

Multiple Agency Fiscal Note Summary

Bill Number: 5226 S SB	Title: Active warrants priority/DOC
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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						
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
Department of Corrections	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Total \$	0.0	0	0	0	0.0	0	0	0	0.0	0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
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
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
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

Bill Number: 5226 S SB	Title: Active warrants priority/DOC	Agency: 310-Department of Corrections
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

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

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Sarian Scott	Phone: 360-786-7729	Date: 02/08/2023
Agency Preparation: Scherry Sinclair	Phone: (360) 725-8428	Date: 02/13/2023
Agency Approval: Ronell Witt	Phone: (360) 725-8428	Date: 02/13/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 02/13/2023

Part II: Narrative Explanation

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

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

An act relating to the Department of Corrections (DOC) highest duty to ensure public safety by positively changing lives through the prioritization of open active warrants of persons who have violated the terms of their supervision.; and amending RCW 72.09.010 and 9.94A.704 and 9.94A.631.

Amended with updates as follows:

Section 1 was amended to include DOC's mission and replace "inmates" with modern terminology to state the system should ensure the public safety by positively changing lives. The system should be designed and managed to provide the maximum feasible safety for the persons and property of the general public, the staff, and those who are incarcerated or under supervision.

Section 2(12) has been added to state that DOC shall make every reasonable effort to pursue active warrants of offenders who have violated the terms of their supervision.

Section 3(3) was amended to remove "where room is available" from the declaration stating if a community corrections officer arrests or causes the arrest of an offender under this section, the offender shall be confined and detained in the county jail of the county in which the offender was taken into custody, and the sheriff of that county shall receive and keep in the county jail.

Effective date is assumed to be 90 days after 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 Department of Corrections (DOC) assumes this bill will have an indeterminate fiscal impact greater than \$50,000.

The DOC Community Corrections Division performs many functions geared toward instilling behavior change in individuals with the intent of improving public safety to include intake, monitoring court ordered conditions, conducting risk/needs assessments, treatment referrals, drug testing, home contacts, cognitive behavioral interventions, and warrant issuance/apprehensions. Prioritizing open active warrants above all else would have significant operational impacts to the department and may increase DOC's legal exposure to use-of-force complaints and related civil liability.

As a point of reference, in fiscal year (FY) 2020, DOC issued 30,952 warrants for individuals under the jurisdiction of the department, who had absconded or failed to report. This does not include referrals received from outside agencies (city, county, state, federal) for assistance with the apprehension of wanted individuals, service of high-risk warrants both under, or not under, the supervision of DOC and development of criminal investigations for both state and federal prosecution.

DOC would require a significant expansion of the Community Response Unit (CRU) to effectively prioritize and pursue all active warrants without redirecting staff from other critical functions and duties. The current size of the CRU is 32 Specialists, 3 Administrative Assistants, 3 CRU Supervisors and 1 Firearms & Safety admin. The CRU staffing level does

not support the current number of referrals and requests for assistance in addressing active ongoing warrants for arrest. To address this issue, supervisors are currently required to screen referrals and adopt only those cases of the highest priority and pose the greatest danger to the community.

For Illustrative purposes:

DOC would need, at a minimum, to double the current size of the CRU unit to pursue all active warrants of offenders who have violated the terms of their supervision regardless of risk. For illustrative purposes, that would require:

- 3 Full-Time Equivalent (FTE) Office Assistant 3
 - o Salaries \$131,396 and Benefits \$65,883 = \$197,279

- 32 Community Specialist 4
 - o Salaries \$2,755,536 and Benefits \$949,016 = \$3,704,552

- 3 CRU Supervisors
 - o Salaries \$227,328 and Benefits \$83,330 = \$310,658

- 1 Community CRU, Firearms & Safety Admin
 - o Salary \$107,952 and Benefits \$ 33,629 = \$141,581

- Corrections Specialist 4 Overtime
 - o Salary \$77,499 and benefits \$14,096 = \$91,595

Totals:

Salaries \$3,300,000

Benefits \$1,146,000

Ongoing Costs \$445,000

One-Time Costs \$354,000

TOTAL \$5,244,308

The DOC request funding for the indirect costs of agency administration of 5.1 FTES and \$478,000 in FY2024 and each year thereafter, for the purpose of implementing this bill. 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 would have additional indeterminate fiscal impacts resulting from the subsequent increase to the violator caseload and records staff. For illustration, the FY2022 average percent of supervised individuals that served jail time and were billed by the local jurisdiction for violating their conditions of supervision was a rate of 2.0%. The current average daily cost for jail beds is \$112.07 per day, inclusive of all risk and healthcare costs. The rate is an average and actual rates vary by local correctional facilities.

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

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

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

III. B - Expenditures by Object Or Purpose

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

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

Part V: New Rule Making Required

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