

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1028 2S HB	<b>Title:</b> Crime victims & witnesses
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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	Fiscal note not available					
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	Fiscal note not available											
Office of Public Defense	Fiscal note not available											
Office of Attorney General	Fiscal note not available											
Caseload Forecast Council	Fiscal note not available											
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	Fiscal note not available											
Department of Labor and Industries	Fiscal note not available											
Department of Children, Youth, and Families	Fiscal note not available											
Department of Corrections	Fiscal note not available											
University of Washington	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State University	.0	0	0	0	.0	0	0	0	.0	0	0	0
Eastern Washington University	.0	35,000	35,000	35,000	.0	20,000	20,000	20,000	.0	20,000	20,000	20,000
Central Washington University	Fiscal note not available											
The Evergreen State College	.0	5,852	5,852	5,852	.0	5,852	5,852	5,852	.0	0	0	0
Western Washington University	.0	22,500	22,500	22,500	.0	22,500	22,500	22,500	.0	0	0	0
Department of Fish and Wildlife	Fiscal note not available											
<b>Total \$</b>	<b>0.0</b>	<b>63,352</b>	<b>63,352</b>	<b>63,352</b>	<b>0.0</b>	<b>48,352</b>	<b>48,352</b>	<b>48,352</b>	<b>0.0</b>	<b>20,000</b>	<b>20,000</b>	<b>20,000</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	Fiscal note not available								
Loc School dist-SPI									
Local Gov. Other			1,835,944			1,835,944			1,835,944
Local Gov. Total			1,835,944			1,835,944			1,835,944

## 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	Fiscal note not available								
Office of Public Defense	Fiscal note not available								
Office of Attorney General	Fiscal note not available								
Caseload Forecast Council	Fiscal note not available								
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	Fiscal note not available								
Department of Labor and Industries	Fiscal note not available								
Department of Children, Youth, and Families	Fiscal note not available								
Department of Corrections	Fiscal note not available								
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	Fiscal note not available								
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	Fiscal note not available								
<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	Fiscal note not available								
Loc School dist-SPI									
Local Gov. Other									
Local Gov. Total									

## Estimated Capital Budget Breakout

<b>Prepared by:</b> Cynthia Hollimon, OFM	<b>Phone:</b> (360) 810-1979	<b>Date Published:</b> Preliminary 3/ 6/2023
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1028 2S 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: Yvonne Walker	Phone: 360-786-7841	Date: 02/27/2023
Agency Preparation: Richard Torrance	Phone: 360-725-3025	Date: 03/06/2023
Agency Approval: Jason Davidson	Phone: 360-725-5080	Date: 03/06/2023
OFM Review: Gwen Stamey	Phone: (360) 790-1166	Date: 03/06/2023

## 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.*

There are no differences between 2SHB 1028 and SHB 1028. SHB 1028 removed the requirement from HB 1028 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 office of crime advocacy within the department of commerce does not implement the activities states in 2SHB 1028, therefore this legislation does not affect the department.

### 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 2SHB 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.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1028 2S 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: Yvonne Walker	Phone: 360-786-7841	Date: 02/27/2023
Agency Preparation: Yvonne Ellison	Phone: 360-596-4042	Date: 03/01/2023
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 03/01/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 03/01/2023

## 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 proposed legislation will have a small, indeterminate fiscal impact on the Washington State Patrol (WSP).

The second substitute version removes changes from previous versions that included new requirements for law enforcement agencies to conduct a criminal investigation of any report connected to a sexual assault kit (SAK) within 90 days when forensic analysis if the kit generates a profile resulting in a hit in the Combined DNA Index System (CODIS), as well as changes that were made to the WSP's SAK reporting requirements. These changes reduce the potential impact to the WSP.

The remaining sections with fiscal impact are as follows:

New Section 1 creates the Sexual Assault Forensic Examination Best Practices Advisory Group and identifies the WSP as a required member.

New Section 3 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 4 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.

New Section 9 makes Section 4 effective July 1, 2024.

New Section 10 makes the act null and void if specific funding is not provided for the purposes of the act.

### 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 requirement of Section 1 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.

The training requirements of Sections 3 and 4 are expected to have a minimal fiscal impact to the WSP. Once the current training is updated by the CJTC, it will be incorporated into our existing Trooper Basic and Trimester Trainings.

## 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 2S 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:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Yvonne Walker	Phone: 360-786-7841	Date: 02/27/2023
Agency Preparation: Charlotte Shannon	Phone: 2066858868	Date: 02/28/2023
Agency Approval: Charlotte Shannon	Phone: 2066858868	Date: 02/28/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 03/02/2023

## 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.*

2SHB 1028 relates to supporting crime victims and witnesses by promoting victim-centered, trauma-informed responses in the legal system.

Compared to the underlying bill, the 2S HB 1028 does the following:

Strikes Sections 1-4.  
Strikes Sections 11-12.  
Adds new Section 7.  
Strikes section 14-17  
Adds a null and void clause.

### FISCAL IMPACTS OF CHANGES TO THE SECOND SUBSTITUTE BILL:

Given this version of bill strikes the sections that had a fiscal impact on the University of Washington Police Department, and the University of Washington (UW) as a whole, the UW assumes no fiscal impacts for 2S HB 1028, and is therefore submitting a no impact fiscal note. 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.*

## 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 2S 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: Yvonne Walker	Phone: 360-786-7841	Date: 02/27/2023
Agency Preparation: Emily Green	Phone: 5093359681	Date: 03/01/2023
Agency Approval: Chris Jones	Phone: 509-335-9682	Date: 03/01/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 03/02/2023

## 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.*

2S HB 1028 - Crimes Victim/Witnesses relates to supporting victims and witnesses by promoting victim-centered, trauma-informed responses in the legal system.

This bill establishes a sexual assault forensic examination best practices advisory group within the office of the attorney general.

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 2S 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:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
<b>Account</b>					
General Fund-State      001-1	25,000	10,000	35,000	20,000	20,000
<b>Total \$</b>	25,000	10,000	35,000	20,000	20,000

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Yvonne Walker	Phone: 360-786-7841	Date: 02/27/2023
Agency Preparation: Keith Tyler	Phone: 509 359-2480	Date: 03/02/2023
Agency Approval: Alexandra Rosebrook	Phone: (509) 359-7364	Date: 03/02/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 03/06/2023



## 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.*

2SHB 1028 Section 4 amends RCW 43.101.276 (3) which requires all peace officers to complete the training under this section at least once every 3 years. This is the significant changes from the prior proposed house bill 1028.

2SHB 1028 supports crime victims and witnesses by promoting victim-centered, trauma-informed responses in the legal system as follows:

- New section 1 adds a section to chapter 43.10 RCW and establishes the sexual assault forensic examination best practices advisory group within the office of the Attorney General.
- New section 2 adds a section to chapter 43.101 RCW and provides that a grant program will be administered to establish a statewide resource prosecutor for sexual assault cases, subject to the availability of appropriations.
- Section 3 amends RCW 43.101.272 to provide that the commission will 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 these investigations, subject to appropriations.
- Section 4 amends RCW 43.101.276 to provide that the commission will develop peace officer training on a victim-centered, trauma-informed approach to interacting with victims and responding to calls involving gender-based violence, subject to appropriations.
- Section 5 amends RCW 43.101.278 to provide that the commission will conduct an annual case review program to identify changes to training and investigatory practices necessary to optimize outcomes in sexual assault investigations and prosecutions involving adult victims, subject to appropriations.
- New section 6 adds a section to chapter 43.101 RCW provide that the commission will, in partnership with the special resource prosecutor under section 2, develop and conduct specialized, intensive, and integrative training for persons responsible for prosecuting sexual assault cases involving adult victims, subject top appropriations.
- Section 7 amends RCW 9A.04.080, detailing statutes of limitations on offenses.
- New section 8 adds a section to chapter 70.02 RCW requires disclosure authorizations to health care providers or health care facilities regarding a forensic examination performed for the purposes of gathering evidence for a possible prosecution of a criminal offense must be valid until the end of all related criminal proceedings or a later decided upon date
- This act takes effect July 1, 2024, and is nullified if specific funding is not provided by June 30, 2023 in the omnibus appropriations act.

### 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.*

Eastern anticipates officers would all be trained in the first year of implementation, which we are estimating at \$25,000. Eastern plans to rotate 1/3 of the officers every year through the continued training at an anticipated cost of \$10,000 each year.

## 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	25,000	10,000	35,000	20,000	20,000
<b>Total \$</b>			25,000	10,000	35,000	20,000	20,000

**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	25,000	10,000	35,000	20,000	20,000
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>	25,000	10,000	35,000	20,000	20,000

**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.*

# Individual State Agency Fiscal Note

Revised

<b>Bill Number:</b> 1028 2S 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
<b>Account</b>					
General Fund-State 001-1	5,852	0	5,852	5,852	0
<b>Total \$</b>	5,852	0	5,852	5,852	0

### Estimated Capital Budget Impact:

NONE

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

Legislative Contact: Yvonne Walker	Phone: 360-786-7841	Date: 02/27/2023
Agency Preparation: Daniel Ralph	Phone: 360-867-6500	Date: 02/28/2023
Agency Approval: Dane Apalategui	Phone: 360-867-6517	Date: 02/28/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 03/02/2023

## 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 relates to supporting crime victims and witnesses by promoting victim-centered, trauma informed responses in the legal system.

The previous sections 1 (rationale), 2 (requirements for law enforcement agencies receiving a sexual assault kit) and 3 are deleted.

New section 1 establishes the sexual assault forensic examination best practices advisory group.

New section 2 establishes the grant program for a statewide resource prosecutor.

Section 3 is the previous section 7; section 4 is the previous section 8; section 5 is the previous section 9; section 6 is the previous section 10; sections 11 and 12 are deleted; the new section 7 lists new statutes of limitation for a series of offenses.

Sections 14, 15, 16 and 17 are deleted.

Section 10 (new) states that if specific funding for this bill is not provided by June 30, 2023, the act will be null and void.

\*\*\*\*\*

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.*

Our officers would be required to participate in training every three years. Because of our very small police force, we would be required to pay overtime to cover officers while in training sessions. Overtime is estimated at \$4,947 for each year of training. Benefits are estimated at \$905 for each year of training. We used a benefit rate of 18.30%.

**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	5,852	0	5,852	5,852	0
<b>Total \$</b>			5,852	0	5,852	5,852	0

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
A-Salaries and Wages	4,947		4,947	4,947	
B-Employee Benefits	905		905	905	
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>	5,852	0	5,852	5,852	0

**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 2S 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
<b>Account</b>					
General Fund-State 001-1	22,500	0	22,500	22,500	0
<b>Total \$</b>	22,500	0	22,500	22,500	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: Yvonne Walker	Phone: 360-786-7841	Date: 02/27/2023
Agency Preparation: Gena Mikkelsen	Phone: 3606507412	Date: 02/28/2023
Agency Approval: Faye Gallant	Phone: 3606504762	Date: 02/28/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 03/02/2023

## 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.*

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

WWU would then need to train all officers to perform investigations since we do not have an investigator like our other higher education counterparts, to be responsible to address all the requirements/deadlines/investigation of the incident.

Additional training cost –

Fifteen officers and evidence collecting/record keeping for civilian employee.

Sec. 3. (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. This would require WWUPD to meet the training requirement.

Pursuant to Section 3, additional training would be required for all officers and is reflected at \$22,500 every three years as specified in Section 4 (3) for 15 officers and 1 records person.

This cost includes \$1,500 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.

Just to note, if WWUPD could add an investigator instead, the cost is reflected below and not above:

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

## 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	22,500	0	22,500	22,500	0
Total \$			22,500	0	22,500	22,500	0



**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	22,500		22,500	22,500	
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>	22,500	0	22,500	22,500	0

**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 2S HB

**Title:** Crime victims & witnesses

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

### Legislation Impacts:

Cities: Police departments could incur annual training expenses totaling \$687,456.

Counties: Sheriff's offices could incur annual training expenses totaling \$230,516.

Special Districts:

Specific jurisdictions only:

Variance occurs due to:

## Part II: Estimates

No fiscal impacts.

Expenditures represent one-time costs:

Legislation provides local option:

Key variables cannot be estimated with certainty at this time: The number city and the number of county law enforcement officers that will attend each training.

### Estimated revenue impacts to:

None

### Estimated expenditure impacts to:

Jurisdiction	FY 2024	FY 2025	2023-25	2025-27	2027-29
City	687,456	687,456	1,374,912	1,374,912	1,374,912
County	230,516	230,516	461,032	461,032	461,032
<b>TOTAL \$</b>	917,972	917,972	1,835,944	1,835,944	1,835,944
<b>GRAND TOTAL \$</b>					<b>5,507,832</b>

## Part III: Preparation and Approval

Fiscal Note Analyst: Kate Fernald	Phone: 564-200-3519	Date: 03/06/2023
Leg. Committee Contact: Yvonne Walker	Phone: 360-786-7841	Date: 02/27/2023
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 03/06/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 03/06/2023

## **Part IV: Analysis**

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

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

#### **CHANGES BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:**

The second substitute version of the bill:

- eliminates the provision that would have required a law enforcement agency to conduct a criminal investigation within 90 days, when forensic analysis of a sexual assault kit generated a profile resulting in a hit in the combined DNA index system.
- eliminates the additional victim services that first substitute version of the bill would have required.
- eliminates the provision that would have required an officer to transport a child to a parent or legal guardian if the law enforcement officer took a juvenile into custody and reasonably believed that the juvenile may be the victim of sexual exploitation.

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

Sec. 1 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. 2 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. 3 amends RCW 43.101.272 to provide that the Criminal Justice Training Commission shall develop and conduct specialized, intensive, and integrative training for persons responsible for investigating sexual assault cases involving adult victims, and other gender-based violence, subject to the availability of amounts appropriated for this specific purpose. Officers assigned to investigate sexual assault or other gender-based violence and the highest ranking supervisors and commanders overseeing those investigations shall complete the training within one year of being assigned.

Sec. 4 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. 6 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. 7 amends RCW 9A.04.080 to revise the amount of time by which criminal offenses must be prosecuted.

Sec. 8 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. 9 adds a new section stating Section 4 of this act shall take effect July 1, 2024.

Sec. 10 adds a new section stating this act is null and void if specific funding for this act is not provided by June 30, 2023 in the omnibus appropriations act.

## **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 second substitute version of the bill eliminates the first substitute's provisions related to law enforcements' work with investigating and documenting Sexual Assault Kits (SAKs). Consequently, local government expenditure impacts are significantly reduced. Required training for local law enforcement is the only expenditure that remains in the second substitute version of the bill.

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

The second substitute version of the bill could cause city police departments to incur \$687,456, and county sheriff's offices to incur \$230,516 annually to attend the new required trainings that the legislation would establish.

### **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 sheriff's offices. 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 Association of Washington Cities (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 eight 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 six 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 two 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)

## **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:**

The second substitute version of the bill would not impact local government revenue.

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

The legislation would not impact local government revenue.

### **SOURCES:**

2022 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

Washington State Patrol Crime Laboratory Division