

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 2065 E 2S HB	<b>Title:</b> Offender score recal.
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## Estimated Cash Receipts

NONE

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

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	Fiscal note not available											
Office of Public Defense	Fiscal note not available											
Office of the Governor	Fiscal note not available											
Office of Attorney General	Fiscal note not available											
Caseload Forecast Council	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Commerce	.2	3,817,610	3,817,610	3,817,610	.4	7,635,220	7,635,220	7,635,220	.4	7,635,220	7,635,220	7,635,220
Department of Commerce	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Department of Children, Youth, and Families	Fiscal note not available											
Department of Corrections	14.0	3,833,000	3,833,000	3,833,000	28.0	7,210,000	7,210,000	7,210,000	28.0	7,210,000	7,210,000	7,210,000
Department of Corrections	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
<b>Total \$</b>	<b>14.2</b>	<b>7,650,610</b>	<b>7,650,610</b>	<b>7,650,610</b>	<b>28.4</b>	<b>14,845,220</b>	<b>14,845,220</b>	<b>14,845,220</b>	<b>28.4</b>	<b>14,845,220</b>	<b>14,845,220</b>	<b>14,845,220</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	Fiscal note not available								
Loc School dist-SPI									
Local Gov. Other	Fiscal note not available								
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	Fiscal note not available								
Office of Public Defense	Fiscal note not available								
Office of the Governor	Fiscal note not available								
Office of Attorney General	Fiscal note not available								
Caseload Forecast Council	.0	0	0	.0	0	0	.0	0	0
Department of Commerce	.0	0	0	.0	0	0	.0	0	0
Department of Children, Youth, and Families	Fiscal note not available								
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

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

## Estimated Capital Budget Breakout

NONE

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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2065 E 2S HB	<b>Title:</b> Offender score recal.	<b>Agency:</b> 101-Caseload Forecast Council
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Yvonne Walker	Phone: 360-786-7841	Date: 02/15/2024
Agency Preparation: Clela Steelhammer	Phone: 360-664-9381	Date: 02/20/2024
Agency Approval: Clela Steelhammer	Phone: 360-664-9381	Date: 02/20/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 02/20/2024

## 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.*

# **E2SHB 2065**

## **SCORING OF PRIOR JUVENILE OFFENSES IN SENTENCING RANGE CALCULATIONS**

**101 – Caseload Forecast Council  
February 16, 2024**

### **SUMMARY**

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

Section 1 Intent section.

Section 2 Adds a new section to chapter 9.94A RCW that states any person sentenced for an offense committed prior to July 23, 2023, and whose score was increased due to juvenile adjudication(s) that are not scorable under current law is entitled to a resentencing hearing upon the offender's motion for relief if the person is currently incarcerated in total confinement and has a release date of July 1, 2025, or later; and, until January 1, 2027 the person:

- Has a release date on the sentence within three years, or the person would be eligible for release on the sentence within three years if resentenced to a standard range sentence based on a score that does not include offenses that are not scorable under RCW 9.94A.525; or
- Has served over 15 years of their sentence; or
- Has served at 50% of their sentence.

Section 2 Additionally state the court may not schedule a resentencing hearing under this section before January 1, 2025.

Section 2 Additionally requires the Department of Corrections (DOC) to prepare and make available an individual reentry plan under chapter 72.09 RCW and provide resources for the plan to anyone resentenced under this section within six months of their expected release date.

Section 2 Additionally requires the office of crime victims advocacy to establish a flexible fund to support victims and survivors of victims impacted by this act.

Section 2 Additionally states that beginning January 1, 2027, this section applies to individuals meeting the requirements of subsection (2) of this section.

Section 2 Additionally states that any person sentenced on or after July 1, 2024, for an offense committed prior to July 23, 2023, shall have their offender score calculated based on RCW 9.94A.525 as enacted as of July 1, 2024. States the act applies retroactively to persons incarcerated on the effective date of the section, regardless of the date of offense or conviction.

Section 3 States the act takes effect July 1, 2024.

Section 4 States that if specific funding is not provided for the bill by June 30, 2024, the act is null and void.

## **EXPENDITURES**

### **Assumptions.**

None.

### **Impact on the Caseload Forecast Council.**

None.

### **Impact Summary**

This bill:

- Reduces offender scores for some individuals.

### **Impact on prison and jail beds**

The bill applies changes regarding which juvenile offense can be included in the offender score from EHB 1324 (2023) retroactively and gives priority for resentencing of individuals currently incarcerated whose offender score is impacted by the provision of the bill.

The bill requires scoring rules in effect as of July 1, 2024, to be applied, regardless of the date of the offense or conviction.

The CFC lacks data necessary to reliably estimate the bed impacts of the bill. However, reductions in offender scores will result in most sentences receiving lower confinement, reducing the use of prison and jail beds. Some individuals may have a reduced score that shifts the presumptive sentence from prison to non-prison.

### **Juvenile Rehabilitation Bed Impacts**

Generally, the scoring rules for adult convictions should not impact juvenile bed needs. However, current statutes require individuals sentenced in adult court for an offense committed before the age of 18 to serve to their confinement at a Juvenile Rehabilitation (JR) facility until age 25, or until release if occurring prior to age 25. As a result, any adult conviction for an offense committed by someone under the age of 18 that included juvenile adjudications in the offender score may reduce the need for JR beds as removing the juvenile adjudications from scoring may result in a lower offender score. However, as less than 1% of all sentences in the adult system are committed by those less than age 18, it is assumed any impacts to JR would be minimal.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2065 E 2S HB	<b>Title:</b> Offender score recal.	<b>Agency:</b> 103-Department of Commerce
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.4	0.2	0.4	0.4
<b>Account</b>					
General Fund-State 001-1	0	3,817,610	3,817,610	7,635,220	7,635,220
<b>Total \$</b>	0	3,817,610	3,817,610	7,635,220	7,635,220

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: Yvonne Walker	Phone: 360-786-7841	Date: 02/15/2024
Agency Preparation: Bret Skipworth	Phone: 360-725-3042	Date: 02/16/2024
Agency Approval: Bret Skipworth	Phone: 360-725-3042	Date: 02/16/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 02/16/2024



## 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.*

2SHB 2065:

Section 2 (4) Requires that the Office of Crime Victims Advocacy (OCVA) contract with prosecuting attorneys' offices to offer victim advocacy services for victims impacted by this act.

-This is a change from SHB 2065, which required DOC provide victim advocate support to victims of sex offenses or intimate partner domestic violence offenses.

Section 2 (5) Requires that OCVA develop a flexible fund to support victims and survivors impacted by this act.

-This is a change from SHB 2065, which required DOC to provide a flexible fund to victims of gender based violence.

Section 2 (6) Requires OCVA to contract with an entity to provide training to victim advocates embedded in prosecuting attorneys' offices.

-This is a new addition; not in SHB 2065.

Adds a null and void clause making the act null and void unless funded in the budget.

### 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.*

For the purposes of this fiscal note, OCVA anticipates a pass-through total of \$3,765,000 per state fiscal year.

Department of Correction data shows the number of individuals currently incarcerated, who could file these petitions, is estimated to be up to 2,558. The number of victims and cases for which this has an impact could increase; further information is needed for a more accurate analysis. Therefore, costs are partially indeterminate.

The following staffing levels are estimated to be needed in order to conduct the work of this bill:

Com Spec 5: 0.05 FTE

-Provides supervision and oversight to staff

-Provides supervision and oversight regarding the administrative budget and pass through allocations

-Participates in planning and implementation meetings re: victim witness services, resource needs, and infrastructure

-Develops grant templates, and additional tools for the state administrative role

Com Spec 3: 0.10 FTE

-Manages the Victim Witness grant program; this includes RFP development, obligation processes, data tracking and review, information sharing and technical assistance, monitoring pass through budget

-Manages individual victim witness grants; this includes application reviews, invoice reviews, invoice payment, data reviews, risk assessments, monitoring plans, technical assistance

-Maintains relationships with grantees and the Washington Association of Prosecuting Attorneys, represents OCVA as needed in stakeholder meetings and connections, attends training and technical assistance events

Com Spec 1: 0.10 FTE

- Enters grants into Contract Management System, routes grants for signature
- Pulls reports, maintains records, assists in compliance and monitoring tasks
- Supports all centralized grant administration tasks

MA 3: 0.10 FTE

- Maintains and updates InfoNet, the statewide data collection system where services and activities are reported
- Provides InfoNet technical assistance, pulls customized reports
- Website supports; includes posting RFPs, as well as any additional information and resources about the program, etc.

Pass Through: \$3,765,000

-\$2,500,000 for Victim Witness staffing

-There are 39 victim witness programs in the state; located in each county's prosecuting attorney's office.

-The current Victim Witness Grant Program is \$2.5 Million per year (comprised of funding via the VOCA State Plan and GFS long standing commitments).

-The intent was for this to fund a baseline of about \$60,000 for each program, supporting 1.0 FTE

-The Department of Commerce recognizes that the current funding is not adequate to maintain a full FTE in each office due now due to cost-of-living adjustments

-The proposed bill will increase the required work of the victim witness programs

-Using the \$2.5 Million as an approximate level for 1.0 FTE for each program. This amount aims to support about 1.0 FTE more at each office.

-\$1,200,000 for relocation assistance, emergency financial assistance, etc. It is assumed that approximately 1,200 individuals incarcerated at the Washington State Department of Corrections would be eligible for resentencing under SHB 2065.

-\$65,000 for training program

### 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	3,817,610	3,817,610	7,635,220	7,635,220
<b>Total \$</b>			0	3,817,610	3,817,610	7,635,220	7,635,220

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		0.4	0.2	0.4	0.4
A-Salaries and Wages		27,304	27,304	54,608	54,608
B-Employee Benefits		10,426	10,426	20,852	20,852
C-Professional Service Contracts					
E-Goods and Other Services		2,467	2,467	4,934	4,934
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services		3,765,000	3,765,000	7,530,000	7,530,000
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements		12,413	12,413	24,826	24,826
9-					
<b>Total \$</b>		0	3,817,610	3,817,610	7,635,220

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

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

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Commerce Specialist 1	62,888		0.1	0.1	0.1	0.1
Commerce Specialist 3	84,518		0.1	0.1	0.1	0.1
Commerce Specialist 5	98,040		0.1	0.0	0.1	0.1
Management Analyst 3	76,607		0.1	0.1	0.1	0.1
<b>Total FTEs</b>			0.4	0.2	0.4	0.4

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

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

**Part V: New Rule Making Required**

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

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2065 E 2S HB	<b>Title:</b> Offender score recal.	<b>Agency:</b> 310-Department of Corrections
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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	28.0	14.0	28.0	28.0
<b>Account</b>					
General Fund-State 001-1	0	3,833,000	3,833,000	7,210,000	7,210,000
<b>Total \$</b>	0	3,833,000	3,833,000	7,210,000	7,210,000

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: Yvonne Walker	Phone: 360-786-7841	Date: 02/15/2024
Agency Preparation: Apuroop Dasari	Phone: 3607258428	Date: 02/16/2024
Agency Approval: Michael Steenhout	Phone: (360) 789-0480	Date: 02/16/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 02/20/2024

## 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.*

2065 Engrossed 2S HB differs from the previous version of this bill in the following ways:

Allows a person who was sentenced for an offense committed before July 23, 2023, whose offense score was increased due to juvenile adjudications which are not scoreable under current law to petition for a resentencing hearing if the person is currently incarcerated in total confinement.

It also provides appointed counsel to petitioners who can't afford legal counsel.

It also requires the Office of Crime Victims Advocates to provide victims advocacy and other services for victims and survivors impacted by this act.

2065 2S HB differs from the previous versions of this bill in the following ways:

Section 2(2)(c) adds a new subsection additionally stating the court may not schedule a resentencing hearing under this section before January 1, 2025.

Section 2(4) is amended by removing the Department of Corrections (DOC) and requiring the Office of Crime Victims Advocacy (OCVA) to contract with prosecuting attorneys' offices to offer victim advocacy services for victims impacted by this act.

Section 2(5) is amended by removing DOC and requiring OCVA to establish a flexible fund to support victims and survivors of victims impacted by this act.

Section 4 adds a new section which states that if specific funding is not provided for the bill by June 30, 2024, the act is null and void.

The following impacts from the previous versions of the bill remain unchanged in the substitute:

The previous versions expand on recalculating sentencing ranges for currently incarcerated Individuals whose offender score was increased by juvenile convictions no longer scorable under current law and allowing them to apply for resentencing without scoring those juvenile convictions; adding a new section to chapter 9.94A RCW. DOC is required to prepare and make available an individual reentry plan under chapter 72.09 RCW and provide resources for the plan to anyone resentenced under this section within six months of their expected release date. Additionally, the sentencing court set an expedited date for resentencing for a person that is currently incarcerated in total confinement, has a release date of January 1, 2025, or later, and the previous offender score was increased due to any juvenile adjudications that are not scorable under RCW 9.94A.525 as enacted at the time the petition was filed.

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

### II. B - Cash receipts Impact

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

### II. C - Expenditures

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

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

The bill applies changes regarding which juvenile offense can be included in the offender score from EHB 1324 (2023) retroactively and gives priority for resentencing of individuals currently incarcerated whose offender score is impacted by the provision of the bill.

The Caseload Forecast Council (CFC) lacks data necessary to reliably estimate the bed impacts of the bill. However, reductions in offender scores will result in most sentences receiving lower confinement, reducing the use of prison and jail beds. Some individuals may have a reduced score that shifts the presumptive sentence from prison to non-prison.

This bill expands who is currently available to petition for resentencing meeting the requirements of this bill. The DOC assumes this bill would likely result in an increase in the number of individuals to petition for a resentencing hearing, although the impact cannot be reliably estimated. The DOC assumes an indeterminate prison caseload reduction from individuals possibly releasing early pursuant to this bill.

The DOC's Resentencing and Reentry Support Team (RRST) system is complex and at a high-level includes collection and release of agency documents, review, and validation of court orders, calculating sentences across all counties, hearings (virtual or in-person), mandatory victim/witness notifications, case management, health services navigation, reentry navigation, and analysis and enforcement of legal financial obligations.

Sentence recalculation is a complex process that requires exact interpretations and calculations of the law, new legislation, and court orders for post-conviction resentencing. This must be completed in a timely manner to avoid liability and holding individuals beyond DOC's jurisdiction. In addition, RRST coordinates complex services for those who are released from DOC facilities, programs, and supervision. As incarcerated individuals change supervision levels, RRST collaborates and coordinates with stakeholders, both inside and outside the criminal justice system, and DOC's Reentry and Community Corrections programs.

The increased workload from this bill would be significant and require additional staffing resources to support re-entry services. This increased workload would include building individualized reentry plan as outlined in Section 2(3). For the previous item to be set in place, DOC would be required to collect and send a large number of records to the Administrative Office of the Courts as outlined in Section 2(2)(a).

DOC currently has no ongoing funding for the Resentencing and Reentry Support Team staff and as a result the department is unable to absorb the additional resentencing caseload and new requirements outlined in the bill to include the individualized reentry plan outlines in Section 2(3).

As of December 31, 2023, there were 6,335 incarcerated individuals with a juvenile offense in their criminal history. The Office of Public Defense, based on ACLU data analysis, assumes approximately 1,200 of these individuals will be eligible for resentencing. The department assumes, that at a minimum, the staffing resources summarized below would be needed to manage 300 of the 1,200-6,335 potentially eligible incarcerated individuals to be resented in a 12-month period. These cost estimates are based on our actual experienced workload in FY 2023:

Resentencing & Release Manager (RRM):

The RRM analyzes information; leads multi-disciplinary work groups; develops, implements, and manages plans in response to changes involving legislation, court decisions, or other law changes impacting post-conviction re-sentencing.

FY2025 through FY2029: 1.0 FTE and \$162,257.

### Administrative Assistant 3 (AA3)

The AA3 will assist the Resentencing Administrator by scheduling meetings, monitoring resentencing email boxes, creating agendas, taking meeting minutes, tracking actions for follow-up, recording decisions, writing, and editing memos and other documents, and assisting with tracking important data points for reporting to: DOC leadership, stakeholders, the Governor's Office, and the legislature.

FY2025 through FY2029: 1.0 FTE and \$77,420.

### Management Analyst 4 (MA4)

The MA4 is responsible for creating processes and job aids for agency records staff related to court orders for vacates and resentencing. Furthermore, the position is responsible for tracking the conditional commutation process for community custody in collaboration with the Office of Public Defense (OPD) and Governor's Office for this task and maintaining the data and conducting quality assurance reviews for court orders related to vacates and resentencing.

FY2025 through FY2029: 1.0 FTE and \$117,927.

### Correctional Records Technicians (CRT)

The CRT is responsible to update the Criminal Conviction Record (CCR) to ensure that vacated convictions are no longer scoring on the static portion of the WA One. The CCR is updated for every vacate that is received for an individual.

FY2025 through FY2029: 2.0 FTEs and \$168,083.

### Correctional Records Technician Lead

The CRT lead is responsible to maintain the list of vacated convictions and assigns work to ensure the conviction is vacated from the CCR, so that the static portion of the WA One is accurate.

FY2025 through FY2029: 1.0 FTE and \$91,264.

### Fiscal Technician 2 (FT2)

The FT2s will review all release orders, calculate associated refunds of LFOs (known as Legal Financial Obligations), COS (known as Cost of Supervision Refunds), and other fees. The staff will also process those refunds to formally incarcerated, or supervised, individuals.

FY2025 through FY2029: 2.0 FTEs and \$137,808.

### Communications Consultant 3 (CC3)

The CCEs complete expedited public disclosure reviews to aid legal proceedings related to resentencing.

FY2025 through FY2029: 3.0 FTEs and \$416,866.

### Corrections Specialist 3 (CS3)

The CS3s are responsible to track court movement to identify those needing pre-release programming and reentry planning support and work closely with classification counselors and health services staff to determine reentry needs of the individual and prioritize services and resources for those without support upon release. These staff lead Reentry Team Meetings (RTMs) with the individual, a classification counselor, and any other staff involved in the individual's reentry plan and conduct post-release follow-up with impacted individuals to ensure continuity of services and help with connections to organizations that can assist individuals with long-term goals such as education or career development.

FY2025 through FY2029: 3.0 FTEs and \$360,765.

### Program Specialist 2 (PS2)

The PS2 is responsible for the Victim Services Program to complete victim witness notifications related to resented individuals. The staff contact enrolled and non-enrolled victims when an individual serving a sentence of Life Without Parole (LWOP) is being resented and released and offer resources for impacted victims.

FY2025 through FY2029: 1.0 FTE and \$80,566.

### Administrative Assistant (AA2)

The AA2 assist with electronic hearings and programming needs, to include document redaction, hearing coordination, and

consistent recordkeeping. For continuity purposes, each court is provided a single point of contact for hearings coordination. The positions support 11 prison facilities and community corrections locations (one per facility, except for the Monroe Correctional Complex that will require two due to the size of the facility).  
 FY2025 through FY2029: 12.0 FTEs and \$1,060,100.

**IT Customer Support – Journey**

The position is responsible for designing and implementing expanded network infrastructure to allow telepresence stations secure access to the internet and providing ongoing maintenance and support.  
 FY2025 through FY2029: 1.0 FTE and \$122,592.

To facilitate access to resentencing hearings in a timely, safe, and cost-effective manner, the department will require the additional 12.0 AA2s described above for virtual hearing rooms. DOC has been able to absorb costs to meet current resentencing obligations on an emergency basis. However, in the absence of COVID funding and without the additional ongoing resources, we will be unable to absorb the increased resentencing hearings pursuant to this bill.

The DOC requests funding for the indirect costs of agency administration, which includes 3.3 FTEs and \$380,854 in FY2025, and ongoing, 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.

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

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 FY2025.

To implement this legislation, OMNI data tables need to be updated to RCW 9.94A.525 for technical corrections.

**Cost Calculation Estimate:**

IT Application Developer| \$185 per hour x 80 hours = \$14,800  
 IT Quality Assurance| \$185 per hour x 40 hours = \$7,400  
 IT Business Analyst| \$185 per hour x 20 hours = \$3,700  
 Total One-Time Costs in FY2025 = \$26,000 (Rounded to nearest thousand)

**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	3,833,000	3,833,000	7,210,000	7,210,000
<b>Total \$</b>			0	3,833,000	3,833,000	7,210,000	7,210,000

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		28.0	14.0	28.0	28.0
A-Salaries and Wages		2,043,000	2,043,000	4,086,000	4,086,000
B-Employee Benefits		752,000	752,000	1,504,000	1,504,000
C-Professional Service Contracts		26,000	26,000		
E-Goods and Other Services		194,000	194,000	388,000	388,000
G-Travel		213,000	213,000	426,000	426,000
J-Capital Outlays		224,000	224,000	44,000	44,000
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements		381,000	381,000	762,000	762,000
9-					
<b>Total \$</b>	0	3,833,000	3,833,000	7,210,000	7,210,000

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

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

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Administrative Assistant 2 - Teamsters	63,452		12.0	6.0	12.0	12.0
Administrative Assistant 3	54,133		1.0	0.5	1.0	1.0
Communications Consultant 3 - Teamsters	106,643		3.0	1.5	3.0	3.0
Correctional Records Technician	59,783		2.0	1.0	2.0	2.0
Correctional Records Technician Lead	65,946		1.0	0.5	1.0	1.0
Corrections Specialist 3	82,420		2.0	1.0	2.0	2.0
Corrections Specialist 3 - Teamsters	98,934		1.0	0.5	1.0	1.0
Fiscal Technician 2	46,866		2.0	1.0	2.0	2.0
IT Customer Support - Journey	92,679		1.0	0.5	1.0	1.0
Management Analyst 4	88,699		1.0	0.5	1.0	1.0
Program Specialist 2	56,817		1.0	0.5	1.0	1.0
Resentencing & Release Manager	126,526		1.0	0.5	1.0	1.0
<b>Total FTEs</b>			28.0	14.0	28.0	28.0

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

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Administration & Support Svcs (100)		549,000	549,000	1,032,000	1,032,000
Correctional Operations (200)		1,294,000	1,294,000	2,416,000	2,416,000
Interagency Payments (600)		85,000	85,000	170,000	170,000
Offender Change (700)		1,905,000	1,905,000	3,592,000	3,592,000
<b>Total \$</b>		3,833,000	3,833,000	7,210,000	7,210,000

**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.*