

Judicial Impact Fiscal Note

Bill Number: 2178 HB	Title: Sex offenses/comm. custody	Agency: 055-Administrative Office of the Courts
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

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

Estimated Capital Budget Impact:

NONE

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 for 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.

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OFM Review:	Phone:	Date:

192,624.00

Request # 049-1

Part II: Narrative Explanation

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

This would amend and add section to Chapter 9.94A RCW (Sentencing Reform Act of 1981) relating to establishing a pathway off lifetime community custody for individuals with sex offense convictions.

Section 1 would add a new section directing that sex offenders who are risk level I upon release from confinement shall be discharged after 5 years from community custody if they meet eligibility requirements and have not committed a disqualifying event. If individual is determined to not meet the criteria to be discharged from community custody, the Department of Corrections (DOC) shall refer to the Indeterminate Sentencing Board (IDSB) 90 days prior to discharge from community custody. Individuals who are risk level II may be discharged after 10 years if they meet eligibility requirements and do not commit a disqualifying event. The IDSB must review the file of a risk level II individual submitted by DOC to determine if individual qualifies for relief and hold a review hearing at least 120 days prior to the end of the supervision period. Individuals who are risk level III may be eligible for discharge from community custody 15 years after their return to the community. The IDSB must review the file of risk level III individuals submitted by DOC to determine if an individual qualifies for relief and hold a review hearing at least 120 days prior to the end of the supervision period. The section also adds a definition of disqualifying events and conditions for risk level II and III offenders if they commit a disqualifying event occurs within the last 5 years of their release from confinement.

Section 3 amends RCW 9.94A.670 (Special Sex Offender Sentencing Alternative) and directs the court to hold a supervision termination hearing within the presumed expiration hearing of community custody to determine if the individual should be released from community custody.

II. B - Cash Receipts Impact

None

II. C - Expenditures

This bill would have minimal impact to the Administrative Office of the Courts for forms updates required by the bill.

There would be an indeterminate impact to the courts. According to DOC, there are 693 Special Sex Offender Sentencing Alternative (SSOSA) cases. Not all would be up for immediate evaluation under the bill. The supervision termination hearing is meant to be held within 60 days of the presumed termination date of community custody. AOC does not have statistics on when each of the 693 current SSOSA cases will require review. Each, individual hearing is estimated to last approximately 60 minutes and would cost about \$900 per hearing.

STATE: \$200 per hearing, state share of superior court judge (50% salary, 100% benefits)

COUNTY: \$700 per hearing

Part III: Expenditure Detail

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

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

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

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

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

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

III. D - FTE Detail

NONE

III. E - Expenditures By Program (optional)

NONE

192,624.00

Form FN (Rev 1/00)

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B1 - Expenditures by Object Or Purpose (State)

NONE

IV. B2 - Expenditures by Object Or Purpose (County)

NONE

IV. B3 - Expenditures by Object Or Purpose (City)

NONE

IV. C - Capital Budget Breakout

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

NONE

None