

Multiple Agency Fiscal Note Summary

Bill Number: 1062 S HB	Title: Law enf. officers/deception
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Estimated Cash Receipts

NONE

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

Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	.0	0	0	0	.0	0	0	0	.0	0	0	0
State Lottery	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State Gambling Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Insurance Commissioner	.0	0	0	0	.0	0	0	0	.0	0	0	0
Liquor and Cannabis Board	.0	0	0	0	.0	0	0	0	.0	0	0	0
Utilities and Transportation Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State Patrol	.0	0	0	35,875	.0	0	0	0	.0	0	0	0
Criminal Justice Training Commission	1.0	326,000	326,000	326,000	2.0	586,000	586,000	586,000	2.0	586,000	586,000	586,000
Department of Social and Health Services	.0	0	0	0	.0	0	0	0	.0	0	0	0
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	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Eastern Washington University	.0	0	0	0	.0	0	0	0	.0	0	0	0
Central Washington University	.0	0	0	0	.0	0	0	0	.0	0	0	0
The Evergreen State College	.0	0	0	0	.0	0	0	0	.0	0	0	0
Western Washington University	.0	0	0	0	.0	0	0	0	.0	0	0	0
State Parks and Recreation Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Fish and Wildlife	.2	155,000	155,000	155,000	.0	0	0	0	.0	0	0	0
Department of Natural Resources	.0	0	0	0	.0	0	0	0	.0	0	0	0
Total \$	1.2	481,000	481,000	516,875	2.0	586,000	586,000	586,000	2.0	586,000	586,000	586,000

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other			316,933						
Local Gov. Total			316,933						

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
State Lottery	.0	0	0	.0	0	0	.0	0	0
Washington State Gambling Commission	.0	0	0	.0	0	0	.0	0	0
Office of Insurance Commissioner	.0	0	0	.0	0	0	.0	0	0
Liquor and Cannabis Board	.0	0	0	.0	0	0	.0	0	0
Utilities and Transportation Commission	.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 Social and Health Services	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
University of Washington	.0	0	0	.0	0	0	.0	0	0
Washington State University	.0	0	0	.0	0	0	.0	0	0
Eastern Washington University	.0	0	0	.0	0	0	.0	0	0
Central Washington University	.0	0	0	.0	0	0	.0	0	0
The Evergreen State College	.0	0	0	.0	0	0	.0	0	0
Western Washington University	.0	0	0	.0	0	0	.0	0	0
State Parks and Recreation Commission	.0	0	0	.0	0	0	.0	0	0
Department of Fish and Wildlife	.0	0	0	.0	0	0	.0	0	0
Department of Natural Resources	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

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

Estimated Capital Budget Breakout

Prepared by: Gaius Horton, OFM	Phone: (360) 819-3112	Date Published: Final 2/ 1/2024
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Judicial Impact Fiscal Note

Bill Number: 1062 S HB	Title: Law enf. officers/deception	Agency: 055-Administrative Office of the Courts
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Corey Patton	Phone: 360-786-7388	Date: 01/24/2024
Agency Preparation: Jackie Bailey-Johnson	Phone: 360-704-5545	Date: 01/25/2024
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 01/25/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/25/2024

192,196.00

Request # 144-1

Part II: Narrative Explanation

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

This bill relates to the use of deception by law enforcement officers during custodial interrogations.

II. B - Cash Receipts Impact

None

II. C - Expenditures

No court or Administrative Office of the Courts impact.

Part III: Expenditure Detail

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

NONE

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

NONE

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

NONE

III. D - FTE Detail

NONE

III. E - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B1 - Expenditures by Object Or Purpose (State)

NONE

IV. B2 - Expenditures by Object Or Purpose (County)

NONE

IV. B3 - Expenditures by Object Or Purpose (City)

NONE

IV. C - Capital Budget Breakout

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

NONE

Individual State Agency Fiscal Note

Bill Number: 1062 S HB	Title: Law enf. officers/deception	Agency: 116-State Lottery
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Corey Patton	Phone: 360-786-7388	Date: 01/24/2024
Agency Preparation: John Iyall	Phone: 360-810-2870	Date: 01/24/2024
Agency Approval: Josh Johnston	Phone: 360-810-2878	Date: 01/24/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	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.

There is no fiscal impact. Pursuant to RCW 67.70.330, Washington's lottery is a limited authority law enforcement agency as defined in RCW 10.93.020. However, Lottery employees are not authorized by the agency to take suspects into custody or otherwise engage in custodial interrogation.

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: 1062 S HB	Title: Law enf. officers/deception	Agency: 117-Washington State Gambling Commission
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Corey Patton	Phone: 360-786-7388	Date: 01/24/2024
Agency Preparation: Kriscinda Hansen	Phone: 360-486-3489	Date: 02/01/2024
Agency Approval: Kriscinda Hansen	Phone: 360-486-3489	Date: 02/01/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 02/01/2024

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(3) defines “law enforcement officer” to include limited authority Washington peace officers in RCW 10.93.020.

Section 2(1) creates a presumption of inadmissibility for statements made by persons during custodial interrogations conducted by law enforcement officers, if the court determines that the officer intentionally engaged in deception in obtaining the statements and the statements were made in relation to an investigation for a misdemeanor or a felony.

Section 3 of the bill requires the Criminal Justice Training Commission (CJTC) to develop and administer training in evidence-based, noncoercive interrogation techniques for law enforcement personnel.

The Gambling Commission conducts custodial interviews on average once a month and will need to ensure agents attend the updated training provided by CJTC. Because CJTC is providing the training free of cost, there is no fiscal impact to the agency.

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: 1062 S HB	Title: Law enf. officers/deception	Agency: 160-Office of Insurance Commissioner
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Corey Patton	Phone: 360-786-7388	Date: 01/24/2024
Agency Preparation: Michael Walker	Phone: 360-725-7036	Date: 01/26/2024
Agency Approval: Bryon Welch	Phone: 360-725-7037	Date: 01/26/2024
OFM Review: Jason Brown	Phone: (360) 742-7277	Date: 01/27/2024

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(3) defines “law enforcement officer” to include limited authority Washington peace officers in RCW 10.93.020.

Section 2(1) creates a presumption of inadmissibility for statements made by persons during custodial interrogations conducted by law enforcement officers, if the court determines that the officer intentionally engaged in deception in obtaining the statements and the statements were made in relation to an investigation for a misdemeanor or a felony.

The Office of Insurance Commissioner’s (OIC) criminal investigations unit does not routinely conduct custodial interrogations within the normal course of business operations. Additionally, the OIC does not engage in law enforcement officer deception. Therefore, no fiscal impact to the OIC.

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: 1062 S HB	Title: Law enf. officers/deception	Agency: 195-Liquor and Cannabis Board
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Corey Patton	Phone: 360-786-7388	Date: 01/24/2024
Agency Preparation: Colin O Neill	Phone: (360) 664-4552	Date: 01/24/2024
Agency Approval: Aaron Hanson	Phone: 360-664-1701	Date: 01/24/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 01/25/2024

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 2(1) A statement made by a person during a custodial interrogation conducted by a law enforcement officer is presumed to be inadmissible if the court determines that the officer intentionally engaged in deception in obtaining the statement and the statement was made in relation to an investigation of a misdemeanor or a felony, or, in the case of a juvenile, an allegation that the person being interrogated committed an act that would constitute a misdemeanor or a felony if committed by an adult.

Section 2(2) The prosecution may overcome the presumption of inadmissibility if it proves by clear and convincing evidence that the person's statement was voluntary and not made in response to the officer's use of deception.

CHANGES MADE BY THE SUBSTITUTE:

- Exempts from the definition of "custodial interrogation" any circumstances where the court finds that an officer was not required to give the subject of an interrogation a warning and advise the subject of his or her rights before eliciting a response.
- Exempts from the definition of "deception" any circumstances where an officer has a reasonable belief that using otherwise deceptive tactics is necessary to: protect the integrity of a previous or ongoing undercover law enforcement operation, or an ongoing criminal investigation; protect the identity or ensure the safety of an officer, confidential informant, witness, victim, or other individual; or confirm the existence, identity, or whereabouts of a suspected victim or victims that the officer reasonably believes the subject of the interrogation is attempting to conceal information about.
- Requires the Criminal Justice Training Commission to contract with an expert or organization with certain expertise to develop, administer, and periodically revise a training in evidence-based, noncoercive interrogation techniques for law enforcement personnel, and to begin offering the training by July 1, 2025, at no cost to law enforcement personnel or agencies.
- Provides an effective date of December 1, 2025, for the provisions establishing the presumption of inadmissibility for applicable statements made during a custodial interrogation.

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.

No fiscal impact.

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: 1062 S HB	Title: Law enf. officers/deception	Agency: 215-Utilities and Transportation Commission
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Corey Patton	Phone: 360-786-7388	Date: 01/24/2024
Agency Preparation: Kim Anderson	Phone: 360-664-1153	Date: 01/26/2024
Agency Approval: Kim Anderson	Phone: 360-664-1153	Date: 01/26/2024
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 01/29/2024

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.

UTC assumes there is no fiscal impact resulting from this legislation. The UTC is a limited law enforcement agency but does not commission employees as peace officers, nor does it enforce criminal law. UTC employees do not receive certification as criminal justice personnel. While the employees have badges for identification purposes, the employee do not detain individuals of the public.

The sub bill exempts certain circumstances when a court finds an officer wasn't required to give someone subject to interrogation a warning. The sub exempts deception in certain situations. The bill requires the criminal justice training commission to contract with an expert or organization to develop a training on noncoercive interrogations by July 1, 2025. The new provisions of this bill will not impact the UTC fiscally or otherwise.

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.

UTC assumes no cash receipts will go to UTC as a result of this legislation.

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.

UTC assumes it will not have any expenditures as a result of this legislation.

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.

UTC assumes it will not be required to conduct a rulemaking as a result of this legislation.

Individual State Agency Fiscal Note

Bill Number: 1062 S HB	Title: Law enf. officers/deception	Agency: 225-Washington State Patrol
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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					
State Patrol Highway Account-State 081-1	0	35,875	35,875	0	0
Total \$	0	35,875	35,875	0	0

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Corey Patton	Phone: 360-786-7388	Date: 01/24/2024
Agency Preparation: Allison Plant	Phone: 360-596-4080	Date: 01/29/2024
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 01/29/2024
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 01/29/2024

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.

The substitute version of the proposed legislation adds exemptions to the definitions of “custodial interrogation” and “deception”. It also adds a requirement for the Criminal Justice Training Commission (CJTC) and an effective date for the act.

The proposed legislation has a fiscal impact to the Washington State Patrol (WSP).

New Section 1(1) exempts from the definition of "custodial interrogation" any circumstances where the court finds that an officer was not required to give the subject of an interrogation a warning and advise the subject of his or her rights before eliciting a response.

New Section 1(2) exempts from the definition of "deception" any circumstances where an officer has a reasonable belief that using such tactics is necessary to: protect the integrity of a previous or ongoing undercover law enforcement operation; protect the integrity of an ongoing criminal investigation; protect the identity or ensure the safety of an officer, confidential informant, witness, victim, or other individual; or confirm the existence, identity, or whereabouts of a suspected victim or victims that the officer reasonably believes the subject of the interrogation is attempting to conceal information about.

New Section 2(1) makes a statement made by a person during a custodial interrogation in relation to a misdemeanor or felony, or an act that would constitute a misdemeanor or felony if committed by an adult, inadmissible if the court determines that the officer intentionally engaged in deception in obtaining the statement.

New Section 2(2) will allow the prosecution to overcome the presumption of inadmissibility if it proves that the person’s statement was voluntary.

New Section 3 requires the CJTC, subject to the availability of funding appropriated for the purpose, to contract with an expert or organization with certain expertise to develop, administer, and periodically revise a training in evidence-based, noncoercive interrogation techniques for law enforcement personnel, and to begin offering the training by July 1, 2025, at no cost to law enforcement personnel or agencies.

New Section 5 states that sections 1, 2 and 4 take effect December 1, 2025.

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.

New Section 1 of the substitute version of the proposed legislation would require training to be developed and given to our commissioned officers and cadets regarding custodial interrogation.

We estimate that it would take 40 hours to research, develop, and review new training. We also estimate that it would take five academy staff about 22 total hours to deliver the training to all commissioned officers and cadets. Each person

receiving the training would need an estimated 15 minutes to complete it. We also expect it would take 2 hours of administrative time to verify compliance with training requirements and 2 hours of commander time to communicate compliance requirements and provide oversight of completion. We are authorized 1,125 employees who would need the training, bringing the total amount of hours needed to receive the training to about 281 hours. The total estimated cost to research, develop, review, give, and receive the training required from this proposed legislation is \$35,875.

We base our estimate for agency indirect costs on the approved federal indirect cost rate of 33.41 percent. We apply this indirect cost rate percentage to all categories of expenditure with only two exceptions: capital equipment and expenditures after \$25,000 of each projected contract. Indirect costs include, but are not limited to, computer and telecommunications support, payroll processing, vendor payments, general accounting, procurement administration, inventory control, and human resource management.

Once the training in New Section 3 is created by the CJTC, we will evaluate how to incorporate that in our training plan.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
081-1	State Patrol Highway Account	State	0	35,875	35,875	0	0
Total \$			0	35,875	35,875	0	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		20,128	20,128		
B-Employee Benefits		6,763	6,763		
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		8,984	8,984		
9-Indirect Costs					
Total \$	0	35,875	35,875	0	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: 1062 S HB	Title: Law enf. officers/deception	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	0.0	2.0	1.0	2.0	2.0
Account					
General Fund-State 001-1	0	326,000	326,000	586,000	586,000
Total \$	0	326,000	326,000	586,000	586,000

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: 01/24/2024
Agency Preparation: Brian Elliott	Phone: 206-835-7337	Date: 01/31/2024
Agency Approval: Brian Elliott	Phone: 206-835-7337	Date: 01/31/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 01/31/2024

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 3(1) states subject to the availability of amounts appropriated for this specific purpose, the commission shall contract with an expert or organization with expertise in interrogation tactics to develop, administer, and periodically revise a training in evidence-based, noncoercive interrogation techniques for law enforcement personnel.

Section 3(3) states after development of the training is completed, the commission shall make the training available at no cost to all law enforcement personnel and law enforcement agencies in the state.

Section 3(4) states the commission shall begin offering the training by July 1, 2025.

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.

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.

Estimated expenses to administer, develop, and deliver interrogation techniques training as described in section 3 of this bill include:

Program Manger to manage program and oversee training:

Salary = \$129,000

Benefits = \$38,000

Administrative Assistant to assist program manager and manage training records:

Salary = \$55,000

Benefits = \$25,000

One time staff equipment cost in fiscal year 2025 = \$10,000

Course development in fiscal year 2025 and updates each year after:

Fiscal year 2025 = \$24,000

Fiscal year 2026 and each year after = \$2,000

Course expenses per 24-hour class:

Travel = \$1,000

Training materials/equipment = \$100

Instructors = \$4,500

Total per class = \$5,600

Class expenses for 8 classes per year = \$44,800

Rounded fiscal year totals:

Fiscal year 2025 = \$326,000

Fiscal year 2026 and each year after = \$293,000

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	0	326,000	326,000	586,000	586,000
Total \$			0	326,000	326,000	586,000	586,000

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		2.0	1.0	2.0	2.0
A-Salaries and Wages		184,000	184,000	368,000	368,000
B-Employee Benefits		63,000	63,000	126,000	126,000
C-Professional Service Contracts					
E-Goods and Other Services		79,000	79,000	92,000	92,000
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	0	326,000	326,000	586,000	586,000

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	55,000		1.0	0.5	1.0	1.0
Program Manager	129,000		1.0	0.5	1.0	1.0
Total FTEs			2.0	1.0	2.0	2.0

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: 1062 S HB	Title: Law enf. officers/deception	Agency: 300-Department of Social and Health Services
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Corey Patton	Phone: 360-786-7388	Date: 01/24/2024
Agency Preparation: Douglas Hoffer	Phone: 360-902-8187	Date: 01/26/2024
Agency Approval: Dan Winkley	Phone: 360-902-8236	Date: 01/26/2024
OFM Review: Arnel Blancas	Phone: (360) 000-0000	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.

There is no fiscal impact to the Department of Social and Health Services (DSHS). This bill specifies that a statement made by a person during a custodial interrogation conducted by a law enforcement officer is presumed to be inadmissible if the court determines that the officer intentionally engaged in deception in obtaining the statement. DSHS does not have arrest capabilities and does not interview persons in custody.

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: 1062 S HB	Title: Law enf. officers/deception	Agency: 310-Department of Corrections
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

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

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Corey Patton	Phone: 360-786-7388	Date: 01/24/2024
Agency Preparation: Jaymie Hall	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.

An act relating to the use of deception by law enforcement officers during custodial interrogations; and adding a new chapter to chapter 43.101 RCW; adding a new chapter to Title 10 RCW; and providing an expiration date.

1062 S HB differs from the original bill in the following ways:

Section 1(1) provides clarification as to which circumstances do not classify as a “custodial interrogation”.

Section 1(2) through Section 2(d) states that the use of deception is warranted should the officer have a reasonable belief that using such tactics is necessary to protect the integrity of an undercover law enforcement operation, ongoing criminal investigation, or to protect the identity or ensure safety of an officer, confidential informant, witness, victim or other individual, or to confirm the existence, identity, or whereabouts of a suspected victim or victims that may be the subject that the custodial interrogations is attempting to conceal information about.

Section 3 is a new section that states that the commission will contract with an expert or organization to develop, administer, and revise a training in evidence-based noncoercive interrogation techniques.

Section 3(3) states that after the training program is completed, it will be available at no cost to law enforcement personnel and agencies within the state.

Section 4 is a new section stating that sections 1 and 2 of this act constitute a new chapter in Title 10 RCW.

Section 5 is a new section that gives an effective date of December 1st, 2025, for sections 1, 2, and 4.

The following impacts from the original bill remain unchanged in the substitute:

Section 1 is a new section that provides definitions of custodial interrogation, deception, law enforcement officer, person, and statements that apply throughout the bill.

Section 1(1) defines “Custodial interrogation” as the questioning, actions, or words by a law enforcement officer which are likely to elicit an incriminating response from an individual that a reasonable person in the same situation would consider while in custody.

Section 1(2) defines “Deception” as the act of knowingly giving false facts about evidence or statements regarding leniency by a law enforcement officer to an individual under custodial interrogation.

Section 1(3) defines “Law Enforcement Officer” as a general authority Washington peace officer or limited authority Washington peace officer as defined in RCW 10.93.020.

Section 1(4) defines “Person” as an individual, corporation, business trust, statutory trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, or government, government subdivision, agency, or instrumentality, or any other legal or commercial entity.

Section 1(5) defines “Statement” as a communication whether oral, written, electronic, or nonverbal.

Section 2 is a new section that states the court can deem a statement made during custodial interrogation conducted by a law enforcement officer inadmissible if the court determines that the officer intentionally engaged in deception in obtaining

the statement and if the statement was related to an investigation to a misdemeanor or felony. Prosecution can overturn the presumption of admissibility if it is proved that the evidence was made voluntary and not in response to the officer's use of deception.

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).

Section 3 specifies that the new training program in "evidence-based noncoercive interrogation techniques" will be available at no cost to agencies within the state. However, it is unknown whether this new training program will require attendance in person or online. Depending on the length and required location of said training, there may be additional funding required. Therefore, the fiscal impact is indeterminate assumed to be less than \$50,000 per FY.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

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

III. B - Expenditures by Object Or Purpose

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

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

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: 1062 S HB	Title: Law enf. officers/deception	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: Corey Patton	Phone: 360-786-7388	Date: 01/24/2024
Agency Preparation: Michael Lantz	Phone: 2065437466	Date: 01/29/2024
Agency Approval: Jed Bradley	Phone: 2066164684	Date: 01/29/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/30/2024

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.

Substitute House Bill 1062 concerns custodial interrogations by law enforcement. Compared with the original bill, SHB 1062 maintains the presumption that statements made during custodial interrogations are inadmissible in court if it is found that a law enforcement officer intentionally engaged in deception to obtain the statement. Meanwhile, Section 3 is new and directs the Criminal Justice Training Commission to contract to develop, administer, and periodically revise training in evidence-based, noncoercive interrogation techniques for law enforcement agencies and personnel. This training is required to be offered at no cost starting July 1, 2025.

As with the original bill, there is no expected fiscal impact to the University of Washington Police Department (UWPD), or the University as a whole, from SHB 1062. Any needed updates to UWPD training and procedures can be done using 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: 1062 S HB	Title: Law enf. officers/deception	Agency: 365-Washington State University
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

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

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Corey Patton	Phone: 360-786-7388	Date: 01/24/2024
Agency Preparation: Anne-Lise Brooks	Phone: 509-335-8815	Date: 01/29/2024
Agency Approval: Chris Jones	Phone: 509-335-9682	Date: 01/29/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/30/2024

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.

S HB 1062 outlines how a statement made during interrogation by a law enforcement officer may be inadmissible in court if the officer used deception in order to get the statement from a person. It also requires training in evidence-based, noncoercive interrogation techniques for law enforcement personnel.

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.

Although the training required in Section 3 might be free, if it is offered outside of Pullman, WA, WSU would incur all costs associated with that travel, including hotel, per diem, and mileage. It could also require overtime, either to attend, or for backfill so shifts are fully staffed. If, however, it was offered online and on demand, there would be no cost.

Washington State University expects total annual costs to be less than \$50,000, but indeterminate based on uncertainty around training location.

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: 1062 S HB	Title: Law enf. officers/deception	Agency: 370-Eastern Washington University
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Corey Patton	Phone: 360-786-7388	Date: 01/24/2024
Agency Preparation: Keith Tyler	Phone: 509 359-2480	Date: 01/29/2024
Agency Approval: Tammy Felicijan	Phone: (509) 359-7364	Date: 01/29/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/30/2024

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.

SHB 1062 adds a new chapter to Title 10 RCW relating to the use of deception by law enforcement officers during custodial interrogations. Changes to the substitute bill potentially relevant to EWU include Section 1 exemptions from definitions of "custodial interrogation" and "deception", as well as the requirements in section 3 for the commission to develop training for law enforcement personnel at no cost. EWU does not anticipate that these changes will cause a fiscal impact.

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: 1062 S HB	Title: Law enf. officers/deception	Agency: 375-Central Washington University
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Corey Patton	Phone: 360-786-7388	Date: 01/24/2024
Agency Preparation: Alexa Orcutt	Phone: 5099632955	Date: 01/25/2024
Agency Approval: Lisa Plesha	Phone: (509) 963-1233	Date: 01/25/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/25/2024

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.

1062 SHB is the proposed substitute for 1062 HB. 1062 SHB expands the definition of “custodial interrogation” and provides officers exceptions to “deception” tactics. 1062 SHB adds a new section to chapter 43.101 RCW: Dependent upon appropriated amounts the commission will develop, administer, and periodically revise a training in evidence-based, noncoercive interrogation techniques for law enforcement personnel. Also, adds an effective date for the proposed bill of December 1, 2025.

CWU does not estimate any fiscal impact based on the language of this bill.

Please see original summary of 1062 HB below:

Section 1: New: Definitions in this section apply throughout this chapter unless the context clearly requires otherwise. (1) Defines “custodial interrogation” (2) Defines “deception” (3) Defines "law enforcement officer" (4) Defines “person” (5) Defines “statement”.

Section 2: New: (1) A statement made by a person during a custodial interrogation conducted by a law enforcement officer is presumed to be inadmissible if the court determines that the officer intentionally engaged in deception in obtaining the statement and the statement was made in relation to an investigation of a misdemeanor or a felony, or, in the case of a juvenile, an allegation that the person being interrogated committed an act that would constitute a misdemeanor or a felony if committed by an adult (2) Prosecution may overcome the presumption of inadmissibility if it proves by clear and convincing evidence that the person’s statement was voluntary.

Section 3: New: Sections 1 and 2 of this act constitute a new chapter in Title 10 RCW.

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: 1062 S HB	Title: Law enf. officers/deception	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:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Corey Patton	Phone: 360-786-7388	Date: 01/24/2024
Agency Preparation: Daniel Ralph	Phone: 360-867-6500	Date: 01/24/2024
Agency Approval: Lisa Dawn-Fisher	Phone: 564-233-1577	Date: 01/24/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/25/2024

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.

S HB 1062 relates to the use of deception by law enforcement officers during custodial interrogations.

New section 3 adds a requirement for the Criminal Justice Training Commission.

The revised bill creates no additional requirements for the college so the assessment of no fiscal impact is not changed.

HB 1062 relates to the use of deception by law enforcement officers during custodial interrogations.

Section 1 defines “custodial interrogation,” “deception,” “law enforcement officer,” “person” and “statement.”

Section 2 states that a statement made by a person which has been obtained via deception during a custodial interrogation is presumed to be inadmissible. The prosecution may overcome the presumption if it proves that the statement was made voluntarily and not as a result of deception.

If this bill becomes law, the college’s police officers will be trained to the new standard using existing resources. There is no fiscal impact on the college.

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: 1062 S HB	Title: Law enf. officers/deception	Agency: 380-Western Washington University
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Corey Patton	Phone: 360-786-7388	Date: 01/24/2024
Agency Preparation: Gena Mikkelsen	Phone: 3606507412	Date: 01/25/2024
Agency Approval: Anna Hurst	Phone: 360-650-3569	Date: 01/25/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/25/2024

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.

New Section 3 adds language mandating the State Criminal Justice System develop training and then make it no cost to all law enforcement agencies.

The updated bill adds no fiscal impact on our institution.

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: 1062 S HB	Title: Law enf. officers/deception	Agency: 465-State Parks and Recreation Commission
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Corey Patton	Phone: 360-786-7388	Date: 01/24/2024
Agency Preparation: Robert Ingram	Phone: (360) 902-8615	Date: 01/25/2024
Agency Approval: Frank Gillis	Phone: (360) 902-8538	Date: 01/25/2024
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 01/25/2024

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 substitute bill adds a new section to chapter 43.101 and provides an effective date for the legislation.

If enacted, this substitute bill would have no fiscal impact on State Parks. The agency's law enforcement officers do not participate in custodial interrogations and would not be impacted by this legislation.

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.

If enacted, this substitute bill would have no fiscal impact on State Parks. The agency's law enforcement officers do not participate in custodial interrogations and would not be impacted by this legislation.

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: 1062 S HB	Title: Law enf. officers/deception	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:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.3	0.2	0.0	0.0
Account					
General Fund-State 001-1	0	155,000	155,000	0	0
Total \$	0	155,000	155,000	0	0

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Corey Patton	Phone: 360-786-7388	Date: 01/24/2024
Agency Preparation: David Hoeveler	Phone: (360) 970-1638	Date: 01/25/2024
Agency Approval: David Hoeveler	Phone: (360) 970-1638	Date: 01/25/2024
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 01/25/2024

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.

Differences in this bill version creates a minor change to the fiscal impact for WDFW, adding a requirement to contract with an entity that has expertise in interrogation techniques. The Enforcement program will need to develop, and train commissioned staff on updated best practices in interrogation techniques. The training will address any policy changes that may be required.

Sec. 2. A statement made by a person during a custodial interrogation conducted by a law enforcement officer is presumed to be inadmissible if the court determines that the officer intentionally engaged in deception in obtaining the statement and the statement was made in relation to an investigation of a misdemeanor or a felony, or, in the case of a juvenile, an allegation that the person being interrogated committed an act that would constitute a misdemeanor or a felony if committed by an adult. However, the prosecution may overcome the presumption of inadmissibility if it proves by clear and convincing evidence that the person's statement was voluntary and not made in response to the officer's use of deception.

New Section 3 Adds the requirement to contract with an expert or organization with expertise in interrogation tactics to develop, administer, and periodically revise training in interrogation techniques.

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 Enforcement program will need to develop, and train commissioned staff on updated best practices in interrogation techniques. The training will be conducted to standard with internal resources and the aid of contractors in accordance with section 3 of the proposed legislation. It is estimated that the contract will be a one-time cost of \$10,000. The Department will train approximately 141 personnel for FY25. The population will be split in half for two training sessions. The costs for the training include the standard employee costs, OT salary, OT benefits, and travel costs. The OT salary and OT benefits will cover backfilling officers that rotate through training to reduce impacts to mission capacity. The standard employee costs are \$6,600. OT Salary and OT benefits are calculated as 0.2 FTEs of 103 law enforcement officers = \$45,802, and 0.1 FTEs of 26 law enforcement sergeants = \$27,407. Additionally, travel costs are one day of per diem and one night of lodging for 90 percent of the staff traveling from outside the local area. Per diem = (141 x 90% x \$74) = \$9,391 and lodging = (141 x 90% x \$140) = \$17,766. An infrastructure and program support rate of 36.03 percent is included in Object T and is calculated based on WDFW's federally approved indirect rate.

Average training cost will be \$155,000 per 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	0	155,000	155,000	0	0
Total \$			0	155,000	155,000	0	0

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		0.3	0.2		
A-Salaries and Wages		58,000	58,000		
B-Employee Benefits		15,000	15,000		
C-Professional Service Contracts		10,000	10,000		
E-Goods and Other Services		7,000	7,000		
G-Travel		27,000	27,000		
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements		38,000	38,000		
T-Intra-Agency Reimbursements					
9-					
Total \$	0	155,000	155,000	0	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
FISH & WILDLIFE ENFORCEMENT OFFICER			0.2	0.1		
FISH & WILDLIFE ENFORCEMENT SERGEANT			0.1	0.1		
Total FTEs			0.3	0.2		0.0

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

Part V: New Rule Making Required

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

Individual State Agency Fiscal Note

Bill Number: 1062 S HB	Title: Law enf. officers/deception	Agency: 490-Department of Natural Resources
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Corey Patton	Phone: 360-786-7388	Date: 01/24/2024
Agency Preparation: Ana Cruz	Phone: 3609021121	Date: 01/26/2024
Agency Approval: Brian Considine	Phone: 3604863469	Date: 01/26/2024
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 01/30/2024

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 substitute bill added to definitions in Section 1, added Section 3 to expand on interrogation training, and added Section 5 to provide effective date of December 1, 2025. No change to fiscal impact as in previous fiscal note.

This bill will make a person's statement inadmissible if during a custodial interrogation conducted by a law enforcement officer, and the court determines that the officer intentionally engaged in deception to obtain the statement. The statement is presumed to be inadmissible if it was made in relation to an investigation of a misdemeanor or a felony, or, in the case of a juvenile, an allegation that the person being interrogated committed an act that would constitute a misdemeanor or a felony if committed by an adult. However, the prosecution can overcome this presumption of inadmissibility if it proves by clear and convincing evidence that the person's statement was voluntary and not made in response to the officer's use of deception.

This bill would make using a "ruse" during investigations illegal. It would require DNR law enforcement to adjust current procedures which would be accomplished through normal trimester training sessions. There will be no additional costs to the agency as this training is provided as a normal course of business and is routinely done when case law or new legislation is passed and signed into law.

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: 1062 S HB

Title: Law enf. officers/deception

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

Legislation Impacts:

Cities: Costs for police departments to revise practices, policy or training

Counties: Same as above, but for sheriffs' offices

Special Districts:

Specific jurisdictions only:

Variance occurs due to:

Part II: Estimates

No fiscal impacts.

Expenditures represent one-time costs: Training current officers in new interrogation practices

Legislation provides local option:

Key variables cannot be estimated with certainty at this time:

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

Jurisdiction	FY 2024	FY 2025	2023-25	2025-27	2027-29
City		235,969	235,969		
County		80,964	80,964		
TOTAL \$		316,933	316,933		
GRAND TOTAL \$					316,933

Part III: Preparation and Approval

Fiscal Note Analyst: Alice Zillah	Phone: 360-725-5035	Date: 01/30/2024
Leg. Committee Contact: Corey Patton	Phone: 360-786-7388	Date: 01/24/2024
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 01/30/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/31/2024

Part IV: Analysis

A. SUMMARY OF BILL

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

CHANGES BETWEEN THIS VERSION AND PRIOR VERSION OF THE BILL:

The substitute amends the definitions of "custodial interrogation" and "deception." It also adds a new section 3 directing the Criminal Justice Training Commission to develop training for law enforcement personnel. These changes do not impact the costs discussed below.

SUMMARY OF BILL:

Section 1 would add a new section that includes definitions for "custodial interrogation," "deception," "law enforcement officer," "person," and "statement."

Section 2 would add a new section that would make statements by a person during a custodial interrogation inadmissible as evidence if the officer intentionally engaged in deception and the statement was made in relation to investigation of a crime. This would pertain to felony or misdemeanor investigations or, in the case of a juvenile, if the allegation is such that if committed by an adult the offense would constitute a misdemeanor or felony. The presumption of inadmissibility could be overcome if the prosecution proves the statement was voluntary and not made in response to the officer's deception.

Section 3 adds a new section to RCW 43.101. The Criminal Justice Training Commission shall make a training on evidence-based, noncoercive interrogation techniques available at no cost to all law enforcement personnel and law enforcement agencies in the state. The commission shall begin offering the training by July 1, 2025.

B. SUMMARY OF EXPENDITURE IMPACTS

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

The proposed legislation would require approximately \$316,933 in one-time costs for law enforcement training.

According to the Washington Association of Sheriffs and Police Chiefs (WASPC), all local law enforcement officers would need to go through training regarding the modification this bill would make to existing law enforcement duties. WASPC estimates that approximately 30 minutes of training would be required per law enforcement officer. This training would require a one-time cost of \$235,969 for cities and \$80,964 for counties, for a total one-time cost to local governments of \$316,933.

The 2022 Crime in Washington Report conducted by WASPC states that there are 6,647 commissioned officers in police departments and 2,249 commissioned officers in sheriff's departments, for a total of 8,896 commissioned law enforcement employees that would require training. The 2024 Local Government Fiscal Note Program Criminal Justice Cost Model estimates the average hourly salary (including benefits and overhead) for an officer employed by a city to be \$71, and the same figure for an officer employed by a county to be \$72. If every officer in Washington had to complete approximately 30 minutes of training, the cost to local governments would be:

Cities: 6,647 officers X 30 minutes X \$71 average hourly salary plus benefits and overhead = \$235,969

Counties: 2,249 officers X 30 minutes X \$72 average hourly salary plus benefits and overhead = \$80,964

Total: \$316,933

Please note that court impacts, including judicial costs, clerk costs, and court fees are described in fiscal notes prepared by the Administrative Office of the Courts (AOC). Local government fiscal notes include city and county expenditures for law enforcement investigations and arrests, indigent defenders, prosecutors, jail costs, etc.

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.

This bill would have no impact on local government revenues.

SOURCES

Administrative Office of the Courts

Washington Association of Sheriff and Police Chiefs

Local Government Fiscal Note HB 1223, 2021