

# JUDICIAL IMPACT FISCAL NOTE

<b>Bill Number:</b> 6292 SB AMH PS H4868	<b>Title:</b> DV Electronic Monitoring	<b>Agency:</b> 055 – Administrative 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
<b>Total:</b>					

### Estimated Expenditures from:

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

*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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OFM Review:	Phone:	Date:

## Part II: Narrative Explanation

This bill would modify domestic violence statutes to provide for the imposition of electronic monitoring that would include victim identification technology that can notify a victim if the monitored person is at a prohibited location.

The bill would provide that, subject to appropriation, the Administrative Office of the Courts (AOC) would be directed to provide funding to counties for Electronic Monitoring with Victim Notification Technology (EMVNT) for persons who are unable to pay for the costs of electronic monitoring.

### **This bill differs from SB 6292:**

- Requirements for the AOC to develop a list of vendors or contract with a vendor to provide electronic monitoring with victim notification technology are removed; and
- Requirement for the AOC to develop an informational handout regarding access to this technology is removed.

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

Section 4 – Subject to appropriation, the AOC would be directed to provide funding to counties to cover the cost of EMVNT when a respondent is unable to pay for the costs of electronic monitoring.

### **II.B - Cash Receipt Impact**

None.

### **II.C – Expenditures**

Section 4 – Provide Funding to Counties for EMVNT for Persons Unable to Pay

The AOC would require 0.5 FTE Program Manager (range 62, step K) to develop, implement, and manage the new grant program. This position would work with counties who choose to participate in the program. This position would also oversee the development of a data system to track program activity, and provide reports on usage, program costs and other statistics. Costs for this position are displayed below.

**Table I – Estimated Staff Costs, County Grant Program Management**

	FY 2018	FY 2019	2017-19	2019-21	2021-23
FTE - Staff Years		0.5	0.3	0.5	0.5
A - Salaries & Wages		37,302	37,302	74,604	74,604
B - Employee Benefits		13,522	13,522	27,044	27,044
E - Goods & Services		4,638	4,638	9,275	9,275
G - Travel		2,000	2,000	4,000	4,000
J - Capital Outlays		7,930	7,930	400	400
<b>Total</b>	<b>-</b>	<b>65,392</b>	<b>65,392</b>	<b>115,323</b>	<b>115,323</b>

Section 4 of the bill provides that subject to appropriation, the AOC may provide funding to counties to cover the cost of EMVNT when a person is unable to pay for the costs of electronic monitoring.

Costs for this section of the bill are **indeterminate**. It is unknown at this time what type of EMVNT technology would be employed or the degree of statewide program/court participation in the program. However, in order to provide an estimate, the following assumptions are used:

- The average number of statewide domestic violence protection orders for the period 2013 – 2017 (five years) is used. This includes all filings in Superior, District, and Municipal courts. The average during this period was 16,658 per year.
- According to the U.S. Census Bureau, 17.5 percent of Washington residents are at or below 125 percent of the federal poverty level. For purposes of this analysis, it is assumed that 17.5 percent of respondents would require funding to pay for EMVNT devices.

Average DV Protection Orders	16,658
Adjust for indigency rate	17.5 percent
Estimated number of persons requiring financial aid	2,915

- The bill does not provide for a specific EMVNT technology, thus the AOC reviewed the use of similar technology in other states. The Office of the Attorney General for the State of New Jersey provided information in a report<sup>1</sup> titled “Availability of Appropriate Technology to Monitor Domestic Violence Offenders and their Victims”. In this report, costs were detailed that included:
  - Initial monitoring fee of \$250;
  - Operation of GPS monitoring system at \$10 - \$14 per day, per offender; and
  - Initial training sessions for all victims, offenders, supervising officers, and other court and law enforcement personnel at \$1,140 per day for six hours of training.

Further, it is assumed that not all persons would request the availability of EMVNT technology. Thus, for purposes of this analysis, the AOC assumes that 10 percent, or 291 persons, will request EMVNT technology and monitoring. Assuming 291 persons per year would require financial assistance for EMVNT technology, costs could be estimated as follows:

Initial monitoring fee:  $291 \times \$250 = \$72,750$

Operation of GPS monitoring per day, per offender:  $291 \times \$14 \times 365 = \$1,487,010$

Initial training sessions:  $291 \times \$1,140 = \$331,740$

Total annual estimated cost would be \$1,891,500. This estimate is most likely low, based on the variability of monitoring and notification costs, and program participation.

**NOTE:** It is possible that there could be additional judicial officer costs depending on program participation and / or availability of EMVNT technology. This cost is indeterminate.

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<sup>1</sup> The report in its entirety can be reviewed at this link: <http://www.nj.gov/oag/Final-DV-Monitoring-Report-2014.pdf>