

JUDICIAL IMPACT FISCAL NOTE

Bill Number: 5695 SB	Title: Juvenile Sex Offender Court	Agency: 055 – Admin Office of the Courts (AOC)
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

	FY 2018	FY 2019	2017-19	2019-21	2021-23
Total:					

Estimated Expenditures from:

STATE	FY 2018	FY 2019	2017-19	2019-21	2021-23
FTE – Staff Years					
Account					
General Fund – State (001-1)					
State Subtotal					
COUNTY					
County FTE Staff Years					
Account					
Local - Counties					
Counties Subtotal					
CITY					
City FTE Staff Years					
Account					
Local – Cities					
Cities Subtotal					
Local Subtotal					
Total Estimated Expenditures:					

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:
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Agency Approval: Ramsey Radwan	Phone: 360-357-2406	Date:
OFM Review:	Phone:	Date:

Part II: Narrative Explanation

This bill would amend RCW 13.40 to authorize counties in Washington to establish and operate juvenile special sex offender disposition alternate treatment courts.

Part II.A – Brief Description of what the Measure does that has fiscal impact on the Courts

Section 1(1) - Counties may establish and operate juvenile special sex offender disposition alternative treatment courts.

Section 1(4) – The court, the prosecutor, and the juvenile must all agree to allow a juvenile to participate. Before agreeing, the court would be required to consider whether the offender and community will benefit from use of the juvenile treatment court. The court would be required to consider the victim’s opinion as well as any other factors the court finds necessary.

Section 1(5) – Prior to being admitted into the juvenile treatment court, the juvenile must:

- a) Stipulate to the admissibility of the facts contained in the written police report;
- b) Acknowledge that the report will be entered and used to support a finding of guilt and to impose a standard range disposition under RCW 13.40.0357 if the juvenile fails to meet the minimum requirements for entry into the juvenile treatment court, or fails to comply with the requirements of the juvenile treatment court and is terminated therefrom;
- c) Waive the right to a speedy disposition and the right to call and confront witnesses;
- d) Be found guilty by the court.

Section 1(6) – The court would be required to defer entry of an order of disposition pending consideration for admission and participation in the juvenile treatment court and would be required to order any sex offender registration required by RCW 9A.44 waived during the pendency of the case.

Section 1(7) – Upon admission to the juvenile treatment court, the court would be required to continue to defer entry of an order of disposition and would be required to maintain waiver of sex offender registration. An individualized plan would be required for the juvenile, identifying goals and a team to support the juvenile, which must include the following:

- a) Participation in sex offender treatment;
- b) Participation in juvenile treatment court for a minimum of 24 months;
- c) (i) Remain within prescribed geographical boundaries and notify the court prior to any change in the offender’s address, educational program, or employment; (ii) not change sex offender treatment providers or treatment conditions without first notifying the prosecutor, the probation counselor, and the court, and obtaining court approval after a hearing if there is an objection to the change; (iii) participate in a mental health treatment or chemical dependency treatment; (iv) report as directed to the juvenile treatment court and probation counselor; (v) not attend the school attended by the victim or victim’s siblings; (vi) have no contact with anyone prohibited by the court; (vii) pay all court-ordered legal financial obligations; (viii) comply with the conditions of any court-ordered probation bond.

Section 1(9)(a) – Upon successful completion of the requirements of the juvenile treatment court, any convictions entered by the court in the case shall be vacated and all charges in the case dismissed with prejudice.

Section 1(9)(b) – The court would be required to terminate any previous orders entered in the case and shall enter any further orders necessary to waive sex offender registration requirements.

Section 1(9)(c) – Upon vacating the convictions and dismissing charges, the juvenile court records in the case shall remain unsealed, except that the juvenile court records in the case are entitled to administrative sealing per RCW 13.50.260.

Section 1(10) – A juvenile may only be admitted to juvenile treatment court a single time.

Section 1(11) – If a juvenile fails to enter juvenile treatment court or fails to complete juvenile treatment court requirements, any convictions in the case remain and the court shall enter an order of disposition per RCW 13.40.0357. The court would be required to order the juvenile to register as a sex offender and terminate any previous orders waiving sex offender registration.

Section 1(13) – The superior court may retain jurisdiction for purposes of enforcing any financial obligations.

Note: There is no effective date of this bill, so it is assumed to be effective July 1, 2017.

II.B - Cash Receipt Impact

No cash receipt impact.

II.C – Expenditures

Indeterminate, but could have significant expenditure impact.

It is unknown how many counties may choose to establish and operate juvenile special sex offender disposition alternate treatment courts. The Administrative Office of the Courts assumes that each county that chooses to create a special sex offender disposition alternate treatment court would require a court coordinator position and additional costs for offender treatment and therapy. This could exceed \$100,000 per year per county.