

Multiple Agency Fiscal Note Summary

Bill Number: 1696 HB	Title: Stalking-related offenses
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Estimated Cash Receipts

NONE

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
Caseload Forecast Council	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Children, Youth, and Families	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Department of Corrections	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Total \$	0.0	0	0	0	0.0	0	0	0	0.0	0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other			288,630						
Local Gov. Other	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.								
Local Gov. Total			288,630						

Estimated Capital Budget Expenditures

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

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	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

Prepared by: Cynthia Hollimon, OFM	Phone: (360) 810-1979	Date Published: Final 2/ 7/2023
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Judicial Impact Fiscal Note

Bill Number: 1696 HB	Title: Stalking-related offenses	Agency: 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: 01/31/2023
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 02/06/2023
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 02/06/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/07/2023

182,203.00

Form FN (Rev 1/00)

Request # 126-1

Bill # 1696 HB

Part II: Narrative Explanation

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

This would amend RCW 9A.46.110 (Stalking) to modify when a person commits the crime of stalking and would repeal RCW 9A.90.130 (Cyberstalking).

II. B - Cash Receipts Impact

None

II. C - Expenditures

No fiscal impact is expected to the Administrative Office of the Court or the courts.

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

None

182,203.00

Form FN (Rev 1/00)

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Request # 126-1

Bill # 1696 HB

Individual State Agency Fiscal Note

Bill Number: 1696 HB	Title: Stalking-related offenses	Agency: 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: 01/31/2023
Agency Preparation: Clela Steelhammer	Phone: 360-664-9381	Date: 02/02/2023
Agency Approval: Clela Steelhammer	Phone: 360-664-9381	Date: 02/02/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 02/05/2023

Part II: Narrative Explanation

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

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

See attached.

II. B - Cash receipts Impact

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

None.

II. C - Expenditures

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

See attached.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

Part V: New Rule Making Required

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

HB 1696

STALKING RELATED OFFENSES

101 – Caseload Forecast Council
February 1, 2023

SUMMARY

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

Section 1 Amends RCW 9A.46.110 by expanding the definition of the offense of Stalking to include situations associated with electronically tracking the victim. Stalking is a Class B felony offense ranked at Seriousness Level 5 on the Adult Felony Sentencing Grid and Category B (other offense equivalent to an Adult Class B felony) on the Juvenile Offender Sentencing Grid.

Section 1 Additionally cites exceptions for circumstances in which the expanded behavior is not included in the definition and adds definitions for “Actual Notice”, “Contact”, and “Electronic Tracking Device.”

Section 2 Repeals RCW 9A.90.130 (Cyberstalking) and 2022 c 231 s 3.

EXPENDITURES

Assumptions.

None.

Impact on the Caseload Forecast Council.

None.

Impact Summary

- Expands the definition of an existing, ranked Class B felony; and
- Repeals an existing unranked Class C felony.

Impacts on Prison, Jail, Juvenile Rehabilitation (JR), and local detention beds

This bill repeals the unranked Class C felony offense of Cyberstalking and adds the behavior that previously constituted a Cyberstalking offense into the definition of Stalking. The establishment of Cyberstalking was effective June 9, 2022 (FY23). The Caseload Forecast Council is unable to determine the impacts of the bill as the fiscal year is not complete. However,

- For adult sentences, the offense of Cyberstalking was an unranked Class C felony, punishable by a standard range term of confinement of 0-12 months. As a Class B felony, Stalking is ranked at Seriousness Level 5 on the Adult Felony Sentencing Grid, and is punishable by a standard range term of between 6-12 months in jail and 72-96 months in prison (depending on the person’s criminal history score.)
- For juvenile sentences, the offense of Cyberstalking was ranked as Category C (other offense equivalent to an Adult Class C felony), punishable by a standard range term of

Local Sanctions (0-30 days in local juvenile detention) and 15-36 weeks in the Juvenile Rehabilitation. As a Class B felony of Stalking at Category B on the Juvenile Offender Sentencing Grid, the offense is punishable by a standard range term of between Local Sanctions (0-30 days in local juvenile detention) and 52-65 weeks in JR.

Given the above, any offenses that were considered Cyberstalking that would now be Stalking under the provisions of the bill, may result in an increased need for JR beds and prison beds and a decreased need for local detention beds.

Impact on Department of Corrections (DOC) Supervision Caseload.

The offense of Cyberstalking was not categorized as a Crime Against a Person offense. Stalking is included in the definition of a Crime Against a Person offense. For adult individuals, those assessed as high risk to reoffend in the community are required to be supervised by DOC upon release. For individuals releasing from a non-prison sentence, the community custody term may be up to one year; and for those releasing from prison, one year is required. Individuals on community custody may earn supervision compliance credit under 9.94A.717, and may serve less time than the community custody term imposed.

Any additional convictions for the offense Stalking based on the provisions of this bill by an individual assessed as high risk to reoffend would increase the DOC's Community Custody caseload.

Individual State Agency Fiscal Note

Bill Number: 1696 HB	Title: Stalking-related offenses	Agency: 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:

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: 01/31/2023
Agency Preparation: Renee Slaybaugh	Phone: 360-688-8714	Date: 02/03/2023
Agency Approval: James Smith	Phone: 360-764-9492	Date: 02/03/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 02/05/2023

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 1696 is an Act relating to stalking-related offenses; amending RCW 9A.46.110.

Section 1 Amends RCW 9A.46.110 by expanding the definition of the offense of Stalking to include situations associated with electronically tracking the victim.

Stalking is a Class B felony offense ranked at Seriousness Level 5 on the Adult Felony Sentencing Grid and Category B (other offense equivalent to an Adult

Class B felony) on the Juvenile Offender Sentencing Grid.

Section 1 Additionally cites exceptions for circumstances in which the expanded behavior is not included in the definition and adds definitions for “Actual

Notice”, “Contact”, and “Electronic Tracking Device.”

Section 2 Repeals RCW 9A.90.130 (Cyberstalking) and 2022 c 231 s 3.

II. B - Cash receipts Impact

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

None.

II. C - Expenditures

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

Fiscal impact to the Department of Children, Youth and Families (DCYF) is indeterminate.

It is not clear what impact that these changes will have on the population in DCYF/JR as it does not create any new offense, but increases the offence level from Class C to B. Therefore, there could be longer sentences for this offense.

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

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

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

III. B - Expenditures by Object Or Purpose

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

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

Part V: New Rule Making Required

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

Individual State Agency Fiscal Note

Bill Number: 1696 HB	Title: Stalking-related offenses	Agency: 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: 01/31/2023
Agency Preparation: Kaile Walsh	Phone: (360) 725-8428	Date: 02/03/2023
Agency Approval: Ronell Witt	Phone: (360) 725-8428	Date: 02/03/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 02/05/2023

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 1696 is an act that amends stalking related offenses.

Section 1 amends RCW 9A.46.110 by expanding the definition of the offense of Stalking to include situations associated with electronically tracking the victim. Stalking is a Class B felony offense ranked at Seriousness Level 5 on the Adult Felony Sentencing Grid and Category B (other offense equivalent to an Adult Class B felony) on the Juvenile Offender Sentencing Grid.

Section 1 additionally cites exceptions for circumstances in which the expanded behavior is not included in the definition and adds definitions for “Actual Notice”, “Contact”, and “Electronic Tracking Device.”

Section 2 repeals RCW 9A.90.130 (Cyberstalking) and 2022 c 231 s 3.

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 fiscal impact of this bill is indeterminate, assumed to be less than \$50,000 per Fiscal Year (FY).

This bill expands the definition of an existing, ranked Class B felony and repeals an existing unranked Class C felony.

This bill repeals the unranked Class C felony offense of Cyberstalking and adds the behavior that previously constituted a Cyberstalking offense into the definition of Stalking. The establishment of Cyberstalking was effective June 9, 2022 (FY23). The Caseload Forecast Council is unable to determine the impacts of the bill as the fiscal year is not complete. However,

- For adult sentences, the offense of Cyberstalking was an unranked Class C felony, punishable by a standard range term of confinement of 0-12 months. As a Class B felony, Stalking is ranked at Seriousness Level 5 on the Adult Felony Sentencing Grid and is punishable by a standard range term of between 6-12 months in jail and 72-96 months in prison (depending on the person’s criminal history score.)

Given the above, any offenses that were considered Cyberstalking that would now be Stalking under the provisions of the bill, may result in an increased need for prison beds and a decreased need for local detention beds.

The offense of Cyberstalking was not categorized as a Crime Against a Person offense. Stalking is included in the definition of a Crime Against a Person offense. For adult individuals, those assessed as high risk to reoffend in the community are required to be supervised by DOC upon release. For individuals releasing from a non-prison sentence, the community custody term may be up to one year; and for those releasing from prison, one year is required. Individuals on community custody may earn supervision compliance credit under 9.94A.717 and may serve less time than the community custody term imposed.

Any additional convictions for the offense Stalking based on the provisions of this bill by an individual assessed as high risk to reoffend would increase the DOC's Community Custody caseload.

Given the above, CFC cannot reliably predict bed impacts resulting from the bill. The DOC assumes this bill would likely result in an Average Daily Population increase, although the impact cannot be reliably estimated. Therefore, the fiscal impact is indeterminate, assumed to be less than \$50,000 per FY.

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.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 1696 HB

Title: Stalking-related offenses

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

Legislation Impacts:

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

Part II: Estimates

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

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

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

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

Part III: Preparation and Approval

Fiscal Note Analyst: James Vogl	Phone: 360-480-9429	Date: 02/03/2023
Leg. Committee Contact: Corey Patton	Phone: 360-786-7388	Date: 01/31/2023
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 02/03/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 02/05/2023

Part IV: Analysis

A. SUMMARY OF BILL

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

The proposed legislation would expand the definition of an existing criminal offense, and repeal an existing criminal offense.

Section 1 would amend RCW 9A.46.110, expanding the definition of stalking to include an instance where a person “knowingly and without consent installs or monitors an electronic tracking device, or causes an electronic tracking device to be installed, placed, or used, with the intent to track the location of another person.” This section would also specify exceptions to this new circumstance, and provide a definition of electronic tracking device.

Additionally, this section would include new language about the infliction of emotional distress, and unauthorized tracking or monitoring as conditions for a person’s actions rising to the level of stalking.

Section 2 would repeal RCW 9A.90.130 (cyberstalking).

B. SUMMARY OF EXPENDITURE IMPACTS

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

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

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

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

Cities:

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

Counties:

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

Total:

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

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

According to the Washington State Caseload Forecast Council’s (CFC) fiscal note on this bill, moving the criminal behavior that currently constitutes cyberstalking under the definition of stalking could impact demand for jail beds. Both of these offenses are gross misdemeanors unless a person meets certain conditions, in which case they become class C and B felonies, respectively. As an unranked class C felony, cyberstalking is punishable by a term of confinement of up to 12 months in jail, while as a class B felony ranked at seriousness level V, stalking is punishable by a term of confinement of

between 6-12 months in jail and 72-96 months in prison, depending on a person's criminal history. Accordingly, it is assumed that as a result of the proposed legislation, some people's presumptive sentences for criminal behavior currently classified as cyberstalking would shift from jail to prison, resulting in a decrease in demand for jail beds.

However, it is unknown how many future incidents of the criminal behavior that would be added to the definition of stalking may occur, as well as how many such incidents may be charged at the felony level, and the number and length of sentences that may shift from jail to prison. Since cyberstalking became a criminal offense effective June 9, 2022 and the current fiscal year is not over yet, CFC cannot predict the jail bed impacts resulting from this bill. Accordingly, the expenditure impact on local governments resulting from any change in demand for jail beds as a result of the proposed legislation is indeterminate. The 2023 Local Government Fiscal Note Program Criminal Justice Cost Model estimates that the average daily cost of occupying a jail bed is \$145.

According to the CFC fiscal note for this bill, the proposed legislation could also impact demand for county juvenile detention beds. Felony cyberstalking is a category C juvenile offense, punishable by between 0-30 days in juvenile detention and 15-36 weeks in juvenile rehabilitation. Felony stalking is a category B juvenile offense, punishable by between 0-30 days in juvenile detention and 52-65 weeks in juvenile rehabilitation. Accordingly, CFC indicates that shifting criminal behavior previously included under cyberstalking to stalking could decrease demand for county juvenile detention beds. The Local Government Fiscal Note Program does not have detailed information on the costs of juvenile detention, however the average daily rate for juvenile detention beds is generally higher than the same figure for a jail bed. Additionally, it is unknown how many additional juvenile incidents of felony stalking may occur as a result of this bill's provisions, so the total increase in county juvenile detention expenditures is indeterminate.

In addition to bed impacts, shifting criminal behavior currently under cyberstalking to stalking could increase law enforcement, prosecution and public defense expenditures as a result of processing incidents of this behavior at the felony level as a class B instead of class C felony. According to the 2023 Local Government Fiscal Note Program Criminal Justice Cost Model, the combined prosecution and public defense costs to process an incident of a class B and C felony offense are as follows:

Class C felony: \$1,000

Class B felony: \$2,500

However, given that it is unknown how many future incidents of felony stalking may occur that would otherwise have been classified as felony cyberstalking, the magnitude of the expenditure impacts on local governments from processing additional incidents of this offenses is indeterminate.

C. SUMMARY OF REVENUE IMPACTS

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

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

SOURCES:

Crime in Washington Report, 2021

Local Government Fiscal Note Program Criminal Justice Cost Model, 2023

Washington Association of Sheriffs and Police Chiefs

Washington State Caseload Forecast Council