

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1028 S HB	<b>Title:</b> Crime victims & witnesses
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## Estimated Cash Receipts

Agency Name	2023-25			2025-27			2027-29		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Department of Labor and Industries	Non-zero but indeterminate cost and/or savings. Please see discussion.								
<b>Total \$</b>	0	0	0	0	0	0	0	0	0

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts	No fiscal impact					
Loc School dist-SPI						
Local Gov. Other						
Local Gov. Total						

## 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	0	0	0	.0	0	0	0	.0	0	0	0
Office of Attorney General	1.0	276,000	276,000	276,000	.5	138,000	138,000	138,000	.0	0	0	0
Caseload Forecast Council	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Commerce	.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	3.0	2,125,000	2,125,000	2,125,000	3.0	2,080,000	2,080,000	2,080,000	3.0	2,080,000	2,080,000	2,080,000
Department of Labor and Industries	.0	403,000	403,000	403,000	.0	446,000	446,000	446,000	.0	389,000	389,000	389,000
Department of Children, Youth, and Families	.0	2,634,000	2,634,000	2,634,000	.0	2,634,000	2,634,000	2,634,000	.0	2,634,000	2,634,000	2,634,000
Department of Corrections	Non-zero but indeterminate cost and/or savings. Please see discussion.											
University of Washington	.5	153,000	153,000	153,000	.5	160,000	160,000	160,000	.5	160,000	160,000	160,000
Washington State University	.0	0	0	0	.0	0	0	0	.0	0	0	0
Eastern Washington University	.0	0	0	0	.0	0	0	0	.0	0	0	0
Central Washington University	1.0	246,100	246,100	246,100	1.0	226,100	226,100	226,100	1.0	226,100	226,100	226,100
The Evergreen State College	1.0	260,138	260,138	260,138	1.0	260,138	260,138	260,138	1.0	260,138	260,138	260,138
Western Washington University	1.0	250,902	250,902	250,902	1.0	245,902	245,902	245,902	1.0	245,902	245,902	245,902
Department of Fish and Wildlife	.0	0	0	0	.0	0	0	0	.0	0	0	0
<b>Total \$</b>	<b>7.5</b>	<b>6,348,140</b>	<b>6,348,140</b>	<b>6,348,140</b>	<b>7.0</b>	<b>6,190,140</b>	<b>6,190,140</b>	<b>6,190,140</b>	<b>6.5</b>	<b>5,995,140</b>	<b>5,995,140</b>	<b>5,995,140</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other			982,191			1,880,296			1,880,296
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			982,191			1,880,296			1,880,296

## 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
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Caseload Forecast Council	.0	0	0	.0	0	0	.0	0	0
Department of Commerce	.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 Labor and Industries	.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
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	.0	0	0	.0	0	0	.0	0	0
Western Washington University	.0	0	0	.0	0	0	.0	0	0
Department of Fish and Wildlife	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
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

<b>Prepared by:</b> Gaius Horton, OFM	<b>Phone:</b> (360) 819-3112	<b>Date Published:</b> Revised
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# Judicial Impact Fiscal Note

<b>Bill Number:</b> 1028 S HB	<b>Title:</b> Crime victims & witnesses	<b>Agency:</b> 055-Administrative Office of the Courts
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Expenditures from:**

NONE

**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: Corey Patton	Phone: 360-786-7388	Date: 01/19/2023
Agency Preparation: Jackie Bailey-Johnson	Phone: 360-704-5545	Date: 01/24/2023
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 01/24/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/25/2023

179,212.00

Form FN (Rev 1/00)

Request # 66-1

Bill # 1028 S HB

## Part II: Narrative Explanation

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

The bill places time limits on law enforcement investigation and specifying remedies for Sexual Assault cases.

### II. B - Cash Receipts Impact

None

### II. C - Expenditures

No fiscal impact is expected to the Administrative Office of the Courts or the courts. This bill would place time limits on law enforcement investigations and would not impact court forms, judicial resources, case filings, or case management systems.

## Part III: Expenditure Detail

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

NONE

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

NONE

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

NONE

### III. D - FTE Detail

NONE

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

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

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

<b>Bill Number:</b> 1028 S HB	<b>Title:</b> Crime victims & witnesses	<b>Agency:</b> 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 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.0	1.0	1.0	0.5	0.0
<b>Account</b>					
General Fund-State      001-1	138,000	138,000	276,000	138,000	0
<b>Total \$</b>	138,000	138,000	276,000	138,000	0

### 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: Corey Patton	Phone: 360-786-7388	Date: 01/19/2023
Agency Preparation: Cam Comfort	Phone: (360) 664-9429	Date: 01/24/2023
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 01/24/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 01/25/2023

## 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 1 is an intent section.

Sections 2 and 3 amend RCW 5.70.040 and .050 to impose requirements on law enforcement agencies when forensic analysis of a sexual assault kit generates a profile resulting in a hit in the combined DNA index system.

Section 4 amends RCW 9A.04.080 to increase the periods of limitation from two years to four years for any prosecution for a sex offense as defined in RCW 9.94A.030.

Section 5 adds a new section to RCW 43.10 to establish the sexual assault forensic examination best practices advisory group within the Attorney General's Office (AGO). The duties of the group are listed. This section expires July 1, 2026.

Section 6 adds a new section to RCW 43.101 requiring the Criminal Justice Training Commission (CJTC), subject to appropriation, to administer a grant program for establishing a statewide resource prosecutor for sexual assault cases.

Sections 7 through 10 amend statutes in or add new sections to RCW 43.101 pertaining to training.

Sections 11 and 12 amend statutes in RCW 7.68 and RCW 43.43 pertaining to forensic examinations and evidence.

Section 13 adds a new section to RCW 70.02 pertaining to the validity of disclosure authorizations.

Section 14 amends RCW 7.68.380 pertaining to services and support for victims.

Section 15 adds a new section to RCW 7.68 requiring the Department of Labor and Industries (L&I), subject to appropriated amounts, to establish a program for counseling services for victims of sexual assault whose sexual assault kits were in the statewide testing backlog.

Section 16 amends RCW 43.185C.260 pertaining to law enforcement officers that take a juvenile into custody to add a reference to a parent or legal guardian.

Section 17 amends RCW 7.69.030 pertaining to rights of victims, survivors of victims, and witnesses of crimes.

Section 18 repeals RCW 43.101.270.

Section 19 provides that Section 8 takes effect July 1, 2024.

### 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.

Attorney General's Office (AGO) Administration Division 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

*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.*

Attorney General's Office (AGO) Agency Assumptions:

Legal services associated with the enactment of this bill will begin on July 1, 2023.

Location of staffing is assumed to be in a Seattle office building.

Total workload impact in this request includes standard assumption costs for goods & services, travel, and capital outlays for all FTE identified.

Agency administration support FTE are included in the tables, for every 1.0 Assistant Attorney General FTE (AAG), the AGO includes 0.5 FTE for a Legal Assistant 3 (LA) and 0.25 FTE of a Management Analyst 5 (MA). The MA is used as a representative classification.

1. The AGO Administrative (ADM) Division has reviewed this bill and determined the following impact related to the enactment of this bill:

ADM assumes the enactment of this bill will require to staff the SAFE Best Practices Advisory Group (Advisory Group). ADM assumes managing administrative work of the Advisory Group which includes: ongoing outreach and engagement, development of policy recommendations and research, and writing of final reports as determined by legislation.

ADM total FTE workload impact for Seattle rates:

FY 2024: \$138,000 for 1.00 Policy Analyst (Exempt).

FY 2025: \$138,000 for 1.00 Policy Analyst (Exempt).

FY 2026: \$138,000 for 1.00 Policy Analyst (Exempt).

2. The AGO Labor and Industries (LNI) Division has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Labor and Industries (L&I). The bill amends RCW 7.68.170 to require the Crime Victims' Compensation program to pay for sexual assault examinations in additional circumstances not currently covered. The bill requires L&I to pay for all sexual assault examinations performed in this state non-resident victim. The LNI Division does not generally see appeals by victims to determinations by L&I to this portion of the statute. The LNI Division would not expect this change to result in an appreciable increase in appeals by victims to the L&I's determinations in administering the Crime Victims' Compensation Program. Therefore, new legal services are nominal and costs are not included in this request.

3. The AGO Children, Youth and Families (CYF) Division has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Children, Youth and Families (DCYF). The enactment of this bill will not impact the provision of legal services to DCYF because DCYF does not collect, receive, or test rape kits. New legal services are nominal and costs are not included in this request.

4. The AGO Criminal Justice (CRJ) Division has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Washington State Patrol (WSP) or Criminal Justice Training Center (CJTC). This bill expands WSP reporting requirements regarding sexual assault kit testing. It also expands CJTC's responsibilities regarding case reviews of sexual assault cases and adds training requirements. Additionally, it requires CJTC to administer a grant program to provide a statewide resource prosecutor for sexual assault cases. It is possible that these new requirements could give rise to requests for legal advice. If they arise, however, legal services are nominal and costs are not included in this request.



5. The AGO Agriculture and Health (AHD) Division has reviewed this bill and determined it will not significantly increase or decrease the division’s workload in representing the Department of Commerce (Commerce). Unlike House Bill 1028, the enactment of Substitute House Bill 1028 will not impact the provision of legal services by AHD to Commerce. The requirement for Commerce to establish and administer a grant program to support regional multidisciplinary community response team which caused minimal legal fiscal impact has been removed. Additionally, this bill will not impact the provision of legal services to Commerce by AHD. Commerce was assigned this fiscal note request for its role in estimating the impact of bills on local governments. Commerce itself would not be given any new authorities or responsibilities under this bill. This won’t generate any legal work for AHD. Therefore, costs are no included in this request.

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	138,000	138,000	276,000	138,000	0
<b>Total \$</b>			138,000	138,000	276,000	138,000	0

**III. B - Expenditures by Object Or Purpose**

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.0	1.0	1.0	0.5	
A-Salaries and Wages	95,000	95,000	190,000	95,000	
B-Employee Benefits	29,000	29,000	58,000	29,000	
E-Goods and Other Services	14,000	14,000	28,000	14,000	
<b>Total \$</b>	138,000	138,000	276,000	138,000	0

**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 2024	FY 2025	2023-25	2025-27	2027-29
Policy Analyst (Exempt)	95,000	1.0	1.0	1.0	0.5	
<b>Total FTEs</b>		1.0	1.0	1.0	0.5	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**

*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.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1028 S HB	<b>Title:</b> Crime victims & witnesses	<b>Agency:</b> 101-Caseload Forecast Council
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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: Corey Patton	Phone: 360-786-7388	Date: 01/19/2023
Agency Preparation: Clela Steelhammer	Phone: 360-664-9381	Date: 01/21/2023
Agency Approval: Clela Steelhammer	Phone: 360-664-9381	Date: 01/21/2023
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.*

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.*

**SHB 1028**  
**SUPPORTING CRIME VICTIMS AND WITNESSES**  
**101 – Caseload Forecast Council**  
**January 20, 2023**

**SUMMARY**

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

Section 4 Amends RCW 9A.04.080 by extending the statute of limitations for sex offenses that applies to suspect identification from DNA testing or photograph from two to four years.

**EXPENDITURES**

**Assumptions.**

None.

**Impact on the Caseload Forecast Council.**

None.

**Impact Summary**

This bill:

- Extends the statute of limitations for sex offenses that applies to suspect identification from DNA testing or photograph from two to four years.

**Impact on prison, jail, and Juvenile Rehabilitation (JR) beds.**

The Caseload Forecast Council has no data concerning the length of time between the commission or discovery of offenses and the commencing of prosecution, and, therefore, cannot reliably predict bed impacts resulting from the bill. However, with the bill increasing the statute of limitations for sex offenses, there is the possibility that more sex offenses may be prosecuted, resulting in more convictions, which would increase the need for jail beds, prison beds. Local detention, and JR beds.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1028 S HB	<b>Title:</b> Crime victims & witnesses	<b>Agency:</b> 103-Department of Commerce
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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: Corey Patton	Phone: 360-786-7388	Date: 01/19/2023
Agency Preparation: Richard Torrance	Phone: 360-725-3025	Date: 02/01/2023
Agency Approval: Jason Davidson	Phone: 360-725-5080	Date: 02/01/2023
OFM Review: Gwen Stamey	Phone: (360) 790-1166	Date: 02/03/2023

## 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.*

The substitute removes the requirement for the Office of Crime Victim Advocacy (OCVA) within the department of commerce (department) to create a competitive grant program to support regional multidisciplinary community response teams engaged in resolving sexual assault cases.

The difference between HB 1028 VS SHB 1028 is found in HB 1028 Part I deletes: Section 4 and New Section 8, the last one talks about OCVA within the department, this section being the last section of chapter I. SHB 1028 part I ends with the new section 6, part II begins with section 7.

### 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.*

There is no fiscal impact to the department. The department does not execute or implement the activities stated in SHB 1028.

## 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

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.*

NONE

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1028 S HB	<b>Title:</b> Crime victims & witnesses	<b>Agency:</b> 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: Corey Patton	Phone: 360-786-7388	Date: 01/19/2023
Agency Preparation: Yvonne Ellison	Phone: 360-596-4042	Date: 01/23/2023
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 01/23/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 02/03/2023

## 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.*

The substitute version of the proposed legislation does not change our previous assumptions that it may have a small, indeterminate impact on the Washington State Patrol (WSP).

Sections 2(4) and 3(4) require law enforcement agencies to conduct a criminal investigation of any report connected to a sexual assault kit (SAK) within 90 days when forensic analysis of the kit generates a profile resulting in a hit in the Combined DNA Index System (CODIS). The substitute version adds the ability for law enforcement agencies to document why an investigation could not be initiated.

Section 2(8) rescinds the expiration date and makes changes to the WSP's SAK reporting requirements. These include:

Adding the number of requests occurring in the previous 12 months.

Including the status of requests for laboratory examination by each law enforcement agency.

Including the total number of CODIS hits, and the total number of CODIS hits occurring in the previous 12 months.

Changes the reporting due date from December 1st to July 31st of each year.

Allows for the SAK report to be combined with the required SAK Tracking System report.

Section 5 creates the Sexual Assault Forensic Examination Best Practices Advisory Group and identifies the WSP as a required member.

Section 7 requires the Criminal Justice Training Commission (CJTC), subject to the availability of funding appropriated for the purpose, to include other gender-based violence in the victim-centered, trauma-informed training provided to persons responsible for investigating sexual assault, and also requires the training be provided to the highest ranking supervisors and commanders overseeing sexual assault and gender-based violence investigations.

Section 8 requires the CJTC, subject to the availability of funding appropriated for the purpose, to include gender-based violence in the victim-centered, trauma-informed training provided to peace officers, and requires that all peace officers receive this training at least once every three years.

Section 12 changes the frequency of the required SAK Tracking System report from semiannual to annual, and makes the due date July 31st.

### 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.*

The potential fiscal impacts to the WSP are below. The combined impact is indeterminate, but is expected to be small and may be supported within current resources.

The requirements of Sections 2(4) and 3(4) may have a fiscal impact, but it is expected to be minimal. It is already our practice to expeditiously investigate CODIS hits on investigations of all types.

The training requirement of Sections 7 and 8 are expected to have a minimal fiscal impact to the WSP. Once the current training is updated by the CJTC, it will be utilized in our Trooper Basic and Trimester Trainings.

The changes in Sections 2(8) and 12 are expected to have a minor fiscal impact to the WSP by continuing the current reporting requirement for the SAKs along with adding new required information.

The requirement of Section 5 to participate in the Sexual Assault Forensic Examination Best Practices Advisory Group is not expected to have a fiscal impact as it formalizes the existing advisory group that we currently participate in.

### **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.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1028 S HB	<b>Title:</b> Crime victims & witnesses	<b>Agency:</b> 227-Criminal Justice Training Commission
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	3.0	3.0	3.0	3.0	3.0
<b>Account</b>					
General Fund-State 001-1	1,085,000	1,040,000	2,125,000	2,080,000	2,080,000
<b>Total \$</b>	1,085,000	1,040,000	2,125,000	2,080,000	2,080,000

### 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: Corey Patton	Phone: 360-786-7388	Date: 01/19/2023
Agency Preparation: Brian Elliott	Phone: 206-835-7337	Date: 01/19/2023
Agency Approval: Brian Elliott	Phone: 206-835-7337	Date: 01/19/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 01/20/2023

## 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 5 identifies both the Washington Association of Sheriffs and Police Chiefs and the Criminal Justice Training Commission as a member of the sexual assault forensic examination best practices advisory group.

Section 6 requires the Washington State Criminal Justice Training Commission to administer a grant program for establishing a statewide resource prosecutor for sexual assault cases. The grant recipient must be a statewide organization or association representing prosecuting attorneys.

Section 7 amends RCW 43.101.272 to include the highest-ranking supervisors and commanders overseeing sexual assault and other gender-based violence investigations as attending the training.

Section 8 amends RCW 43.101.276.

Section 8(3) requires all peace officers to complete the training under this section at least once every three years.

Section 9 amends RCW 43.101.278 to require a comparison of cases involving prosecutors who have participated in the training described in section 10 of this act to cases involving prosecutors who have not participated in such training. The fiscal impact of this change is the commission will need to pay prosecuting attorneys to review cases for the program.

Section 10 requires the Washington State Criminal Justice Training Commission, in partnership with the special resource prosecutor under section 6 of this act, develop and conduct specialized, intensive, and integrative training for persons responsible for prosecuting sexual assault cases involving adult victims. The Criminal Justice Training Commission will contract with an organization or association representing prosecuting attorneys to provide this training.

### 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.*

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

### 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.*

Section 6 requires the commission to administer a grant program for establishing a statewide resource prosecutor for sexual assault cases. Grant program expenses are:

A Grant Administer to manage the grant program - salary = \$90,000 and benefits = \$30,000 for \$120,000 annual total.

Resource prosecutor salary and benefits = \$215,000 annually.

Travel, training, equipment, other misc. expenses, = \$20,000 annually.

Grant recipient administrative expense = \$40,000 annually.

Sections 7 and 8 expand the topics to include in the training, requires highest ranking supervisors and commanders who oversee investigations to complete training, and requires all peace officers at least once every three years to complete the training.

Three classes will be needed for the additional students and an online training course will be created to provide the required training to all law enforcement officers in the state. A Program Specialist will assist the program manager with the design,

delivery, and coordination of the in-person, virtual, and online training. The Program Specialist will assist in identifying instructors, actors, facility, and interview facilitator resources for the trainings.

An additional duty of the Program Specialist will be to assist the Program Manager in the content, coordination, and report writing for the annual case reviews described in section 11.

Administrative Assistant 3 is needed to manage registration and training records.

Program Specialist 3 salary = \$70,000 annually.

Program Specialist 3 benefits = \$26,000 annually.

Administrative Assistant 3 salary = \$53,000 annually.

Administrative Assistant 3 benefits = \$26,000 annually.

Program Manager salary adjustment for additional duties = \$20,000 annually.

Equipment for staff = \$10,000 in fiscal year 2024.

Training expenses for per class:

Instructors/actors = \$43,000 per class.

Training materials = \$2,000 per class.

Travel = \$10,000 per class.

Training facilities = \$5,000 per class.

Total per class = \$60,000 per class.

Cost for three additional classes annually = \$180,000.

Curricula development and creation of online training course for training for all peace officers is \$50,000 in fiscal year 2024.

Annual updates to online training course is \$15,000 annually starting in fiscal year 2025.

Section 9 includes review of prosecutors in the case review program.

Legal consultant and expert expenses is \$75,000 annually.

Section 10 requires the development and conduct specialized, intensive, and integrative training for persons responsible for prosecuting sexual assault cases involving adult victims. The Washington State Criminal Justice Training Commission will contract with an organization to conduct this training.

Estimated annual expense for this training for prosecuting attorneys is \$180,000.

### Part III: Expenditure Detail

#### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	1,085,000	1,040,000	2,125,000	2,080,000	2,080,000
<b>Total \$</b>			1,085,000	1,040,000	2,125,000	2,080,000	2,080,000

**III. B - Expenditures by Object Or Purpose**

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	3.0	3.0	3.0	3.0	3.0
A-Salaries and Wages	233,000	233,000	466,000	466,000	466,000
B-Employee Benefits	82,000	82,000	164,000	164,000	164,000
C-Professional Service Contracts					
E-Goods and Other Services	455,000	420,000	875,000	840,000	840,000
G-Travel	30,000	30,000	60,000	60,000	60,000
J-Capital Outlays	10,000		10,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services	275,000	275,000	550,000	550,000	550,000
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	1,085,000	1,040,000	2,125,000	2,080,000	2,080,000

**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 2024	FY 2025	2023-25	2025-27	2027-29
Administrative Assistant 3	53,000	1.0	1.0	1.0	1.0	1.0
Grant Administrator	90,000	1.0	1.0	1.0	1.0	1.0
Program Specialis 3	70,000	1.0	1.0	1.0	1.0	1.0
<b>Total FTEs</b>		3.0	3.0	3.0	3.0	3.0

**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**

*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.*



# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1028 S HB	<b>Title:</b> Crime victims & witnesses	<b>Agency:</b> 235-Department of Labor and Industries
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

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

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
<b>Account</b>					
General Fund-State 001-1	197,000	206,000	403,000	446,000	389,000
<b>Total \$</b>	197,000	206,000	403,000	446,000	389,000

### 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: Corey Patton	Phone: 360-786-7388	Date: 01/19/2023
Agency Preparation: Shana J Snellgrove	Phone: 360-902-6408	Date: 01/20/2023
Agency Approval: Trent Howard	Phone: 360-902-6698	Date: 01/20/2023
OFM Review: Anna Minor	Phone: (360) 790-2951	Date: 01/20/2023

## 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.

See attached.

### 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

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	197,000	206,000	403,000	446,000	389,000
<b>Total \$</b>			197,000	206,000	403,000	446,000	389,000

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts					
E-Goods and Other Services					
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services	197,000	206,000	403,000	446,000	389,000
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	197,000	206,000	403,000	446,000	389,000

**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.*

## **Part II: Explanation**

This bill does several things related to supporting crime victims and witnesses by promoting victim-centered, trauma-informed responses in the legal system. For the Department of Labor and Industries (L&I), this bill:

- Requires L&I to pay for all sexual assault examinations performed in Washington, regardless of whether the victim is a state resident, and it requires L&I to assist state residents in payment of forensic exams if the exam took place in another state.
- Requires L&I to establish a program for counseling services for victims of sexual assault whose sexual assault kits were in the statewide testing backlog.

The changes between HB 1028 and SHB 1028 have no fiscal impact on the Department of Labor and Industries.

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

**Section 11** amends RCW 7.68.170 by requiring L&I to pay for sexual assault examinations regardless of a victim’s residency status. It also requires L&I to assist residents of Washington for payment of sexual assault examinations performed out of state.

**Section 15** adds a new section to chapter 7.68 RCW requiring L&I to establish a program for counseling services for victims of sexual assault whose sexual assault kits were in the statewide testing backlog.

To be eligible for benefits under this program, the victim must have undergone a forensic examination prior to July 24, 2015, and the sexual assault kit collected during the forensic examination must have been tested on or after July 24, 2015. Any victim eligible for benefits under the program may receive up to six counseling sessions in the 12 months following his or her application for benefits. Benefits under this program are not subject to the requirements in RCW 7.68.130. Costs may be billed or charged by the provider or facility to L&I, and such costs must be paid by L&I pursuant to this chapter. Otherwise, L&I shall reimburse the victim for any costs charged directly to him or her by the provider or facility.

This section expires July 1, 2028.

## **II. B – Cash Receipt Impact**

This bill will have an impact to federal revenue received in the General Fund. However, due to the following, L&I cannot estimate the amount at this time:

- The federal funding formula provides funding at 75 percent for state spending from the fiscal year three years prior.
  - This can also be adjusted if federal funding is reduced at the federal level.
- As federal funding increases, federal expenditures also increase which in turn reduces the amount of state spending, which reduces the amount of federal funding.
- The formula is based on a Federal Fiscal Year
- The federal formula also requires recovery costs, actual salary and benefit costs, for staff who work in collections.

## **II. C – Expenditures**

### **Appropriated – Operating Costs**

This bill will be implemented by L&I's Crime Victims' Compensation Program (CVCP), which increases expenditures to the General Fund-State, fund 001. The following assumptions were used to estimate the resources requested to implement this bill:

### **Sexual Assault Examination Costs**

The CVCP currently pays for sexual assault examinations if the assault took place in Washington, regardless of where the victims resides. The CVCP also currently pays when a sexual assault takes place in Washington and the exam takes place outside of Washington. This bill will allow L&I to pay for exams we hadn't before under these circumstances:

- A victim resides in Washington, is victimized in another state, and is examined in Washington.
- A victim resides in Washington, is victimized in another state, and is examined in another state. L&I can now coordinate to assist the victim to pay for the exam conducted in another state.

The following assumptions were made in developing this estimate:

- Number of claims received by the CVCP that were rejected due to the sexual assault taking place out of state from FY19 – FY22.
  - FY19 – 74
  - FY20 – 54
  - FY21 – 70
  - FY22 – 69
  - Assume a two percent increase in claims each year using FY22 as the base year.
- The average cost per sexual assault examination is based on claims received by the CVCP that were rejected due to the crime taking place out of state from FY19 – FY22.
  - FY19 - \$895
  - FY20 - \$1,046
  - FY21 - \$1,173
  - FY22 - \$1,434
  - Assume a four percent medical inflation rate each year using FY22 as the base year. This rate was determined by L&I’s Actuarial Services program and BLS.GOV.

Based on those assumptions, the estimated annual examination costs are:

<b>Fiscal Year</b>	<b>Number of Claims</b>	<b>Cost Per Examination</b>	<b>Total Cost Per Year</b>
2024	72	\$ 1,551	\$ 111,672
2025	73	\$ 1,613	\$ 117,749
2026	75	\$ 1,678	\$ 125,850
2027	76	\$ 1,745	\$ 132,620
2028	78	\$ 1,814	\$ 141,492
2029	79	\$ 1,887	\$ 149,073

**Counseling Session Costs**

This bill requires L&I to establish a program for counseling services for victims of sexual assault whose sexual assault kits were in the statewide testing backlog. To be eligible for benefits under

this program, the victim must have undergone a forensic examination prior to July 24, 2015, and the sexual assault kit collected during the forensic examination must have been tested on or after July 24, 2015. Any victim eligible for benefits under the program may receive up to six counseling sessions in the 12 months following his or her application for benefits. This section expires July 1, 2028.

The Washington State Patrol provided data estimating the existence of about 9,900 historical, previously untested kits collected prior to July 24, 2015.

The following assumptions were made in developing this estimate:

- Historically, approximately four percent of the claims allowed for sexual assault go on to have counseling sessions billed to the crime victims’ compensation claim.
- Therefore, it is assumed 396 of the total kits included in the backlog will result in a victim taking advantage of this benefit. (9,900 x 4% = 396)
- It is assumed all 396 victims will have six counseling sessions each resulting in 2,376 counseling sessions. (396 x 6 = 2,376)
- An even distribution of these counseling sessions over the next five fiscal years is assumed.
- A four percent medical inflation rate each year using FY23 as the base year is assumed. This rate was determined by L&I’s Actuarial Services program and BLS.GOV.
  - The FY23 cost for one counseling session is \$172.

Based on those assumptions, the estimated annual counseling session costs are:

<b>Fiscal Year</b>	<b>Number of Counseling Sessions</b>	<b>Cost Per Session</b>	<b>Total Cost Per Year</b>
2024	476	\$ 179	\$ 85,204
2025	476	\$ 186	\$ 88,536
2026	476	\$ 193	\$ 91,868
2027	476	\$ 201	\$ 95,676
2028	472	\$ 209	\$ 98,648
<b>Total</b>	<b>2,376</b>		<b>\$ 459,932</b>

### **Staffing**

The additional examinations will generate additional bills for the CVCP staff to process. If the number of additional examinations remains at the current estimates, that volume will be processed with existing resources. If the volume increases, L&I would likely submit a budget proposal in the future to secure additional staffing.

### **Part IV: Capital Budget Impact**

None.

### **Part V: New Rule Making Required**

None.



# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1028 S HB	<b>Title:</b> Crime victims & witnesses	<b>Agency:</b> 307-Department of Children, Youth, and Families
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
<b>Account</b>					
General Fund-State 001-1	1,317,000	1,317,000	2,634,000	2,634,000	2,634,000
<b>Total \$</b>	1,317,000	1,317,000	2,634,000	2,634,000	2,634,000

### 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: Corey Patton	Phone: 360-786-7388	Date: 01/19/2023
Agency Preparation: Samuel Quartey	Phone: 360-628-4334	Date: 01/27/2023
Agency Approval: James Smith	Phone: 360-764-9492	Date: 01/27/2023
OFM Review: Carly Kujath	Phone: (360) 790-7909	Date: 02/03/2023

## 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.*

Comparison of 1028 HB to 1028 SHB:

Section 16 of the original bill became section 14 in the substitute bill.

This bill provides support to crime victims and witnesses by promoting victim-centered, trauma-informed responses in the legal system.

Section 14 (1) is amended from requiring one program located west of the crest and one located east of the crest of the Cascade mountains and now requiring at least one program located west of the crest and at least one located east of the crest of the Cascade mountains that the Department of Children, Youth, and Families (DCYF) shall administer funding for receiving center programs for commercially sexually exploited children.

Section 14 (2)(d) is added to include that receiving centers shall provide shelter and services within the receiving center for up to seven days.

Section 16 (2)(e) is added to include that receiving centers shall provide ongoing case management for all children who are being served or were served by the programs.

### 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.*

The Department of Children, Youth and Families estimates \$2,634,000 GF-S in the 23-25 Biennial Budget.

Section 16(2)(d)

Total Costs are \$1,317,000 in FY24, \$1,317,000 in FY25

This section increases the receiving center shelter and services days from 3 days(72hours) to 7 days estimated at a cost of \$1,358,623 per fiscal year (FY) per site. Total estimated cost is \$1,317,246 ( $583,100 \times 2.33 = \$1,358,623 \times 2 = \$2,717,246 - \$1,400,000 = \$1,317,246$ ) factoring in the current level of funding provided of \$1,400,000 as this is 2.33 times the current increase in the duration of services provided.

Assumptions:

Estimates of service cost for the west side receiving centers are based on east side costs, there may be a cost difference from the initial estimate once there is a receiving center established on the west side.

On-going Case Management to be provided by service providers contracted for the receiving centers.

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	1,317,000	1,317,000	2,634,000	2,634,000	2,634,000
<b>Total \$</b>			1,317,000	1,317,000	2,634,000	2,634,000	2,634,000

**III. B - Expenditures by Object Or Purpose**

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts					
E-Goods and Other Services					
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services	1,317,000	1,317,000	2,634,000	2,634,000	2,634,000
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	1,317,000	1,317,000	2,634,000	2,634,000	2,634,000

**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

<b>Bill Number:</b> 1028 S HB	<b>Title:</b> Crime victims & witnesses	<b>Agency:</b> 310-Department of Corrections
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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: Corey Patton	Phone: 360-786-7388	Date: 01/19/2023
Agency Preparation: John Ching	Phone: (360) 725-8428	Date: 01/25/2023
Agency Approval: Ronell Witt	Phone: (360) 725-8428	Date: 01/25/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 01/25/2023

## 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.*

This bill supports crime victims and witnesses by promoting victim-centered, trauma-informed responses in the legal system

Section 4 amends RCW 9A.04.080 by extending the statute of limitations for sex offenses that applies to suspect identification from DNA testing or photograph from two to four years.

Effective date is assumed to be 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.*

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.*

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

The Caseload Forecast Council has no data concerning the length of time between the commission or discovery of offenses and the commencing of prosecution, and, therefore, cannot reliably predict bed impacts resulting from the bill. However, with the bill increasing the statute of limitations for sex offenses, there is the possibility that more sex offenses may be prosecuted, resulting in more convictions, which would increase the need for jail beds, prison beds. Local detention, and JR beds.

The DOC assumes this bill would likely result in an Average Daily Population (ADP) increase, although the impact cannot be reliably estimated. Therefore, the fiscal impact is indeterminate, assumed to be less than \$50,000 per FY.

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

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

<b>Bill Number:</b> 1028 S HB	<b>Title:</b> Crime victims & witnesses	<b>Agency:</b> 360-University of Washington
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.5	0.5	0.5	0.5	0.5
<b>Account</b>					
General Fund-State      001-1	73,000	80,000	153,000	160,000	160,000
<b>Total \$</b>	73,000	80,000	153,000	160,000	160,000

### 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: Corey Patton	Phone: 360-786-7388	Date: 01/19/2023
Agency Preparation: Charlotte Shannon	Phone: 2066858868	Date: 01/24/2023
Agency Approval: Charlotte Shannon	Phone: 2066858868	Date: 01/24/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/03/2023



## 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.

S HB 1028 is related to providing support to crime victims and witnesses by supporting victim-centered, trauma-informed responses within the legal system. Section 2 and Section 3 would require law enforcement agencies to initiate an investigation of a reported sexual assault, or document why an investigation could not be initiated, within 90 days when the testing of a sexual assault kit (SAK) generates a hit in the Combined DNA (deoxyribonucleic acid) Indexing System (CODIS).

Other sections could require participation by UWPD, but would be aligned with other training activities and participation and would be absorbed within existing resources.

### 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 estimate that this bill would require UWPD to add 0.5 FTE for a Detective to assist with conducting investigations into reported sexual assaults. We estimate that for FY24 it would cost the department \$72,878 (0.5 FTE, a full-time annual salary of \$104,484 and classified staff benefits rate of 39.5%) and for FY25 it would cost the department \$80,159 (0.5 FTE, a full-time annual salary of \$114,924 and classified benefits rate of 39.5%). The 10% salary increase for FY25 is due to the contractual agreement with Teamsters 117 for this position type. This would be new FTE and was not reflected in the UW's 2023-25 submission for Teamsters 117, and therefore we have built in the subsequent salary increase. The FY25 cost is carried forward into future fiscal years and would be subject to any new contract provisions.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	73,000	80,000	153,000	160,000	160,000
<b>Total \$</b>			73,000	80,000	153,000	160,000	160,000

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.5	0.5	0.5	0.5	0.5
A-Salaries and Wages	52,000	57,000	109,000	114,000	114,000
B-Employee Benefits	21,000	23,000	44,000	46,000	46,000
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-					
<b>Total \$</b>	73,000	80,000	153,000	160,000	160,000

**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 2024	FY 2025	2023-25	2025-27	2027-29
Detective	104,484	0.5		0.3		
Detective (after FY25 salary increase)	114,924		0.5	0.3	0.5	0.5
<b>Total FTEs</b>		0.5	0.5	0.5	0.5	0.5

**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.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1028 S HB	<b>Title:</b> Crime victims & witnesses	<b>Agency:</b> 365-Washington State 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: Corey Patton	Phone: 360-786-7388	Date: 01/19/2023
Agency Preparation: Emily Green	Phone: 5093359681	Date: 01/24/2023
Agency Approval: Chris Jones	Phone: 509-335-9682	Date: 01/24/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/02/2023

## 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.*

S HB 1028 - Crimes Victim/Witnesses relates to relating to supporting victims and witnesses by promoting victim-centered, trauma-informed responses in the legal system.

This bill requires law enforcement agencies to initiate an investigation of a reported sexual assault, or document why an investigation could not be initiated, within 90 days when the testing of sexual assault kit generates a hit in the Combined DNA Indexing System.

This bill requires the Crime Victim Compensation Program to reimburse a Washington resident who is billed for a sexual assault examination by an out-of-state facility. Additionally, this bill expands the statutory rights of crime victims, survivors, and witnesses to any judicial proceeding to include expansion of counseling services.

This bill would not fiscally impact Washington State University.

### 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.*

## 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.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1028 S HB	<b>Title:</b> Crime victims & witnesses	<b>Agency:</b> 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: Corey Patton	Phone: 360-786-7388	Date: 01/19/2023
Agency Preparation: Keith Tyler	Phone: 509 359-2480	Date: 01/24/2023
Agency Approval: Alexandra Rosebrook	Phone: (509) 359-7364	Date: 01/24/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/02/2023

## 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.*

SB 1028-S supports crime victims and witnesses by promoting victim-centered, trauma-informed responses in the legal system.

New Section 1 intends to expand efforts to improve investigations and prosecutions by requiring timely investigations of sexual assault cases with CODIS hits, and requiring regular reporting on the status of those cases. Access to these reports will provide policymakers and practitioners with critical insights as implementation continues with broader reform efforts. Section 2 and 3 amends RCW 5.70.040 and RCW 5.70.050 (4) when forensic analysis of a sexual assault kit submitted under this section generates a profile resulting in a hit in the combined DNA index system, the law enforcement agency shall, within 90 days initiate a criminal investigation of any report connected to the sexual assault kit or document why the investigation could not be initiated.

Section 5 adds a new section to RCW 43.10 Establishing an advisory group within the office of the attorney general.

Section 6 a new section added to RCW 43.101 requires the commission to establish a grant program for establishing a statewide resource prosecutor for sexual assault cases.

Section 7 amends RCW 43.101.272 regarding training on sexual assault and other gender-based violence.

Section 8 amends RCW 43.101.276 regarding peace officer training on sexual assault and other gender-based violence. (3) requires all peace officers to complete the training once every three years.

Section 11 amends RCW 7.68.170 and pays for costs of the examination regardless if the victim is a state resident.

EWU has a Campus Police Investigator so no fiscal impact is anticipated.

### 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.*

## 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.*



# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1028 S HB	<b>Title:</b> Crime victims & witnesses	<b>Agency:</b> 375-Central Washington University
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.0	1.0	1.0	1.0	1.0
<b>Account</b>					
General Fund-State 001-1	133,050	113,050	246,100	226,100	226,100
<b>Total \$</b>	133,050	113,050	246,100	226,100	226,100

### 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: Corey Patton	Phone: 360-786-7388	Date: 01/19/2023
Agency Preparation: Erin Sargent	Phone: 509-963-2395	Date: 01/24/2023
Agency Approval: Lisa Plesha	Phone: (509) 963-1233	Date: 01/24/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/02/2023

## 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 2 & 3: Amended Section – (4) When forensic analysis of a sexual assault kit submitted under this section generates a profile resulting in a hit in the combined DNA index system, the applicable law enforcement agency shall, within 90 days of receiving the results of the forensic analysis, initiate a criminal investigation of any report connected to the sexual assault kit or document why the investigation could not be initiated, unless the investigation has already been initiated.

### 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.

CWU will need to hire an inspector in order to comply with S HB 1028. These costs include annual salary of \$113,050 (annual salary of \$85,000 plus 33% benefit), as well as initial training costs of \$6,000 and one-time equipment and set-up costs of up to \$14,000.

In addition to the costs related to the investigator, the bill will require a significant amount of training resources (\$600/officer per day), and approximately 80 hours to get the framework ready for the inspector position. While those efforts are expected to be allocated among existing resources, it will be a significant effort to accomplish.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	133,050	113,050	246,100	226,100	226,100
<b>Total \$</b>			133,050	113,050	246,100	226,100	226,100

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.0	1.0	1.0	1.0	1.0
A-Salaries and Wages	85,000	85,000	170,000	170,000	170,000
B-Employee Benefits	28,050	28,050	56,100	56,100	56,100
C-Professional Service Contracts	6,000		6,000		
E-Goods and Other Services	14,000		14,000		
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-					
<b>Total \$</b>	133,050	113,050	246,100	226,100	226,100

**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 2024	FY 2025	2023-25	2025-27	2027-29
Investigator	85,000	1.0	1.0	1.0	1.0	1.0
<b>Total FTEs</b>		1.0	1.0	1.0	1.0	1.0

**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**

*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.*

# Individual State Agency Fiscal Note

Revised

<b>Bill Number:</b> 1028 S HB	<b>Title:</b> Crime victims & witnesses	<b>Agency:</b> 376-The Evergreen State College
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.0	1.0	1.0	1.0	1.0
<b>Account</b>					
General Fund-State 001-1	130,069	130,069	260,138	260,138	260,138
<b>Total \$</b>	130,069	130,069	260,138	260,138	260,138

### 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: Corey Patton	Phone: 360-786-7388	Date: 01/19/2023
Agency Preparation: Daniel Ralph	Phone: 360-867-6500	Date: 01/30/2023
Agency Approval: Dane Apalategui	Phone: 360-867-6517	Date: 01/30/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/02/2023

## 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.*

HB 1028 is a bill related to supporting crime victims and witnesses by promoting victim-centered, trauma-informed responses in the legal system.

Section 1 states that each report of sexual assault should be investigated at the local level, regardless of the status of any sexual assault kit. The legislature intends to expand efforts to improve investigations and prosecutions by requiring timely of sexual assault cases with CODIS hits, and requiring regular reporting on the status of those cases.

Section 2 (4) states that when forensic analysis of a sexual assault kit generates a hit in the combined DNA Index system, the applicable law enforcement agency shall conduct a criminal investigation of any report connected to the kit within 90 days.

Section 6 establishes the sexual assault forensic examination best practices advisory group.

Section 6 (1) establishes the membership requirements for the group.

Section 6 (2) establishes the duties of the group.

Section 7, subject to the availability of funds appropriated for this purpose, creates a grant program for establishing a statewide resource prosecutor for sexual assault cases.

Section 8, subject to the availability of funds appropriated for this purpose, establishes a Department of Commerce competitive grant program to support regional multidisciplinary community response teams engaged in seeking a just resolution to sexual assault cases.

Section 9, subject to the availability of funds appropriated for this purpose, states that the commission shall provide training for persons investigating sexual assault and the highest-ranking supervisors overseeing sexual assault and other gender-based violence investigations.

Section 9 (4) states that the officers and highest-ranking supervisors shall complete the training within one year of being assigned.

### 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 would need to hire a Detective position that would be a fully trained sexual assault investigator; and fully trained in the handling and processing of related evidence in order to comply with the provisions of this bill. The related lab costs would not likely increase unless reported incidents increased.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	130,069	130,069	260,138	260,138	260,138
<b>Total \$</b>			130,069	130,069	260,138	260,138	260,138

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.0	1.0	1.0	1.0	1.0
A-Salaries and Wages	102,048	102,048	204,096	204,096	204,096
B-Employee Benefits	28,021	28,021	56,042	56,042	56,042
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-					
<b>Total \$</b>	130,069	130,069	260,138	260,138	260,138

### 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 2024	FY 2025	2023-25	2025-27	2027-29
Campus Police Detective	102,048	1.0	1.0	1.0	1.0	1.0
<b>Total FTEs</b>		1.0	1.0	1.0	1.0	1.0

### 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

*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.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1028 S HB	<b>Title:</b> Crime victims & witnesses	<b>Agency:</b> 380-Western Washington University
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.0	1.0	1.0	1.0	1.0
<b>Account</b>					
General Fund-State 001-1	127,951	122,951	250,902	245,902	245,902
<b>Total \$</b>	127,951	122,951	250,902	245,902	245,902

### 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: Corey Patton	Phone: 360-786-7388	Date: 01/19/2023
Agency Preparation: Gena Mikkelsen	Phone: 3606507412	Date: 01/23/2023
Agency Approval: Kimberley Ayre	Phone: 3606503377	Date: 01/23/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/02/2023



## 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.*

The overall fiscal impact to the university is the need to add an investigator to our staffing, because unlike our higher education counterparts, we do not have this infrastructure and we would need to add this capacity.

It impacts the department in manpower due to the requirements assigned to the investigation, record keeping/notifications, and training.

WWU would then need a detective added to our staff, since there is not one currently, to be responsible to address all the requirements/deadlines/investigation of the incident.

Additional training cost –

Two officers (including the investigator) and one supervisor (possibly the Chief of Police as “Highest ranking,”) and evidence collecting/record keeping for civilian employee.

Sec. 2. (1) When a law enforcement agency receives a sexual assault kit, the law enforcement agency must, within thirty days of its receipt, submit a request for laboratory examination to the Washington state patrol crime laboratory for prioritization for testing by it or another accredited laboratory that holds an outsourcing agreement with the Washington state patrol if:

(a) The law enforcement agency has received a related report or complaint alleging a sexual assault or other crime has occurred; and

(b) (i) Consent for laboratory examination has been given by the victim; or

(ii) The victim is a person under the age of eighteen who is not 34 emancipated pursuant to chapter 13.64 RCW.

Sec 2 (4) When forensic analysis of a sexual assault kit submitted under this section generates a profile resulting in a hit in the combined DNA index system, the applicable law enforcement agency shall, within 90 days of receiving the results of the forensic analysis, initiate a criminal investigation of any report connected to the sexual assault kit or document why the investigation could not be initiated, unless the investigation has already been initiated.

Sec. 3 (1) Law enforcement agencies shall submit requests for forensic analysis of all sexual assault kits collected prior to July 24, 2015, and in the possession of the agencies to the Washington state patrol crime laboratory by October 1, 2019, except submission for forensic analysis is not required when:

(a) Forensic analysis has previously been conducted;

(b) there is documentation of an adult victim or emancipated minor victim expressing that he or she does not want his or her sexual assault kit submitted for forensic analysis; or

(c) a sexual assault kit is noninvestigatory and held by a law enforcement agency pursuant to an agreement with a hospital or other medical provider. The requirements of this subsection apply regardless of the 5 statute of limitations or the status of any related investigation.

Sec. 7. (1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall provide ongoing specialized, intensive, and integrative training for persons responsible for investigating sexual assault and other gender-based violence involving adult victims, and the highest ranking supervisors and commanders overseeing sexual assault and other gender-based violence investigations. The training must be based on a victim-centered, trauma-informed

approach to responding to sexual assault. Among other subjects, the training must include content on the neurobiology of trauma and trauma-informed interviewing, counseling, and investigative techniques.

(4) Officers assigned to regularly investigate sexual assault and other gender-based violence involving adult victims and the highest ranking supervisors and commanders overseeing those investigations shall complete the training within one year of being assigned.

**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.*

WWU does not currently have an investigator in the department unlike other counterparts in Higher Education.

We would add one full time investigator starting at \$91,501 and 30% benefits starting at \$27,450.

The salary increases each year to reflect the agreed 5% raise for FY24, and no cost of living reflected from FY25 - FY29.

Pursuant to Section 7, additional training would be required and is reflected at \$4,000 a year.

There is the ongoing need of training this individual, the chief of police, another officer (backup), and one records specialist. This cost includes \$1,000 per officer and 1 records person, for training where rooms would be provided at no cost at the Washington Training Center and potentially virtual training for records specialist.

Onboarding costs for uniform and equipment needs for one individual is reflected in FY24.

New officer needs are estimated \$5,000 of specialized equipment, technology, and uniforms.

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	127,951	122,951	250,902	245,902	245,902
<b>Total \$</b>			127,951	122,951	250,902	245,902	245,902

**III. B - Expenditures by Object Or Purpose**

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.0	1.0	1.0	1.0	1.0
A-Salaries and Wages	91,501	91,501	183,002	183,002	183,002
B-Employee Benefits	27,450	27,450	54,900	54,900	54,900
C-Professional Service Contracts					
E-Goods and Other Services	9,000	4,000	13,000	8,000	8,000
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-					
<b>Total \$</b>	127,951	122,951	250,902	245,902	245,902

**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 2024	FY 2025	2023-25	2025-27	2027-29
Investigator	91,501	1.0	1.0	1.0	1.0	1.0
<b>Total FTEs</b>		1.0	1.0	1.0	1.0	1.0

**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**

*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.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1028 S HB	<b>Title:</b> Crime victims & witnesses	<b>Agency:</b> 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: Corey Patton	Phone: 360-786-7388	Date: 01/19/2023
Agency Preparation: David Hoeveler	Phone: 3609701638	Date: 01/23/2023
Agency Approval: David Hoeveler	Phone: 3609701638	Date: 01/23/2023
OFM Review: Matthew Hunter	Phone: (360) 529-7078	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.*

No fiscal impact to WDFW. Section 2 directs law enforcement agencies to conduct a criminal investigation of any report connected to the sexual assault kit within 90 days. The addition of the timeline does not change the required investigatory response for WDFW. This bill provides additional directives to Washington State Patrol and the Department of Children, Youth, and Families, which are not applicable to WDFW.

### 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.*

## 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.*

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 1028 S HB

Title: Crime victims & witnesses

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

### Legislation Impacts:

- Cities: Potential first year costs totaling \$735,620, and each year thereafter \$704,088 for training, SAK investigations and SAK documentations.
- Counties: Potential first year costs totaling \$246,571, and each year thereafter \$236,060 for training, SAK investigations and SAK documentations.
- Special Districts:
- Specific jurisdictions only:
- Variance occurs due to: The number of sexual assault kits police and sheriffs will need to investigate; the number of detectives that will attend required trainings from police departments and from sheriff's offices.

## 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: Future sexual assault kits that will require investigation; the number of SAKs that will require law enforcement to document why an investigation was not initiated within 90 days.

### Estimated revenue impacts to:

None

### Estimated expenditure impacts to:

Jurisdiction	FY 2024	FY 2025	2023-25	2025-27	2027-29
City		735,620	735,620	1,408,176	1,408,176
County		246,571	246,571	472,120	472,120
<b>TOTAL \$</b>		982,191	982,191	1,880,296	1,880,296
<b>GRAND TOTAL \$</b>					<b>4,742,783</b>

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: Kate Fernald	Phone: 564-200-3519	Date: 01/26/2023
Leg. Committee Contact: Corey Patton	Phone: 360-786-7388	Date: 01/19/2023
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 01/26/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 02/01/2023

## **Part IV: Analysis**

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

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

#### **CHANGES FROM PREVIOUS BILL VERSION:**

Sec. 3 adds that if a sexual assault kit (SAK) results in a hit in the DNA system, then law enforcement must document why an investigation could not be initiated if an investigation has not been initiated within 90 days of receiving the results (unless an investigation has already been initiated).

The substitute version of the bill removes sec. 4 of the original bill, which would have expanded law enforcements' SAK reporting requirements to the Attorney General's Office. In the substitute version, the reporting requirements are not expanded.

The original bill's creation of multidisciplinary response teams and grants to fund additional training are removed in the substitute bill.

#### **SUMMARY OF CURRENT BILL VERSION:**

Sec. 3 amends RCW 5.70.040 and RCW 5.70.050. Both are amended to direct a law enforcement agency to conduct a criminal investigation within 90 days, when forensic analysis of a sexual assault kit generates a profile resulting in a hit in the combined DNA index system. If an investigation is not started within 90 days of receiving the SAK result, law enforcement will need to document why the investigation was not initiated.

Sec. 4 amends RCW 9A.04.080 to extend the statute of limitations to four years, from the previous two years, for prosecution for a sex offense from the date on which the identity of the suspect is conclusively established by DNA testing or photograph.

Sec. 5 creates a new section in RCW 43.10. The sexual assault forensic examination best practices advisory group is established within the Office of the Attorney General. Its membership includes a member who is a sexual assault nurse examiner; two members who are law enforcement officers, one from a rural area and one from an urban area of the state; and one member who is a prosecuting attorney serving in a county in a rural area of the state.

Nonlegislative members, except those representing an employer or organization, are entitled to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060. The advisory group must meet no less than twice annually. This section expires July 1, 2026.

Sec. 6 creates a new statewide resource prosecuting attorney for sexual assault cases if funds are appropriated. The resource prosecutor could provide technical and research assistance, training, consultations with commissions and law enforcement agencies, and gather feedback to improve outcomes of sexual assault cases.

Sec. 7 adds a new section to RCW 43.101. Subject to the availability of amounts appropriated for this specific purpose, the Criminal Justice Training Commission shall develop and conduct specialized, intensive, and integrative training for persons responsible for prosecuting sexual assault cases involving adult victims. The training should be offered at least once per calendar year and be deployed in different locations across the state, or through some other broadly accessible means, in order to improve access to the training for prosecutors serving in small offices or rural areas.

Sec. 8 amends RCW 43.101.276. Subject to the availability of amounts appropriated for this specific purpose, the commission shall develop peace officer training on a victim-centered, trauma-informed approach to interacting with victims and responding to calls involving gender-based violence.

All peace officers shall complete the training under this section at least once every three years. Previously, the requirement was for law enforcement agencies to host the training every year.



Sec. 10 adds a new section to chapter to 43.101 to add that the commission and the state resource prosecutor shall develop and provide specialized training to prosecutors trying sexual assault cases involving adults. The training must be offered at least once per year in various locations in in another broadly-accessible format in order to improve rural prosecutors' access to training.

Sec. 11 amends RCW 7.68.170. No costs incurred by a hospital or other emergency medical facility located in the state for the examination of the victim of a sexual assault, when such examination is performed for the purposes of gathering evidence for possible prosecution, shall be billed or charged directly or indirectly to the victim of such assault, regardless of whether the victim is a state resident. Such costs shall be paid by the state pursuant to this chapter.

Sec. 13 adds a new section to RCW 70.02. A disclosure authorization to a health care provider or health care facility authorizing disclosure of information to law enforcement regarding a forensic examination performed for the purposes of gathering evidence for possible prosecution of a criminal offense must be valid until the end of all related criminal proceedings or a later event selected by the provider, facility, patient, or patient's representative, unless the patient or patient's representative requests a different expiration date or event for the disclosure authorization.

Sec. 16 amends RCW 43.185C.260. If a law enforcement officer takes a juvenile into custody and reasonably believes that the juvenile may be the victim of sexual exploitation, the officer shall transport the child to a parent or legal guardian in addition to other options.

## **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.*

### **CHANGES IN EXPENDITURE IMPACTS BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:**

The substitute version of the bill removes the expanded sexual assault kit (SAK) reporting obligation to the Attorney General's Office. SAK investigation requirements remain the same between the original and substitute versions of the bill.

Additionally, multidisciplinary response teams will no longer be required in local law enforcement agencies.

### **EXPENDITURE IMPACTS OF CURRENT BILL:**

The substitute version of the bill would result in indeterminate increased expenditures for city and county law enforcement agencies to investigate sexual assault kits (SAKs), document why a SAK investigation has not been initiated in the 90 day window (when applicable), and take required training. Numbers that could be estimated are in the grid, but additional indeterminate expenditures are anticipated. Please note that because 75% of Washington's officers are city, and 25% of officers are county, 75% of costs were calculated for cities, and 25% of costs were calculated for counties when separate costs were not available. All salaries are from the 2022 Association of Washington Cities' Salary and Benefits Survey.

### **EXPENDITURE GRID**

#### **Counties:**

- FY 2025: \$246,571 (\$230,516 training costs + \$12,510 SAK investigations + \$3,545 officer documentation)
- FY 2026-FY 2029: \$236,060 (\$230,516 training costs + \$4,320 SAK investigations + \$1,224 officer documentation)

#### **Cities:**

- FY 2025: \$735,620 (\$687,456 training costs + \$37,530 SAK investigations + \$10,634 officer documentation)
- FY 2026-FY 2029: \$704,088 (\$687,456 training costs + \$12,960 SAK investigations + \$3,672 officer documentation)

#### **Expenditure Grid Training:**

Local law enforcement agencies could incur additional expenditures for required training totaling \$917,972 each year. Training is included in the expenditure grid each year due to the limited number of officers that can attend each training plus turnover with new officers needing training.

Annual required training costs, \$917,972, separated by city and county:

- Counties: \$230,516

-- Cities: \$687,456

#### Expenditure Grid Investigating Sexual Assault Kits:

Law enforcement agencies could incur first year sexual assault kit (SAK) investigations totaling \$50,040, and ongoing costs after the first year totaling \$17,280. The divided cost estimates below assume county costs are 25% of the total and city costs are 75% of the total.

First year SAK investigation costs, \$50,040, separated by city and county:

-- Counties: \$12,510

-- Cities: \$37,530

Ongoing SAK investigation costs after the first year, \$17,280, separated by city and county:

-- Counties: \$4,320

-- Cities: \$12,960

#### Expenditure Grid Documenting Uninvestigated Sexual Assault Kits:

Law enforcement agencies could incur first year documentation costs for explaining why a SAK was not investigated that total \$14,178, and each year thereafter totaling \$4,896. The divided cost estimates below assume county costs are 25% of the total and city costs are 75% of the total.

First year SAK documentation costs, \$14,178, separated by city and county:

-- Counties: \$3,545

-- Cities: \$10,634

Ongoing SAK documentation costs after the first year, \$4,896, separated by city and county:

-- Counties: \$1,224

-- Cities: \$3,672

A narrative explaining each element of the cost estimates is below.

#### ASSUMPTIONS:

According to the 2021 Crime in Washington Report from Washington Association of Sheriffs and Police Chiefs, approximately 75% of Washington's commissioned officers are in city police departments, and approximately 25% are in county sheriffs' departments. Therefore, for the purposes of this fiscal note, we will assume 75% of each training is attended by city detectives and commanders, and 25% of each training is attended by county investigators and highest-ranking supervisors, per the legislation's requirements.

#### TRAINING:

The Criminal Justice Training Council (CJTC) anticipates offering the bill's proposed training virtually, but the training's total number of hours could vary based on course content, which is currently in development. Likewise, the number of trainings offered per year could vary based on training experts' availability. Currently, CJTC estimates a maximum of 25 detectives and 10 commanders could attend each training, and each training would require 31 hours, but those estimates are subject to change.

#### CITIES' LAW ENFORCEMENT TRAINING COSTS:

A total of 25 detectives may attend each training. Assuming 75% of those detectives are from the city, approximately 19 city detectives would attend each training. According to the 2022 AWC Salary Survey, the mid-point hourly salary for police detectives is \$72.

A total of 10 commanders may attend each training. Assuming 75% of those commanders are from the city,

approximately 8 city commanders would attend each training. According to the 2022 AWC Salary Survey, the mid-point hourly salary for police commanders is \$81.

Based on the assumptions of this fiscal note, cities would incur \$687,456 in annual expenditures for the bill's proposed training costs if 75% of the training spots were filled with city detectives and commanders.

- 19 police detectives x \$72 x 31 hours of training = \$42,408
- 8 police commanders x \$81 x 31 hours of training = \$20,088
- Cities total cost per training: \$62,496.
- Cities' annual cost for 11 trainings: \$687,456 (\$62,496 cost per training x 11 trainings)

#### COUNTIES' LAW ENFORCEMENT TRAINING COSTS:

A total of 25 detectives may attend each training. Assuming 25% of those detectives are from the county, approximately 6 county detectives would attend each training. According to the 2022 ACW Salary Survey, the mid-point hourly salary for detectives is \$72.

A total of 10 commanders or highest-ranking supervisors may attend each training. Assuming 25% of those commanders are from the county, approximately 2 county undersheriffs would attend each training. According to the AWC Salary Survey, the mid-point hourly salary for an undersheriff is \$122.

Based on the assumptions of this fiscal note, counties could incur \$230,516 in annual expenditures for the bill's proposed training costs if 25% of the training spots were filled with deputy sheriffs and undersheriffs.

- 6 detectives x \$72 x 31 hours of training = \$13,392
- 2 undersheriffs x \$122 x 31 hours of training = \$7,564
- Counties' total cost per training: \$20,956
- Counties' annual cost for 11 trainings: \$230,516 (\$20,956 cost per training x 11 trainings)

#### INVESTIGATING SEXUAL ASSAULT KITS (SAK)

Law enforcement agencies would incur a total of \$50,040 for investigating historic and new SAKs the first year. The first year would see a spike in SAK investigations as older SAKs are investigated. Assuming all historic SAKs are investigated the first year, law enforcement agencies would spend \$17,280 each year after the first to investigate SAKs.

For the purposes of this fiscal note, the following estimates are used:

- Washington State Patrol (WSP) estimates a total of 910 current and older SAKs will have a new CODIS hit to investigate.
- WSP estimates an additional 480 new SAKs will have a CODIS hit to investigate each year after the first.
- Washington Association of Sheriffs and Police Chiefs estimates it will take a detective 30 minutes to investigate each case.

Law enforcement agencies would incur first year costs for investigating qualifying SAKs totaling \$50,040, and each year thereafter totaling \$17,280.

- First year number of SAKs needing investigation: 910 historic SAKs + 480 anticipated new SAKs = 1,390 SAKs.
- First year investigation cost: \$50,040 (1,390 SAKs x 0.5 investigating time x \$72 per hour detective salary).
- Annual cost after first year: \$17,280 (480 SAKs x 0.5 investigating time x \$72 per hour detective salary).

#### DOCUMENTATION:

If an investigation has not been initiated within 90 days of law enforcement receiving a SAK results, then the substitute bill would require law enforcement agencies to document why an investigation was not initiated. According to the Washington Attorney General's Office quarterly report from August 2022 regarding the status of testing sexual assault kits, there are

multiple reasons why an investigation would not be initiated when law enforcement offices receive a SAK result.

Investigations may not be investigated because:

- cases were previously referred to the prosecutor's office
- the CODIS hit was to a consensual partner
- lack of probable cause
- lack of victim participation or unable to locate the victim
- victim of suspect is deceased
- suspect was convicted previously
- the case is currently listed as INACTIVE
- the agency is unable to locate the file

According to the AGO's report, approximately 31% did not have an investigation initiated due to one of the reasons listed above. However, the future number of CODIS hits that will not be investigated cannot be known.

For estimation purposes only, if 31% of WSP's historic and new SAKs will not be investigated, then the legislation would require law enforcement to document why they were not investigated within 90 days of receiving the result. WASPC anticipates it would take an officer 10 minutes to document why an investigation was not initiated. AWC's Salary and Benefits Survey estimates an officer's average salary is \$60/hour. Then,

- First year documentation costs: \$14,178 (1,390 SAKs x 0.17 documenting time x \$60 per hour officer salary).
  - Annual documentation costs after first year: \$4,896 (480 SAKs x 0.17 documenting time x \$60 per hour officer salary).
- These estimated costs were divided (25% to counties and 75% to cities) and entered into the expenditure grid. However, the actual number of SAKs that will require documentation cannot be predicted.

SAK TESTING NOTES:

- Not all kits in the tracking system have consent for DNA testing and subsequent entry into CODIS.
- Not all SAKs that are tested will have a DNA profile eligible for CODIS. Based on WSP's operational data, typically 43% of cases will have a profile suitable for CODIS.
- Not all SAKs that have a DNA profile entered into CODIS will result in a hit. WSP approximates 45% of cases that have a profile entered into CODIS will have a CODIS hit. This equates to a trend of 19% of all kits (both with and without a CODIS upload) will have a CODIS hit.
- The CODIS hit rate will likely increase as the size of the database grows as more profiles are entered, and a hit can result at any point of time, even after the initial upload has occurred, since more offender and evidence DNA profiles are uploaded and searched every day across the US increasing the potential of finding a match.
- If a kit has already been fully tested and the CODIS activities are already done, it is a fairly low rate of already tested cases that will generate a new CODIS hit requiring the 90 day investigation rule.

## 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.*

CHANGES FROM PREVIOUS BILL VERSION:

Local government grant opportunities are removed.

SUMMARY OF CURRENT BILL VERSION:

The legislation would not affect local governments' revenue.

SOURCES:

Association of Washington Cities' Salary and Benefits Survey  
Criminal Justice Training Center  
Washington Association of Prosecuting Attorneys  
Washington Association of Sheriffs and Police Chiefs  
Washington State Patrol

