

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 2400 S HB PL	<b>Title:</b> Sex crimes against minors
----------------------------------	---

## Estimated Cash Receipts

Agency Name	2003-05		2005-07		2007-09	
	GF- State	Total	GF- State	Total	GF- State	Total
<b>Total \$</b>						

Local Gov. Courts *						
Local Gov. Other **						
Local Gov. Total						

## Estimated Expenditures

Agency Name	2003-05			2005-07			2007-09		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Office of Administrator for the Courts	.0	0	0	.1	44,933	44,933	.4	138,065	138,065
Department of Corrections	.0	0	0	.0	63,506	63,506	.0	255,184	255,184
Sentencing Guidelines Commission	.0	0	0	.0	0	0	.0	0	0
The Evergreen State College	.7	340,152	340,152	.0	0	0	.0	0	0
<b>Total</b>	0.7	\$340,152	\$340,152	0.1	\$108,439	\$108,439	0.4	\$393,249	\$393,249

Local Gov. Courts *				1.8		509,486	5.5		1,034,180
Local Gov. Other **						2,069,419			4,943,658
Local Gov. Total				1.8		2,578,905	5.5		5,977,838

--

<b>Prepared by:</b> Randi Warick, OFM	<b>Phone:</b> 360-902-0570	<b>Date Published:</b> Final 3/18/2004
---------------------------------------	-------------------------------	---

\* See Office of the Administrator for the Courts judicial fiscal note

\*\* See local government fiscal note

# Judicial Impact Fiscal Note

<b>Bill Number:</b> 2400 S HB PL	<b>Title:</b> Sex crimes against minors	<b>Agency:</b> 055-Office of Administrator for Courts
----------------------------------	---	--

## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

FUND	FY 2004	FY 2005	2003-05	2005-07	2007-09
Counties					
Cities					
<b>Total \$</b>					

### Estimated Expenditures from:

STATE	FY 2004	FY 2005	2003-05	2005-07	2007-09
State FTE Staff Years				.1	.4
<b>Fund</b>					
General Fund-State 001-1				44,933	138,065
State Subtotal \$				44,933	138,065
COUNTY	FY 2004	FY 2005	2003-05	2005-07	2007-09
County FTE Staff Years				1.8	5.5
<b>Fund</b>					
Local - Counties				509,486	1,034,180
Counties Subtotal \$				509,486	1,034,180
CITY	FY 2004	FY 2005	2003-05	2005-07	2007-09
City FTE Staff Years					
<b>Fund</b>					
Local - Cities					
Cities Subtotal \$					
Local Subtotal \$				509,486	1,034,180
<b>Total Estimated Expenditures \$</b>				554,419	1,172,245

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 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.

Legislative Contact:	Phone:	Date: 03/11/2004
Agency Preparation: Yvonne Pettus	Phone: (360) 705-5314	Date: 03/12/2004
Agency Approval: Janet McLane	Phone: (360) 705-5305	Date: 03/17/2004
OFM Review: Garry Austin	Phone: 360-902-0564	Date: 03/17/2004

## Part II: Narrative Explanation

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

Section 4 modifies the current SSOSA statute. This section creates additional eligibility criteria. The factors the judge must consider when determining whether the SSOSA is appropriate are expanded. This section requires the court to give great weight to the victim's opinion whether the offender should receive the SSOSA. If the court imposes a sentence contrary to the victim's opinion, the court must enter written findings stating the reasons for imposing the disposition. The offender shall be ordered to serve a term of confinement of twelve months or the maximum term within the standard range whichever is less. The duration for the treatment is expanded to up to five years in duration. The court must conduct a hearing on the offender's progress in treatment at least once a year. The victim must be notified of the hearing. The bill does not indicate who should notify the victim of the hearing date. The department of corrections must refer a second violation of prohibitions or affirmative conditions relating to precursor behaviors or activities to the court and recommend revocation of the suspended sentence. The effective date of sections 2 through 6 is July 1, 2005.

### II. B - Cash Receipts Impact

### II. C - Expenditures

The bill has fiscal impact to the courts in three areas. The first impact is the requirement that if the court imposes a sentence contrary to the victim's opinion, the court must enter written findings stating the reasons for imposing the disposition. The second impact to the courts is the requirement that the court hold a hearing at least once a year to determine the offender's progress in treatment. The victim must be notified of the hearing. The bill does not indicate who should notify the victim of the hearing date. For the purposes of this fiscal note, it is assumed the prosecutor would notify the victim of the hearing date since that is the process in place for other hearings. Finally, the provision that requires the department of corrections to refer a second violation of prohibitions or affirmative conditions relating to precursor behaviors or activities to the court and recommend revocation of the suspended sentence will have a fiscal impact on the courts. The effective date of these provisions is July 1, 2005.

According to the Sentencing Guidelines Commission, in FY 00 there were 231 SSOSA sentences ordered, in FY 01 there were 188, and in FY 02 there were 224. This fiscal note assumes that approximately 215 new SSOSA sentences per year will be ordered.

Based on input from superior court judges, entering written findings in those cases in which the court orders a SSOSA in contradiction of the victim's opinion will result in an additional 30 minute hearing per case for the presentation of the findings of fact and conclusions of law. It is estimated that in half of the SSOSA-eligible cases, the victim would agree with the treatment disposition. In 75 percent of those cases, the judge would impose a sentence contrary to the victim's opinion and would need to enter written findings of fact and conclusions of law. It is assumed there will be about 100 additional hearings per year. At 30 minutes per hearing, this is the equivalent of 0.04 additional superior court judges annually. This impact will begin in FY 06.

The annual treatment progress review will have the following impact. The bill provides that the court may order treatment for up to five years. Assuming 5 percent of the cases would be required to participate in treatment for five years, 10 percent for four years, 60 percent for three years, 15 percent for 2 years and 10 percent for one year, it is estimated that this bill would require about 194 additional hearings in the second year, 356 hearings in the third year, 389 hearings in the fourth year and thereafter, 400 hearings per year. It is estimated that 80 percent of the hearings will require an hour of court time and 20 percent of the hearings will require a day of court time. For the estimated hearings in FY 07, this is the equivalent of 0.37 superior court judges. At its maximum in FY 10, this is the equivalent of 0.76 superior court judges. This also assumes the number of SSOSA sentences remains constant.

Finally, the violation/revocation requirement will require additional hearings. It is estimated that each revocation hearing will require one hour of hearing time. It is assumed that 50 percent of the offenders would have violation/revocation hearings. This would be the equivalent of 0.1 judges. It is assumed this impact would begin in FY 07.

The total impact of these three provisions for FY 06 is 0.04 additional superior court judges. In FY 07, the increase would be 0.51 superior court judges. These would increase until FY 10 when the impact would be the equivalent of 0.9 additional superior court judges.

The addition of superior court judges results in the need for administrative staff and county clerk staff. For FY 06 this is the equivalent of 0.09 superior court staff and 0.15 county clerk staff. In FY 10, at its full impact, 2.07 superior court staff and 3.33 county clerk staff would be needed.

#### FY 06 Costs

The state pays 50 percent of the judges' salary and 100 percent of the judges' benefits. The state's portion for FY 06 would be \$3,268. The counties' portion of the judges' salary would be \$2,488. Based on 2002 data from the State Auditor's office, the salary and benefit costs for superior court staff would be \$4,266 and for county clerk staff the salary and benefit costs would be \$6,618. The superior court operational costs would be \$6,348 and the county clerk operational costs would be \$870.

#### FY 07 Costs

The state pays 50 percent of the judges' salary and 100 percent of the judges' benefits. The state's portion for FY 07 would be \$41,665. The counties' portion of the judges' salary would be \$31,725. Based on 2002 data from the State Auditor's office, the salary and benefit costs for superior court staff would be \$54,396 and for county clerk staff the salary and benefit costs would be \$84,383. The superior court operational costs would be \$80,932 and the county clerk operational costs would be \$11,096.

#### FY 08 Costs

The state pays 50 percent of the judges' salary and 100 percent of the judges' benefits. The state's portion for FY 08 would be \$66,173. The counties' portion of the judges' salary would be \$50,386. Based on 2002 data from the State Auditor's office, the salary and benefit costs for superior court staff would be \$86,393 and for county clerk staff the salary and benefit costs would be \$134,020. The superior court operational costs would be \$128,540 and the county clerk operational costs would be \$17,622.

#### FY 09 Costs

The state pays 50 percent of the judges' salary and 100 percent of the judges' benefits. The state's portion for FY 09 would be \$71,892. The counties' portion of the judges' salary would be \$54,741. Based on 2002 data from the State Auditor's office, the salary and benefit costs for superior court staff would be \$93,859 and for county clerk staff the salary and benefit costs would be \$145,602. The superior court operational costs would be \$139,648 and the county clerk operational costs would be \$19,145.

#### FY 10 Costs

The state pays 50 percent of the judges' salary and 100 percent of the judges' benefits. The state's portion for FY 10 would be \$73,526. The counties' portion of the judges' salary would be \$55,985. Based on 2002 data from the State Auditor's office, the salary and benefit costs for superior court staff would be \$95,992 and for county clerk staff the salary and benefit costs would be \$148,911. The superior court operational costs would be \$142,822 and the county clerk operational costs would be \$19,580.

In addition, the most significant impact of this bill is the potential that more cases will go to trial since the bill makes the SSOSA less desirable for defendants. This will increase the court time required. For example, if 20 new trials are required per year, the total cost for local government would be about \$615,000 including capital costs.

## Part III: Expenditure Detail

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

<u>State</u>	FY 2004	FY 2005	2003-05	2005-07	2007-09
FTE Staff Years				.1	.4
Salaries and Wages				34,213	105,127
Employee Benefits				10,720	32,938
Personal Service Contracts					
Goods and Services					
Travel					
Capital Outlays					
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services					
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements					
<b>Total \$</b>				44,933	138,065

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

<u>County</u>	FY 2004	FY 2005	2003-05	2005-07	2007-09
FTE Staff Years				1.8	5.5
Salaries & Benefits				183,876	565,001
Capital				226,364	164,224
Other				99,246	304,955
<b>Total \$</b>				509,486	1,034,180

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

<u>City</u>	FY 2004	FY 2005	2003-05	2005-07	2007-09
FTE Staff Years					
<b>Total \$</b>					

**III. D - FTE Detail**

<u>Job Classification</u>	<u>Salary</u>	FY 2004	FY 2005	2003-05	2005-07	2007-09
County Clerk Staff	44,718				1.0	3.1
Superior Court Admin Staff	46,373				0.6	1.9
Superior Court Judge	124,410				0.3	0.9
<b>Total FTE's</b>					1.9	5.9

**Part IV: Capital Budget Impact**

*Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods*

<u>Construction Estimate</u>	FY 2004	FY 2005	2003-05	2005-07	2007-09
Acquisition					
Construction					
Other				226,364.00	164,224
<b>Total \$</b>				226,364	164,224

For every new superior court judge, 1,970 square feet are needed. For every clerical position, 120 square feet are needed. The cost per square foot is estimated by Capital Budget staff to be \$165.

The capital impact for FY 06 for this bill is estimated to be \$17,754. In FY 07, judges and staff will be added to from FY 06 therefore there will be additional capital costs of \$208,610. In FY 08, judges and staff will be added to from previous fiscal years, therefore there will be additional capital costs of \$133,155. In FY 09, judges and staff will be added to from the previous fiscal years therefore there will be additional capital costs of \$31,069.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2400 S HB PL	<b>Title:</b> Sex crimes against minors	<b>Agency:</b> 310-Department of Corrections
----------------------------------	---	--

## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

<b>FUND</b>					
<b>Total \$</b>					

### Estimated Expenditures from:

	FY 2004	FY 2005	2003-05	2005-07	2007-09
<b>Fund</b>					
General Fund-State 001-1	0	0	0	63,506	255,184
<b>Total \$</b>	0	0	0	63,506	255,184

*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:	Phone:	Date: 03/11/2004
Agency Preparation: Clela Steelhammer	Phone: 360-586-1959	Date: 03/16/2004
Agency Approval: Tracy Guerin	Phone: 360-753-1158	Date: 03/16/2004
OFM Review: Randi Warick	Phone: 360-902-0570	Date: 03/18/2004

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.*

Section 1 Describes the legislative intent of this Act by stating that the changes to serious sex offenses in 2001 has resulted in life sentences under a determinate-plus sentencing structure. Also states that the Special Sex Offender Sentencing Alternative (SSOSA) has strong support among children advocates, but that the legislature finds that several weaknesses in the structure and administration have been identified and should be addressed. States the legislature's intention to protect children from sexual victimization by addressing perceived weaknesses in the program and to evaluate the effectiveness of SSOSA.

Section 4 Amends the existing SSOSA statute, RCW 9.94A.670 by:

- Defining the term "Substantial Bodily Harm".
- Restricts SSOSA eligibility for offenses that did not result in substantial bodily injury.
- Restricts SSOSA eligibility to offenders who had an established relationship or connection with the victim.
- Restricts SSOSA eligibility for offenders who don't have an adult prior conviction for a violent offense that was committed within 5 years of the current offense.
- Requires that the treatment plan include recommended crime-related prohibitions, which must include an identification of activities or behaviors that are precursors to the offender's offense cycle.
- Directs the court to consider whether the offender has additional victims, consider whether the offender is amenable to treatment, and to consider if the offender would present a risk to the community.
- Directs the court to consider whether the alternative is too lenient in light of the circumstances of the offense.
- Requires the court to give great weight to the victim's opinion and if the sentence given is contrary to the victim's wishes, the court must enter written findings and fact stating the reasons for imposing the treatment disposition.
- Requires the court to order the offender to serve a term of confinement of up to 12 months or the maximum term within the standard range, whichever is less; but allows the court to order a term greater than 12 months based on the presence of an aggravating circumstance listed in RCW 9.94A.535(2).
- States the offender cannot be eligible for earned time while in jail or prison under a SSOSA sentence.
- Requires the court to impose specific prohibitions relating to the precursor activities or behaviors.
- Requires the court to conduct a treatment progress hearing at least once a year. Allows the court to modify conditions or revoke the suspended sentence at the hearing.
- Requires the victim to be notified of the treatment termination and hearing and states the victim will be given an opportunity to make a statement to the court regarding the offender's supervision and treatment.
- States the court may order an evaluation for treatment termination by a sex offender treatment provider and states it may not be the same person who treated the offender.
- Allows the court to extend treatment in two-year increments if needed.
- Requires the Department to refer second violations of prohibitions or affirmative conditions relating to precursor behaviors to the court and recommend revocation of the suspended sentence.

Section 5 Amends the statute regarding earned time for jail offenders to exclude offenders serving time imposed under the SSOSA option.

Section 6 Amends the statute regarding earned time for prison offenders to exclude offenders serving time imposed under the SSOSA option.

Section 7 Adds a new section that directs the Institute for Public Policy to conduct a comprehensive study of sex offender sentencing policies. States the study is to be presented to the appropriate standing committees of the legislature not later than December 31, 2004.

Section 9 States sections 2-6 are effective July 1, 2005.

## II. B - Cash receipts Impact

*Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.*

## II. C - Expenditures

*Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.*

Cost estimates are based on Fiscal Year 2003 data developed by the Sentencing Guidelines Commission (SGC). The assumptions used by SGC are outlined in the SGC fiscal note for this bill. SGC estimates the Department's institutional ADP will increase by 2 in FY07, 4 in FY08, and 7 in FY09.

Summary of restrictions that result in bed impacts that cannot be determined:

- Offenses that result in substantial bodily harm are not eligible.
- Only offenders that have an established relationship with the victim are eligible.
- The court is directed to consider specific factors identified in the legislation when deciding whether the offender should receive a SSOSA sentence.

Any sex offenders released from prison are subject to the End of Sentence Review process and notification, which takes an average of 15 hours of staff time per offender. This legislation adds language that would allow the judge to impose a prison sentence for a SSOSA, if aggravation factors exist. The SGC cannot predict how many offenders currently sentenced to the SSOSA would be sentenced to prison under this provision. Also, there are a number of offenders who previously received a SSOSA sentence, and under the proposed legislation are not eligible, that would also be subject to the End of Sentence Review process and notification process. The cost associated with this process is not included in this fiscal note, because the average sentence length for offenders under the proposed legislation is 166 months which is outside the time parameters of this fiscal estimate.

Approximately 200 hours of programming to change the Department's Offender Management Network Information (OMNI) system would be required to allow for SSOSA offenders to be identified as inmates confined by the Department when aggravating circumstances exist. SSOSA offenders are currently identified as field offenders in OMNI. The average cost of such programming is \$130.00 per hour or \$26,000.

The Department is planning to send offenders out-of-state to address system overcrowding. The rental bed rate of \$67.00 per day per offender is based on the current contract.



## Part III: Expenditure Detail

### III. A - Expenditures by Object Or Purpose

	FY 2004	FY 2005	2003-05	2005-07	2007-09
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Personal Service Contracts					
E-Goods and Services				26,000	
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services				37,506	255,184
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
<b>Total:</b>	\$0	\$0	\$0	\$63,506	\$255,184

### III. C - Expenditures By Program (optional)

Program	FY 2004	FY 2005	2003-05	2005-07	2007-09
Administration & Support Services (100)				26,000	
Institutions (200)				37,506	255,184
<b>Total \$</b>				63,506	255,184

## Part IV: Capital Budget Impact

## Part V: New Rule Making Required

*Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2400 S HB PL	<b>Title:</b> Sex crimes against minors	<b>Agency:</b> 325-Sentencing Guidelines Commission
----------------------------------	---	---

## Part I: Estimates

☒ **No Fiscal Impact**

*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:	Phone:	Date: 03/11/2004
Agency Preparation: Terry Travis	Phone: 360-956-2143	Date: 03/15/2004
Agency Approval: Paula Ditton	Phone: (360) 956-2134	Date: 03/15/2004
OFM Review: Randi Warick	Phone: 360-902-0570	Date: 03/16/2004

Part II: Narrative Explanation

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

Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

None

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

None

Part III: Expenditure Detail

Part IV: Capital Budget Impact

None

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

None

# **SHB.PL 2400**

## **SEX CRIMES AGAINST MINORS**

### **325 – Sentencing Guidelines Commission**

#### **March 15, 2004**

#### **SUMMARY**

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

- Section 1 Describes the most serious sex offenses subject to life sentences under a determinate-plus sentencing structure.
- Section 4 Amends eligibility for the Special Sex Offender Sentencing Alternative (SSOSA) to exclude anyone who has had an adult history of a violent offense within the past five years.
- Section 4 Amends eligibility for the SSOSA program to exclude offenders whose offense resulted in substantial bodily harm to the victim.
- Section 4 Requires offenders who have an established relationship to the victim to be eligible for the SSOSA program.
- Section 4 Imposes a maximum sentence of 12 months or the maximum of the range, whichever is less, for those determined appropriate for the SSOSA program.
- Section 4 allows the sentencing judge to sentence a SSOSA eligible offender to more than 12 months if there are aggravating circumstances.
- Section 5 Reaffirms that an offender in the SSOSA program is not eligible for earned release credits.
- Section 7 Requires the Sentencing Guidelines Commission to review the effectiveness of the Special Sex Offender Sentencing Alternative to determine whether modifications will increase its effectiveness, to review eligibility criteria, minimum terms of incarceration, restrictions that should apply, and standards for revocation of a SSOSA sentence. A report is to be prepared for the legislature by December 31, 2004.

#### **EXPENDITURES**

##### **Assumptions.**

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2003 adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- For prison sentences, average time spent in jail prior to transfer to the Department of Corrections is based on Department of Corrections' historical data.
- For prison sentences, length of stay in prison is calculated using a figure for average percentage of sentence served in prison by offenders, which is based on Department of Corrections' historical data. Length of stay calculations were adjusted to account for the

reduction in earned time for Class A Sex Offenders under ESSB 5990 - passed during the 2003 Legislative Session.

- Length of stay in jail uses no early earned release since SSOSA participants are not eligible for EER.
- Bed impacts are calculated with a custom phase-in factor of all sentences impacted by the proposed bill.
- The SGC database does not have data relating to the dates of convictions for prior offenses, therefore any offender who had a history of violent offenses was excluded for eligibility in SSOSA.
- It is assumed, the rate of offenders eligible for SSOSA but not given a SSOSA sentence would remain the same. The proposed SSOSA offenders are those who were in the SSOSA program in FY 2003 and who are still eligible under the proposed bill.
- Since there were no sentences in FY2003 having aggravating circumstances by offenders in the SSOSA program, there were no offenders whose SSOSA sentence would exceed 12 months under this bill.

#### **Impact on the Sentencing Guidelines Commission.**

This bill would require modification of the Commission's database and data entry programs. It also requires the Commission to produce a report to the legislature no later than December 31, 2004. These recurring costs are included in the agency's budget.

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

Under the impact of this bill, it is possible a sentencing judge may impose a sentence for an offender who is eligible for the SSOSA program to a term greater than 12 months when there are aggravating circumstances. SGC has no information on how often the court will impose an aggravated SSOSA and thus cannot estimate what impact this would have on beds. Since the minimum sentence for SSOSA is 12 months, any additional sentence time would place an offender in prison rather than jail.

This bill goes into effect July 1, 2005. There were 210 offenders in the SSOSA program with an average sentence length of 5 months in FY 2003.

The bed impact for jails is an increase of 2 beds in fiscal year 2006. In FY 2007 there will be an increase of 33 beds. By FY 2017 and thereafter there will be an increase of 106 beds.

There were three SSOSA sentences with a history of violent crimes, which will no longer be eligible for the SSOSA sentence. The prison bed impact is not evident until FY 2007 with an increase of two prison beds and up to 19 beds by FY 2018 and thereafter.

# Average Monthly Population Jail and Prison Impacts

## SHB.PL 2400 Sex Crimes Against Minors

Sentencing Guidelines Commission

March 15, 2004

	Fiscal Year									
	FY06	FY07	FY08	FY09	FY10	FY11	FY12	FY13	FY14	FY15
<b>Jail AMP</b>	2	33	65	82	89	94	97	99	101	103
<b>Prison AMP (Total)</b>	0	2	4	7	10	13	15	16	17	18

	Fiscal Year									
	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25
<b>Jail AMP</b>	104	106	106	106	106	106	106	106	106	106
<b>Prison AMP (Total)</b>	18	18	19	19	19	19	19	19	19	19

# End of Year Jail and Prison Bed Impacts

## SHB.PL 2400 Sex Crimes Against Minors

Sentencing Guidelines Commission

March 15, 2004

	Fiscal Year									
	FY06	FY07	FY08	FY09	FY10	FY11	FY12	FY13	FY14	FY15
<b>Jail Beds</b>	8	51	75	85	91	95	98	100	102	103
<b>Prison Beds (Total)</b>	1	2	5	8	11	14	16	17	17	18

	Fiscal Year									
	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25
<b>Jail Beds</b>	106	106	106	106	106	106	106	106	106	106
<b>Prison Beds (Total)</b>	18	19	19	19	19	19	19	19	19	19

# Current Policy - Jail Bed Estimate

## SHB.PL 2400 Sex Crimes Against Minors

### Sentencing Guidelines Commission

March 15, 2004

Month	Adm.	Rel.	Pop.	Month	Adm.	Rel.	Pop.	Month	Adm.	Rel.	Pop.	Month	Adm.	Rel.	Pop.
1	15	1	15	61	15	15	77	121	15	15	77	181	15	15	77
2	15	2	29	62	15	15	77	122	15	15	77	182	15	15	77
3	15	2	42	63	15	15	77	123	15	15	77	183	15	15	77
4	15	3	54	64	15	15	77	124	15	15	77	184	15	15	77
5	15	4	65	65	15	15	77	125	15	15	77	185	15	15	77
6	15	4	76	66	15	15	77	126	15	15	77	186	15	15	77
7	15	15	77	67	15	15	77	127	15	15	77	187	15	15	77
8	15	15	77	68	15	15	77	128	15	15	77	188	15	15	77
9	15	15	77	69	15	15	77	129	15	15	77	189	15	15	77
10	15	15	77	70	15	15	77	130	15	15	77	190	15	15	77
11	15	15	77	71	15	15	77	131	15	15	77	191	15	15	77
<b>12</b>	<b>15</b>	<b>15</b>	<b>77</b>	<b>72</b>	<b>15</b>	<b>15</b>	<b>77</b>	<b>132</b>	<b>15</b>	<b>15</b>	<b>77</b>	<b>192</b>	<b>15</b>	<b>15</b>	<b>77</b>
13	15	15	77	73	15	15	77	133	15	15	77	193	15	15	77
14	15	15	77	74	15	15	77	134	15	15	77	194	15	15	77
15	15	15	77	75	15	15	77	135	15	15	77	195	15	15	77
16	15	15	77	76	15	15	77	136	15	15	77	196	15	15	77
17	15	15	77	77	15	15	77	137	15	15	77	197	15	15	77
18	15	15	77	78	15	15	77	138	15	15	77	198	15	15	77
19	15	15	77	79	15	15	77	139	15	15	77	199	15	15	77
20	15	15	77	80	15	15	77	140	15	15	77	200	15	15	77
21	15	15	77	81	15	15	77	141	15	15	77	201	15	15	77
22	15	15	77	82	15	15	77	142	15	15	77	202	15	15	77
23	15	15	77	83	15	15	77	143	15	15	77	203	15	15	77
<b>24</b>	<b>15</b>	<b>15</b>	<b>77</b>	<b>84</b>	<b>15</b>	<b>15</b>	<b>77</b>	<b>144</b>	<b>15</b>	<b>15</b>	<b>77</b>	<b>204</b>	<b>15</b>	<b>15</b>	<b>77</b>
25	15	15	77	85	15	15	77	145	15	15	77	205	15	15	77
26	15	15	77	86	15	15	77	146	15	15	77	206	15	15	77
27	15	15	77	87	15	15	77	147	15	15	77	207	15	15	77
28	15	15	77	88	15	15	77	148	15	15	77	208	15	15	77
29	15	15	77	89	15	15	77	149	15	15	77	209	15	15	77
30	15	15	77	90	15	15	77	150	15	15	77	210	15	15	77
31	15	15	77	91	15	15	77	151	15	15	77	211	15	15	77
32	15	15	77	92	15	15	77	152	15	15	77	212	15	15	77
33	15	15	77	93	15	15	77	153	15	15	77	213	15	15	77
34	15	15	77	94	15	15	77	154	15	15	77	214	15	15	77
35	15	15	77	95	15	15	77	155	15	15	77	215	15	15	77
<b>36</b>	<b>15</b>	<b>15</b>	<b>77</b>	<b>96</b>	<b>15</b>	<b>15</b>	<b>77</b>	<b>156</b>	<b>15</b>	<b>15</b>	<b>77</b>	<b>216</b>	<b>15</b>	<b>15</b>	<b>77</b>
37	15	15	77	97	15	15	77	157	15	15	77	217	15	15	77
38	15	15	77	98	15	15	77	158	15	15	77	218	15	15	77

39	15	15	77	99	15	15	77	159	15	15	77	219	15	15	77
40	15	15	77	100	15	15	77	160	15	15	77	220	15	15	77
41	15	15	77	101	15	15	77	161	15	15	77	221	15	15	77
42	15	15	77	102	15	15	77	162	15	15	77	222	15	15	77
43	15	15	77	103	15	15	77	163	15	15	77	223	15	15	77
44	15	15	77	104	15	15	77	164	15	15	77	224	15	15	77
45	15	15	77	105	15	15	77	165	15	15	77	225	15	15	77
46	15	15	77	106	15	15	77	166	15	15	77	226	15	15	77
47	15	15	77	107	15	15	77	167	15	15	77	227	15	15	77
<b>48</b>	<b>15</b>	<b>15</b>	<b>77</b>	<b>108</b>	<b>15</b>	<b>15</b>	<b>77</b>	<b>168</b>	<b>15</b>	<b>15</b>	<b>77</b>	<b>228</b>	<b>15</b>	<b>15</b>	<b>77</b>
49	15	15	77	109	15	15	77	169	15	15	77	229	15	15	77
50	15	15	77	110	15	15	77	170	15	15	77	230	15	15	77
51	15	15	77	111	15	15	77	171	15	15	77	231	15	15	77
52	15	15	77	112	15	15	77	172	15	15	77	232	15	15	77
53	15	15	77	113	15	15	77	173	15	15	77	233	15	15	77
54	15	15	77	114	15	15	77	174	15	15	77	234	15	15	77
55	15	15	77	115	15	15	77	175	15	15	77	235	15	15	77
56	15	15	77	116	15	15	77	176	15	15	77	236	15	15	77
57	15	15	77	117	15	15	77	177	15	15	77	237	15	15	77
58	15	15	77	118	15	15	77	178	15	15	77	238	15	15	77
59	15	15	77	119	15	15	77	179	15	15	77	239	15	15	77
<b>60</b>	<b>15</b>	<b>15</b>	<b>77</b>	<b>120</b>	<b>15</b>	<b>15</b>	<b>77</b>	<b>180</b>	<b>15</b>	<b>15</b>	<b>77</b>	<b>240</b>	<b>15</b>	<b>15</b>	<b>77</b>

## Proposed Policy - Jail Bed Estimate

### SHB.PL 2400 Sex Crimes Against Minors

#### Sentencing Guidelines Commission

March 15, 2004

Month	Adm.	Rel.	Pop.	Month	Adm.	Rel.	Pop.	Month	Adm.	Rel.	Pop.	Month	Adm.	Rel.	Pop.
1	15	1	15	61	15	15	169	121	15	15	181	181	15	15	183
2	15	2	29	62	15	15	170	122	15	15	181	182	15	15	183
3	15	2	42	63	15	15	170	123	15	15	181	183	15	15	183
4	15	3	54	64	15	15	170	124	15	15	181	184	15	15	183
5	15	4	66	65	15	15	171	125	15	15	181	185	15	15	183
6	15	4	77	66	15	15	171	126	15	15	182	186	15	15	183
7	15	15	77	67	15	15	172	127	15	15	182	187	15	15	183
8	15	15	78	68	15	15	172	128	15	15	182	188	15	15	183
9	15	14	79	69	15	15	172	129	15	15	182	189	15	15	183
10	15	14	80	70	15	15	172	130	15	15	183	190	15	15	183
11	15	13	82	71	15	15	173	131	15	15	183	191	15	15	183
<b>12</b>	<b>15</b>	<b>13</b>	<b>85</b>	<b>72</b>	<b>15</b>	<b>15</b>	<b>173</b>	<b>132</b>	<b>15</b>	<b>15</b>	<b>183</b>	<b>192</b>	<b>15</b>	<b>15</b>	<b>183</b>
13	15	12	89	73	15	15	173	133	15	15	183	193	15	15	183



14	15	11	93	74	15	15	173	134	15	15	183	194	15	15	183
15	15	11	97	75	15	15	173	135	15	15	183	195	15	15	183
16	15	11	102	76	15	15	174	136	15	15	183	196	15	15	183
17	15	11	107	77	15	15	174	137	15	15	183	197	15	15	183
18	15	11	111	78	15	15	174	138	15	15	183	198	15	15	183
19	15	12	114	79	15	15	174	139	15	15	183	199	15	15	183
20	15	12	118	80	15	15	175	140	15	15	183	200	15	15	183
21	15	12	120	81	15	15	175	141	15	15	183	201	15	15	183
22	15	13	123	82	15	15	175	142	15	15	183	202	15	15	183
23	15	13	126	83	15	15	175	143	15	15	183	203	15	15	183
<b>24</b>	<b>15</b>	<b>13</b>	<b>128</b>	<b>84</b>	<b>15</b>	<b>15</b>	<b>175</b>	<b>144</b>	<b>15</b>	<b>15</b>	<b>183</b>	<b>204</b>	<b>15</b>	<b>15</b>	<b>183</b>
25	15	13	131	85	15	15	176	145	15	15	183	205	15	15	183
26	15	13	133	86	15	15	176	146	15	15	183	206	15	15	183
27	15	13	135	87	15	15	176	147	15	15	183	207	15	15	183
28	15	13	138	88	15	15	176	148	15	15	183	208	15	15	183
29	15	13	140	89	15	15	176	149	15	15	183	209	15	15	183
30	15	13	142	90	15	15	177	150	15	15	183	210	15	15	183
31	15	13	144	91	15	15	177	151	15	15	183	211	15	15	183
32	15	13	146	92	15	15	177	152	15	15	183	212	15	15	183
33	15	14	148	93	15	15	177	153	15	15	183	213	15	15	183
34	15	14	149	94	15	15	177	154	15	15	183	214	15	15	183
35	15	14	151	95	15	15	177	155	15	15	183	215	15	15	183
<b>36</b>	<b>15</b>	<b>14</b>	<b>152</b>	<b>96</b>	<b>15</b>	<b>15</b>	<b>178</b>	<b>156</b>	<b>15</b>	<b>15</b>	<b>183</b>	<b>216</b>	<b>15</b>	<b>15</b>	<b>183</b>
37	15	14	154	97	15	15	178	157	15	15	183	217	15	15	183
38	15	14	155	98	15	15	178	158	15	15	183	218	15	15	183
39	15	14	156	99	15	15	178	159	15	15	183	219	15	15	183
40	15	14	157	100	15	15	178	160	15	15	183	220	15	15	183
41	15	14	158	101	15	15	178	161	15	15	183	221	15	15	183
42	15	14	159	102	15	15	179	162	15	15	183	222	15	15	183
43	15	14	160	103	15	15	179	163	15	15	183	223	15	15	183
44	15	15	161	104	15	15	179	164	15	15	183	224	15	15	183
45	15	15	161	105	15	15	179	165	15	15	183	225	15	15	183
46	15	15	162	106	15	15	179	166	15	15	183	226	15	15	183
47	15	15	162	107	15	15	179	167	15	15	183	227	15	15	183
<b>48</b>	<b>15</b>	<b>15</b>	<b>163</b>	<b>108</b>	<b>15</b>	<b>15</b>	<b>179</b>	<b>168</b>	<b>15</b>	<b>15</b>	<b>183</b>	<b>228</b>	<b>15</b>	<b>15</b>	<b>183</b>
49	15	15	163	109	15	15	180	169	15	15	183	229	15	15	183
50	15	15	164	110	15	15	180	170	15	15	183	230	15	15	183
51	15	15	164	111	15	15	180	171	15	15	183	231	15	15	183
52	15	15	165	112	15	15	180	172	15	15	183	232	15	15	183
53	15	15	166	113	15	15	180	173	15	15	183	233	15	15	183
54	15	15	166	114	15	15	180	174	15	15	183	234	15	15	183
55	15	15	167	115	15	15	180	175	15	15	183	235	15	15	183
56	15	15	167	116	15	15	180	176	15	15	183	236	15	15	183
57	15	15	168	117	15	15	181	177	15	15	183	237	15	15	183
58	15	15	168	118	15	15	181	178	15	15	183	238	15	15	183
59	15	15	168	119	15	15	181	179	15	15	183	239	15	15	183

60	15	15	169	120	15	15	181	180	15	15	183	240	15	15	183
----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----

**Jail Bed Impact**  
**SHB.PL 2400 Sex Crimes Against Minors**  
**Sentencing Guidelines Commission**  
**March 15, 2004**

Month	Pop.	Month	Pop.	Month	Pop.	Month	Pop.	Month	Pop.
1	0	49	86	97	100	145	106	193	106
2	0	50	86	98	100	146	106	194	106
3	0	51	87	99	101	147	106	195	106
4	0	52	87	100	101	148	106	196	106
5	0	53	88	101	101	149	106	197	106
6	0	54	89	102	101	150	106	198	106
7	1	55	89	103	101	151	106	199	106
8	1	56	90	104	101	152	106	200	106
9	2	57	90	105	102	153	106	201	106
10	3	58	91	106	102	154	106	202	106
11	5	59	91	107	102	155	106	203	106
<b>12</b>	<b>8</b>	<b>60</b>	<b>91</b>	<b>108</b>	<b>102</b>	<b>156</b>	<b>106</b>	<b>204</b>	<b>106</b>
13	12	61	92	109	102	157	106	205	106
14	16	62	92	110	102	158	106	206	106
15	20	63	93	111	102	159	106	207	106
16	25	64	93	112	103	160	106	208	106
17	29	65	93	113	103	161	106	209	106
18	33	66	94	114	103	162	106	210	106
19	37	67	94	115	103	163	106	211	106
20	40	68	94	116	103	164	106	212	106
21	43	69	95	117	103	165	106	213	106
22	46	70	95	118	103	166	106	214	106
23	48	71	95	119	103	167	106	215	106
<b>24</b>	<b>51</b>	<b>72</b>	<b>95</b>	<b>120</b>	<b>103</b>	<b>168</b>	<b>106</b>	<b>216</b>	<b>106</b>
25	53	73	96	121	104	169	106	217	106
26	56	74	96	122	104	170	106	218	106
27	58	75	96	123	104	171	106	219	106
28	60	76	96	124	104	172	106	220	106
29	62	77	96	125	104	173	106	221	106
30	64	78	97	126	104	174	106	222	106
31	66	79	97	127	104	175	106	223	106
32	68	80	97	128	105	176	106	224	106
33	70	81	97	129	105	177	106	225	106
34	72	82	97	130	105	178	106	226	106

35	73	83	98	131	105	179	106	227	106
<b>36</b>	<b>75</b>	<b>84</b>	<b>98</b>	<b>132</b>	<b>106</b>	<b>180</b>	<b>106</b>	<b>228</b>	<b>106</b>
37	76	85	98	133	106	181	106	229	106
38	77	86	98	134	106	182	106	230	106
39	79	87	99	135	106	183	106	231	106
40	80	88	99	136	106	184	106	232	106
41	81	89	99	137	106	185	106	233	106
42	82	90	99	138	106	186	106	234	106
43	82	91	99	139	106	187	106	235	106
44	83	92	100	140	106	188	106	236	106
45	84	93	100	141	106	189	106	237	106
46	84	94	100	142	106	190	106	238	106
47	85	95	100	143	106	191	106	239	106
<b>48</b>	<b>85</b>	<b>96</b>	<b>100</b>	<b>144</b>	<b>106</b>	<b>192</b>	<b>106</b>	<b>240</b>	<b>106</b>

**Current Policy - Prison Bed Estimate (Total Beds)**  
**SHB.PL 2400 Sex Crimes Against Minors**  
**Sentencing Guidelines Commission**  
**March 15, 2004**

Month	Adm.	Rel.	Pop.	Month	Adm.	Rel.	Pop.	Month	Adm.	Rel.	Pop.	Month	Adm.	Rel.	Pop.
1	0	0	0	61	0	0	0	121	0	0	0	181	0	0	0
2	0	0	0	62	0	0	0	122	0	0	0	182	0	0	0
3	0	0	0	63	0	0	0	123	0	0	0	183	0	0	0
4	0	0	0	64	0	0	0	124	0	0	0	184	0	0	0
5	0	0	0	65	0	0	0	125	0	0	0	185	0	0	0
6	0	0	0	66	0	0	0	126	0	0	0	186	0	0	0
7	0	0	0	67	0	0	0	127	0	0	0	187	0	0	0
8	0	0	0	68	0	0	0	128	0	0	0	188	0	0	0
9	0	0	0	69	0	0	0	129	0	0	0	189	0	0	0
10	0	0	0	70	0	0	0	130	0	0	0	190	0	0	0
11	0	0	0	71	0	0	0	131	0	0	0	191	0	0	0
<b>12</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>72</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>132</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>192</b>	<b>0</b>	<b>0</b>	<b>0</b>
13	0	0	0	73	0	0	0	133	0	0	0	193	0	0	0
14	0	0	0	74	0	0	0	134	0	0	0	194	0	0	0
15	0	0	0	75	0	0	0	135	0	0	0	195	0	0	0
16	0	0	0	76	0	0	0	136	0	0	0	196	0	0	0
17	0	0	0	77	0	0	0	137	0	0	0	197	0	0	0
18	0	0	0	78	0	0	0	138	0	0	0	198	0	0	0
19	0	0	0	79	0	0	0	139	0	0	0	199	0	0	0
20	0	0	0	80	0	0	0	140	0	0	0	200	0	0	0
21	0	0	0	81	0	0	0	141	0	0	0	201	0	0	0
22	0	0	0	82	0	0	0	142	0	0	0	202	0	0	0

23	0	0	0	83	0	0	0	143	0	0	0	203	0	0	0
<b>24</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>84</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>144</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>204</b>	<b>0</b>	<b>0</b>	<b>0</b>
25	0	0	0	85	0	0	0	145	0	0	0	205	0	0	0
26	0	0	0	86	0	0	0	146	0	0	0	206	0	0	0
27	0	0	0	87	0	0	0	147	0	0	0	207	0	0	0
28	0	0	0	88	0	0	0	148	0	0	0	208	0	0	0
29	0	0	0	89	0	0	0	149	0	0	0	209	0	0	0
30	0	0	0	90	0	0	0	150	0	0	0	210	0	0	0
31	0	0	0	91	0	0	0	151	0	0	0	211	0	0	0
32	0	0	0	92	0	0	0	152	0	0	0	212	0	0	0
33	0	0	0	93	0	0	0	153	0	0	0	213	0	0	0
34	0	0	0	94	0	0	0	154	0	0	0	214	0	0	0
35	0	0	0	95	0	0	0	155	0	0	0	215	0	0	0
<b>36</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>96</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>156</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>216</b>	<b>0</b>	<b>0</b>	<b>0</b>
37	0	0	0	97	0	0	0	157	0	0	0	217	0	0	0
38	0	0	0	98	0	0	0	158	0	0	0	218	0	0	0
39	0	0	0	99	0	0	0	159	0	0	0	219	0	0	0
40	0	0	0	100	0	0	0	160	0	0	0	220	0	0	0
41	0	0	0	101	0	0	0	161	0	0	0	221	0	0	0
42	0	0	0	102	0	0	0	162	0	0	0	222	0	0	0
43	0	0	0	103	0	0	0	163	0	0	0	223	0	0	0
44	0	0	0	104	0	0	0	164	0	0	0	224	0	0	0
45	0	0	0	105	0	0	0	165	0	0	0	225	0	0	0
46	0	0	0	106	0	0	0	166	0	0	0	226	0	0	0
47	0	0	0	107	0	0	0	167	0	0	0	227	0	0	0
<b>48</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>108</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>168</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>228</b>	<b>0</b>	<b>0</b>	<b>0</b>
49	0	0	0	109	0	0	0	169	0	0	0	229	0	0	0
50	0	0	0	110	0	0	0	170	0	0	0	230	0	0	0
51	0	0	0	111	0	0	0	171	0	0	0	231	0	0	0
52	0	0	0	112	0	0	0	172	0	0	0	232	0	0	0
53	0	0	0	113	0	0	0	173	0	0	0	233	0	0	0
54	0	0	0	114	0	0	0	174	0	0	0	234	0	0	0
55	0	0	0	115	0	0	0	175	0	0	0	235	0	0	0
56	0	0	0	116	0	0	0	176	0	0	0	236	0	0	0
57	0	0	0	117	0	0	0	177	0	0	0	237	0	0	0
58	0	0	0	118	0	0	0	178	0	0	0	238	0	0	0
59	0	0	0	119	0	0	0	179	0	0	0	239	0	0	0
<b>60</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>120</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>180</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>240</b>	<b>0</b>	<b>0</b>	<b>0</b>

## Proposed Policy - Prison Bed Estimate (Total Beds)

### SHB.PL 2400 Sex Crimes Against Minors

#### Sentencing Guidelines Commission

March 15, 2004

Month	Adm.	Rel.	Pop.	Month	Adm.	Rel.	Pop.	Month	Adm.	Rel.	Pop.	Month	Adm.	Rel.	Pop.
1	0	0	0	61	0	0	11	121	0	0	18	181	0	0	19
2	0	0	0	62	0	0	12	122	0	0	18	182	0	0	19
3	0	0	0	63	0	0	12	123	0	0	18	183	0	0	19
4	0	0	0	64	0	0	12	124	0	0	18	184	0	0	19
5	0	0	0	65	0	0	12	125	0	0	18	185	0	0	19
6	0	0	0	66	0	0	13	126	0	0	18	186	0	0	19
7	0	0	0	67	0	0	13	127	0	0	18	187	0	0	19
8	0	0	0	68	0	0	13	128	0	0	18	188	0	0	19
9	0	0	0	69	0	0	13	129	0	0	18	189	0	0	19
10	0	0	0	70	0	0	13	130	0	0	18	190	0	0	19
11	0	0	0	71	0	0	14	131	0	0	18	191	0	0	19
<b>12</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>72</b>	<b>0</b>	<b>0</b>	<b>14</b>	<b>132</b>	<b>0</b>	<b>0</b>	<b>18</b>	<b>192</b>	<b>0</b>	<b>0</b>	<b>19</b>
13	0	0	1	73	0	0	14	133	0	0	18	193	0	0	19
14	0	0	1	74	0	0	14	134	0	0	18	194	0	0	19
15	0	0	1	75	0	0	14	135	0	0	18	195	0	0	19
16	0	0	1	76	0	0	15	136	0	0	18	196	0	0	19
17	0	0	1	77	0	0	15	137	0	0	18	197	0	0	19
18	0	0	1	78	0	0	15	138	0	0	18	198	0	0	19
19	0	0	2	79	0	0	15	139	0	0	18	199	0	0	19
20	0	0	2	80	0	0	15	140	0	0	18	200	0	0	19
21	0	0	2	81	0	0	15	141	0	0	18	201	0	0	19
22	0	0	2	82	0	0	16	142	0	0	18	202	0	0	19
23	0	0	2	83	0	0	16	143	0	0	18	203	0	0	19
<b>24</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>84</b>	<b>0</b>	<b>0</b>	<b>16</b>	<b>144</b>	<b>0</b>	<b>0</b>	<b>19</b>	<b>204</b>	<b>0</b>	<b>0</b>	<b>19</b>
25	0	0	3	85	0	0	16	145	0	0	19	205	0	0	19
26	0	0	3	86	0	0	16	146	0	0	19	206	0	0	19
27	0	0	3	87	0	0	16	147	0	0	19	207	0	0	19
28	0	0	3	88	0	0	16	148	0	0	19	208	0	0	19
29	0	0	3	89	0	0	16	149	0	0	19	209	0	0	19
30	0	0	4	90	0	0	16	150	0	0	19	210	0	0	19
31	0	0	4	91	0	0	16	151	0	0	19	211	0	0	19
32	0	0	4	92	0	0	16	152	0	0	19	212	0	0	19
33	0	0	4	93	0	0	17	153	0	0	19	213	0	0	19
34	0	0	5	94	0	0	17	154	0	0	19	214	0	0	19
35	0	0	5	95	0	0	17	155	0	0	19	215	0	0	19
<b>36</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>96</b>	<b>0</b>	<b>0</b>	<b>17</b>	<b>156</b>	<b>0</b>	<b>0</b>	<b>19</b>	<b>216</b>	<b>0</b>	<b>0</b>	<b>19</b>
37	0	0	5	97	0	0	17	157	0	0	19	217	0	0	19
38	0	0	6	98	0	0	17	158	0	0	19	218	0	0	19
39	0	0	6	99	0	0	17	159	0	0	19	219	0	0	19
40	0	0	6	100	0	0	17	160	0	0	19	220	0	0	19
41	0	0	6	101	0	0	17	161	0	0	19	221	0	0	19
42	0	0	6	102	0	0	17	162	0	0	19	222	0	0	19
43	0	0	7	103	0	0	17	163	0	0	19	223	0	0	19
44	0	0	7	104	0	0	17	164	0	0	19	224	0	0	19
45	0	0	7	105	0	0	17	165	0	0	19	225	0	0	19

46	0	0	7	106	0	0	17	166	0	0	19	226	0	0	19
47	0	0	8	107	0	0	17	167	0	0	19	227	0	0	19
<b>48</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>108</b>	<b>0</b>	<b>0</b>	<b>17</b>	<b>168</b>	<b>0</b>	<b>0</b>	<b>19</b>	<b>228</b>	<b>0</b>	<b>0</b>	<b>19</b>
49	0	0	8	109	0	0	17	169	0	0	19	229	0	0	19
50	0	0	8	110	0	0	18	170	0	0	19	230	0	0	19
51	0	0	9	111	0	0	18	171	0	0	19	231	0	0	19
52	0	0	9	112	0	0	18	172	0	0	19	232	0	0	19
53	0	0	9	113	0	0	18	173	0	0	19	233	0	0	19
54	0	0	9	114	0	0	18	174	0	0	19	234	0	0	19
55	0	0	10	115	0	0	18	175	0	0	19	235	0	0	19
56	0	0	10	116	0	0	18	176	0	0	19	236	0	0	19
57	0	0	10	117	0	0	18	177	0	0	19	237	0	0	19
58	0	0	11	118	0	0	18	178	0	0	19	238	0	0	19
59	0	0	11	119	0	0	18	179	0	0	19	239	0	0	19
<b>60</b>	<b>0</b>	<b>0</b>	<b>11</b>	<b>120</b>	<b>0</b>	<b>0</b>	<b>18</b>	<b>180</b>	<b>0</b>	<b>0</b>	<b>19</b>	<b>240</b>	<b>0</b>	<b>0</b>	<b>19</b>

**Prison Bed Impact (Total Beds)**  
**SHB.PL 2400 Sex Crimes Against Minors**  
**Sentencing Guidelines Commission**  
**March 15, 2004**

Month	Pop.	Month	Pop.	Month	Pop.	Month	Pop.	Month	Pop.
1	0	49	8	97	17	145	19	193	19
2	0	50	8	98	17	146	19	194	19
3	0	51	9	99	17	147	19	195	19
4	0	52	9	100	17	148	19	196	19
5	0	53	9	101	17	149	19	197	19
6	0	54	9	102	17	150	19	198	19
7	0	55	10	103	17	151	19	199	19
8	0	56	10	104	17	152	19	200	19
9	0	57	10	105	17	153	19	201	19
10	0	58	11	106	17	154	19	202	19
11	0	59	11	107	17	155	19	203	19
<b>12</b>	<b>1</b>	<b>60</b>	<b>11</b>	<b>108</b>	<b>17</b>	<b>156</b>	<b>19</b>	<b>204</b>	<b>19</b>
13	1	61	11	109	17	157	19	205	19
14	1	62	12	110	18	158	19	206	19
15	1	63	12	111	18	159	19	207	19
16	1	64	12	112	18	160	19	208	19
17	1	65	12	113	18	161	19	209	19
18	1	66	13	114	18	162	19	210	19
19	2	67	13	115	18	163	19	211	19
20	2	68	13	116	18	164	19	212	19

21	2	69	13	117	18	165	19	213	19
22	2	70	13	118	18	166	19	214	19
23	2	71	14	119	18	167	19	215	19
<b>24</b>	<b>2</b>	<b>72</b>	<b>14</b>	<b>120</b>	<b>18</b>	<b>168</b>	<b>19</b>	<b>216</b>	<b>19</b>
25	3	73	14	121	18	169	19	217	19
26	3	74	14	122	18	170	19	218	19
27	3	75	14	123	18	171	19	219	19
28	3	76	15	124	18	172	19	220	19
29	3	77	15	125	18	173	19	221	19
30	4	78	15	126	18	174	19	222	19
31	4	79	15	127	18	175	19	223	19
32	4	80	15	128	18	176	19	224	19
33	4	81	15	129	18	177	19	225	19
34	5	82	16	130	18	178	19	226	19
35	5	83	16	131	18	179	19	227	19
<b>36</b>	<b>5</b>	<b>84</b>	<b>16</b>	<b>132</b>	<b>18</b>	<b>180</b>	<b>19</b>	<b>228</b>	<b>19</b>
37	5	85	16	133	18	181	19	229	19
38	6	86	16	134	18	182	19	230	19
39	6	87	16	135	18	183	19	231	19
40	6	88	16	136	18	184	19	232	19
41	6	89	16	137	18	185	19	233	19
42	6	90	16	138	18	186	19	234	19
43	7	91	16	139	18	187	19	235	19
44	7	92	16	140	18	188	19	236	19
45	7	93	17	141	18	189	19	237	19
46	7	94	17	142	18	190	19	238	19
47	8	95	17	143	18	191	19	239	19
<b>48</b>	<b>8</b>	<b>96</b>	<b>17</b>	<b>144</b>	<b>19</b>	<b>192</b>	<b>19</b>	<b>240</b>	<b>19</b>

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2400 S HB PL	<b>Title:</b> Sex crimes against minors	<b>Agency:</b> 376-The Evergreen State College
----------------------------------	---	--

## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

FUND					
<b>Total \$</b>					

### Estimated Expenditures from:

	FY 2004	FY 2005	2003-05	2005-07	2007-09
FTE Staff Years	0.0	1.4	0.7	0.0	0.0
<b>Fund</b>					
General Fund-State 001-1	0	340,152	340,152	0	0
<b>Total \$</b>	0	340,152	340,152	0	0

*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:	Phone:	Date: 03/11/2004
Agency Preparation: Steve Trotter	Phone: 360 867-6185	Date: 03/17/2004
Agency Approval: Steve Trotter	Phone: 360 867-6185	Date: 03/17/2004
OFM Review: Marc Webster	Phone: 360-902-0650	Date: 03/17/2004



## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.*

New Section 7 calls for a comprehensive study of sex offender sentencing policies to evaluate their effectiveness, including the special sex offender sentencing alternative, the prison treatment program, and the risk assessment procedures conducted before sex offenders leave prison. The purpose of the study is to determine whether changes to sentencing policies and programming in prison could cost-effectively increase public safety, and whether the risk assessment procedures could be improved. Using this research, the Institute is to specifically evaluate the impact of the special sex offender sentencing alternative on protection of children from sexual victimization, reporting of sex offenses against children, and child sex offense recidivism rates.

A second feature of the study concerns the views of victims whose cases resulted in a special sex offender sentencing alternative sentence. The study shall include victims whose cases have been prosecuted recently, as well as those whose cases were prosecuted in the past. The victims will be asked whether they considered the sentencing option to be a just and appropriate sentence, whether it influenced their healing process, and if so, whether the influence was negative or positive.

The results of this research are due no later than December 31, 2004.

### II. B - Cash receipts Impact

*Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.*

### II. C - Expenditures

*Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.*

To conduct Section 7(1) of this study, it will be necessary to investigate the recidivism patterns of sex offenders in Washington State. The study will rely on a population of sex offenders released from 1990 to 1992, studying their recidivism patterns since that time. Administrative data bases will be used to learn about the individual's criminal records, including behavior in prison. In order to understand the risk factors associated with sex offenders in more detail, data from the offenders' case records will be collected. Since the files will not be in a central location, it will be necessary to travel to DOC field offices to collect some data.

These information sources will become the basis for a detailed data base that will be used to build a recidivism prediction model. With this model, the study will be able to determine the risk levels associated with characteristics and criminal patterns. At present, Washington's risk assessment process is based on research from other states and countries; this model will allow key decisions to be based on Washington State offenders as well as state sentencing policies. For Section (2) of the study, the researchers will review state data on reporting and prosecution of sex offenses against children, as well as examine the recidivism results from sex offenders who were eligible for the special sex offender sentencing alternative.

Two senior researchers will conduct this portion of the study through calendar year 2004, with assistance from a senior programmer. A personal services contract for \$35,000 will be used for data collection. Institute staff will create the data collection instruments and the contractor will be responsible for data collection in the field.

For section (3) of the study, the Institute will contract with a specialist in victim treatment. In order to contact victims, it will be necessary to follow human subject protection measures and exercise considerable sensitivity. It is anticipated that a private investigator will be used to serve as an intermediary contact between the victims and the researchers. It is estimated that a contract of \$130,000 will be needed to perform these tasks.

### Part III: Expenditure Detail

#### III. A - Expenditures by Object Or Purpose

	FY 2004	FY 2005	2003-05	2005-07	2007-09
FTE Staff Years		1.40	0.7		
A-Salaries and Wages		92,995	92,995		
B-Employee Benefits		21,157	21,157		
C-Personal Service Contracts		165,000	165,000		
E-Goods and Services		61,000	61,000		
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					
<b>Total:</b>	\$0	\$340,152	\$340,152	\$0	\$0

**III. B - 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 2004	FY 2005	2003-05	2005-07	2007-09
Office Support	37,404		0.2	0.1		
Programmer/Analyst	55,728		0.3	0.1		
Project Manager	73,452		1.0	0.5		
<b>Total FTE's</b>			1.4	0.7		0.0

### Part IV: Capital Budget Impact

### Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

# LOCAL GOVERNMENT FISCAL NOTE

Department of Community, Trade and Economic Development

**Bill Number:** 2400 S HB PL **Title:** Sex crimes against minors

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

### Legislation Impacts:

- ☐ Cities:
- ☒ Counties:
- ☐ Special Districts:
- ☐ Specific jurisdictions only:
- ☐ Variance occurs due to:

## Part II: Estimates

- ☐ No fiscal impacts.
- ☐ Expenditures represent one-time costs:
- ☐ Legislation provides local option:
- ☒ Key variables cannot be estimated with certainty at this time: Number of trials; offenders ordered to serve total versus partial confinement; prosecutions for failure to register

### Estimated revenue impacts to:

Jurisdiction	FY 2004	FY 2005	2003-05	2005-07	2007-09
City					
County					
Special District					
<b>TOTAL \$</b>					
<b>GRAND TOTAL \$</b>					

### Estimated expenditure impacts to:

Jurisdiction	FY 2004	FY 2005	2003-05	2005-07	2007-09
City					
County				2,069,419	4,943,658
Special District					
<b>TOTAL \$</b>				2,069,419	4,943,658
<b>GRAND TOTAL \$</b>					7,013,077

## Part III: Preparation and Approval

Fiscal Note Analyst: Amy Tsai	Phone: 360-725-5037	Date: 03/15/2004
Leg. Committee Contact:	Phone:	Date: 03/11/2004
Agency Approval: Louise Deng Davis	Phone: (360) 725-5034	Date: 03/16/2004
OFM Review: Randi Warick	Phone: 360-902-0570	Date: 03/18/2004

## Part IV: Analysis

### A. SUMMARY OF BILL

*Provide a clear, succinct description of the bill with an emphasis on how it impacts local government.*

Under this bill, RCW 9.94A.515 (Crimes included within each seriousness level) and RCW 9.94A.712 (Sentencing of nonpersistent offenders) are reenacted (Sec. 2 and 3).

Special Sex Offender Sentencing Alternative (SSOSA) requirements are amended as follows:

-The offender must have had no prior adult convictions for a violent offense that was committed within 5 years of the date the current offense was committed (Sec. 4(2)(c))

-The offense must not have resulted in substantial bodily harm to the victim (Sec. 4(2)(d))

-The offender must have had an established relationship with the victim beyond the commission of the crime (Sec. 4(2)(e)).

-A proposed treatment plan must include identification of precursors to the offense cycle (Sec. 4(3)(b)(v)).

- In considering whether an offender should receive a treatment disposition, the court shall consider the following additional factors: whether the alternative is too lenient, whether the offender has other victims in addition to the victim of the offense, whether the offender is amenable to treatment, and the risk the offender would present. The victim's opinion is to be given great weight. If the sentence imposed is contrary to the victim's opinion, the court shall enter written findings stating its reasons for imposing the treatment disposition (Sec. 4(4)).

- As a condition of suspension, the court shall order the offender to serve a term of confinement of 12 months or the maximum term within the standard range, whichever is less. More time can be ordered if there are aggravating circumstances. Partial confinement can be ordered. The offender is not eligible for earned release (Sec. 4(4)(a)).

- The court shall order treatment for up to 5 years (Sec. 4(4)(c)).

- As conditions of the suspended sentence, the court shall prohibit activities or behaviors that are precursors to the offense cycle (Sec. 4(4)(d)).

- The court shall conduct a hearing on the offender's progress in treatment at least once a year, where the victim is given the opportunity to make statements. At the hearing, the court may modify conditions of community custody or revoke the suspended sentence (Sec. 4(7)).

- Any extension of treatment at the treatment termination hearing is in two-year increments (Sec. 4(8)). The court may order an evaluation regarding advisability of termination from treatment by a sex offender treatment provider who may not be the same person who treated the offender unless the court finds that it is in the best interests of the victim and that a successful evaluation would otherwise be impractical. The offender pays for the cost of the evaluation (Sec. 4(8)).

- If there is a second violation of the prohibition against precursor activities or behaviors, the Department of Corrections (DOC) shall refer the violation to the court and recommend revocation of the suspended sentence (Sec. 4(9)).

- The offender's sex offender treatment provider cannot be the same person who examined the offender to determine whether the offender was amenable to treatment unless the court finds that such treatment is in the best interests of the victim and that successful treatment of the offender would otherwise be impractical (Sec. 4(11)).

The Washington State Institute for Public Policy shall conduct an analysis of the effectiveness of current sex offender sentencing policies (Sec. 7).

SSOSA changes take effect on July 1, 2005 (Sec. 9).

This bill differs from previous versions in that it removes the increase in seriousness level for Child Rape 1, 2, and Child Molestation 1 crimes, removes the new section for SSOSA offenders who are at least 18 years old, removes the new ability of prosecutors to prevent certain offenders from receiving SSOSA, and removes funding to DOC, victim programs, and local governments. SSOSA changes proposed by this bill also go into effect one year later than in previous versions.

#### PREVIOUS VERSIONS:

HB 2400, H-9999.1, PSHB 2400, SHB 2400, ESHB 2400

## B. SUMMARY OF EXPENDITURE IMPACTS

*Briefly describe and quantify the expenditure impacts of the legislation on local governments, identifying the expenditure provisions by section number, and when appropriate, the detail of expenditures. Delineate between city, county and special district impacts.*

The largest anticipated costs with this bill would be from conducting annual treatment review hearings and from the potentially longer jail sentences imposed for SSOSA offenders. Other changes proposed under this bill are expected to have minimal cost impact, including restrictions on SSOSA eligibility, restrictions on treatment providers, and conditions of treatment.

### DISCUSSION:

SSOSA is a sentencing alternative that allows the convicted offender to receive outpatient treatment in the community, while under the supervision of the Department of Corrections, for three years or longer. The sentence may include a jail stay of up to six months. Only certain sex offenders are eligible for SSOSA; rapists and child molesters with prior offenses are excluded, and offenders must be potentially eligible for a sentence of less than 11 years. If the offender does not cooperate with treatment requirements, or does not make adequate progress, the suspended sentence can be revoked by a judge, and the offender is sent to prison for the original sentence. (Washington State Institute for Public Policy, WSIPP).

### TRIAL RATES

When offenders are ineligible for SSOSA, they are less likely to plead guilty which means an increase in the number of trials (Washington Association of Prosecuting Attorneys, WAPA; Washington Defender Association, WDA). This bill makes it tougher to qualify for SSOSA by 1) excluding offenders with prior adult convictions for a violent offense with the past 5 years and 2) making offenders with no prior connection to a victim ineligible for SSOSA. The number of offenders excluded by these provisions is anticipated to be small, however. In 2003, there were only 3 offenders with a history of violent offenses who might have been excluded out of 210 sentences (Sentencing Guidelines Commission, SGC), and it is estimated that perhaps 5% of offenders would lack a prior relationship with a victim (WDA).

This bill also makes SSOSA less attractive to defendants (and makes them more likely to go to trial) because the maximum possible jail time is twice as long (or even more if there is an aggravating factor) and because the victim has more opportunity to seek SSOSA (WDA). Although partial confinement is allowed under the bill, some jails do not allow sex offenders to serve in partial confinement (Pierce County). Thus, at least for those offenders, any jail sentence would be carried out in total confinement.

In 2003, 95% of SSOSA cases pled and 5% of SSOSA cases went to trial. It is difficult to estimate how many more trials would occur under this bill. Estimates range from minimal impact to perhaps 50% of these cases going to trial (WAPA, WDA). The present cost estimate assumes a worst case scenario of 50% of SSOSA cases going to trial. This would result in 45% more SSOSA cases going to trial ( $50\% - 5\% = 45\%$ ).

### Assumptions:

- Pleas are 75% of the cost of a trial (WAPA)
- 50% of what would formerly have been SSOSA cases go to trial (WDA)
- Percentage of each level of SSOSA felony sex offense from 2003 is representative of cases in 2004
- There would be 215 cases affected in 2004 (Avg. number of cases from previous years, Administrative Office of the Courts). The cases potentially affected by this bill are referred to as "SSOSA cases" because they were SSOSA cases under the current law, but they might not be SSOSA sentences under the new bill.
- 90% of felonies require indigent defense (WDA)
- All trials get appealed (virtually every trial does get appealed, WAPA)
- No pleas get appealed (very few pleas get appealed, WAPA)
- Felony costs are borne by counties
- 1/3 of cases that go to trial require a defense expert (WDA)
- defense trial experts, typically medical doctors from out of town, cost \$1500 on average (WDA)
- an expert consulted for a plea case is 75% of the cost of an expert hired for trial
- the effect of trial rates on conviction and sentencing rates is unknown and not included in the analysis

### 2003 data:

Class A felonies = 73%

Class B felonies = 10%

Class C felonies = 17%

45% of 215 cases = 97 more cases going to trial per year

### Prosecution:

Class A felony = 97 cases x 73% = 71 cases

$\$3,558$  (cost of Class A sex offense)  $\times 75\% = \$2,668$  cost of plea  
 $\$7,284$  (cost of Class A sex offense with appeal) -  $\$2,668 = \$4,616$  cost increase per case  
 $\$4,616 \times 71$  cases =  $\$327,736$

Class B felony = 97 cases  $\times 10\% = 10$  cases  
 $\$3,558$  (cost of Class B sex offense)  $\times 75\% = \$2,668$  cost of plea  
 $\$7,284$  (cost of Class B sex offense with appeal) -  $\$2,668 = \$4,616$  cost increase per case  
 $\$4,616 \times 10$  cases =  $\$46,160$

Class C felony = 97 cases  $\times 17\% = 16$  cases  
 $\$2,189$  (cost of felony crime against person)  $\times 75\% = \$1,642$  cost of plea  
 $\$2,911$  (cost of felony crime against person with appeal) -  $\$1,642 = \$1,269$  cost increase per case  
 $\$1,269 \times 16$  cases =  $\$20,304$

Prosecution total =  $\$394,200$

(LGFN Survey of Law Enforcement and Prosecutors; 2003 Association of Washington Cities Salary Survey, adjusted for benefits)

#### Defense:

97 cases  $\times 90\%$  requiring indigent defense = 87 cases  
150 hours per case  $\times \$85/\text{hr.} = \$12,750$  per case  
 $\$12,750 \times 75\% = \$9,562$  cost of plea  
 $\$12,750 - \$9,562 = \$3,188$  cost increase per case

#### Defense experts:

$\$1500 \times 75\% = \$1125$  cost of an expert with plea case  
 $\$1500 - \$1125 = \$375$  cost increase from expert testimony at trial  
 $\$3,188 + \$375 = \$3,563$  total defense cost increase per case  
 $\$3,563 \times 87$  cases =  $\$309,981$

(Washington Defender Association)

Prosecution + Defense =  $\$394,200 + \$309,981 = \$704,181$

#### Case phase-in factor:

If cases take 6 months to complete, then prosecution and defense costs for cases filed in the first six months would be completed within the fiscal year. For purposes of phasing in the costs of the remaining cases that would not be completed within the first year, it is assumed that the remaining cases would incur on average about 50% of total case costs in the first fiscal year and finish in the next fiscal year.

#### Assumptions:

- Cases take 6 months from time of charging to time of sentencing (King County Prosecutor's Office; WDA)
- Case workload is distributed evenly over the 6-month case period (in actuality, prosecutors may spend more time on the beginning and end of the case, whereas defenders have ongoing tasks) (WDA)
- Cases are distributed evenly over the year
- Law goes into effect in Fiscal Year 2006 (FY06)

#### FY06:

Half of cases completed =  $\$704,181/2 = \$352,090$   
Remaining half of cases 50% completed =  $\$352,090 \times 50\% = \$176,045$   
 $\$352,090 + \$176,045 = \$528,135$

#### FY07:

$\$176,045$  (cost of cases remaining from FY06) +  $\$352,090$  (first six months cases completed) +  $\$176,045$  (last six months cases started) =  $\$704,181$

FY08:  $\$704,181$

FY09:  $\$704,181$

## ANNUAL TREATMENT REVIEW HEARINGS

The court has the option to order up to 5 years of treatment (Sec. 4(4)(c)) and would be required to conduct a hearing on the offender's

treatment progress at least once a year (Sec. 4(7)(b)). The Administrative Office of the Courts (AOC) estimates that 5% of the cases would be required to participate in treatment for five years, 10% for four years, 60% for three years, 15% for 2 years and 10% for one year. In other words, after the first year, 10% of offenders would no longer be in treatment with a total of 90% remaining. After the second year, an additional 15% would no longer be in treatment with a total of 75% remaining.

AOC further estimates that 80% of hearings would take an hour and 20% would take a day (8 hours) (AOC). Other estimates are that it would take half an hour for uncontested hearings (WAPA; WDA) and 1.5 hours for contested hearings (WDA). Therefore, for purposes of this fiscal note it is assumed that an uncontested annual hearing would take 45 minutes (average of 0.5 hrs. and 1 hr.) and a contested hearing would take 4.75 hours (average of 1.5 hrs. and 8 hrs.). In addition, expert costs could be expected in 20% of the hearings (Whatcom County).

The number of hearings per fiscal year are estimated as follows:

FY06: 215 offenders sentenced YEAR1, 0 need treatment hearing

FY07: 215 offenders sentenced YEAR2

YEAR1 offenders =  $215(100\%) = 215$  need hearing

FY08: 215 offenders sentenced YEAR3

YEAR1 offenders remaining =  $215(90\%) = 194$  need hearing

YEAR2 offenders =  $215(100\%) = 215$  need hearing

Total = 409

FY09: 215 offenders sentenced YEAR4

YEAR1 offenders remaining =  $215(75\%) = 161$  need hearing

YEAR2 offenders =  $215(90\%) = 194$  need hearing

YEAR3 offenders =  $215(100\%) = 215$  need hearing

Total = 570

Total hearings required per fiscal year:

FY06: No hearings = \$0

FY07: 215 hearings

$215 \times 80\% = 172$  uncontested hearings

$215 \times 20\% = 43$  contested hearings

FY08: 409 hearings

$409 \times 80\% = 327$  uncontested hearings

$409 \times 20\% = 82$  contested hearings

FY09: 570 hearings

$570 \times 80\% = 456$  uncontested hearings

$570 \times 20\% = 114$  contested hearings

Prosecution:

$0.75 \text{ hr./hearing} \times \$39.95/\text{hr} = \$30$  per uncontested hearing

$4.75 \text{ hrs./hearing} \times \$39.95/\text{hr} = \$190$  per contested hearing

FY07:  $(\$30 \times 172) + (\$190 \times 43) = \$13,330$

FY08:  $(\$30 \times 327) + (\$190 \times 82) = \$25,390$

FY09:  $(\$30 \times 456) + (\$190 \times 114) = \$35,340$

(2003 Association of Washington Cities Salary Survey, adjusted for benefits)

Defense:

$0.75 \text{ hr./hearing} \times \$85/\text{hr} = \$64$  per uncontested hearing

$4.75 \text{ hr./hearing} \times \$85/\text{hr} = \$404$  per contested hearing

FY07:  $(\$64 \times 172) + (\$404 \times 43) = \$28,380$

FY08:  $(\$64 \times 327) + (\$404 \times 82) = \$54,056$

FY09:  $(\$64 \times 456) + (\$404 \times 114) = \$75,240$

(2003 Association of Washington Cities Salary Survey, adjusted for benefits; Washington Defender Association)

Experts:

1 treatment provider  $\times \$150/\text{hr.} \times 2 \text{ hrs.} = \$300$

FY07:  $\$300 \times 43 = \$12,900$

FY08:  $\$300 \times 82 = \$24,600$

FY09:  $\$300 \times 114 = \$34,200$

(Whatcom County)

Annual treatment total:

FY06: \$0  
FY07: \$54,610  
FY08: \$104,046  
FY09: \$144,780

#### JAIL

Jail costs may be increased since judges can order up to 12 months of confinement instead of six. However, jail costs may also decrease if judges order partial instead of total confinement.

If partial confinement is ordered, jail costs would be reduced because the offender pays for some of the costs and it is less expensive when an offender is not housed at the facility for 24 hours per day (Yakima County Corrections). However, at least in some counties partial confinement is not an option for sex offenders (Pierce County), so the impact from this provision in those counties would be nil.

The court is also allowed to order extra time when aggravating circumstances are present. For sentences of greater than 12 months, this would result in jail savings because sentences of over a year are served in prison, a cost borne by the state. However, offenders with aggravating circumstances typically do not presently receive SSOSA sentences, so this provision is not anticipated to affect jail costs (WDA).

Jail bed impact estimates are based on Sentencing Guidelines Commission (SGC) projections for Average Monthly Population (AMP) changes which assume that maximum sentences would be imposed, and an average daily bed rate of \$61 per offender per day (2003 Survey of Jails by Yakima County Corrections; Local Government Fiscal Note Program (LGFN) Jail Bed Model; Washington Association of Sheriffs and Police Chiefs jail capacity data) (see attached table). It should be noted that 68 of the 210 SSOSA sentences in 2003 were for less than the maximum possible six months (32%). Therefore, one could expect perhaps 32% of sentences under the new bill to be less than the maximum possible sentence.

Fiscal Year	AMP	Total
FY06	2	\$44,714
FY07	33	\$737,779
FY08	65	\$1,453,201
FY09	82	\$1,833,269

Many jails are operating at capacity. Increased inmate loads could potentially require the building of new facilities to add bed space. Any such costs are not included in this fiscal note.

#### TOTAL:

Pros/Defense + Annual hrgs + Jail				
FY06	\$528,135	+	\$0	+ \$44,714 = \$572,849
FY07	\$704,181	+	\$54,610	+ \$737,779 = \$1,496,570
FY08	\$704,181	+	\$104,046	+ \$1,453,201 = \$2,261,428
FY09	\$704,181	+	\$144,780	+ \$1,833,269 = \$2,682,230

#### OTHER:

Some provisions added in this bill version are not anticipated to have fiscal impact because they do not differ from current practice. These provisions include the following:

- SSOSAs are generally already not granted in cases involving substantial bodily harm (WDA). Therefore, adding lack of substantial bodily harm should not affect SSOSA eligibility rates.
- Courts already consider whether SSOSA is too lenient (WDA). Therefore, requiring courts to consider whether SSOSA is too lenient should not affect number of SSOSA sentences awarded.
- SSOSAs generally are not given in cases with aggravating factors (WDA). Therefore, allowing the court to impose longer incarceration times for SSOSA offenders with aggravating factors is not anticipated to save jail costs from inmates receiving a sentence of greater than one



year and being sent to prison instead of jail.

- Restrictions on precursor activities are generally already included in most SSOSA plans (WAPA). However, if these activities were not presently included in a treatment plan, adding this condition would increase the chances of an offender failing to meet his conditions and having his SSOSA revoked. Prosecution, defense, and jail costs would be incurred from the revocation hearing and subsequent resentencing. Since second violations of precursor activity prohibitions must be referred to the court for a recommended revocation (Sec. 4(11)), this may also increase the number of revocation hearings. It is unknown how many additional revocation hearings would result from this bill, but unit costs of such hearings are estimated as follows:

Prosecution:

8 hrs./hr. x \$39.95/hr. = \$320/hearing

Defense:

8 hrs./hr. x \$85/hr. = \$680/hearing

Total = \$1000 per revocation hearing

(WDA; 2003 Association of Washington Cities salary survey, adjusted for benefits)

Prohibiting the evaluating treatment provider from being the one who provides treatment for the defendant would require obtaining another treatment provider. In many courts it is routine for the court to order a second evaluation upon state request, so this provision could require obtaining a third treatment provider to do the treatment. Costs could go up depending on the difficulty of locating such a provider. (WDA) Shopping around to find someone to do the treatment would cost one or more hours at \$200/hr for a provider to read an evaluation and decide if they would be willing to offer treatment (Pierce County Public Defender). This cost would be avoided under the new bill if the court allowed the provider to be the same as the evaluator, but it is unknown how often such an exception would occur.

It is also worth noting that the requirement of annual treatment hearings would likely result in increased prosecutions for failure to register as a sex offender (Whatcom County). There were 1101 charges and 474 convictions for failure to register last year with an average sentence of 2.5 months (AOC, SGC). When offenders must appear for an annual treatment hearing, tracking of offenders is likely to be more stringent and registration violations are more likely to be caught, resulting in increased law enforcement, prosecution, defense, and jail time costs. (Whatcom County)

It is unknown how many additional cases involving failure to register as a sex offender would result, but unit costs are estimated as follows:

Pleas:

463 out of 474 cases last year = 98%

12 hrs./case x \$39.95/hr. prosecutor = \$479

12 hrs./case x \$85/hr. defense = \$1020

Total = \$1499

Trials:

11 out of 474 cases last year = 2%

24 hrs./case (20 if bench and 28 if jury)

24 hrs./case x \$39.95 prosecutor = \$959

24 hrs./case x \$85/hr. defense = \$2040

Total = \$2999

(2003 Association of Washington Cities Salary Survey, adjusted for benefits; WDA)

#### SOURCES:

2003 Association of Washington Cities Salary Survey

2003 Survey of Jails by Yakima County Corrections

Administrative Office of the Courts

King County Prosecutor's Office

LGFN Jail Bed Model

LGFN Survey of Law Enforcement and Prosecutors

Pierce County

Sentencing Guidelines Commission

Washington Association of Prosecuting Attorneys

Washington Association of Sheriffs and Police Chiefs jail capacity data

Washington Defender Association

### **C. SUMMARY OF REVENUE IMPACTS**

*Briefly describe and quantify the revenue impacts of the legislation on local governments, identifying the revenue provisions by section number, and when appropriate, the detail of revenue sources. Delineate between city, county and special district impacts.*

None.

Jail Costs Across Counties

County	2002 Jail Capacity	2002 Avg. Daily Pop. (ADP)	Percent of Total ADP	Additional Demand on ADP	2003 Local Daily Bed Rate	JAIL COSTS
Adams	28	20.9	0.19%	0.00	\$55.00	\$77.08
Asotin	21	35.2	0.32%	0.01	\$54.00	\$127.46
Benton	194	387.2	3.56%	0.07	\$52.71	\$1,368.58
Chelan	197	317.3	2.91%	0.06	\$56.00	\$1,191.52
Clallam	120	117.3	1.08%	0.02	\$51.18	\$402.57
Clark	461	730.9	6.71%	0.13	\$53.48	\$2,621.15
Columbia	8	6	0.06%	0.00	\$40.00	\$16.09
Cowlitz	149	308.4	2.83%	0.06	\$57.58	\$1,190.77
Ferry	22	18.3	0.17%	0.00	\$50.00	\$61.36
Franklin	157	170	1.56%	0.03	\$51.00	\$581.38
Garfield	6	4.6	0.04%	0.00	\$35.00	\$10.80
Grant	85	214.7	1.97%	0.04	\$33.38	\$480.57
Grays Harbor	176	138	1.27%	0.03	\$65.00	\$601.50
Island	58	80.1	0.74%	0.01	\$50.00	\$268.56
Jefferson	37	44.3	0.41%	0.01	\$50.00	\$148.53
King	2751	2365.8	21.73%	0.43	\$81.86	\$12,986.51
Kitsap	200	270.3	2.48%	0.05	\$62.00	\$1,123.78
Kittitas	45	94.4	0.87%	0.02	\$55.00	\$348.16
Klickitat	38	47.7	0.44%	0.01	\$54.00	\$172.72
Lewis	186	200.4	1.84%	0.04	\$53.50	\$718.94
Lincoln	15	18.1	0.17%	0.00	\$100.00	\$121.37
Mason	65	118	1.08%	0.02	\$30.00	\$237.38
Okanogan	135	137	1.26%	0.03	\$54.00	\$496.09
Pacific	29	28.3	0.26%	0.01	\$75.00	\$142.33
Pend Oreille	20	22.3	0.20%	0.00	\$45.00	\$67.29
Pierce	1272	1248	11.46%	0.23	\$59.00	\$4,937.52
San Juan*	0	0	0.00%	0.00	\$52.00	\$0.00
Skagit	145	249.1	2.29%	0.05	\$60.00	\$1,002.23
Skamania	17	30.9	0.28%	0.01	\$50.00	\$103.60
Snohomish	885	985	9.05%	0.18	\$59.99	\$3,962.39
Spokane	519	640.1	5.88%	0.12	\$58.00	\$2,489.54
Stevens	42	42	0.39%	0.01	\$50.00	\$140.82
Thurston	408	386	3.55%	0.07	\$54.44	\$1,409.12
Wahkiakum	14	7.7	0.07%	0.00	\$52.86	\$27.29
Walla Walla	50	95.3	0.88%	0.02	\$67.12	\$428.93
Whatcom	212	309.8	2.85%	0.06	\$68.00	\$1,412.64
Whitman	34	36.8	0.34%	0.01	\$40.00	\$98.71
Yakima	958	960.1	8.82%	0.18	\$48.75	\$3,138.58
<b>TOTAL</b>	<b>9759</b>	<b>10886.3</b>	<b>100.00%</b>	<b>2.00</b>	<b>\$54.86**</b>	<b>\$44,713.88</b>
2 ADP anticipated increase***						

SOURCES:

2003 Survey of Jails by Yakima County Corrections

Washington Association of Sheriffs and Police Chiefs jail capacity data

\* San Juan County Jail is a short term holding facility

\*\* Unweighted average (weighted average is \$61)

\*\*\* Average Monthly Population changes based on end of month data from Sentencing Guidelines Commission are used as estimate of ADP changes

Note: Where 2003 bed rate data was unavailable, last available year was used. Counties that were missing 2003 rates are highlighted.

Jail Costs Across Counties

County	2002 Jail Capacity	2002 Avg. Daily Pop. (ADP)	Percent of Total ADP	Additional Demand on ADP	2003 Local Daily Bed Rate	JAIL COSTS
Adams	28	20.9	0.19%	0.06	\$55.00	\$1,271.85
Asotin	21	35.2	0.32%	0.11	\$54.00	\$2,103.11
Benton	194	387.2	3.56%	1.17	\$52.71	\$22,581.61
Chelan	197	317.3	2.91%	0.96	\$56.00	\$19,660.05
Clallam	120	117.3	1.08%	0.36	\$51.18	\$6,642.40
Clark	461	730.9	6.71%	2.22	\$53.48	\$43,248.98
Columbia	8	6	0.06%	0.02	\$40.00	\$265.54
Cowlitz	149	308.4	2.83%	0.93	\$57.58	\$19,647.74
Ferry	22	18.3	0.17%	0.06	\$50.00	\$1,012.39
Franklin	157	170	1.56%	0.52	\$51.00	\$9,592.80
Garfield	6	4.6	0.04%	0.01	\$35.00	\$178.14
Grant	85	214.7	1.97%	0.65	\$33.38	\$7,929.48
Grays Harbor	176	138	1.27%	0.42	\$65.00	\$9,924.74
Island	58	80.1	0.74%	0.24	\$50.00	\$4,431.28
Jefferson	37	44.3	0.41%	0.13	\$50.00	\$2,450.76
King	2751	2365.8	21.73%	7.17	\$81.86	\$214,277.35
Kitsap	200	270.3	2.48%	0.82	\$62.00	\$18,542.33
Kittitas	45	94.4	0.87%	0.29	\$55.00	\$5,744.62
Klickitat	38	47.7	0.44%	0.14	\$54.00	\$2,849.96
Lewis	186	200.4	1.84%	0.61	\$53.50	\$11,862.55
Lincoln	15	18.1	0.17%	0.05	\$100.00	\$2,002.65
Mason	65	118	1.08%	0.36	\$30.00	\$3,916.79
Okanogan	135	137	1.26%	0.42	\$54.00	\$8,185.42
Pacific	29	28.3	0.26%	0.09	\$75.00	\$2,348.41
Pend Oreille	20	22.3	0.20%	0.07	\$45.00	\$1,110.31
Pierce	1272	1248	11.46%	3.78	\$59.00	\$81,469.13
San Juan*	0	0	0.00%	0.00	\$52.00	\$0.00
Skagit	145	249.1	2.29%	0.76	\$60.00	\$16,536.80
Skamania	17	30.9	0.28%	0.09	\$50.00	\$1,709.44
Snohomish	885	985	9.05%	2.99	\$59.99	\$65,379.50
Spokane	519	640.1	5.88%	1.94	\$58.00	\$41,077.34
Stevens	42	42	0.39%	0.13	\$50.00	\$2,323.52
Thurston	408	386	3.55%	1.17	\$54.44	\$23,250.48
Wahkiakum	14	7.7	0.07%	0.02	\$52.86	\$450.34
Walla Walla	50	95.3	0.88%	0.29	\$67.12	\$7,077.36
Whatcom	212	309.8	2.85%	0.94	\$68.00	\$23,308.63
Whitman	34	36.8	0.34%	0.11	\$40.00	\$1,628.67
Yakima	958	960.1	8.82%	2.91	\$48.75	\$51,786.62
<b>TOTAL</b>	<b>9759</b>	<b>10886.3</b>	<b>100.00%</b>	<b>33.00</b>	<b>\$54.86**</b>	<b>\$737,779.10</b>
<b>33</b>	ADP anticipated increase***					

SOURCES:

2003 Survey of Jails by Yakima County Corrections

Washington Association of Sheriffs and Police Chiefs jail capacity data

\* San Juan County Jail is a short term holding facility

\*\* Unweighted average (weighted average is \$61)

\*\*\* Average Monthly Population changes based on end of month data from Sentencing Guidelines Commission are used as estimate of ADP changes

Note: Where 2003 bed rate data was unavailable, last available year was used. Counties that were missing 2003 rates are highlighted.

Jail Costs Across Counties

County	2002 Jail Capacity	2002 Avg. Daily Pop. (ADP)	Percent of Total ADP	Additional Demand on ADP	2003 Local Daily Bed Rate	JAIL COSTS
Adams	28	20.9	0.19%	0.12	\$55.00	\$2,505.16
Asotin	21	35.2	0.32%	0.21	\$54.00	\$4,142.50
Benton	194	387.2	3.56%	2.31	\$52.71	\$44,478.93
Chelan	197	317.3	2.91%	1.89	\$56.00	\$38,724.34
Clallam	120	117.3	1.08%	0.70	\$51.18	\$13,083.51
Clark	461	730.9	6.71%	4.36	\$53.48	\$85,187.38
Columbia	8	6	0.06%	0.04	\$40.00	\$523.04
Cowlitz	149	308.4	2.83%	1.84	\$57.58	\$38,700.09
Ferry	22	18.3	0.17%	0.11	\$50.00	\$1,994.10
Franklin	157	170	1.56%	1.02	\$51.00	\$18,894.92
Garfield	6	4.6	0.04%	0.03	\$35.00	\$350.87
Grant	85	214.7	1.97%	1.28	\$33.38	\$15,618.68
Grays Harbor	176	138	1.27%	0.82	\$65.00	\$19,548.72
Island	58	80.1	0.74%	0.48	\$50.00	\$8,728.28
Jefferson	37	44.3	0.41%	0.26	\$50.00	\$4,827.25
King	2751	2365.8	21.73%	14.13	\$81.86	\$422,061.45
Kitsap	200	270.3	2.48%	1.61	\$62.00	\$36,522.77
Kittitas	45	94.4	0.87%	0.56	\$55.00	\$11,315.16
Klickitat	38	47.7	0.44%	0.28	\$54.00	\$5,613.56
Lewis	186	200.4	1.84%	1.20	\$53.50	\$23,365.63
Lincoln	15	18.1	0.17%	0.11	\$100.00	\$3,944.61
Mason	65	118	1.08%	0.70	\$30.00	\$7,714.88
Okanogan	135	137	1.26%	0.82	\$54.00	\$16,122.79
Pacific	29	28.3	0.26%	0.17	\$75.00	\$4,625.66
Pend Oreille	20	22.3	0.20%	0.13	\$45.00	\$2,186.97
Pierce	1272	1248	11.46%	7.45	\$59.00	\$160,469.51
San Juan*	0	0	0.00%	0.00	\$52.00	\$0.00
Skagit	145	249.1	2.29%	1.49	\$60.00	\$32,572.49
Skamania	17	30.9	0.28%	0.18	\$50.00	\$3,367.09
Snohomish	885	985	9.05%	5.88	\$59.99	\$128,777.80
Spokane	519	640.1	5.88%	3.82	\$58.00	\$80,909.91
Stevens	42	42	0.39%	0.25	\$50.00	\$4,576.62
Thurston	408	386	3.55%	2.30	\$54.44	\$45,796.40
Wahkiakum	14	7.7	0.07%	0.05	\$52.86	\$887.04
Walla Walla	50	95.3	0.88%	0.57	\$67.12	\$13,940.26
Whatcom	212	309.8	2.85%	1.85	\$68.00	\$45,910.95
Whitman	34	36.8	0.34%	0.22	\$40.00	\$3,208.00
Yakima	958	960.1	8.82%	5.73	\$48.75	\$102,003.96
<b>TOTAL</b>	<b>9759</b>	<b>10886.3</b>	<b>100.00%</b>	<b>65.00</b>	<b>\$54.86**</b>	<b>\$1,453,201.26</b>
65 ADP anticipated increase***						

SOURCES:

2003 Survey of Jails by Yakima County Corrections

Washington Association of Sheriffs and Police Chiefs jail capacity data

\* San Juan County Jail is a short term holding facility

\*\* Unweighted average (weighted average is \$61)

\*\*\* Average Monthly Population changes based on end of month data from Sentencing Guidelines Commission are used as estimate of ADP changes

Note: Where 2003 bed rate data was unavailable, last available year was used. Counties that were missing 2003 rates are highlighted.

Jail Costs Across Counties

County	2002 Jail Capacity	2002 Avg. Daily Pop. (ADP)	Percent of Total ADP	Additional Demand on ADP	2003 Local Daily Bed Rate	JAIL COSTS
Adams	28	20.9	0.19%	0.16	\$55.00	\$3,160.35
Asotin	21	35.2	0.32%	0.27	\$54.00	\$5,225.92
Benton	194	387.2	3.56%	2.92	\$52.71	\$56,111.88
Chelan	197	317.3	2.91%	2.39	\$56.00	\$48,852.24
Clallam	120	117.3	1.08%	0.88	\$51.18	\$16,505.35
Clark	461	730.9	6.71%	5.51	\$53.48	\$107,467.16
Columbia	8	6	0.06%	0.05	\$40.00	\$659.84
Cowlitz	149	308.4	2.83%	2.32	\$57.58	\$48,821.65
Ferry	22	18.3	0.17%	0.14	\$50.00	\$2,515.63
Franklin	157	170	1.56%	1.28	\$51.00	\$23,836.67
Garfield	6	4.6	0.04%	0.03	\$35.00	\$442.64
Grant	85	214.7	1.97%	1.62	\$33.38	\$19,703.56
Grays Harbor	176	138	1.27%	1.04	\$65.00	\$24,661.46
Island	58	80.1	0.74%	0.60	\$50.00	\$11,011.06
Jefferson	37	44.3	0.41%	0.33	\$50.00	\$6,089.76
King	2751	2365.8	21.73%	17.82	\$81.86	\$532,446.76
Kitsap	200	270.3	2.48%	2.04	\$62.00	\$46,074.87
Kittitas	45	94.4	0.87%	0.71	\$55.00	\$14,274.51
Klickitat	38	47.7	0.44%	0.36	\$54.00	\$7,081.72
Lewis	186	200.4	1.84%	1.51	\$53.50	\$29,476.64
Lincoln	15	18.1	0.17%	0.14	\$100.00	\$4,976.28
Mason	65	118	1.08%	0.89	\$30.00	\$9,732.62
Okanogan	135	137	1.26%	1.03	\$54.00	\$20,339.52
Pacific	29	28.3	0.26%	0.21	\$75.00	\$5,835.45
Pend Oreille	20	22.3	0.20%	0.17	\$45.00	\$2,758.95
Pierce	1272	1248	11.46%	9.40	\$59.00	\$202,438.46
San Juan*	0	0	0.00%	0.00	\$52.00	\$0.00
Skagit	145	249.1	2.29%	1.88	\$60.00	\$41,091.44
Skamania	17	30.9	0.28%	0.23	\$50.00	\$4,247.71
Snohomish	885	985	9.05%	7.42	\$59.99	\$162,458.15
Spokane	519	640.1	5.88%	4.82	\$58.00	\$102,070.97
Stevens	42	42	0.39%	0.32	\$50.00	\$5,773.59
Thurston	408	386	3.55%	2.91	\$54.44	\$57,773.92
Wahkiakum	14	7.7	0.07%	0.06	\$52.86	\$1,119.04
Walla Walla	50	95.3	0.88%	0.72	\$67.12	\$17,586.17
Whatcom	212	309.8	2.85%	2.33	\$68.00	\$57,918.43
Whitman	34	36.8	0.34%	0.28	\$40.00	\$4,047.01
Yakima	958	960.1	8.82%	7.23	\$48.75	\$128,681.91
<b>TOTAL</b>	<b>9759</b>	<b>10886.3</b>	<b>100.00%</b>	<b>82.00</b>	<b>\$54.86**</b>	<b>\$1,833,269.28</b>
<b>82</b> ADP anticipated increase***						

SOURCES:

2003 Survey of Jails by Yakima County Corrections

Washington Association of Sheriffs and Police Chiefs jail capacity data

\* San Juan County Jail is a short term holding facility

\*\* Unweighted average (weighted average is \$61)

\*\*\* Average Monthly Population changes based on end of month data from Sentencing Guidelines Commission are used as estimate of ADP changes

Note: Where 2003 bed rate data was unavailable, last available year was used. Counties that were missing 2003 rates are highlighted.