include any "general authority Washington law enforcement agency" and "limited authority Washington law enforcement agency" as those terms are defined in RCW 10 .93.020

Section 3 would establish the process by which the AGO will establish an advisory group which will submit recommendations for the statewide implementation of this data collection , reporting, and publication program by January 1, 2022. Said policy will define the specific data to be collected from law enforcement agencies , establish reporting procedures and deadlines , publishing requirements for data to be made available to law enforcement agencies and the public , etc. The AGO is given full approval or rejection power on the resulting policy from the advisory group , including any university requested revisions . However, the AGO would not be permitted to approve any recommendation that requires any law enforcement agency to disclose information that would jeopardize an active criminal investigation, confidential informant, or intelligence information .

Section 4 (1) would require each law enforcement agency in the state to report each incident where a law enforcement officer employed by the agency used force and:

- A fatality occurred in connection with the use of force;
- Great or substantial bodily harm occurred in connection with the use of force;
- Substantial bodily harm occurred in connection with the use of force; or
 - o Discharged a firearm at or in the direction of a person;
 - o Pointed a firearm at a person;
 - o Used a chokehold or vascular neck restraint;
 - o Used an electronic control weapon including , but not limited to, a taser, against a person;
 - o Used oleoresin capsicum spray against a person;
 - o Discharged a less-lethal shotgun or other impact munitions at or in the direction of a person;
 - o Struck a person using an impact weapon or instrument including , but not limited to, a club, baton, or flashlight;
 - o Used any part of their body to physically strike a person including , but not limited to, punching, kicking, slapping, or using closed fists or feet;
 - o Used a vehicle to intentionally strike a person or vehicle; or
 - o Deployed a canine by releasing it from the physical control of the law enforcement officer or had under the law enforcement officer's control a canine that bites a person

Section 4 (2) would require that when reporting an incident required under Section 4 (1) the following information is provided:

- The date, time, and location of the incident;
- The agency or agencies employing the law enforcement officers;
- The type of force used by the law enforcement officer;

- The type of injury to the person against whom force was used or to the law enforcement officer , if any;
- Whether the person against whom force was used was armed , unarmed, or believed to be armed;
- The type of weapon the person against whom force was used was armed with , if any;
- The age, gender, race, ethnicity, and tribal affiliation (if applicable) of the person against whom force was used, if known;
- Whether the person against whom force was used exhibited any signs associated with a potential mental health condition or use of a controlled substance or alcohol based on the observation of the law enforcement officer;
- The name, age, gender, race, and ethnicity of the law enforcement officer and their years of service;
- The reason for the initial contact between the person against whom force was used and the law enforcement officer;
- Whether any minors were present at the scene of the incident , if known; and
- The entity conducting the independent investigation of the incident , if applicable.
- Any other information required by the policy under Section 3 of this act
- Whether dashboard or body worn camera footage was recorded for the incident
- The number of officers who were present when force was used
- The number of suspects who were present when force was used

Section 4 (3) would require all law enforcement agencies to report any additional incidents and data required by the statewide use of force data program developed in Section 3 of this legislation .

Section 4 (4) would require all law enforcement agencies to submit the reports required by this section no later than three months after the AGO determines that the system procured in Section 5 can accept law enforcement agency reports . Each law enforcement agency must submit use of force reports in accordance with the requirements of the statewide use of force data program , not in the format and time frame established in the program .

Section 4(5) would specify that a law enforcement agency satisfies its reporting obligations to the program by submitting relevant information to the contractor, except as otherwise agreed to by the contractor and the agency .

Section 5 would outline the Request For Proposal or other procurement method the AGO must engage in to contract with an institution of higher education to implement the statewide use of force data program . The primary purpose of said contract will be to develop a system for law enforcement agencies to report, collect, and publish the use of force data reports required in Section 4 of this legislation .

B. SUMMARY OF EXPENDITURE IMPACTS

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

This legislation would increase local government expenditures .

For the purposes of estimating expenditure impacts the following assumptions are used .

- The university contracted by the AGO to manage/implement the program will likely develop a standard form for law enforcement agencies to submit the required data fields or will require the submitting of incident reports
- Data will likely be submitted via a secure online system
- Data submission will not be required until sometime in FY24 at the earliest . This is assumed due to the advisory group created by Section 3 not being disbanded until January 1 , 2023 and a competitive procurement process being required of the AGO to implement the program. It is assumed departments will hire new clerks one fiscal year ahead of time to begin training staff and prepare them for the new reporting requirements.
- Departments will hire records clerks this fiscal year to begin training and preparation for meeting this legislation’s requirements

The Washington Association of Sheriffs and Police Chiefs (WASPC) assumes to meet the requirements of this legislation and the data requirements of the university and/or its successor , departments with 15 or fewer officers will require .5 FTEs while departments with more than 15 officers will need 1 FTE. Per the 2019 Crime in Washington Report there are 240 local law enforcement agencies in the state, 119 have 15 or fewer officers, and 121 have more than 15 officers. Please note that this figure does not include Tribal police agencies or those under the purview of colleges and universities . According to the 2020 Association of Washington Cities Salary Survey the average salary of a sheriff/police records clerk is \$51 ,178. Given these figures, local law enforcement agencies would spend \$14,595,454 per year to meet this legislation’s requirements .

Small Police Departments: \$51,178 records clerk salary X 1.58 benefits/overhead multiplier X .5 FTE X 110 = \$4,447,368

Large Police Departments: \$51,178 records clerk salary X 1.58 benefits/overhead multiplier X 1 FTE X 91 = \$7,358,373

Small Sheriff’s Departments: \$51,178 records clerk salary X 1.58 benefits/overhead multiplier X .5 FTE X 9 = \$363,876

Large Sheriff’s Departments: \$51,178 records clerk salary X 1.58 benefits/overhead multiplier X 1 FTE X 30 = \$2,425,837

Total: \$4,447,368 + \$7,358,373 + \$363,876 + \$2,425,837 = \$14,595,454

A breakdown of the number of police and sheriff's departments that fall into each size category is included in the attached document .
These numbers are used for the breakdown in the expense grid above .

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.

This legislation would have no impact on local government revenues .

SOURCES:

2019 Crime in Washington Report

2020 Association of Washington Cities Salary Survey

2021 Local Government Fiscal Note Program Criminal Justice Cost Model

Washington Association of Sheriffs and Police Chiefs

Washington State University

Washington State Law Enforcement Agency Sizes as of October 31, 2019

Agency Type	# of Agencies with Commissioned Officers > 15	# of Agencies with Commissioned Officers ≤ 15	# of Agencies Total
Police Department	91	110	201
Sheriff's Department	30	9	39
Totals	121	119	240

Source: 2019 Crime in Washington Report