

Multiple Agency Fiscal Note Summary

Bill Number: 1028 2S HB AMS LAW S2359.3	Title: Crime victims & witnesses
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Estimated Cash Receipts

NONE

Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	.0	850,000	850,000	850,000	.0	850,000	850,000	850,000	.0	850,000	850,000	850,000
Office of Public Defense	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Attorney General	1.1	304,000	304,000	304,000	.6	166,000	166,000	166,000	.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	0	0	0	.0	0	0	0	.0	0	0	0
Department of Children, Youth, and Families	Fiscal note not available											
Department of Corrections	Non-zero but indeterminate cost and/or savings. Please see discussion.											
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	.0	25,000	25,000	25,000	.0	25,000	25,000	25,000	.0	0	0	0
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	.0	0	0	0	.0	0	0	0	.0	0	0	0
Total \$	4.1	3,367,352	3,367,352	3,367,352	3.6	3,169,352	3,169,352	3,169,352	3.0	2,950,000	2,950,000	2,950,000

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts			3,942,000			3,942,000			3,942,000
Loc School dist-SPI									
Local Gov. Other			1,835,944			1,835,944			1,835,944
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			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	.0	0	0	.0	0	0	.0	0	0
Office of Public Defense	.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	Fiscal note not available								
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
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Cynthia Hollimon, OFM	Phone: (360) 810-1979	Date Published: Preliminary 4/ 6/2023
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Judicial Impact Fiscal Note

Bill Number: 1028 2S HB AMS LAW S2359.3	Title: Crime victims & witnesses	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:

STATE	FY 2024	FY 2025	2023-25	2025-27	2027-29
State FTE Staff Years					
Account					
General Fund-State 001-1	425,000	425,000	850,000	850,000	850,000
State Subtotal \$	425,000	425,000	850,000	850,000	850,000
COUNTY	FY 2024	FY 2025	2023-25	2025-27	2027-29
County FTE Staff Years					
Account					
Local - Counties	1,733,000	1,733,000	3,466,000	3,466,000	3,466,000
Counties Subtotal \$	1,733,000	1,733,000	3,466,000	3,466,000	3,466,000
CITY	FY 2024	FY 2025	2023-25	2025-27	2027-29
City FTE Staff Years					
Account					
Local - Cities	238,000	238,000	476,000	476,000	476,000
Cities Subtotal \$	238,000	238,000	476,000	476,000	476,000

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: Ryan Giannini	Phone: 3607867285	Date: 03/24/2023
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 03/29/2023
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 03/29/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 04/03/2023

186,838.00

Request # 257-1

Part II: Narrative Explanation

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

The proposed amendment to the second substitute bill differs by adding the following requirements in Section 7.

A biological sample would be collected for DNA analysis from any juvenile adjudicated of an offense which if committed by an adult would be a felony.

Biological samples of persons convicted of certain offenses would be collected “prior to release from confinement.” If the sample is not collected, the sentencing court would be required to schedule a compliance hearing within 10 days of receiving notice of a person's release to ensure sample is collected. For persons who will not serve a term of confinement, the court shall order the person to be administratively booked at a city or county jail to collect the biological sample; or if local police or sheriff is present and has a protocol for collecting the sample in the courtroom, the court shall order a sample to be taken prior to leaving court. The bill would also require the court to create and implement a biological sample collection protocol at the time of sentencing for persons convicted of certain offenses, inform the person that refusal is a gross misdemeanor and if biological sample is not collected at time of sentencing, court shall schedule a compliance hearing within 10 days of the sentencing to ensure collection.

II. B - Cash Receipts Impact

None

II. C - Expenditures

The fiscal impact of the bill would be the cost of compliance review hearings on convictions where a sample wasn't collected at the time of sentencing.

The assumptions for this judicial impact note are the same as those used for ESSB 5576. The Administrative Office of the Courts assumes that those original estimates would cover additional compliance hearings for offenses committed by juveniles that, if committed by an adult, would be a felony. Therefore, no changes to the original, additional hearing assumptions are included in this fiscal note.

The bill would require to the sentencing court to schedule a compliance hearing (estimated at 10 minutes a hearing) for cases where a sample was not collected at the time of sentencing. Rough estimates are that DNA sampling is already collected in 30 percent of cases before superior court and 18 percent of cases before the courts of limited jurisdiction. That would leave 70 percent of superior court cases and 82 percent of courts of limited jurisdiction cases needing to schedule an additional compliance hearing.

For the purposes of this fiscal note, the assumption is that courts would need to schedule additional hearings for convictions, statewide.

* Superior courts cost is estimate is \$1,828,000 per year
24,062 felony convictions * 70 percent of cases = 16,843 additional hearings

State cost estimated at = \$425,000 (half the salary and all the benefits of superior court judges)
County cost estimated at = \$1,403,000

*District and municipal courts cost estimate is \$568,000 per year
4,500 misdemeanor convictions * 82 percent of cases = 3,690 additional hearings

County cost estimated at 60% = \$330,000
City cost estimated at 40% = \$238,000

Part III: Expenditure Detail

186,838.00

Form FN (Rev 1/00)

2

Request # 257-1

Bill # 1028 2S HB AMS LAW S2359.3

Part III: Expenditure Detail

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

<i>State</i>	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
Salaries and Wages	280,000	280,000	560,000	560,000	560,000
Employee Benefits	145,000	145,000	290,000	290,000	290,000
Professional Service Contracts					
Goods and Other Services					
Travel					
Capital Outlays					
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services					
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements					
Total \$	425,000	425,000	850,000	850,000	850,000

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

<i>County</i>	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
Salaries and Benefits					
Capital	1,733,000	1,733,000	3,466,000	3,466,000	3,466,000
Other					
Total \$	1,733,000	1,733,000	3,466,000	3,466,000	3,466,000

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

<i>City</i>	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
Salaries and Benefits					
Capital					
Other	238,000	238,000	476,000	476,000	476,000
Total \$	238,000	238,000	476,000	476,000	476,000

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

186,838.00

Form FN (Rev 1/00)

3

Request # 257-1

Bill # 1028 2S HB AMS LAW S2359.3

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

Individual State Agency Fiscal Note

Bill Number: 1028 2S HB AMS LAW S2359.3	Title: Crime victims & witnesses	Agency: 056-Office of Public Defense
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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: Ryan Giannini	Phone: 3607867285	Date: 03/24/2023
Agency Preparation: Katrin Johnson	Phone: 360-586-3164 1	Date: 03/30/2023
Agency Approval: Sophia Byrd McSherry	Phone: 360-586-3164	Date: 03/30/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 04/03/2023

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.

No impact to the Washington State Office of Public Defense (OPD).

OPD is not responsible for providing public defense services in the criminal trial courts.

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

Bill Number: 1028 2S HB AMS LAW S2359.3	Title: Crime victims & witnesses	Agency: 100-Office of Attorney General
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.1	1.1	1.1	0.6	0.0
Account					
General Fund-State 001-1	152,000	152,000	304,000	166,000	0
Total \$	152,000	152,000	304,000	166,000	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: Ryan Giannini	Phone: 3607867285	Date: 03/24/2023
Agency Preparation: Dave Merchant	Phone: 360-753-1620	Date: 03/29/2023
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 03/29/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 03/30/2023

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 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 membership and duties of the group are listed. This section expires July 1, 2026.

Section 2 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 3 through 6 amend three statutes in and add a new section to RCW 43.101 pertaining to training on gender-based violence and data collection and analysis of training.

Section 7 amends RCW 43.43.754 to expand required instances in which a biological sample for DNA analysis must be collected to include offenses committed by juveniles that would be a felony if committed by an adult, and to expand testing programs during incarceration or post-conviction.

Section 8 amends RCW 9A.04.080 to extend the limitations period in any prosecution for a sex offense as defined in RCW 9.9A.030 from two years to four years from the date in which the identity of the suspect is conclusively established by DNA testing or by photograph.

Section 9 adds a new section to RCW 70.02 pertaining to the validity of disclosure authorizations.

Section 10 amends RCW 9A.44.020 to add to the list of inadmissible evidence social media account information that is unrelated to the charged offense.

Section 11 amends RCW 7.69.030 to alter the wording of victim protections and to include civil commitment proceedings.

Section 12 is a new section, providing that Section 4 takes effect July 1, 2024.

Section 13 is a new section, requiring specific funding by June 30, 2023, or this act is null and void.

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.

Attorney General's Office (AGO) Administration Division (ADM) and the AGO Sexually Violent Predators Division (AGO-SVP) 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. The Management Analyst 5 (MA), is used as a representative classification. An example ratio is 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 an MA.

1. Assumptions for the AGO Administrative Division's (ADM) Services for SAFE Best Practices Advisory Group (Advisory Group):

ADM assumes the enactment of this bill will require to staff the 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 to FY 2026 (each FY): \$138,000 for 1.00 Policy Analyst (Exempt) FTE (PA).

2. Assumptions for the AGO Sexually Violent Predators Division (AGO-SVP):

Section 11 of this bill would add sexually violent predator (SVP) civil commitment proceedings to the proceedings to which victims of crimes are entitled to certain statutory rights, including notification of various events and proceedings. Many persons who are the subject of a SVP civil commitment petition have very lengthy criminal histories that include many victims, including victims of non-sex offenses. Presently, AGO-SVP notifies victims of sex crimes committed by SVP who will be involved in SVP proceedings. This bill appears to expand the duty to notify all victims in SVP's criminal history, which would require 0.09 Investigator FTE (INV) to identify, locate, contact, and keep those persons (especially if those persons are not relevant to SVP petition) updated on the proceedings.

AGO-SVP total FTE workload impact for Seattle rates:

FY 2024 to FY 2027 (each FY): \$14,000 for 0.09 INV.

3. 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). Any new legal services required by this bill would be nominal and costs are not included in this request.

4. 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. Therefore, 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). This bill 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	152,000	152,000	304,000	166,000	0
Total \$			152,000	152,000	304,000	166,000	0

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.1	1.1	1.1	0.6	
A-Salaries and Wages	104,000	104,000	208,000	113,000	
B-Employee Benefits	32,000	32,000	64,000	35,000	
C-Professional Service Contracts					
E-Goods and Other Services	16,000	16,000	32,000	18,000	
Total \$	152,000	152,000	304,000	166,000	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	
Senior Investigator Seattle	98,532	0.1	0.1	0.1	0.1	
Total FTEs		1.1	1.1	1.1	0.6	0.0

III. D - Expenditures By Program (optional)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Headquarters Administration (ADM)	138,000	138,000	276,000	138,000	
Sexually Violent Predators Division (SVP)	14,000	14,000	28,000	28,000	
Total \$	152,000	152,000	304,000	166,000	

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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: 1028 2S HB AMS LAW S2359.3	Title: Crime victims & witnesses	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: Ryan Giannini	Phone: 3607867285	Date: 03/24/2023
Agency Preparation: Clela Steelhammer	Phone: 360-664-9381	Date: 03/28/2023
Agency Approval: Clela Steelhammer	Phone: 360-664-9381	Date: 03/28/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 03/29/2023

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.

2SHB 1028 S2359.3
SUPPORTING CRIME VICTIMS AND WITNESSES
101 – Caseload Forecast Council
March 27, 2023

SUMMARY

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

Section 7 Amends RCW 43.43.754 by requiring collection of DNA for juveniles adjudicated of an offense if committed by an adult would be a felony offense. Additionally requires collection of DNA for individuals requiring collection that do not serve a term of confinement at the Department of Corrections (DOC) or Department of Children, Youth, and Families (DCYF) facilities that are serving a term of confinement in a city or county jail to have the collection taken by the jail prior to release from confinement. Additionally establishes notification procedures for DOC, DCYF, and jails if a person requiring DNA collection is released without it occurring. Additionally establishes requirements for the court to implement biological sample collection protocol and requirements for persons convicted of any offense listed in subsection (1)(a).

Section 8 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.

Section 13 States that if specific funding for the Act is not provided by June 30, 2023, this act is null and void.

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 and increases the number of individuals who are required to submit DNA.

Impact on prison, jail, and local detention and Juvenile Rehabilitation (JR) beds – Statute of Limitations.

The Caseload Forecast Council (CFC) 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.

Impact on prison, jail, and local detention and Juvenile Rehabilitation (JR) beds – DNA Collection.

Regarding the changes to collection of DNA, the CFC does not collect data regarding the entity responsible for collection of DNA or when the collection occurs. As such, the Caseload Forecast Council has no information with which to estimate the impacts of this bill. However, the bill increases the number of individuals required to have DNA collected. Refusal to provide a biological sample is a gross misdemeanor categorized as a Category D on the Juvenile Offense Grid and is punishable by Local Sanctions (0-30 days in local juvenile detention) for juveniles adjudicated for the offense. Therefore, any increased incidences of this offense under this provision of the bill would likely impact only local juvenile detention beds.

Individual State Agency Fiscal Note

Bill Number: 1028 2S HB AMS LAW S2359.3	Title: Crime victims & witnesses	Agency: 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: Ryan Giannini	Phone: 3607867285	Date: 03/24/2023
Agency Preparation: Richard Torrance	Phone: 360-725-3025	Date: 03/29/2023
Agency Approval: Jason Davidson	Phone: 360-725-5080	Date: 03/29/2023
OFM Review: Gwen Stamey	Phone: (360) 790-1166	Date: 03/30/2023

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 1028 2S HB AMS LAW S2359.3 and 2SHB 1028. 2SHB 1028 and SHB 1028 removed the requirement from HB 1028 for the office of crime 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 1028 2S HB AMS LAW S2359.3, 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.

The office of crime advocacy within the department of commerce does not implement the activities states in 1028 2S HB AMS LAW S2359.3, therefore this legislation does not affect the department.

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

Bill Number: 1028 2S HB AMS LAW S2359.3	Title: Crime victims & witnesses	Agency: 225-Washington State Patrol
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

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

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Ryan Giannini	Phone: 3607867285	Date: 03/24/2023
Agency Preparation: Yvonne Ellison	Phone: 360-596-4042	Date: 03/27/2023
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 03/27/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 03/28/2023

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 amended second substitute version makes changes to RCW 43.43.754 regarding the collection of biological samples for the purpose of DNA identification analysis that will impact the WSP.

The 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.

Section 7 requires the collection of a biological sample from juveniles adjudicated of an offense that would be a felony if committed by an adult.

New Section 12 makes Section 4 effective July 1, 2024.

New Section 13 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.

The addition of language in Section 7 specific to the collection of DNA from juveniles adjudicated of an offense that would be a felony if committed by an adult clarifies the intent of existing legislation. This does not create a new fiscal impact to the WSP, but it will allow us to resume the processing and entering of these samples into the Combined DNA Index System

(CODIS) database that has been paused since June 2022 due to a court decision.

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: 1028 2S HB AMS LAW S2359.3	Title: Crime victims & witnesses	Agency: 227-Criminal Justice Training Commission
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	3.0	3.0	3.0	3.0	3.0
Account					
General Fund-State 001-1	1,085,000	1,040,000	2,125,000	2,080,000	2,080,000
Total \$	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: Ryan Giannini	Phone: 3607867285	Date: 03/24/2023
Agency Preparation: Brian Elliott	Phone: 206-835-7337	Date: 03/27/2023
Agency Approval: Brian Elliott	Phone: 206-835-7337	Date: 03/27/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 03/29/2023

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 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 2 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 3 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 4 amends RCW 43.101.276.

Section 4(3) requires all peace officers to complete the training under this section at least once every three years.

Section 5 amends RCW 43.101.278 to require a comparison of cases involving prosecutors who have participated in the training described in section 6 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 6 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 2 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 3 and 4 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 5 includes review of prosecutors in the case review program.

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

Section 6 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.

Total Expenses:

Fiscal year 2024 = \$1,085,000

Fiscal year 2025 and each year after = \$1,040,000.

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
Total \$			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-					
Total \$	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
Total FTEs		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

Bill Number: 1028 2S HB AMS LAW S2359.3	Title: Crime victims & witnesses	Agency: 235-Department of Labor and Industries
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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: Ryan Giannini	Phone: 3607867285	Date: 03/24/2023
Agency Preparation: Shana J Snellgrove	Phone: 360-902-6408	Date: 03/28/2023
Agency Approval: Trent Howard	Phone: 360-902-6698	Date: 03/28/2023
OFM Review: Anna Minor	Phone: (360) 790-2951	Date: 03/28/2023

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 does several things related to supporting crime victims and witnesses by promoting victim-centered, trauma-informed responses in the legal system.

The bill sections that impacted Chapter 7.68 RCW and L&I's Crime Victims Compensation Program were removed in the 2SHB version and are still removed in the 2SHB AMS LAW S2359.3 version. Because of this, there is no fiscal impact to L&I.

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.

None.

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

Bill Number: 1028 2S HB AMS LAW S2359.3	Title: Crime victims & witnesses	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: Ryan Giannini	Phone: 3607867285	Date: 03/24/2023
Agency Preparation: John Ching	Phone: (360) 725-8428	Date: 04/04/2023
Agency Approval: Ronell Witt	Phone: (360) 489-4417	Date: 04/04/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 04/06/2023

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.

Second substitute HB 1028 S2359.3 differs from previous versions by requiring biological samples to be collected from a juvenile who is adjudicated of a specified offense, as well as any offense which if committed by an adult would be a felony. Additionally, the bill requires collection of deoxyribonucleic acid (DNA) of individuals requiring collection and serving a term of confinement in a city or county jail. The bill also establishes notification procedures for department of corrections (DOC), department of children, youth, and families (DCYF) and jails if a person requiring DNA collection is released without it occurring.

Section 7 amends RCW 43.43.754 by requiring collection of DNA for juveniles adjudicated of an offense if committed by an adult would be a felony offense. Additionally requires collection of DNA for individuals requiring collection that do not serve a term of confinement at DOC or DCYF facilities that are serving a term of confinement in a city or county jail to have the collection taken by the jail prior to release from confinement. Additionally establishes notification procedures for DOC, DCYF, and jails if a person requiring DNA collection is released without it occurring. Additionally establishes requirements for the court to implement biological sample collection protocol and requirements for persons convicted of any offense listed in subsection (1)(a).

Section 8 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.

Section 13 states that if specific funding for the Act is not provided by June 30, 2023, this act is null and void.

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.

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

The Caseload Forecast Council (CFC) 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.

Regarding the changes to collection of DNA, the CFC does not collect data regarding the entity responsible for collection of DNA or when the collection occurs. As such, the Caseload Forecast Council has no information with which to estimate the impacts of this bill. However, the bill increases the number of individuals required to have DNA collected. Refusal to provide a biological sample is a gross misdemeanor categorized as a Category D on the Juvenile Offense Grid and is punishable by Local Sanctions (0-30 days in local juvenile detention) for juveniles adjudicated for the offense. Therefore,

any increased incidences of this offense under this provision of the bill would likely impact only local juvenile detention be

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.

DOC assumes additional impacts will result when ADP caseload changes in either prison or community, and resources will be necessary. 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

Bill Number: 1028 2S HB AMS LAW S2359.3	Title: Crime victims & witnesses	Agency: 360-University of Washington
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Ryan Giannini	Phone: 3607867285	Date: 03/24/2023
Agency Preparation: Charlotte Shannon	Phone: 2066858868	Date: 03/29/2023
Agency Approval: Charlotte Shannon	Phone: 2066858868	Date: 03/29/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 03/31/2023

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.

1028 2S HB AMS LAW S2359.3 relates to supporting crime victims and witnesses by promoting victim-centered, trauma-informed responses in the legal system.

Compared to the 2S version of the bill, the striking amendment does the following:

- (1) Requires biological samples to be collected from a juvenile who is adjudicated of an offense which if committed by an adult would be a felony.
- (2) Requires jail and prison facilities to collect biological samples before a convicted person required to provide a sample is released from confinement, and establishes procedures to collect biological samples if such samples are not collected prior to a person's release from confinement. Requires persons required to provide a biological sample who will not be confined in a jail or prison facility, to be administratively booked at a city or county jail facility for the sole purpose of providing a biological sample. Requires sentencing courts to create and implement biological sample collection protocols, and to order biological samples at the time of sentencing.
- (3) Limits the ability of a defendant accused of sex offenses to introduce evidence of a victim's past sexual behavior on a victim's social media account to attack the victim's credibility, or to prove the victim's consent, unless the past sexual behavior on a victim's social media account relates to the offense.
- (4) Modifies the statutory rights of crime victims, survivors, and witnesses to apply to any adult or juvenile criminal proceeding and any sexually violent predator commitment proceeding. Provides that if a victim, survivor of a victim, or witness of a crime is denied a right, that person may seek an order directing compliance by the relevant party. Provides that compliance with the right is the sole available remedy.

FISCAL IMPACTS OF CHANGES TO THE SECOND SUBSTITUTE BILL:

These changes do not impact the UW's fiscal analysis, and we are therefore submitting the same fiscal note. The University of Washington Police Department, and the University of Washington (UW) as a whole assume no fiscal impacts for 1028 2S HB AMS LAW S2359.3. 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

Bill Number: 1028 2S HB AMS LAW S2359.3	Title: Crime victims & witnesses	Agency: 365-Washington State University
---	---	---

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: Ryan Giannini	Phone: 3607867285	Date: 03/24/2023
Agency Preparation: Emily Green	Phone: 5093359681	Date: 03/29/2023
Agency Approval: Chris Jones	Phone: 509-335-9682	Date: 03/29/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 03/31/2023

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 AMS 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

Bill Number: 1028 2S HB AMS LAW S2359.3	Title: Crime victims & witnesses	Agency: 370-Eastern Washington University
---	---	---

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
Account					
General Fund-State 001-1	25,000	10,000	35,000	20,000	20,000
Total \$	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: Ryan Giannini	Phone: 3607867285	Date: 03/24/2023
Agency Preparation: Keith Tyler	Phone: 509 359-2480	Date: 03/30/2023
Agency Approval: Alexandra Rosebrook	Phone: (509) 359-7364	Date: 03/30/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 03/31/2023

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 AMS LAW S2359.3 makes the following changes to the previous bill:

- 1) adds new section 7, amending RCW 43.43.754
- 2) adds new section 10, amending RCW 9A.44.020
- 3) adds new section 11, amending RCW 7.69.030

The significant changes to this bill are summarized as follows:

- 1) Biological samples must be collected from a juvenile adjudicated of an offense which if committed by an adult would be a felony
- 2) Requires jail and prison facilities to collect biological samples from a convicted person required to provide a sample before released from confinement.
- 3) Limits the ability of a defendant accused of sex offenses to introduce evidence of a victim's past sexual behavior on a victim's social media account to attack a victim's credibility
- 4) Modifies the statutory rights of crime victims, survivors, and witnesses to apply to any adult or juvenile criminal or sexually violent predator commitment proceeding.

EWU does not operate jail or prison facilities, and training requirements from the previous bill remain unchanged. Therefore EWU is submitting the same fiscal note as the previous bill to provide for the training of officers as required.

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
Total \$			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-					
Total \$	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

Bill Number: 1028 2S HB AMS LAW S2359.3	Title: Crime victims & witnesses	Agency: 375-Central Washington University
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
Account					
General Fund-State 001-1	25,000	0	25,000	25,000	0
Total \$	25,000	0	25,000	25,000	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: Ryan Giannini	Phone: 3607867285	Date: 03/24/2023
Agency Preparation: Erin Sargent	Phone: 509-963-2395	Date: 03/29/2023
Agency Approval: Lisa Plesha	Phone: (509) 963-1233	Date: 03/29/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 03/29/2023

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 establishes the sexual assault forensic examination best practices advisory group within the office of the AG, provides guidance regarding the makeup of the group, assigns duties, and establishes policies and requirements for the group.

Section 2 authorizes the group to administer a grant program for establishing a statewide resource prosecutor for sexual assault cases.

Section 3 expands the commission's training requirements to include the highest-ranking supervisors and commanders, overseeing those investigations.

Section 4 requires all peace officers to complete the training once every three years.

Section 5 requires an annual case review to be conducted by the commission.

Section 6 requires the commission to develop and conduct specific training for persons responsible for prosecuting sexual assault cases.

Section 7 expands the requirements related to the collection of biological samples for the purposes of DNA analysis related to certain adjudications, and requires jail and prison facilities to collect samples prior to release.

Section 8 expands the time limit a person may be prosecuted for a sex offense from two years to four years.

Section 9 relates to the disclosure of information by healthcare providers to law enforcement for the purposes of gathering evidence.

Section 10 expands guidance related to evidence of the victim's past sexual behavior and what would be considered inadmissible.

Section 11 expands the rights of victims, survivors or victims, and witnesses of crimes, and provides guidance related to the denial of these rights.

Section 12 states that section 4 takes effect on July 1, 2024.

Section 13 notes that if funding is not provided by June 30, 2023, the act is null and void.

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.

Section 4 requires all peace officers to receive training once every three years. While it is difficult to assess the financial impact, the initial costs will be approximately \$25k to get compliant and another 25k every three years to send everyone to the training every three years.

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	0	25,000	25,000	0
Total \$			25,000	0	25,000	25,000	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	25,000		25,000	25,000	
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-					
Total \$	25,000	0	25,000	25,000	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

Revised

Bill Number: 1028 2S HB AMS LAW S2359.3	Title: Crime victims & witnesses	Agency: 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
Account					
General Fund-State 001-1	5,852	0	5,852	5,852	0
Total \$	5,852	0	5,852	5,852	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: Ryan Giannini	Phone: 3607867285	Date: 03/24/2023
Agency Preparation: Daniel Ralph	Phone: 360-867-6500	Date: 03/27/2023
Agency Approval: Dane Apalategui	Phone: 360-867-6517	Date: 03/27/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 03/29/2023

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.

This bill inserts a New Section 7 requiring the collection of DNA samples.

Section 8 is the previous Section 7

Section 9 is the previous Section 8

Inserts Section 10 which speaks to victim sexual mores admissibility in court.

Inserts Section 11 which speaks to victim rights.

Section 12 is the previous Section 9

Section 13 is the previous Section 10

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
Total \$			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-					
Total \$	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

Revised

Bill Number: 1028 2S HB AMS LAW S2359.3	Title: Crime victims & witnesses	Agency: 380-Western Washington University
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
Account					
General Fund-State 001-1	22,500	0	22,500	22,500	0
Total \$	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: Ryan Giannini	Phone: 3607867285	Date: 03/24/2023
Agency Preparation: Gena Mikkelsen	Phone: 3606507412	Date: 03/28/2023
Agency Approval: Faye Gallant	Phone: 3606504762	Date: 03/28/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 03/29/2023

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 new additions in Section 7, 10 and 11 will not have any new fiscal impact on Western Washington University under the assumption that the collection of DNA will primarily be done in a corrections facility.

Every officers will still need to obtain training to meet the requirements of this bill.

This bill still 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 for all officers.

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-					
Total \$	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.

Individual State Agency Fiscal Note

Bill Number: 1028 2S HB AMS LAW S2359.3	Title: Crime victims & witnesses	Agency: 477-Department of Fish and Wildlife
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Ryan Giannini	Phone: 3607867285	Date: 03/24/2023
Agency Preparation: David Hoeveler	Phone: (360) 970-1638	Date: 03/27/2023
Agency Approval: David Hoeveler	Phone: (360) 970-1638	Date: 03/27/2023
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 03/27/2023

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 CHANGE FROM PREVIOUS NOTE – The changes in the proposed legislation do not create a fiscal impact to WDFW.

Section 7 directs city and county jail facilities to adopt policies for collecting biological samples from persons convicted of an offense listed in subsection (1)(a) of section 7. WDFW does not operate city or county jail facilities and does not lead investigations into sexual assault and other gender-based violence cases.

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 2S HB AMS LAW S2359.3	Title: Crime victims & witnesses
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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. City jails could incur indeterminate expenses for DNA collection.
- Counties:** Sheriff’s offices could incur annual training expenses totaling \$230,516. County jails could incur indeterminate expenses due to DNA collection. Prosecuting attorney offices could experience indeterminate increases in staff work due to expanding who qualifies for victim services.
- 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. The number of incarcerated people who will refuse to provide required DNA; the number of victims that will qualify for victim services.

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
TOTAL \$	917,972	917,972	1,835,944	1,835,944	1,835,944
GRAND TOTAL \$					5,507,832

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: 03/29/2023
Leg. Committee Contact: Ryan Giannini	Phone: 3607867285	Date: 03/24/2023
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 03/29/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 03/29/2023

Part IV: Analysis

A. SUMMARY OF BILL

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

This fiscal note compares the striker bill to 2SHB 1028.

CHANGES BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

The striker bill would make amendments to required DNA collection for people convicted of particular offenses, and it would expand who qualifies for victim services.

SUMMARY OF CURRENT BILL:

Sec. 1 would create 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 would create 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 would amend 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 and other gender-based violence cases 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 to such investigations.

Sec. 4 would amend 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 would add 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 would amend RCW 43.43.754.

Sec. 7 (1) (a) would require DNA collection for juveniles adjudicated of an offense that would have been a felony offense if committed by an adult.

Sec. 7 (5) (a) (i) (A) specifies that city and county jails would be required to collect DNA prior to releasing a person from confinement for a person convicted of any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense.

Sec. 7 (5) (a) (i) (B) would require each city and county jail facility to adopt and implement a policy that collects biological samples from persons convicted of an offense listed in subsection (1)(a) of this section as soon as practicable during the

person's term of confinement.

Sec. 7 (5) (a) (i) (B) (ii) would establish a notification procedure for city and county jails that do not collect a required DNA sample prior to releasing a person from confinement whose DNA collection is required. The responsible city or county jail facility would be required to notify the sentencing court within three business days of the person's release that it has released the person without collecting the person's biological sample, and provide the reason for releasing the person without collecting a biological sample. Within 10 days of receiving notice of the person's release, the sentencing court shall schedule a compliance hearing. The jail shall serve or cause to be served notice to the person of the compliance hearing and shall file proof of service with the sentencing court. A representative of the jail shall attend the compliance hearing and obtain the person's biological sample at the hearing. The court may, in its discretion, require the jail to pay attorneys' fees and court costs associated with scheduling and attending the compliance hearing.

Sec. 7 (5) (d) would allow courts another option to collect a DNA sample from a person convicted of any offense listed in subsection 10 (1) (a) of this section, or adjudicated guilty of an equivalent juvenile offense, who will not serve a term of confinement. Currently, if the local police department or sheriff's office has a protocol for collecting the biological sample in the courtroom, the court may order the person to immediately provide the biological sample to the local police department or sheriff's office before leaving the presence of the court. This section would create a new option for courts to administratively book the convicted person at a city or county jail facility for the sole purpose of providing a biological sample.

Sec. 8 would amend 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.

Sec. 9 would add a new section to chapter RCW 70.02 to specify that 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. 11 would modify the statutory rights of crime victims, survivors, and witnesses to apply to any adult or juvenile criminal proceeding and any sexually violent predator commitment proceeding. It also provides that if a victim, survivor of a victim, or witness of a crime is denied a right, that person may seek an order directing compliance by the relevant party. Provides that compliance with the right is the sole available remedy.

Sec. 13 states that if specific funding for the Act is not provided by June 30, 2023, this act is null and void.

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 current version of the bill could increase jail staff time and could increase prosecuting attorney time. These potential expenditure increases are indeterminate.

EXPENDITURE IMPACTS OF CURRENT BILL:

The striker could cause prosecuting attorney's offices to incur additional indeterminate expenses due to expanding who qualifies for victim services. Additionally, city and county jails could experience increased indeterminate expenditures related to DNA collection. City police departments could incur \$687,456, and county sheriff's offices could incur \$230,516 annually to attend the new required trainings that the legislation would establish. Costs that could be estimated are entered into the expenditure grid.

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.

POLICE DEPARTMENTS' 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)

SHERIFF'S OFFICES' 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)

JAIL'S DNA COLLECTION:

Requiring jails to collect DNA before releasing incarcerated people could result in indeterminate increased expenditures for city and county jails.

When an incarcerated person is required to provide a DNA sample, and the person complies with the DNA collection procedure, there would not be a fiscal impact. Where there is not immediate compliance, a jail could petition for a drag order. A drag order means the court holds the person in contempt, they get a gross misdemeanor, and the jail is empowered to collect the evidence. Petitioning for a drag order involves some amount of staff time and resources. In situations where a person refuses to comply with DNA collection, and jails cannot get a drag order before releasing a person, then additional staff resources would be required to follow up. However, the frequency with which people will be non-compliant, and the total staff time required to address it cannot be anticipated in advance. Therefore the cost impact of DNA collection is indeterminate.

PROSECUTING ATTORNEY OFFICES:

According to Washington Association of Prosecuting Attorneys (WAPA), county prosecutor offices are currently required to handle victim notifications on all felonies, and gross misdemeanor domestic violence cases. The legislation expands who qualifies for victim services. WAPA anticipates this would increase the work prosecuting attorney offices would do to provide victim services.

While the actual cost impacts are indeterminate because the future number of victims and survivors who may receive victim services cannot be predicted, WAPA shared Fiscal Year 2022 numbers for illustrative purposes. Note that county prosecutors' victim services expenditures were not available, but WAPA was able to provide two revenue sources that partially fund county prosecutors' victim services program.

In Fiscal Year 2022, federal grants authorized by the Violence Against Women Act awarded Washington's county prosecuting attorney offices a total of \$2,493,433 to support prosecutors' work to provide victim services. County prosecuting attorney offices also receive over \$4 million per year from Victim Impact Assessments (or criminal legal financial obligations), and counties contribute additional funds.

Based on these revenue streams that fund prosecutors' costs to provide victim services, WAPA conservatively estimates prosecuting attorney offices spend approximately \$6,000,000 per year to provide victim services under current law. If the number of victims and survivors receiving victim services from county prosecutor offices increases as a result of the legislation, then WAPA anticipates an increased workload. However, it is not possible to predict the number of crimes that may be committed and the number of victims and survivors that may be impacted by such crimes. As such, it is not possible to calculate the exact cost impact county prosecutors may experience as a result of the legislation that increases the victims and survivors that would qualify for prosecutors' victim services.

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 striker 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