

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1383 HB	<b>Title:</b> Early release petitions/juv.
-----------------------------	--

## Estimated Cash Receipts

Agency Name	2023-25			2025-27			2027-29		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Office of Attorney General	0	0	297,000	0	0	594,000	0	0	208,000
<b>Total \$</b>	<b>0</b>	<b>0</b>	<b>297,000</b>	<b>0</b>	<b>0</b>	<b>594,000</b>	<b>0</b>	<b>0</b>	<b>208,000</b>

## 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
Office of the Governor	.5	160,000	160,000	160,000	1.0	310,000	310,000	310,000	1.0	310,000	310,000	310,000
Office of Attorney General	1.0	0	0	297,000	1.9	0	0	594,000	.8	0	0	208,000
Department of Children, Youth, and Families	2.5	625,000	625,000	725,000	5.0	1,186,000	1,186,000	1,378,000	5.0	1,186,000	1,186,000	1,378,000
Department of Corrections	2.8	2,104,000	2,104,000	2,104,000	13.0	8,608,000	8,608,000	8,608,000	7.0	5,710,000	5,710,000	5,710,000
Department of Corrections	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
<b>Total \$</b>	<b>6.8</b>	<b>2,889,000</b>	<b>2,889,000</b>	<b>3,286,000</b>	<b>20.9</b>	<b>10,104,000</b>	<b>10,104,000</b>	<b>10,890,000</b>	<b>13.8</b>	<b>7,206,000</b>	<b>7,206,000</b>	<b>7,606,000</b>

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Office of the Governor	.0	0	0	.0	0	0	.0	0	0
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Department of Children, Youth, and Families	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

## Estimated Capital Budget Breakout

<b>Prepared by:</b> Danya Clevenger, OFM	<b>Phone:</b> (360) 688-6413	<b>Date Published:</b> Final 1/26/2024
--	---------------------------------	---

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1383 HB	<b>Title:</b> Early release petitions/juv.	<b>Agency:</b> 075-Office of the Governor
-----------------------------	--	---

## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	1.0	0.5	1.0	1.0
<b>Account</b>					
General Fund-State      001-1	0	160,000	160,000	310,000	310,000
<b>Total \$</b>	0	160,000	160,000	310,000	310,000

### Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Corey Patton	Phone: 360-786-7388	Date: 01/09/2024
Agency Preparation: Kathy Cody	Phone: (360) 480-7237	Date: 01/19/2024
Agency Approval: Jamie Langford	Phone: (360) 870-7766	Date: 01/19/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 01/22/2024

## 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.*

Sec. 2. (1) Notwithstanding any other provision of this chapter, any person convicted of one or more crimes committed prior to the person's eighteenth birthday may petition the indeterminate sentence review board for early release after reaching the age of 24 or older, provided the person has not been convicted for any crime committed subsequent to the person's eighteenth birthday, the person has not committed a disqualifying serious infraction as defined by the Department of Corrections (Department) in the twelve months prior to filing the petition for early release, and the current sentence was not imposed under RCW 10.95.030 or 9.94A.507.

(2) No later than five years prior to the date the offender will be eligible to petition for release, the Department shall conduct an assessment of the offender and identify programming and services that would be appropriate to prepare the offender for return to the community. To the extent possible, the Department shall make programming available as identified by the assessment.

(3) No later than one hundred eighty days from receipt of the petition for early release, the Department shall conduct, and the offender shall participate in, an examination of the person, incorporating methodologies that are recognized by experts in the prediction of dangerousness, and including a prediction of the probability that the person will engage in future criminal behavior if released on conditions to be set by the board. The board may consider a person's failure to participate in an evaluation under this subsection in determining whether to release the person. The board shall order the person released under such affirmative and other conditions as the board determines appropriate, unless the board determines by a preponderance of the evidence that, despite such conditions, it is more likely than not that the person will commit new criminal law violations if released. The board shall give public safety considerations the highest priority when making all discretionary decisions regarding the ability for release and conditions of release.

(5) The Department may provide rental vouchers to a person who successfully petitions the board under subsection (1) of this section if rental assistance will allow the petitioner to safely release. The Department shall maintain a list of housing providers that meets the requirements of RCW 72.09.285. If more than two voucher recipients will be residing per dwelling unit, as defined in RCW 59.18.030, rental vouchers for those recipients may only be paid to a housing provider on the Department's list. For each successful petitioner who is the recipient of a rental voucher, the Department shall gather data as recommended by the Washington state institute for public policy in order to best demonstrate whether rental vouchers are effective in reducing recidivism.

(7) An offender whose petition for release is denied may file a new petition for release five years from the date of denial or at an earlier date as may be set by the board.

### 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.*

To implement this bill, the Office of the Corrections Ombuds (OCO) requests the following:

Early Resolution Ombuds 1 (1.0 FTE) \$55,000.00/year. Duties will include:

-Intake on the OCO hotline related to people convicted of one or more crimes committed before the person's 18th birthday,

- Petitioning the Indeterminate Sentence Review Board (ISRB) for early release,
- Casework to review incarcerated person’s disciplinary history,
- ISRB communications,
- Programming recommendations,
- Rental vouchers, and
- Release planning.

Goods and services: Based on average employee costs, the Office requests ongoing funding for supplies and materials, communications and telecommunications services, lease space, training, software licensing and maintenance at \$3,000 per year, per FTE.

Travel: The Office requests ongoing funding for travel associated with these positions at \$6,000 per year, per FTE. OCO has unique needs because the population served is incarcerated. This accommodates frequent overnight travel to prisons and reentry centers around the state.

Capital Outlays: The Office requests one-time funding for purchasing equipment at \$5,000 per FTE.

Shared Service Costs: The Office of Financial Management provides administrative support for the Office of Financial Management, Office of the Governor, and Office of Independent Investigations. These services include IT support, budget and accounting services, facilities support, and human resource assistance. To fund these shared services, each budgeted FTE is assessed an ongoing cost of \$30,000 and 0.22 of an FTE. Based on the average salary for those providing these services, we estimate the cost for a new FTE at \$30,000 per year including salary, benefits, equipment, and support costs.

In addition to staffing, OCO requests the following:

1. Records retention and records request administrative and software costs associated with the implementation of this bill is estimated at \$23,000.00.
2. OCO assumes additional legal services from the Attorney General's Office (AGO) will be required as a result of this bill. The volume of subpoena of records related to litigation against the Department of Corrections from incarcerated individuals and/or their family members that the OCO will receive. This would increase the amount of AGO hours needed to defend the OCO’s confidentiality statute. The impact of such litigations is unknown as the number and complexity of cases filed cannot be predicted. Predicting the frequency and complexity of these requests with accuracy is difficult, but we assume the need for additional legal services will average 5 hours monthly (60 hours annually) and will be ongoing. Estimate of \$12,500.00.

### 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	0	160,000	160,000	310,000	310,000
<b>Total \$</b>			0	160,000	160,000	310,000	310,000

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		1.0	0.5	1.0	1.0
A-Salaries and Wages		55,000	55,000	110,000	110,000
B-Employee Benefits		25,000	25,000	50,000	50,000
C-Professional Service Contracts					
E-Goods and Other Services		39,000	39,000	78,000	78,000
G-Travel		6,000	6,000	12,000	12,000
J-Capital Outlays		5,000	5,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements		30,000	30,000	60,000	60,000
9-					
<b>Total \$</b>	0	160,000	160,000	310,000	310,000

**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
Early Resolution Ombuds	55,000		1.0	0.5	1.0	1.0
<b>Total FTEs</b>			1.0	0.5	1.0	1.0

**III. D - Expenditures By Program (optional)**

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

**Part V: New Rule Making Required**

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

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1383 HB	<b>Title:</b> Early release petitions/juv.	<b>Agency:</b> 100-Office of Attorney General
-----------------------------	--	---

## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
Legal Services Revolving Account-State 405-1		297,000	297,000	594,000	208,000
<b>Total \$</b>		297,000	297,000	594,000	208,000

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	1.9	1.0	1.9	0.8
<b>Account</b>					
Legal Services Revolving Account-State 405-1	0	297,000	297,000	594,000	208,000
<b>Total \$</b>	0	297,000	297,000	594,000	208,000

### Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Corey Patton	Phone: 360-786-7388	Date: 01/09/2024
Agency Preparation: Amy Flanigan	Phone: 509-456-3123	Date: 01/23/2024
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 01/23/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 01/24/2024

## 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 - New section. Intent of Legislature to allow persons who committed crimes while under the age of 18 to petition the Indeterminate Sentence Review Board (ISRB) for early release after reaching the age of 24 or older.

Section 2 - Amends RCW 9.94A.730. Allows a persons described in Section 1 to petition the ISRB for early release as set forth in Section 1. Also adds language allowing the Department of Corrections (DOC) to provide rental vouchers in specified situations and requires DOC to maintain a list of housing providers. DOC is also required to gather data as recommended by the Washington State Institute for Public Policy (WSIPP) in order to determine if these vouchers are effective in reducing recidivism.

This bill is assumed effective 90 days after the end of the 2024 legislative session.

### 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.*

Cash receipts are assumed to equal the Legal Services Revolving Account (LSRA) cost estimates. These will be billed through the revolving account to the client agency.

The client agency is the Department of Corrections (DOC). The Attorney General's Office (AGO) will bill all clients for legal services rendered.

These cash receipts represent the AGO's authority to bill and are not a direct appropriation to the AGO. The direct appropriation is reflected in the client agency's fiscal note. Appropriation authority is necessary in the AGO budget.

#### AGO AGENCY ASSUMPTIONS:

DOC will be billed for non-King County rates:

FY 2025 through FY 2027: \$297,000 for 1.0 Assistant Attorney General FTE (AAG) and 0.5 Paralegal 1 FTE (PL1)

FY 2028: \$179,000 for 0.6 AAG and 0.3 PL1

FY 2029 and in each FY thereafter: \$29,000 for 0.1 AAG and 0.1 PL1

### 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:

This bill is assumed effective 90 days after the end of the 2024 legislative session.

Location of staffing is assumed to be in a non-King County 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 FTE (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 Paralegal 1 FTE (PL1) and 0.4 MA.

1. Assumptions for the AGO Corrections Division’s (COR) Legal Services for the Department of Corrections (DOC):

There are 267 individuals in DOC custody who would be eligible to petition the Indeterminate Sentence Review Board (ISRB) for release under this bill during the first after the bill’s effective date. There would be approximately 16 individuals who would become eligible each subsequent year. ISRB would hold approximately 140 hearings on petitions for release under the bill during the first three years, 90 hearings in the fourth year, and 15 hearings in each year thereafter. ISRB would deny release with respect to at least 50 percent of petitions filed under the bill. It is estimated that 60 percent of individuals denied release would file Personal Restraint Petitions (PRP) challenging ISRB’s decision. This would result in an additional PRP workload of approximately 42 new cases in FY 2025 through FY 2027, 27 new cases in FY 2027, and four new cases in FY 2028 and in each FY thereafter. The PRP’s resulting from this bill would require, on average, 40 hours of AAG time each case, including reviewing the petition, preparing a response, oral argument before the Court of Appeals in cases not decided on the briefs, and responding to requests for discretionary review by the Washington Supreme Court. There would be ongoing legal advice to the ISRB regarding implementation of this bill and ISRB’s consideration with respect to petitions for release filed. COR estimates this legal advice to average four hours per month, or 48 hours annually.

COR: Total non-King County workload impact:

FY 2025 through FY 2027: \$297,000 for 1.0 AAG and 0.5 PL1  
 FY 2028: \$179,000 for 0.6 AAG and 0.3 PL1  
 FY 2029 and in each FY thereafter: \$29,000 for 0.1 AAG and 0.1 PL1

2. The AGO Children, Youth and Families Division (CYF) has reviewed this bill and determined it will not increase or decrease the division’s workload in representing the Department of Children, Youth and Families (DCYF). Therefore, no costs are included in this request.

3. The AGO Solicitor General’s Office Division (SGO) has reviewed this bill and determined it will not increase or decrease the division’s workload. Therefore, no costs are 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
405-1	Legal Services Revolving Account	State	0	297,000	297,000	594,000	208,000
<b>Total \$</b>			0	297,000	297,000	594,000	208,000

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		1.9	1.0	1.9	0.8
A-Salaries and Wages		203,000	203,000	406,000	142,000
B-Employee Benefits		61,000	61,000	122,000	43,000
E-Goods and Other Services		31,000	31,000	62,000	22,000
G-Travel		2,000	2,000	4,000	1,000
<b>Total \$</b>	0	297,000	297,000	594,000	208,000

**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
Assistant Attorney General	129,100		1.0	0.5	1.0	0.4
Management Analyst 5	95,184		0.4	0.2	0.4	0.2
Paralegal 1	69,072		0.5	0.3	0.5	0.2
<b>Total FTEs</b>			1.9	1.0	1.9	0.8

**III. D - Expenditures By Program (optional)**

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Corrections Division (COR)		297,000	297,000	594,000	208,000
<b>Total \$</b>		297,000	297,000	594,000	208,000

**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

<b>Bill Number:</b> 1383 HB	<b>Title:</b> Early release petitions/juv.	<b>Agency:</b> 307-Department of Children, Youth, and Families
-----------------------------	--	--

## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	5.0	2.5	5.0	5.0
<b>Account</b>					
General Fund-State 001-1	0	625,000	625,000	1,186,000	1,186,000
General Fund-Federal 001-2	0	100,000	100,000	192,000	192,000
<b>Total \$</b>	0	725,000	725,000	1,378,000	1,378,000

### Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Corey Patton	Phone: 360-786-7388	Date: 01/09/2024
Agency Preparation: Jay Treat	Phone: 360-556-6313	Date: 01/19/2024
Agency Approval: Crystal Lester	Phone: 360-628-3960	Date: 01/19/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 01/19/2024

## 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.*

Sec 2. Allows any juvenile who committed their offense while under the age of 18 and sentenced to adult court to petition the Indeterminate Sentence Review Board (ISRB) for early release after they have reached the age of 24 years old or older instead of having to wait until age 20 years to petition the ISRB for early release.

### 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.*

Juvenile Rehabilitation (JR) currently does not have a role in preparing or petitioning to the ISRB except in a very few cases for youth who have a sex offense.

By having all youth petition the ISRB at the age of 24, there is a new workload for JR staff required to coordinate, track and prepare, and support the entire ISRB petition process we also need staff to do the record collection, from our Automated client tracking system and other data collection sources to ensure that all the required documentation is provided to the board. This would be done by the Department Of Corrections (DOC) if the young person was at DOC.

JR would need staff to help prepare the individual for the petition process and ensure information is gathered and shared with the appropriate entities for the offender assessment and identification of programs and services that would be appropriate to prepare for return to the community. Additionally, the same staff would also serve as the points of communication and coordination with all parties to meet the elements outlined including organizing and scheduling the review to occur with the ISRB.

JR currently has 131 DOC clients. 79 of those 131 clients will have an earned release date past their 25th birthday and may be eligible to petition the ISRB for early release once they turn 24 years old. 16 of those 131 clients in JR are currently past the age of 24 and could be eligible to petition the ISRB for release as soon as the bill is passed. All the rest of the 79 young people are under 24 so they would be eligible in upcoming years, once they turn 24.

The Department of Children, Youth and Families (DCYF) estimates \$807,000 (\$792,000 GFS \$15,000 GFF) and 5.0 Full time Equivalent Staff (FTEs) in the 2024 Supplemental. Costs begin July 1, 2024 and are on-going. These costs include the standard FTE costs.

1.0 FTE Juvenile Rehabilitation Specialist (JRS). The JRS will provide coordination between JR, ISRB and DOC for all individuals who meet the criteria outlined in this bill. Responsibilities include tracking timelines, helping prepare young people for petition process, coordinating programming and required DOC assessments, and ensuring all documents are collected, organized and sent to the appropriate parties.

1.0 FTE Administrative Assistance 3 (AA3). This AA3 will provide administrative support to the process working with the ISRB and DOC to ensure they have all documents needed, assist with scheduling meetings and coordinating the hearings.

1.0 FTE IT Business Analyst Journey. The Business Analyst will gather and refine the requirements, and determine what changes and additions need to be completed in Automated Client Tracking System (ACT). This position works in collaboration with the IT development team and business Product Owner.

1.0 FTE IT Quality Assurance Entry. This position will write and execute test plans to ensure all needs identified are correctly implemented. By adding additional functionality to an already large case management system will only add more complexity to the system. This position will be needed to test any changes coming into the system as it matures.

1.0 FTE IT Application Developer Senior. The Sr. Developer will provide leadership and senior level development skills to oversee the team needed to ensure the success of this investment related to the bill requirements.

**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	0	625,000	625,000	1,186,000	1,186,000
001-2	General Fund	Federal	0	100,000	100,000	192,000	192,000
<b>Total \$</b>			0	725,000	725,000	1,378,000	1,378,000

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		5.0	2.5	5.0	5.0
A-Salaries and Wages		455,000	455,000	910,000	910,000
B-Employee Benefits		178,000	178,000	356,000	356,000
C-Professional Service Contracts					
E-Goods and Other Services		9,000	9,000	18,000	18,000
G-Travel		12,000	12,000	24,000	24,000
J-Capital Outlays		36,000	36,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements		35,000	35,000	70,000	70,000
9-					
<b>Total \$</b>	0	725,000	725,000	1,378,000	1,378,000

**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	54,190		1.0	0.5	1.0	1.0
IT Applications Developer Senior/Specialist	124,069		1.0	0.5	1.0	1.0
IT Business Analyst Journey	107,160		1.0	0.5	1.0	1.0
IT Quality Assurance Entry	92,786		1.0	0.5	1.0	1.0
Juvenile REhabilitation Sepcialies	76,607		1.0	0.5	1.0	1.0
<b>Total FTEs</b>			5.0	2.5	5.0	5.0

**III. D - Expenditures By Program (optional)**

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Juvenile Rehabilitaton (020)		213,000	213,000	398,000	398,000
ProgramSupport (090)		512,000	512,000	980,000	980,000
<b>Total \$</b>		725,000	725,000	1,378,000	1,378,000

## 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

None

## Part V: New Rule Making Required

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

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1383 HB	<b>Title:</b> Early release petitions/juv.	<b>Agency:</b> 310-Department of Corrections
-----------------------------	--	--

## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	5.5	2.8	13.0	7.0
<b>Account</b>					
General Fund-State 001-1	0	2,104,000	2,104,000	8,608,000	5,710,000
<b>Total \$</b>	0	2,104,000	2,104,000	8,608,000	5,710,000

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

### Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Corey Patton	Phone: 360-786-7388	Date: 01/09/2024
Agency Preparation: John Ching	Phone: (360) 725-8428	Date: 01/26/2024
Agency Approval: Michael Steenhout	Phone: (360) 789-0480	Date: 01/26/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 01/26/2024

## 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 expands who can petition the Indeterminate Sentence Review Board (ISRB) for early release who were convicted under the age of 18. It removes the requirement to serve 20 years prior to petitioning for early release.

Section 2(1) amends RCW 9.94A.730 and 2015 c 134 s 6 by adding individuals convicted of one or more crimes committed prior to the person's eighteenth birthday may petition to the ISRB for early release reaching the age of 24 or older, provided the person has not been convicted for any class A or B felony offense committed subsequent to the person's eighteenth birthday, the person has not committed a disqualifying serious infraction as defined by the Department of Corrections (DOC) in the twelve months prior to filing the petition for early release, and the current sentence was not imposed under RCW. 10.95.030 or 9.94A.507.

Section 2(5) states rental vouchers may be provided to a person who successfully petitions the ISRB under Section 2(1) if rental assistance will allow the petitioner to safely release. DOC shall maintain a list of housing providers that meets the requirements of RCW 72.09.285. If more than two voucher recipients will be residing per dwelling unit, as defined in RCW 59.18.030, rental vouchers for those recipients may only be paid to a housing provider on the DOC's list. For each successful petitioner who is the recipient of a rental voucher, DOC shall gather data as recommended by the Washington State Institute for Public Policy (WSIPP) in order to best demonstrate whether rental vouchers are effective in reducing recidivism.

The effective date is assumed to be 90 days after the adjournment of session in which this bill is passed.

### II. B - Cash receipts Impact

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

### II. C - Expenditures

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

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

This bill expands who is currently available to petition for early release and removes a disqualification of being convicted of a crime over the age of 18. The DOC assumes this bill would likely result in an increase in the number of individuals likely to petition for early release, although the impact cannot be reliably estimated. The DOC also assumes that the provisions in this bill are both prospective and retrospective in nature and the analyses are based on this assumption.

With an approximated estimate in increase of 267 cases in FY2025 that includes retroactive cases, plus an average of 16 cases each subsequent FY, ISRB, Health Services, and Community Corrections would require an additional 6.5 FTEs in FY2025, 19.0 FTEs in FY2026, 23.0 FTEs in FY2027, 18.0 FTEs in FY2028, and 15.0 in FY2029 of temporary and on-going staff members to meet the influx of individuals being released.

#### ISRB Staffing

Currently, the ISRB processes approximately 350 hearings per year. Adding an additional 267 hearings, with an average of 16 individuals each consecutive year, will significantly increase workload. The ISRB would require additional staffing to process the hearings. Each job class below is being requested at a six-month phase in for FY2025, full-time in FY2026 and FY2027, then phasing out in FY2028 and FY2029:



- 1.0 Records Manager FTE – needed to supervise the Correctional Records Technicians.
- 2.0 Correctional Records Technicians FTEs - are needed to ensure the incarcerated individual have the ability to petition for length of time served, establish an electronic file, obtain records, and create a docket.
- 1.0 Office Assistant 3 FTE - is needed to assist the records unit. To provide records to prosecutors, courts and victims upon requests, and public disclosure requests when requested. There are several functions that are various administrative required to be done by an Office Assistant 3.
- 1.0 Program Specialist 3 FTE - will notify victims/survivors of the person’s eligibility to petition which may require intensive work related to trauma surrounding complex cases, and meeting with the victims/survivors.
- 1.0 Investigator Supervisor FTE - to supervise the investigators.
- 2.0 Investigator 3 FTEs - will review the eligibility by reviewing DOC databases, responding to inquiries about eligibility from incarcerated individuals, family members, and attorneys, while completing the analysis of the case for the Board Members review prior to the hearing.
- 2.0 Board Member FTEs - will be responsible for holding release hearings and determining whether someone is releasable from prison. In addition, they preside over violation hearings for people under community custody to determine if they should be returned to prison. They also apply conditions of supervision, are on appeal panels for revocation sanctions, approve release plans and respond to administrative actions that have to do with individuals in prison and in the community. They complete approximately 400 release hearings a year and 175 violation hearings a year.

We assumed a staffing phase-in of six months in FY2025 due to hiring, training, and hearing preparation. Staffing cost includes startup costs (workstation and chair) and ongoing costs (staff training, office supplies, durable goods, leased vehicles, cell phones, and leased personal computers).

We assumed a hearing phase-in of approximately 12 months will be needed for staff implementation, notification, psychological assessments, and scheduling of hearings.

#### Health Services Psychological Evaluations

Two additional Psychologist 4’s will be needed for preparation of psychological evaluations if 267 individuals meet eligibility requirements. Those individuals are required to have a psychological evaluation per statute completed by DOC. Currently DOC uses DOC psychologists to complete those evaluations. An Office Assistant 3 is needed to schedule and facilitate the coordination of the psychological evaluations.

- 2.0 Psychologist 4 FTE’s
  - o Salary \$358,000 and benefits \$100,000 = \$459,000
  - o Ongoing costs total \$9,000
  - o One-time costs total \$1,000
- 1.0 Office Assistant 3 FTE
  - o Salary \$59,000 and benefits \$24,000 = \$83,000
  - o Ongoing costs total \$5,000
  - o One-time costs total \$500

#### Additional Workload for Psychological Evaluations:

Additional resources may be required to perform psychological evaluations if the Psychologist 4’s are not able to maintain the demand of the needed evaluations. A Psychologist 4 can complete no more than 40 evaluations per year. The estimated amount of time it takes to prepare a psychological evaluation report is 30 hours per evaluation, and the cost for each hour is \$300. Currently if a Juvenile Board Case (JUVBRD) is found not releasable, and then allowed to re-petition, an additional

evaluation would be needed. We assume that 50% will be found releasable, 50% will carry over into future years when they are once again eligible to petition. Therefore, additional contract costs for psychological evaluations may be needed which will require additional funding. A psychological exam will need to be performed for each participant's ISRB hearing.

FY2025: 120 psychologist evaluations x 30 hours per evaluation x \$300 per hour = \$1,081,000  
FY2026: 147 psychologist evaluations x 30 hours per evaluation x \$300 per hour = \$1,322,000  
FY2027: 152 psychological evaluations x 30 hours per evaluation x \$300 per hour = \$1,369,000  
FY2028: 89 psychological evaluations x 30 hours per evaluation x \$300 per hour = \$799,000  
FY2029: 23 psychological evaluations x 30 hours per evaluation x \$300 per hour = \$207,000

#### Housing Vouchers

To meet the requirements of 1383 HB, DOC is required to provide rental vouchers for individuals, provided they successfully petition the ISRB and are allowed to safely release. The individual cost per rental voucher is valued at \$700. As an illustrated example, if DOC assumes 10 individuals will be receiving the rental vouchers, the total cost for the rental vouchers is calculated as per below:

$\$700$  (cost per rental voucher) x 10 (assumed number of individuals receiving vouchers) =  $\$7,000$  (total cost of the rental vouchers).

#### Prison Daily Variable Rate (DVC) Impact:

It is estimated that 50% of those that petition the Board for release are successful and leave the prison system. The DOC estimates the following DVC savings:

FY2025: (61) Average Daily Population (ADP) x \$7,630 DVC = \$(465,430)  
FY2026: (74) ADP x \$7,630 DVC = \$(564,620)  
FY2027: (77) ADP x \$7,630 DVC = \$(587,510)  
FY2028: (45) ADP x \$7,630 DVC = \$(343,350)  
FY2029: (12) ADP x \$7,630 DVC = \$(91,560)

#### Community Supervision Caseload Impacts:

Those incarcerated individuals who are successful in their petitions to the Board will leave prison custody and enter community supervision for approximately three years resulting in the following impacts:

FY2025: 61 ADP, 2.0 FTEs and \$372,161  
FY2026: 135 ADP, 7.0 FTEs and \$823,635  
FY2027: 212 ADP, 11.0 FTEs and \$1,293,412  
FY2028: 196 ADP, 10.0 FTEs and \$1,195,796  
FY2029: 134 ADP, 7.0 FTEs and \$817,534

#### Legal Services

Upon enactment of HB 5981, the Attorney General Office (AGO) will provide legal services to DOC for those individuals who file personal restraint petitions (PRP) challenging the ISRB's decision to deny release. An estimated addition of PRP workload for FY2025 through FY2026, 27 new cases in FY2027, and 4 new cases in FY2028 and each FY thereafter. Each PRP requires on average 40 hours of an Assistant Attorney General (AAG), Paralegal, and Management Analyst 5's time, to include reviewing the petition, preparing a response, oral argument before the Court of Appeals in cases not decided on the briefs, and responding to requests for discretionary review by the Washington Supreme Court. There would also be on-going legal advice to the ISRB regarding implementation of this bill and the Board's consideration with requests to petitions files. This would be estimated to be 4 hours per month or 48 hours annually.

FY2025: 1.9 FTE, and \$279,000  
FY2026: 1.9 FTE, and \$297,000

FY2027: 1.9 FTE, and \$297,000

FY2028: 0.9 FTE, and \$179,000

FY2029: 0.2 FTE, and \$29,000

IT Cost Calculation Estimate:

Customization of the Offender Management Network Information (OMNI) system is needed to meet the requirements of this legislation. The proposed legislation would require a new Finding Type or repurpose of existing Finding Types in Sentence Information, update to Juvenile Offender Information section of the General Status screen, and update to any policy that references Juvenile Board individuals. Due to the complexity of completing the development, testing, and implementation of the statutory changes, contracted services are necessary in FY2025.

FY2025 IT Expense

IT Application Development | \$185 per hour x 20 hours = \$3,700

IT Quality Assurance | \$185 per hour x 16 hours = \$2,960

IT Business Analyst | \$185 per hour x 5 hours = \$925

Total One-Time Costs in FY2025 = \$8,000 (Rounded to nearest thousand)

The DOC requests funding for the indirect costs of agency administration (FY2025 1.0 FTE's and \$115,000, FY2026 2.8 FTE's and \$329,000) and requests funding for interagency costs of (FY2025 \$13,000 and FY2026 \$38,000), for the purpose of implementing this legislation. The approved agency indirect rate and associated cost of administration are calculated based on the salaries and benefits of staff conducting back office administrative functions, divided by all remaining salaries and benefits.

Agency Wide Impact:

The determinate DOC fiscal impact (rounded to the thousands) is as follows:

FY2025: 7.5 FTEs and \$2,104,000

FY2026: 21.8 FTEs and \$4,048,000

FY2027: 26.4 FTEs and \$4,560,000

FY2028: 20.4 FTEs and \$3,385,000

FY2029: 17.0 FTEs and \$2,325,000

The DOC will "true up" our fiscal impact in subsequent budget submittals should the legislation be enacted into session law

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	0	2,104,000	2,104,000	8,608,000	5,710,000
<b>Total \$</b>			0	2,104,000	2,104,000	8,608,000	5,710,000

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

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		5.5	2.8	13.0	7.0
A-Salaries and Wages		640,000	640,000	3,969,000	2,791,000
B-Employee Benefits		207,000	207,000	1,322,000	994,000
C-Professional Service Contracts		1,218,000	1,218,000	2,691,000	1,006,000
E-Goods and Other Services		(313,000)	(313,000)	(551,000)	144,000
G-Travel		6,000	6,000	27,000	25,000
J-Capital Outlays		50,000	50,000	89,000	14,000
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services		181,000	181,000	341,000	222,000
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements		115,000	115,000	720,000	514,000
9-					
<b>Total \$</b>	0	2,104,000	2,104,000	8,608,000	5,710,000

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

**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
BOARD MEMBER					2.0	1.0
CHIEF INVESTIGATOR			0.5	0.3	1.0	
CORR RECORDS TECHNICIAN			1.0	0.5	2.0	1.0
INVESTIGATOR 3			1.0	0.5	2.0	1.0
OFFICE ASSISTANT 3			1.0	0.5	2.0	2.0
PROGRAM SPECIALIST 3			0.5	0.3	1.0	1.0
PSYCHOLOGIST 4			1.0	0.5	2.0	1.0
RECORDS MGR			0.5	0.3	1.0	
<b>Total FTEs</b>			5.5	2.8	13.0	7.0

**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.*