

Multiple Agency Fiscal Note Summary

Bill Number: 1241 HB	Title: Harassment
-----------------------------	--------------------------

Estimated Cash Receipts

NONE

Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	.0	7,900	7,900	7,900	.0	0	0	0	.0	0	0	0
Caseload Forecast Council	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Children, Youth, and Families	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Department of Corrections	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Total \$	0.0	7,900	7,900	7,900	0.0	0	0	0	0.0	0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other			288,630						
Local Gov. Other	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.								
Local Gov. Total			288,630						

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Administrative Office of the Courts	.0	0	0	.0	0	0	.0	0	0
Caseload Forecast Council	.0	0	0	.0	0	0	.0	0	0
Department of Children, Youth, and Families	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2023-25			2025-27			2027-29		
	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

Prepared by: Cynthia Hollimon, OFM	Phone: (360) 810-1979	Date Published: Final
---	---------------------------------	---------------------------------

Judicial Impact Fiscal Note

Bill Number: 1241 HB	Title: Harassment	Agency: 055-Administrative Office of the Courts
-----------------------------	--------------------------	--

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

STATE	FY 2024	FY 2025	2023-25	2025-27	2027-29
State FTE Staff Years					
Account					
General Fund-State 001-1	7,900		7,900		
State Subtotal \$	7,900		7,900		
COUNTY	FY 2024	FY 2025	2023-25	2025-27	2027-29
County FTE Staff Years					
Account					
Local - Counties					
Counties Subtotal \$					
CITY	FY 2024	FY 2025	2023-25	2025-27	2027-29
City FTE Staff Years					
Account					
Local - Cities					
Cities Subtotal \$					

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Martha Wehling	Phone: 360-786-7067	Date: 01/12/2023
Agency Preparation: Jackie Bailey-Johnson	Phone: 360-704-5545	Date: 01/18/2023
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 01/18/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/24/2023

178,556.00

Form FN (Rev 1/00)

1

Request # 40-1

Bill # 1241 HB

Part II: Narrative Explanation

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

This bill would add protection to criminal harassment statute (Ch. 9A.46 RCW) for election officials harassed while carrying out official duties.

II. B - Cash Receipts Impact

None

II. C - Expenditures

Minimal fiscal impact. The fiscal impact expected to the Administrative Office of the Courts is estimated at \$7,900 one time for forms updates and translations.

We expect no impact to the courts. The bill would add the harassment of election officials as a Class C felony.

Part III: Expenditure Detail

Part III: Expenditure Detail

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

<i>State</i>	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
Salaries and Wages	2,300		2,300		
Employee Benefits	700		700		
Professional Service Contracts					
Goods and Other Services	4,100		4,100		
Travel	100		100		
Capital Outlays					
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services					
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements	700		700		
Total \$	7,900		7,900		

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

NONE

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

NONE

III. D - FTE Detail

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Legal Services Senior Analyst	114,400	0.0		0.0		
Total FTEs		0.0		0.0		0.0

III. E - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

178,556.00

Form FN (Rev 1/00)

2

Request # 40-1

Bill # 1241 HB

NONE

IV. B1 - Expenditures by Object Or Purpose (State)

NONE

IV. B2 - Expenditures by Object Or Purpose (County)

NONE

IV. B3 - Expenditures by Object Or Purpose (City)

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

Individual State Agency Fiscal Note

Bill Number: 1241 HB	Title: Harassment	Agency: 101-Caseload Forecast Council
-----------------------------	--------------------------	--

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: Martha Wehling	Phone: 360-786-7067	Date: 01/12/2023
Agency Preparation: Clela Steelhammer	Phone: 360-664-9381	Date: 01/20/2023
Agency Approval: Clela Steelhammer	Phone: 360-664-9381	Date: 01/20/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 01/23/2023

Part II: Narrative Explanation

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

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

See attached.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

None.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

See attached.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals 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

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

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

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

HB 1241

ADDRESSING HARASSMENT

101 – Caseload Forecast Council
January 15, 2023

SUMMARY

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

- Section 1 Amends RCW 9A.46.02 by expanding the existing gross misdemeanor offense of Harassment.
- Section 1 Additionally expands the definition of the existing Class C felony offense of Harassment by including election officials. Felony Harassment is ranked at Seriousness Level III on the Adult Felony Sentencing Grid, and is Offense Category C on the Juvenile Offender Sentencing Grid.
- Section 2 Amends RCW 9A.90.120 by expanding the existing gross misdemeanor of Cyber Harassment.

EXPENDITURES

Assumptions.

None.

Impact on the Caseload Forecast Council.

None.

Impact Summary

This bill:

- Expands the definition of two existing gross misdemeanor offenses.
- Expands the definition of an existing Class C felony.

Impact on prison and jail beds

This bill expands the definition of two gross misdemeanor offenses. The Caseload Forecast Council does not collect data on misdemeanor and gross misdemeanor offenses, and, therefore, cannot reliably estimate bed impacts resulting from the bill.

However, as gross misdemeanor offenses are punishable by a term of confinement of 0-364 days in jail, any impact should manifest itself as an increased need for jail beds only.

This bill also expands the definition of a Class C felony. The Caseload Forecast Council has no information about how many more incidents of the expanded felony offense may occur or the sentences that might actually be imposed. Therefore, the Caseload Forecast Council cannot

reliably predict bed impacts resulting from the bill. However, as a Class C felony offense ranked at Seriousness Level III on the adult felony sentencing grid, Harassment is punishable by a standard range term of confinement of between 1-3 months in jail and 51-60 months in prison for adults (limited to 60 months by the statutory maximum for the offense). As such, any impact should manifest itself as an increased need for jail beds and an increased need for prison beds.

Impact on Juvenile Rehabilitation and local beds

The expanded definition of the Class C felony offense of Harassment, ranked at Category C on the Juvenile Sentencing Grid, may result in increased incidence of the offense. The offense is punishable by a standard range term of Local Sanctions (0-30 days in local juvenile detention) and 15-36 weeks in Juvenile Rehabilitation for juveniles adjudicated for the offense. Therefore, increased incidence of this offense would likely impact both local juvenile detention and Juvenile Rehabilitation beds.

In addition, there may also be an increased need for Juvenile Rehabilitation (JR) beds for any offenses resulting from the expanded definition of the Class C felony offense of Harassment. Current statutes require individuals sentenced in adult court for an offense committed before the age of 18 to serve to their confinement at a JR facility until age 25, or until release if occurring prior to age 25. As a result, any adult conviction resulting from the expanded definition that was committed by someone under the age of 18, would increase the need for JR beds. However, as less than 1% of all sentences in the adult system are committed by those less than age 18, it is assumed any impacts to JR would be minimal.

Individual State Agency Fiscal Note

Bill Number: 1241 HB	Title: Harassment	Agency: 307-Department of Children, Youth, and Families
-----------------------------	--------------------------	--

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: Martha Wehling	Phone: 360-786-7067	Date: 01/12/2023
Agency Preparation: Jay Treat	Phone: 360-556-6313	Date: 01/25/2023
Agency Approval: James Smith	Phone: 360-764-9492	Date: 01/25/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 01/26/2023

Part II: Narrative Explanation

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

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

Section one amends RCW 9A.46.02 by expanding the existing gross misdemeanor offense of harassment.

Section two amends RCW 9A.90.120 by expanding the existing gross misdemeanor of cyber harassment by covering conduct that threatens physical confinement or restraint, and physical or mental health or safety.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

None

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Fiscal impact is indeterminate.

The expanded definition of Harassment and Cyber Harassment, ranked as Class C on the Juvenile Sentencing Grid, could impact Juvenile Rehabilitation (JR) beds by increased incidence of the offense.

Also, current statutes require individuals sentenced in adult court for an offense committed before the age of 18 to serve their confinement at a JR facility until age 25, or until release if occurring prior to age 25. As a result, any adult conviction from the expanded definition would increase the need for JR beds.

The bill may potentially result in an increase in Average Daily Population (ADP) and indeterminate costs to DCYF. It is unknown at this time how many youth will be impacted; therefore the caseload forecast and per capita adjustments are unknown at this time.

DCYF assumes the impact will result when the ADP caseload changes in the JR residential facilities forecast. The impact would be reflected in the forecasted maintenance level budget step. DCYF will true up our fiscal impact in subsequent budget submittals if the legislation is enacted into law.

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: *FTEs listed by classification and corresponding annual compensation. Totals 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

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

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

NONE

None

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1241 HB	Title: Harassment	Agency: 310-Department of Corrections
-----------------------------	--------------------------	--

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: Martha Wehling	Phone: 360-786-7067	Date: 01/12/2023
Agency Preparation: Jaymie Hall	Phone: (360) 725-8428	Date: 01/24/2023
Agency Approval: Ronell Witt	Phone: (360) 725-8428	Date: 01/24/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 01/24/2023

Part II: Narrative Explanation

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

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

An act relating to harassment; amending RCW 9A.46.020, 9A.90.120, and 40.24.030; and prescribing penalties.

Section 1 amends RCW 9A.46.020 and 2011 c 64 s 1, by removing and adding language as to of what constitutes a person to be guilty of harassment. Additionally, it expands the definition of the existing Class C felony offense of Harassment by including election officials. Felony Harassment is ranked at Seriousness Level III on the Adult Felony Sentencing Grid and is Offense Category C on the Juvenile Offender Sentencing Grid.

Section 2 amends RCW 9A.90.120 and 2022 c 231 s 1, by expanding the existing gross misdemeanor of Cyber Harassment.

Effective date is assumed 90 days after adjournment of session in which this bill is passed.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

We assume this bill will have a fiscal impact to DOC less than \$50,000 per Fiscal Year (FY).

This bill expands the definition of two gross misdemeanor offenses. The Caseload Forecast Council does not collect data on misdemeanor and gross misdemeanor offenses, and, therefore, cannot reliably estimate bed impacts resulting from the bill.

This bill also expands the definition of a Class C felony. The Caseload Forecast Council has no information about how many more incidents of the expanded felony offense may occur or the sentences that might be imposed. Therefore, the Caseload Forecast Council cannot reliably predict bed impacts resulting from the bill. However, as a Class C felony offense ranked at Seriousness Level III on the adult felony sentencing grid, Harassment is punishable by a standard range term of confinement of between 1-3 months in jail and 51-60 months in prison for adults (limited to 60 months by the statutory maximum for the offense). As such, any impact should manifest itself as an increased need for jail beds and an increased need for prison beds.

Department of Corrections (DOC) does not have the capability to predict how often or in what circumstances the courts would exercise their sentencing authority, therefore, the fiscal impact for this proposed legislation is indeterminate.

ASSUMPTIONS

1) The estimated ADP impact to DOC prison facilities/institutions and/or community supervision/violator caseloads is based on projections from CFC.

2) We assume Direct Variable Cost (DVC) of \$6,980 per incarcerated individual per FY to facilitate cost discussions during legislative session for bills. This cost estimate includes prison and health services direct variable costs. It does not include staffing or dollars necessary for staffing needed at the facility outside of the living/housing units. The DVC is calculated by DOC and reviewed and approved with Office of Financial Management, Senate, and House staff each legislative session.

3) We assume additional impacts will result when ADP caseload changes in either prison or community, and resources will be necessary. The DOC will “true up” our fiscal impact in subsequent budget submittals should the legislation be enacted into session law.

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: *FTEs listed by classification and corresponding annual compensation. Totals 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

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

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

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 1241 HB	Title: Harassment
-----------------------------	--------------------------

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

Legislation Impacts:

- Cities:** Approximately \$221,430 for law enforcement training on modified criminal offenses; indeterminate increased law enforcement costs as a result of processing additional incidents of expanded class C felony offense, gross misdemeanor offenses; indeterminate expenditure impact as a result of increased demand for jail beds
- Counties:** Approximately \$67,200 to train law enforcement officers on modified criminal offenses; indeterminate expenditure impact on law enforcement, prosecutors and public defenders as a result of processing additional incidents of expanded class C felony offense, gross misdemeanor offenses; indeterminate expenditure impact due to increased demand for jail, juvenile detention beds
- Special Districts:**
- Specific jurisdictions only:**
- Variance occurs due to:**

Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:** Approximately \$288,630 to provide training to local law enforcement officers on modified criminal offenses
- Legislation provides local option:
- Key variables cannot be estimated with certainty at this time:** Number of expanded class C felony, gross misdemeanor offenses that may occur

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

Jurisdiction	FY 2024	FY 2025	2023-25	2025-27	2027-29
City	221,430		221,430		
County	67,200		67,200		
TOTAL \$	288,630		288,630		
GRAND TOTAL \$					288,630

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

Part III: Preparation and Approval

Fiscal Note Analyst: James Vogl	Phone: 360-480-9429	Date: 01/19/2023
Leg. Committee Contact: Martha Wehling	Phone: 360-786-7067	Date: 01/12/2023
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 01/19/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/24/2023

Part IV: Analysis

A. SUMMARY OF BILL

Description of the bill with an emphasis on how it impacts local government.

The proposed legislation would modify two RCW sections related to harassment and cyber harassment.

Section 1 would amend RCW 9A.46.020, adding several additional conditions under which a person would be guilty of harassment at the gross misdemeanor level. This section would also specify that harassment against election officials while they are performing their official duties or because of an action or decision they made while performing their official duties is a class C felony offense.

Section 2 would amend RCW 9A.90.120, adding two conditions under which a person would be guilty of cyber harassment at the gross misdemeanor level.

B. SUMMARY OF EXPENDITURE IMPACTS

Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.

The proposed legislation would have both determinate and indeterminate impacts on local government expenditures.

According to the Washington Association of Sheriffs and Police Chiefs (WASPC), all local law enforcement officers would need to go through training regarding the modifications this bill would make to existing criminal offenses. WASPC estimates that approximately 30 minutes of training would be required per law enforcement officer. This training would require a one-time cost of \$221,430 for cities and \$67,200 for counties, for a total one-time cost to local governments of \$288,630.

The 2021 Crime in Washington Report conducted by WASPC states that there are 6,710 commissioned officers in police departments and 2,240 commissioned officers in sheriff's departments, for a total of 8,950 commissioned law enforcement employees that would require training. The 2023 Local Government Fiscal Note Program Criminal Justice Cost Model estimates the average hourly salary (including benefits and overhead) for an officer employed by a city to be \$66, and the same figure for an officer employed by a county to be \$60. If every officer in Washington had to complete approximately 30 minutes of training, the cost to local governments would be:

Cities:

6,710 officers X 0.5 hours X \$66 = \$221,430

Counties:

2,240 officers X 0.5 hours X \$60 = \$67,200

Total:

\$221,430 + \$67,200 = \$288,630

Training materials and time required may differ among different departments, however.

According to the Washington State Caseload Forecast Council (CFC), both expanding the definitions of harassment and cyber harassment at the gross misdemeanor level, and expanding harassment at the felony level could impact demand for jail beds. As a class C felony ranked at seriousness level III, harassment is punishable by a confinement term of between 1-3 months in jail and 51-60 months in prison, depending on a person's prior criminal history. At the gross misdemeanor level, harassment and cyber harassment are punishable by a term of confinement of 0-364 days in jail.

However, since it is unknown how many additional incidents of harassment or cyber harassment may occur as a result of the expanded definitions of those offenses this bill would create, and CFC does not collect data on gross misdemeanor

offenses, the associated expenditure impact on local governments is indeterminate. The 2023 Local Government Fiscal Note Program Criminal Justice Cost Model estimates that the average daily cost of occupying a jail bed is \$145.

According to CFC, the expansion of the definition of the existing class C felony offense of harassment, ranked at category C on the juvenile sentencing grid, and punishable by a standard range term of between 0-30 days in local juvenile detention and 15-36 weeks in juvenile rehabilitation, could also increase demand for county juvenile detention beds. The Local Government Fiscal Note Program does not have detailed information on the costs of juvenile detention, however the average daily rate for juvenile detention beds is generally higher than the same figure for a jail bed. Furthermore, it is unknown how many additional juvenile incidents of the expanded class C felony offense of harassment may occur, so the total increase in county juvenile detention expenditures as a result of this bill's provisions is indeterminate.

In addition to bed impacts, the expansion of a class C felony offense and two gross misdemeanor offenses could increase law enforcement, prosecution and public defense expenditures as a result of processing additional incidents of those expanded offenses. According to the 2023 Local Government Fiscal Note Program Criminal Justice Cost Model, the combined prosecution and public defense costs to process an incident of a gross misdemeanor are approximately \$2,500, and the same costs to process an incident of a class C felony are approximately \$1,000.

However, given that it is unknown how many additional incidents of the expanded offenses may occur, the magnitude of the expenditure impacts on local governments from processing additional incidents of these offenses is indeterminate.

C. SUMMARY OF REVENUE IMPACTS

Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.

The proposed legislation would have no impact on local government revenues.

SOURCES:

Local Government Fiscal Note Program Criminal Justice Cost Model, 2023
Washington Association of Sheriffs and Police Chiefs
Washington State Caseload Forecast Council