Multiple Agency Fiscal Note Summary

Bill Number: 2178 HB Title: Sex offenses/comm. custody

Estimated Cash Receipts

NONE

Estimated Operating Expenditures

Agency Name	2023-25					2	025-27		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	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Caseload Forecast Council	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Corrections	6.8	1,625,000	1,625,000	1,625,000	13.5	3,050,000	3,050,000	3,050,000	13.5	3,050,000	3,050,000	3,050,000
Department of Corrections	In addit	ion to the estin	nate above,there	e are additiona	ıl indeter	minate costs	and/or savings.	Please see in	dividual f	scal note.		
Total \$	6.8	1,625,000	1.625.000	1,625,000	13.5	3,050,000	3,050,000	3,050,000	13.5	3.050.000	3,050,000	3,050,000

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

Estimated Capital Budget Expenditures

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

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

Estimated Capital Budget Breakout

Prepared by: Danya Clevenger, OFM	Phone:	Date Published:
	(360) 688-6413	Final 2/ 1/2024

Judicial Impact Fiscal Note

Bill Number: 2178 HB	Title: Sex offenses/comm. custody	Agency:	055-Administrative Office of the Courts
Part I: Estimates			
No Fiscal Impact			
Estimated Cash Receipts to:			
NONE			
Estimated Expenditures from:			
Non-z	ero but indeterminate cost and/or savings.	Please see discussion.	
Estimated Capital Budget Impact:			
NONE			
	es on this page represent the most likely fiscal imp	oact. Responsibility for expendi	tures may be
subject to the provisions of RCW 43. Check applicable boxes and follows:			
If fiscal impact is greater than	a \$50,000 per fiscal year in the current bienni	um or in subsequent biennia	, complete entire fiscal note fo
Parts I-V. If fiscal impact is less than \$5	50,000 per fiscal year in the current biennium	or in subsequent biennia, co	omplete this page only (Part I).
Capital budget impact, comp		1	
Legislative Contact Lena Lange	r	Phone: 360-786-7192	Date: 01/08/2024
Agency Preparation: Angie Wirk		Phone: 360-704-5528	Date: 01/30/2024
Agency Approval: Chris Stanle	ey	Phone: 360-357-2406	Date: 01/30/2024
ΦFM Review: Gaius Horto	on	Phone: (360) 819-3112	Date: 01/30/2024

 192,624.00
 Request # 049-1

 Form FN (Rev 1/00)
 1

 Bill # 2178 HB

Part II: Narrative Explanation

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

This would amend and add section to Chapter 9.94A RCW (Sentencing Reform Act of 1981) relating to establishing a pathway off lifetime community custody for individuals with sex offense convictions.

Section 1 would add a new section directing that sex offenders who are risk level I upon release from confinement shall be discharged after 5 years from community custody if they meet eligibility requirements and have not committed a disqualifying event. If individual is determined to not meet the criteria to be discharged from community custody, the Department of Corrections (DOC) shall refer to the Indeterminate Sentencing Board (IDSB) 90 days prior to discharge from community custody. Individuals who are risk level II may be discharged after 10 years if they meet eligibility requirements and do not commit a disqualifying event. The IDSB must review the file of a risk level II individual submitted by DOC to determine if individual qualifies for relief and hold a review hearing at least 120 days prior to the end of the supervision period. Individuals who are risk level III may be eligible for discharge from community custody 15 years after their return to the community. The IDSB must review the file of risk level III individuals submitted by DOC to determine if an individual qualifies for relief and hold a review hearing at least 120 days prior to the end of the supervision period. The section also adds a definition of disqualifying events and conditions for risk level II and III offenders if they commit a disqualifying event occurs within the last 5 years of their release from confinement.

Section 3 amends RCW 9.94A.670 (Special Sex Offender Sentencing Alternative) and directs the court to hold a supervision termination hearing within the presumed expiration hearing of community custody to determine if the individual should be released from community custody.

II. B - Cash Receipts Impact

None

II. C - Expenditures

This bill would have minimal impact to the Administrative Office of the Courts for forms updates required by the bill.

There would be an indeterminate impact to the courts. According to DOC, there are 693 Special Sex Offender Sentencing Alternative (SSOSA) cases. Not all would be up for immediate evaluation under the bill. The supervision termination hearing is meant to be held within 60 days of the presumed termination date of community custody. AOC does not have statistics on when each of the 693 current SSOSA cases will require review. Each, individual hearing is estimated to last approximately 60 minutes and would cost about \$900 per hearing.

STATE: \$200 per hearing, state share of superior court judge (50% salary, 100% benefits)

COUNTY: \$700 per hearing

Part III: Expenditure Detail

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

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

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

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

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

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

III. D - FTE Detail

NONE

III. E - Expenditures By Program (optional)

NONE

192,624.00 Request # 049-1

Form FN (Rev 1/00) 2 Bill # 2178 HB

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

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

NONE

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

NONE

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

NONE

IV. C - Capital Budget Breakout

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

NONE

None

Individual State Agency Fiscal Note

Bill Number: 2178 HB	Title:	Sex offenses/comm. custody	Age	ncy: 101-Caseload Forecast Council
Part I: Estimates			•	
X No Fiscal Impact				
Estimated Cash Receipts to):			
NONE				
Estimated Operating Expe NONE	nditures from:			
Estimated Capital Budget I	mpact:			
NONE				
		his page represent the most likely fiscal	l impact. Factors impac	ting the precision of these estimates,
and alternate ranges (if app Check applicable boxes ar				
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form Parts I-V. If fiscal impact is less	than \$50,000 per f	fiscal year in the current biennium	or in subsequent bienr	nia, complete this page only (Part I
Capital budget impact	_	-	1	,
Requires new rule ma				
Requires new rule ma	king, complete Par	1 V.		
	ena Langer		Phone: 360-786-719	2 Date: 01/08/2024
	lela Steelhammer		Phone: 360-664-938	
1 11	lela Steelhammer		Phone: 360-664-938	
OFM Review: Da	anya Clevenger		Phone: (360) 688-64	13 Date: 01/15/2024

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.

See attached.

II. B - Cash receipts Impact

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

None.

II. C - Expenditures

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

See attached.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

Part V: New Rule Making Required Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

HB 2178

ESTABLISHING A PATHWAY OFF LIFETIME COMMUNITY CUSTODY FOR INDIVIDUALS WITH SEX OFFENSE CONVICTIONS

101 – Caseload Forecast Council January 9, 2024

SUMMARY

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

- Section 1 Adds a new section to chapter 9.94A RCW that allow individuals who are recommended by the Department of Corrections (DOC) End-of-Sentence Review Committee (ESRC) and are recommended as Risk Level I upon release from confinement to be discharged from community custody after five years if they met the conditions of eligibility required by the bill. Additionally, states for Risk Level II, they may be discharged after 10 years, and for Risk Level III, 15 years.
- Section 1 Additionally requires DOC to submit an annual report detailing the number of individuals eligible for discharged from lifetime supervision; those granted discharge; and the number who, after discharge, are investigated for a recent overt act or a new sex offense.
- Section 2 Amends RCW 9.94A.507 to include a reference to the new section 1.
- Section 3 Amends RCW 9.94A.670, Special Sex Offender Sentencing Alternative, by removing the length of the maximum term required for the term of community custody and adds that a supervision termination hearing shall be scheduled with the court within the last 60 days of the presumed expiration of community custody.

EXPENDITURES

Assumptions.

None.

Impact on the Caseload Forecast Council.

None

Impact Summary

This bill:

• Allows certain individuals to be discharged from community custody.

Impacts on prison and jail beds.

None.

Impacts on DOC supervision population.

The Caseload Forecast Council (CFC) has no information how many individuals would be eligible for discharge, who would be discharged, and what the risk level ESRC's would assign. However, given that the bill allows for discharge from community custody, there would be reductions to DOC's supervised population.

Impact on local detention and Juvenile Rehabilitation (JR) beds. None.

Individual State Agency Fiscal Note

No Fiscal Impact Estimated Cash Receipts to: NONE Estimated Operating Expenditures from: FY 2024 FY 2025 2023-25 2025-27 2027-29	Bill Number: 2178 HB	Title: Sex	c offenses/comm	. custody		Agency:	310-Departr Corrections	ment of
Estimated Operating Expenditures from: FY 2024	Part I: Estimates No Fiscal Impact	•						
Estimated Operating Expenditures from: FY 2024	Estimated Cash Descirts to:							
Estimated Operating Expenditures from: FY 2024	Estimated Cash Receipts to:							
FY 2024 FY 2025 2023-25 2025-27 2027-29 FTE: Staff Years 0.0 13.5 6.8 13.5 13.5 Account General Fund-State 001-1 0 1,625,000 1,625,000 3,050,000 3,050,000 Total \$ 0 1,625,000 1,625,000 3,050,000 3,050,000 In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion. Estimated Capital Budget Impact: NONE The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II. Check applicable boxes and follow corresponding instructions: X 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: Lena Langer Phone: 360-786-7192 Date: 01/08/2024 Agency Preparation: Jaysanna Wang Phone: (360) 725-8428 Date: 01/31/2024	NONE							
FTE Staff Years 0,0	Estimated Operating Expenditur	es from:						
Account General Fund-State 001-1 0 1,625,000 1,625,000 3,050,000 3,050,000 Total S 0 1,625,000 1,625,000 3,050,000 3,050,000 In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion. Estimated Capital Budget Impact: NONE The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II. Check applicable boxes and follow corresponding instructions: X 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: Lena Langer Agency Preparation: Jaysanna Wang Phone: (360) 725-8428 Date: 01/08/2024 Date: 01/08/2024				FY 2025	2023-2	5 2		
General Fund-State 001-1 0 1,625,000 1,625,000 3,050,000 3,050,000 3,050,000 In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion. Estimated Capital Budget Impact: NONE The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II. Check applicable boxes and follow corresponding instructions: If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V. If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I Capital budget impact, complete Part IV. Requires new rule making, complete Part V. Legislative Contact: Lena Langer Phone: 360-786-7192 Date: 01/08/2024 Agency Preparation: Jaysanna Wang Phone: 3600 725-8428 Date: 01/31/2024			0.0	13.5	5	6.8	13.5	13.5
In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion. Setimated 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: X 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. It 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: Lena Langer Phone: 360-786-7192 Date: 01/08/2024 Agency Preparation: Jaysanna Wang Phone: (360) 725-8428 Date: 01/31/2024				4 005 000	1 005	000	0.050.000	0.050.000
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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: X 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: Lena Langer Phone: 360-786-7192 Date: 01/08/2024 Agency Preparation: Jaysanna Wang Phone: (360) 725-8428 Date: 01/31/2024	T 1100 of 100	•						<u> </u>
and alternate ranges (if appropriate), are explained in Part II. Check applicable boxes and follow corresponding instructions: X 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: Lena Langer Phone: 360-786-7192 Date: 01/08/2024 Agency Preparation: Jaysanna Wang Phone: (360) 725-8428 Date: 01/31/2024								
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: Lena Langer Phone: 360-786-7192 Date: 01/08/2024 Agency Preparation: Jaysanna Wang Phone: (360) 725-8428 Date: 01/31/2024		-		most likely fiscal	impact. Factor.	s impacting t	he precision o	f these estimates,
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Requires new rule making, complete Part V. Legislative Contact: Lena Langer Phone: 360-786-7192 Date: 01/08/2024 Agency Preparation: Jaysanna Wang Phone: (360) 725-8428 Date: 01/31/2024	If fiscal impact is less than \$	550,000 per fisca	al year in the cur	rent biennium c	r in subsequen	t biennia, c	omplete this	page only (Part I)
Legislative Contact: Lena Langer Phone: 360-786-7192 Date: 01/08/2024 Agency Preparation: Jaysanna Wang Phone: (360) 725-8428 Date: 01/31/2024	Capital budget impact, comp	olete Part IV.						
Agency Preparation: Jaysanna Wang Phone: (360) 725-8428 Date: 01/31/2024	Requires new rule making, c	complete Part V						
	Legislative Contact: Lena Lar	nger			Phone: 360-78	86-7192	Date: 01	/08/2024
Agency Approval: Michael Steenhout Phone: (360) 789-0480 Date: 01/31/2024	Agency Preparation: Jaysanna	a Wang			Phone: (360)	725-8428	Date: 01	/31/2024
	Agency Approval: Michael	Steenhout			Phone: (360)	789-0480	Date: 01	/31/2024

Danya Clevenger

OFM Review:

Date: 02/01/2024

Phone: (360) 688-6413

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(1-4) is a new section to chapter 9.94A RCW that would allow individuals who are recommended as risk level I upon their release from confinement by the end-of-sentence review committee to be discharged from community custody five years after their return to the community if they meet eligible requirements and do not have a disqualifying event. Additionally, states for Risk Level II, these individuals may be discharged after 10 years, and for Risk Level III, 15 years. The department shall develop a process for determining if the individual meets eligibility to be processed off community supervision.

Section 1(5) requires DOC to submit an annual report beginning 12/1/2024, detailing the number of individuals eligible for discharged from lifetime supervision; those granted discharge; and the number who, after discharge, are investigated for a recent overt act or a new sex offense.

Section 2 amends RCW 9.94A.507 to include a reference to the new section 1.

Section 3 amends RCW 9.94A.670, Special Sex Offender Sentencing Alternative, by removing the length of the maximum term required for the term of community custody and adds that a supervision termination hearing shall be scheduled with the court within the last 60 days of the presumed expiration of community custody.

Effective date is assumed 90 days after adjournment of the session in which this bill is passed.

II. B - Cash receipts Impact

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

None.

II. C - Expenditures

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

The DOC estimates the fiscal impact of House Bill 2178 to be indeterminate greater than \$50,000 per Fiscal Year (FY).

This bill establishes a pathway for individuals on community supervision to be discharged from lifetime community custody if the following requirements are met based on the level the individuals are ranked:

- Level 1 sex offenders potentially eligible after five years and no violations. If DOC determines that an individual does not meet the requirements for relief or can identify a specific safety concern, DOC must send the individual's case file to the Indeterminate Sentencing Review Board (ISRB) at least 90 days prior to discharge. For illustration purposes only, 461 out of 481 Level 1 individuals may become eligible for release.
- Level 2 sex offenders potentially eligible after 10 years of the return to the community if individuals meet the eligibility requirements and have not committed a disqualifying event within five years. The ISRB must hold a review hearing at least 120 days prior to the end of the supervision period. For illustration purposes only, 58 out of 61 Level 2 individuals may become eligible for release.
- Level 3 sex offender potentially eligible after 15 years of the return to the community if individuals meet the eligibility requirements and have not committed a disqualifying event. The ISRB must hold a review hearing at least 120 days prior to the end of the supervision period. For illustration purposes only, approximately 20 Level 3 individuals may become eligible for release.

Disqualifying event is defined in this section as: being found guilty of any serious and risk-relevant violation of the conditions of community custody; being convicted of any new felony offense or any misdemeanor sex offense; not completed recommended treatment; found to be noncompliant with conditions on a repeated basis; assessed to be at significant risk for sexual recidivism within 120 days of eligibility for discharge.

This bill also creates a requirement that DOC shall submit a report to the Governor beginning 12/1/2024 and every year after outlining the number of individuals who are eligible for discharge, individuals granted discharge, and the number of individuals who are investigated for a recent overt act or a new sex offense after discharge from lifetime supervision.

Indeterminate Sentence Review Board (ISRB):

Currently, ISRB processes approximately 350 release hearings per year and additional 175 violation hearings. Initially, as a result of this bill, there will be approximately 461 Level 1 individuals eligible to process off supervision and approximately 79 Level 2 and Level 3 individuals immediately eligible for a hearing. Although in subsequent years DOC estimates less than 100 individuals would need hearings, this would still increase workload significantly for ISRB. A total of 4.0 FTEs and \$452,000 would be needed for FY 2025 and 4.0 FTEs and \$424,000 for FY 2026 and each year thereafter. The ISRB would require additional staffing to process the new hearings workload on an ongoing basis:

- 1.0 Correctional Records Technicians (CRT) FTE This position would update the record for Level 1 individuals to indicate about being off supervision, verify the eligibility for release from supervision, and provide relevant records to DOC. For Level 2 and 3 individuals, CRT would need to verify that the person was eligible for a hearing and prepare the records. Additionally, CRT would process the decisions from the Level 2 and 3 hearings.
- 1.0 Office Assistant (OA) 3 FTE This position would assist the Records Unit, provide records to prosecutors, courts and victims upon requests, and public disclosure requests when needed. The OA3 would also be performing several other administrative functions.
- 1.0 Administrative Assistant (AA) 1 FTE This position would process and respond to correspondence from individuals inquiring about Lifetime Supervision and eligibility to be discharged. For reference purposes, ISRB has almost 1,700 people under supervision.
- 1.0 Investigator (INV) 3 FTE This position would complete administrative actions for Level 1 individuals for the Board Member to sign off on. Additionally, this position and would need to complete an analysis for Level 2 and 3 individuals to provide to the Board Member presiding over the hearing. The INV would also complete administrative actions for Level 2 and 3 individuals.

Community Corrections Division (CCD):

The Community Corrections Division (CCD) would require a special team to process and manage the impact created by this bill. Currently, there is minimal CCD workload associated with these individuals that might be eligible for release from lifelong supervision. The CCD assumes this bill would require a significant amount of ongoing work each year as individuals become eligible for release from lifelong supervision. The CCD will need to review all cases to determine if the individuals qualify, which could require eight or more hours of work to review the history of each case, discussion with assigned officers, interviews with the impact supervised individuals, and other related workload. If the individual does not qualify and requires an IRSB hearing, additional workload would be required to document the safety concerns and/or why the individual does not qualify. DOC assumes this might closely reflect the workload of the Law Enforcement Network (LEN) team. The DOC estimates that a total of 8.0 FTEs and \$983,000 would be needed for FY 2025 and 8.0 FTEs and \$926,000 for FY 2026 and each year thereafter. This would be "trued up" with subsequent decision package requests should this legislation be passed.

• 1.0 Community Corrections Program Manager (CCPM) FTE – The CCPM would lead this new special team. This includes developing and operationalizing processes to ensure the work is completed accurately and efficiently. This position

Bill # 2178 HB

would be responsible for directly supervising the Community Corrections Specialists 4 (CCS4s), AA3, OA3, and CRTs. Primarily responsible for the daily function of the unit. Providing quality control of staff work. Coaching staff, evaluating staff daily preforms, taking corrective actions, and making hiring and disciplinary recommendations to the appointing authority. Responsible for overseeing unit level budgets, including minimum cost items. The CCPM also manages attendance, training requirements, and daily behaviors to perform the work.

- 1.0 OA3 FTE This position would support the back-office functions for the entire unit. This may include assisting with collecting of information, performing data entry in OMNI, OnBase, Criminal Conviction Records (CCRs). Additionally, OA3 would be requesting criminal records data and overall project tracking. Other OA3 duties would include assisting with scanning, copying, preparing documents for CCS4s and CCPM, managing phone calls, tracking timelines, and being the front line of communication to the public.
- 1.0 AA3 FTE This position would specifically support CCPM and coordinate functions of the program. The AA3 would work with confidential information and assist CCPM with preparation, processing, and dissemination of information
- 3.0 CCS4 FTEs These positions would be responsible for screening cases, determining eligibility, and making safety assessments. This includes gathering documents and synthesizing and analyzing various information. This work requires extended hours of time, including writing a comprehensive report. The CCS4s will work on approximately 461 cases. For illustration purposes, while LEN cases typically require about four hours or longer (depending on a case) to process, DOC assumes the workload that would be generated by this bill could require twice as much of an LEN case working hours.
- 2.0 CRT FTEs These positions would gather documents / information to determine if the individual meets eligibility requirements. Documents may include criminal history searches, searches of electronic court information, End of Sentence Review documents, treatment discharge summary, risk assessment tools, case management documents, and local law enforcement information.

For illustration purposes only, the average annual Community Supervision caseload model is \$6,101 per Average Daily Population (ADP) (not including startup costs), regardless of the supervised risk level based on the workload model. If ADP impacts are applicable to this fiscal note, the calculated rate per community supervision ADP includes direct supervision and ancillary units, such as Hearings, Records, and Training, that are directly affected by supervision population changes. The estimate will vary based on the risk level of the supervised individuals, which requires different staffing levels. The population trend data used is based on the Risk Level Classification tool and provides a risk level of 42.8% high violent, 27.3% high non-violent, 21% moderate, 7.9% low, and 1.0% unclassified. (June – November 2017).

We assume a phase-in will be necessary to successfully achieve the reductions/additions needed based on this legislation.

Special Sex Offender Sentencing Alternative:

This bill would likely result in a reduction to the community corrections caseload. The department is unable to quantify the impacts without clear definitions of "eligibility requirements", "relevant records" and "specific safety concerns". The DOC will "true up" the fiscal impact in subsequent budget submittals utilizing the legislatively approved community corrections caseload workload model should the legislation be enacted into session law.

Information Technology (IT):

Customization of the Offender Management Network Information (OMNI) system is needed to meet the requirements of this legislation. Due to the complexity of completing the development, testing, and implementation of the statutory changes, contracted services are necessary in FY 2024.

To implement this legislation, OMNI data tables need to be updated to RCW 9.94A for technical corrections.

Cost Calculation Estimate:

IT Application Developer \$185 per hour x 60 hours = \$11,100

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IT Quality Assurance \$185 per hour x 10 hours = \$1,850

IT Business Analyst | \$185 per hour x 10 hours = \$1,850

Total One-Time Costs in FY 2025 \$15,000 (rounded to nearest thousands)

Indirect Costs:

The DOC requests funding for the indirect costs of agency administration, which includes 1.5 FTEs and \$175,000 in FY 2025, and each year thereafter, for the purpose of supporting Payroll, Human Resources, Information Technology, and other expenses associated with the hiring and employment of staff to implement this legislation. The approved agency indirect rate and associated cost of administration are calculated based on the salaries and benefits of staff conducting back office administrative functions, divided by all remaining salaries and benefits.

Agency Wide Impact:

The DOC assumes indeterminate fiscal impact. For illustration purposes, the below are estimates related to ISRB, CCD, IT, and Indirect Costs:

FY2025: 13.5 FTEs and \$1,625,000 FY2026: 13.5 FTEs and \$1,525,000 FY2027: 13.5 FTEs and \$1,525,000 FY2028: 13.5 FTEs and \$1,525,000 FY2029: 13.5 FTEs and \$1,525,000

Note: the above amounts are rounded to the nearest thousands.

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

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	0	1,625,000	1,625,000	3,050,000	3,050,000
		Total \$	0	1,625,000	1,625,000	3,050,000	3,050,000

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

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		13.5	6.8	13.5	13.5
A-Salaries and Wages		913,000	913,000	1,826,000	1,826,000
B-Employee Benefits		334,000	334,000	668,000	668,000
C-Professional Service Contracts		15,000	15,000		
E-Goods and Other Services		85,000	85,000	170,000	170,000
G-Travel		12,000	12,000	24,000	24,000
J-Capital Outlays		96,000	96,000	22,000	22,000
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements		170,000	170,000	340,000	340,000
9-					
Total \$	0	1,625,000	1,625,000	3,050,000	3,050,000

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

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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 1	58,000		1.0	0.5	1.0	1.0
Administrative Assistant 3	54,000		1.0	0.5	1.0	1.0
Community Corrections Program	119,000		1.0	0.5	1.0	1.0
Manager						
Correctional Records Technician	60,000		2.0	1.0	2.0	2.0
Correctional Records	72,000		1.0	0.5	1.0	1.0
Technician-Teamsters						
Correctional Specialist 4 - WFSE	95,000		3.0	1.5	3.0	3.0
Investigator 3	99,000		1.0	0.5	1.0	1.0
Management Analyst 5	98,000		1.5	0.8	1.5	1.5
Office Assistant 3	56,000		1.0	0.5	1.0	1.0
Office Assistant 3 - WFSE	52,000		1.0	0.5	1.0	1.0
Total FTEs			13.5	6.8	13.5	13.5

III. D - Expenditures By Program (optional)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Administration & Support Svcs (100)		626,000	626,000	1,166,000	1,166,000
Community Supervision (300)		961,000	961,000	1,808,000	1,808,000
Interagency Payments (600)		38,000	38,000	76,000	76,000
Total \$		1,625,000	1,625,000	3,050,000	3,050,000

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

Part V: New Rule Making Required

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