

Agenda Summary Report (ASR)

Franklin County Board of Commissioners

DATE SUBMITTED: 10-12-2021	PREPARED BY: Tom Westerman
Meeting Date Requested	PRESENTED BY: Keith Johnson
ITEM: (Select One) <input checked="" type="checkbox"/> Consent Agenda Brought Before the Board Time needed: _____	
SUBJECT / ISSUE: Current Expense budget transfer to enable Sheriff Department to use law enforcement and criminal justice funding received from the Washington State General Fund through WA ST Legislature	
FISCAL IMPACT: \$0. New funding from the Washington State Legislature/State General Fund	
BACKGROUND: To assist counties with law enforcement and criminal justice mandates enacted by legislation, the legislature appropriated \$30,000,000, of which the county has received \$384,321. To comply with the new laws, law enforcement agencies will need to make one-time expenditures including the purchase of new tactical equipment. Since this is a one-time receipt of funds, the Auditor's Office recommends depositing the funds in the Current Expense Sheriff Department Budget, and separating the expenditures in a unique area so that they can be tracked until they are exhausted, which may take more than one fiscal year. The 2021 budget appropriation will come from the Current Expense Non-Departmental budget's Reserved Fund Balance expenditure line, but since the funds will be deposited into the Current Expense Fund, there will be no reduction to the actual Reserved Fund Balance.	
RECOMMENDATION: Adopt Resolution Draft	
COORDINATION: Sheryl Trujillo, Keith Johnson, Tom Westerman, Tim Anderson, Stuart Burke	
ATTACHMENTS: Resolution Draft, 2021 Final Summary of Legislation passed by WA St Legislature, Deposit Information, OFM Statement,	
HANDLING / ROUTING: Auditor's Office, Sheriff's Office, Treasurer's Office, Commissioner's Office, County Administration	

I certify the above information is accurate and complete.

 Name, Title

FRANKLIN COUNTY RESOLUTION _____

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

2021 INTRAFUND TRANSFER BETWEEN CURRENT EXPENSE NON-DEPARTMENTAL AND SHERIFF DEPARTMENT DUE TO LAW ENFORCEMENT AND CRIMINAL JUSTICE RELATED LEGISLATION TO HELP WITH ONE-TIME COSTS ENACTED BY WASHINGTON STATE LEGISLATION BETWEEN JANUARY 1, 2020 AND JUNE 30,2021

WHEREAS, to help counties comply with law enforcement and criminal justice legislative mandates enacted between January 1, 2020 and June 30, 2021, the Washington State legislature appropriated \$30,000,000 from the State General Fund to assist with one-time costs, with Franklin County receiving \$384,321; and

WHEREAS, it is necessary to legally appropriate these funds in order to make expenditures related to the one-time law enforcement and criminal justice costs; and

WHEREAS, the Franklin County Current Expense Fund has enough appropriation within it to absorb these new one-time expenditures, and creating a new fund with no future known revenues is not in the best interest of the county; and

WHEREAS, \$384,321 will be deposited into the Current Expense Fund/Sheriff Budget, with current and future fiscal year budgets reflecting the amount available from this deposit, segregated with its own OTPS budgeted category (potentially including expenditure line items other than the initial 359921 set up) until exhausted; and

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners hereby approve the following intrafund transfer for the purpose of making one-time law enforcement and criminal justice expenditures:

Transfer From: Non-Departmental Reserved Fund Balance: 101700 5801 \$384,321.00
Transfer To: Sheriff Dept Non-Base Sm Tools/Equip-CJ LEG: 101520 359921 \$384,321.00

APPROVED this 26 day of October 2021

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

Chair

Attest:

Chair Pro Tem

Clerk to the Board

Member



Final
Summary of Legislation
Passed by the
Washington State Legislature

2021 Regular Legislative Session

Office of Program Research
Washington House of Representatives



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PUBLIC SAFETY COMMITTEE

(360) 786-7147

BILL	SPONSORS	SUMMARY	STATUS
ESHB 1054	J. Johnson, Entenman, Fitzgibbon	Establishing Requirements for Tactics and Equipment used by Peace Officers - Prohibits peace officers from using chokeholds and neck restraints. Prohibits law enforcement agencies from acquiring or using certain types of military equipment. Establishes restrictions on tear gas, vehicular pursuits, and firing upon moving vehicles. Prohibits a peace officer from seeking, and a court from issuing, a search or arrest warrant granting an express exception to the "knock and announce" rule. Requires law enforcement agencies to adopt policies and procedures to ensure that uniformed peace officers are reasonably identifiable. Requires the Criminal Justice Training Commission to convene a work group to develop model policies on the use and training of canine teams.	C 320 L 21
E2SHB 1089	Ramos, Goodman, Senn	Concerning Compliance Audits Relating to Peace Officers and Law Enforcement Agencies - Requires the Office of the State Auditor (SAO) to review any completed deadly force investigation to determine whether the involved actors complied with all applicable rules and procedures. Authorizes the SAO, upon the request of the Criminal Justice Training Commission, to review a law enforcement agency to ensure compliance with all applicable rules and procedures governing the training and certification of the agency's peace officers.	C 319 L 21
EHB 1090	Ortiz-Self, Fey, Gregerson	Concerning Private, For-Profit Detention Facilities - Prohibits persons, businesses, and state and local governments from operating private detention facilities or from using contracts with private detention facilities, with exceptions.	C 30 L 21
ESHB 1109	Orwall, Mosbrucker, Rule	Concerning Victims of Sexual Assault - Requires the Office of the Attorney General, in consultation with the Washington Association of Sheriffs and Police Chiefs, to collect status updates on cases tied to previously unsubmitted sexual assault kits collected prior to July 24, 2015. Requires the Criminal Justice Training Commission to conduct an annual case review program on sexual assault investigations and prosecutions to improve training and case outcomes. Expands the statutory rights for sexual assault survivors.	C 118 L 21
SHB 1223	Peterson, Simmons, Dolan	Enacting the Uniform Electronic Recordation of Custodial Interrogations Act - Requires law enforcement officers to electronically record custodial interrogations if the interrogation is of a juvenile or related to a felony. Requires law enforcement officers to electronically record audio and video of qualifying custodial interrogations at a jail, police or sheriff's station, holding cell, or correctional or detention facility. Requires law enforcement officers to electronically record, at a minimum, audio of qualifying custodial interrogations at any other place of detention. Requires law enforcement agencies to establish and enforce rules and procedures relating to electronic recordings of custodial interrogations.	C 329 L 21

BILL	SPONSORS	SUMMARY	STATUS
ESHB 1267	Entenman, Hackney, Ortiz-Self	Concerning Investigation of Potential Criminal Conduct Arising from Police Use of Force, Including Custodial Injuries, and Other Officer-Involved Incidents - Establishes the Office of Independent Investigations within the Office of the Governor to investigate deadly force incidents involving peace officers.	C 318 L 21
E2SHB 1310	J. Johnson, Lovick, Cody	Concerning Permissible Uses of Force by Law Enforcement and Correctional Officers - Establishes a standard for the use of physical force by peace officers, including delineating circumstances where force is permissible and requiring officers to exercise reasonable care.	C 324 L 21
E2SSB 5051	Pedersen, Dhingra, Stanford	Concerning State Oversight and Accountability of Peace Officers and Corrections Officers - Modifies the priorities, composition, and obligations of the Criminal Justice Training Commission (CJTC). Expands the background investigation requirements for persons applying for peace officer, reserve officer, and corrections officer positions. Makes changes to the certification and decertification processes for peace officers and corrections officers. Modifies records retention requirements for law enforcement and corrections agencies, and requires employing agencies to report all separations and other specified incidents regarding officers to the CJTC. Requires the CJTC to maintain a public database containing information relating to officers, CJTC investigations, and decertification proceedings. Requires the CJTC to provide a report to the Governor and the Legislature regarding the implementation of the bill, and to provide an additional report with information related to officer training and categorization of different types of officers.	C 323 L 21
SSB 5066	Dhingra, Das, Mullet	Concerning a Peace Officer's Duty to Intervene - Requires a peace officer to intervene when witnessing another officer engaging in the use of excessive force. Requires a peace officer to report to a supervisor when he or she witnesses another officer committing wrongdoing.	C 321 L 21
ESSB 5119	Darneille, Das, Hasegawa	Concerning Individuals in Custody - Requires the Department of Corrections to convene an unexpected fatality review team to conduct an unexpected fatality review when an incarcerated individual dies unexpectedly or a case is identified by the Office of Corrections Ombuds for review. Requires a city or county department of corrections or chief law enforcement officer responsible for the operation of a jail to convene an unexpected fatality review team to conduct a review when an individual confined in the jail dies unexpectedly.	C 139 L 21
ESSB 5121	Darneille, Das, Dhingra	Expanding Eligibility for the Graduated Reentry Program - Modifies the maximum length of participation and minimum total confinement requirements for the Department of Corrections' (DOC) Graduated Reentry Program based on the nature of the offense committed by an individual. Requires the DOC to publish a monthly report on its website and submit an annual report to the Legislature with the number of individuals who were transferred to home detention as part of the Graduated Reentry Program.	C 266 L 21

BILL	SPONSORS	SUMMARY	STATUS
E2SSB 5163	Rolfes, Dhingra, Saldaña	Concerning the Placement and Treatment of Conditionally Released Sexually Violent Predators - Shifts the primary responsibility for identifying less restrictive alternative (LRA) placements for civilly committed sexually violent predators (SVPs) to the Department of Social and Health Services (DSHS) in certain circumstances, and requires LRA placements to align with fair share principles when possible. Requires the DSHS to contract with LRA housing and treatment providers based on a housing matrix. Allows the state to site secure community transition facilities and other conditional release and transitional facilities in any county of the state. Provides that SVPs must have a clinically appropriate discharge plan as part of the treatment process through the DSHS. Requires community notification of any change of address of a conditionally released SVP. Allows the Department of Corrections to enter a 96-hour arrest warrant pending a judicial bench warrant when an SVP on conditional release disappears. Requires the establishment of a work group to address issues relating to the availability of sex offender treatment providers. Requires the DSHS to enter into a memorandum of understanding with the Department of Licensing to allow residents at the Special Commitment Center to obtain a state identification card.	C 236 L 21
ESB 5164	Darneille, Das, Kuderer	Resentencing of Individuals Sentenced as a Persistent Offender Due to a Robbery in the Second Degree Conviction - Requires a court to resentence a person serving a sentence of life imprisonment without the possibility of release under the "three strikes law" if the basis for the sentence is a conviction of Robbery in the second degree.	C 141 L 21
SB 5177	Cleveland, Dhingra, Das	Eliminating Proof of Nonmarriage as an Element of Certain Sex Offenses - Removes nonmarriage of the victim and perpetrator as an element of certain grounds of various sex offenses, including Rape of a Child, Child Molestation, Sexual Misconduct with a Minor, Rape in the second degree, and Indecent Liberties.	C 142 L 21
ESSB 5180	Dhingra, Das, Stanford	Vacating Certain Convictions - Authorizes a person to apply to vacate a qualifying conviction where the person committed the offense as a result of being the victim of sex trafficking, prostitution, commercial sexual abuse of a minor, domestic violence, or sexual assault. Authorizes a prosecutor to apply to vacate a qualifying conviction on behalf of a victim of sex trafficking, prostitution, commercial sexual abuse of a minor, domestic violence, or sexual assault. Authorizes a person who is a family member of a homicide victim to apply to vacate the victim's conviction for a misdemeanor prostitution offense on behalf of the victim. Repeals the provision authorizing a person to apply to vacate a conviction for a misdemeanor prostitution offense where the person committed the offense as a result of being the victim of sex trafficking or promotion.	C 237 L 21

BILL	SPONSORS	SUMMARY	STATUS
2SSB 5183	Nobles, Dhingra, Rivers	Concerning Victims of Nonfatal Strangulation - Requires the costs for forensic exams in domestic violence assault cases involving nonfatal strangulation to be paid by the state through the Crime Victim Compensation Program through July 1, 2023. Requires the Office of Crime Victims Advocacy to develop best practices for local communities to increase access to forensic nurse examiners for nonfatal strangulation assaults and develop strategies to make forensic nurse examiner training available in all regions of the state.	C 269 L 21
E2SSB 5259	Nobles, Carlyle, Lias	Concerning Law Enforcement Data Collection - Requires the Office of the Attorney General (AGO) to establish an advisory group to make recommendations for the design, development, and implementation of a statewide program for collecting, reporting, and publishing law enforcement use of force data by April 1, 2022. Requires the AGO to engage in a competitive procurement process to select a Washington private or public institution of higher education to implement the statewide use of force data program. Requires law enforcement agencies to report all instances of the use of force by no later than three months after the AGO determines the statewide use of force data program can accept reports.	C 326 L 21
2SSB 5293	Nobles, Darneille, Van De Wege	Creating a Mental Health Sentencing Alternative - Creates a mental health sentencing alternative allowing for imposition of a term of community custody and treatment in place of confinement for certain felony defendants diagnosed with serious mental illness. <i>Partial Veto:</i> Vetoes the section containing an emergency clause.	C 242 L 21 Partial Veto
ESSB 5353	Conway, Darneille, Nguyen	Creating a Partnership Model that Facilitates Community Engagement with Law Enforcement - Creates a pilot project within the Department of Commerce (Commerce) to award grants to public agencies and nongovernmental organizations for the purpose of fostering community engagement through neighborhood organizing, law enforcement-community partnerships, youth mobilization, and business engagement. Requires Commerce to submit a preliminary report to the Legislature regarding the pilot project by January 1, 2022, and submit a final report to the Legislature by December 1, 2023.	C 327 L 21
SSB 5361	McCune, Warnick, Wilson, J.	Concerning the Resentencing of Persons Convicted of Drug Offenses - Modifies the criteria for a person to qualify for resentencing for a drug offense committed prior to July 1, 2004 (which corresponds to the enactment of specialized drug sentencing laws). Requires the court to resentence a qualifying person based on current sentencing guidelines.	C 286 L 21

State of Washington

Mike Pellicciotti, State Treasurer

P.O. Box 40204

Olympia, WA 98504-40204

Telephone (360) 902-8961

REMITTANCE ADVICE

**FRANKLIN COUNTY
COUNTY TREASURER
P.O. BOX 1011
PASCO, WA 99301**

Bank Identification	
Checking	#####3804

<u>Date</u>	<u>Distribution</u>	<u>BARS Code</u>	<u>Withholding</u>	<u>Amount Distributed</u>
7/27/2021	LE & CJ Leg One Time Cost	3350401	0.00	384,321.00
			Total Amount:	384,321.00

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335.04.01 2022-2023 biennium one-time allocations

To be used for legislative allocations as described in 5092-S.SL Section 739 and Section 740. Applicable to cities/towns and counties only.

Other

13	<u>NEW SECTION.</u> Sec. 740. FOR THE OFFICE OF FINANCIAL MANAGEMENT—	
14	COUNTY ASSISTANCE	
15	General Fund—State Appropriation (FY 2022)	\$30,000,000
16	TOTAL APPROPRIATION.	\$30,000,000

17 The appropriation in this section is subject to the following
18 conditions and limitations: The appropriation in this section is
19 provided solely for the office of financial management to distribute
20 to counties according to population to assist with one-time costs
21 related to law enforcement and criminal justice related legislation
22 enacted between January 1, 2020, and June 30, 2021.