

Office of the
Attorney General





Bob Ferguson
ATTORNEY GENERAL OF WASHINGTON

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September 24, 2024

Pat Sullivan, Director
Office of Financial Management
P.O. Box 43113
Olympia, WA 98504-3113

Dear Mr. Sullivan:

Enclosed please find the 2025 Supplemental Budget Request from the Attorney General's Office addressing critical litigation needs. We are mindful of the limitations on state resources and continue to provide the best possible legal services for our clients and the people of Washington working within these constraints. As such, our request addresses the needs that arise specifically from increased workload and public safety. The funding requested will allow us to protect tax dollars and serve the legal needs of the state and its residents. This includes:

- Funding to support increased workload and spending authority (Tribal Warrants [SB 6146], Clean Energy [HB 1589], Legislative Employees [SB 6194], Charitable Asset Program, Public Counsel Expenditure Authority);
- Funding to defend the state and public safety (e.g., OSPI Litigation, Modernization of HITS); and
- There is also a Technical Correction request to address a couple timing issues with GF-State funding.

I look forward to working with you and your office in preparing the Governor's budget proposal. If you have questions about this budget request or need additional information, please contact Mark Melroy, Chief Financial Officer, at (206) 402-7224.

Thank you for your continued assistance.

Sincerely,

BOB FERGUSON
Attorney General

RWF/jlg
Encl.



OFFICE OF THE ATTORNEY GENERAL

2025 Supplemental Budget Request

Table of Contents

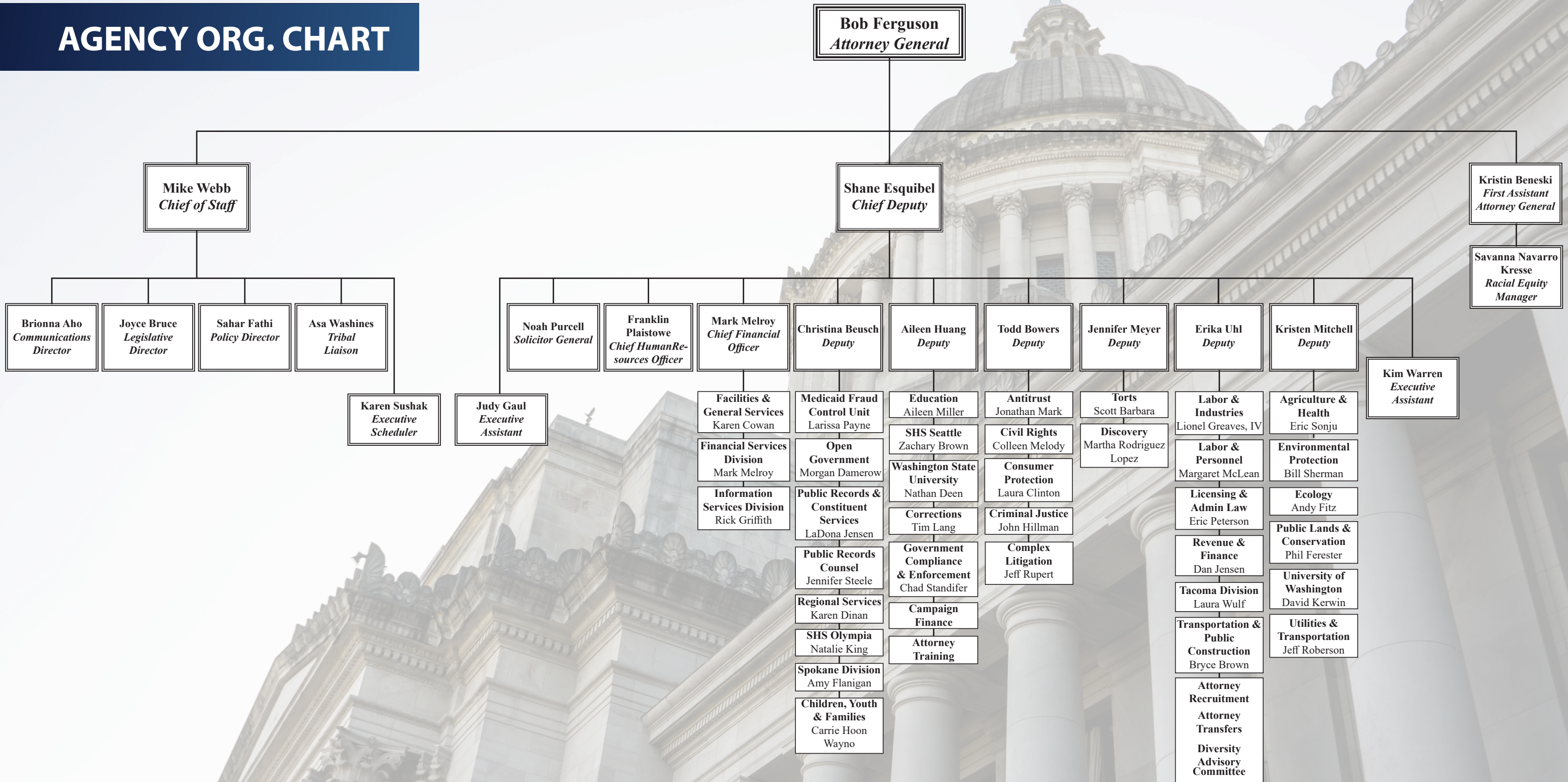
TAB A	OVERVIEW	PAGE
	Agency Organizational Chart	7
	Agency Activity Inventory Report	9
	Performance Measure Incremental Estimates Report	41
	Indirect Cost Allocation to Activities	47
	AGO Strategic Plan	49
TAB B	RECOMMENDATION SUMMARY	PAGE
	Recommendation Summary at Agency Level	53
TAB C	DECISION PACKAGES	PAGE
	Decision Package Summary and Priority	59
	ML-VA Modernization of HITS	61
	ML-VB Public Council Unit Additional EA	67
	ML-VC Charitable Asset Program	74
	ML-VD SB 6146 Tribal Warrants	80
	ML-VE HB 1589 Clean Energy	87
	ML-VF SB 6194 Legislative Employees	94
	ML-VG OSPI Litigation	99
	ML-8L Lease Adjustment	105
	ML-9T Technical Correction	111
TAB D	REVENUE	PAGE
	Summarized Revenue	117
	Proposed Fee Changes	123
	Working Capital Reserve	125
	Revenue Transfer Reconciliation Statement	127
	Federal Fund Estimates-State Match	129
	Additional Federal Receipts Reporting Requirements	131
	Non-budgeted Local Fund Summary	133
	Puget Sound Action Agenda	135
	JLARC Audit Response	137
TAB E	OTHER REQUIRED INFORMATION	PAGE
	Central Service Model Fund Split Adjustment	141
	Enterprise Risk Management Update	143

Tab A

OVERVIEW



AGENCY ORG. CHART





Dollars in Thousands

ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 Second Supplemental Budget Session
2025 - Supplemental Budget Request

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Appropriation Period: 2023-25 Sort By: Activity

A002 Civil Commitment of Sexually Violent Predators

The Sexually Violent Predator Unit (SVPU) protects the public by ensuring that the most dangerous and violent sexual predators in the state are detained, evaluated, and treated until they no longer meet Sexually Violent Predator (SVP) criteria. When a sexual offender is about to be released from confinement and appears to meet SVP criteria, the SVPU acts as the prosecuting agency to classify them as a SVP resulting in Civil commitment. Once committed, the SVPU oversees the extensive post-commitment responsibilities to ensure that SVPs are not being released before being rehabilitated. These responsibilities include appeals, annual reviews, less restrictive alternative placements, and re-commitment hearings and trials.

Table with 4 columns: Account, FY 2024, FY 2025, Biennial Total. Rows include FTE, 001 General Fund, 001-1 State, 001-2 Federal, and 001 Account Total.

*FTE is second year only

Statewide Result Area: Healthy and Safe Communities
Statewide Strategy: Confine and rehabilitate offenders

Expected Results

The most dangerous and violent sexual predators in the state are detained, evaluated, and treated until they no longer constitute a threat. Consequently, fewer people are victimized, and the public is protected from those sex offenders who are most likely to reoffend.

ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request

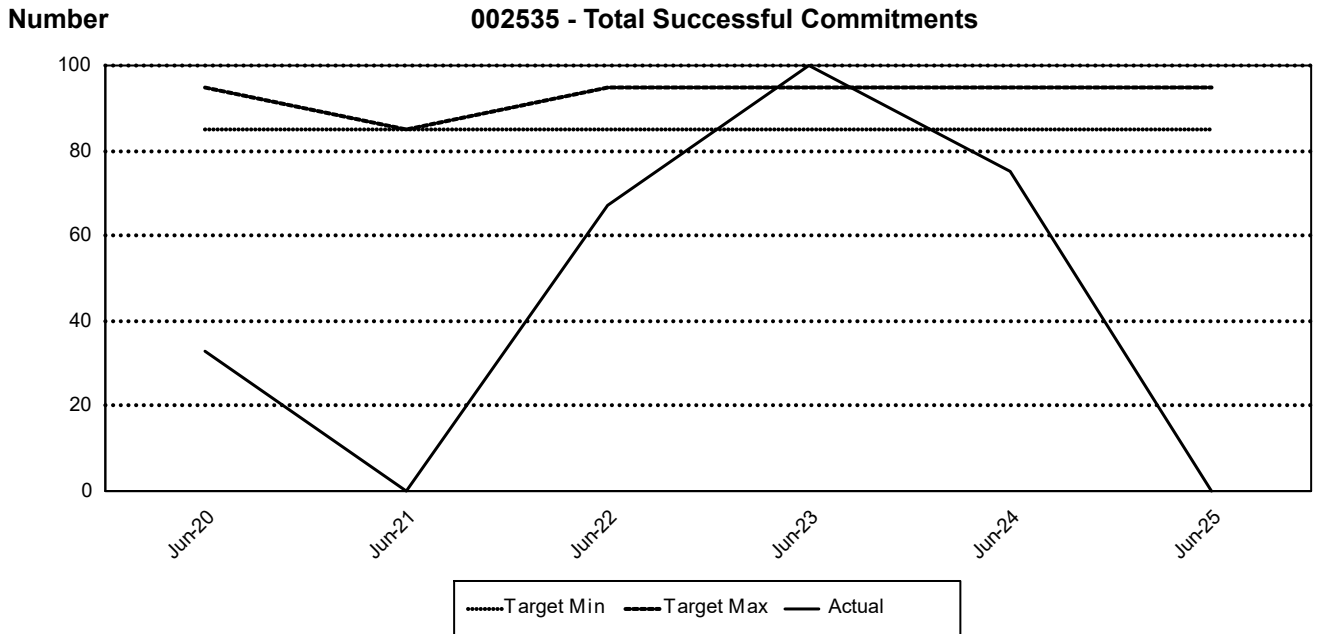
Dollars in Thousands

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Appropriation Period: 2023-25 Sort By: Activity

002535					
As a result of the efforts to civilly detain, evaluate and treat sex offenders who are most likely to reoffend, fewer people are victimized and the public is protected from those individuals.					
Biennium	Period	Actual	Target		Target
			Min	Max	
2023-25	A3	0	85		95
	A2	75	85		95
2021-23	A3	100	85		95
	A2	67	85		95
2019-21	A3	0	85		85
	A2	33	85		95

Performance Measure Status: Approved



ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request

Dollars in Thousands

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Appropriation Period: 2023-25 Sort By: Activity

A001 Administration

Administrative functions of the AGO includes the Attorney General’s Core Leadership Team, the Solicitor General, executive support, financial services, human resources, IT services, and facilities staff. An administrative function of the AGO is the Solicitor General’s issuance of Attorney General Opinions, which answer questions from members of the state Legislature, state elected officials, appointed heads of state agencies, boards and commissions, and county prosecuting attorneys. AGO opinions clarify the interpretation of statutes and regulations when the meaning is in doubt.

Account	FY 2024	FY 2025	Biennial Total
FTE	53.6	63.1	63.1
19P Child Rescue Fund			
19P-1 State	\$40	\$40	\$80
001 General Fund			
001-1 State	\$17,863	\$14,537	\$32,400
001-2 Federal	\$1,376	\$1,588	\$2,964
001 Account Total	\$19,239	\$16,125	\$35,364
405 Legal Services Revolving Account			
405-1 State	\$7,311	\$13,918	\$21,229
441 Local Government Archives Account			
441-1 State	\$555	\$568	\$1,123
828 Tobacco Prevention/Control Account			
828-1 State	\$8	\$9	\$17
25V WA St ATG Charitable Asset Prtn Acc			
25V-1 State	\$0	\$100	\$100

**FTE is second year only*

Statewide Result Area: Efficient, Effective and Accountable Government
Statewide Strategy: Provide data, information, and analysis to support decision-making

Expected Results

Administration provides the issuance of Attorney General opinions which answer questions from members of the state Legislature, state elected officials, appointed heads of state agencies, boards and commissions, and county prosecuting attorneys. These questions seek clarification relating to the interpretation of statutes and regulations when the meaning is in doubt.

**ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request**

Dollars in Thousands

*

Appropriation Period: 2023-25 Sort By: Activity

A003 Criminal Investigation and Prosecution

The Criminal Litigation Unit (CLU) investigates and prosecutes all levels of criminal cases when requested by the Governor or county prosecuting attorneys. The types of cases commonly handled by the CLU include homicide, sexual assault, multi-jurisdictional crime, white-collar crime, governmental corruption cases, environmental crimes, tax fraud cases on behalf of the Department of Revenue, licensing fraud on behalf of the Department of Licensing, insurance fraud on behalf of the Office of the Insurance Commissioner, and fraudulent workers' compensation claims and wage and hour violations on behalf of the Department of Labor and Industries. The CLU assists local prosecutors when they have a conflict of interest or need additional resources for major prosecutions. The CLU occasionally assumes responsibility for the appellate review of a criminal case that were originally brought by a county prosecutor if the case involves fundamental issues affecting the public interest and the administration of justice.

Account	FY 2024	FY 2025	Biennial Total
FTE	19.4	34.8	34.8
19P Child Rescue Fund			
19P-1 State	\$60	\$60	\$120
141 Federal Seizure Account			
141-6 Non-Appropriated	\$0	\$1,119	\$1,119
001 General Fund			
001-1 State	\$8,417	\$8,607	\$17,024
001-2 Federal	\$1,423	\$1,398	\$2,821
001 Account Total	\$9,840	\$10,005	\$19,845

**FTE is second year only*

Statewide Result Area: Healthy and Safe Communities

Statewide Strategy: Enforce the law

Expected Results

When a county prosecutor has a conflict of interest or needs assistance for other reasons, there are competent, highly-skilled AGO prosecutors available to represent the county resulting in greater public protection. The AGO's Criminal Litigation Unit (CLU) reviews important appeals and provides additional legal assistance upon request. The CLU also reviews and approves (or defends against) claims filed by persons claiming to have been wrongfully convicted and imprisoned. Crimes of fraud involving state agencies are properly investigated and prosecuted so that state agencies and other victims can recover their losses, and similar criminal activity against state agencies can be curtailed and deterred.

ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request

Dollars in Thousands

*

Appropriation Period: 2023-25 Sort By: Activity

002536				
<p>When a county prosecutor has a conflict of interest or needs assistance for other reasons, there are competent, highly-skilled AGO prosecutors available to represent the county resulting in greater public protection. The AGO's Criminal Litigation Unit (CRI) reviews important appeals and provides additional legal assistance upon request. CRI also reviews and approves (or defends against) claims filed by persons claiming to have been wrongfully convicted and imprisoned. Crimes of fraud involving state agencies are properly investigated and prosecuted so that state agencies and other victims can recover their losses, and similar criminal activity against state agencies can be curtailed and deterred.</p>				
Biennium	Period	Actual	Target	
2023-25	Q8	0	18	
	Q7	0	18	
	Q6	0	18	
	Q5	0	18	
	Q4	0	18	
	Q3	4	18	
	Q2	5	18	
	Q1	3	18	
2021-23	Q8	2	18	
	Q7	5	18	
	Q6	2	18	
	Q5	7	18	
	Q4	4	18	
	Q3	6	18	
	Q2	5	18	
	Q1	9	18	
2019-21	Q8	4	18	
	Q7	2	18	
	Q6	4	18	
	Q5	13	18	
	Q4	11	18	
	Q3	11	18	
	Q2	11	18	
	Q1	10	18	
Performance Measure Status: Approved				

ACT001 - Agency Activity Inventory

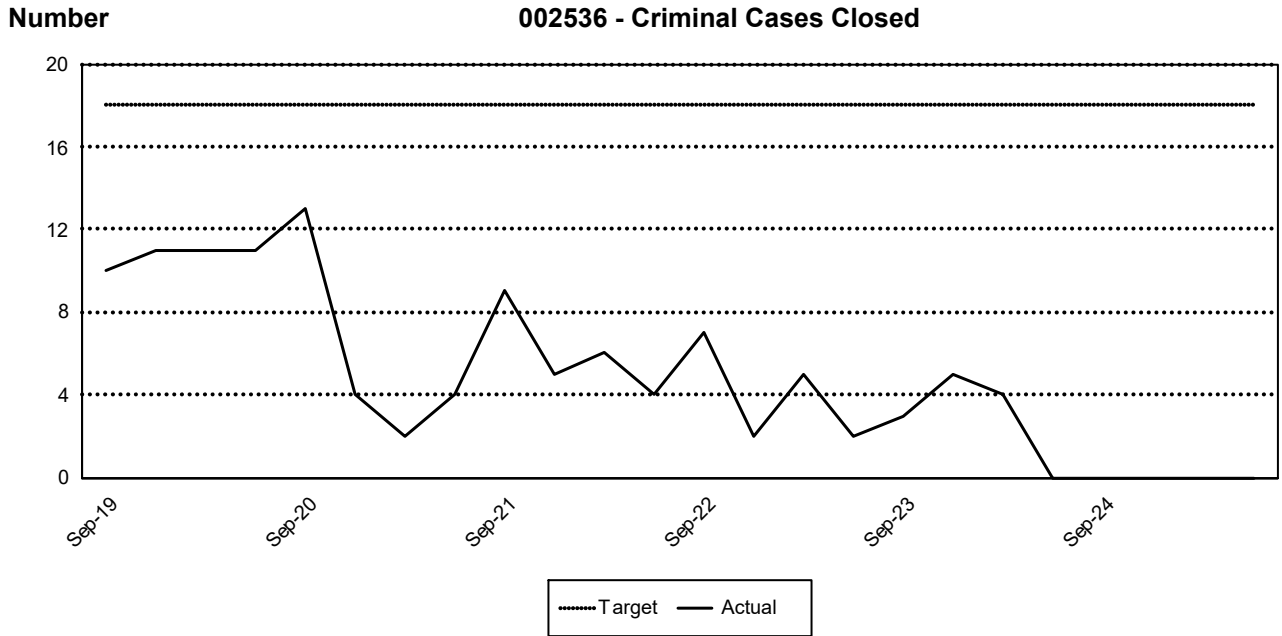
100 - Office of Attorney General

2025 - Supplemental Budget Request

Dollars in Thousands

*

Appropriation Period: 2023-25 Sort By: Activity



**ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request**

Dollars in Thousands

*

Appropriation Period: 2023-25 Sort By: Activity

A004 Enforcement of Anti-Trust Laws

The AGO’s Antitrust Division (ANT) division protects the residents of Washington State from price-fixing, illegal mergers, monopolization, and other illegal, anticompetitive activities. ANT holds entities accountable when they break the law and engage in unfair competition, and ensures that consumers benefit from a competitive marketplace. By enforcing antitrust laws, ANT ensures that businesses compete fairly with each other. ANT files enforcement actions, responds to consumer complaints, provides advice to state agencies, and provides consumer education and outreach. Through these efforts, ANT ensures that consumers’ problems are addressed, money overpaid due to illegal activity is recovered, illegal activity is prevented, and businesses are educated about their responsibilities under the antitrust laws.

Account	FY 2024	FY 2025	Biennial Total
FTE	24.0	24.0	24.0
424 Anti-Trust Revolving Account			
424-6 Non-Appropriated	\$6,268	\$6,308	\$12,576

**FTE is second year only*

Statewide Result Area: Prosperous Economy

Statewide Strategy: Regulate the economy to ensure fairness, security and efficiency

Expected Results

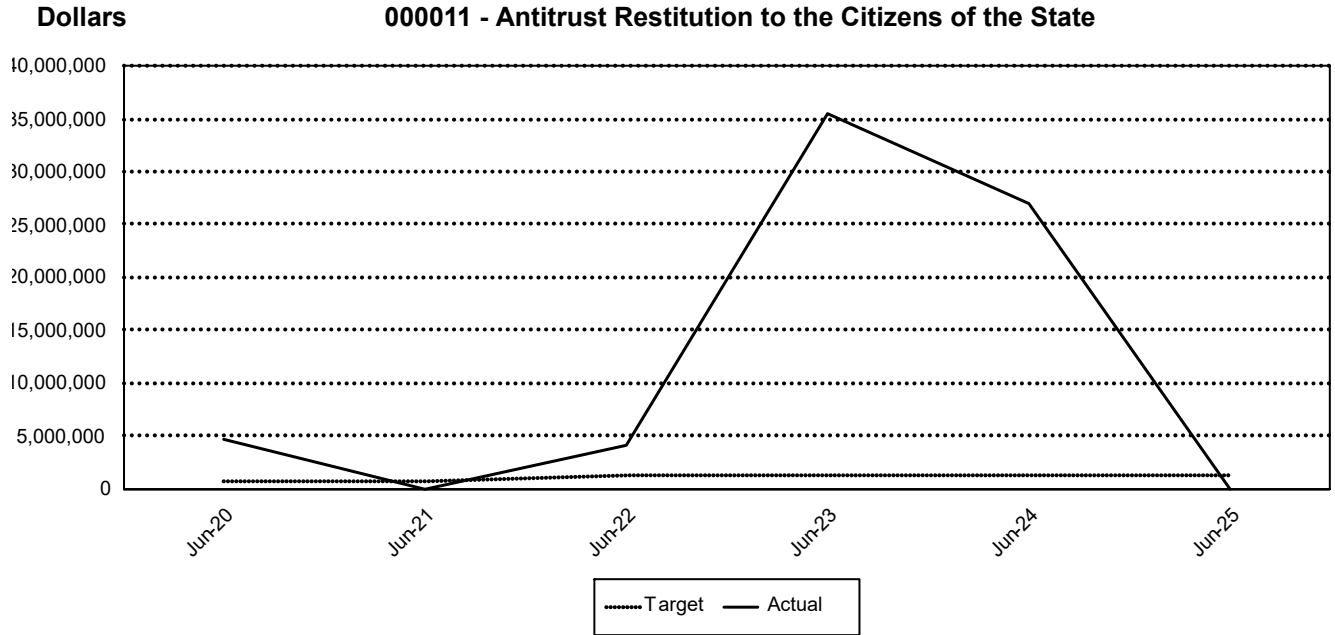
The AGO’s Antitrust Division (ANT) enforces antitrust laws, protects consumers from illegal and harmful practices, and ensures a fair, efficient, and competitive marketplace for businesses. ANT enforcement actions prevent monopolies, price-fixing, and illegal mergers, and recover money for injured consumers and state agencies. Through outreach efforts, ANT educates businesses in order to prevent antitrust violations and protects Washington consumers

ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request
Dollars in Thousands

*

Appropriation Period: 2023-25 Sort By: Activity

<p>000011 The AGO's Antitrust Division (ANT) enforces antitrust laws, protects consumers from illegal and harmful practices, and ensures a fair, efficient, and competitive marketplace for businesses. Active investigations can result in enforcement actions/litigation that prevent monopolies, price-fixing, and illegal mergers, and recover money for injured consumers and state agencies. Through outreach efforts, ANT educates businesses in order to prevent antitrust violations and protects Washington consumers.</p>				
Biennium	Period	Actual	Target	
2023-25	A3	\$0	\$1,400,000	
	A2	\$27,000,000	\$1,400,000	
2021-23	A3	\$35,530,000	\$1,400,000	
	A2	\$4,195,904	\$1,400,000	
2019-21	A3	\$0	\$700,000	
	A2	\$4,755,227	\$700,000	
Performance Measure Status: Approved				



ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request

Dollars in Thousands

*

Appropriation Period: 2023-25 Sort By: Activity

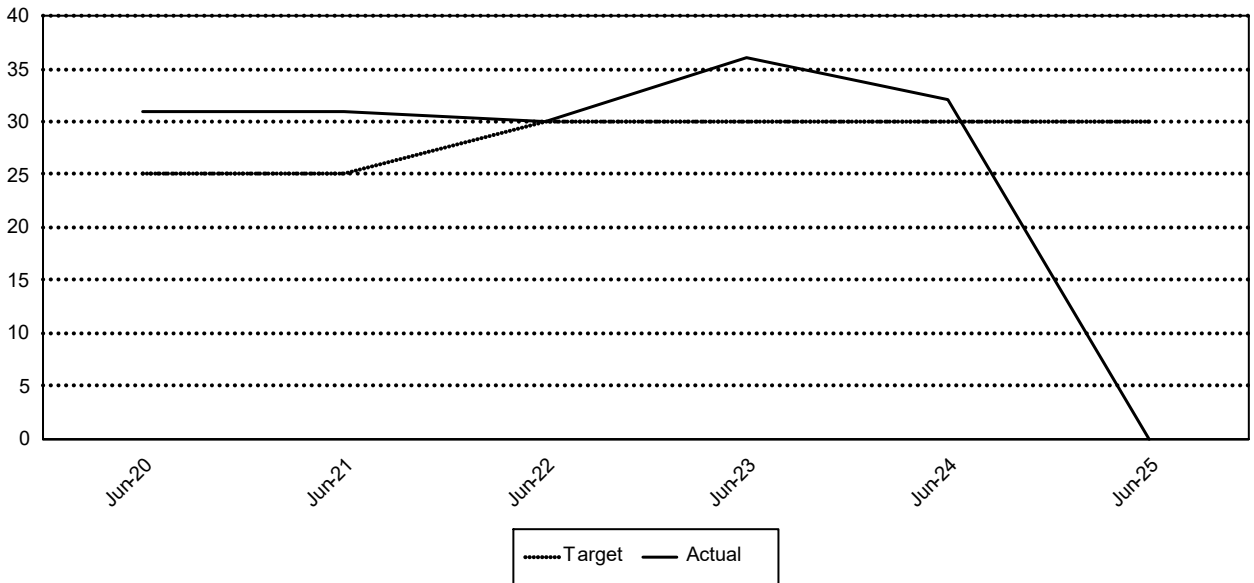
002877 The AGO's Antitrust Division (ANT) enforces antitrust laws, protects consumers from illegal and harmful practices, and ensures a fair, efficient, and competitive marketplace for businesses. Active investigations can result in enforcement actions/litigation that prevent monopolies, price-fixing, and illegal mergers, and recover money for injured consumers and state agencies. Through outreach efforts, ANT educates businesses in order to prevent antitrust violations and protects Washington consumers.

Biennium	Period	Actual	Target
2023-25	A3	0	30
	A2	32	30
2021-23	A3	36	30
	A2	30	30
2019-21	A3	31	25
	A2	31	25

Performance Measure Status: Approved

Number

002877 - Antitrust Restitution to the Citizens of the State



ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request

Dollars in Thousands

*

Appropriation Period: 2023-25 Sort By: Activity

A005 Enforcement of Consumer Protection Laws

The AGO’s Consumer Protection Division (CPR) protects Washington consumers from deception, scams, and abusive practices. CPR provides a fair marketplace through vigorous civil law enforcement of the Consumer Protection Act (CPA) including education and outreach to consumers. CPR’s Consumer Resource Center fields calls and complaints from consumers around the state, informally resolving complaints and recovering millions of dollars for consumers. CPR attorneys promote compliance with the CPA by obtaining injunctions and monetary judgments against violators including direct consumer restitution. CPR’s Foreclosure Compliance Program enforces the Foreclosure Fairness Act to help homeowners. CPR also houses the Lemon Law program which promotes timely and effective new motor vehicle warranty service through mandatory arbitration. CPR’s Manufactured House Dispute Resolution Unit fosters compliance with the Manufactured Housing Landlord Tenant Act.

Account	FY 2024	FY 2025	Biennial Total
FTE	117.3	117.3	117.3
17L Foreclosure Fairness Account			
17L-6 Non-Appropriated	\$149	\$152	\$301
001 General Fund			
001-1 State	\$4,573	\$7,043	\$11,616
12F Man/Mobile Home Dispute Resolution			
12F-6 Non-Appropriated	\$1,095	\$1,070	\$2,165
154 New Motor Vehicle Arbitration Acct			
154-1 State	\$941	\$956	\$1,897
25V WA St ATG Charitable Asset Prtn Acc			
25V-6 Non-Appropriated	\$672	\$672	\$1,344

**FTE is second year only*

Statewide Result Area: Prosperous Economy
Statewide Strategy: Provide consumer protection

Expected Results

**ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request**

Dollars in Thousands

*

Appropriation Period: 2023-25 Sort By: Activity

The AGO’s Consumer Protection Division’s (CPR) activities are expected to foster a fair, competitive and non-deceptive marketplace, prevent consumer harm, promote voluntary compliance with economic regulation by businesses, and resolve disputes between buyers and sellers in the marketplace. CPR is expected to recover a portion of operational costs through its litigation activity. CPR is expected to promote timely and effective new motor vehicle warranty service through mandatory arbitration, and foster compliance with the Manufactured Housing Landlord Tenant Act.

002534			
<p>The AGO's Consumer Protection Division's (CPR) activities are expected to foster a fair, competitive and non-deceptive marketplace, prevent consumer harm, promote voluntary compliance with economic regulation by businesses, and resolve disputes between buyers and sellers in the marketplace. CPR is expected to recover a portion of operational costs through its litigation activity. CPR is expected to promote timely and effective new motor vehicle warranty service through mandatory arbitration, and foster compliance with the Manufactured Housing Landlord Tenant Act.</p>			
Biennium	Period	Actual	Target
2023-25	A3	\$0	\$11,000,000
	A2	\$47,315,168	\$11,000,000
2021-23	A3	\$24,763,319	\$11,000,000
	A2	\$61,994,515	\$11,000,000
2019-21	A3	\$33,320,263	\$5,500,000
	A2	\$44,302,499	\$5,500,000
Performance Measure Status: Approved			

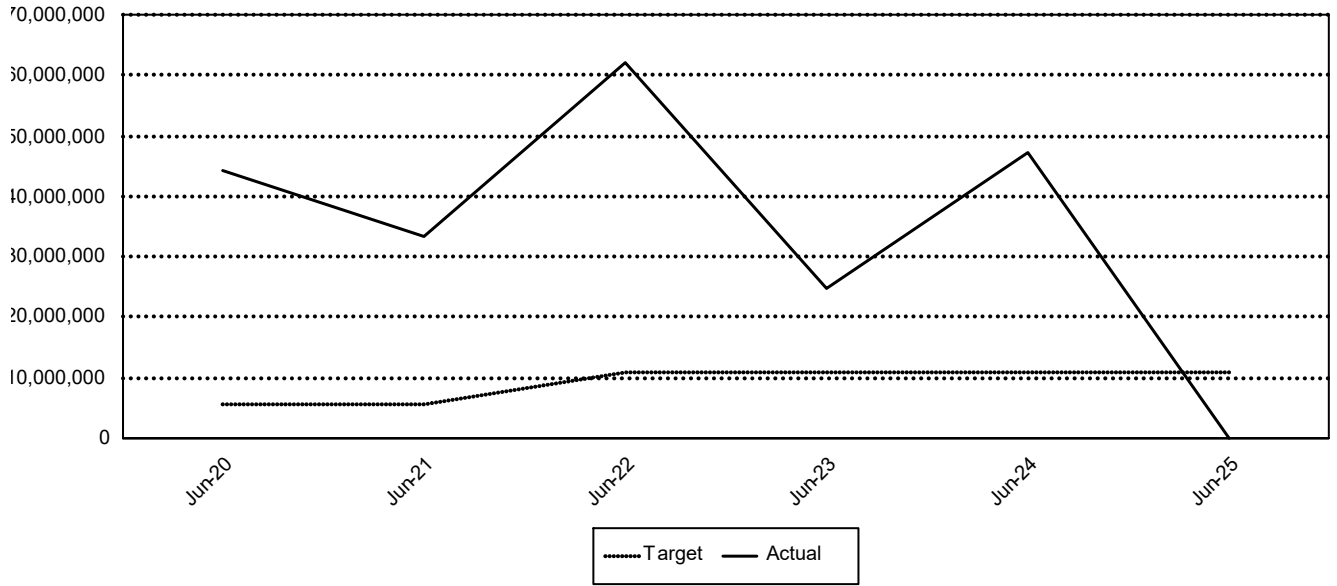
ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request

Dollars in Thousands

*

Appropriation Period: 2023-25 Sort By: Activity

Dollars J02534 - Direct Restitution Provided to Consumers through Litigation and Complaint Resolutio



**ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request**

Dollars in Thousands

*

Appropriation Period: 2023-25 Sort By: Activity

A007 Homicide Investigation Tracking System

The Homicide Investigation Tracking System (HITS) system provides assistance to law enforcement by providing them with greater access to information, advice, and assistance resulting in enhanced and speedier investigation of violent crimes. As a result, suspects are pursued more quickly leading to better public protections.

Account	FY 2024	FY 2025	Biennial Total
FTE	6.7	6.7	6.7
001 General Fund			
001-1 State	\$889	\$1,612	\$2,501

**FTE is second year only*

Statewide Result Area: Healthy and Safe Communities
Statewide Strategy: Enforce the law

Expected Results

Homicide Investigation Tracking System (HITS) investigators and its data warehouse provide resources to local, state, and federal law enforcement agencies by giving them access to violent crime data and analyses across jurisdictions. The HITS unit provides law enforcement analysis of crime data related to murder, rape, and other serious offenses. The usefulness of the HITS system is directly affected by the quality and quantity of crime data entered into the system, and HITS investigators work closely with law enforcement to ensure all information is correctly captured. HITS provides direct investigative assistance, including case reviews and search results, to law enforcement agencies upon their request. As a result, violent offenders are identified and apprehended improving public safety and preventing crime.

ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request

Dollars in Thousands

*

Appropriation Period: 2023-25 Sort By: Activity

000021 Homicide Investigation Tracking System (HITS) investigators and its data warehouse provide resources to local, state, and federal law enforcement agencies by giving them access to violent crime data and analyses across jurisdictions. The HITS unit provides law enforcement analysis of crime data related to murder, rape, and other serious offenses. The usefulness of the HITS system is directly affected by the quality and quantity of crime data entered into the system. HITS investigators work closely with law enforcement to ensure all information is correctly captured. HITS provides direct investigative assistance that includes case reviews and search results to law enforcement agencies upon their request. As a result, violent offenders are identified and apprehended improving public safety and preventing crime.

Biennium	Period	Actual	Target
2023-25	Q8	0	254
	Q7	0	254
	Q6	0	254
	Q5	0	254
	Q4	164	254
	Q3	196	254
	Q2	181	254
	Q1	171	254
2021-23	Q8	224	254
	Q7	212	254
	Q6	233	254
	Q5	214	254
	Q4	205	254
	Q3	268	254
	Q2	236	254
	Q1	240	254
2019-21	Q8	216	253
	Q7	179	253
	Q6	168	253
	Q5	245	253
	Q4	252	253
	Q3	274	253
	Q2	215	253
	Q1	212	253

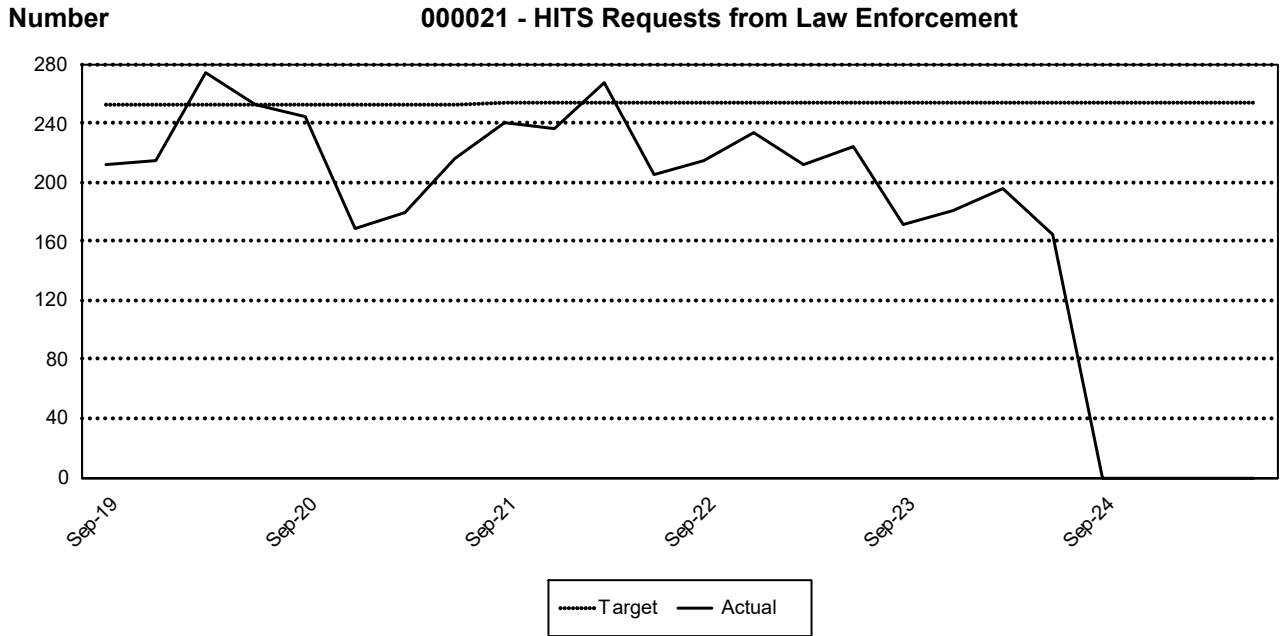
Performance Measure Status: Approved

ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request

Dollars in Thousands

*

Appropriation Period: 2023-25 Sort By: Activity



ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request

Dollars in Thousands

*

Appropriation Period: 2023-25 Sort By: Activity

A006 Executive Ethics Board

The Executive Ethics Board (EEB) is an independent board with five members appointed by the Governor. The EEB promotes integrity, confidence, and public trust in state government through education, interpretation, and enforcement of the Ethics in compliance with the Public Service Act (Act). The AGO provides staff and administrative support for the EEB. EEB members meet on a regular basis to interpret the Act for all state agencies, provide advice to agencies regarding ethical issues, promulgate rules to implement the Act, and take enforcement action against state employees who violate the Act. EEB staff investigate complaints filed by public employees and citizens, provide ethics training to state agencies, and provide advice regarding ethics in the workplace. Ethics training enables state officers and employees to perform their public responsibilities and conduct the business of the state appropriately.

Account	FY 2024	FY 2025	Biennial Total
FTE	4.0	4.0	4.0
405 Legal Services Revolving Account			
405-1 State	\$556	\$582	\$1,138

**FTE is second year only*

Statewide Result Area: Efficient, Effective and Accountable Government

Statewide Strategy: Support democratic processes and government accountability

Expected Results

The Executive Ethics Board investigates complaints filed by public employees and citizens regarding ethical violations established in the Public Service Act, and prosecutes cases to completion. By completing investigations and resolving cases in a timely manner, state agencies, state employees, and the public are better served, and public trust and confidence in state government increases.

ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request

Dollars in Thousands

*

Appropriation Period: 2023-25 Sort By: Activity

000018				
<p>The Executive Ethics Board investigates complaints filed by public employees and citizens regarding ethical violations established in the Public Service Act, and prosecutes cases to completion. By completing investigations and resolving cases in a timely manner, state agencies, state employees, and the public are better served, and public trust and confidence in state government increases.</p>				
Biennium	Period	Actual	Target	
2023-25	Q8	0	180	
	Q7	0	180	
	Q6	0	180	
	Q5	0	180	
	Q4	312	180	
	Q3	319	180	
	Q2	183	180	
	Q1	117	180	
2021-23	Q8	103	180	
	Q7	84	180	
	Q6	70	180	
	Q5	84	180	
	Q4	74	180	
	Q3	90	180	
	Q2	79	180	
	Q1	117	180	
2019-21	Q8	112	180	
	Q7	133	180	
	Q6	154	180	
	Q5	137	180	
	Q4	48	180	
	Q3	57	180	
	Q2	93	180	
	Q1	105	180	
Performance Measure Status: Approved				

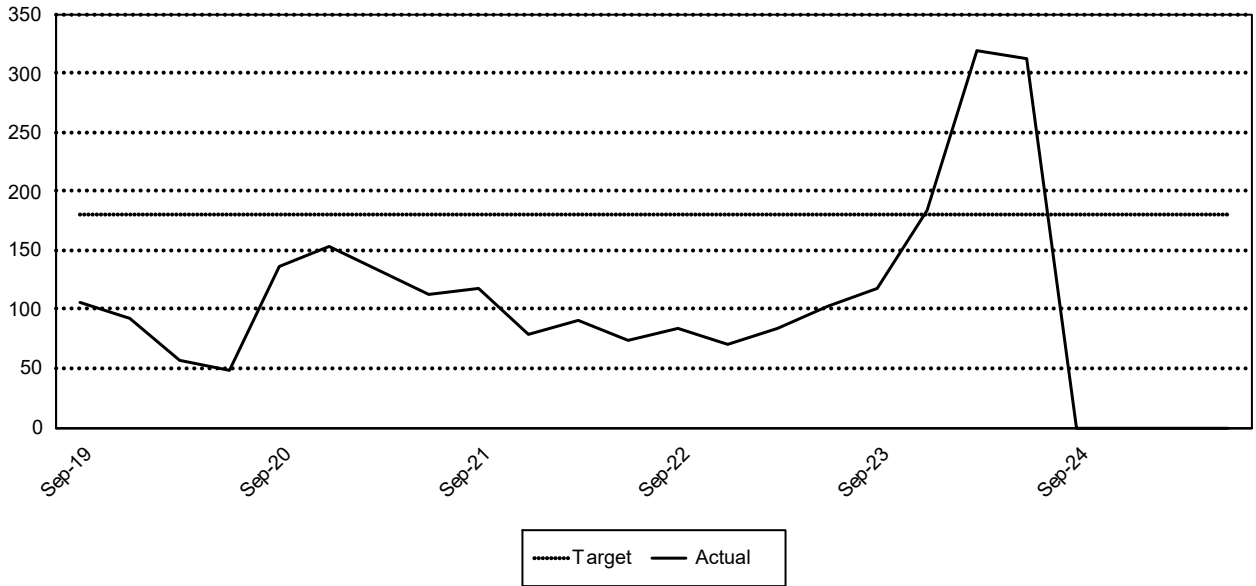
ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request

Dollars in Thousands

*

Appropriation Period: 2023-25 Sort By: Activity

Number 000018 - Average Number of Days to Complete an Ethics Investigation



**ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request**

Dollars in Thousands

*

Appropriation Period: 2023-25 Sort By: Activity

A008 Investigation and Defense of Tort Lawsuits

The AGO’s Torts Division protects taxpayers by providing high quality and effective legal defense to the state in tort claims and lawsuits. Torts improves government efficiency by measuring the speed with which lawsuits resolve, and measuring success in resolving cases through early resolution. Torts also tracks “zero-payout cases” and appellate outcomes. Torts maintains a high rate of case appeal litigation success.

Account	FY 2024	FY 2025	Biennial Total
FTE	186.0	186.0	186.0

**FTE is second year only*

Statewide Result Area: Efficient, Effective and Accountable Government
Statewide Strategy: Provide data, information, and analysis to support decision-making

Expected Results

The AGO’s Torts Division protects taxpayers by vigorously defending tort claims and lawsuits against the state, state agencies, boards, commissions, and officers and employees acting within the scope of their employment. Torts consists of experienced litigators and trained legal professionals who provide high quality and efficient legal services to the state. Torts promotes government efficiency by employing concerted efforts to resolve claims and lawsuits at the earliest possible stages through the early resolution program, motions practice, direct negotiation and mediated settlement. Torts maintains a high rate of litigation success with many lawsuits dismissed with zero payout. Torts also maintains a high rate of case appeal litigation success.

ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request

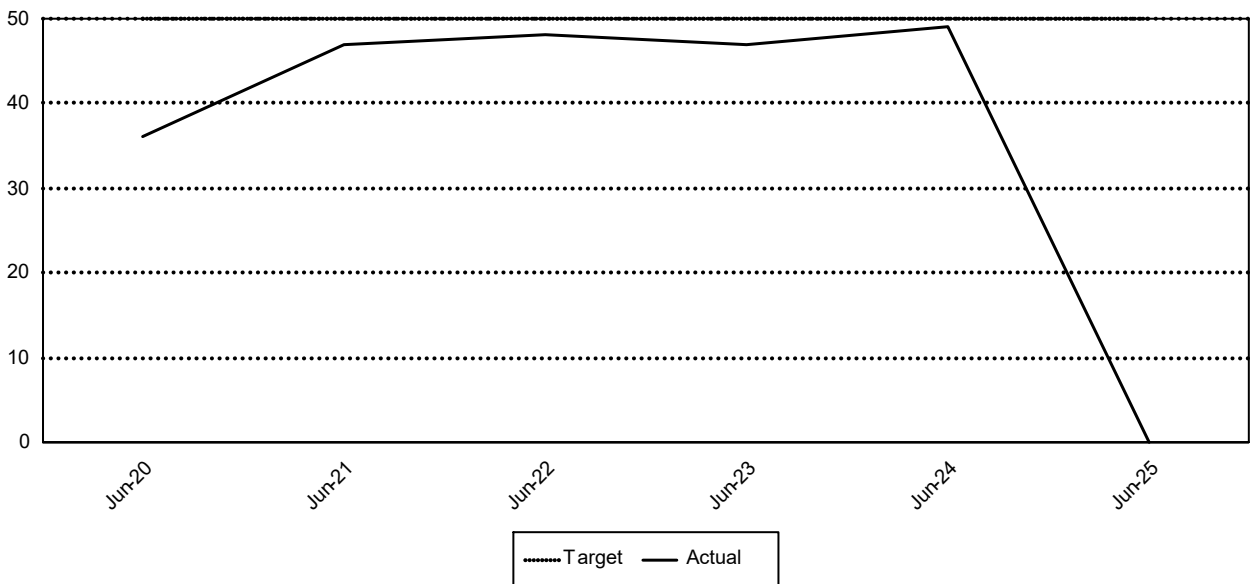
Dollars in Thousands

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Appropriation Period: 2023-25 Sort By: Activity

002537				
<p>The AGO's Torts Division protects taxpayers by vigorously defending tort claims and lawsuits against the state, state agencies, boards, commissions, and officers and employees acting within the scope of their employment. The AGO Torts Division consists of experienced litigators and trained legal professionals who provide high quality and efficient legal services to the state. The provided legal services promotes government efficiency by employing concerted efforts to resolve claims and lawsuits at the earliest possible stages through the early resolution program, motions practice, direct negotiation and mediated settlement. The AGO Torts Division maintains a high rate of litigation success (including case appeal litigation) with many lawsuits dismissed with zero payout.</p>				
Biennium	Period	Actual	Target	
2023-25	A3	0%	50%	
	A2	49%	50%	
2021-23	A3	47%	50%	
	A2	48%	50%	
2019-21	A3	47%	50%	
	A2	36%	50%	
Performance Measure Status: Approved				

Percent 002537 - Percentage of Tort Claims that Result in Zero Payout



**ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request**

Dollars in Thousands

*

Appropriation Period: 2023-25 Sort By: Activity

A009 Investigation and Prosecution of Medicaid Fraud and Resident Abuse

The Medicaid Fraud Control Unit (MFCU) is federally mandated and 75% federally funded for this investigative and prosecutorial unit staffed by Attorneys, Auditors, Investigators, Paralegals and support personnel. MFCU’s mission is to protect patients and taxpayers through civil (including qui tam action) and criminal law enforcement. MFCU investigates and prosecutes fraud by health care providers that illegally divert Medicaid funds. These enforcement efforts curtail and deter similar criminal activity and lead to recoveries for the state and federal government. MFCU also prosecutes the abuse and neglect of residents in Medicaid-funded facilities. MFCU provides valuable assistance to local law enforcement in investigating and prosecuting crimes committed against vulnerable adults. MFCU helps coordinate the efforts of local vulnerable adult task forces, enforces the law, holds criminals accountable, increases public safety, deters fraud, and recovers money for the state. The addition of the Medicaid False Claims Act (FCA) in 2012 allows whistleblower qui tam actions. This increases MFCU’s capacity to aggressively combat fraud through civil and criminal means, benefits our state by expanding the AGO’s capacity to address fraud, neglect and abuse. This is essential as more Washingtonians become eligible for Medicaid under the Affordable Care Act, and as more people are entering the long-term care system.

Account	FY 2024	FY 2025	Biennial Total
FTE	64.0	64.0	64.0
141 Federal Seizure Account			
141-6 Non-Appropriated	\$1,953	\$738	\$2,691
001 General Fund			
001-2 Federal	\$9,780	\$9,719	\$19,499
19A Medicaid Fraud Penalty Account			
19A-1 State	\$3,275	\$3,309	\$6,584

**FTE is second year only*

Statewide Result Area: Healthy and Safe Communities

Statewide Strategy: Provide access to health care

Expected Results

ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request

Dollars in Thousands

*

Appropriation Period: 2023-25 Sort By: Activity

Medicaid funds are returned to the State through appropriation to combat fraud, provide Medicaid services, and monitor prescription drug abuse. The 2012 legislature created the False Claims Act (FCA) and the Medicaid Penalty Account (MPA) which is the state funding source for the AGO’s Medicaid Fraud Control Unit (MFCU), and for the Medicaid program integrity responsibilities managed by the Washington State Health Care Authority. Through MFCU’s civil efforts, recovered money that was illegally obtained in violation of either the federal or state FCA is returned to the State and placed into the MPA. This includes restitution, interest and penalties. The 2013 legislature authorized the Prescription Drug Monitoring Program, also funded from the MPA. Through MFCU’s criminal and non-false claims act civil efforts, additional money is returned to the State. These cases generally contain a restitution portion, and have generated interest. In these cases, the restitution recoveries are returned directly to the Medicaid program and not to the MPA. Any interest earned and recovered goes to the State General Fund.

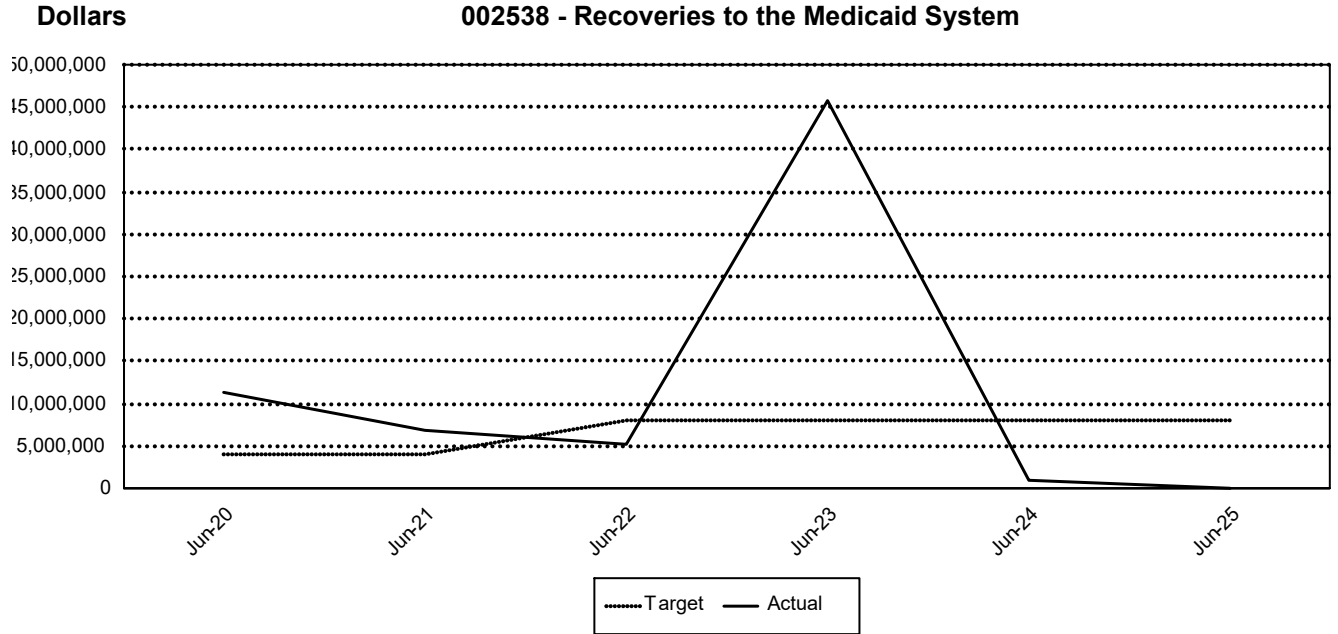
002538				
<p>State share of Medicaid recoveries is utilized to combat fraud, provide Medicaid services, and monitor prescription drug abuse. The 2012 legislature created the FCA and the MPA. These acts create the state funding source for the AGO’s MFCU, and for the Medicaid program integrity responsibilities managed by the HCA. MFCU’s civil efforts recovered money that was illegally obtained in violation of either the federal or state FCA is returned to the State and placed into the MPA. Recovered money includes restitution, interest and penalties. The 2013 legislature authorized the Prescription Drug Monitoring Program that is also funded from the MPA. Through MFCU’s criminal and non-false claims act civil efforts, additional money is returned to the State. These cases generally contain a restitution portion and an interest portion. Recoveries are returned directly to the Medicaid program and not to the MPA. The associated interest goes to GF-S.</p>				
Biennium	Period	Actual	Target	
2023-25	A3	\$0	\$8,000,000	
	A2	\$897,849	\$8,000,000	
2021-23	A3	\$45,673,400	\$8,000,000	
	A2	\$5,075,048	\$8,000,000	
2019-21	A3	\$6,723,135	\$4,000,000	
	A2	\$11,199,418	\$4,000,000	
Performance Measure Status: Approved				

ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request

Dollars in Thousands

*

Appropriation Period: 2023-25 Sort By: Activity



**ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request**

Dollars in Thousands

*

Appropriation Period: 2023-25 Sort By: Activity

A010 Legal Services to State Agencies

By providing high quality legal assistance and representation to Washington’s state agencies, boards, and commissions, the AGO improves government services, increases government efficiency, and prevents costly lawsuits. The legal services provided by the AGO saves taxpayer dollars, promotes the public interest, and ensures agencies are able to fulfill their essential missions. The AGO offers excellent, option-based legal advice to help the state promote the public good. In the litigation context, the AGO initiates, defends, and resolves cases effectively and efficiently for the benefit of the state, its agencies, and its citizens.

Account	FY 2024	FY 2025	Biennial Total
FTE	997.0	1,001.4	1,001.4
141 Federal Seizure Account			
141-6 Non-Appropriated	\$0	\$96	\$96
001 General Fund			
001-1 State	\$8,700	\$4,096	\$12,796
405 Legal Services Revolving Account			
405-1 State	\$192,805	\$194,828	\$387,633
828 Tobacco Prevention/Control Account			
828-1 State	\$129	\$130	\$259

**FTE is second year only*

Statewide Result Area: Efficient, Effective and Accountable Government
Statewide Strategy: Provide data, information, and analysis to support decision-making

Expected Results

**ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request**

Dollars in Thousands

*

Appropriation Period: 2023-25 Sort By: Activity

The AGO provides legal advice and representation to nearly 200 state agencies, boards, and commissions and sustains about 25,000 open cases at all times. As legal counsel for the state, the AGO represents the state in litigation, and provides legal advice on personnel, contracts, public records, specialized program advice, and risk management. Program responsibilities supported by the AGO include state and federal benefit programs administered by state agencies, licensing and regulatory programs, agency custodial programs, higher education institutions, natural resources programs, capital construction and equipment acquisitions, state agency revenue and collection programs, and economic development and enterprise activities. The AGO protects taxpayer dollars by providing sound legal advice and risk management services to clients thus avoiding costly lawsuits. The AGO assists agencies with civil enforcement efforts – for example, working with the Department of Ecology to hold polluters accountable, the Department of Labor and Industries to promote fair labor practices, and Department of Social Health and Services to protect children and other vulnerable populations from abuse and neglect.

002539			
<p>The AGO provides legal representation to state agencies, boards, and commissions and sustains about 25,000 open cases at all times. The AGO represents the state in litigation and provides advice on personnel, contracts, public records, specialized program advice, and risk management. Program responsibilities include state and federal benefit programs administered by state agencies, licensing and regulatory programs, agency custodial programs, higher education, natural resources programs, capital construction and equipment acquisitions, state agency revenue and collection programs, and economic development and enterprise activities.</p> <p>The AGO protects taxpayer dollars by providing sound legal advice and risk management services to clients avoiding costly lawsuits. AGO assists agencies with civil enforcement efforts – working with ECY to hold polluters accountable, L&I to promote fair labor practices, DSHS to protect children and other vulnerable populations from abuse and neglect.</p>			
Biennium	Period	Actual	Target
2023-25	A3	0	25,000
	A2	24,386	25,000
2021-23	A3	26,679	25,000
	A2	26,205	25,000
2019-21	A3	27,153	25,000
	A2	28,393	25,000
Performance Measure Status: Approved			

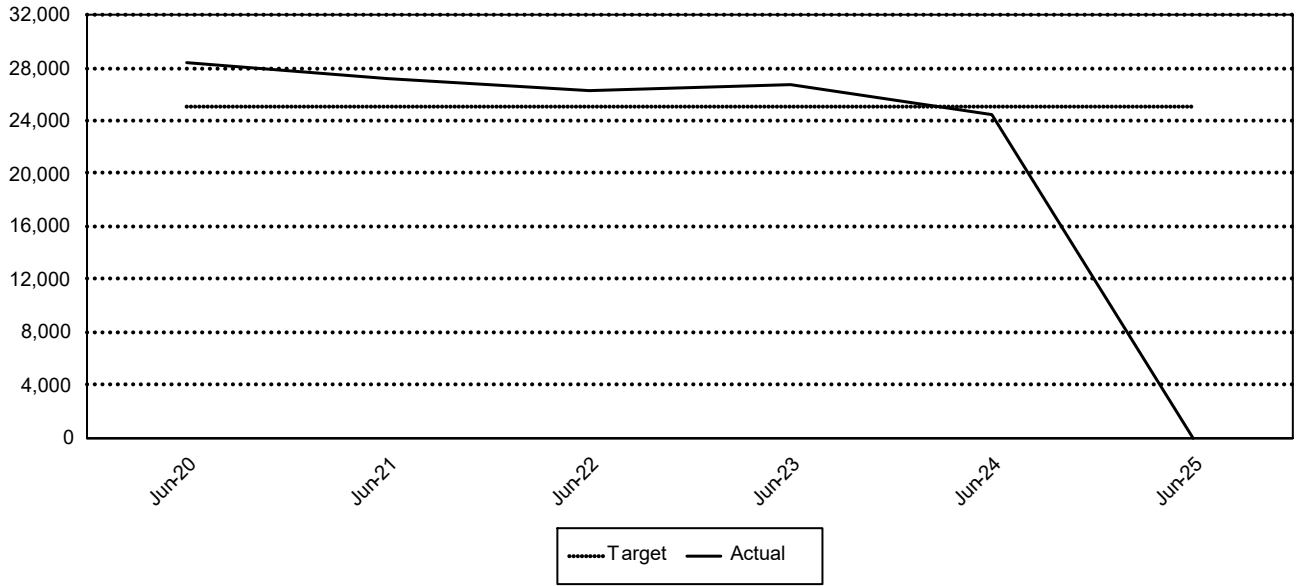
ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request

Dollars in Thousands

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Appropriation Period: 2023-25 Sort By: Activity

Number **002539 - Cases Open at End of Fiscal Year**



ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request

Dollars in Thousands

*

Appropriation Period: 2023-25 Sort By: Activity

A011 Representing Ratepayers

The AGO’s Public Counsel Unit (PCU) represents residential and small business customers (ratepayers) of electric, natural gas, and telecommunications utilities regulated by the Washington Utilities & Transportation Commission (UTC). PCU advocates on behalf of customers in UTC cases involving utility rates, mergers, energy efficiency programs, service quality, and other policy matters. PCU investigates company requests and retains experts to analyze areas such as accounting, economics, finance, engineering, rate spread/rate design, and service quality. In a rate case or merger evidentiary hearings, PCU will cross-examine other parties’ expert witnesses, present its own witnesses, and file legal briefs. In addition to participating as a statutory party in major rate and merger cases, PCU may also present policy recommendations in UTC rulemakings or at bi-weekly UTC business meetings. PCU participates in technical policy and advisory groups, and may provide information to the Legislature and other policymakers.

Account	FY 2024	FY 2025	Biennial Total
FTE	10.1	11.5	11.5
405 Legal Services Revolving Account			
405-1 State	\$0	\$88	\$88
111 Public Service Revolving Account			
111-1 State	\$2,346	\$3,038	\$5,384

**FTE is second year only*

Statewide Result Area: Prosperous Economy

Statewide Strategy: Provide consumer protection

Expected Results

The AGO’s Public Counsel Unit (PCU) protects consumers and businesses by advocating fair, just, reasonable, and sufficient utility rates, and by ensuring that customers pay only for reasonable and cost-effective programs. PCU’s efforts have helped save consumers nearly \$100 million over the past four years and will continue to save Washingtonians money on utility rates.

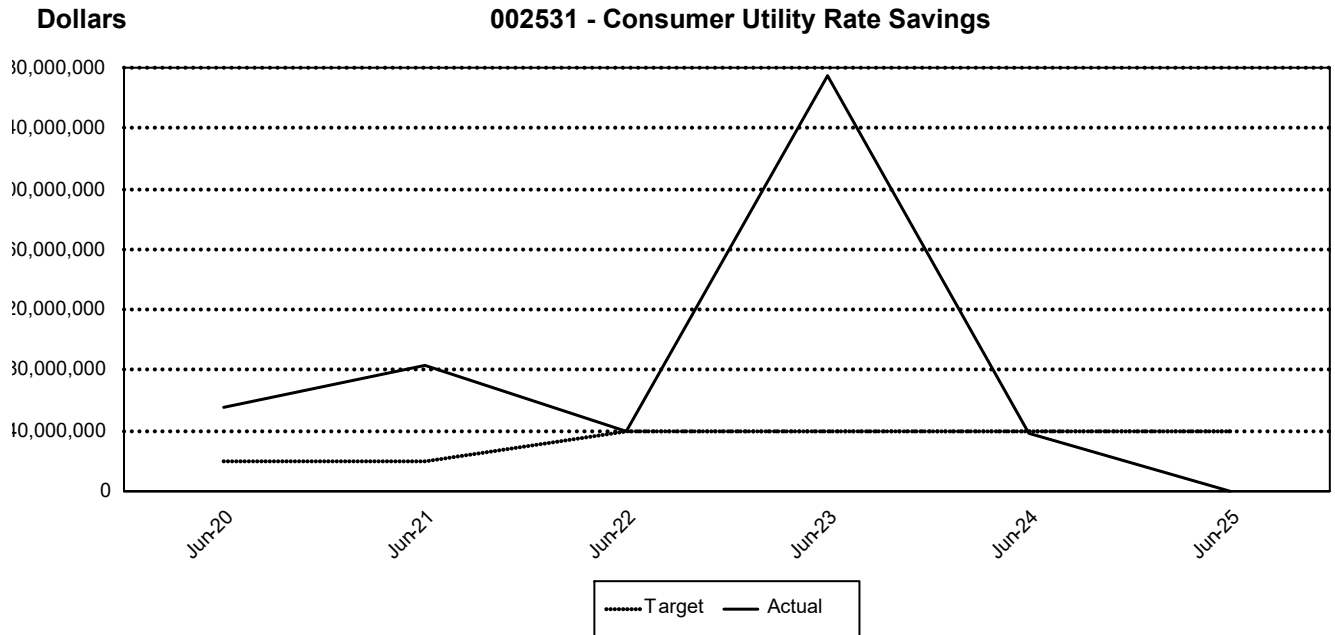
ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request

Dollars in Thousands

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Appropriation Period: 2023-25 Sort By: Activity

002531				
<p>The AGO's Public Counsel Unit (PCU) protects consumers and businesses by advocating fair, just, reasonable, and sufficient utility rates, and by ensuring that customers pay only for reasonable and cost-effective programs. PCU's efforts have helped save consumers nearly \$150 million over the past four years and will continue to save Washingtonians money on utility rates.</p>				
Biennium	Period	Actual	Target	
2023-25	A3	\$0	\$40,000,000	
	A2	\$38,700,000	\$40,000,000	
2021-23	A3	\$274,900,000	\$40,000,000	
	A2	\$39,900,000	\$40,000,000	
2019-21	A3	\$83,700,000	\$20,000,000	
	A2	\$55,200,000	\$20,000,000	
Performance Measure Status: Approved				



**ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request**

Dollars in Thousands

*

Appropriation Period: 2023-25 Sort By: Activity

A012 Victims Advocacy

The AGO is committed to making our communities safer, and to support those who provide direct services to victims of crime, increase quality services for victims of crime in Washington State, protect victims' rights, and enhance public awareness. All Washingtonians have the right to fairness, dignity and respect.

Account	FY 2024	FY 2025	Biennial Total
405 Legal Services Revolving Account			
405-1 State	\$17	\$73	\$90

**FTE is second year only*

Statewide Result Area: Healthy and Safe Communities
Statewide Strategy: Protect and support victims of crime

Expected Results

The AGO is committed to support those who provide direct services to victims of crime, increase quality services for victims of crime in Washington State, protect victims' rights, and enhance public awareness. Consequently, Washingtonians will utilize the services necessary for recovery and lessen their chances for repeated victimization. Victim advocates will receive the support and services they need.

**FTE is second year only*

Grand Total

	FY 2024	FY 2025	Biennial Total
FTE's	1,515.8	1,550.5	1,550.5
GFS	\$48,168	\$44,676	\$92,844
Other	\$230,759	\$240,538	\$471,297
Total	\$278,927	\$285,214	\$564,141

ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request

Dollars in Thousands

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Appropriation Period: 2023-25 Sort By: Activity

**FTE is second year only*

ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2025 - Supplemental Budget Request

Dollars in Thousands

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Appropriation Period: 2023-25 Sort By: Activity

Report Number: ACT001

<u>Parameter</u>	<u>Entered As</u>
Version Source	Agency
Session	2025 Supplemental
Agency	100
Version	2025 - Supplemental Budget Request
Result Area	All Result Areas
Activity	All Activities
Program	All Programs
Sub Program	All Sub Programs
Account	All Accounts
Expenditure Authority Type	All Expenditure Authority Types
Theme	All
Sort By	Activity
Display All Account Types	Yes
Include Policy Level	Yes
Include Activity Description	Yes
Include Statewide Result Area	Yes
Include Statewide Strategy	Yes
Include Expected Results Text	Yes
Include Charts	Yes
Chart Type	Line
Approved Only	Y
Display Parameter Page	Y



**ABS033 Performance Measure Incremental Estimates
100 Office of Attorney General
2025 Second Supplemental Budget Session
2025 - Supplemental Budget Request**

Dollars in Thousands

Activity:

CB	T0PL	No measures linked to activity
CB	T0PL	No measures linked to decision package
ML	VA	No measures linked to activity
ML	VD	No measures linked to activity
ML	VE	No measures linked to activity
ML	VF	No measures linked to activity
ML	VG	No measures linked to activity

Outcome Measures 000021 HITS Requests from Law Enforcement

			<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>
ML	VA	Modernization of HITS	0	0	0	0

AGO Strategic Plan: Goal 1: Serve the state – Deliver high quality, timely, and efficient legal services. Goal 2: Serve the State – Improve internal efficiency and effectiveness through the use of technology solutions and data.

Outcome Measures 002531 Consumer Utility Rate Savings

			<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>
ML	VE	HB 1589 Clean Energy	0	0	0	0

AGO Strategic Plan: Protect the People, Goal 4: protect WASHINGTON CONSUMERS. 2-4-3: Protect Washington Ratepayers.

Outcome Measures 002539 Cases Open at End of Fiscal Year

			<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>
ML	VD	SB 6146 Tribal Warrants	0	0	0	0
ML	VF	SB 6194 Legislative Employees	0	0	0	0
ML	VG	OSPI Litigation	0	0	0	0

AGO Strategic Plan: Serve the State – Goal 1: Deliver high quality, timely and efficient legal services.

ABS033 Performance Measure Incremental Estimates
100 Office of Attorney General
2025 - Supplemental Budget Request
Dollars in Thousands

Activity: A002 Civil Commitment of Sexually Violent Predators

ML 9Z

No measures linked to decision package

Activity: A001 Administration

ML 9Z

No measures linked to decision package

Outcome Measures 002539 Cases Open at End of Fiscal Year

				<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>
ML	VD	SB 6146 Tribal Warrants		0	0	0	0

AGO Strategic Plan: Serve the State – Goal 1: Deliver high quality, timely and efficient legal services.

Activity: A003 Criminal Investigation and Prosecution

ML 9Z

No measures linked to decision package

Outcome Measures 000021 HITS Requests from Law Enforcement

				<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>
ML	VA	Modernization of HITS		0	0	0	0

AGO Strategic Plan: Goal 1: Serve the state – Deliver high quality, timely, and efficient legal services. Goal 2: Serve the State – Improve internal efficiency and effectiveness through the use of technology solutions and data.

Activity: A004 Enforcement of Anti-Trust Laws

ML 9Z

No measures linked to decision package

ABS033 Performance Measure Incremental Estimates
100 Office of Attorney General
2025 - Supplemental Budget Request
Dollars in Thousands

Activity: A005 Enforcement of Consumer Protection Laws

ML 9Z

No measures linked to decision package

Activity: A007 Homicide Investigation Tracking System

ML 9Z

No measures linked to decision package

Activity: A006 Executive Ethics Board

ML 9Z

No measures linked to decision package

Activity: A009 Investigation and Prosecution of Medicaid Fraud and Resident Abuse

ML 9Z

No measures linked to decision package

Activity: A010 Legal Services to State Agencies

ML 9Z

No measures linked to decision package

Outcome Measures 002539 Cases Open at End of Fiscal Year

			<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>
ML	VF	SB 6194 Legislative Employees	0	0	0	0
ML	VG	OSPI Litigation	0	0	0	0

AGO Strategic Plan: Serve the State – Goal 1: Deliver high quality, timely and efficient legal services.

ABS033 Performance Measure Incremental Estimates
100 Office of Attorney General
2025 - Supplemental Budget Request
Dollars in Thousands

Activity: A011 Representing Ratepayers

ML 9Z

No measures linked to decision package

Outcome Measures 002531 Consumer Utility Rate Savings

			<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>
ML	VE	HB 1589 Clean Energy	0	0	0	0

AGO Strategic Plan: Protect the People, Goal 4: protect WASHINGTON CONSUMERS. 2-4-3: Protect Washington Ratepayers.

Activity: A012 Victims Advocacy

ML 9Z

No measures linked to activity

ML 9Z

No measures linked to decision package

ABS033 Performance Measure Incremental Estimates
100 Office of Attorney General
2025 - Supplemental Budget Request
Dollars in Thousands

Report Number: ABS033

Input Parameters

Session	2025 Supplemental
Agency	100
Version	2025
Program	Agency Level
Activity	(All)
For Word	N
Display Parameter Page	Y

**2025 Supplemental Budget Request
Activity Inventory Indirect Cost Allocation Approach**

Agency: 100 - Office of Attorney General

Date: Sept 5, 2024

Allocation Method Description: Total indirect costs were allocated to activities based of the number of FTE in each activity

	% Allocation Received	Dollars Allocated FY 1	Dollars Allocated FY 2	Total Allocated
A001 - Administration	10.3%	27,153	30,489	57,642
A002 - Civil Commitment of Sexually Violent Predators	2.9%	7,726	8,760	16,486
A003 - Criminal Investigation and Prosecution	3.5%	9,900	9,490	19,390
A004 - Enforcement of Anti-Trust Laws	2.2%	6,268	6,308	12,576
A005 - Enforcement of Consumer Protection Laws	3.1%	7,921	9,402	17,323
A006 - Executive Ethics Board	0.2%	556	582	1,138
A007 - Homicide Investigation Tracking System	0.4%	889	1,612	2,501
A008 - Investigation and Defense of Tort Lawsuits	0.0%	0	0	0
A009 - Investigation and Prosection of Medicaid Fraud and Resident Abuse	5.1%	15,008	13,766	28,774
A010 - Legal Services to State Agencies	71.4%	201,634	198,511	400,145
A011 - Representing Ratepayers	0.8%	2,346	2,396	4,742
A012 - Victims Advocacy	0.0%	17	73	90
TOTALS	100.0%	279,418	281,389	560,807

AGO STRATEGIC PLAN 2022-2024

SERVE THE STATE

Provide excellent, independent, and ethical legal advice and representation to our client, the State of Washington.

1. Deliver high quality, timely, and efficient legal services.
2. Improve the lives of Washingtonians by advising our clients in achieving their missions.
3. Proactively engage in risk management efforts to reduce the state's liability and improve outcomes for the public.
4. Protect and enhance the financial health and resources of the Office of the Attorney General including optimizing fund utilization and management.
5. Improve internal efficiency and effectiveness through the use of technology solutions and data.
6. Support our clients in their efforts to combat racism that impacts the people of the State of Washington.

PROTECT THE PEOPLE

Protect the legal rights of the people of the State of Washington within our authority.

1. Defend civil rights and stand up for vulnerable Washingtonians.
2. Protect Washington's environment and public health and support its environmental justice goals.
3. Promote good government.
4. Protect all Washington consumers.
5. Strive for greater public safety and justice for all Washington communities.
6. Combat racism that impacts the people of the State of Washington.

SUPPORT AND VALUE OUR EMPLOYEES

Create a positive work environment that recognizes employees as its most valuable resource and fosters belonging, integrity, professionalism, civility, and transparency.

1. Enhance our commitment to being an employer of choice by recognizing, celebrating, supporting, and valuing AGO employees.
2. Promote diversity, inclusiveness, and equity throughout the organization to recruit and retain a high quality, highly skilled, and highly effective workforce.
3. Ensure employees have the training, tools, and resources to be successful, efficient, and effective.
4. Promote the health, safety, and well-being of all employees.
5. Promote and advance racial equity throughout the workplace.

Tab B

RECOMMENDATION
SUMMARY





Dollars in Thousands

ABS024 Recommendation Summary
Office of Attorney General
2025 Second Supplemental Budget Session
2025 - Supplemental Budget Request

	FY2 FTEs	General Fund State	Other Funds	Total Funds
CB T0PL Current Biennium Base	1,543.1	91,036	469,771	560,807
2023-25 Current Biennium Total	1,543.1	91,036	469,771	560,807
Total Carry Forward Level	1,543.1	91,036	469,771	560,807
Percent Change from Current Biennium	.0%	.0%	.0%	.0%
Maintenance – Other Changes				
ML 8L Lease Adjustments	0.0	0	57	57
ML VA Modernization of HITS	1.5	1,694	0	1,694
ML VB Public Council Unit Additional EA	0.0	0	500	500
ML VC Charitable Asset Program	0.0	0	100	100
ML VD SB 6146 Tribal Warrants	0.5	114	0	114
ML VE HB 1589 Clean Energy	1.4	0	230	230
ML VF SB 6194 Legislative Employees	1.1	0	179	179
ML VG OSPI Litigation	2.9	0	460	460
Maintenance – Other Total	7.4	1,808	1,526	3,334
Maintenance – Transfers Changes				
ML 9T Transfers	0.0	0	0	0
Maintenance – Transfers Total	0.0	0	0	0
Total Maintenance Level	1,550.5	92,844	471,297	564,141
Percent Change from Current Biennium	.5%	2.0%	.3%	.6%
	0.0	0	0	0
Subtotal - Policy Level Changes	0.0	0	0	0
2023-25 Total Policy Level	1,550.5	92,844	471,297	564,141
Percent Change from Current Biennium	.5%	2.0%	.3%	.6%

ABS024 Recommendation Summary
Office of Attorney General
2025 - Supplemental Budget Request
Dollars in Thousands

ML 8L Lease Adjustments

The Attorney General's Office (AGO) requests funding for additional capacity and safety issues within the AGO Spokane office. AGO would add approximately 3,000 square feet of space to the Spokane office, at an annual cost of \$57,000 in FY 2025. This would enable the AGO Spokane Division (SPO) to assist other AGO divisions in order to house staff in Spokane. Funding would also increase safety, as this request would secure access for only AGO employees.

ML VA Modernization of HITS

The Attorney General's Office (AGO) requests funding for software and support services that will allow the AGO to enhance the search capabilities of data collected on homicide and sexual assault investigations. The AGO collects and stores data on homicides and sexual assaults. Software is used to search the data to identify connections between violent crimes and to provide historical data that can contribute to solving both active and cold cases investigated by Washington law enforcement. The AGO needs to replace the current antiquated search software that is more than 20 years old with modern more powerful software that can produce better search results.

ML VB Public Council Unit Additional EA

The Attorney General's Office (AGO) Public Counsel Unit (PCU) requests funding for additional expenditure authority to represent residential and small business utility customers in utility rate cases and other important complex matters. Additional resources are necessary to effectively advocate for customers and strengthen customer protections. Additional funding will allow PCU to address a wider variety of issues, including but not limited to litigation of cases, policy matters, and utility advisory groups. With additional resources, millions of Washington ratepayers will benefit from the level of advocacy the Legislature intended in matters of significant public importance.

ML VC Charitable Asset Program

The Attorney General's Office (AGO) Charitable Asset Protection Program (CAPP) for Non-Profit Corporations is seeking additional expenditure authority. Activities are assumed funded with the new Charitable Asset Protection Account (CAPA) created in RCW 24.03A.960.

ML VD SB 6146 Tribal Warrants

The Attorney General's Office (AGO) Policy Division (POL) requests funding consistent with a fiscal note request during the 2024 legislative session for SB 6146. The bill assigns new work to the AGO, including serving on a workgroup for the Governor Office and developing a process in the AGO to review the certification of federally recognized tribes under the Tribal Law and Order Act (TLOA). The AGO identified funding needs to execute and implement this legislation's mandate, but was not funded during the 2024 legislative session.

ML VE HB 1589 Clean Energy

The passage of ESHB 1589 has increased the demand for The Attorney General's Office (AGO) Utilities and Transportation Commission Division (AGO-UTC) and Public Counsel Unit (PCU) legal services. These increased demands include advising the Utilities and Transportation Commission (UTC) on a variety of rulemakings or policy statements required by law as well as ongoing legal support requirements.

ML VF SB 6194 Legislative Employees

ABS024 Recommendation Summary
Office of Attorney General
2025 - Supplemental Budget Request
Dollars in Thousands

The passage of SB 6194 has increased the demand for the Attorney General’s Office (AGO) Labor and Personnel Division (LPD) legal services. These increased demands include advising the Public Employment Relations Commission (PERC) and the Office State Legislature Labor Relations (LLR). AGO requests funding for an additional FTE in FY 2025 to provide ongoing legal services to PERC and LLR relating to recent legislation that provides for the potential unionization of certain employees of the State Legislature.

ML VG OSPI Litigation

This request is to fund the defense of a lawsuit and the increased need for advice relating to an increase in complex Public Records Act (PRA) related issues. The Office of the Superintendent of Public Instruction (OSPI) has been litigating two cases that require dedicated time and resources and have resulted in increased legal needs and associated costs. This request will provide funding for resources needed to continue funding OPSI’s audit resolution case that seeks to recoup over \$4 Million dollars that Summit Public Schools are alleged to have improperly received and advise on complex PRA related issues.

ML 9T Transfers

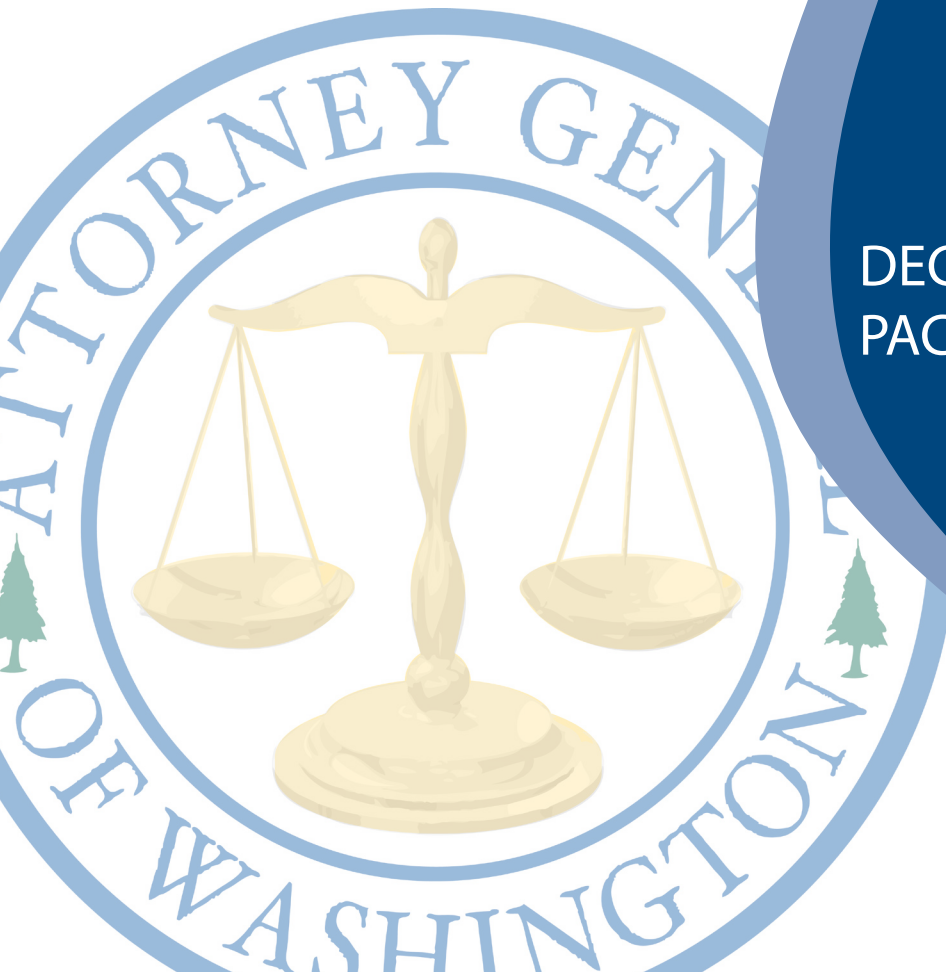
A technical correction is required for the Washington Water Law Legal Primer and the Legal Matter Management System (LMMS). The funding for this work was provided to the Attorney General’s Office (AGO) in the 2024 Supplemental. The work is not due or scheduled to be done until the end of FY 2025. The AGO is requesting the \$491,000 be transferred from FY 2024 to FY 2025.

Report Number: ABS024

Input Parameters	Entered as
Session	2025 Supplemental
Agency	100
Version Source	A
Version	2025
Version Option	(None)
Program	Agency Level
Roll Up	N
Include Budget Level Detail	CL,ML,PL
Include Text	Y
For Word	N
Display Parameter Page	Y

Tab C

DECISION
PACKAGES



2025 SUPPLEMENTAL BUDGET REQUEST

Office of the Attorney General

Decision Package Summary

ML Priority			
Type	Rec Sum	DP Title	Priority
ML	VA	Modernization of HITS	
ML	VB	Public Council Unit Additional EA	
ML	VC	Charitable Asset Program	
ML	VD	SB 6146 Tribal Warrants	
ML	VE	HB 1589 Clean Energy	
ML	VF	SB 6194 Legislative Employees	
ML	VG	OSPI Litigation	
ML	8L	Lease Adjustment	
ML	9T	Technical Correction	



Agency Recommendation Summary

The Attorney General’s Office (AGO) requests funding for software and support services that will allow the AGO to enhance the search capabilities of data collected on homicide and sexual assault investigations. The AGO collects and stores data on homicides and sexual assaults. Software is used to search the data to identify connections between violent crimes and to provide historical data that can contribute to solving both active and cold cases investigated by Washington law enforcement. The AGO needs to replace the current antiquated search software that is more than 20 years old with modern more powerful software that can produce better search results.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2024	2025	2023-25	2026	2027	2025-27
Staffing						
FTEs	0.0	1.5	0.75	1.5	1.5	1.5
Operating Expenditures						
Fund 001 - 1	\$0	\$1,694	\$1,694	\$794	\$768	\$1,562
Total Expenditures	\$0	\$1,694	\$1,694	\$794	\$768	\$1,562

Decision Package Description

In 1990, the Legislature enacted the Community Protection Act in response to violent crimes receiving a lot of public attention at that time. This included serial murderers such as Ted Bundy and the Green River Killer (at that time still unidentified); and notorious violent crimes committed against young children by rapists such as Earl Shriver. The Community Protection Act included statutory provisions intended to both protect the community and help solve violent crimes. Some of these provisions included the mandatory collection of DNA samples from convicted violent offenders, sex offender registration, and funding for a database of homicide investigations to be maintained by the AGO: the Homicide Investigations Tracking System (HITS). The 1990 Legislature recognized that serial offenders like Bundy and the Green River Killer did not confine themselves to geographic boundaries and consequently police agencies in one part of the state might be unaware that similar crimes were being committed in another part of the state. That recognition remains true today.

The Legislature’s intention in creating the HITS database was to provide a searchable database of information for Washington law enforcement to better identify connections between separately investigated violent crimes.

The AGO’s HITS team has carried out that mission for the past 34 years. HITS investigators collect data on every homicide committed in Washington for which they are aware and enter that information into the HITS database. In addition to data from homicide investigations, the HITS database also receives regular downloads of information from the Department of Licensing (DOL), such as driver and vehicle information used for the limited purpose of solving violent crimes; offender information from the Department of Corrections (DOC); and sex offender registration information from the Washington State Patrol (WSP).

AGO staff use software to search the HITS database. Police investigating an unsolved homicide or sexual assault can have the AGO search the HITS database for similar cases that might identify a suspect. Police can also have the database searched for historical information, such as vehicle information that might identify a vehicle connected to a violent crime investigation that has gone cold. The AGO has a data-sharing agreement with the Oregon State Police (OSP) that gives OSP access to HITS data for limited investigative purposes.

AGO staff initially used comparatively rudimentary searching software available in the 1990’s to search the HITS database, which was then replaced by new software in 2000. HITS continues to use the same software purchased in 2000, which has not been updated or supported by its manufacturer for many years. This software is outdated and its lack of support by the manufacturer makes its life-expectancy unknown. When the software stops working, as it will eventually, the AGO would lose its ability to fully search the HITS database. Recognizing this impending problem, the AGO began looking for new software in 2019. The AGO identified numerous potential replacement products, but they were all considerably more expensive than the 20-year-old product that remains in use. The AGO selected a software product from the list of

candidates, Neo4j, and contracted with Neo4j to develop software for HITS in 2019. A lengthy software project ensued that was dramatically interrupted by the COVID-19 pandemic. However, in 2022 the project resumed in earnest and after several years of development the product, Criminal Investigations Data Search Tool, is expected to be in use by the AGO by the end of 2024.

Neo4j and comparable products are much more expensive than products available 24 years ago. The software in use for the past 24 years costs \$2,700 per FY year but is not supported or updated. Licenses for Neo4j—which requires an annual subscription—are presently \$504,000 per year. Use of Neo4j is not limited to HITS. The AGO has two ongoing federal grant projects under the federal Sexual Assault Kit Initiative (SAKI) that will benefit from Neo4j or future similar products. The first SAKI project used federal grant funds, in conjunction with state legislative funds allocated to the same project, to test Washington’s backlog of previously unsubmitted sexual assault kits. The AGO’s SAKI project began in 2017 and in late 2023 testing of the backlog of approximately 10,000 previously unsubmitted kits was completed. As a result of that project, thousands of DNA profiles were uploaded to the national DNA database (CODIS) and the AGO has accumulated a robust set of data regarding these kits. The AGO continues to collect data on what happens to these cases after a DNA “hit” is returned, which data is also stored in the database. The Criminal Investigations Data Search Tool can be used to search this database as well.

The second part of the SAKI project is “Lawfully Owed DNA.” Since 1990, Washington law has required the collection of DNA samples from certain convicted offenders. County courts and local law enforcement have processes in place to collect the DNA that is owed but the offender doesn’t always provide their DNA to the court or law enforcement. Over many decades, tens of thousands of convicted offenders did not have their DNA samples collected at time of sentencing as required. Consequently, the DNA profiles of many of these offenders are not in the national DNA database (CODIS) and cannot be used to compare their DNA profiles to DNA profiles from sexual assault kits and crime scene evidence. The AGO’s SAKI Team is attempting to locate offenders and collect collection these DNA samples using federal grant funds. Over 3,000 DNA samples have been collected since these efforts began in 2019. Data and information from this project are also saved in a database that could be searched by the Criminal Investigations Data Search Tool. This project remains ongoing, and the 2024 Legislature permanently funded the SAKI Team as a state-funded unit so that it can continue its work after the federal grant concludes. While the federal grant funds that initially created and sustained the AGO’s SAKI Team are expiring, the work of the unit is not.

The Criminal Investigations Data Search Tool was developed to search the HITS database and SAKI databases. Ongoing conversations between the AGO and Neo4j have identified numerous additional ways to enhance searches of the databases.

We will also explore utilizing the software to search databases of information that we expect to create from the work of the AGO’s new Missing and Murdered Indigenous Persons (MMIWP) Cold Case Team, which was created and funded by the 2023 Legislature. The AGO’s MMIWP Cold Case Team is actively investigating numerous cases and will continue to collect and create data.

Funding for the continued use of search software such as the Criminal Investigations Data Search Tool, will allow the AGO to explore the application of the software to the work of our Major Economic Crimes Unit to search for connections between individuals, businesses, and bank accounts in complex financial investigations.

There is currently insufficient funding in the AGO’s budget to cover the cost of this software and its ongoing development and support. The AGO requests an allocation of state general funds to continue the AGO’s ability to use modern software to search its robust databases of violent crime investigations information.

Assumptions and Calculations

Historical Funding:

Dollars in Thousands:

FY 2024

FTE = 0.5

Total Funds = \$82
 Near General Fund = \$0
 Other Funds = \$82

FY 2025
 FTE = 0.5
 Total Funds = \$82
 Near General Fund = \$0
 Other Funds = \$82

Expansion, Reduction, Elimination or Alteration of a current program or service:

This proposal replaces a product that cost approximately \$2,700 per FY (\$5,400 per biennium). However, the manufacturer has not supported the product for many, many years and it will eventually stop working. There are no comparably priced products on the market that serve AGO business needs in this area after an extensive search for one.

Detailed Assumptions and Calculations:

Currently there is no funding in the AGO’s budget to cover the cost of the software described herein or ongoing technical development and support for the software. The software purchased in 2000 is outdated and unsupported and cost the AGO \$2,700 per year. A search by AGO ISD in 2019 and 2020 for a comparable product concluded that there was no comparable product available at that cost. More powerful modern search software simply costs exponentially more than it did 24 years ago, but also provides greater search capabilities.

The AGO requests ongoing funding to continue its ability to search the robust HITS and SAKI databases of violent crime information with modern software. FY 2025 \$504,000 for payment of the annual licenses necessary to use the software; \$100,000 for the AGO to provide necessary transition and support services for the new product and engage with Neo4j when their expertise is necessary; \$600,000 as a one-time expenditure for enhancements (expanded search functionality) to the current Neo4j product that have been identified by ISD, Neo4j, and CRJ; \$250,000 to purchase new servers to accommodate this software and data as existing servers will reach the end of their lifecycle and funding for 1.5 Information Services Division (ISD) employees to provide IT data management and IT system administration for this new technology.

FY 2025: \$1,694,000 for 1.0 IT Data Management (ITDM), 0.5 IT System Admin (ITSA), which includes \$1,454,000 for upgrades, licenses, and on-going support.

Workforce Assumptions:

FTE detail is provided, Dollars in Thousands:

FTE	FY 2025	FY 2026	FY 2027	FY 2028	Ongoing ? Y / N
IT Systems Admin FTE	0.5	0.5	0.5	0.5	Y
Object A & B	73	73	73	73	
IT Data Management FTE	1.0	1.0	1.0	1.0	Y
Object A & B	145	145	145	145	
TOTAL FTE	1.5	1.5	1.5	1.5	
TOTAL A & B	218	218	218	218	

Strategic and Performance Outcomes

Strategic Framework:

This request supports Goals 1, 3, and 5 of the AGO’s Priority to “Protect the People”:

1. Defend civil rights and stand up for vulnerable Washingtonians.
3. Promote good government.
5. Strive for greater public safety and justice for all Washington communities.

If funded, the proposal would allow the AGO to purchase software that can enhance the ability of Washington law enforcement to stand up for vulnerable Washingtonians by solving their murders and other violent crimes against them. The proposal promotes good government—it harnesses cutting edge technology to better use the robust data the AGO has collected to solve violent crimes. The proposal itself strives to achieve greater public safety and justice for all Washingtonians.

Activity and Performance Measure costs are provided, Dollars in Thousands:

Activity	Fund	FY 2025	FY 2026	FY 2027	FY 2028
003 - Criminal Investigation and Prosecution	001-1	1,694	794	768	1,045
TOTAL		1,694	794	768	1,045

Performance Measure	Fund	FY 2025	FY 2026	FY 2027	FY 2028
0021: HITS Requests from Law Enforcement	001-1	1,694	794	768	1,045
TOTAL		1,694	794	768	1,045

Performance Measures	Incremental Changes 2024	Incremental Changes 2025	Incremental Changes 2026	Incremental Changes 2027
000021 - HITS Requests from Law Enforcement	0	0	0	0

Performance Outcomes:

Incremental impact for this performance measure is indeterminate.

Equity Impacts

Community Inputs and Incorporation:

N/A as this request funds software to continue to protect all Washingtonians.

Community Outreach and Engagement:

Improving the ability of law enforcement to hold those who prey upon members of historically marginalized communities accountable for their crimes will bring greater justice to those victims and thereby improve equity in our state.

Disproportional Impact Considerations:

N/A as this request funds software to continue to protect all Washingtonians.

Target Populations or Communities:

The proposal seeks funding for software that can allow law enforcement to solve more unsolved violent crimes, which disproportionately involve victims from historically marginalized communities.

Other Collateral Connections

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

There is no fiscal or other impact to tribal, regional, county, or city government from this proposal. As noted, the proposal would allow better searching of the HITS database, which is of use to all Washington law enforcement. No opposition on policy grounds is anticipated.

Stakeholder Response:

There are no client agencies involved in this proposal and there is no known opposition to this request.

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

While there is no legal or administrative mandate, the 1990 Legislature did task the AGO with collecting data on all homicide investigations. That data is robust but relatively useless if it cannot be searched. This proposal allows search of the database with modern software search technology.

HEAL Act Agencies Supplemental Questions:

N/A

Governor's Salmon Strategy:

N/A

Reference Documents

[2025 Supplemental_TM_CRJ_Modernization of HITS_ID addendum survey 9.6.24.pdf](#)

[Moderization of HITS IT worksheet.xlsx](#)

IT Addendum

Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?

Yes

Objects of Expenditure

Objects of Expenditure <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2024	2025	2023-25	2026	2027	2025-27
Obj. A	\$0	\$169	\$169	\$169	\$169	\$338
Obj. B	\$0	\$49	\$49	\$49	\$49	\$98
Obj. E	\$0	\$1,475	\$1,475	\$575	\$549	\$1,124
Obj. G	\$0	\$1	\$1	\$1	\$1	\$2

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Agency Recommendation Summary

The Attorney General’s Office (AGO) Public Counsel Unit (PCU) requests funding for additional expenditure authority to represent residential and small business utility customers in utility rate cases and other important complex matters. Additional resources are necessary to effectively advocate for customers and strengthen customer protections. Additional funding will allow PCU to address a wider variety of issues, including but not limited to litigation of cases, policy matters, and utility advisory groups. With additional resources, millions of Washington ratepayers will benefit from the level of advocacy the Legislature intended in matters of significant public importance.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2024	2025	2023-25	2026	2027	2025-27
Operating Expenditures						
Fund 111 - 1	\$0	\$500	\$500	\$500	\$500	\$1,000
Total Expenditures	\$0	\$500	\$500	\$500	\$500	\$1,000

Decision Package Description

The Attorney General’s Office (AGO) Public Counsel Unit (PCU) represents residential and small business customers of state-regulated, investor-owned utilities in proceedings before the Utilities and Transportation Commission (UTC), courts, and the legislature. Regulated utilities provide essential services to millions of Washington residents across the state, including many living paycheck-to-paycheck, making PCU’s work critically important. Over the last 15 years, PCU has faced increased demands as utility filings have proliferated in number and complexity. In the 1990s, utilities only periodically filed rate cases. Currently, utilities file rate cases with much more regularity and sometimes almost annually. This frequent filing of rate cases taxes the regulatory system and the parties who regularly participate. In addition, the number and character of the issues raised is increasing. It is common to have a 50-plus page issues list containing dozens of issues in a general rate case.

The legislature directed the AGO to “represent and appear for the people of the state of Washington” in regulatory matters under Title 80 and 81 RCW. (RCW 80.01.100, 80.04.510, and 81.04.500.). The AGO provides captive utility customers with a public advocate to represent their collective interests in matters that include electricity and natural gas rate cases, telecommunications service cases, public utility regulation, and related environmental issues. Utility customers are “captive” because utilities are natural monopolies, leaving customers only one option for utility service. PCU is authorized by statute to participate, in water, transportation, and pipeline matters before the UTC.

Regulated utilities have considerable resources and control all the information to advocate for rate increases and other regulatory outcomes favorable to their business interests. Industrial and commercial customers have resources to advocate for their unique interests, which can be averse to smaller scale customers. The UTC, or its staff, cannot effectively represent residential and small business customers because the UTC bears the duty to balance all interests while regulating in the public interest, and as a result, cannot advocate specifically on behalf of ratepayers, regulated entities, or other entities.

Expert witnesses play a crucial role in PCU’s consumer advocacy, and PCU’s need for experts has increased with the frequency and complexity of cases. For example, in complex rate proceedings, expert witnesses provide opinion, insight, and analysis that are crucial to effective advocacy on behalf of ratepayers and is necessary to achieve outcomes that balance the interests of captive customers along with other interests.

Prior to the 2018 Supplemental Budget, PCU’s expert witnesses funding had remained essentially flat over the last decade. PCU has been able to increase its use of expert witnesses through funding provided by the 2018 Supplemental Budget, and this has allowed PCU to provide more complete ratepayer advocacy.

In a complex case, major parties including PCU present multiple witnesses on a variety of technical topics. Each witness produces testimony and exhibits that are voluminous and detailed. For example, over the first year of the 2017-19 biennium, PCU presented 17 witnesses in four major cases, including Puget Sound Energy’s (PSE) recent rate case. PCU’s witnesses presented 894 pages of written testimony and 196 exhibits.

PCU's attorney and regulatory analyst staff must review each piece of evidence before submitting it to the UTC to ensure the highest quality customer advocacy.

Compared to other states, Washington invests less in protecting the interests of captive utility customers. This request will bring Washington closer to parity with other states. The table below shows the annual budget, staffing levels, and annual expert funding for Washington and comparably sized states

<u>State</u>	<u>Population</u>	<u>Annual Budget</u>	<u>Staff: Total</u>	<u>Staff: Attorney</u>	<u>Annual Expert Funding</u>
Washington	7,812,850	\$ 2,324,500	10	3	\$ 355,714
Massachusetts (AG)	7,001,399	\$ 4,939,320	23	16	\$2,253,720
Missouri	6,196,156	\$ 1,400,000	14	5	\$ 20,000
Maryland	6,180,253	\$ 8,224,401	27	18	\$ 3,300,000
Colorado	5,877,160	\$ 3,400,000	20	5	\$150,000

PCU's workload has increased in volume and complexity. Regulated energy utilities are filing rate cases almost on an annual basis. For example, Avista filed rate cases in 1998, 1999, 2001, 2004, 2005, 2007, 2008, 2009, 2010, 2011, 2012, 2014, 2015, 2016, and 2017. Prior to 1998, Avista's last rate case was filed in 1990 for electric rates.

Similarly, PSE filed general rate cases in 2001, 2004, 2005 (power cost only), 2006, 2007, 2009, 2010 (gas only), 2011, 2014 (power cost only), and 2017. Prior to 2001, PSE's last electric rate case was filed in 1992.

Utilities are also filing other regulatory proceedings, such as requests to waive merger requirements, requests to approve mergers or other changes in ownership, requests to offer new services, and requests to conduct pilot programs. Each of these filings require expertise and advocacy to ensure positive outcomes for Washington's ratepayers. This proposal will help PCU meet its broad responsibilities in representing utility customers in the following areas:

1. Expansion of baseline regulatory work, including rate cases, major transactions, policy dockets (rulemakings and industrywide investigations), enforcement cases, ongoing compliance and regulatory review dockets. For example, electric utilities will file for UTC approval of electric vehicle programs, which will impact charges to customers. Other matters involve mergers and acquisitions, utility resource planning, industry-wide discussions regarding methodologies used to determine the cost of serving each customer class, dockets to address changes in federal income tax legislation, and utility infrastructure investments.
2. More complex rate cases, with rate increase requests based on newer ratemaking mechanisms, such as expedited rate relief, rate plans, and infrastructure replacement programs. PCU requires additional resources to fully analyze and address these issues on behalf of ratepayers.
3. Introduction of new utility business models that affect customer privacy and service reliability issues, including deployment of smart meters and the capabilities the meters provide, the impact of small-scale renewable energy projects that allow customers the ability to generate electricity, and new business ventures unrelated to the provision of utility service.

Without increased funding, PCU's ability to meet its statutory obligation to appear before the UTC in these and all matters affecting ratepayers is diminished, leaving millions of Washingtonians without a public advocate in very significant matters of public importance.

The subject matter is specialized and technical, and the increased volume of work has been, and is expected to continue to be, ongoing. Funding

for PCU comes from the Public Service Revolving Account (PSRA), which is earmarked to pay for regulation of utility companies. The funding is provided by an assessment on utility company revenue, and the utilities collect the assessment from their customers in rates. PCU does not receive an appropriation of General Fund dollars.

Assumptions and Calculations

Historical Funding:

Dollars in Thousands:

FY 2024

FTE = 10.1

Total Funds = \$2,178

Near General Fund = \$0

Other Funds 111 = \$2,178

FY 2025

FTE = 10.1

Total Funds = \$2,173

Near General Fund = \$0

Other Funds 111 = \$2,173

Expansion, Reduction, Elimination or Alteration of a current program or service:

This is not an expansion or alteration of the current program. Funding is needed to meet the growing demand for PCU's services and related litigation costs in the 2023-25 biennium and in each biennium thereafter.

Detailed Assumptions and Calculations:

PCU expects to participate in at least nine significant cases over the 2025-27 biennium. Because energy companies file general rate cases on a near annual basis, PCU anticipates that PSE, Avista, Pacific Power and Light (PPL), or Cascade Natural Gas (CNG) will file a general rate case in the 2025-27 biennium.

PCU anticipates participating in a docket involving a merger, acquisition, or other sale that must be approved by the UTC. PCU also anticipates participating in dockets addressing cost recovery for major utility plant, including PSE's proposed liquefied natural gas plant and costs associated with clean up and decommissioning the Colstrip coal-fired electric generation plant in Montana. The UTC will likely conduct at least two significant ratemaking policy dockets. The UTC currently has rulemakings and policy dockets on its procedural rules, utility acquisition planning and requests for proposals, advanced metering infrastructure (smart meters), and electric vehicles.

Captive residential and small business ratepayers are entitled to the same quality of advocacy as the regulated companies and other parties. In each litigation case, PCU expects the regulated utility to present testimony from expert witnesses to support their requests. Other parties, including large customers and UTC staff, also will present expert witness testimony. Testimony from expert witnesses provide analysis and argument that can influence the outcome of a regulatory proceeding, and PCU requires adequate staffing to manage the necessary expert testimony before the UTC.

Litigated cases that will reasonably occur during the 2025-27 biennium include the following:

Carry-over cases from prior biennium, including rate cases anticipated from:

Avista General Rate Case
CNG General Rate Case
PPL General Rate Case
PSE General Rate Case
Northwest Natural Gas (NWNNG) General Rate Case
Proceeding addressing Colstrip coal-fired electric generation plant decommissioning and remediation
Proceeding addressing PSE's liquefied natural gas plant additions

PCU's work directly affects millions of Washington residents and their essential services. Households and small businesses throughout the state are consumers of regulated electric, natural gas, and/or telecommunication services and are represented by PCU. With respect to energy companies, PSE has over one million customers in Western Washington, primarily in the Puget Sound region. Avista serves approximately 600,000 customers in Eastern Washington and is headquartered in Spokane. PPL serves 126,000 customers in south-central Washington including Yakima and Walla Walla Counties. CNG serves 250,000 customers located in a non-contiguous service territory throughout Western and south-central Washington that includes 95 cities. NWNNG serves 66,000 customers in Clark County and points along the Columbia River. PCU's work affects the rates these consumers pay and the quality of service these consumers receive.

By advocating on behalf of ratepayers, PCU ensures that the UTC has a full opportunity to consider ratepayer interests when deciding whether, and to what extent, a utility can increase its rates. PCU's advocacy has helped save ratepayers millions of dollars annually. For example, PCU advocated that the UTC should deny Avista's 2016 request to increase electric and natural gas rates by \$54 million annually. The UTC denied Avista's request, which was consistent with PCU's advocacy. In Avista's 2017 rate case PCU, and other parties, opposed Avista's request to establish a multi-year rate plan that would have increased rates each year automatically. PCU offered several arguments against the rate plan, which the UTC expressly acknowledged when it rejected the rate plan. PCU petitioned for judicial review of the UTC's use of an attrition adjustment in Avista's 2015 rate case. The Court of Appeals agreed with PCU and held that the UTC's decision violated RCW 80.04.250, and reversed and remanded the order.

Workforce Assumptions:

N/A

Strategic and Performance Outcomes

Strategic Framework:

Relationship to Results Washington:

Goal 2 – Prosperous Economy

Helping to keep utility rates paid by residential and small business customers reasonable and affordable is a positive economic factor for family and business budgets.

Goal 3 – Sustainable Energy and a Clean Environment

PCU will have an enhanced ability to (1) address environmental issues in utility matters, such as issues regarding coal-fired generation and closure of such plant, (2) advocate for energy efficiency as a clean, low-cost resource, (3) evaluate and comment on utility resource acquisition plans, and (4) advocate for appropriate distributed energy policies that benefit customers (e.g., solar).

Goal 5 – Efficient, Effective, and Accountable Government

Increasing resources for customer representation will contribute to the responsiveness and effectiveness of the state regulatory process in protecting customers and ensuring fair, just, reasonable, and sufficient rates, adequate service, and the pursuit of clean energy goals.

Relationship to AGO Strategic Plan:

Priority – Protect the People

Goal 2: Protect Washington’s Environment and Public Health

2-2-1 Protect the Environment and Public Health: Ensure the AGO continues to be a national leader in enforcing laws designed to protect our environment and the health of Washingtonians. Coordinate the AGO’s Natural Resource and Environmental Divisions and help harmonize legislative and policy efforts that support the office’s environmental work and goals, and to identify future environmental initiatives where enforcement gaps exist.

This request supports 2-2-1 of the AGO Strategic Plan because additional funding will allow PCU to more adequately address environmental issues presented in regulatory matters. Additionally, issues related to coal plant electric generation are becoming more prevalent and frequent, requiring more expert witness resources and staffing capabilities.

Goal 3: Promote Good Government

2-3-5 Support Washington’s Infrastructure: Provide a full range of legal services to the state’s transportation and utility agencies, boards, and commissions.

This request supports 2-3-5 of the AGO Strategic Plan because additional funding will allow PCU to present more thorough evidence and analysis on a wider range of issues, allowing the UTC to have the best record on which to base its decisions. Providing the UTC with an adequate record will benefit consumers because it will ensure that the decision-makers are taking into consideration multiple viewpoints and are receiving sufficient data.

Goal 4: Protect All Washington Consumers

2-4-3 Protect Washington ratepayers: Vigorously represent the public interest in the full range of proceedings before the UTC. Advocate for additional resources from the legislature to ensure that the public interest is appropriately represented in these proceedings. Represent customers of Washington’s investor-owned utilities in proceedings to reduce carbon emissions through an orderly transition away from coal-fired electricity generation. Work to ensure customers have the benefit of environmental protections and reliable, affordable utility service.

This request supports 2-4-3 of the AGO’s Strategic Plan because additional funding will allow PCU to adequately represent Washington consumers in utility proceedings and to address environmental issues presented in utility matters.

Activity and Performance Measure costs are provided, Dollars in Thousands:

Activity	Fund	FY 2025	FY 2026	FY 2027	FY 2028
A0011 - Representing Rate Payers	111-1	500	500	500	500
TOTAL		500	500	500	500

Performance Measure	Fund	FY 2025	FY 2026	FY 2027	FY 2028
2531 - Consumer Utility Rate Savings	111-1	500	500	500	500
TOTAL		500	500	500	500

Performance Measures	Incremental Changes 2024	Incremental Changes 2025	Incremental Changes 2026	Incremental Changes 2027
002531 - Consumer Utility Rate Savings	\$0	\$0	\$0	\$0

Performance Outcomes:

Incremental impact for this performance measure is indeterminate.

Equity Impacts

Community Inputs and Incorporation:

N/A as this request is to cover increased expert costs to protect vulnerable communities.

Community Outreach and Engagement:

N/A as this request is to cover increased expert costs to protect vulnerable communities.

Disproportional Impact Considerations:

N/A as this request is to cover increased expert costs to protect vulnerable communities.

Target Populations or Communities:

PCU advocates for all ratepayers, including those most impacted by escalating household utility bills. It is uniquely situated to protect vulnerable communities, advance energy policies that favor disadvantaged populations and communities, and to provide a check on industry.

Other Collateral Connections

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

This request impacts the UTC, which is the administrative agency for Fund 111-1 PSRA.

Stakeholder Response:

This additional funding request is supported by Washington's labor, environmental, and business communities. The following is the AGO's current understanding of stakeholder positions:

UTC: PCU is a statutory party to UTC proceedings as legal counsel representing customer interests in the regulatory process. PCU's advocacy adds significant value to UTC regulatory proceedings by presenting legal and factual analysis and recommendations from a residential and small business perspective. That perspective, which is not presented comprehensively by any other party, helps to ensure a balanced and comprehensive record on which the UTC to base its decision. The UTC has been concerned about the sufficiency of the PSRA.

The following organization supported similar funding requests in 2016 and 2017:

Washington State Labor Council (Labor / Middle-income Advocates)

Washington Environmental Council (Environmental)

Industrial Customers of NW Utilities (ICNU) (Industrial Customers)

Washington Retail Association (Business Community)

Washington State Heating, Ventilation & Air Conditioning Contractors Association (WA HVACCA) (Business Community)

The following organizations are expected to be supportive of, or not oppose, the request:

Northwest Industrial Gas Users (NWIGU) (Industrial Customers)

The Energy Project (Consortium of Community Action Agencies) (Low-income Advocates)

Spokane Neighborhood Action Partners (SNAP; Community Action Agency) (Low-income Advocates)
Northwest Energy Coalition (Environmental)
Sierra Club (Environmental)

There is no known opposition to this request.

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

N/A

HEAL Act Agencies Supplemental Questions:

N/A

Governor's Salmon Strategy:

N/A

IT Addendum

Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?

No

Objects of Expenditure

Objects of Expenditure <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2024	2025	2023-25	2026	2027	2025-27
Obj. C	\$0	\$500	\$500	\$500	\$500	\$1,000

Agency Contact Information

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Agency Recommendation Summary

The Attorney General’s Office (AGO) Charitable Asset Protection Program (CAPP) for Non-Profit Corporations is seeking additional expenditure authority. Activities are assumed funded with the new Charitable Asset Protection Account (CAPA) created in RCW 24.03A.960.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2024	2025	2023-25	2026	2027	2025-27
Operating Expenditures						
Fund 25V - 1	\$0	\$100	\$100	\$100	\$100	\$200
Total Expenditures	\$0	\$100	\$100	\$100	\$100	\$200

Decision Package Description

The Attorney General’s Office (AGO) established the Charitable Asset Protection Program (CAPP) in response to the passage of SB 5034 during the 2021 Legislative session (RCW 24.03A). The program was initially funded for \$672,000 in each FY. This request is for an additional \$100,000 in each year to continue to cover operating expenses.

Legal services continue to include, but are not limited to:

1. Taking all actions, including legal research, investigation, litigation, or other appropriate actions necessary to review and approve gift restrictions.
2. Review, approve or object to merger transactions.
3. Review, approve or object to domestication and conversion transactions.
4. Review, approve or object to review plans for distribution of property held for charitable purposes, including upon voluntary dissolution of the nonprofit corporation.
5. Recommend and seek judicial dissolution of nonprofit entities where necessary and supported by law.
6. Investigate entities, participate in actions, and initiate enforcement actions where necessary, including actions filed under the Trust and Estate Dispute Resolution Act (TEDRA), RCW 11.96A.
7. Conduct preliminary review of notices submitted by nonprofit corporations.
8. Taking action where notice to AGO is required.
9. Conduct preliminary research into entity or transaction,
10. Track, organize, and file notices submitted to the AGO.
11. Manage litigation precipitated by failure to comply with the act.
12. Provide investigative tasks such as witness interviews and document collection.

The Legislature’s 2021 adoption of RCW 24.03A, the revised Nonprofit Corporations Act (NPCA), went into effect January 2022, created additional responsibilities for the AGO to include review of a significant number of notices from nonprofit corporations and charitable trusts and substantial investigative and enforcement authority under the act.

The NPCA also created a Charitable Asset Protection Account (CAPA) funded through additional fees paid by nonprofit corporations to the Secretary of State (SOS). Per the NPCA, the account is in the custody of the State Treasurer but only the AGO may authorize expenditures. Funds are to be used to enforce the NPCA and other related Acts, review and address notices and requests, and advancing the Charitable Solicitation Education Program outlined in RCW 19.09.510 and .530.

This proposal expands the existing ad hoc charities and nonprofit work done by the Consumer Protection Division (CPR) to account for the additional responsibilities created by the NPCA.

Assumptions and Calculations

Historical Funding:

Dollars in Thousands:

FY 2024

FTE = 4.4

Total Funds = \$672

Near General Fund = \$0

Other Funds 25V = \$672

FY 2025

FTE = 4.4

Total Funds = \$672

Near General Fund = \$0

Other Funds 25V = \$672

Expansion, Reduction, Elimination or Alteration of a current program or service:

This proposal does not expand or alter the current program; it is an expenditure authority increase for maintenance level operations.

Detailed Assumptions and Calculations:

The CAPP requires \$100,000 in FY 2025 and in each FY thereafter for continued maintenance level operations.

Workforce Assumptions:

N/A

Strategic and Performance Outcomes

Strategic Framework:

Results Washington:

Goal – Prosperous Economy

Goal – Efficient, Effective, and Accountable Government

AGO Strategic Plan:

Strategic Goal 2-4 Protect All Washington Consumers

Strategic Objective 2-4-1 Enforce the laws that protect consumers and improve consumer awareness

Activity and Performance Measure costs are provided, Dollars in Thousands:

Activity	Fund	FY 2026	FY 2027	FY 2028	FY 2029
A0001 - Administration	25V	100	100	100	100
TOTAL		100	100	100	100

Performance Measure	Fund	FY 2026	FY 2027	FY 2028	FY 2029
PM 2534 Direct Restitution Provided to Consumers through Litigation and Complaint Resolution	25V	100	100	100	100
TOTAL		100	100	100	100

Performance Measures	Incremental Changes 2024	Incremental Changes 2025	Incremental Changes 2026	Incremental Changes 2027
002534 - Direct Restitution Provided to Consumers through Litigation and Complaint Resolution	\$0	\$0	\$0	\$0

Performance Outcomes:

Incremental impact for this performance measure is indeterminate.

Equity Impacts

Community Inputs and Incorporation:

N/A as this request is for additional spending authority to continue to enforce the NPCA, the Charitable Trust Act (and related acts), and the Charitable Solicitations Act.

Community Outreach and Engagement:

N/A as this request is for additional spending authority to continue to enforce the NPCA, the Charitable Trust Act (and related acts), and the Charitable Solicitations Act.

Disproportional Impact Considerations:

The AGO is charged with supervising the charities sector through the NPCA, Charitable Trust Act (and related acts), and the Charitable Solicitations Act. The AGO is the only party charged with reviewing notices from nonprofits and trusts and is typically the only party withstanding to take enforcement action against charities and their leaders when they violate the acts. Funding Consumer Protection's efforts in the charities and nonprofit sector through the CAPP is, therefore, critical to those communities that rely on the support of charities and nonprofits.

Target Populations or Communities:

Charitable nonprofit corporations provide a much-needed safety net for the most vulnerable members of our community. They also provide community and support for minority groups of all types. Throughout the entire state, charities provide food, clothing, shelter, medical and psychological services, education, social enrichment, childcare, and more. The management and funding of these vital programs are almost entirely reliant on donations from the public and the good will of volunteer directors and officers. Most participants in the nonprofit sector are well-intentioned and hard-working. However, sometimes, bad-faith actors and neglect places the charities – and the donating public – at risk.

Other Collateral Connections

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

N/A

Stakeholder Response:

Members of the nonprofit community especially the Washington State Bar Association (WSBA) subcommittee on nonprofit corporations and the Nonprofit Association of Washington, have repeatedly expressed support for the AGO’s active participation in the oversight, intervention, and education of charities and nonprofits. In fact, the WSBA subcommittee proposed the revised NPCA to the legislature after working on it for more than a decade.

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

N/A

HEAL Act Agencies Supplemental Questions:

N/A

Governor's Salmon Strategy:

N/A

IT Addendum

Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?

No

Objects of Expenditure

Objects of Expenditure <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2024	2025	2023-25	2026	2027	2025-27
Obj. E	\$0	\$100	\$100	\$100	\$100	\$200

Agency Contact Information

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Agency Recommendation Summary

The Attorney General’s Office (AGO) Policy Division (POL) requests funding consistent with a fiscal note request during the 2024 legislative session for SB 6146. The bill assigns new work to the AGO, including serving on a workgroup for the Governor’s Office and developing a process in the AGO to review the certification of federally recognized tribes under the Tribal Law and Order Act (TLOA). The AGO identified funding needs to execute and implement this legislation’s mandate, but was not funded during the 2024 legislative session.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2024	2025	2023-25	2026	2027	2025-27
Staffing						
FTEs	0.0	0.5	0.25	0.0	0.0	0.0
Operating Expenditures						
Fund 001 - 1	\$0	\$114	\$114	\$0	\$0	\$0
Total Expenditures	\$0	\$114	\$114	\$0	\$0	\$0

Decision Package Description

The overview of the law that passed (SB 6146) is as follows:

Washington State has assumed criminal jurisdiction over tribal members and Indian territory. This assumption of jurisdiction does not apply to tribal members when on their tribal lands or allotted lands within an established Indian reservation. The governing body of a tribe may request its people and lands be subject to the criminal jurisdiction of Washington State to the full extent authorized by federal law by submitting a resolution to that effect to the Governor who then must issue a proclamation stating that such jurisdiction applies to all tribal members and all Indian territory, reservations country, and lands of the Indian body involved to the same extent that Washington exercises criminal jurisdiction elsewhere in the state. There are 29 federally recognized Indian tribes within the state of Washington, many of which have agreed, by treaty and through practice, not to shelter or conceal individuals who violate state law and to surrender them to the state for prosecution.

Under SB 6146, there are non-certified and certified tribes, consistent with the federal Tribal Law and Order Act (TLOA), codified at 25 U.S.C. Sec. 1302. A non-certified tribe is defined as a federally recognized tribe located within the borders of Washington State that is requesting a tribal fugitive be surrendered to the duly authorized agent of the tribe, but has not received approval to exercise jurisdiction under the TLOA, nor been certified by the tribal state court consortium as meeting the requirements of TLOA, and which has agreed by treaty or practice not to shelter or conceal offenders against the laws of the state of Washington, but to deliver them to the state authorities for prosecution. Separately a certified tribe is defined as a federally recognized tribe located within the borders of Washington State that has either received federal approval to exercise jurisdiction under TLOA or has otherwise met the requirements of TLOA as certified by the AGO, and which has agreed by treaty or practice not to shelter or conceal offenders against the laws of the state of Washington but to deliver them to state authorities for prosecution.

This bill created a procedure for state law enforcement officers to enforce the arrest warrants of certified tribes. The arrest warrants of certified tribes must be accorded full faith and credit by state courts and state law enforcement officers, meaning such courts and officers must treat the arrest warrant of a certified tribe as if it were a Washington State arrest warrant. When a Washington State law enforcement officer arrests a person pursuant to the tribal arrest warrant of a certified tribe, if no other grounds for detention exists under state law, the officer must contact the tribal law enforcement agency that issued the warrant to establish the warrant's validity. Places of detention within the state must allow certified tribes to place a hold on any inmate subject to a tribal arrest warrant of a certified tribe and require the place of detention to notify the tribe when the release of the person is imminent.

This bill also created a procedure for state law enforcement officers to enforce the arrest warrants of non-certified tribes, that does not impact this decision package memo.

Under this law, the Governor's Office will convene an implementation work group to develop processes and recommendations as needed to ensure the successful implementation of this act, including verification and processing of warrants under this act. The AGO must sit and participate in this work group. In particular, the bill mandates that the AGO shall receive the certification documentation indicating that the tribe meets the requirements of the TLOA and review the documentation to confirm that it is complete according to the information provided in the documentation.

The Attorney General's Office (AGO) Policy Division (POL) will participate in a work group and implement new requirements as defined by SB 6146. That work will require Special Assistant Attorney General (SAAG) services to advise on the nexus of criminal and tribal law. This expertise does not otherwise exist in the agency and is necessary to implement the law.

Assumptions and Calculations

Historical Funding:

Dollars in Thousands:

FY 2024

FTE = 0

Total Funds = \$0

Near General Fund = \$0

Other Funds = \$0

FY 2025

FTE = 0

Total Funds = \$0

Near General Fund = \$0

Other Funds = \$0

Expansion, Reduction, Elimination or Alteration of a current program or service:

N/A

Detailed Assumptions and Calculations:

Total workload impact in this request includes standard assumption costs for goods & services, travel, and capital outlays for all FTE identified.

Agency administration support FTE are included in the tables. The Management Analyst 5 FTE (MA) is used as a representative classification. An example ratio is for every 1.0 Assistant Attorney General FTE (AAG), the AGO includes 0.5 Paralegal 1 FTE (PL1) and 0.35 MA.

A Senior Policy Analyst FTE (PA) will be required to participate in the workgroup meetings through December 1, 2024 and coordinate internally to provide feedback. To advise on the implementation of Section 3 of SB 6146, ADM will need \$50,000 in SAAG costs.

ADM: Total King County workload impact:

FY 2025: \$114,000 for 0.3 PA, which includes \$50,000 in SAAG costs.

AGO ADM activities are funded with General Fund-State dollars. There is no appropriate client agency to bill for legal services.

Workforce Assumptions:

FTE detail is provided, Dollars in Thousands:

FTE	FY 2025	FY 2026	FY 2027	FY 2028	Ongoing ? Y / N
MA5 FTE	0.1				N
Object A & B	16				
Policy Analyst FTE	0.3				N
Object A & B	43				
TOTAL FTE	0.4	0.0	0.0	0.0	
TOTAL A & B	59	0	0	0	

Strategic and Performance Outcomes

Strategic Framework:

Results Washington:

SB 6146 is consistent with the core value, “people matter,” indicating Washington State recognizes the importance of the lived human experience of our partners. This bill centers the lived experience of tribal partners in trying to uphold the public safety of Washington State, while maintaining tribal sovereignty. The bill aims to help find a uniform solution to help reduce confusion in engaging with state governmental processes, and within the confines of federal law.

AGO Strategic Plan:

This request supports Goals 1, 3, and 5 of the AGO’s Priority to “Protect the People”:

1. Defend civil rights and stand up for vulnerable Washingtonians.
3. Promote good government.
5. Strive for greater public safety and justice for all Washington communities.

This funding request is consistent with “serve the state” and “protect the people” in the AGO Strategic Plan. Under serve the state, employees are expected to “proactively engage in risk management efforts to reduce the state’s liability and improve outcomes for the public,” this bill will help law enforcement work with tribes to ensure that individuals are held accountable for the crimes they commit. Further, under protect the people, employees are expected to “strive for greater public safety and justice for all Washington communities,” by working consistently and collaboratively with tribes to develop a uniform process to recognize certified tribes and their jurisdiction within the state, this bill achieves that goal.

Activity and Performance Measure costs are provided, Dollars in Thousands:

Activity	Fund	FY 2025	FY 2026	FY 2027	FY 2028
A 001 - Administration	001-1	114			
TOTAL		114	-	-	-

Performance Measure	Fund	FY 2025	FY 2026	FY 2027	FY 2028
2539 - Cases Open at the End of Fiscal Year	001-1	114			
TOTAL		114	-	-	-

Performance Measures	Incremental Changes 2024	Incremental Changes 2025	Incremental Changes 2026	Incremental Changes 2027
002539 - Cases Open at End of Fiscal Year	0	0	0	0

Performance Outcomes:

Incremental impact for this performance measure is indeterminate.

Equity Impacts

Community Inputs and Incorporation:

N/A

Community Outreach and Engagement:

N/A

Disproportional Impact Considerations:

N/A

Target Populations or Communities:

This is not an AGO proposal, but the legislation states, “The legislature recognizes that the 29 federally recognized Indian tribes with territory inside the state of Washington have a shared interest with the state in public safety, and that continued and expanded cooperation with tribal justice systems will promote that interest. [...] In the interests of public safety and partnership, it is therefore the intent of the legislature to create uniform processes by which the state may consistently reciprocate with tribes the return of those individuals who violate tribal law and seek to avoid tribal justice systems by leaving tribal jurisdiction” (<https://lawfilesexternal.wa.gov/biennium/2023-24/Pdf/Bills/Session%20Laws/Senate/6146-S.SL.pdf?q=20240805113405>).

Other Collateral Connections

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

N/A

Stakeholder Response:

Federally recognized tribes and local law enforcement are impacted by this proposal.

State Facilities Impacts:

N/A

Changes from Current Law:

The overview of the law that passed (SB 6146) is as follows:

Washington State has assumed criminal jurisdiction over tribal members and Indian territory. This assumption of jurisdiction does not apply to tribal members when on their tribal lands or allotted lands within an established Indian reservation. The governing body of a tribe may request its people and lands be subject to the criminal jurisdiction of Washington State to the full extent authorized by federal law by submitting a resolution to that effect to the Governor who then must issue a proclamation stating that such jurisdiction applies to all tribal members and all Indian territory, reservations country, and lands of the Indian body involved to the same extent that Washington exercises criminal jurisdiction elsewhere in the state. There are 29 federally recognized Indian tribes within the state of Washington, many of which have agreed, by treaty and through practice, not to shelter or conceal individuals who violate state law and to surrender them to the state for prosecution.

Under SB 6146, there are non-certified and certified tribes, consistent with the federal Tribal Law and Order Act (TLOA), codified at 25 U.S.C. Sec. 1302. A non-certified tribe is defined as a federally recognized tribe located within the borders of Washington State that is requesting a tribal fugitive be surrendered to the duly authorized agent of the tribe, but has not received approval to exercise jurisdiction under the TLOA, nor been certified by the tribal state court consortium as meeting the requirements of TLOA, and which has agreed by treaty or practice not to shelter or conceal offenders against the laws of the state of Washington, but to deliver them to the state authorities for prosecution. Separately a certified tribe is defined as a federally recognized tribe located within the borders of Washington State that has either received federal approval to exercise jurisdiction under TLOA or has otherwise met the requirements of TLOA as certified by the AGO, and which has agreed by treaty or practice not to shelter or conceal offenders against the laws of the state of Washington but to deliver them to state authorities for prosecution.

This bill created a procedure for state law enforcement officers to enforce the arrest warrants of certified tribes. The arrest warrants of certified tribes must be accorded full faith and credit by state courts and state law enforcement officers, meaning such courts and officers must treat the arrest warrant of a certified tribe as if it were a Washington State arrest warrant. When a Washington State law enforcement officer arrests a person pursuant to the tribal arrest warrant of a certified tribe, if no other grounds for detention exists under state law, the officer must contact the tribal law enforcement agency that issued the warrant to establish the warrant's validity. Places of detention within the state must allow certified tribes to place a hold on any inmate subject to a tribal arrest warrant of a certified tribe and require the place of detention to notify the tribe when the release of the person is imminent.

This bill also created a procedure for state law enforcement officers to enforce the arrest warrants of non-certified tribes, that does not impact this decision package memo.

Under this law, the Governor's Office will convene an implementation work group to develop processes and recommendations as needed to ensure the successful implementation of this act, including verification and processing of warrants under this act. The AGO must sit and participate in this work group. In particular, the bill mandates that the AGO shall receive the certification documentation indicating that the tribe meets the requirements of the TLOA and review the documentation to confirm that it is complete according to the information provided in the documentation.

Legal or Administrative Mandates:

The bill language was not proposed by the Washington State Missing and Murdered Indigenous Women and People (MMIWP) Task Force, but it is consistent with their work on MMIWP and was discussed in MMIWP subcommittees, the idea is to ensure tribes can prosecute people who commit crimes in tribal communities.

HEAL Act Agencies Supplemental Questions:

N/A

Governor's Salmon Strategy:

N/A

IT Addendum

Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?

No

Objects of Expenditure

Objects of Expenditure <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2024	2025	2023-25	2026	2027	2025-27
Obj. A	\$0	\$45	\$45	\$0	\$0	\$0
Obj. B	\$0	\$13	\$13	\$0	\$0	\$0
Obj. C	\$0	\$50	\$50	\$0	\$0	\$0
Obj. E	\$0	\$6	\$6	\$0	\$0	\$0

Agency Contact Information

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Agency Recommendation Summary

The passage of ESHB 1589 has increased the demand for The Attorney General’s Office (AGO) Utilities and Transportation Commission Division (AGO-UTC) and Public Counsel Unit (PCU) legal services. These increased demands include advising the Utilities and Transportation Commission (UTC) on a variety of rulemakings or policy statements required by law as well as ongoing legal support requirements.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2024	2025	2023-25	2026	2027	2025-27
Staffing						
FTEs	0.0	1.4	0.7	1.9	2.2	2.05
Operating Expenditures						
Fund 111 - 1	\$0	\$142	\$142	\$215	\$215	\$430
Fund 405 - 1	\$0	\$88	\$88	\$88	\$148	\$236
Total Expenditures	\$0	\$230	\$230	\$303	\$363	\$666
Revenue						
405 - 0420	\$0	\$88	\$88	\$88	\$148	\$236
Total Revenue	\$0	\$88	\$88	\$88	\$148	\$236

Decision Package Description

ESHB 1589 significantly altered the regulatory framework for “large combination utilities,” which are utilities that provide both electric and natural gas service to more than a specified number of customers.

ESHB 1589’s passage will require the Utilities and Transportation Commission (UTC) to promulgate rules concerning utility planning. Prior to ESHB 1589’s passage, those utilities needed to submit to the UTC a variety of plans aimed at ensuring resource adequacy and meeting the state’s energy policy goals. ESHB 1589 allows UTC to relieve large combination utilities of the need to file those individual plans and instead replacing them with an “integrated system plan.” ESHB 1589 requires UTC to adopt the rules necessary for the consolidation of the planning requirements by July 1, 2025, with the possibility of a single ninety-day extension to that deadline for good cause, and the order adopting the rules must provide guidance on how to comply with the new requirements.

ESHB 1589 will require rulemakings or policy statements ancillary to the one concerning planning processes. These include rules prescribing the method for evaluating the cost effectiveness of decarbonization efforts and a policy statement concerning the accounting consolidation of a large combination utility’s electric and gas rate base (property used to serve the public).

This request will fund the Attorney General’s Office (AGO) Utilities and Transportation Commission Division (AGO-UTC) and Public Counsel Unit (PCU) as it represents and supports UTC as it adopts those rules and issues the associated guidance and policy statements. AGO-UTC has no available alternatives as it is statutorily required to represent UTC and UTC is either statutorily required to adopt rules and issue guidance or believes that guidance is appropriate given the changes in the regulatory framework.

Assumptions and Calculations

Historical Funding:

Dollars in Thousands:

FY 2026

FTE = 0

Total Funds = \$0

Near General Fund = \$0
Other Funds = \$0

FY 2027
FTE = 0
Total Funds = \$0
Near General Fund = \$0
Other Funds = \$0

Expansion, Reduction, Elimination or Alteration of a current program or service:

This budget request will fund required AGO requirements for FY 2025 rulemakings. One being the rulemaking concerning the modification of a large combination utility’s planning requirements and the adoption of requirements for an integrated system plan. The other being the rule to adopt a methodology for determining the cost-effectiveness of decarbonization efforts, as well as advising UTC on the guidance it will provide concerning complying with the new regulatory framework, either through a rule adoption order or through a policy statement.

Detailed Assumptions and Calculations:

Location of staffing is assumed to be in a King County and non-King County office building.

Total workload impact in this request includes standard assumption costs for goods & services, travel, and capital outlays for all FTE identified.

Agency administration support FTE are included in the tables. The Management Analyst 5 FTE (MA) is used as a representative classification. An example ratio is for every 1.0 Assistant Attorney General FTE (AAG), the AGO includes 0.5 Paralegal 1 FTE (PL1) and 0.35 MA.

Assumptions for the AGO-UTC Division Legal Services for UTC:

This request assumes that UTC will open two rulemakings that will span 2024 and 2025. One will concern the consolidation of a large combination utility’s planning requirements into an integrated system plan. The other will concern the cost-effectiveness test used to measure decarbonization efforts. This request assumes that UTC will need to provide legal and policy guidance about changes to the planning process in the order adopting rules in the first of the rulemakings identified about. Finally, this request assumes that UTC will issue a policy statement about consolidation of large combination utility rate base. AGO-UTC assumes rulemaking and advice will require 0.3 AAG and 0.2 PL1.

AGO-UTC: Total non-King County workload impact:

FY 2025: \$88,000 for 0.3 AAG and 0.2 PL1
FY 2026: \$88,000 for 0.3 AAG and 0.2 PL1
FY 2027: \$148,000 for 0.5 AAG and 0.3 PL1
FY 2028: \$148,000 for 0.5 AAG and 0.3 PL1

Assumptions for PCU Legal Services:

Beginning FY 2025 PCU’s expert consultation will assist with UTC rulemaking(s) regarding expertise in electrification and decarbonization requirements. PCU assumes \$20,000 in contracts for experts in FY 2025. During FY 2025, UTC rulemaking(s) will take place, and PCU will be an active participant. PCU assumes expert consultation, rulemaking advice and expert contract costs will require 0.3 AAG, 0.1 PL2, 0.1 PL1, 0.3 Regulatory Analyst (RA), and \$20,000 in contracts for experts.

PCU: Total King County workload impact:

FY 2025: \$142,000 for 0.3 AAG, 0.1 PL2, 0.1 PL1, and 0.3 RA, which includes direct litigation costs of \$20,000.
FY 2026 and 2027: \$215,000 for 0.3 AAG, 0.3 PL2, 0.2 PL1, and 0.5 RA, which includes direct litigation costs of \$25,000 in both years.

Total AGO workload impact:

FY 2025: \$230,000 for 0.6 AAG, 0.1 PL2, 0.3 PL1, and 0.3 RA, which includes direct litigation costs of \$20,000.

FY 2026: \$303,000 for 0.6 AAG, 0.3 PL2, 0.3 PL1, and 0.5 RA, which includes direct litigation costs of \$25,000.

FY 2027: \$363,000 for 0.8 AAG, 0.3 PL2, 0.4 PL1, and 0.5 RA, which includes direct litigation costs of \$25,000.

FY 2028: \$148,000 for 0.5 AAG and 0.3 PL1.

Workforce Assumptions:

FTE detail is provided, Dollars in thousands:

FTE		FY 2025	FY 2026	FY 2027	FY 2028	Ongoing ? Y / N
AAG	FTE	0.6	0.6	0.8	0.5	Y
	Object A & B	95	104	138	85	
PL1	FTE	0.3	0.3	0.4	0.3	Y
	Object A & B	28	30	40	24	
PL2	FTE	0.1	0.3	0.3		Y
	Object A & B	11	28	28		
INV	FTE					
	Object A & B					
MA5	FTE	0.2	0.2	0.3	0.2	Y
	Object A & B	23	26	35	22	
Regulat Analyst 2	FTE	0.3	0.5	0.5		Y
	Object A & B	30	58	58		
TOTAL FTE		1.5	1.9	2.3	0.9	
TOTAL A & B		187	246	299	131	

Strategic and Performance Outcomes

Strategic Framework:

Results Washington Outcome Measures:

This budget request advances Results Washington’s Goal of “Sustainable Energy” and a “Clean Environment” (Goal 3). This budget request will fund advice to the UTC for rulemakings aimed at decarbonization (reduced greenhouse gas emissions) and the continued procurement of renewable energy by large combination utilities.

AGO Strategic Plan:

This request advances the AGO’s strategic goal of serving the state. Subgoal 1 therein requires the AGO to “deliver high quality, timely, and efficient legal services.” The request achieves exactly that. It also advances subgoal 2, which requires the AGO to “improve the lives of Washingtonians by advising our clients in achieving their missions.” Again, this request will fund the advising of the UTC as it carries out its statutory duties. This budget request also advances the AGO’s strategic goal of protecting the people. Subgoal 2 there calls on the AGO to “protect Washington’s environment and public health and support its environmental justice goals.” The request will fund legal advice for rulemakings and policy guidance intended to transition Washington’s largest utility to a carbon-neutral or carbon free energy supply and advance equity efforts.

Activity and Performance Measure costs are provided, Dollars in thousands:

Activity	Fund	FY 2025	FY 2026	FY 2027	FY 2028
0011 - Representing Ratepayers	405	88	88	148	148
0011- Representing Ratepayers	111	142	215	215	
TOTAL		230	303	363	148

Performance Measure	Fund	FY 2025	FY 2026	FY 2027	FY 2028
2531 - Consumer Utility Rate Savings	405	88	88	148	148
2531 - Consumer Utility Rate Savings	111	142	215	215	
TOTAL		230	303	363	148

Performance Measures	Incremental Changes 2024	Incremental Changes 2025	Incremental Changes 2026	Incremental Changes 2027
002531 - Consumer Utility Rate Savings	\$0	\$0	\$0	\$0

Performance Outcomes:

Incremental impact for this performance measure is indeterminate.

Equity Impacts

Community Inputs and Incorporation:

N/A

Community Outreach and Engagement:

N/A

Disproportional Impact Considerations:

N/A

Target Populations or Communities:

This request does not, itself, have any equity impact. The UTC's actions (the underlying rulemakings and policy statements) should be equity neutral. Some of the planning documents consolidated into the integrated system plan have equity requirements. But the integrated system plan has its own equity requirements, so the requirements are carried forward in a different document rather than eliminated.

Other Collateral Connections

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

The supplemental does not, itself, have any impact on other governmental entities, including tribal, governments. The underlying UTC rulemakings and policy statements also should not impact other governmental entities.

Client Billing costs are provided, Dollars in thousands:

Client	Fund	FY 2025	FY 2026	FY 2027	FY 2028
UTC (215)	405	88	88	148	148
TOTAL		88	88	148	148

Stakeholder Response:

There is no known opposition to this request currently. Funding this request would have no effect on other stakeholders, in and of itself. The underlying UTC proceedings would affect large combination utilities, ratepayers thereof, and to some extent, tribal entities (some of whom have members who are ratepayers of large combination utilities) and environmental groups (who have an interest in decarbonization efforts).

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

The proposal is in response to a statutory amendment (ESHB 1589).

HEAL Act Agencies Supplemental Questions:

Please see reference documents.

Governor's Salmon Strategy:

N/A

Reference Documents

[2025-2027 HEAL Act Template_Toxic Cleanup Program Clean Energy Supplemental.docx](#)

IT Addendum

Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?

No

Objects of Expenditure

Objects of Expenditure <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2024	2025	2023-25	2026	2027	2025-27
Obj. A	\$0	\$143	\$143	\$188	\$229	\$417
Obj. B	\$0	\$43	\$43	\$58	\$70	\$128
Obj. C	\$0	\$20	\$20	\$25	\$25	\$50
Obj. E	\$0	\$22	\$22	\$30	\$37	\$67
Obj. G	\$0	\$2	\$2	\$2	\$2	\$4

Agency Contact Information

Edd Giger
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Agency Recommendation Summary

The passage of SB 6194 has increased the demand for the Attorney General’s Office (AGO) Labor and Personnel Division (LPD) legal services. These increased demands include advising the Public Employment Relations Commission (PERC) and the Office of State Legislature Labor Relations (LLR). AGO requests funding for an additional FTE in FY 2025 to provide ongoing legal services to PERC and LLR relating to recent legislation that provides for the potential unionization of certain employees of the State Legislature.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2024	2025	2023-25	2026	2027	2025-27
Staffing						
FTEs	0.0	1.1	0.55	1.1	0.0	0.55
Operating Expenditures						
Fund 405 - 1	\$0	\$179	\$179	\$179	\$0	\$179
Total Expenditures	\$0	\$179	\$179	\$179	\$0	\$179
Revenue						
405 - 0420	\$0	\$179	\$179	\$179	\$0	\$179
Total Revenue	\$0	\$179	\$179	\$179	\$0	\$179

Decision Package Description

SB 6194 passed without funding during the 2024 Legislative Session and the Attorney General’s Office (AGO) Labor and Personnel Division (LPD) has experienced an increased demand for legal services from Public Employment Relations Commission (PERC) and the Office of State Legislature Labor Relations (LLR). This has involved advice and consultation related to the potential unionization of certain employees of the State Legislature and advice for other ongoing labor issues. This increased workload is projected and anticipated through FY 2026. Additional funding will allow the AGO to continue to effectively serve PERC and LLR while meeting their legal service needs.

Assumptions and Calculations

Historical Funding:

Dollars in Thousands:

FY 2024

FTE = 0

Total Funds = \$ 1 (CLSA Employee Classification Adjustments in 2025-27 CFL)

Near General Fund = \$ 0

Other Funds = \$1

FY 2025

FTE = 0

Total Funds = \$ 0

Near General Fund = \$ 0

Other Funds = \$ 0

Expansion, Reduction, Elimination or Alteration of a current program or service:

This is new work for the LPD due to the passage of SB 6194 and it has increased the demand for litigation and advice legal services by PERC and LLR. This request assumes the increased demand for legal services will continue through FY 2026. This additional funding will support 0.6 Assistant Attorney’s General (AAG) and 0.3 Paralegal 1 (PL1).

Detailed Assumptions and Calculations:

It is anticipated that LPD will continue to provide ongoing advice and litigation support related to ongoing collective bargaining issues.

AGO Agency Assumptions:

Agency administration support FTE are included in the tables, for every 1.0 AAG, the AGO includes a 0.5 PL1 and a 0.35 Management Analyst 5 FTE (MA). The MA is used as a representative classification.

Total workload impact in this request includes standard assumption costs for good & services, travel, and capital outlays for all FTE identified.

Total FTE and cost assumptions (non-Seattle rate) are:

FY 2025: \$179,000 for 0.6 AAG and 0.3 PL1

It is anticipated that LPD will continue to provide ongoing advice and litigation support related to ongoing collective bargaining issues.

Workforce Assumptions:

FTE detail is provided, Dollars in thousands:

FTE		FY 2025	FY 2026	FY 2027	FY 2028	Ongoing ? Y / N
AAG	FTE	0.6	0.6			
	Object A & B	102	102			
LA	FTE					
	Object A & B					
PL	FTE	0.3	0.3			
	Object A & B	30	30			
INV	FTE					
	Object A & B					
MA5	FTE	0.2	0.2			
	Object A & B	28	28			
Other (describe)	FTE					
	Object A & B					
TOTAL FTE		1.1	1.1	0.0	0.0	
TOTAL A & B		160	160	0	0	

Strategic and Performance Outcomes

Strategic Framework:

This request supports the Results Washington goal of being efficient, effective, and accountable in the way that the AGO provides legal services.

This request supports the AGO Strategic Plan by providing the staffing needed to provide excellent, independent, and ethical legal advice and representation to our client.

Activity and Performance Measure costs are provided, Dollars in thousands:

Activity	Fund	FY 2025	FY 2026	FY 2027	FY 2028
A010 - Legal Services to State Agencies	405	179			
TOTAL		179	-	-	-

Performance Measure	Fund	FY 2025	FY 2026	FY 2027	FY 2028
TOTAL		-	-	-	-

Performance Measures	Incremental Changes 2024	Incremental Changes 2025	Incremental Changes 2026	Incremental Changes 2027
002539 - Cases Open at End of Fiscal Year	0	0	0	0

Performance Outcomes:

Incremental impact for this performance measure is indeterminate.

Equity Impacts

Community Inputs and Incorporation:

N/A

Community Outreach and Engagement:

N/A

Disproportional Impact Considerations:

N/A

Target Populations or Communities:

LPD advice and litigation services support protection of state employee rights in organizing and collectively bargaining with the employer. This proposal will have a statewide impact as it accommodates a sustained increase in legal service needs, both for advice and litigation for PERC and LLR. Increased funding will ensure AGO's ability to provide comprehensive and timely legal services, thereby assisting PERC and LLR in furtherance of that agency's statewide mission to protect the public through its role.

Other Collateral Connections

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

Client Billing costs are provided, Dollars in thousands:

Client	Fund	FY 2025	FY 2026	FY 2027	FY 2028
LLR	405	179			
TOTAL		179	-	-	-

Stakeholder Response:

There is no known opposition to this request at this time..

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

N/A

HEAL Act Agencies Supplemental Questions:

N/A

Governor's Salmon Strategy:

N/A

IT Addendum

Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?

No

Objects of Expenditure

Objects of Expenditure <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2024	2025	2023-25	2026	2027	2025-27
Obj. A	\$0	\$122	\$122	\$122	\$0	\$122
Obj. B	\$0	\$37	\$37	\$37	\$0	\$37
Obj. E	\$0	\$19	\$19	\$19	\$0	\$19
Obj. G	\$0	\$1	\$1	\$1	\$0	\$1

Agency Contact Information

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Agency Recommendation Summary

This request is to fund the defense of a lawsuit and the increased need for advice relating to an increase in complex Public Records Act (PRA) related issues. The Office of the Superintendent of Public Instruction (OSPI) has been litigating two cases that require dedicated time and resources and have resulted in increased legal needs and associated costs. This request will provide funding for resources needed to continue funding OSPI's audit resolution case that seeks to recoup over \$4 Million dollars that Summit Public Schools are alleged to have improperly received and advise on complex PRA related issues.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2024	2025	2023-25	2026	2027	2025-27
Staffing						
FTEs	0.0	2.9	1.45	2.9	1.5	2.2
Operating Expenditures						
Fund 405 - 1	\$0	\$460	\$460	\$460	\$231	\$691
Total Expenditures	\$0	\$460	\$460	\$460	\$231	\$691
Revenue						
405 - 0420	\$0	\$460	\$460	\$460	\$231	\$691
Total Revenue	\$0	\$460	\$460	\$460	\$231	\$691

Decision Package Description

The Office of the Superintendent of Public Instruction (OSPI) allocates and distributes state funds to local education agencies, including school districts and charter public schools. This funding is calculated using established formulas and data submitted by each local education agency. Part of OSPI's fiscal responsibility includes auditing local education agencies to make sure that funds were properly received and recover funds, when appropriate.

OSPI v. Summit Public Schools is an audit resolution proceeding, prompted by findings by the Washington State Auditor's Office and validated by OSPI. In this case, OSPI seeks to recoup over \$4 Million in state funding that three Summit charter schools are alleged to have received due to improper reporting that inflated the schools' appropriation amounts. This case has been heavily litigated and is scheduled for hearing in September 2024. The case has been continued twice before. Assuming that the hearing is held as scheduled, it is anticipated that post-hearing briefing will be required and, depending on the outcome, an appeal would be likely and would cross into the next biennium.

OSPI has also seen an increase in the number and complexity of public records requests (PRR). The number of PRR received by OSPI significantly increased in 2023. *Cf.* 1,169 PRR in 2023; 768 in 2022; and 828 in 2021. This has resulted in an increased need for legal advice to help OSPI balance the privacy interests of individuals and students engaging in Washington's education system against the right of the public to access education and related records. In FY 2024, OSPI needed 81.7 hours of public records related advice. This is expected to increase to 144 hours in FY 2025. Allocation of resources designed to foster Public Records Act (PRA) compliance is fiscally prudent given the significant exposure that can arise when non-compliance with the PRA occurs.

This package is being presented as a joint request with OSPI, to defend a case concerning the fiscal safeguarding of scarce resources available for Washington's schools. Additionally, investment of legal resources in support of PRA compliance supports the nuanced analysis necessary to preserve individual privacy interests while complying with the PRA. For purposes of this package request, failure to mount a robust defense is assumed to have the potential for significant impact on education funding.

Assumptions and Calculations

Historical Funding:

Dollars in Thousands:

FY 2026
 FTE = 0
 Total Funds = \$0
 Near General Fund = \$0
 Other Funds = \$0

FY 2027
 FTE = 0
 Total Funds = \$0
 Near General Fund = \$0
 Other Funds = \$0

Funding was previously provided as one-time.

Expansion, Reduction, Elimination or Alteration of a current program or service:

This request will support the efforts already underway by the Attorney General’s Office (AGO) in these cases to ensure that OSPI’s legal positions are well presented before the court. The OSPI’s budget for legal services is inadequate to support the costs of the identified litigation and increased need for public records advice; in FY 2023 OSPI’s legal costs increased to \$978,767 largely due to litigation and advice in the special education context, an increase from the \$552,895 billed in FY 2022. FY 2024 costs increased to \$1,224,952 and it is anticipated that FY 2025 will be similar to those incurred in FY 2024.

Detailed Assumptions and Calculations:

OSPI and the AGO are requesting funding for continued litigation of *OSPI v. Summit Public Schools* and advice on PRR.

Workforce Assumptions:

FTE detail is provided, Dollars in thousands:

FTE	FY 2025	FY 2026	FY 2027	FY 2028	Ongoing ? Y / N
AAG FTE	1.5	1.5	0.8		N
Object A & B	267	267	133		
LA FTE					
Object A & B					
PL FTE	0.8	0.8	0.4		N
Object A & B	76	76	39		
INV FTE					
Object A & B					
MA5 FTE	0.6	0.6	0.3		N
Object A & B	67	67	34		
Other (describe) FTE					
Object A & B					
TOTAL FTE	2.9	2.9	1.5	0.0	
TOTAL A & B	410	410	206	0	

Strategic and Performance Outcomes

Strategic Framework:

Results Washington Outcome Measures:

This budget request supports the Governor’s Results Washington priorities of:

Goal 1: World-class education: Providing every Washingtonian a world-class education that prepared him or her for a healthy and productive life, including success in job or career, in the community and as a lifelong learner

Goal 5: Efficient, Effective and Accountable Government: Fostering a Lean culture that drives accountability and results for the people of Washington

AGO Strategic Plan: This request supports the following portions of the AGO Strategic Plan.

Priority – Serve the State

Goal 1—Deliver high quality, timely, and efficient legal services.

Effectively defending litigation initiated against the State is a product of delivering quality, timely and efficient legal services.

Priority – Protect the People

Goal 3—Promote Good Government

Activity and Performance Measure costs are provided, Dollars in thousands:

Activity	Fund	FY 2025	FY 2026	FY 2027	FY 2028
A010 - Legal Services to State Agencies	405	460	460	231	
TOTAL		460	460	231	-

Performance Measure	Fund	FY 2025	FY 2026	FY 2027	FY 2028
PM 2539 Cases Open at End of Fiscal Year	405	460	460	231	
TOTAL		460	460	231	-

Performance Measures	Incremental Changes 2024	Incremental Changes 2025	Incremental Changes 2026	Incremental Changes 2027
002539 - Cases Open at End of Fiscal Year	0	0	0	0

Performance Outcomes:

Incremental impact for this performance measure is indeterminate.

Equity Impacts

Community Inputs and Incorporation:

N/A, this request is for defense of a lawsuit

Community Outreach and Engagement:

N/A, this request is for defense of a lawsuit

Disproportional Impact Considerations:

N/A, this request is for defense of a lawsuit

Target Populations or Communities:

N/A, this request is for defense of a lawsuit

Other Collateral Connections

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

While the issues in *OSPI v. Summit Public Schools* are uniquely linked to the accuracy or lack thereof of information submitted by Summit Public Schools, the amount of overpayment in and of itself has an impact on available funding throughout the K-12 system.

Billing costs are provided, Dollars in thousands:

Client	Fund	FY2025	FY2026	FY2027	FY2028
OSPI (350)	405	460	460	231	
TOTAL		460	460	231	-

Stakeholder Response:

The client agency, OSPI, supports this request.

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

- OSPI v. Summit Public Schools*
- Washington State Public Records Act, Chapter 42.56 RCW
- The Family Education Rights and Privacy Act, 20 U.S.C. § 1232g (FERPA)

HEAL Act Agencies Supplemental Questions:

N/A

Governor's Salmon Strategy:

N/A

IT Addendum

Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?

No

Objects of Expenditure

Objects of Expenditure <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2024	2025	2023-25	2026	2027	2025-27
Obj. A	\$0	\$316	\$316	\$316	\$159	\$475
Obj. B	\$0	\$94	\$94	\$94	\$47	\$141
Obj. E	\$0	\$47	\$47	\$47	\$24	\$71
Obj. G	\$0	\$3	\$3	\$3	\$1	\$4

Agency Contact Information

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Agency Recommendation Summary

The Attorney General’s Office (AGO) requests funding for additional capacity and safety issues within the AGO Spokane office. AGO would add approximately 3,000 square feet of space to the Spokane office, at an annual cost of \$57,000 in FY 2025. This would enable the AGO Spokane Division (SPO) to assist other AGO divisions in order to house staff in Spokane. Funding would also increase safety, as this request would secure access for only AGO employees.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2024	2025	2023-25	2026	2027	2025-27
Operating Expenditures						
Fund 405 - 1	\$0	\$57	\$57	\$0	\$0	\$0
Total Expenditures	\$0	\$57	\$57	\$0	\$0	\$0

Decision Package Description

The Attorney General’s Office (AGO) Spokane Division (SPO) continues to receive additional FTE stationed out of the Spokane office as other AGO divisions broaden their recruitment territory or look to house existing FTE due to space constraints, particularly in Seattle. SPO FTE count has increased from 126.5 FTE in FY 2022 to 145.5 FTE as of May 2024. SPO currently has the lowest square foot to employee ratio of any AGO building.

During FY 2024, the Spokane office has increased in staff from the following AGO divisions: Criminal Justice Division (CRJ), Complex Litigation Division (COM), and Correction Division (COR). With recruitment issues, many divisions are recruiting in Spokane for positions that were previously filled in Western Washington. During the 2025-27 Biennium, the Consumer Protection Division (CPR) plans to bring four to five FTE to Spokane. Social & Health Services Division (SHS), Labor and Industries Division (LNI), Civil Rights Division (CRD), and Torts Division (TOR) also expect to add additional FTE in Spokane. The Spokane office currently provides office space for one member of the AGO Policy team, and the Regional Services Division’s (RSD) Administrative Office Manager. Finally, SPO provides office space for AGO employees traveling to Eastern Washington.

There are separate tenets who currently lease space on the lower level of the Spokane office, which the landlord is offering to the AGO. Having non-AGO tenets lease this space requires the AGO to leave a door unsecured during office hours for their access. This creates a safety concern. If the AGO adds this space, the Spokane office will be able to secure that door full time, allowing access only to AGO personnel.

In early May of 2024, the Spokane office had a security concern which resulted in directing SPO staff to work in alternate locations for two days as law enforcement interacted with the individual creating the concern. While this specific incident has passed, it is not uncommon for those involved in lawsuits with state agencies to act out against Assistant Attorneys General (AAG). Having the ability to lock this additional door securing AGO space would significantly enhance the safety and security of our employees.

Lastly, SPO staff tend to work in the building three days a week or more. Almost 65 percent of Spokane staff work three days or more per week in the building.

Assumptions and Calculations

Historical Funding:

Dollars in Thousands:

FY 2024

FTE = 0

Total Funds = \$563

Near General Fund = \$14

Other Funds = \$549

FY 2025

FTE = 0

Total Funds = \$663

Near General Fund = \$17

Other Funds = \$646

Expansion, Reduction, Elimination or Alteration of a current program or service:

This request for additional space is to better accommodate our growing workforce and to enhance the safety of AGO staff in the Spokane office.

Detailed Assumptions and Calculations:

FY 2025 and Beyond Lease Assumptions:

Current Lease is \$48,212.50 per month. Current office space is 30,450 square feet, which is \$19 per square foot per year.

Projected expansion is for 3,000 additional square feet, or \$57,000 per FY.

This request includes \$57,000 in FY 2025 for the increase lease cost. Increases for FY 2026 and each year thereafter have been included in the AGO's Lease Adjustment Decision Package for the 2025-27 Biennial Budget Request.

Estimated one-time costs projected for Fiscal Year (FY) 2025:

Description	Cost
A. DES Fees	\$30,000
B. Tenant Improvements (Construction)	\$110,000
C. IT Infrastructure	\$10,000
D. New Furniture Costs	\$75,000
E. Wellness Space/Room	\$8,000
F. Building Security and Access Systems	\$40,000
Total	\$273,000

Assumptions:

- A. DES Fees: Based on a 10-year lease plus tenant improvement charges at market value.
- B. Tenant Improvements (Construction): Costs per square foot. Construction of workspaces to meet the AGO's needs.
- C. IT Infrastructure: Installation of CAT-6 wiring, server and hubs in the building interior. The AGO assumes the necessary IT infrastructure to service the building itself is already in place. We may need to upgrade the network closet room.
- D. New Furniture Costs: Adding new offices and cubicles will require new space. The space will be for 10 offices and five cubicles, and the furniture will be purchased through Correctional Industries.
- E. Wellness Space/Room: Spokane is a large office and does not have a space for staff to take a few minutes to regroup or for nursing mothers to pump. This space would mirror that of other offices and improve employee wellness.
- F. Building Security and Access Systems: Installation of card reader, cameras, software, and other related security measures.

Assumptions:

Workforce Assumptions:

N/A

Strategic and Performance Outcomes

Strategic Framework:

Results Washington Outcome Measures:

(Results Washington): This budget request will support the Governor’s Results Washington priorities of “Healthy and Safety Communities” and “Efficient, Effective, and Accountable Government” by identifying safe and effective office space for the employees of the Spokane AGO.

AGO Strategic Plan:

This budget request is in compliance and supports several key goals identified in the AGO’s Strategic Plan.

Priority - Empower our Employees:

Goal 4 – Ensure employees have the tools and workspace they need to be efficient and effective.

Goal 5 – Promote the health, safety, and well-being of all employees in the workplace.

The Spokane office has been steadily increasing in FTE over the last several years. The size and configuration of the current office space does not adequately provide staff with a working environment that allows staff to perform their jobs as effectively and efficiently. Additionally, one of the floors is a shared floor with public access that could pose a safety risk for AGO staff. This proposal will provide better space for staff while increasing workplace safety.

Base Budget:

The AGO’s base funding includes on average \$592,254 per FY for Spokane leases and parking costs in the 2023-25 biennium. Costs included in this request are estimates specifically expanding our current leased space in Spokane. The new space will increase rent by \$57,000 per FY through the end of the current lease term which ends October 31, 2029. Additional funding for FY 2026 and each FY thereafter outside of this supplemental budget request has been added to the AGO’s Lease Adjustment Decision Package for the 2025-27 Biennial Budget Request.

Activity and Performance Measure costs are provided, Dollars in Thousands:

Activity	Fund	FY 2024	FY 2025	FY 2026	FY 2027
A001 - Administration	405		57		
TOTAL		-	57	-	-

Performance Outcomes:

N/A

Equity Impacts

Community Inputs and Incorporation:

N/A

Community Outreach and Engagement:

N/A

Disproportional Impact Considerations:

N/A

Target Populations or Communities:

The AGO Spokane office is located in downtown Spokane, in an area that is easily accessible to members of the public who need to visit the office for a variety of reasons.

Other Collateral Connections

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

N/A

Stakeholder Response:

There is no known opposition to this request at this time.

State Facilities Impacts:

N/A

Changes from Current Law:

No changes to existing statutes, rules, or contracts are necessary for this funding request.

Legal or Administrative Mandates:

N/A

HEAL Act Agencies Supplemental Questions:

N/A

Governor's Salmon Strategy:

N/A

IT Addendum

Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?

No

Objects of Expenditure

Objects of Expenditure <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2024	2025	2023-25	2026	2027	2025-27
Obj. E	\$0	\$57	\$57	\$0	\$0	\$0

Agency Contact Information

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Office of Attorney General
 2023-25 Second Supplemental Budget Session
 Maintenance Level - 9T - Transfers

Agency Recommendation Summary

A technical correction is required for the Washington Water Law Legal Primer and the Legal Matter Management System (LMMS). The funding for this work was provided to the Attorney General’s Office (AGO) in the 2024 Supplemental. The work is not due or scheduled to be done until the end of FY 2025. The AGO is requesting the \$491,000 be transferred from FY 2024 to FY 2025.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2024	2025	2023-25	2026	2027	2025-27
Operating Expenditures						
Fund 001 - 1	(\$491)	\$491	\$0	\$0	\$0	\$0
Total Expenditures	(\$491)	\$491	\$0	\$0	\$0	\$0

Decision Package Description

GF-State funding was provided for an update to the Washington Water Law Legal Primer in FY 2024. However, the update to the Washington Water Law Legal Primer is not due until June 30, 2025. This request moves the \$50,000 in GF-State from FY 2024 to FY 2025, to complete the update to the Washington Water Law Legal Primer.

GF-State funding was provided for in FY 2024 for the Attorney General’s Office (AGO) new Legal Matter Management System (LMMS) that is currently under Office of the Chief Information Officer (OCIO) oversight. Due to the timing of gate passage, the AGO requests to shift \$441,000 in GF-State from FY 2024 to FY 2025.

Reference documents are included.

Assumptions and Calculations

Historical Funding:

Dollars in Thousands:

FY 2024

FTE = 0

Total Funds = \$7,875

Near General Fund = \$513

Other Funds = \$7,362

FY 2025

FTE = 0

Total Funds = \$7,816,

Near General Fund = \$454

Other Funds = \$7,362

Expansion, Reduction, Elimination or Alteration of a current program or service:

The AGO is not requesting an expansion or alteration of the current programs or services but rather a correction to existing funding for the Washington Water law legal Primer and the LMMS.

Detailed Assumptions and Calculations:

N/A

Workforce Assumptions:

N/A

Strategic and Performance Outcomes

Strategic Framework:

N/A

Performance Outcomes:

N/A

Equity Impacts

Community Inputs and Incorporation:

N/A

Community Outreach and Engagement:

N/A

Disproportional Impact Considerations:

N/A

Target Populations or Communities:

N/A

Other Collateral Connections

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

N/A

Stakeholder Response:

N/A

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

N/A

HEAL Act Agencies Supplemental Questions:

N/A

Governor's Salmon Strategy:

N/A

Reference Documents

[5950-S.SL Water Primer page 52.pdf](#)

[5950-S.SL.pdf](#)

IT Addendum

Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?

No

Objects of Expenditure

Objects of Expenditure <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2024	2025	2023-25	2026	2027	2025-27
Obj. C	(\$491)	\$491	\$0	\$0	\$0	\$0

Agency Contact Information

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Tab D

REVENUE





Dollars in
Thousands

ABS 029 Summarized Revenue by Account and Source
Office of Attorney General
Agency Level
2025-27 Regular Budget Session
2527 - 2025-27 Biennial Request

	Maintenance Level		Policy Level		Annual Totals		Biennial Total
	FY2026	FY2027	FY2026	FY2027	FY2026	FY2027	
001 - General Fund							
0316 - Dept of Justice - F							
UA - SAKI Authority	600	0	0	0			
Total - 0316 - Dept of Justice - F	600	0	0	0	600		600
0393 - Health & Human Svc - F							
8L - Lease Adjustments	0	2	0	0			
TH - Medicaid Fraud Authority	0	0	2,120	3,281			
Total - 0393 - Health & Human Svc - F	0	2	2,120	3,281	2,120	3,283	5,403
001 - General Fund - Federal	600	2	2,120	3,281	2,720	3,283	6,003
Total - 001 - General Fund	600	2	2,120	3,281	2,720	3,283	6,003
405 - Legal Serv Rev Acct							
0420 - Charges for Services - S							
8L - Lease Adjustments	1,011	1,070	0	0			
TB - Juvenile Rehab Legal Services	0	0	850	850			
TC - Criminal Justice Training Center	0	0	179	179			
TD - UW Transition of Support Staff	0	0	1,130	1,130			
TE - L&I Legal Services	0	0	1,089	1,089			
TF - UW Legal Services	0	0	613	613			
TS - Patient Protection at Facilities	337	693	0	0			
TT - Hospital Staffing Standards	271	512	0	0			
TU - SB 6006 Human Trafficking	75	75	0	0			
TV - HB 1589 Clean Energy	88	148	0	0			
TW - HB 1219 Youth Dependency Counsel	2,627	3,406	0	0			
TX - SB 6194 Legislative Employees	179	0	0	0			
UB - College System Benefits	1,648	1,648	0	0			
UC - Pakootas v Teck Metals	350	350	0	0			
UD - OSPI Litigation	460	231	0	0			

ABS 029 Summarized Revenue by Account and Source
Office of Attorney General
Agency Level
2527 - 2025-27 Biennial Request
Dollars in Thousands

	Maintenance Level		Policy Level		Annual Totals		Biennial Total
	FY2026	FY2027	FY2026	FY2027	FY2026	FY2027	
Total - 0420 - Charges for Services - S	7,046	8,133	3,861	3,861	10,907	11,994	22,901
405 - Legal Serv Rev Acct - State	7,046	8,133	3,861	3,861	10,907	11,994	22,901
Total - 405 - Legal Serv Rev Acct	7,046	8,133	3,861	3,861	10,907	11,994	22,901
Agency: 100 ATG - State	7,046	8,133	3,861	3,861	10,907	11,994	22,901
Agency: 100 ATG - Federal	600	2	2,120	3,281	2,720	3,283	6,003
Total - Agency: 100 ATG	7,646	8,135	5,981	7,142	13,627	15,277	28,904
- unknown source title - Z							

8L - Lease Adjustments

The Attorney General's Office (AGO) requires an increase in lease funding to cover the expected increases and decreases in annual lease contracts for the 2025-27 Biennium. The required funding changes are to sustain leases in buildings around the state where AGO divisions are currently located. These facilities are all in the AGO six-year lease facility plan. The AGO has limited control over increased lease costs.

8L - Lease Adjustments

The Attorney General's Office (AGO) requires an increase in lease funding to cover the expected increases and decreases in annual lease contracts for the 2025-27 Biennium. The required funding changes are to sustain leases in buildings around the state where AGO divisions are currently located. These facilities are all in the AGO six-year lease facility plan. The AGO has limited control over increased lease costs.

TB - Juvenile Rehab Legal Services

Juvenile Rehabilitation (JR) within Department of Children, Youth, and Families (DCYF) has experienced a sharp increase in program litigation following significant increases in its offender population at Green Hill School, and significant legal changes constraining its authority regarding these residents. JR facilities have been reduced to two, one of which is the Green Hill School in Chehalis, and the other is Echo Glen Children's Center in Snoqualmie. This request would fund three additional Assistant Attorney General FTE (AAG) and one additional Paralegal 2 FTE (PL) to provide increased legal support for program litigation.

TC - Criminal Justice Training Center

The Criminal Justice Training Commission (CJTC) is requesting additional funding for legal services, as its current allocation is insufficient to meet its day-to-day legal service needs. Over the past several years, CJTC has seen a marked increase in its need for the Attorney General's Office (AGO) services. CJTC continues to project an increased need for legal services over the next biennium. Additional funding for legal services will allow the AGO to continue effectively serve CJTC and their growing legal needs.

ABS 029 Summarized Revenue by Account and Source
Office of Attorney General
Agency Level
2527 - 2025-27 Biennial Request
Dollars in Thousands

TD - UW Transition of Support Staff

This request will provide additional authority for the transition of legal support staff within the Attorney General's Office (AGO) University of Washington (UOW) division from being University of Washington (UW)-employed to being AGO-employed. The transition of the staff positions will provide for more efficient operations of the division as the transferring positions will report directly to AGO leadership at the UOW Division. This also ensures compensation for the positions will be in alignment with staff in other AGO divisions.

TE - L&I Legal Services

The Department of Labor and Industries (L&I) has an ongoing and increasing need for the Attorney General's Office (AGO) legal services. Workloads related to discovery and other L&I programs are increasing. This is due to higher trends in litigation and foreseeable future changes in client priorities. We are also seeing a rise in enforcement actions that can be most efficiently addressed by adding mediation resources. Creating a combination of line and management/training resources is the best way to solve the issue.

TF - UW Legal Services

The University of Washington (UW) has an ongoing and increasing need for the Attorney General's Office (AGO) legal services. Over the last several years the UW has seen an increase in legal advice needs including subpoena responses, advice needed regarding implementation and effects of new Title IX regulations, responding to federal investigations, and advice regarding developing athletics issues such as Name, Image and Likeness (NIL) and antitrust litigation.

TH - Medicaid Fraud Authority

The Attorney General's Office (AGO) requests an increase to its Expenditure Authority for the Medicaid Fraud Control Division (MFCD) to continue to prevent fraud and abuse by prosecuting Medicaid provider fraud and recovering money lost to fraud. Medicaid provider fraud drives up healthcare costs for Washingtonians, harms Medicaid clients and honest providers, and misuses taxpayer's money. Recovering money lost to fraud and holding offenders accountable is essential to the integrity of the Medicaid program.

TS - Patient Protection at Facilities

In the 2024 Supplemental Budget, the Office of Attorney General (AGO) received \$3,000 in FY 2025, for the SB 5271 protecting patients in facilities regulated by the Department of Health (DOH) by establishing uniform enforcement tools. The AGO Government Compliance & Enforcement Division (GCE) determined that the demand for legal service would increase in FY 2027 and beyond. Preparation and litigation of these cases is labor intensive. Therefore, the AGO is requesting additional funding to cover these costs.

TT - Hospital Staffing Standards

During the 2024 Supplemental Budget, the Attorney General's Office (AGO) received \$172,000 in FY 2025 and each FY thereafter, for the SB 5236 Hospital Staffing Standards, a newly established law. The AGO determined the costs for this newly established law would continue to increase into future FY's. The AGO is requesting additional funding to cover these costs.

ABS 029 Summarized Revenue by Account and Source
Office of Attorney General
Agency Level
2527 - 2025-27 Biennial Request
Dollars in Thousands

TU - SB 6006 Human Trafficking

On-going costs from the 2024 Session. SB 6006 passed with ongoing costs to represent and advise the Department of Children, Youth and Families (DCYF) in pursuing protection orders to protect victims of sex trafficking. Legal services will be impacted within the following five AGO divisions that represent DCYF: Children, Youth and Families Division (CYF), Tacoma Division (TAC), Social and Health Services - Seattle Division (SHS), Spokane Division (SPO), and the Regional Services Division (RSD).

TV - HB 1589 Clean Energy

The passage of ESHB 1589 has increased the demand for the Attorney General's Office (AGO) Utilities and Transportation Commission Division (AGO-UTC) and Public Counsel Unit (PCU) legal services. These increased demands include advising the Utilities and Transportation Commission (UTC) on a variety of rulemakings or policy statements required by law as well as ongoing legal support requirements.

TW - HB 1219 Youth Dependency Counsel

This request is made to support additional legal services necessary to represent and support the Department of Children, Youth, and Families (DCYF) in dependency cases in the more frequent and lengthier hearings that occur as the children's representation program is implemented on its phase-in schedule as initially required under HB 1219, and as later modified by SB 5805 in 2024.

TX - SB 6194 Legislative Employees

The passage of SB 6194 has increased the demand for legal services from the Attorney General's Office (AGO) Labor and Personnel Division (LPD). The increased demands include advising the Public Employment Relations Commission (PERC) and the Office of State Legislature Labor Relations (LLR). AG requests funding for an additional FTE in FY 2026 to provide ongoing legal services for to PERC and LLR relating to recent legislation that provides for the potential unionization of certain employees of the State Legislature.

UA - SAKI Authority

The Attorney General's Office (AGO) requests an increase to its federal authority to allow the AGO to continue to do the important work of the Federal Sexual Assault Kit Initiative (SAKI) including but not limited to testing backlogged kits, collecting DNA owed by felons, and to further unresolved sexual assault related investigations. There is no impact to State funds and this authority will allow us to spend the remaining grant dollars.

UB - College System Benefits

This request is to fund defense of employee benefit class action lawsuits against the State Board for Community and Technical Colleges (SBCTC) and the State of Washington. The same law firm on behalf of classes of similarly situated part-time college employees filed three lawsuits. Two lawsuits, Wolf v. SBCTC and Rush v. State, allege denial of retirement benefits administered under the SBCTC Retirement Benefit Plan. The third suit, Rush v. State, alleges denial of sick leave benefits as specified under RCW 28B.50.4893. This request will provide funding for resources needed to continue defending Washington State in these three complex lawsuits.

UC - Pakootas v Teck Metals

ABS 029 Summarized Revenue by Account and Source
Office of Attorney General
Agency Level
2527 - 2025-27 Biennial Request
Dollars in Thousands

The Attorney General's Office (AGO) is requesting additional funding in the 2025-27 biennium for continued prosecution of the Pakootas v. Teck Metals Ltd federal court case. The State of Washington through the Department of Ecology (Ecology) and the Confederated Tribes of the Colville Reservation are co-plaintiffs. Teck Metals Ltd. operates a smelter in Trail, British Columbia that has disposed of toxic waste in northeast Washington via the Columbia River and the atmosphere. The case concerns the State's and Tribes' claims for natural resource damages under the Comprehensive Environmental Response Compensation, and Liability Act and the Model Toxics Control Act.

UD - OSPI Litigation

This request is to fund the defense of two lawsuits and the increased need for advice relating to an increase in complex Public Records Act (PRA) related issues. The Office of the Superintendent of Public Instruction (OSPI) has been litigating two cases that require dedicated time and resources and have resulted in increased legal needs and associated costs. This request will provide funding for resources needed to continue funding OSPI's audit resolution case that seeks to recoup over \$4 Million dollars that Summit Public Schools are alleged to have improperly received, defend a PRA lawsuit, and advise on complex PRA related issues.

Proposed Fee Changes

Not Applicable



Dollars in Thousands

**ABS030 Working Capital Reserve
 100 Office of Attorney General
 2025-27 Regular Budget Session
 2527 - 2025-27 Biennial Request**

FUND ADMINISTRATOR AGENCY ONLY		RECOMMENDED ENDING FUND BALANCE	
FUND	FUND TITLE	2023-25 Current Biennium	2025-27 Ensuing Biennium
12F	Man/Mobile Home Dispute Resolution	150	137
154	New Motor Vehicle Arbitration Acct	189	144
19A	Medicaid Fraud Penalty Account	850	473
19P	Child Rescue Fund	3	0
22R	Internet Consumer Access Account	0	0
23U	Compostable Products Revolving Acc	0	0
25V	WA St ATG Charitable Asset Prtn Acc	58	113
27V	WA St Atty General Humane Detention	0	0
27W	Opioid Abatement Settlement Account	0	0
405	Legal Services Revolving Account	24,000	28,677
424	Anti-Trust Revolving Account	1,000	2,552

Revenue Transfer Reconciliation Statement

Not Applicable

Federal Fund Estimates-State Match

Not Applicable

Additional Federal Receipts Reporting Requirements

Not Applicable

Non-budgeted Local Fund Summary

Not Applicable

Puget Sound Action Agenda

Not Applicable

JLARC Audit Response

Not Applicable

Tab E

OTHER REQUIRED
INFORMATION



Central Service Fund Splits

OFFICE OF THE ATTORNEY GENERAL
2025-27 Biennium

All Columns by Agency must equal 100%

Agency	Account and Approp Title	Auditor	AttGen	OAH	Facilities & Services Only	CTS	Debt Services	Workers' Comp	All Other	Risk Mgmt Division	Self Insurance
100-Office of the Attorney General	001-1 General Fund-State	17.22%	17.22%	0.00%	17.22%	17.22%	17.22%	17.22%	17.22%	17.22%	17.22%
100-Office of the Attorney General	111-1 Public Service Revolving Account-State	0.90%	0.90%	0.00%	0.90%	0.90%	0.90%	0.90%	0.90%	0.90%	0.90%
100-Office of the Attorney General	12F-6 Manufactured/Mobile Home Dispute-Non-Appropriated	0.41%	0.41%	45.59%	0.41%	0.41%	0.41%	0.41%	0.41%	0.41%	0.41%
100-Office of the Attorney General	141-6 Federal Seizure Account	0.74%	0.74%	0.00%	0.74%	0.74%	0.74%	0.74%	0.74%	0.74%	0.74%
100-Office of the Attorney General	154-1 New Motor Vehicle Arbitration Acct-State	0.36%	0.36%	0.00%	0.36%	0.36%	0.36%	0.36%	0.36%	0.36%	0.36%
100-Office of the Attorney General	17L-6 Foreclosure Fairness Account-Non-Appropriated	0.06%	0.06%	0.00%	0.06%	0.06%	0.06%	0.06%	0.06%	0.06%	0.06%
100-Office of the Attorney General	25V-6 WA ST Atg Charitable Asset Prtcn Acct	0.25%	0.25%	0.00%	0.25%	0.25%	0.25%	0.25%	0.25%	0.25%	0.25%
100-Office of the Attorney General	405-1 Legal Services Revolving Account-State	77.43%	77.43%	54.41%	77.43%	77.43%	77.43%	77.43%	77.43%	77.43%	77.43%
100-Office of the Attorney General	424-6 Anti-Trust Revolving Account-Non-Appropriated	2.38%	2.38%	0.00%	2.38%	2.38%	2.38%	2.38%	2.38%	2.38%	2.38%
100-Office of the Attorney General	441-1 Local Government Archives Account-State	0.21%	0.21%	0.00%	0.21%	0.21%	0.21%	0.21%	0.21%	0.21%	0.21%
100-Office of the Attorney General	828-1 Tobacco Prevention and Control Acct-State	0.05%	0.05%	0.00%	0.05%	0.05%	0.05%	0.05%	0.05%	0.05%	0.05%
		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

The following are three major risks that could impact the Attorney General Office's (AGO) ability to achieve its strategic objectives on time. For each risk there are a number of initiatives and activities either completed or underway designed to address the concern.

1. **Similar to all organizations, the office faces a threat of cyber security or network attacks.**

In light of the increased sophistication and magnitude of recent cyberattacks on governmental and non-governmental entities, the AGO is working extensively to mitigate the risk of attacks and develop actions plans to promptly address and minimize the impact of any cyber security incidents. The AGO's efforts to continuously focus on this area in order to protect our Information Technology (IT) infrastructure and data include the following:

- Public law firms are routinely targets for ransomware. Several large public law firms have been targeted leaving attorneys without access to documents needed to represent their clients. To mitigate these risks, ISD built a team of cybersecurity professionals and developed a strong IT Security Program.
- The AGO prioritizes IT security awareness through training for all staff. The AGO is leveraging the existing newly released statewide training to ensure staff are aware of emerging tactics used to jeopardize organizational operations.
- As a part of a statewide effort, the AGO continues to monitor and updated IT policies. The purpose of the project was to ensure policy language is clear and that all of the policy elements work collectively to ensure that security, data integrity and data privacy are maintained within the agency. For example, based on advice for leading consultants in cyber security, the AGO released updated agencywide guidance on ensuring equipment is safely maintained by employees while out in the field. Additionally, the AGO deployed more rigorous password and cyber security related measures for all staff.
- The AGO also works collaboratively with the OCIO and CTS and uses statewide security services provided under the allocations to meet all security standards and prevent avert attacks.
- The AGO retained experts in cyber security to develop a tabletop exercise specific to risks the AGO may encounter. The exercise included executive participation from Information Services, Facilities, Human Resources, Risk Management and AGO Business Counsel along with cyber security experts in the AGO.
- The AGO proactively engaged with US Cybersecurity and Infrastructure Security Agency (CISA) to conduct assessments regarding AGO systems and networks. As a result, the AGO implemented recommendations to strengthen cybersecurity practices.

2. **Business interruption due to natural disaster or another threat is a risk that could pose a significant impact to the agency's ability to serve our state agency clients.**

While this includes the AGO's ongoing response to the impact risks associated with the disruption of core business functions. During instances of significant disruption of state operations, the AGO is tasked with ensuring core operations continue while also being called on to provide extraordinary level of legal services to agencies and Executive Branch leadership throughout the response. The AGO must also be positioned to quickly implement unique measures to support safety interventions in more direct support of the agency staff.

- Like all agencies, the AGO centers risk management practices on a daily basis in our ongoing response to the coronavirus pandemic.
- From an operations perspective, worker safety is our paramount focus including continuing operation of our buildings and planning around best steps to ensure employee and community safety in community settings such as courts, other agency facilities, and public settings.

- Agency Continuity of Operations Plans (COOP), division level COOP and Building Safety Plans are updated on an annual basis. Based on the coronavirus pandemic, we will be fully re-evaluating our COOPs and response plans. The Office is committed to leveraging the resources developed and deployed during the COVID-19 pandemic response to ensure the AGO is strongly positioned to ensure core operations continue to the fullest extent possible.
 - Conduct excises to ensure ongoing awareness and implementation to COOP plans, particularly in a work environment where employees are in a environment where teams are often a blend of remote and in office employees on a given day. A table top exercise to test the AGO and Division COOPs was conducted with the agency management team during the past biennium. This exercise expanded knowledge and awareness and ensured preparedness of EOC operations and disaster response.
 - The AGO maintains system backups in multiple physical locations both in Eastern Washing and Western Washington and with multiple cloud providers located in different data centers and stores the backups in an immutable format to protect against physical and cyber threats.
3. **Given the amount of sensitive information the AGO possesses on behalf of its clients, a data breach of medical information that is protected by the Health Information Portability and Accountability Act (HIPAA) or other Personal Health Information (PHI) is a serious risk that could result in civil and criminal penalties, adverse outcomes for the individuals directly impacted with the breach as well as significant negative impacts to community credibility.** In 2010, the AGO established a HIPAA Workgroup that developed policies and practices for handling PHI to assure compliance with the HITECH Act. In addition all AGO employees are required to take HIPAA/HITECH training as well as completing IT Security Awareness training at regular intervals. The AGO conducted a formal HIPAA risk assessment in 2011 and in 2015 and regularly assesses risk in connection with changes to policy, practices, or incidents. Where a risk is identified the AGO implements mitigation strategies.
- The AGO developed a HIPAA Medical Information Security and Privacy policy that will be completed in conjunction with the IT policy consolidation project.
 - All AGO Divisions handling PHI have developed or updated their division business rules for PHI.
 - HIPAA training materials are available to all divisions that handle PHI.
 - The AGO continues to refine best practices to including developing division checklists and acknowledgement of accountability for employees in those divisions.
 - The AGO provides staff options to securely transfer confidential, sensitive information with the use of encryption. File Transfer and Data Sharing Best Practices is maintained and updated regularly with instruction on how to handle information that is classified at Category 3 and 4 levels.