

Office of the
Attorney General





Bob Ferguson
ATTORNEY GENERAL OF WASHINGTON

PO Box 40100 • Olympia WA 98504-0100 • (360) 753-6200

September 10, 2024

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

Dear Mr. Sullivan:

Enclosed please find the 2025-27 Biennial Budget Request from the Attorney General's Office (AGO) addressing critical agency and litigation needs. We are mindful of the ongoing 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.

My top priorities this year have two main themes: Public Safety and Serving the State.

Public Safety

The AGO's Major Economic Crimes Unit (MECU) investigates and prosecutes cases related to organized retail crime, Washington State tax fraud, employer fraud, and embezzlement of government funds by government officials referred by any of the State's 39 county prosecutors and Governor. Special financial and investigation expertise is vital in investigating and prosecuting these crimes. Cases are complex and have huge impacts on Washington business. Investing in these resources will help workers and Washington's economy.

The Homicide Investigation Tracking System (HITS) database has been assisting Washington law enforcement in solving and tracking crimes for 34 years. The database needs modernization to keep up with current technology. The database currently has data on over 10,600 murder and 8,200 sexual assault investigations. HITS is a national leader in using innovative ways to prevent and increase the solvability of crimes and has received several grants to study "trends" or common characteristics in violent crime. The HITS database was used in cases such as the Green River Killer, Robert Yates, Kevin Coe, and the DC Sniper.

The safety and security of our youth and communities has always been one of my top priorities. Demand for legal services impacting the Department of Children, Youth, and Families' (DCYF) Juvenile Rehabilitation (JR) program has continued to increase in recent months and years. To continue to provide a safe place for youth in the JR program and the community, additional legal resources are needed to support the JR program.

ATTORNEY GENERAL OF WASHINGTON

Pat Sullivan
September 10, 2024
Page 2

Additional items in our request that impact public safety include legislative mandates and increased spending authority. These items include:

- Fully fund phased in legislative mandates (Hate Crimes and Bias Incidents, AGO Sexual and Special Assault Unit, and Human Trafficking); and
- Spending authority for Sexual Assault Kit Initiative (SAKI), Child Rescue Account, and Medicaid Fraud.

Serving the State

Additional priorities in the 2025-27 Biennial Budget Request are focused on serving and meeting the legal needs of the state and its residents by allowing us to mitigate risk and protect tax dollars. These needs arise directly from new emergent issues including legislative mandates, significant litigation, caseload-related and other workload increases, and federal spending authority. These items include:

- Funding to defend the state and recover resources (e.g., *Pakootas v. Teck Cominco Metals, Ltd.* and College System Benefits litigation);
- Funding to support increased workload (L&I Legal Services, UW Legal Services, Sunshine Committee staffing, Ecology Legal Services, Energy Facility Site Evaluation Council Legal Services, and Leadership Board Legal Services);
- Fully fund phased in legislative mandates (Law Enforcement Data, Patient Protection at Facilities, Hospital Safety Standards, Clean Energy, Youth Dependency Counsel and Legislative Employees); and
- Spending authority for Equitable Share, the Manufactured Housing Dispute Resolution Account, Public Records Act Consultation program, Charitable Asset Protection Account, and Public Counsel Unit).

I look forward to working with you and your office and stand ready to provide information to assist you as you prepare the Governor's budget proposal.

If you have questions about this budget request, please contact Mark Melroy, Chief Financial Officer, at (206) 402-7224. Thank you for your continued assistance.

Sincerely,



BOB FERGUSON
Attorney General



OFFICE OF THE ATTORNEY GENERAL

2025-27 Biennial Budget Request Table of Contents

TAB A	OVERVIEW	PAGE
	Agency Organizational Chart	10
	Agency Activity Inventory Report	11
	Performance Measure Incremental Estimates Report	39
	Indirect Cost Allocation to Activities	50
	AGO Strategic Plan	51
TAB B	RECOMMENDATION SUMMARY	PAGE
	Recommendation Summary at Agency Level	54
TAB C	DECISION PACKAGES	PAGE
	Decision Package Summary and Priority	66
	ML-TJ Hate Crimes and Bias Incidents	68
	ML-TK AGO Sexual and Special Assault Unit	73
	ML-TM Modernization of HITS	79
	ML-TN Law Enforcement Data Ongoing Funding	85
	ML-TP MHD Resolution Program	90
	ML-TQ Public Records Act Consultation Program	99
	ML-TR Public Counsel Unit Additional EA	105
	ML-TS Patient Protection at Facilities	112
	ML-TT Hospital Staffing Standards	117
	ML-TU SB 6006 Human Trafficking	123
	ML-TV HB 1589 Clean Energy	129
	ML-TW HB 1219 Youth Dependency Counsel	136
	ML-TX SB 6194 Legislative Employees	142
	ML-TY Charitable Asset Program	147
	ML-TZ Child Rescue Account Additional Authority	152
	ML-UA SAKI Authority	157
	ML-UB College System Benefits	161
	ML-UC Pakootas v Teck Metals	168
	ML-UD OSPI Litigation	174
	ML-8L Lease adjustments	180
	PL-TA Economic Crimes unit	188
	PL-TB Juvenile Rehab Legal Services	194
	PL- TC Criminal Justice Training Center Legal Services	200
	PL-TD UW Legal Support Staff Transition	203
	PL-TE L&I Legal Services	212
	PL-TF UW Legal Services	217
	PL-TG Sunshine Committee Staffing	223
	PL-TH Medicaid Fraud Expenditure Authority	227



OFFICE OF THE ATTORNEY GENERAL

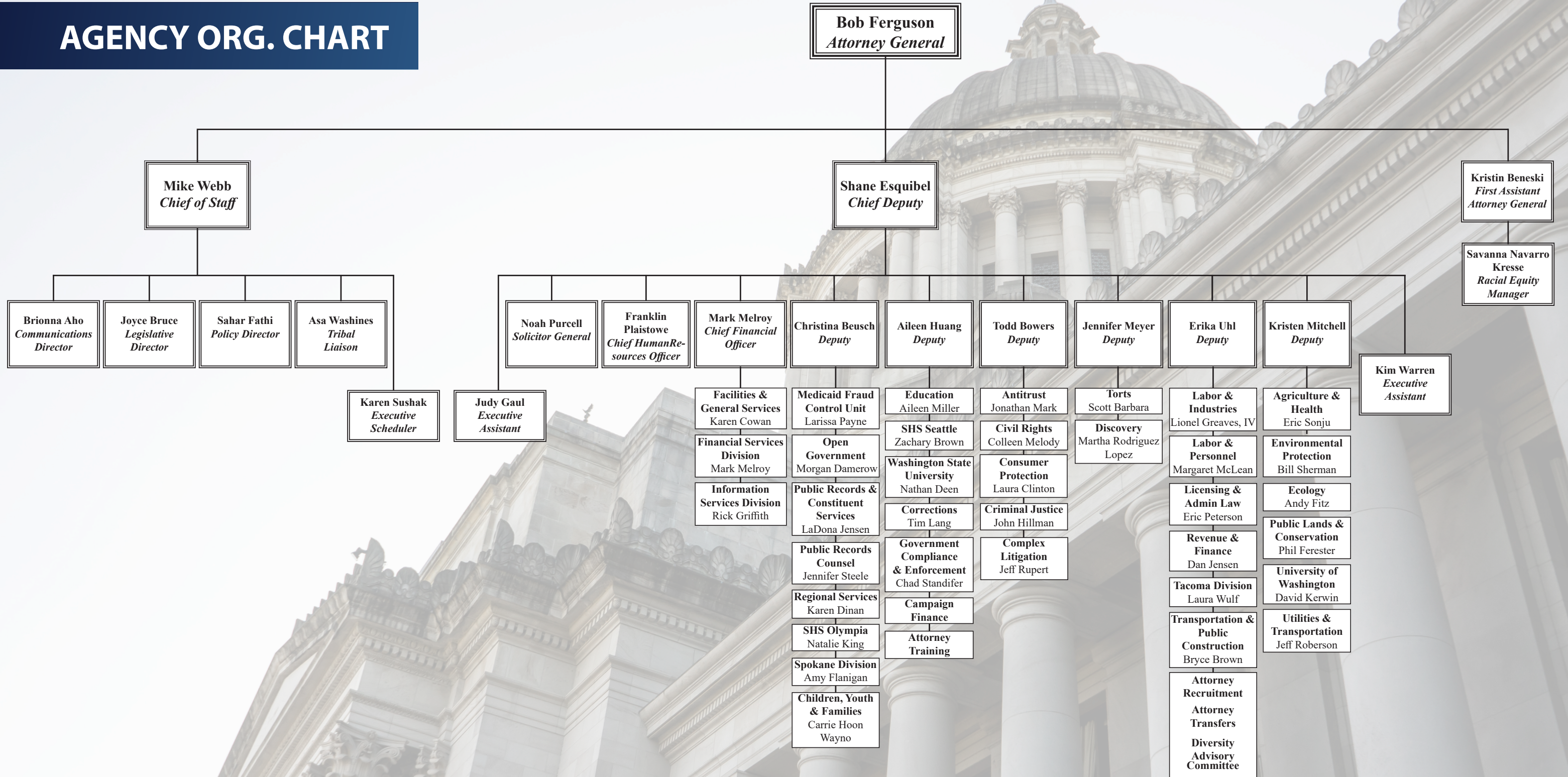
2025-27 Biennial Budget Request Table of Contents

TAB D	REVENUE	PAGE
	Summarized Revenue	236
	Proposed Fee Changes	241
	Working Capital Reserve	243
	Revenue Transfer Reconciliation Statement	245
	Federal Fund Estimates-State Match	247
	Additional Federal Receipts Reporting Requirements	249
	Non-budgeted Local Fund Summary	251
	Puget Sound Action Agenda	253
	JLARC Audit Response	255
TAB E	OTHER REQUIRED INFORMATION	PAGE
	Central Service Model Fund Split Adjustment	260
	Enterprise Risk Management Update	261
	Decision Package Prioritization Worksheet 2025-27	264

Tab A

OVERVIEW

AGENCY ORG. CHART





Dollars in Thousands

**ACT001 - Agency Activity Inventory
 100 - Office of Attorney General
 2025-27 Regular Budget Session
 2527 - 2025-27 Biennial Request**

*

Appropriation Period: 2025-27 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.

Account	FY 2026	FY 2027	Biennial Total
FTE	33.7	37.7	35.7
001 General Fund			
001-1 State	\$7,745	\$8,800	\$16,545

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.

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 Max
			Min	Max	
2023-25	A3	0	85	95	95
	A2	75	85	95	95
2021-23	A3	100	85	95	95
	A2	67	85	95	95
Performance Measure Status: Approved					

ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2527 - 2025-27 Biennial Request

Dollars in Thousands

*

Appropriation Period: 2025-27 Sort By: Activity

Number

002535 - Total Successful Commitments



ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2527 - 2025-27 Biennial Request

Dollars in Thousands

*

Appropriation Period: 2025-27 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 2026	FY 2027	Biennial Total
FTE	61.1	66.2	63.7
19P Child Rescue Fund			
19P-1 State	\$100	\$100	\$200
141 Federal Seizure Account			
141-6 Non-Appropriated	\$0	\$96	\$96
001 General Fund			
001-1 State	\$21,358	\$15,910	\$37,268
001-2 Federal	\$1,325	\$1,029	\$2,354
001 Account Total	\$22,683	\$16,939	\$39,622
405 Legal Services Revolving Account			
405-1 State	\$7,365	\$13,924	\$21,289
441 Local Government Archives Account			
441-1 State	\$563	\$563	\$1,126
828 Tobacco Prevention/Control Account			
828-1 State	\$136	\$138	\$274
25V WA St ATG Charitable Asset Prtn Acc			
25V-1 State	\$100	\$100	\$200

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
2527 - 2025-27 Biennial Request

Dollars in Thousands

*

Appropriation Period: 2025-27 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 2026	FY 2027	Biennial Total
FTE	22.1	36.0	29.1
141 Federal Seizure Account			
141-6 Non-Appropriated	\$0	\$1,119	\$1,119
001 General Fund			
001-1 State	\$6,539	\$5,027	\$11,566
001-2 Federal	\$600	\$0	\$600
001 Account Total	\$7,139	\$5,027	\$12,166
405 Legal Services Revolving Account			
405-1 State	\$5	\$5	\$10

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
2527 - 2025-27 Biennial Request

Dollars in Thousands

*

Appropriation Period: 2025-27 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	
Performance Measure Status: Approved				

ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2527 - 2025-27 Biennial Request

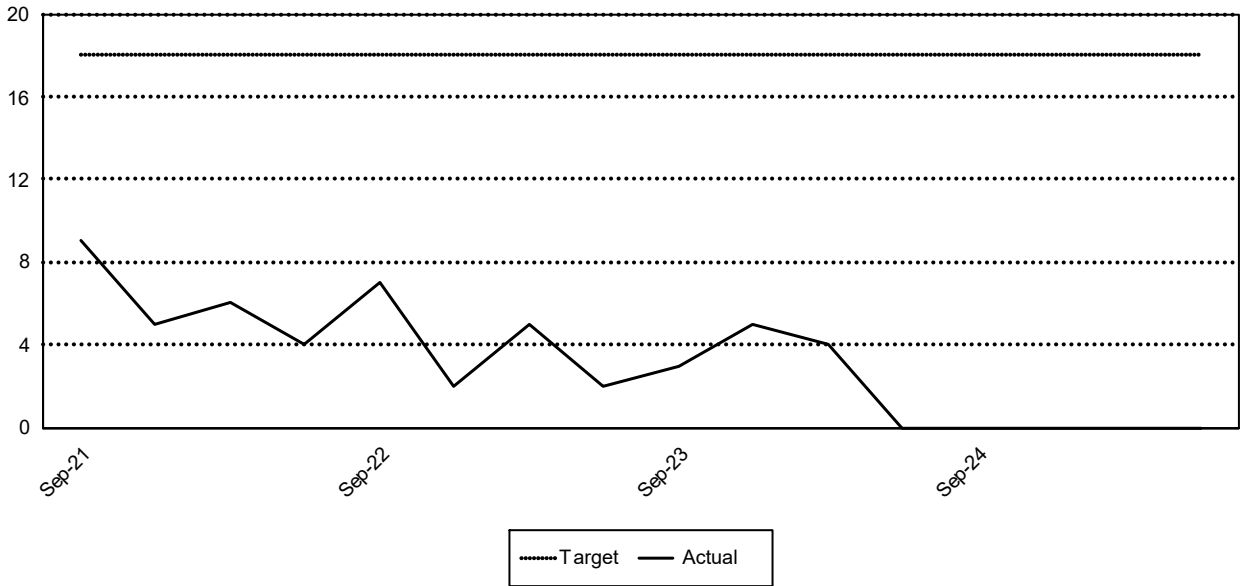
Dollars in Thousands

*

Appropriation Period: 2025-27 Sort By: Activity

Number

002536 - Criminal Cases Closed



**ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2527 - 2025-27 Biennial Request**

Dollars in Thousands

*

Appropriation Period: 2025-27 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 2026	FY 2027	Biennial Total
FTE	24.0	24.0	24.0
424 Anti-Trust Revolving Account			
424-6 Non-Appropriated	\$6,335	\$6,289	\$12,624

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
2527 - 2025-27 Biennial Request

Dollars in Thousands

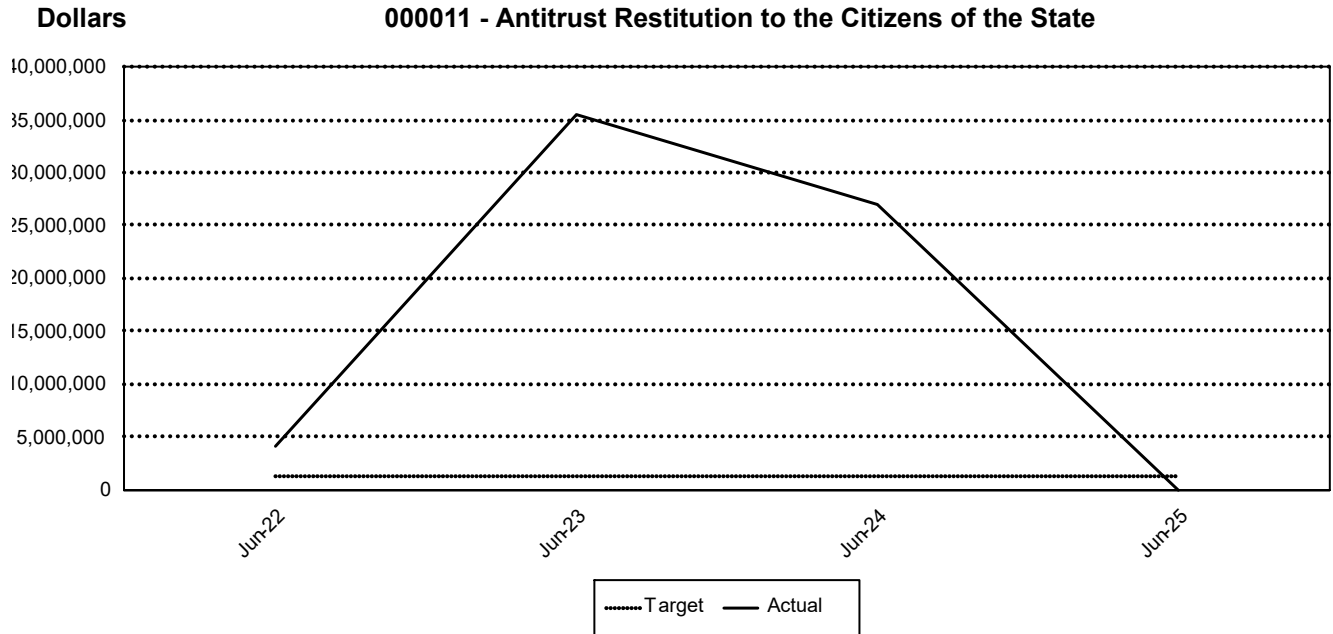
*

Appropriation Period: 2025-27 Sort By: Activity

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.

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

Performance Measure Status: Approved



ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2527 - 2025-27 Biennial Request

Dollars in Thousands

*

Appropriation Period: 2025-27 Sort By: Activity

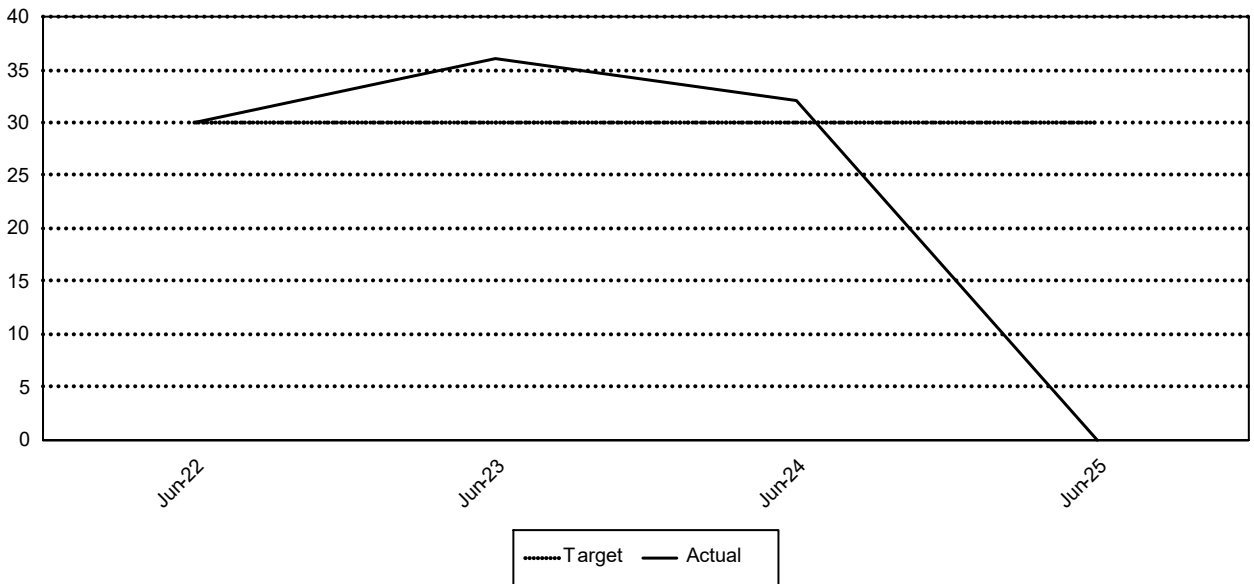
002877 The AGO's Antitrust Division (ANT) enforces antitrust laws, protects consumers from illegal and harmful practices, and ensures a fair, efficient, and competitive marketplace for businesses. Active investigations can result in enforcement actions/litigation that prevent monopolies, price-fixing, 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

Performance Measure Status: Approved

Number

002877 - Antitrust Restitution to the Citizens of the State



ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2527 - 2025-27 Biennial Request

Dollars in Thousands

*

Appropriation Period: 2025-27 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 2026	FY 2027	Biennial Total
FTE	119.8	119.8	119.8
17L Foreclosure Fairness Account			
17L-6 Non-Appropriated	\$152	\$152	\$304
001 General Fund			
001-1 State	\$5,036	\$6,521	\$11,557
12F Man/Mobile Home Dispute Resolution			
12F-1 State	\$402	\$402	\$804
12F-6 Non-Appropriated	\$1,099	\$1,067	\$2,166
12F Account Total	\$1,501	\$1,469	\$2,970
154 New Motor Vehicle Arbitration Acct			
154-1 State	\$943	\$950	\$1,893
25V WA St ATG Charitable Asset Prtn Acc			
25V-6 Non-Appropriated	\$672	\$672	\$1,344

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

Expected Results

ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2527 - 2025-27 Biennial Request

Dollars in Thousands

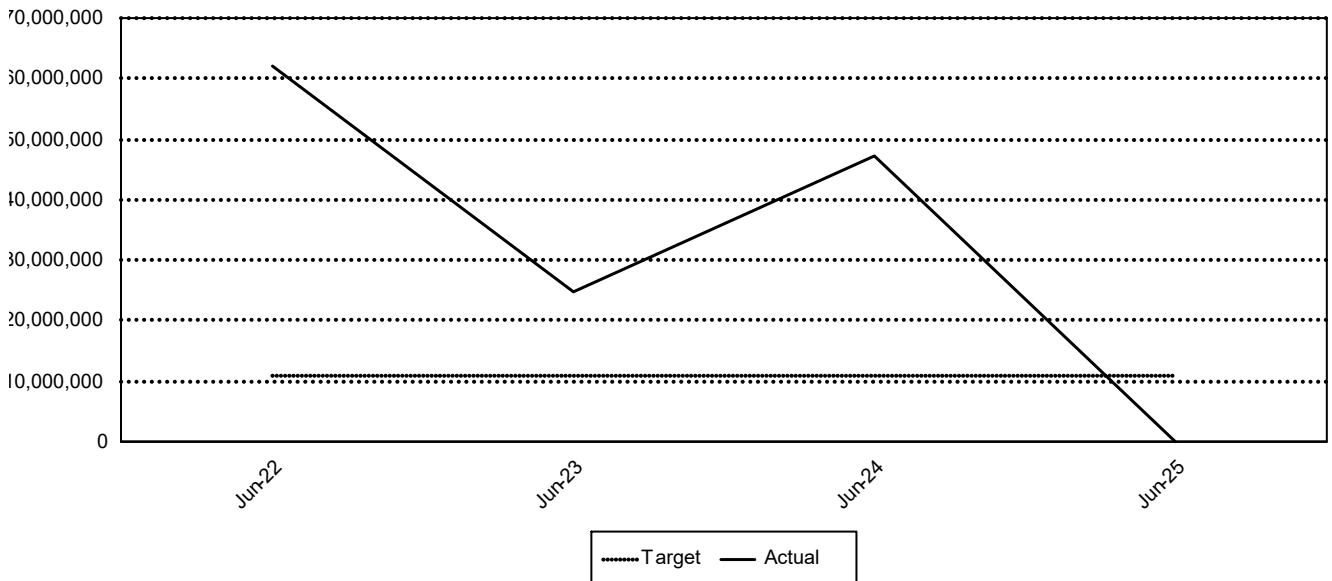
*

Appropriation Period: 2025-27 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	
Performance Measure Status: Approved				

Dollars 002534 - Direct Restitution Provided to Consumers through Litigation and Complaint Resolutio



**ACT001 - Agency Activity Inventory
 100 - Office of Attorney General
 2527 - 2025-27 Biennial Request**

Dollars in Thousands

*

Appropriation Period: 2025-27 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 2026	FY 2027	Biennial Total
FTE	8.2	8.2	8.2
001 General Fund			
001-1 State	\$1,687	\$2,384	\$4,071

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
2527 - 2025-27 Biennial Request

Dollars in Thousands

*

Appropriation Period: 2025-27 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

Performance Measure Status: Approved

ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2527 - 2025-27 Biennial Request

Dollars in Thousands

*

Appropriation Period: 2025-27 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 2026	FY 2027	Biennial Total
FTE	4.0	4.0	4.0
405 Legal Services Revolving Account			
405-1 State	\$560	\$586	\$1,146

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
2527 - 2025-27 Biennial Request

Dollars in Thousands

*

Appropriation Period: 2025-27 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	
Performance Measure Status: Approved				

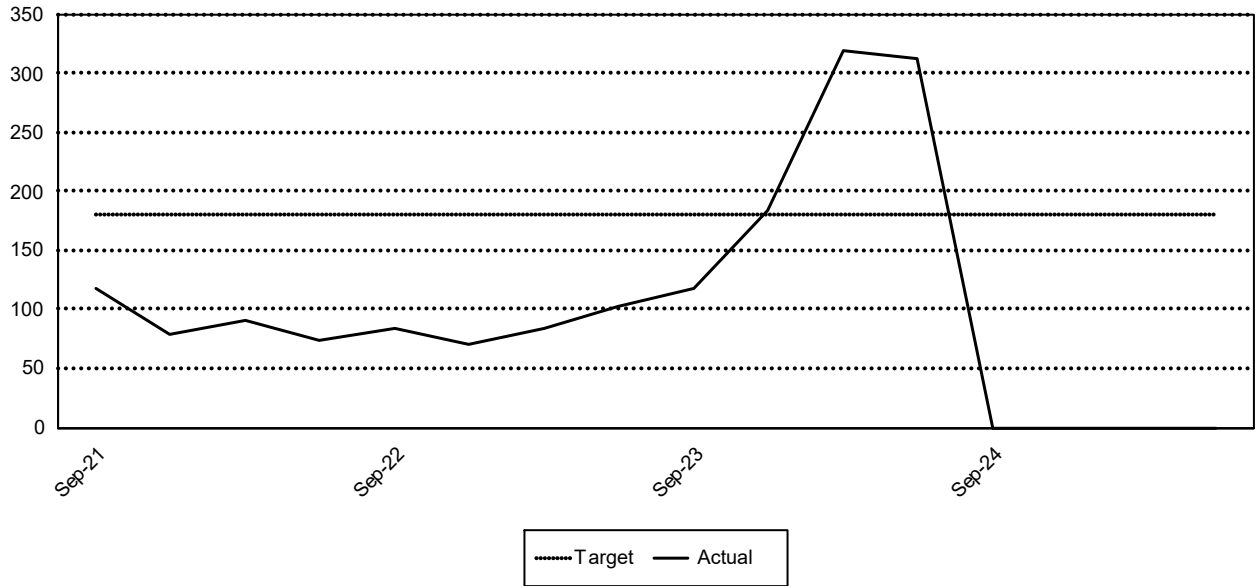
ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2527 - 2025-27 Biennial Request

Dollars in Thousands

*

Appropriation Period: 2025-27 Sort By: Activity

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



ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2527 - 2025-27 Biennial Request

Dollars in Thousands

*

Appropriation Period: 2025-27 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 2026	FY 2027	Biennial Total
FTE	186.0	186.0	186.0

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
2527 - 2025-27 Biennial Request**

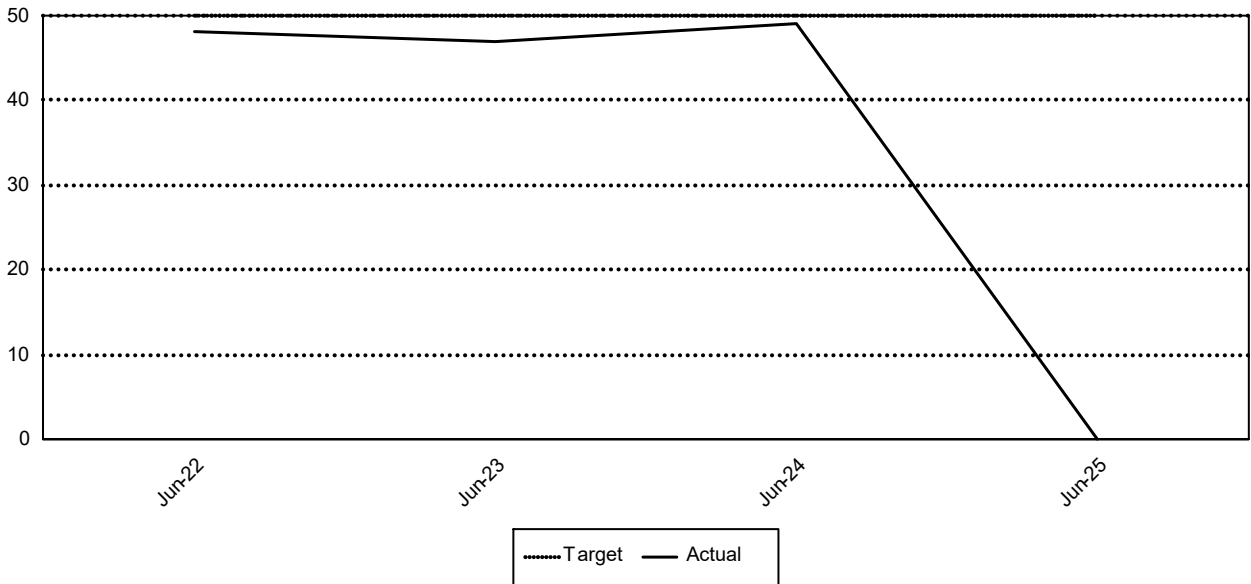
Dollars in Thousands

*

Appropriation Period: 2025-27 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%	
Performance Measure Status: Approved				

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



ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2527 - 2025-27 Biennial Request

Dollars in Thousands

*

Appropriation Period: 2025-27 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 2026	FY 2027	Biennial Total
FTE	69.0	69.0	69.0
141 Federal Seizure Account			
141-6 Non-Appropriated	\$1,953	\$738	\$2,691
001 General Fund			
001-2 Federal	\$11,997	\$12,977	\$24,974
19A Medicaid Fraud Penalty Account			
19A-1 State	\$4,126	\$4,475	\$8,601

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
2527 - 2025-27 Biennial Request

Dollars in Thousands

*

Appropriation Period: 2025-27 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.

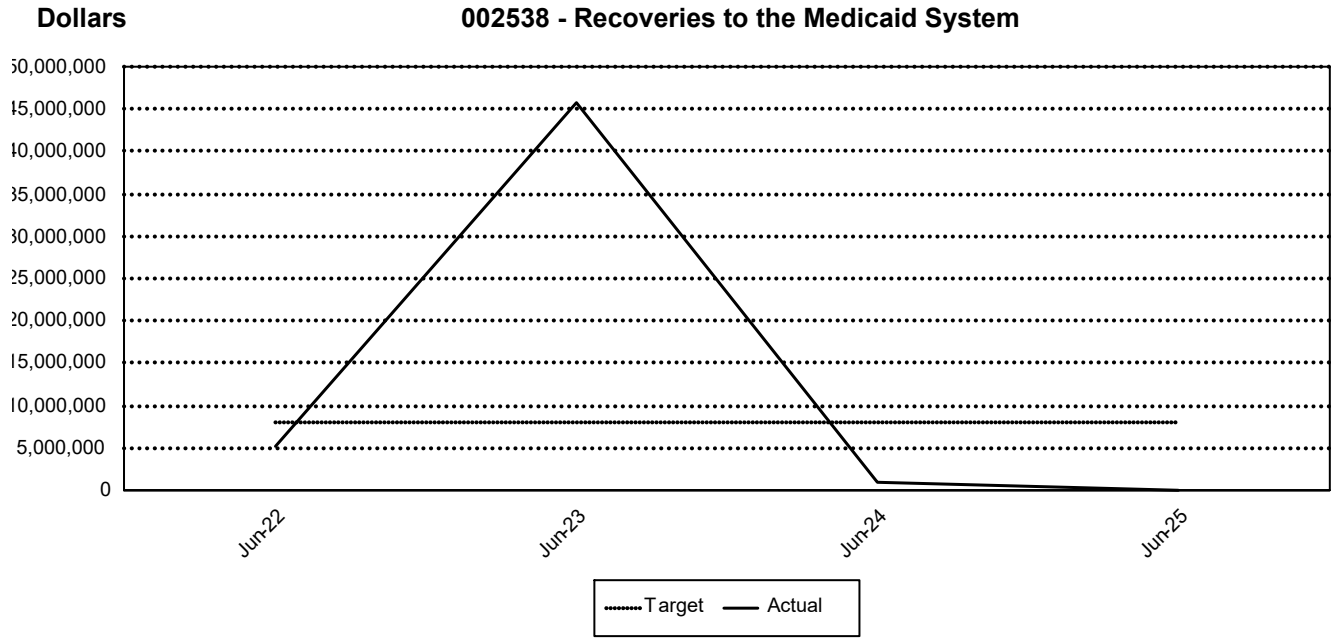
002538				
<p>State share of Medicaid recoveries is utilized to combat fraud, provide Medicaid services, and monitor prescription drug abuse. The 2012 legislature created the FCA and the MPA. These acts create the state funding source for the AGO’s MFCU, and for the Medicaid program integrity responsibilities 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	
Performance Measure Status: Approved				

ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2527 - 2025-27 Biennial Request

Dollars in Thousands

*

Appropriation Period: 2025-27 Sort By: Activity



ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2527 - 2025-27 Biennial Request

Dollars in Thousands

*

Appropriation Period: 2025-27 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 2026	FY 2027	Biennial Total
FTE	1,057.8	1,024.5	1,041.2
405 Legal Services Revolving Account			
405-1 State	\$205,390	\$201,325	\$406,715

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

Expected Results

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.

**ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2527 - 2025-27 Biennial Request**

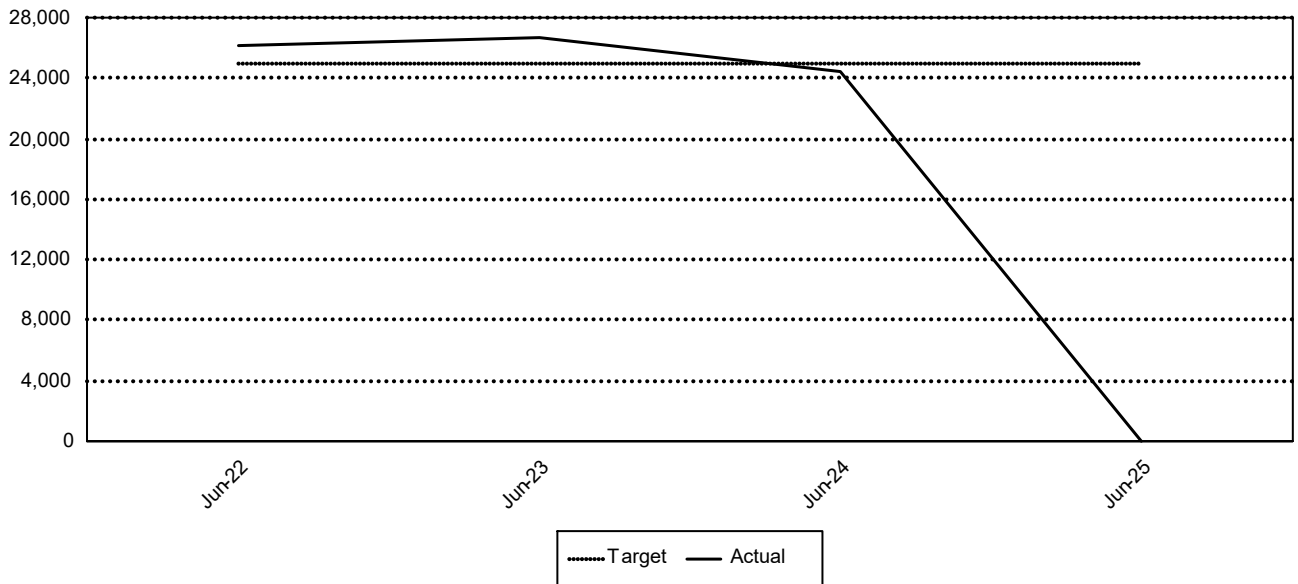
Dollars in Thousands

*

Appropriation Period: 2025-27 Sort By: Activity

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. 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
Performance Measure Status: Approved			

Number 002539 - Cases Open at End of Fiscal Year



ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2527 - 2025-27 Biennial Request

Dollars in Thousands

*

Appropriation Period: 2025-27 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 2026	FY 2027	Biennial Total
FTE	12.0	12.4	12.2
405 Legal Services Revolving Account			
405-1 State	\$88	\$148	\$236
111 Public Service Revolving Account			
111-1 State	\$3,079	\$3,090	\$6,169

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.

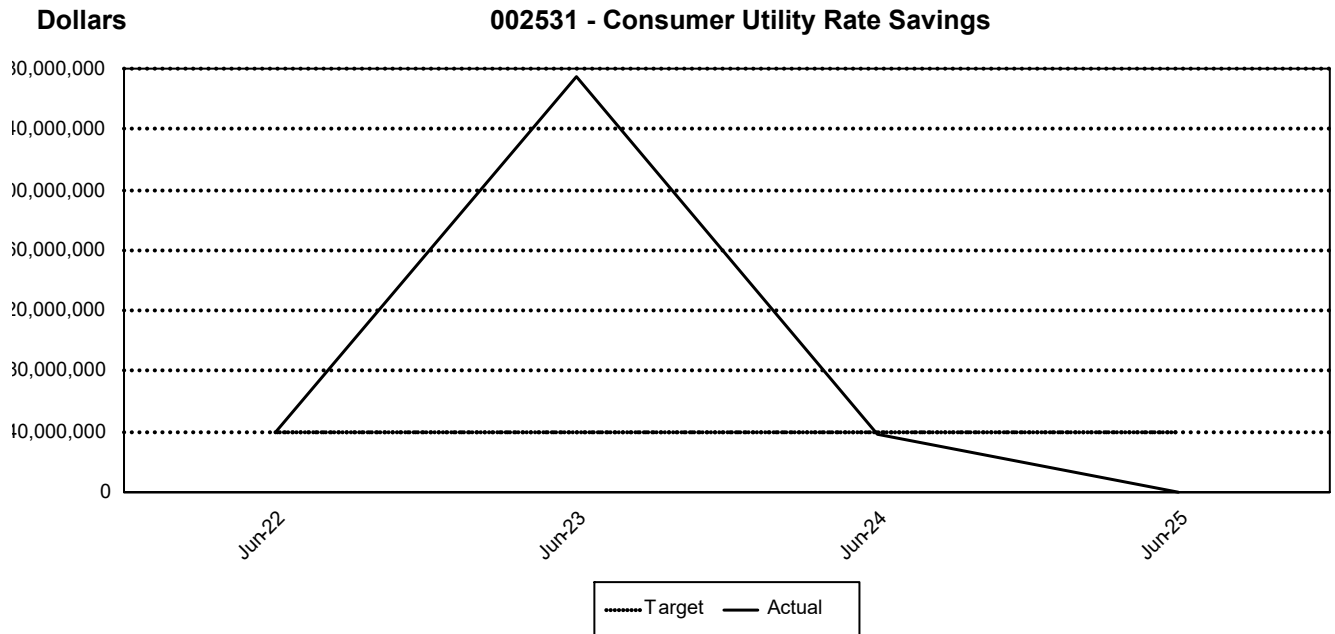
ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2527 - 2025-27 Biennial Request

Dollars in Thousands

*

Appropriation Period: 2025-27 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	
Performance Measure Status: Approved				



**ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2527 - 2025-27 Biennial Request**

Dollars in Thousands

*

Appropriation Period: 2025-27 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 2026	FY 2027	Biennial Total
001 General Fund			
001-1 State	\$192	\$465	\$657
405 Legal Services Revolving Account			
405-1 State	\$17	\$73	\$90

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.

Grand Total

	FY 2026	FY 2027	Biennial Total
FTE's	1,597.7	1,587.8	1,592.8
GFS	\$42,557	\$39,107	\$81,664
Other	\$247,007	\$250,018	\$497,025
Total	\$289,564	\$289,125	\$578,689

ACT001 - Agency Activity Inventory
100 - Office of Attorney General
2527 - 2025-27 Biennial Request

Dollars in Thousands

*

Appropriation Period: 2025-27 Sort By: Activity

Report Number: ACT001

<u>Parameter</u>	<u>Entered As</u>
Version Source	Agency
Session	2025-27 Regular
Agency	100
Version	2527 - 2025-27 Biennial 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
2025-27 Regular Budget Session
2527 - 2025-27 Biennial Request

Dollars in Thousands

Activity:

CB	T0PL	No measures linked to activity
CB	T0PL	No measures linked to decision package
CL	1905	No measures linked to activity
CL	1905	No measures linked to decision package
CL	2061	No measures linked to activity
CL	2061	No measures linked to decision package
CL	2467	No measures linked to activity
CL	2467	No measures linked to decision package
CL	5078	No measures linked to activity
CL	5078	No measures linked to decision package
CL	5236	No measures linked to activity
CL	5236	No measures linked to decision package
CL	5271	No measures linked to activity
CL	5271	No measures linked to decision package
CL	5427	No measures linked to activity
CL	5427	No measures linked to decision package
CL	5793	No measures linked to activity
CL	5793	No measures linked to decision package
CL	5838	No measures linked to activity
CL	5838	No measures linked to decision package
CL	6058	No measures linked to activity
CL	6058	No measures linked to decision package
CL	CLEM	No measures linked to activity
CL	CLEM	No measures linked to decision package
CL	CPC	No measures linked to activity
CL	CPC	No measures linked to decision package
CL	CVAW	No measures linked to activity
CL	CVAW	No measures linked to decision package
CL	HCSA	No measures linked to activity
CL	HCSA	No measures linked to decision package
CL	NC	No measures linked to activity
CL	NC	No measures linked to decision package
CL	NF	No measures linked to activity

ABS033 Performance Measure Incremental Estimates
100 Office of Attorney General
2527 - 2025-27 Biennial Request

Dollars in Thousands

CL	NF	No measures linked to decision package
CL	NG00	No measures linked to activity
CL	NG00	No measures linked to decision package
CL	NJ	No measures linked to activity
CL	NJ	No measures linked to decision package
CL	NK01	No measures linked to activity
CL	NK01	No measures linked to decision package
CL	NU	No measures linked to activity
CL	NU	No measures linked to decision package
CL	NW	No measures linked to activity
CL	NW	No measures linked to decision package
CL	PBNT	No measures linked to activity
CL	PBNT	No measures linked to decision package
CL	PC	No measures linked to activity
CL	PC	No measures linked to decision package
CL	PD	No measures linked to activity
CL	PD	No measures linked to decision package
CL	PG	No measures linked to activity
CL	PG	No measures linked to decision package
CL	PH01	No measures linked to activity
CL	PH01	No measures linked to decision package
CL	PL01	No measures linked to activity
CL	PL01	No measures linked to decision package
CL	RA01	No measures linked to activity
CL	RA01	No measures linked to decision package
CL	RDC	No measures linked to activity
CL	RDC	No measures linked to decision package
CL	RE	No measures linked to activity
CL	RE	No measures linked to decision package
CL	RK	No measures linked to activity
CL	RK	No measures linked to decision package
CL	RL	No measures linked to activity
CL	RL	No measures linked to decision package
CL	RM	No measures linked to activity
CL	RM	No measures linked to decision package
CL	RN	No measures linked to activity
CL	RN	No measures linked to decision package
CL	RT	No measures linked to activity

ABS033 Performance Measure Incremental Estimates
100 Office of Attorney General
2527 - 2025-27 Biennial Request

Dollars in Thousands

CL	RT	No measures linked to decision package
CL	TNC1	No measures linked to activity
CL	TNC1	No measures linked to decision package
CL	UETF	No measures linked to activity
CL	UETF	No measures linked to decision package
CL	UWBH	No measures linked to activity
CL	UWBH	No measures linked to decision package
CL	WAST	No measures linked to activity
CL	WAST	No measures linked to decision package
ML	TJ	No measures linked to activity
ML	TK	No measures linked to activity
ML	TM	No measures linked to activity
ML	TN	No measures linked to activity
ML	TP	No measures linked to activity
ML	TS	No measures linked to activity
ML	TT	No measures linked to activity
ML	TU	No measures linked to activity
ML	TV	No measures linked to activity
ML	TW	No measures linked to activity
ML	TX	No measures linked to activity
ML	TY	No measures linked to activity
ML	TZ	No measures linked to activity
ML	UB	No measures linked to activity
ML	UD	No measures linked to activity
PL	TA	No measures linked to activity
PL	TB	No measures linked to activity
PL	TC	No measures linked to activity
PL	TD	No measures linked to activity
PL	TE	No measures linked to activity
PL	TF	No measures linked to activity
PL	TG	No measures linked to activity
PL	TH	No measures linked to activity

Outcome Measures 000021 HITS Requests from Law Enforcement

			<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
ML	TM	Modernization of HITS	0	0	0	0

ABS033 Performance Measure Incremental Estimates
100 Office of Attorney General
2527 - 2025-27 Biennial Request

Dollars in Thousands

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 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
ML	TV	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 002533 Total AG Formal and Informal Opinions Issued

			<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
ML	TN	Law Enforcement Data Ongoing Fundi	0	0	0	0
ML	TX	SB 6194 Legislative Employees	0	0	0	0

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

Outcome Measures 002538 Recoveries to the Medicaid System

			<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
PL	TH	Medicaid Fraud Authority	0	0	0	0

AGO Strategic Plan: Protect the People – Goal 4: Protect All Washington Consumers. 2-4-2: Combat health care fraud.

Outcome Measures 002539 Cases Open at End of Fiscal Year

			<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
ML	TT	Hospital Staffing Standards	0	0	0	0
ML	UB	College System Benefits	0	0	0	0
ML	UD	OSPI Litigation	0	0	0	0
PL	TD	UW Transition of Support Staff	0	0	0	0
PL	TE	L&I Legal Services	0	0	0	0
PL	TF	UW Legal Services	0	0	0	0

**ABS033 Performance Measure Incremental Estimates
100 Office of Attorney General
2527 - 2025-27 Biennial Request**

Dollars in Thousands

PL	TG	Sunshine Committee Staffing	0	0	0	0
----	----	-----------------------------	---	---	---	---

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

Output Measures 002534 Direct Restitution Provided to Consumers through Litigation and Complaint Resolution

			<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
ML	TP	MHD Resolution Program	0	0	0	0
ML	TY	Charitable Asset Program	0	0	0	0

AGO Strategic Plan: AGO Strategic Plan: Protect the People – Goal 4: PROTECT ALL WASHINGTON CONSUMERS. 2-4-1: Enforce the laws that protect consumers and improve consumer awareness.

Output Measures 002536 Criminal Cases Closed

			<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
ML	TJ	Hate Crimes and Bias Incidents	0	0	0	0
ML	TK	AGO Sexual and Special Assault Unit	0	0	0	0
ML	TS	Patient Protection at Facilities	0	0	0	0
ML	TU	SB 6006 Human Trafficking	0	0	0	0
ML	TW	HB 1219 Youth Dependency Counsel	0	0	0	0
ML	TZ	Child Rescue Account Additional Aut	0	0	0	0
PL	TA	Economic Crimes Unit	0	0	0	0
PL	TB	Juvenile Rehab Legal Services	0	0	0	0
PL	TC	Criminal Justice Training Center	0	0	0	0

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

Activity: A002 Civil Commitment of Sexually Violent Predators

ML 9Z

No measures linked to decision package

**ABS033 Performance Measure Incremental Estimates
100 Office of Attorney General
2527 - 2025-27 Biennial Request**

Dollars in Thousands

Activity: A001 Administration

ML 9Z

No measures linked to decision package

Outcome Measures 002533 Total AG Formal and Informal Opinions Issued

			<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
ML	TN	Law Enforcement Data Ongoing Fundi	0	0	0	0

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

Outcome Measures 002539 Cases Open at End of Fiscal Year

			<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
PL	TG	Sunshine Committee Staffing	0	0	0	0

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

Output Measures 002534 Direct Restitution Provided to Consumers through Litigation and Complaint Resolution

			<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
ML	TY	Charitable Asset Program	0	0	0	0

AGO Strategic Plan: AGO Strategic Plan: Protect the People – Goal 4: PROTECT ALL WASHINGTON CONSUMERS. 2-4-1: Enforce the laws th
protect consumers and improve consumer awareness.

Output Measures 002536 Criminal Cases Closed

			<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
ML	TZ	Child Rescue Account Additional Aut	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
2527 - 2025-27 Biennial Request**

Dollars in Thousands

Activity: A003 Criminal Investigation and Prosecution

ML 9Z

No measures linked to decision package

Output Measures 002536 Criminal Cases Closed

			<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
ML	TK	AGO Sexual and Special Assault Unit	0	0	0	0
PL	TA	Economic Crimes Unit	0	0	0	0

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

Activity: A004 Enforcement of Anti-Trust Laws

ML 9Z

No measures linked to decision package

Activity: A005 Enforcement of Consumer Protection Laws

ML 9Z

No measures linked to decision package

Output Measures 002534 Direct Restitution Provided to Consumers through Litigation and Complaint Resolution

			<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
ML	TP	MHD Resolution Program	0	0	0	0

AGO Strategic Plan: AGO Strategic Plan: Protect the People – Goal 4: PROTECT ALL WASHINGTON CONSUMERS. 2-4-1: Enforce the laws th
protect consumers and improve consumer awareness.

**ABS033 Performance Measure Incremental Estimates
100 Office of Attorney General
2527 - 2025-27 Biennial Request**

Dollars in Thousands

Activity: A007 Homicide Investigation Tracking System

ML 9Z

No measures linked to decision package

Outcome Measures 000021 HITS Requests from Law Enforcement

			<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
ML	TM	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: 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

Outcome Measures 002538 Recoveries to the Medicaid System

			<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
PL	TH	Medicaid Fraud Authority	0	0	0	0

AGO Strategic Plan: Protect the People – Goal 4: Protect All Washington Consumers. 2-4-2: Combat health care fraud.

ABS033 Performance Measure Incremental Estimates
100 Office of Attorney General
2527 - 2025-27 Biennial Request

Dollars in Thousands

Activity: A010 Legal Services to State Agencies

ML 9Z

No measures linked to decision package

Outcome Measures 002533 Total AG Formal and Informal Opinions Issued

			<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
ML	TX	SB 6194 Legislative Employees	0	0	0	0

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

Outcome Measures 002539 Cases Open at End of Fiscal Year

			<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
ML	TT	Hospital Staffing Standards	0	0	0	0
ML	UB	College System Benefits	0	0	0	0
ML	UD	OSPI Litigation	0	0	0	0
PL	TD	UW Transition of Support Staff	0	0	0	0
PL	TE	L&I Legal Services	0	0	0	0
PL	TF	UW Legal Services	0	0	0	0

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

Output Measures 002536 Criminal Cases Closed

			<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
ML	TS	Patient Protection at Facilities	0	0	0	0
ML	TU	SB 6006 Human Trafficking	0	0	0	0
ML	TW	HB 1219 Youth Dependency Counsel	0	0	0	0
PL	TB	Juvenile Rehab Legal Services	0	0	0	0
PL	TC	Criminal Justice Training Center	0	0	0	0

ABS033 Performance Measure Incremental Estimates
100 Office of Attorney General
2527 - 2025-27 Biennial Request

Dollars in Thousands

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

Activity: A011 Representing Ratepayers

ML 9Z

No measures linked to decision package

Outcome Measures 002531 Consumer Utility Rate Savings

			<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
ML	TV	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
ML 9Z
ML TJ

No measures linked to activity
No measures linked to decision package
No measures linked to activity

Output Measures 002536 Criminal Cases Closed

			<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
ML	TJ	Hate Crimes and Bias Incidents	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
2527 - 2025-27 Biennial Request
Dollars in Thousands

Report Number: ABS033

Input Parameters

Session	2025-27 Regular
Agency	100
Version	2527
Program	Agency Level
Activity	(All)
For Word	N
Display Parameter Page	Y

2025-27 Biennium
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	10.4%	28,160	30,489	58,649
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	71.2%	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%	280,425	281,389	561,814

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
2025-27 Regular Budget Session
2527 - 2025-27 Biennial Request

	Average Annual FTEs	General Fund State	Other Funds	Total Funds
CB T0PL Current Biennium Base	1,529.5	91,036	469,771	560,807
2023-25 Current Biennium Total	1,529.5	91,036	469,771	560,807
CL 1905 Protected Classes Equal Pay	0.2	0	61	61
CL 2061 Healthcare Employee Overtime	0.2	0	30	30
CL 2467 LTSS Portability	0.0	0	(21)	(21)
CL 365 M365 from Central Service Model	0.0	0	1	1
CL 5078 Firearms Industry Duties	(4.7)	(2,078)	0	(2,078)
CL 5080 Cannabis Social Equity	0.0	0	(1,645)	(1,645)
CL 5236 Hospital Staffing Standards	1.9	0	140	140
CL 5259 Law Enforcement Data	0.0	(4,095)	0	(4,095)
CL 5271 Facilities Enforcement	0.1	0	3	3
CL 5272 Speed Safety Cameras	0.0	0	2,256	2,256
CL 5427 Hate Crimes & Bias Incidents	2.6	743	0	743
CL 5793 Paid Sick Leave	0.2	0	30	30
CL 5838 AI Task Force	(0.4)	(131)	0	(131)
CL 6058 Carbon Market Linkage	0.0	0	0	0
CL 6105 Adult Entertainment Workers	0.0	0	32	32
CL 8L Lease Adjustments	0.0	46	355	401
CL 90K Real Estate Services to CSM	0.0	0	0	0
CL 92C Archives/Records Management	0.0	(4)	(40)	(44)
CL 92G Administrative Hearings	0.0	0	(2)	(2)
CL 92J CTS Central Services	0.0	(18)	(175)	(193)
CL 92K DES Central Services	0.0	(1)	(10)	(11)
CL 92R OFM Central Services	0.0	(254)	(2,417)	(2,671)
CL 92W GOV Central Services	0.0	(1)	(7)	(8)
CL 9D Pension and DRS Rate Change	0.0	3	5	8
CL AAG WFSE Assistant AGs	0.0	697	3,976	4,673
CL CEST Clean Energy Siting	0.0	0	(6)	(6)
CL CLEM Clemency and Pardons Board	0.5	216	0	216
CL CLSA Employee Classification Adjustments	0.0	0	1	1
CL CPC Comprehensive Planning - Climate	(0.1)	0	(50)	(50)
CL CSAS Childhood Sexual Abuse/SOL	0.0	(100)	0	(100)
CL CVAW Crime Victims & Witnesses	(0.5)	(138)	0	(138)
CL E0FS Salaries for Elected Officials	0.0	0	6	6
CL G09 WFSE General Government	0.0	103	371	474
CL GL6 Non-Rep Recruitment/Retention	0.0	(29)	(220)	(249)
CL GL9 Non-Rep General Wage Increase	0.0	109	836	945
CL GLS Updated PEBB Rate	0.0	21	121	142
CL GLU PERS & TRS Plan 1 Benefit Increase	0.0	29	167	196
CL GLZ PEBB Rate Correction	0.0	53	314	367
CL HCAS Health Care Affordability Study	0.0	(100)	0	(100)
CL HCSA Health Care Services/Access	(0.3)	(87)	0	(87)
CL JSTF Jail Standards Task Force	0.0	(138)	0	(138)
CL MHCC MH Counselor Compensation	0.0	0	(9)	(9)
CL MMWDDMMIWP/Demographic Data Work Grp	0.0	(350)	0	(350)
CL MPTK Missing Persons Toolkit	0.0	(5)	0	(5)

ABS024 Recommendation Summary
Office of Attorney General
2527 - 2025-27 Biennial Request
Dollars in Thousands

	Average Annual FTEs	General Fund State	Other Funds	Total Funds	
CL NB	State v. Burbank/Collins/Rankine	0.0	(3,200)	0	(3,200)
CL NC	Maverick v. Gambling Commission	(1.8)	(512)	0	(512)
CL NE	Pakootas v. Teck Metals Ltd.	0.0	0	(700)	(700)
CL NF	Zimmerly, et al. v. CRGC et al.	(0.7)	0	(300)	(300)
CL NG00	Large Capacity Magazine Lawsuits	(1.9)	(1,002)	0	(1,002)
CL NJ	Counsel for Children and Youth	2.0	0	568	568
CL NK01	Combined In Home & Transitional Svc	(1.2)	0	(344)	(344)
CL NM	Wenatchee Office Relocation	0.0	0	(287)	(287)
CL NP	SAKI Federal Authority	0.0	0	(2,200)	(2,200)
CL NS	Technical Correction	0.0	0	0	0
CL NT	Quendall Terminals Litigation	0.0	(60)	0	(60)
CL NU	College System Benefits Litigation	(7.3)	0	(4,136)	(4,136)
CL NW	Legal Matter Management	(5.0)	(123)	(1,015)	(1,138)
CL PBNT	Publication of Notice	1.0	0	1,100	1,100
CL PC	SVP Unit Resources	2.5	731	0	731
CL PD	Organized Retail Crime Task Force	2.6	755	0	755
CL PDFS	Private Detention Facilities	0.1	0	0	0
CL PG	MMIWP Extension	(2.3)	(519)	0	(519)
CL PH01	Residential Treatment Facility Rep.	1.8	0	512	512
CL PHFE	Public Health Framework/Extremism	0.0	(247)	0	(247)
CL PL01	PLIA Legal Services	(0.4)	0	(112)	(112)
CL RA01	SAKI Unit	4.4	1,335	0	1,335
CL RC	Fish & Wildlife Legal Services	0.0	0	7	7
CL RD	Gambling Commission Legal Services	0.0	0	7	7
CL RDC	Redistricting Commission Litigation	(1.8)	(1,381)	0	(1,381)
CL RE	Ecology Legal Services	0.8	0	223	223
CL RF	EFSEC Legal Services	0.0	0	6	6
CL RH	Leadership Board Legal Services	0.0	0	1	1
CL RJ	Wenatchee Office Relocation	0.0	(1,610)	0	(1,610)
CL RK	Firearm Lawsuits	(5.9)	(2,246)	0	(2,246)
CL RL	Voter Rights Litigation	(0.3)	(3,117)	0	(3,117)
CL RM	Private Detention Facilities	(1.7)	(591)	0	(591)
CL RN	OSPI Litigation	(1.6)	0	(465)	(465)
CL RP	Child Rescue Account Authority	0.0	0	(120)	(120)
CL RR	SAKI Grant Authority	0.0	0	(621)	(621)
CL RS	Foreclosure Compliance Program	0.0	(150)	0	(150)
CL RT	Tobacco Diligent Enforcement	0.6	175	0	175
CL SOSL	Secretary of State Legal Services	0.0	0	(515)	(515)
CL SHC	Sustainable Harvest Litigation	0.0	0	(300)	(300)
CL SSLS	SOS Legal Services	0.0	0	(200)	(200)
CL TILL	Emmett Till Grant	0.0	0	(590)	(590)
CL TIPL	Youth Tip Line Fund Shift	0.0	(1,000)	0	(1,000)
CL TNC1	TNC Insurance Programs	0.2	0	45	45
CL TRTH	Tribal Advisory Committee	0.0	(500)	0	(500)
CL UAAL	Plan 1 UAAL Rates	0.0	(125)	(707)	(832)
CL UETF	Underground Economy Task Force	(0.2)	(45)	0	(45)
CL UWBH	UW Legal Services/Teaching Hospital	1.9	0	615	615
CL VVFH	Vet Voice Foundation v. Hobbs	0.0	0	(650)	(650)
CL WAST	Waste Material Management	0.2	0	22	22

ABS024 Recommendation Summary
Office of Attorney General
2527 - 2025-27 Biennial Request
Dollars in Thousands

	Average Annual FTEs	General Fund State	Other Funds	Total Funds
CL WLLP Water Law Legal Primer	0.0	(50)	0	(50)
CL YYY Vaccine Booster Incentive	0.0	(25)	(189)	(214)
Total Carry Forward Level	1,515.0	72,020	463,529	535,549
Percent Change from Current Biennium	(.9)%	(20.9)%	(1.3)%	(4.5)%
Maintenance – Other Changes				
ML 8L Lease Adjustments	0.0	207	2,305	2,512
ML TJ Hate Crimes and Bias Incidents	0.0	657	0	657
ML TK AGO Sexual and Special Assault Unit	1.7	534	0	534
ML TM Modernization of HITS	1.5	1,562	0	1,562
ML TN Law Enforcement Data Ongoing Fundi	3.8	5,360	0	5,360
ML TP MHD Resolution Program	2.5	0	804	804
ML TQ Public Records Act Consult. Program	0.0	650	0	650
ML TR Public Council Unit Additional EA	0.0	0	1,000	1,000
ML TS Patient Protection at Facilities	3.6	0	1,030	1,030
ML TT Hospital Staffing Standards	2.4	0	783	783
ML TU SB 6006 Human Trafficking	0.6	0	150	150
ML TV HB 1589 Clean Energy	2.1	0	666	666
ML TW HB 1219 Youth Dependency Counsel	19.0	0	6,033	6,033
ML TX SB 6194 Legislative Employees	0.6	0	179	179
ML TY Charitable Asset Program	0.0	0	200	200
ML TZ Child Rescue Account Additional Aut	0.0	0	120	120
ML UA SAKI Authority	0.0	0	600	600
ML UB College System Benefits	2.6	0	3,296	3,296
ML UC Pakootas v Teck Metals	0.0	0	700	700
ML UD OSPI Litigation	2.2	0	691	691
Maintenance – Other Total	42.5	8,970	18,557	27,527
Total Maintenance Level	1,557.5	80,990	482,086	563,076
Percent Change from Current Biennium	1.8%	(11.0)%	2.6%	.4%
Policy – Other Changes				
PL TA Economic Crimes Unit	1.0	308	0	308
PL TB Juvenile Rehab Legal Services	5.1	0	1,700	1,700
PL TC Criminal Justice Training Center	1.1	0	358	358
PL TD UW Transition of Support Staff	10.0	0	2,260	2,260
PL TE L&I Legal Services	8.2	0	2,178	2,178
PL TF UW Legal Services	3.7	0	1,226	1,226
PL TG Sunshine Committee Staffing	1.2	366	0	366
PL TH Medicaid Fraud Authority	5.0	0	7,217	7,217
Policy – Other Total	35.3	674	14,939	15,613

ABS024 Recommendation Summary
Office of Attorney General
2527 - 2025-27 Biennial Request
Dollars in Thousands

Subtotal - Policy Level Changes	35.3	674	14,939	15,613
2025-27 Total Policy Level	1,592.8	81,664	497,025	578,689
Percent Change from Current Biennium	4.1%	(10.3)%	5.8%	3.2%

ABS024 Recommendation Summary
Office of Attorney General
2527 - 2025-27 Biennial Request
Dollars in Thousands

ML 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.

ML TJ Hate Crimes and Bias Incidents

In the 2024 Supplemental Budget, the Attorney General's Office (AGO) received \$743,000 in FY 2025, to fund the Hate Crimes Bias Incidents hotline established in SSB 5427. The AGO Policy Division (POL) determined the costs for facilitating meetings, stipends, space rental, setting up and running a hotline, and translation or interpretation for outreach would continue to increase in the following FY's. The AGO is requesting additional funding to cover these costs consistent with its original fiscal note request.

ML TK AGO Sexual and Special Assault Unit

The Attorney General's Office (AGO) was funded in the 2024 Supplemental Budget for the permanent AGO Sexual and Special Assault Unit (SSAU), formerly known as the Sexual Assault Kit Initiative (SAKI) unit with the AGO's Criminal Justice Division (CRJ). For the past six years this was grant funded and that funding ends September 2024. In addition, the AGO received State funding to continue the SSAU work beginning on October 1, 2024. The AGO is requesting the remaining three months of on-going funding to continue, and expand on, the already significant accomplishments—solving more cases and bringing justice to more victims.

ML TM 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 TN Law Enforcement Data Ongoing Fundi

The Attorney General's Office (AGO) Policy Division (POL) requests ongoing funding for SB 5259 (Washington State Data Exchange for Public Safety (WADEPS)). WADEPS was enacted into law during the 2021 legislative session. The Legislature provided funding in the 2023-25 Biennium; however, this funding was not included in the carry-forward level. This request shifts unspent funds from the 2023-25 biennium into the 2025-27 biennium without increasing the program's ultimate budget and costs. The data platform for WADEPS is currently in development and will enable law enforcement agencies to meet statewide use-of-force reporting and public accessibility requirements established in RCW 10.118.01.

ML TP MHD Resolution Program

The Manufactured Housing Dispute Resolution Program (MHD) requires additional ongoing Expenditure Authority (EA) to effectively enforce the Manufactured Housing/Mobile Home Landlord-Tenant Act, RCW 59.20 (MHLTA). Specifically, addition funding is needed to provide dispute resolution services for constituents; implement and enforce the recently enacted SB 5198 process; add enforcement staff; and to develop, update, and distribute educational materials pursuant to RCW 59.30. In addition, MHD expects a significant increase in costs to defend notices issued and to update its complaint database.

ABS024 Recommendation Summary
Office of Attorney General
2527 - 2025-27 Biennial Request
Dollars in Thousands

ML TQ Public Records Act Consult. Program

The Attorney General's Office (AGO) Local Government Public Records Consultation Program (LGCP) is funded through a \$1.0 surcharge on filings, primarily, real estate purchase and refinancing with County Auditors. Since initiation until this biennium, fund revenues have exceeded expenditures. Historically high interest rates have depressed revenues. At the current expenditure rate, reserves will be exhausted during the 2025-27 biennium. Revenues alone, at the current rate, are inadequate to continue the LGCP's services which are accomplished primarily through staff interaction and support to local governments. This request is for appropriation to augment the current funding shortfall.

ML TR 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 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 202 and beyond. Preparation and litigation of these cases is labor intensive. Therefore, the AGO is requesting additional funding to cover these costs.

ML 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.

ML 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)

ML 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.

ML 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.

ABS024 Recommendation Summary
Office of Attorney General
2527 - 2025-27 Biennial Request
Dollars in Thousands

ML 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). 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 2026 to provide ongoing legal services for to PERC and LRR relating to recent legislation that provides for the potential unionization of certain employees of the State Legislature.

ML TY 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 TZ Child Rescue Account Additional Aut

The Attorney General's Office (AGO) is requesting an increase in expenditure authority for the Child Rescue Account to more efficiently payout grant amounts to Children's Advocacy Centers of Washington.

ML 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.

ML 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.

ML UC Pakootas v Teck Metals

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.

ML UD OSPI Litigation

ABS024 Recommendation Summary
Office of Attorney General
2527 - 2025-27 Biennial Request
Dollars in Thousands

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 OPSI'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.

PL TA Economic Crimes Unit

The Attorney General's Office (AGO) requests funding for the 2025-27 biennium, and ongoing for future biennia, to employ one Financial Examiner 3 (FE3) to examine financial records as part of investigation and prosecution of organized retail crime, tax fraud, wage theft, and other complex financial crimes. The request is made due to the rising complexity of financial crimes, to assist with complex financial investigations within our new Organized Retail Crime (ORC) Team, and to remedy the current absence of financial records examination expertise in the AGO's Criminal Justice Division (CRJ).

PL 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.

PL 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 to effectively serve CJTC and their growing legal needs.

PL 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.

PL 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.

PL TF UW Legal Services

ABS024 Recommendation Summary
Office of Attorney General
2527 - 2025-27 Biennial Request
Dollars in Thousands

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.

PL TG Sunshine Committee Staffing

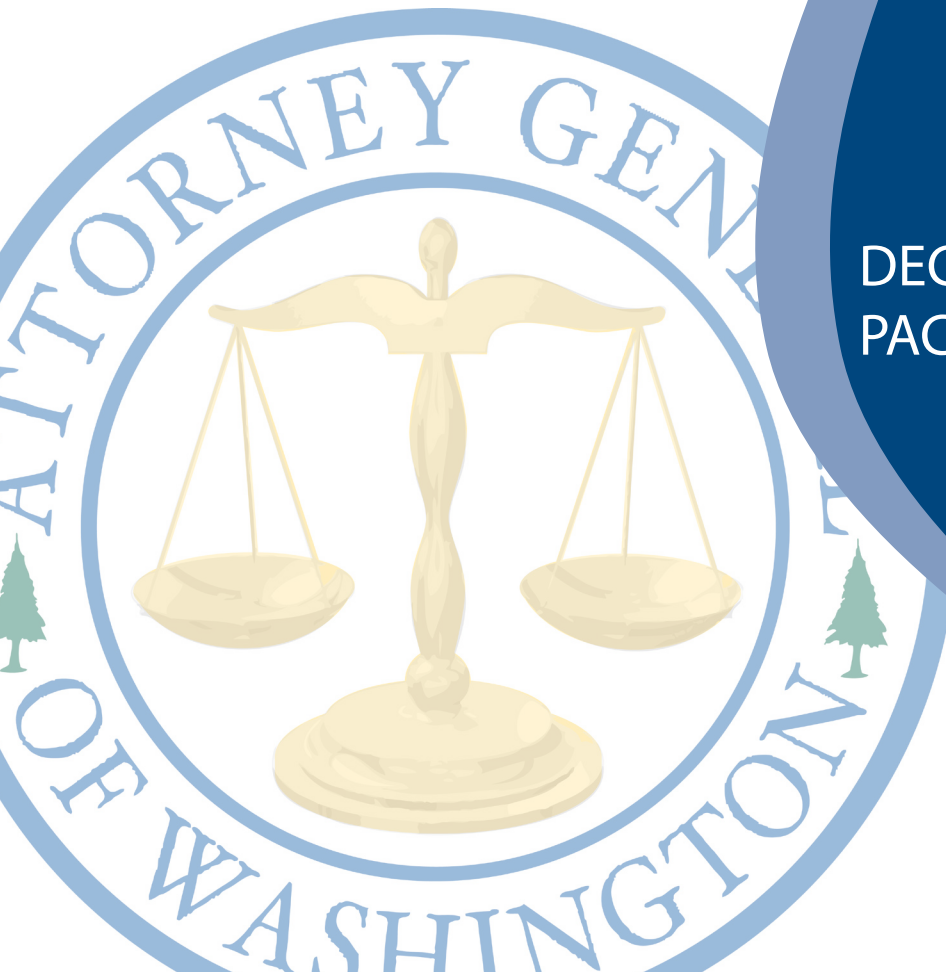
The Attorney General's Office (AGO) Policy Division (POL) requests a Policy Analyst (PA) to provide staffing support for the Washington Public Records Exemptions Accountability Committee, more commonly known as the Sunshine Committee (Committee). The Legislature created the Committee in FY 2007. However, the AGO did not receive funding or a dedicated FTE support the Committee. The AGO requests resources to conduct important functions, including legislative research, outreach and engagement of stakeholders, and bill tracking.

PL 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.

Tab C

DECISION
PACKAGES



2025-27 BIENNIAL BUDGET REQUEST

Office of the Attorney General

Decision Package Summary

ML Priority			
Type	Rec Sum	DP Title	Priority
ML	TJ	Hate Crimes and Bias Incidents	N/A
ML	TK	AGO Sexual and Special Assault Unit	N/A
ML	TM	Modernization of HITS	N/A
ML	TN	Law Enforcement Data Ongoing Funding	N/A
ML	TP	MHD Resolution Program	N/A
ML	TQ	Public Records Act Consultation Program	N/A
ML	TR	Public Council Unit additional EA	N/A
ML	TS	Patient Protection at Facilities	N/A
ML	TT	Hospital Staffing Standards	N/A
ML	TU	SB 6006 Human Trafficking	N/A
ML	TV	HB 1589 Clean Energy	N/A
ML	TW	HB 1219 Youth Dependency Counsel	N/A
ML	TX	SB 6194 Legislative Employees	N/A
ML	TY	Charitable Asset Program	N/A
ML	TZ	Child Rescue Account Additional Authority	N/A
ML	UA	SAKI Authority	N/A
ML	UB	College System Benefits	N/A
ML	UC	Pakootas v Teck Metals	N/A
ML	UD	OSPI Litigation	N/A
8L	8L	Lease Adjustments	N/A

PL Priority			
Type	Rec Sum	DP Title	Priority
PL	TA	Economic Crimes Unit	1
PL	TB	Juvenile Rehab Legal Services	2
PL	TC	Criminal Justice Training Center Legal Services	3
PL	TD	UW Transition of Support Staff	4
PL	TE	L&I Legal Services	5
PL	TF	UW Legal Services	6
PL	TG	Sunshine Committee Staffing	7
PL	TH	Medicaid Fraud Authority	8



Dollars in Thousands

ABS031 Agency DP Priority (PL)
(List only the program Policy Level budget decision packages, in priority order)
100 - Office of Attorney General
2025-27 Regular Budget Session
2527 - 2025-27 Biennial Request

Decision Package

Code	Decision Package Title
PL-TA	Economic Crimes Unit
PL-TB	Juvenile Rehab Legal Services
PL-TC	Criminal Justice Training Center
PL-TD	UW Transition of Support Staff
PL-TE	L&I Legal Services
PL-TF	UW Legal Services
PL-TG	Sunshine Committee Staffing
PL-TH	Medicaid Fraud Authority



Office of Attorney General
 2025-27 Regular Budget Session
 Maintenance Level - TJ - Hate Crimes and Bias Incidents

Agency Recommendation Summary

In the 2024 Supplemental Budget, the Attorney General’s Office (AGO) received \$743,000 in FY 2025, to fund the Hate Crimes and Bias Incidents hotline established in SSB 5427. The AGO Policy Division (POL) determined the costs for facilitating meetings, stipends, space rental, setting up and running a hotline, and translation or interpretation for outreach would continue to increase in the following FY’s. The AGO is requesting additional funding to cover these costs consistent with its original fiscal note request.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	0.0	0.0	0.0	0.0	0.0	0.0
Operating Expenditures						
Fund 001 - 1	\$192	\$465	\$657	\$165	\$165	\$330
Total Expenditures	\$192	\$465	\$657	\$165	\$165	\$330

Decision Package Description

SSB 5427 added a section to RCW 43.10, requiring the Attorney General’s Office (AGO) to oversee a hate crimes and bias incidents hotline that accepts reports of hate crimes, bias incidents, provides crisis intervention, information, and referrals, and is accessible to Washington State (WA) residents regardless of language proficiency. The law requires the AGO to develop an intake process and identify local service providers for referral purposes. SSB 5427 requires the AGO to establish an advisory committee with specified membership to provide advice and assistance; provides detailed requirements for committee. The bill also requires the AGO to develop and implement a hotline pilot program by July 1, 2025, and implement a statewide program by January 1, 2027. Starting January 1, 2027, and at least annually thereafter, the AGO must submit a report regarding hate crime issues to the Governor, Senate, and House of Representatives. Other provisions are included relating to the reporting of hate crimes and bias incidents information by the AGO and law enforcement agencies. Defines “bias incident”, “hate crime”, and other terms.

SSB 5427 also amends RCW 42.56.240, exempting specific information related to the program and its users from disclosure under the Public Records Act (PRA), including investigative reports, license applications, gang databases, sales tracking systems established under RCW 43.43.762, sex offender information, personally identifying information, firearms offenses, state employee or whistleblowers, GPS information, and body camera information (with exceptions, requirements, and details).

The AGO received \$743,000 in the 2024 Supplemental Budget for FY 2025 and that funding will be used to hire 1.0 Policy Manager, 1.0 Policy Analyst, 1.0 Contracts Specialist and 0.8 for a Fiscal Analyst 3 and \$65,000 for direct costs.

The additional needs of \$192,000 in FY 2026 and \$465,000 in FY 2027 will be used for facilitating meetings, stipends, space rental, and translation or interpretation for outreach.

Assumptions and Calculations

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

This is a new undertaking for the AGO.

Detailed Assumptions and Calculations:

The AGO received \$743,000 in the 2024 Supplemental Budget for FY 2025 and that funding will be used to hire 1.0 Policy Manager, 1.0 Policy Analyst, 1.0 Contracts Specialist and 0.8 for a Fiscal Analyst 3 and \$65,000 for directs costs.

The additional needs of \$192,000 in FY 2026 and \$465,000 in FY 2027 will be used for facilitating meetings, stipends, space rental, and translation or interpretation for outreach.

Workforce Assumptions:

FTE and funding were provided to the AGO in the 2024 Supplemental Budget

FTE detail is provided, Dollars in Thousands:

FTE	FY 2026	FY 2027	FY 2028	FY 2029	Ongoing ? Y / N
AAG FTE					
Object A & B					
LA FTE					
Object A & B					
PL FTE					
Object A & B					
INV FTE					
Object A & B					
MA5 FTE					
Object A & B					
Other (describe) FTE					
Object A & B					
TOTAL FTE	0.0	0.0	0.0	0.0	
TOTAL A & B	0	0	0	0	

Historical Funding:

Dollars in Thousands:

FY 2026

FTE = 0

Total Funds = \$743

Near General Fund = \$0

Other Funds = \$743

FY 2027

FTE = 0

Total Funds = \$0

Near General Fund = \$0

Other Funds = \$0

Strategic and Performance Outcomes

Strategic Framework:

Results Washington Outcome Measures:

[1] <https://www.justice.gov/hatecrimes/state-data>

This budget request will support the Governor’s Results Washington priorities of “Healthy and Safety Communities” and “Efficient, Effective, and Accountable Government.”

AGO Strategic Plan:

This request supports Goals 1, 2, and 3 of the AGO’s Priority to “Protect the People”:

Goal 1 – Defend the civil rights and stand up for vulnerable Washingtonians.

Goal 2 – Protect Washington’s environment and public health.

Goal 3 – Promote Good Government

Good government requires clear understanding of the roles and authorities of the executive branch agencies as well as protection of taxpayer resources.

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

Activity	Fund	FY 2026	FY 2027	FY 2028	FY 2029
A010 - Victim Advocacy	001-1	192	465	165	165
TOTAL		192	465	165	165

Performance Measure	Fund	FY 2026	FY 2027	FY 2028	FY 2029
2536 - Criminal Cases Closed	001-1	192	465	165	165
TOTAL		192	465	165	165

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
002536 - Criminal Cases Closed	0	0	0	0

Performance Outcomes:

Incremental impact for this performance measure is indeterminate.

Equity Impacts

Community Outreach and Engagement:

The AGO will implement a culturally responsive and trauma-informed statewide strategy to design, operate, and educate members of the public and other organizations on a newly launched hate crimes and bias incidents hotline. This decision package notes the funding needed for the implementation of a call center to receive phone calls during business hours and through online mechanisms. It also allows for more interpretation when calls are received as well as the necessary funding for in person meetings to educate communities about the hotline. A call center will allow for more calls to be received by underserved communities across the state and referred to law enforcement and prosecutors for justice for these communities.

Disproportional Impact Considerations:

The advisory group addressed these impacts. This request is to complete the implementation of the hotline.

Target Communities and Populations:

Washington State had the fifth highest hate crimes ^[1] reported in the country (after California, New Jersey, New York, and Texas, respectively). Washington's population is 7.786 million, comparatively the smallest of the five states. Hate crimes and bias incident reports are on the rise. The hotline will provide an opportunity to gather comprehensive statewide data and add capacity to the AGO's coordination and trust building with historically marginalized communities most impacted by hate crimes and bias incidents to improve underreporting across Washington.

[1] <https://www.justice.gov/hatecrimes/state-data>

Community Inputs and Incorporation:

This request is for the continuation of the implementation of SB 5427. As part of the implementation, community members were included in the advisory committee. The AGO continues to work the advisory committee as the hotline is implemented.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

N/A

Stakeholder Impacts:

There is no known opposition to this request currently.

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

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
	2026	2027	2025-27	2028	2029	2027-29
Obj. E	\$192	\$465	\$657	\$165	\$165	\$330

Agency Contact Information

Edd Giger
(360) 586-2104
Edward.Giger@atg.wa.gov



Agency Recommendation Summary

The Attorney General’s Office (AGO) was funded in the 2024 Supplemental Budget for the permanent AGO Sexual and Special Assault Unit (SSAU), formerly known as the Sexual Assault Kit Initiative (SAKI) unit with the AGO’s Criminal Justice Division (CRJ). For the past six years this was grant funded and that funding ends September 2024. In addition, the AGO received State funding to continue the SSAU work beginning on October 1, 2024. The AGO is requesting the remaining three months of on-going funding to continue, and expand on, the already significant accomplishments—solving more cases and bringing justice to more victims.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	1.7	1.7	1.7	1.7	1.7	1.7
Operating Expenditures						
Fund 001 - 1	\$267	\$267	\$534	\$267	\$267	\$534
Total Expenditures	\$267	\$267	\$534	\$267	\$267	\$534

Decision Package Description

Prioritization of Sexual Assault investigations in Washington State.

In 2015, the State Legislature enacted RCW 5.70.040, which requires law enforcement agencies to submit all sexual assault kits for testing within 30 days of receiving them. This set in motion a pattern of action that demonstrates the Legislature’s prioritization of, and focus on, sexual assault crimes and victims.

This prioritization and focus were further enhanced when the Legislature established the Sexual Assault Forensic Examination Best Practices Advisory group (SAFE Group) within the Attorney General’s Office (AGO). The purpose of establishing the SAFE Group was to help bring justice to sexual assault survivors, reduce the number of untested sexual assault kits in Washington, and review and implement best practice models for all aspects of sexual assault investigations.

Since its creation, the SAFE Group has made numerous recommendations to the Legislature that have resulted in statutes targeted to help accomplish the above stated goals. For example, the SAFE Group’s 2022 Annual Report to the Legislature and Governor included the following recommendations:

1. Enhance Accountability for collection of DNA from individuals who are required to provide their DNA as part of their conviction
2. Provide additional resources for sexual assault prosecutions, including a prosecutor to serve as a resource for local prosecutors across the state for training and other assistance

On October 1, 2017, The Bureau of Justice Assistance in the Department of Justice (BJA) awarded the AGO its first Sexual Assault Kit Initiative (SAKI) grant. Since then, the SAKI Program has been awarded five additional BJA grants. In addition to achieving the goals of the grants, the SAKI Program has been pivotal in advancing the goals of the Legislature and the SAFE Group.

Functions of the Unit

Like the AGO’s existing Homicide Investigation Tracking System (HITS) Unit, SAKI would use available data to track sexual assault cases and identify serial sex offenders.

Sex offenses are frequently serial in nature--arguably even more so than murders. The AGO has a substantial database (DNATS) designed for the SAKI Program that tracks the existing backlog of sexual assault kits and cases. This is in addition to the AGO HITS database.

When the existing SAKI grants end in September 2024, the AGO will not have the funding to update and maintain the database and information that has been collected for years. This would be an unfortunate waste of a valuable existing resource.

Offer assistance with “cold” sexually motivated cases, whether SAKI funded or not.

By definition, cold cases are old and unsolved. At the time the crimes occurred, investigative practices and procedures, recordkeeping, evidence storage, and forensic testing generally were different than they are today. Over time, evidence and reports may get lost or damaged, witnesses may disappear or die, investigators may retire, and the character and makeup of geography and locations may change. Additionally, once a case goes cold, it is often left untouched for months or years until someone new has the time and opportunity to pick it up again.

When this happens, new investigators must conduct a new review of often voluminous case files to learn the case afresh. These investigators encounter significant challenges. For example, old records (sometimes handwritten) are often hard to make sense of, and documents that have been collected over the years are frequently disorganized and scattered. In other words, delving into cold cases generally requires a significant commitment of time and labor.

In the SAKI Program’s work with “SAKI Purpose Area 1,” the program has solicited law enforcement agencies to accept funding assistance for forensic genetic genealogy and other advanced DNA testing. A response that is commonly received from such agencies is that they do not have the resources and or personnel available to delve into cold cases to determine whether such testing would be appropriate.

The new AGO Sexual and Special Assault Unit (SSAU), formerly known as the SAKI Unit will offer assistance early in the case review process, making the contribution even more effective than what can be offered now. The team examines case files and help review, organize, research, and discuss potential courses of action with local law enforcement agencies. In this way, SSAU will take on some of the work that law enforcement agencies do not have resources to undertake.

Currently, the SSAU is assisting with two cold sexually motivated homicides: one in King County and one in Port Orchard. The team has reviewed the cases and met with investigating detectives to discuss progress, make suggestions, and propose ideas for investigative direction. The team has also been involved in meetings with forensic scientists and the Federal Bureau of Investigations (FBI) to help move the cases forward. At the request of the City of Port Orchard Police Department, SSAU’s data consultant is creating a timeline to assist investigating detectives.

With continued funding the SSAU, would not be limited to assisting with only SAKI grant-funded cases. Thus, having a much broader reach.

With SSAU’s follow-up on sexual assault kits and assistance with forensic genetic genealogy and advanced DNA testing, SSAU already has working relationships with the sexual assault divisions of almost every law enforcement agency in the State. Thus, the initial steps of creating a new investigative unit has already been taken.

AGO’s SSAU staff includes two data consultants who are already familiar with various databases that help with investigations and are adept at navigating current technology and digital tools. They have the knowledge necessary to keep up with ever changing modern technological developments to proficiently analyze data.

The members of the current SSAU have proven to be intelligent, creative, and hard workers who have capably pivoted to evolve with ever changing SAKI demands. They are an asset to the AGO, and their work with sexual assault cases should continue.

Continue follow-up on cold cases from backlog sexual assault kit hits.

Further, RCW 5.70.060 requires the AGO to follow up on hits from sexual assault kits collected and tested as required by RCW 5.70.050. This work is accomplished by SSAU employees. The requirement under the law will not end when the grant funding ends.

Already existing Forensic Genetic Genealogy experience and expertise.

The SSAU Program team has fielded around 45 requests for financial assistance for forensic genetic genealogy and advanced DNA testing. In the process, the AGO has learned a lot about forensic genetic genealogy and modern advances in various types of DNA testing (hair testing, for example). Forensic genetic genealogy, in particular, is being increasingly utilized to solve serious cold cases.

Building on the knowledge already gained, members of the unit could become trained to do the genealogical research themselves. The FBI offers forensic genetic genealogy training and services at no cost. SSAU already has contacts with the FBI and with various labs in the field.

This is a burgeoning field and the knowledge and skills we have gained should be used and fine-tuned indefinitely.

In the alternative, much of the knowledge, skill, data, and connections the SSAU team has compiled will simply cease to be of use as soon as the grants end. Squandering the opportunity to use what the SSAU team has gained to help solve sexual assault cases going forward would be a disservice to the community and to sexual assault victims.

By continuing to fund a permanent SSAU, the AGO can continue, and expand on, our already significant accomplishments—solving more cases and bringing justice to more victims.

Assumptions and Calculations

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

This is an alteration of the current federally grant funded SAKI unit. Staffing will not increase from its current level. The staffing would now be state funded. Funding was provided in the 2024 Supplemental Budget of \$801,00 for 5.3 FTE, which is nine months of the FY. AGO is requesting the delta of \$267,000 in FY2026 and in each FY thereafter to fully fund the SSAU Unit. The total costs per FY are \$1,068,000.

Detailed Assumptions and Calculations:

The SSAU requires additional funding of \$267,000 each FY cover the delta between the 2024 Supplemental Funding and what is required to fund the unit. The AGO was funded for nine months in FY2025 because the program still had three months of Grant funding available.

This additional funding will support the following 7 FTE: 2.0 AGO Senior Investigator (SR INV), 1.0 AGO Investigator (INV), 1.0 Data Consultant (DC) 3, 1.0 DC 2, 1 IT Application Developer – Entry (App Dev-Entry), and 1.0 Administrative Assistant 3 (AA 3).

Workforce Assumptions:

See graphic

FTE detail is provided, Dollars in Thousands:

FTE	FY 2026	FY 2027	FY 2028	FY 2029	Ongoing ? Y / N
SR INV FTE	0.5	0.5	0.5	0.5	Y
Object A & B	68	68	68	68	
INV FTE	0.3	0.3	0.3	0.3	Y
Object A & B	31	31	31	31	
DC 3 FTE	0.3	0.3	0.3	0.3	Y
Object A & B	28	28	28	28	
DC 2 FTE	0.3	0.3	0.3	0.3	Y
Object A & B	22	22	22	22	
App Dev-Entry FTE	0.3	0.3	0.3	0.3	Y
Object A & B	33	33	33	33	
AA3 FTE	0.2	0.2	0.2	0.2	Y
Object A & B	20	20	20	20	
TOTAL FTE	1.7	1.7	1.7	1.7	
TOTAL A & B	202	202	202	202	

Historical Funding:

Dollars in Thousands:

FY 2026

FTE = 5.3

Total Funds = \$801

Near General Fund = \$801

Other Funds = \$0

FY 2027

FTE = 5.3

Total Funds = \$801

Near General Fund = \$801

Other Funds = \$0

Strategic and Performance Outcomes

Strategic Framework:

This budget request supports the Governor’s Results Washington priorities of “Healthy and Safety Communities” and “Efficient, Effective, and Accountable Government.”

This request supports the AGO’s Priority to “Protect the People” by working to hold sexual offenders accountable, find justice for victims, and protect potential future victims.

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

Activity	Fund	FY 2026	FY 2027	FY 2028	FY 2029
A003 - Criminal Investigations and Prosecutions	001-1	267	267	267	267
TOTAL		267	267	267	267

Performance Measure	Fund	FY 2026	FY 2027	FY 2028	FY 2029
2536 - Criminal Cases Closed	001-1	267	267	267	267
TOTAL		267	267	267	267

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
002536 - Criminal Cases Closed	0	0	0	0

Performance Outcomes:

Incremental impact for this performance measure is indeterminate.

Equity Impacts

Community Outreach and Engagement:

By helping law enforcement agencies investigate and find corroborating evidence, this SSAU will help lessen the difficulties faced by traumatized victims who must shoulder the burden of proving the cases. By helping law enforcement agencies investigate and find corroborating evidence, this SSAU will help lessen the difficulties faced by traumatized victims who must shoulder the burden of proving the cases.

Disproportional Impact Considerations:

This request continues to fund the SSAU team which is a continuation of the federal SAKI grant funded team.

Target Communities and Populations:

An alarming number of sexual assaults are not reported and not fully investigated. Many victims are women who face an uphill battle of skeptical and adversarial responses to their reporting. Physical evidence in these types of cases is often limited which means the word of the victim often must carry the day. As a result, victims who report are often subjected to aggressive attacks on their credibility and character. Such attacks are only compounded for victims who are already members of marginalized groups.

Community Inputs and Incorporation:

This request continues to fund the SSAU team which is a continuation of the federal SAKI grant funded team.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

N/A

Stakeholder Impacts:

There is no known opposition to this request currently.

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

This request is related to priorities identified by the legislatively created SAFE task force.

Governor's Salmon Strategy:

N/A

Reference Documents

[2022 SAFE Report.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
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$151	\$151	\$302	\$151	\$151	\$302
Obj. B	\$51	\$51	\$102	\$51	\$51	\$102
Obj. E	\$60	\$60	\$120	\$60	\$60	\$120
Obj. G	\$5	\$5	\$10	\$5	\$5	\$10

Agency Contact Information

Edd Giger
(360) 586-2104
Edward.Giger@atg.wa.gov



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
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	1.5	1.5	1.5	1.5	1.5	1.5
Operating Expenditures						
Fund 001 - 1	\$794	\$768	\$1,562	\$1,045	\$823	\$1,868
Total Expenditures	\$794	\$768	\$1,562	\$1,045	\$823	\$1,868

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 Shriner. 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 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

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. Specifically, \$504,000 for FY 2026 for payment of the annual licenses necessary to use the software; \$528,000 per fiscal year thereafter (ongoing) for licenses to account for anticipated five percent increases in price over time; \$50,000 in FY 2026 for the AGO to provide necessary transition and support services for the new product and engage with Neo4j when their expertise is necessary; and funding for

1.5 Information Services Division (ISD) employees to provide IT data management (ITDM) and IT system administration (ITSA) for this new technology.

Ongoing expenditure items: (1) \$504,000 in FY 2026 to \$528,000 (ongoing for future fiscal years) for annual licenses to use Criminal Investigations Data Search Tool or other similar future software products, and (2) 1.5 employees ISD to support this new technology.

FY 2026: \$794,000 for 1.0 ITDM, 0.5 ITSA, which includes \$554,000 for upgrades and on-going support.

FY 2027: \$768,000 for 1.0 ITDM, 0.5 ITSA, which includes \$528,000 for licenses.

FY 2028: \$1,045,000 for 1.0 ITDM, 0.5 ITSA, which includes \$555,000 for licenses and \$250,000 upgrades.

FY 2029 and in each FY thereafter: \$823,000 for 1.0 ITDM, 0.5 ITSA, which includes \$583,000 for licenses.

Workforce Assumptions:

FTE detail is provided, Dollars in Thousands:

FTE		FY 2026	FY 2027	FY 2028	FY 2029	Ongoing ? Y / N
AAG	FTE					
	Object A & B					
LA	FTE					
	Object A & B					
PL	FTE					
	Object A & B					
INV	FTE					
	Object A & B					
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	

Historical Funding:

Dollars in Thousands:

FY 2026

FTE = 0.5

Total Funds = \$82

Near General Fund = \$0

Other Funds = \$82

FY 2027

FTE = 0.5

Total Funds = \$82

Near General Fund = \$0

Other Funds = \$82

Historical funding is for the maintenance costs of the legacy system.

Strategic and Performance Outcomes

Strategic Framework:

This request supports Goals 1, 3 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 2026	FY 2027	FY 2028	FY 2029
003 - Criminal Investigation and Prosecution	001-1	794	768	1,045	823
TOTAL		794	768	1,045	823

Performance Measure	Fund	FY 2026	FY 2027	FY 2028	FY 2029
0021: HITS Requests from Law Enforcement	001-1	794	768	1,045	823
TOTAL		794	768	1,045	823

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
000021 - HITS Requests from Law Enforcement	0	0	0	0

Performance Outcomes:

Incremental impact for this performance measure is indeterminate.

Equity Impacts

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 Communities and Populations:

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.

Community Inputs and Incorporation:

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

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

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
TOTAL		-	-	-	-

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 Impacts:

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.

Governor's Salmon Strategy:

N/A

Reference Documents

- [2025-27_DP_TM_CRJ_Modernization of HITS_ID addendum survey 9.6.24.pdf](#)
- [25-27_DP_TM_CRI_Modernization of HITS_ITaddendumBudget2025-27.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
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$169	\$169	\$338	\$169	\$169	\$338
Obj. B	\$49	\$49	\$98	\$49	\$49	\$98
Obj. E	\$575	\$549	\$1,124	\$826	\$604	\$1,430
Obj. G	\$1	\$1	\$2	\$1	\$1	\$2

Agency Contact Information

Edd Giger
(360) 586-2104
Edward.Giger@atg.wa.gov



Agency Recommendation Summary

The Attorney General’s Office (AGO) Policy Division (POL) requests ongoing funding for SB 5259 (Washington State Data Exchange for Public Safety (WADEPS)). WADEPS was enacted into law during the 2021 legislative session. The Legislature provided funding in the 2023-25 Biennium; however, this funding was not included in the carry-forward level. This request shifts unspent funds from the 2023-25 biennium into the 2025-27 biennium without increasing the program’s ultimate budget and costs. The data platform for WADEPS is currently in development and will enable law enforcement agencies to meet statewide use-of-force reporting and public accessibility requirements established in RCW 10.118.01.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	5.2	2.4	3.8	2.4	2.4	2.4
Operating Expenditures						
Fund 001 - 1	\$4,037	\$1,323	\$5,360	\$1,323	\$1,323	\$2,646
Total Expenditures	\$4,037	\$1,323	\$5,360	\$1,323	\$1,323	\$2,646

Decision Package Description

The Washington State Data Exchange for Public Safety (WADEPS) is an online platform that will serve as the central hub for collecting, analyzing, and sharing law enforcement interaction data with agencies and the public. The platform will include innovative tools and resources that law enforcement agencies (agencies) and the public can use for agency, county, and state-level analysis. When complete, incident data can be entered into the WADEPS data cloud in a variety of ways which includes manually using WADEPS forms through the WADEPS smartphone app, and automatically entered through a vendor-managed solution that connects with an agency’s records management and 911 dispatch data systems. The goal is to automate as much of the data collection process possible to minimize duplication of agency processes already in place and reduce the burden on officers and administrators.

Per RCW 10.118 and the program requirements:

- Officers must report the use of force using their agency protocols within 24 hours of the incident.
- Agencies must upload all use-of-force incident data to WADEPS monthly.
- WADEPS must conduct data verification and make new data available monthly.

A secure, cloud-based data lake serves as the foundation for the dashboard. This centralized repository is the storehouse for all raw, unprocessed data from all sources. Using a single source for all the public safety data enables streamlined access for dashboard visualization and analysis.

Beta testing of the platform is underway. More than two dozen individuals across 14 agencies are reviewing documentation and completing the training modules. WADEPS will use their input to identify areas for improvement, opportunities to tailor the curriculum to agency practices, and gather feedback on how best to present complex data in a clear and actionable way.

Assumptions and Calculations

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

This proposal continues funding for the program at the level anticipated in the fiscal note for SB 5259 during the 2021 Legislative Session.

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.

Assumptions for the Attorney General’s Office (AGO) Policy Division (POL):

POL activities are funded with General Fund-State (GF-S) dollars. There is no appropriate client agency to bill for legal services.

POL staff are assumed to be located in King County.

POL Total workload impact:

FY 2026: \$3,378,000 for 0.5 Policy Analyst FTE (PA), which includes direct litigation costs of \$3,300,000.

FY 2027 and each FY thereafter: \$1,078,000 for 0.5 PA, which includes direct litigation costs of \$1,000,000.

Assumptions for the AGO Financial Services Division (FIS):

AGO assumes these new expenditures for FIS activities related to the enactment of this law will be funded with GF-S.

AGO assumes to be involved with the Advisory Board’s solicitation and ongoing contract management. Estimates for on-going work is 0.5 Grant & Contracts Coordinator FTE (GCC).

AGO is required to contract with selected universities and ensure deliverables are met. Verification will be required to ensure policy is followed. This work would also include contract compliance, fund administration, invoice payments and processing, auditing, and reporting. Continued work for 0.5 GCC funded last biennium is assumed and ongoing in each FY thereafter.

Total FIS-GFS workload impact:

FY 2026: \$659,000 for 0.5 GCC and 4.3 MA

FY 2027 and each FY thereafter: \$245,000 for 0.5 GCC and 1.4 MA

Total AGO workload impact to continue the Law Enforcement Data project:

FY 2026: \$4,037,000 for 0.5 PA, 0.5 GCC, and 4.3 MA, which includes direct litigation costs of \$3,300,000.

FY 2027 and each FY thereafter: \$1,323,000 for 0.5 PA, 0.5 GCC, and 1.4 MA, which includes direct litigation costs of \$1,000,000.

Workforce Assumptions:

FTE detail is provided, Dollars in Thousands:

FTE	FY 2026	FY 2027	FY 2028	FY 2029	Ongoing ? Y / N
AAG FTE					
Object A & B					
LA FTE					
Object A & B					
PL FTE					
Object A & B					
Policy Analyst FTE	0.5	0.5	0.5	0.5	Y
Object A & B	71	71	71	71	
MA5 FTE	4.3	1.4	1.4	1.4	Y
Object A & B	548	175	175	175	
GCC FTE	0.5	0.5	0.5	0.5	Y
Object A & B	44	44	44	44	
TOTAL FTE	5.3	2.4	2.4	2.4	
TOTAL A & B	663	290	290	290	

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 backed out of CFL, not on-going)

Strategic and Performance Outcomes

Strategic Framework:

WADEPS promotes Protect the People goals including:

- Defend civil rights and stand up for vulnerable Washingtonians.
- Promote good government.
- Strive for greater public safety and justice for all Washington communities.
- Combat racism that impacts the people of the State of Washington.

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

Activity	Fund	FY 2026	FY 2027	FY 2028	FY 2029
A001 - Administration	001-1	4,037	1,323	1,323	1,323
TOTAL		4,037	1,323	1,323	1,323

Performance Measure	Fund	FY 2026	FY 2027	FY 2028	FY 2029
2533 - Total AG Formal and Informal Opinions Issued	001-1	4,037	1,323	1,323	1,323
TOTAL		4,037	1,323	1,323	1,323

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
002533 - Total AG Formal and Informal Opinions Issued	0	0	0	0

Performance Outcomes:

Incremental impact for this performance measure is indeterminate.

Equity Impacts

Community Outreach and Engagement:

The WADEPS statewide data collection program will help promote openness, transparency and accountability, build stronger police-community relations, improve trust and confidence in policing services, evaluate specific areas of concern such as biased policing and excessive force which disproportionately affect communities of color and low-income communities, and ultimately improve the quality of policing services.

Disproportional Impact Considerations:

N/A as this request continues funding for the WADEPS project previously funded by the Legislature.

Target Communities and Populations:

Law enforcement transparency and accountability are vital in maintaining public trust. Data collection is one essential tool to allow the public, law enforcement, and policymakers to analyze the effectiveness of existing police practices, determine the efficacy of policies and training, and avoid unintended consequences by supporting policy decisions with clear and relevant data.

Community Inputs and Incorporation:

N/A as this request continues funding for the WADEPS project previously funded by the Legislature.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

Local law enforcement agencies are responsible for collecting and reporting data to the statewide program.

Stakeholder Impacts:

There is a current lawsuit filed against the State concerning the constitutionality of SB 5259 and the process in selecting the vendor for the project.

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

Pursuant to [Senate Bill 5259](#), the AGO convened the Law Enforcement Data Collection Advisory Group to help the AGO design and develop the statewide law enforcement data collection program to promote openness, transparency, and accountability. The Advisory Group's approved recommendations constitute the statewide use of force data program.

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
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$503	\$220	\$723	\$220	\$220	\$440
Obj. B	\$160	\$70	\$230	\$70	\$70	\$140
Obj. C	\$3,300	\$1,000	\$4,300	\$1,000	\$1,000	\$2,000
Obj. E	\$72	\$32	\$104	\$32	\$32	\$64
Obj. G	\$2	\$1	\$3	\$1	\$1	\$2

Agency Contact Information

Edd Giger

(360) 586-2104

Edward.Giger@atg.wa.gov



Agency Recommendation Summary

The Manufactured Housing Dispute Resolution Program (MHD) requires additional ongoing Expenditure Authority (EA) to effectively enforce the Manufactured Housing/Mobile Home Landlord-Tenant Act, RCW 59.20 (MHLTA). Specifically, additional funding is needed to provide dispute resolution services for constituents; implement and enforce the recently enacted SB 5198 process; add enforcement staff; and to develop, update, and distribute educational materials pursuant to RCW 59.30. In addition, MHD expects a significant increase in costs to defend notices issued and to update its complaint database.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	2.5	2.5	2.5	2.5	2.5	2.5
Operating Expenditures						
Fund 12F - 1	\$402	\$402	\$804	\$402	\$402	\$804
Total Expenditures	\$402	\$402	\$804	\$402	\$402	\$804

Decision Package Description

In 2007, the legislature directed the Attorney General’s Office (AGO) to create and administer the Manufactured Housing Dispute Resolution Program (MHD) under the Manufactured Housing/Mobile Home Landlord-Tenant Act (MHLTA) that would “provide manufactured/mobile home community landlords and tenants with a cost-effective and time-efficient process to resolve disputes regarding alleged violations of the manufactured/mobile home landlord-tenant act.” RCW 59.30.030.

The “unprecedented number” of manufactured housing tenant complaints “as parks are bought up by corporations and eviction moratorium protections expire” has received significant coverage in the media. (Article is attached “[WA mobile home complaints over rent hikes, policies surged in 2023](#)”, Cascade PBS, June 21, 2024.)

The Washington State Legislature passed SB 5198 during the 2023 session. RCW 59.20 was amended adding a detailed process and requirements when mobile/manufactured parks are being sold and, in addition, a \$10,000 penalty was prescribed. The penalty is the exclusive state remedy for violation of RCW 59.20.305.25(8)(9). To recover the prescribed penalty, the attorney general may bring a civil action in superior court in the name of the state against a landlord.

The changes to RCW 59.20 resulted in new and ongoing work for MHD, including administrative processes, investigations related to compliance, educational services to stakeholders, and expected enforcement and collection of the prescribed penalty. RCW 59.20.320-355 establishes a notice of opportunity to compete to purchase process (the competitive process). The competitive process includes notice requirements, stringent timelines, and detailed responsibilities required of landlords and tenants.

MHD requires additional expenditure authority (EA) to effectively enforce the notice of opportunity to compete to purchase process and to bring civil actions to collect the penalty. Additional MHD staff needed to:

1. Administer the complaint and data collection process.
2. Investigate alleged violations.
3. The expected enforcement and collection of the penalty.
4. Create and update educational materials
5. Conduct education and outreach to stakeholders, landlords, and tenants.

In addition, alleged violations of the competitive process require collection of distinct data and timelines which will require technical support and maintenance to integrate into the complaint database and to develop and implement a new complaint form specific to the competitive process. MHD is required to maintain a database of complaint information, RCW 59.30.030(e)(i-iv).

Complaints related to the competitive process are distinct from other alleged violations of the MHLTA, both in process and timeframes including:

1. Identifying whether all proper parties received the appropriate service of notice.
2. Monitoring multiple different deadlines for service of notices, financial information requests, offers, and counteroffers for both tenants and

landlords.

3. Appointment of a community/tenant representative in the competition process.
4. Incorporating the involvement of “eligible organizations” in the investigation and dispute resolution process.
5. Additional data collection and reporting.

MHD written educational materials must be developed, updated, and distributed to incorporate the amendments and fulfill the statutory requirement to produce educational materials required by RCW 59.30, including the notice of tenant rights required to be posted by landlords/owners of a manufactured/mobile home community. RCW 59.30.030.

Additional outreach and education efforts have been initiated and ongoing outreach is necessary to educate stakeholders, landlords, and tenants on the competitive process requirements to comply with RCW 59.20.320-355.

Complaint numbers alleging violations of the MHLTA regarding the notice of park sales increased after the amendments went into effect. There were 12 notice of sale complaints from January 2023 through July 2023 and 62 from August 2023 through June 2024. MHD complaint and call volumes continue to increase requiring additional resources in all areas of operations, investigations, and enforcement to effectively and efficiently meet statutory requirements. The increase in workload has consistently increased each year since 2020, with a significant increase from 414 in 2021 to 573 in 2022, and again from 573 in 2022 to 739 in 2023. FTE were increased from 5.0 to 6.0 in 2022. A supplemental budget for FY 2024 added a 0.5 FTE. Even with these recent staff increases, the demand for MD work continues to outpace available resources.

In addition to the new work and increasing workloads for MHD outlined above, additional issues were identified by MHD in the 2023 Annual Legislative Report that is attached. [These areas have also increase workload and are identified below.](#)

RCW 59.20.135 – Maintenance of Permanent Structures (including trees). Ownership determines if the landlord or tenant is responsible for maintenance. There is often a lack of records and documentation regarding ownership. MHD expends significant resources on these complaints to investigate, and provide dispute resolution services in an effort to negotiate a resolution between the parties. Enforcement actions may not be initiated because of a lack of evidence to support a notice.

59.20.060(2)(c) – Increasing rent during the term of the rental period. Tenants in a park may have different lease renewal periods. When a landlord imposes rent increases uniformly, it often results in rent increases during the term of the rental period for some tenants. Complaints regarding this issue require obtaining rental agreements of all tenants and rental increase notices issued to each tenant over a period of time. Significant resources are expended by MHD complaint processing staff, investigators, and AAGs to gather and analyze the documentation and to determine an appropriate remedy that resolves the dispute and achieves compliance with the MHLTA.

RCW 59.30.050 – registration of manufactured/mobile home communities. There are many non-registered Parks. When Parks are not registered it delays services and requires additional resources when a Park asserts it is not subject to the MHLTA. MHD must determine if the Park is required to register, often requiring requests for documentation and information that must be analyzed by AAGs to determine if the Park is subject to the MHLTA.

If this proposal is not funded, MHD services may be compromised and may not be able to effectively meet current service demands and new service demands resulting from the amendments to RCW 59.20. Without additional and ongoing EA, MHD may be unable to fulfill statutory mandate and legislative intent. Insufficient resources will make it challenging to effectively enforce the amended sections. This may result in residents missing the opportunity to purchase the community and make them more vulnerable to become unhoused.

Assumptions and Calculations

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

The work of MHD has been expanded by the passing of SB 5198 during the 2023 session and the resulting amendments to RCW 59.20, without additional funding (a fiscal note was not assigned to the AGO).

RCW 59.20 was amended adding a detailed process and requirements when mobile/manufactured parks are being sold and, in addition, a \$10,000 penalty was prescribed. The penalty is the exclusive state remedy for violation of RCW 59.20.305.25(8)(9). To recover the prescribed penalty, the Attorney General may bring a civil action in superior court in the name of the state against a landlord.

The changes to RCW 59.20 resulted in new and ongoing work for MHD, including administrative processes, investigations related to compliance, educational services to stakeholders, and expected enforcement and collection of the prescribed penalty. RCW 59.20.320-355 establishes a notice of opportunity to compete to purchase process (the competitive process). The competitive process includes notice requirements, stringent timelines, and detailed responsibilities required of landlords and tenants.

MHD requires additional EA to effectively enforce the notice of opportunity to compete to purchase process and to bring civil actions to collect the penalty. Additional MHD staff needed to:

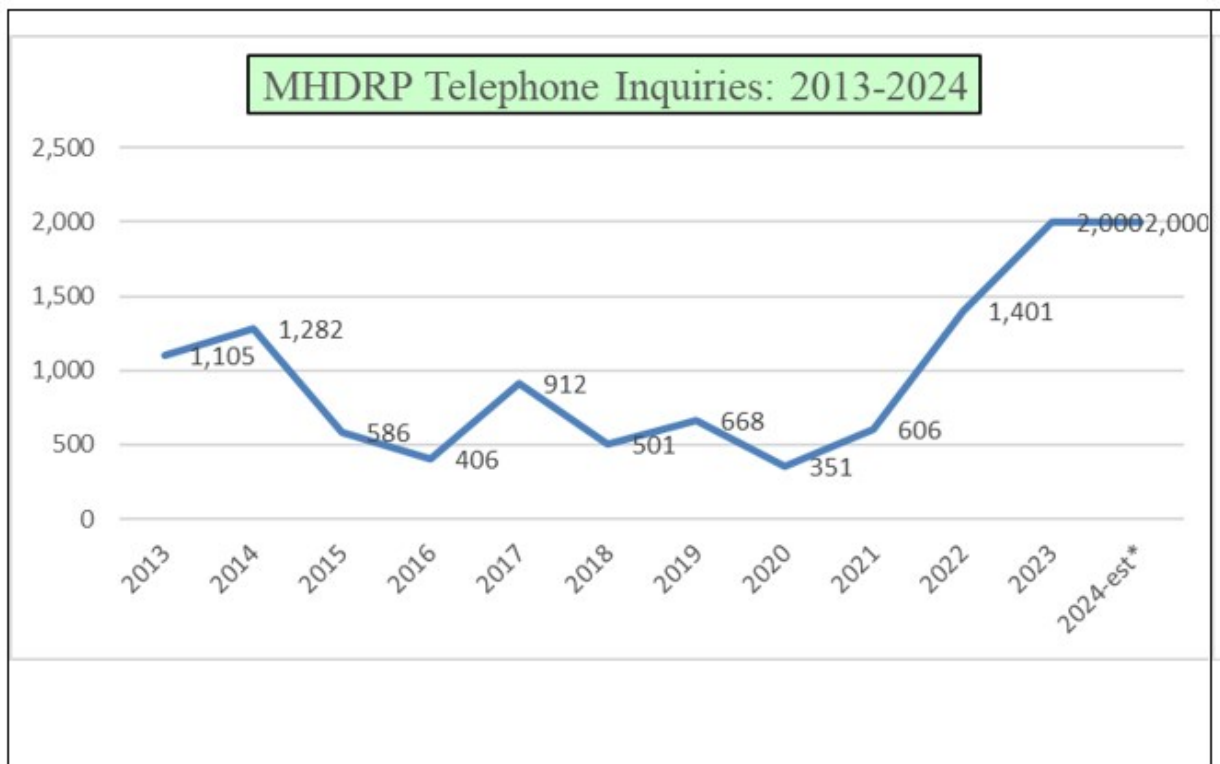
1. Administer the complaint and data collection process.
2. Investigate alleged violations.
3. Expected enforcement and collection of the penalty.
4. Creating and updating educational materials.
5. Conducting education and outreach to stakeholders, landlords, and tenants.

In addition, alleged violations of the competitive process require collection of distinct data and timelines which will require technical support and maintenance to integrate into the complaint database and to develop and implement a new complaint form specific to the competitive process. MHD is required to maintain a database of complaint information, RCW 59.30.030(e)(i-iv).

Complaints related to the competitive process are distinct from other alleged violations of the MHLTA, both in process and timeframes including:

1. Identifying whether all proper parties received the appropriate service of notice.
2. Monitoring multiple different deadlines for service of notices, financial information requests, offers, and counteroffers for both tenants and landlords.
3. Appointment of a community/tenant representative in the competition process.
4. Incorporating the involvement of “eligible organizations” in the investigation and dispute resolution process.
5. Additional data collection and reporting.

In addition, MHD’s work has been altered by the current economic crisis. Many manufactured homeowners are facing economic eviction due to rent amounts being increased during the term of the rental period and/or the amount of a rent increase is substantial, and they can no longer afford to rent the lot. This may result in them losing their homes because many homes cannot be moved, or the cost is too high. There is a greater need and urgency for MHD services. The charts below show how the complaint and call volumes to MHD have steadily increased since 2021.





Additional AAG and legal support staff are needed to enforce the amended sections of RCW 59.20 related to the competitive process and to recovery of fines for violations of the MHLTA related to the new sections of 59.20. The penalty is the exclusive state remedy for violation of RCW 59.20.305.25(8)(9) and to recover the penalty, the AGO must bring a civil action in superior court in the name of the state against a landlord.

This request will add 0.5 AAG, 1.0 Paralegal 2 (PL2), 0.5 Senior Investigator (INV), 1.0 Program Specialist 3 (PS3), 0.3 Chief Operations Manager and 0.5 Program Specialist 2 (PS2) to the Program. Additional FTE will provide more AAG and legal support to effectively enforce the notice of opportunity to compete to purchase process and to bring civil actions to collect the penalty.

FY 2025 and in each year thereafter: Additional EA of \$125,000 for operations, expected enforcement of civil penalties, investigative costs, development, and distribution of educational material.

FY 2026: Updating and distributing education materials pursuant to RCW 59.30. Materials must be updated and distributed to include changes in the law. The notice of tenant rights poster must be distributed to the 1,200 registered manufactured housing community (MHC) landlords to post in common spaces in the MHC. The costs for updating, printing, and distributing educational materials, including the notice of tenant rights posters, is estimated at \$6,000.

FY 2026 and in each year thereafter: Travel associated with outreach and education events to inform stakeholders, landlords, and tenant homeowners about the amendments and changes in MHD processes for complaints associated with the sale of an MHC.

FY 2026 and in each year thereafter: MHD has had a significant increase in the number of complaints received related to rent increases as well as complaints regarding the sale of an MHC. Historically, most complaints have been resolved through the dispute resolution process; however, due to a number of factors mentioned throughout this requires, MHD is referring more complaints to enforcement because the parties failed to resolve the complaint through the dispute resolution process. This has resulted in an increase in hearings.

Detailed Assumptions and Calculations:

To sustain current operations and service levels, MHD requires an additional 2.5 FTE. MHD requests an additional increase of \$125,000 in ongoing EA for operations, expected enforcement of civil penalties, investigative costs, development, and distribution of educational material including notice of tenant rights, and outreach to landlord, tenants, and stakeholders.

This request will add 0.5 AAG, 1.0 PL2, 0.5 INV, 1.0 PS3, 0.3 Chief Operations Manager and 0.5 PS2 to the Program.

Workforce Assumptions:

See graphic

FTE detail is provided, Dollars in Thousands:

AAG	FTE	0.5	0.5	0.5	0.5	Y
	Object A & B	89	89	89	89	
PL2	FTE	1.0	1.0	1.0	1.0	Y
	Object A & B	111	111	111	111	
INV	FTE	0.5	0.5	0.5	0.5	Y
	Object A & B	71	71	71	71	
PS3	FTE	1.0	1.0	1.0	1.0	Y
	Object A & B	105	105	105	105	
Chief Operations Manager	FTE	0.3	0.3	0.3	0.3	Y
	Object A & B					
PS2	FTE	0.5	0.5	0.5	0.5	Y
	Object A & B	83	83	83	83	
Program Coordinator	FTE	-1.0	-1.0	-1.0	-1.0	Y
	Object A & B	(79)	(79)	(79)	(79)	
LA2	FTE	-0.3	-0.3	-0.3	-0.3	Y
	Object A & B	(40)	(40)	(40)	(40)	
TOTAL FTE		2.5	2.5	2.5	2.5	
TOTAL A & B		340.0	336	336	336	

Historical Funding:

Dollars in Thousands:

FY 2026

FTE = 6.5

Total Funds = \$1,097

Near General Fund = \$0

Other Funds 12F = \$1,097

FY 2027

FTE = 6.5

Total Funds = \$1,065

Near General Fund = \$0

Other Funds 12F = \$1,065

Strategic and Performance Outcomes

Strategic Framework:

Results Washington: Increasing MHD’s EA will further the Results Washington goals.

Goal – Prosperous Economy: By facilitating complaints between manufactured housing tenants and landlords MHD helps avoid evictions, preserves affordable housing, and prevents homelessness. Many manufactured housing tenants are lower income and depend on a rented lot for a place to live and to protect their manufactured/mobile home asset.

Goal – Efficient, Effective, and Accountable Government: MHD is dedicated to ensuring that manufactured housing tenants and landlords are able to resolve disputes that may otherwise result in eviction from parks. By increasing MHD’s EA, the State can continue to provide this cost-effective program to avoid evictions and meet the expectations of MHD stakeholders.

AGO Strategic Plan: Increasing MHD’s EA fits within the AGO’s 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.

MHLTA affords important consumer protections designed to avoid evictions. In addition to negotiating resolutions to disputes between tenants and landlords, issuing notices of violation, and enforcing the Act, MHD provides outreach and education to tenants and landlords regarding the program and provides referrals to services for those issues that are outside the MHD parameters.

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

Activity	Fund	FY 2026	FY 2027	FY 2028	FY 2029
A 005 - Enforcement of Consumer Protection Laws	12F	402	402	402	402
TOTAL		402	402	402	402

Performance Measure	Fund	FY 2026	FY 2027	FY 2028	FY 2029
PM #2534	12F	402	402	402	402
TOTAL		402	402	402	402

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
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 Outreach and Engagement:

Tenants in manufactured housing communities are likely to include vulnerable populations disproportionately impacted by homelessness, including communities of color, Indigenous Washingtonians, women, children, seniors, single-parent heads of households, rural communities, LGBTQ, people with disabilities and immigrants and refugees. The Department of Commerce's 2020 Manufactured Housing Communities Working Group report (see attached) identified "the large immigrant population living in manufactured housing communities".

Disproportional Impact Considerations:

N/A as this request is for additional spending authority to continue MHDs work.

Target Communities and Populations:

MHD provides services to manufactured housing community landlord/ park owners and manufactured housing community homeowner tenants. There are 1,200 registered manufactured housing communities throughout the state, most are considered affordable housing. MHD provides an equitable, efficient, and less costly way for manufactured housing community homeowner tenants and manufactured housing community landlords/owners to resolve disputes. MHD develops materials and performs outreach to inform landlords and tenants of their rights and responsibilities under the MHLTA.

Community Inputs and Incorporation:

MHD services are in high demand due to the affordable housing crisis and out of state investors purchasing manufactured housing communities. The relationship between the landlord and tenant is not equal and many tenant homeowners cannot afford legal services to exercise their rights under the law. MHD provides a service that balances the power differences and enforces the MHLTA. Most manufactured/ mobile homes cannot be moved, and tenant homeowners are at risk of losing their homes if they cannot move them from the Park. MHD received over 700 complaints from tenant homeowners in FY 2023. FY 2024 complaint numbers are projected to exceed 750. Without MHD, the tenant homeowners are at risk of losing their homes.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

N/A

Stakeholder Impacts:

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

Governor's Salmon Strategy:

N/A

Reference Documents

[2023-MHU-Annual-Report.pdf](#)

[Manufactured-Housing-Workgroup-Report.pdf](#)

[WA mobile home complaints over rent hikes, policies surged in 2023 _ Cascade PBS.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
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$275	\$275	\$550	\$275	\$275	\$550
Obj. B	\$79	\$79	\$158	\$79	\$79	\$158
Obj. E	\$45	\$45	\$90	\$45	\$45	\$90
Obj. G	\$3	\$3	\$6	\$3	\$3	\$6

Agency Contact Information

Edd Giger

(360) 586-2104

Edward.Giger@atg.wa.gov



Office of Attorney General
 2025-27 Regular Budget Session
 Maintenance Level - TQ - Public Records Act Consult. Program

Agency Recommendation Summary

The Attorney General’s Office (AGO) Local Government Public Records Consultation Program (LGCP) is funded through a \$1.00 surcharge on filings, primarily, real estate purchase and refinancing with County Auditors. Since initiation until this biennium, fund revenues have exceeded expenditures. Historically high interest rates have depressed revenues. At the current expenditure rate, reserves will be exhausted during the 2025-27 biennium. Revenues alone, at the current rate, are inadequate to continue the LGCP’s services which are accomplished primarily through staff interaction and support to local governments. This request is for appropriation to augment the current funding shortfall.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Operating Expenditures						
Fund 001 - 1	\$0	\$650	\$650	\$0	\$0	\$0
Total Expenditures	\$0	\$650	\$650	\$0	\$0	\$0

Decision Package Description

In 2017, the Legislature enacted changes and updates to the Public Records Act (PRA) including a requirement for the Attorney General’s Office (AGO) to establish Local Government Public Records Consultation Program (LGCP) with purpose of providing information for developing best practices for local agencies on the PRA.

LGCP’s purpose is to assist local governments in meeting their PRA obligations by providing information on the PRA, identifying technology resources and integrating best practices into local government PRA planning and response processes. The LGCP started with a few ideas to support local governments in their efforts and goal of PRA compliance. The AGO formed the LGCP in 2017 and began offering services to local governments in early 2018. The LGCP started by offering two services. One was answering questions via telephone and email on PRA issues. Many of these were questions about exemptions but they also ranged from what would appear to be simple questions like, “can LGCP require that requesters use our PRA form” and “can LGCP charge staff time for locating and redacting records,” to more nuanced questions like “is this a PRA request or a request for information.” Our other initial service was to meet with agency Public Records Officers to review their PRA practices. Through these meetings LGCP would identify practices inconsistent with the PRA’s current requirements or see opportunities for an agency to implement a best practice. This has been a consistent part of the services LGCP offers to this day. Each year LGCP averages over 225 requests for these services.

Through conversations with agency representatives, LGCP identified other areas to provide assistance. Our first major service expansion was two, full day PRA University Conferences; one in Spokane and one in Lynnwood. LGCP identified conference content based on trends and repeated questions from the conversations described above. These conferences included a mix of courses ranging from PRA foundation sessions to public sector specific or issues sessions. Over 750 people have attended these conferences.

The pandemic prompted LGCP to shift the PRA University to an hour and a half webinar format. This has been a very positive shift. Since 2020, LGCP has conducted 24 webinars to over 13,270 participants on topics ranging from general topics such as Legal Updates and Conducting an Adequate Records Search to specific PRA issues such as Juvenile Records and Privacy Standards in the PRA, to Personnel & Employment Records.

LGCP Sponsored Training – PRA University			
Year	No. of Sessions	No. of Participants	Format
2019	2	780	In Person Conference
2020	3	1,638	Webinar
2021	6	2,719	Webinar
2022	7	2,643	Webinar
2023	5	3,732	Webinar
2024	2	1,558	Webinar
Total	25	13,270	

All LGCP’s webinars receive positive reviews. In response to a request for more advanced PRA offerings, LGCP developed an Advance Electronic Searches webinar, which one participant described as, “The BEST electronic searching training [they] have had. Very well done.” The

hour and a half strikes a balance between allowing people to participate in the webinar and still have time to complete other work responsibilities in their day. The webinar format has been an invaluable tool in reaching a statewide audience. For many local governments, travel to any training or conference is a significant effort and expense which is a challenge for many, if not most local governments. This is avoided by the webinar format. Our initial webinars had 500 to 600 participants. LGCP now averages well over 700 with our largest audience being over 1,000 participants. Some agencies now consider our webinars as essential trainings for public records staff.

Most recently, LGCP has added a PRA Boot Camp to the list of services provided. One of the biggest challenges facing many agencies is staff turnover preventing development of institutional knowledge. The Boot Camps are a one and half day program designed to help fill this gap. In these sessions, LGCP discuss a *Customer Service* approach to PRA request processing, develop an understanding of what a public record is for PRA purposes, and then work through the PRA request process from receipt of a records request to closing a request with appropriate request retention. LGCP structure these as small group sessions at locations close to the participants. It is more efficient for one or two LGCP staff to travel to locations across the state than for 25 to 30 people to come to Olympia. Also, localized Boot Camps facilitate communications between neighboring agencies. LGCP started these in 2022, and have held 16 Boot Camps with additional sessions scheduled.

LGCP Sponsored Training - Boot Camps			
Year	No. of Sessions	No. of Participants	Locations
2022	3	45	Chehalis Moses Lake, Spokane
2023	6	181	Friday Harbor, Yakima, Okanogan, Kennewick x2, Kelso
2024	7	175	Bellingham, Bonney Lake, Okanogan, Tacoma, Port Townsend, Issaquah and Kent
Totals	16	401	

In addition to the work LGCP does with new public records officers, LGCP works to assure the other records officers are up to date and meeting the current PRA requirements as legislative changes and court decision frequently add to the PRA's exceptions. LGCP does this through helping with trainings and public sector groups. An agency best practice is to assure that not only are Public Records Officers (PRO) up to date, but that agency leaders and other staff are also properly trained. LGCP achieves this by sharing training materials with agencies and providing training directly. Materials are developed and provide information to targeted groups within an agency such as, PRA for Elected Officials and Agency Leaders, PRA for Agency Staff and PRA - New Employee Orientation.

Trainings Provided in Directly to a Local Government or in Partnership with Another Organization.				
Year	In Person		Virtual	
	No. of Sessions	No. of Participants	No. of Sessions	No. of Participants
2018	7	980		
2019	40	2,108		
2020	15	315	10	2,060
2021	15	315	22	3,448
2022	30	1,963	16	2,075
2023	39	2,280	16	5,970
2024	17	426	10	2,924
Total	163	8,387	74	16,477

In total, since LGCP began offering services in 2018, this unit has provided approximately 1,500 consultations to local governments, 275 separate training sessions on the PRA to over 37,500 participants. All our services are provided free of charge to local governments through the \$1.00 surcharge on designated filings with County Auditors. Historically high interest rates have depressed revenues. At the current expenditure rate, reserves will be exhausted during the 2025-27 biennium. Revenues alone, at the current rate, are inadequate to continue the LGCP's services. These services are accomplished primarily through staff interaction and support to local governments. Without supplemental funds to augment the surcharge until such time as the revenues improve, the LGCP will be unable to maintain its services as inadequate funding will more than likely lead to staffing reductions.

Assumptions and Calculations

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

This proposal maintains the current staffing and services provided by the LGCP to local governments.

Detailed Assumptions and Calculations:

In establishing the LGCP the legislature identified a funding source. County Auditors assess a \$1.00 surcharge on designated filings, primarily real estate purchase and refinancing filings (Fund 441) This revenue is divided with one half available to the Secretary of State (SOS) Grants Program and the other half available to the LGCP and the SOS Consultation programs. SOS as the fund manager designates half of this revenue (a quarter of the total revenue) as LGCP funds, but this is not specified by the enabling statutes. As part of the biennial budgets since 2017, the legislature has appropriated funds directly to the AGO.

From 2017 through 2022, real estate interest rates were historically low during this time resulting in significant revenues for the fund. With the Federal Reserve raising interest rates to combat inflation, the real estate loan interest rate spiked resulting in a significant revenue decline. The reported LGCP revenues for this biennium reflect the downward trend. While revenues have increased over the last two months, revenue is insufficient to cover the monthly LGCP operating expenses.

To put this in perspective, the average monthly revenue to the fund starting from August 2017 through July 2022 was \$151,000. In comparison, the average monthly revenue for FY 2024 is \$78,000 with the lowest monthly revenue occurring in March 2024 of \$63,000. The SOS agrees that revenues are unlikely to reach the breakeven point in the near future. Until the Federal Reserve reduces the prime interest rate, we are unlikely to see a long-term revenue increase. The unlikely total recovery in revenues is only one half of the issue facing the LGCP.

On a month-to-month basis, on average, the LGCP is spending more than the appropriated revenues but this does not consider two factors: 1) Travel expenses will increase due to training commitments, and 2) Bargaining for pay increases took effect for all staff starting July 1, 2024, and July 1, 2025. While LGCP is able to maintain economic viability for the 2023-25 biennium, without requesting inclusion in the supplemental budget, this will no longer be an option into the 2025-27 biennium. LGCP is aware of the revenue/expenditure imbalance and took steps of create a buffer which has extended effective zero balance point into the 2025-27 biennium. At that time there will be insufficient economic resources to maintain the current level of services to local governments. At the same time, the demand for our services have continued to grow and we continue to identify additional opportunities to support local governments in their efforts and goal of PRA Compliance.

Workforce Assumptions:

N/A

Historical Funding:

Dollars in Thousands:

FY 2026

FTE = 3.5

Total Funds = \$555

Near General Fund = \$0

Other Funds = \$555

FY 2027

FTE = 3.5

Total Funds = \$568

Near General Fund = \$0

Other Funds = \$568

Strategic and Performance Outcomes

Strategic Framework:

Results Washington: Driving transparency is an element of and part of the vision of Results Washington. Within this a Core Value identifies that the State is accountable and transparent. These statements are, in part, achieved through and expected by the PRA. This is not only a principle for State agencies but also for all local governments. There are 2,300 local governments who receive services from LGCP. LGCP assures that the concerns and motivations behind Initiative 276 from 1972 enacting the PRA, as encapsulated in the vision and values in Results Washington is carried through at the local level across the state by providing learning opportunities, direct technical assistance, training and coaching on the PRA.

AGO Strategic Plan: To protect the legal rights of the people of Washington State, AGO is committed to promote good government. Good governance is achieved through Justice Brandis' often quoted saying, "Sunlight is the best disinfectant." The PRA is an embodiment of this principle which the LGCP helps local governments achieve through our services.

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
002531 - Consumer Utility Rate Savings	\$0	\$0	\$0	\$0

Performance Outcomes:

Incremental impact for this performance measure is indeterminate.

Equity Impacts

Community Outreach and Engagement:

Individuals, community organizations, public interest groups and the media utilize the PRA to assure transparency and accountability of the agencies that serve them. The LGCP helps assure that agencies understand and meet their PRA obligations.

Disproportional Impact Considerations:

N/A as this request is to continue current services due to declining revenue.

Target Communities and Populations:

LGCP serves communities statewide. Through our various services we provide information and resources in all of Washington's 39 counties and to every public agency ranging from the most populous cities and counties to special purpose districts with only a few employees.

Community Inputs and Incorporation:

N/A as this request is to continue current services due to declining revenue.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

LGCP services are provided to local governments throughout the state. We have provided consultation services to local governments in every public agency sector and have become a significant resource for agency public records officers and attorneys. The PRA is an ever-changing area of law in part due to legislative amendments to the PRA but also due to appellate decisions. As an example, on April 11, 2024, the Washington State Supreme Court issued its decision in *Cousins v. State*. This decision provided detailed guidance to agencies in the proper manner and necessary communications in “closing” a request. The LGCP immediately began educating agencies on this decision’s requirements. Many, if not a majority, of local governments, do not have legal counsel on staff and would likely be unaware of the requirements. In the absence of this information agencies would not meet their PRA obligations. The PRA Boot Camp is another example of a vital service. All agencies face staff turnover. For small local governments, the departure of one staff member when the person is the agency’s public records officers, very often means the loss of institutional PRA knowledge and how to meet its PRA duties. The Boot Camps jump start the new PRO’s knowledge. Day to day LGCP provides information to local governments. Questions range from process question on the submission of records requests, to how to conduct and documents a proper search, conducting effective electronic records search, the scope of an exemption, utilization of records requests portals, production of records, commercial use of records, media requesters and their qualifications for exceptions to exemptions as an example.

The LGCP’s services are provided at no cost to all the state’s local governments.

Stakeholder Impacts:

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:

In 2017, the legislature amended RCW 42.56.570 requiring that AGO establish a consultation program, LGCP, to provide information for developing best practices for local agencies requesting assistance in compliance with the PRA. This proposal provides a mechanism for the LGCP to continue providing the current services to local governments during times when revenues from the \$1.00 surcharge on designated County Auditor filings is below the threshold to cover expenses.

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
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$0	\$434	\$434	\$0	\$0	\$0
Obj. B	\$0	\$139	\$139	\$0	\$0	\$0
Obj. E	\$0	\$66	\$66	\$0	\$0	\$0
Obj. G	\$0	\$11	\$11	\$0	\$0	\$0

Agency Contact Information

Edd Giger

(360) 586-2104

Edward.Giger@atg.wa.gov



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
	2026	2027	2025-27	2028	2029	2027-29
Operating Expenditures						
Fund 111 - 1	\$500	\$500	\$1,000	\$500	\$500	\$1,000
Total Expenditures	\$500	\$500	\$1,000	\$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

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 2025-27 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), and Cascade Natural Gas (CNG) will each file at least one 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 (NWNG) 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. NWNG 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

Historical Funding:

Dollars in Thousands:

FY 2026

FTE = 10.1

Total Funds = \$2,359

Near General Fund = \$0

Other Funds = \$2,359

FY 2027

FTE = 10.1

Total Funds = \$2,370

Near General Fund = \$0

Other Funds = \$2,370

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 2026	FY 2027	FY 2028	FY 2029
A0011 - Representing Rate Payers	111-1	500	500	500	500
TOTAL		500	500	500	500

Performance Measure	Fund	FY 2026	FY 2027	FY 2028	FY 2029
2531 - Consumer Utility Rate Savings	111-1	500	500	500	500
TOTAL		500	500	500	500

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
002531 - Consumer Utility Rate Savings	\$0	\$0	\$0	\$0

Performance Outcomes:

Incremental impact for this performance measure is indeterminate.

Equity Impacts

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 Communities and Populations:

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.

Community Inputs and Incorporation:

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

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

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 Impacts:

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 (NWIUGU) (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

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
	2026	2027	2025-27	2028	2029	2027-29
Obj. C	\$500	\$500	\$1,000	\$500	\$500	\$1,000

Agency Contact Information

Edd Giger

(360) 586-2104

Edward.Giger@atg.wa.gov



Office of Attorney General
 2025-27 Regular Budget Session
 Maintenance Level - TS - Patient Protection at Facilities

Agency Recommendation Summary

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.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	2.4	4.8	3.6	4.8	4.8	4.8
Operating Expenditures						
Fund 405 - 1	\$337	\$693	\$1,030	\$693	\$693	\$1,386
Total Expenditures	\$337	\$693	\$1,030	\$693	\$693	\$1,386
Revenue						
405 - 0420	\$337	\$693	\$1,030	\$693	\$693	\$1,386
Total Revenue	\$337	\$693	\$1,030	\$693	\$693	\$1,386

Decision Package Description

The newly established law SB 5271 expands the disciplinary actions that could be taken against entities licensed under chapter 18.46 RCW and 18.64 RCW. As a result, the Attorney General’s Office (AGO) Government Compliance & Enforcement Division (GCE) caseload will increase. GCE bills the Department of Health (DOH) for legal services based on the provisions of this new law. GCE also represents the Pharmacy Quality Assurance Commission (PQAC) in disciplinary actions against licensed pharmacy personnel, other controlled substance registrations, and entities regulated by PQAC, including pharmacies. PQAC assumes this bill would result in annual referral of 40 new disciplinary actions to GCE. Judicial review of these cases would be certified by the Washington Court of Appeals. The court has strict requirements for litigation. This would dramatically increase Assistant Attorney General (AAG) hours spent on judicial reviews.

The AGO Agriculture & Health Division (AHD) will also bill DOH for legal services based on the enactment of this bill. This bill gives DOH new authority to take different types of enforcement action against several kinds of health care facilities. This requires legal advice on rulemaking from AHD.

The AGO received \$3,000 in the 2024 Supplemental Budget for FY 2025 and that funding will be used for 0.1 AAG and 0.1 Paralegal 1 (PL1)

The additional needs of \$337,000 in FY 2026 and \$693,000 in FY 2027 will be used for staff.

FY 2026: \$337,000 for 0.9 AAG, 0.5 PL1, and 0.7 PL2

FY 2027 and in each FY thereafter: \$693,000 for 1.8 AAG, 0.9 PL1, and 1.5 PL2.

Assumptions and Calculations

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

This request is due to the enactment of SB 5271. The requested funding matches the AGO fiscal note for SB 5271 and will allow the AGO to meet the requirements of the bill.

Detailed Assumptions and Calculations:

AGO Agency Assumptions:

Agency administration support FTE are included in the tables, for every one AAG FTE, the AGO includes a 0.5 PL1 and a 0.35 Management Analyst 5 (MA5). The MA5 is used as a representative classification.

The AGO received \$3,000 in the 2024 Supplemental Budget for FY 2025 and that funding will be used for 0.1 AAG and 0.1 PL1

The additional needs of \$337,000 in FY 2026 and \$693,000 in FY 2027 will be used for staff.

FY 2026: \$337,000 for 0.9 AAG, 0.5 PL1, and 0.7 PL2.

FY 2027 and in each FY thereafter: \$693,000 for 1.8 AAG, 0.9 PL1, and 1.5 PL2.

Workforce Assumptions:

See graphic

FTE detail is provided, Dollars in Thousands:

FTE		FY 2026	FY 2027	FY 2028	FY 2029	Ongoing ? Y / N
AAG	FTE	0.9	1.8	1.8	1.8	Y
	Object A & B	145	291	291	291	
PL1	FTE	0.5	0.9	0.9	0.9	Y
	Object A & B	41	83	83	83	
PL2	FTE	0.7	1.5	1.5	1.5	Y
	Object A & B	72	157	157	157	
MA5	FTE	0.3	0.6	0.6	0.6	Y
	Object A & B	37	76	76	76	
TOTAL FTE		2.4	4.8	4.8	4.8	
TOTAL A & B		295	607	607	607	

Historical Funding:

Dollars in Thousands:

FY 2026

FTE = 0

Total Funds = \$0

Near General Fund = \$0

Other Funds = \$0

FY 2027

FTE = 0.2

Total Funds = \$3

Near General Fund = \$0

Other Funds = \$3

Strategic and Performance Outcomes

Strategic Framework:

Results Washington Outcome Measures:

This budget request will support the Governor’s Results Washington priorities of “Healthy and Safety Communities” and “Efficient, Effective, and Accountable Government.”

AGO Strategic Plan: This request supports Goals 1, 2, and 3 of the AGO’s Priority to “Protect the People”:

Goal 1 – Defend the civil rights and stand up for vulnerable Washingtonians.

Goal 2 – Protect Washington’s environment and public health.

Goal 3 – Promote Good Government.

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

Activity	Fund	FY 2026	FY 2027	FY 2028	FY 2029
A00003-Criminal Investigations and Prosecutions	405-1	337	693	693	693
TOTAL		337	693	693	693

Performance Measure	Fund	FY 2026	FY 2027	FY 2028	FY 2029
2536 - Criminal Cases Closed	405-1	337	693	693	693
TOTAL		337	693	693	693

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
002536 - Criminal Cases Closed	0	0	0	0

Performance Outcomes:

Incremental impact for this performance measure is indeterminate.

Equity Impacts

Community Outreach and Engagement:

This proposal allows the AGO to meet the requirements of SB 5271 and to protect patients at DOH regulated facilities statewide.

Disproportional Impact Considerations:

This proposal allows the AGO to meet the requirements of SB 5271 and to protect patients at DOH regulated facilities statewide.

Target Communities and Populations:

This proposal allows the AGO to meet the requirements of SB 5271 and to protect patients at DOH regulated facilities statewide.

Community Inputs and Incorporation:

This proposal allows the AGO to meet the requirements of SB 5271 and to protect patients at DOH regulated facilities statewide.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

See graphic

Client Billing costs are provided, Dollars in Thousands:

Client	Fund	FY 2026	FY 2027	FY 2028	FY 2029
DOH	405	337	693	693	693
TOTAL		337	693	693	693

Stakeholder Impacts:

There is no known opposition to this request currently.

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

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
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$225	\$462	\$687	\$462	\$462	\$924
Obj. B	\$70	\$145	\$215	\$145	\$145	\$290
Obj. E	\$40	\$81	\$121	\$81	\$81	\$162
Obj. G	\$2	\$5	\$7	\$5	\$5	\$10

Agency Contact Information

Edd Giger

(360) 586-2104

Edward.Giger@atg.wa.gov



Office of Attorney General
2025-27 Regular Budget Session
Maintenance Level - TT - Hospital Staffing Standards

Agency Recommendation Summary

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.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	1.6	3.1	2.35	4.7	4.7	4.7
Operating Expenditures						
Fund 405 - 1	\$271	\$512	\$783	\$775	\$775	\$1,550
Total Expenditures	\$271	\$512	\$783	\$775	\$775	\$1,550
Revenue						
405 - 0420	\$271	\$512	\$783	\$775	\$775	\$1,550
Total Revenue	\$271	\$512	\$783	\$775	\$775	\$1,550

Decision Package Description

The enactment of SB 5236 added to chapter 43.70 RCW expands the responsibilities of the Department of Labor and Industries (L&I) related to hospital safety standards and requires that the Attorney General’s Office (AGO) along with L&I enforce these new standards

The AGO received \$172,000 in the 2024 Supplemental Budget for FY 2025 and each FY thereafter.

This request is in line with the AGO fiscal note for SB 5236 and the needed funding of \$271,000 in FY 2026, \$512,000 in FY 2027, and \$775,000 in FY 2028 and each FY thereafter to meet the requirements of SB 5236. The AGO will provide complex legal advice for implementation, policy making, and rulemaking.

Assumptions and Calculations

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

SB 5236 expands the responsibilities of L&I and the AGO, as L&I’s legal representatives, to enforce worker protections for hospital staff. The specific details are described in Section 4 below. A high-level summary is that a new category of mandatory citations will take effect on January 1, 2026, and will be permanent going forward. Another round of worker protection requirements will go into effect on January 1, 2027, and will be permanent going forward. The assumptions of AGO fiscal needs were calculated on historical and projected patterns of litigation when citations are issued. They were also based on agreed estimates of the legal work needed to advise L&I on how to implement the new laws.

Detailed Assumptions and Calculations:

Location of staffing is assumed to be in a Seattle 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 (MA5) 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 MA5.

1. Assumptions for the AGO Labor and Industries Division’s (LNI) legal services for L&I:

The AGO will bill L&I for legal services based on the enactment of this bill.

Beginning July 1, 2026, the larger hospitals reporting meal and rest break violations through quarterly reporting must be cited for being less than 80 percent compliance (with a smaller number being excluded until July 1, 2027). An estimated 30 percent of the 200 reports will be non-compliant and lead to a compliance action, equaling 60 out of compliance reports. This may change during ongoing review of the reports, but we

anticipate 12 additional Office of Administrative Hearing (OAH) appeals of high complexity beginning July 1, 2026. With previous complaints under other provisions, a total of 517 complaints, which equates with 31 appeals per year. Appeals of this complexity require approximately 0.5 AAG per 10 cases, meaning 0.5 AAG associated with these provisions and ongoing 1.5 AAG for a total of 1.6 AAG beginning July 1, 2024 through July 1, 2026.

Beginning January 1, 2027, hospitals will begin providing corrective action plans and all staffing requirements will be in effect. By July 1, 2027, L&I anticipates 814 additional complaints when all provisions are in effect. Historically, 30 percent of these types of investigations related to the health care industry result in final order. A very conservative estimate of the appeal rate is 20 percent, which results in 49 additional appeals to OAH. For these reasons, the program anticipates at least 500 staffing complaints per year which will result in 250 Corrective Action Plans (CAP). We anticipate 30 percent of the 250 CAPs will lead to a citation (50 CAPs) with 20 percent leading to an appeal. Based on the variety of staffing complaints, appeals of this complexity require approximately 0.5 AAG per 10 cases or 2.5 total AAG. Beginning July 1, 2027, 2.5 AAG limited to the ongoing litigation and client advice as implementation will be largely complete by that date.

LNI: Total Seattle workload impact:

FY 2026: \$271,000 for 0.9 AAG and 0.5 PL1.

FY 2027: \$512,000 for 1.7 AAG and 0.8 PL1.

FY 2028 and in each FY thereafter: \$775,000 for 2.5 AAG and 1.3 PL1.

Workforce Assumptions:

See graphic

FTE detail is provided, Dollars in Thousands:

FTE		FY 2026	FY 2027	FY 2028	FY 2029	Ongoing ? / N
AAG	FTE	0.9	1.7	2.5	2.5	Y
	Object A & B	156	297	450	450	
PL	FTE	0.5	0.8	1.3	1.3	Y
	Object A & B	46	86	129	129	
MA5	FTE	0.3	0.6	0.9	0.9	Y
	Object A & B	40	75	114	114	
TOTAL FTE		1.6	3.1	4.7	4.7	
TOTAL A & B		242	458	693	693	

Historical Funding:

Dollars in Thousands:

FY 2026

FTE = 3.7

Total Funds = \$172

Near General Fund = \$0

Other Funds = \$172

FY 2027

FTE = 3.7

Total Funds = \$172

Near General Fund = \$0

Other Funds = \$172

Strategic and Performance Outcomes

Strategic Framework:

Results Washington:

Goal 2: Prosperous Economy – Protecting worker rights will benefit workers directly, but will also increase productivity, through reduction in turnover, and fair competition within the hospital industry.

Goal 4: Health & Safe Communities – Improving the working environment and staffing levels of nurses should directly lead to expanded access to care and quality of care for all Washingtonians.

Goal 5: Efficient, Effective, and Accountable Government – By steps like mandating citations at certain levels of noncompliance and requiring the submission of corrective action plans, Washingtonians will be able to see if L&I is consistent in enforcement and whether the industry is taking steps to address issues as they are identified.

AGO Strategic Plan:

Serve the State, Goal 1 Deliver high quality, timely, and efficient legal services – These resources are required to address the forecasted increase in workload generated by the new law.

Protect the People, Goal 1 Defend civil rights and stand up for vulnerable Washingtonians – Lack of access to healthcare is a major vulnerability for many Washingtonians. Helping L&I enforce this law will be part of the solution to reduce that disparity. It will also protect the nurses’ legal rights as Washington workers.

Protect the People, Goal 5 Strive for greater public safety and justice for all Washington communities – As seen in the pandemic and other public health crises, hospital staffing is a critical element in protecting the collective and individual health of the people.

Support and Value Our Employees, Goal 3 Ensure employees have the training, tools, and resources to be successful, efficient, and effective. – As described in Sections 2 and 4 above, these resources are needed to handle a projected increase in workload attached to this new law. Without adding those resources, the AGO will be unable to deliver high quality legal services in this area without compromising our capacity to deliver other necessary legal services in the AGO’s preexisting work.

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

Activity	Fund	FY 2026	FY 2027	FY 2028	FY 2029
0010 - Legal Services to State Agencies	405	271	512	775	775
TOTAL		271	512	775	775

Performance Measure	Fund	FY 2026	FY 2027	FY 2028	FY 2029
2539 - Cases Open at End of Fiscal Year	405	271	512	775	775
TOTAL		271	512	775	775

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
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 Outreach and Engagement:

For the nurse staff directly, nurses are nearly 90 percent people who identify as a gender other than male. Nurses also have a variety of racial and ethnic backgrounds that are, in some ways, a microcosm for the state as a whole. For those statistics see here: [Nursing Workforce Fact Sheet \(aacnnursing.org\)](#) (1).

For communities receiving healthcare, the Kaiser Foundation noted, “There also are ongoing disparities in health coverage and access to care. For example, nonelderly AIAN, Black, Hispanic, and NHPI people are more likely to be uninsured than their White counterparts despite large [gains in coverage](#) (2) since the Affordable Care Act.” [Disparities in Health and Health Care: 5 Key Questions and Answers | KFF](#) (3)

Improving the working environment should lead to greater retention of key nursing staff and improve outcomes in all these areas.

Disproportional Impact Considerations:

N/A as funding will allow the AGO the ability in implement SB 5236 as no funding was provided.

Target Communities and Populations:

SB 5236 is designed to protect hospital workers rights and, ultimately, deliver greater healthcare to all Washingtonians. Testimony supporting the bill was summarized as “This bill is a result of a lot of hard work from all the stakeholders. Nurse staffing is critical to patient safety. There is a shortage of nurses and those remaining are overworked and burning out. Staffing committees are the only tool nurses have regarding staffing decisions. This bill gives nurses a stronger voice on staffing committees. The original bill was stronger because it had staffing ratios, but this bill is better than having nothing. The penalties in the bill will encourage hospitals to comply with the law.”

Community Inputs and Incorporation:

N/A as funding will allow the AGO the ability in implement SB 5236 as no funding was provided.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

See graphic

Client Billing costs are provided, Dollars in Thousands:

Client	Fund	FY 2026	FY 2027	FY 2028	FY 2029
L&I	405	271	512	775	775
TOTAL		271	512	775	775

Stakeholder Impacts:

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

Governor's Salmon Strategy:

N/A

Reference Documents

- [1. aanursing.org-nursing-workforce-fact-sheet.pdf](https://www.aanursing.org-nursing-workforce-fact-sheet.pdf)
- [2. kff.org-Health Coverage by Race and Ethnicity, 2010-2022 _ KFF.pdf](https://www.kff.org-Health-Coverage-by-Race-and-Ethnicity,2010-2022_KFF.pdf)
- [3. kff.org-Disparities in Health and Health Care_ 5 Key Questions and Answers.pdf](https://www.kff.org-Disparities-in-Health-and-Health-Care_5-Key-Questions-and-Answers.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
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$187	\$353	\$540	\$534	\$534	\$1,068
Obj. B	\$55	\$104	\$159	\$158	\$158	\$316
Obj. E	\$28	\$52	\$80	\$79	\$79	\$158
Obj. G	\$1	\$3	\$4	\$4	\$4	\$8

Agency Contact Information

Edd Giger
(360) 586-2104
Edward.Giger@atg.wa.gov



Agency Recommendation Summary

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).

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	0.6	0.6	0.6	0.6	0.6	0.6
Operating Expenditures						
Fund 405 - 1	\$75	\$75	\$150	\$75	\$75	\$150
Total Expenditures	\$75	\$75	\$150	\$75	\$75	\$150
Revenue						
405 - 0420	\$75	\$75	\$150	\$75	\$75	\$150
Total Revenue	\$75	\$75	\$150	\$75	\$75	\$150

Decision Package Description

SB 6006 was passed during the 2024 legislative session and will be effective on January 1, 2025. It will increase the need for legal services within the following five AGO divisions that represent Department of Children, Youth, and Families (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).

This bill added “victim(s) of sex trafficking or severe forms of trafficking in persons under the Trafficking Victims Protection Act of 2000, 22 U.S.C. Section 7101 et seq.” to the definition of “dependent child” in RCW 13.34.030(6). It also added sex trafficking to the definition of child abuse or neglect in RCW 26.44.020. Further, it added a requirement that DCYF assess for and offer services to children who are victims of sex trafficking and provided that DCYF may file a petition for a sexual assault protection order on behalf of a minor. DCYF assumed it will seek 26 such orders per year, and that 25 percent will be in King County. DCYF will require advice and representation in obtaining these protection orders. The AGO anticipates no new dependency filings, however, because any child who may be dependent under the modified definition would already be dependent under the currently effective definition of a dependent child. RCW 13.34.030(6)(b) (the child is abused or neglected) or (c) (the child has no parent capable of providing adequate care such that the child is in circumstances that constitute a danger of substantial damage to the child’s psychological or physical development).

Assumptions and Calculations

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

The request is for funding of anticipated new legal services required following enactment of SB 6006 on January 1, 2025.

Detailed Assumptions and Calculations:

DCYF estimates it will seek 26 Sexual Assault Protection Orders (SAPO) annually and 25 percent of these cases will be in King County. The AGO assumes 25 percent of the increased workload will take place in King County. The AGO assumes as legal counsel for DCYF, collecting the information to prepare the SAPO petition, drafting the petition, and appearing for the initial hearing for a temporary SAPO will require three hours of AAG time in 90 percent of SAPO cases. The AGO assumes 10 percent of SAPO cases will be extraordinary or complex and will require nine hours of AAG time. This will result in a total of 93 AAG hours. $((26 \text{ cases} \times 0.9 \times 3 \text{ hours} = 70) + (26 \text{ cases} \times 0.1 \times 9 \text{ hours} = 23) = 93 \text{ AAG hours})$.

The AGO assumes there will be no initial costs relating to service of the temporary SAPO and SAPO petition because Sheriff Departments will serve the respondent at no cost. Because SAPOs are typically requested on an emergent basis, when facts are not typically fully developed, and situations are changing quickly. The AGO assumes as legal counsel for DCYF, preparation and filing supplemental declarations or pleadings will require two hours of AAG time per SAPO case. This will result in a total of 52 AAG hours $(26 \text{ cases} \times 2 \text{ hours} = 52 \text{ AAG hours})$.

The AGO assumes the respondent will file an answer to the SAPO petition, which will require the AGO as legal counsel for DCYF to prepare and file a reply. The AGO assumes preparing and filing the reply will require two hours of AAG time. This will result in a total of 52 AAG hours (26 cases x 2 hours = 52 AAG hours).

In cases where the respondent is not represented by an attorney, the AGO assumes it will cost \$200 to serve them with the reply and other documents for the full hearing. DCYF estimates 15 of the 26 SAPO cases will involve youth who are dependent or alleged to be dependent. The AGO assumes in the 15 SAPO cases where the youth are dependent or alleged to be dependent, the respondent will be represented because they will have an attorney in the dependency case, and the AGO assumes there will be a link between the dependency case and the SAPO case. Therefore, the cost for serving the 11 parents who are not represented will be \$2,200 (11 cases x \$200 = \$2,200).

The AGO assumes in its role as counsel for DCYF, preparing for and attending the full hearing on the SAPO petition will require four hours of AAG time. This will result in a total of 104 AAG hours (26 cases x 4 hours = 104 AAG hours). The AGO assumes the SAPOs in which AAGs represent DCYF will be granted 75 percent of the time at the full hearing, or in 20 cases (26 cases x 0.75 = 20 cases).

Superior court commissioners typically consider SAPO petitions, and rulings of superior court commissioners are subject to revision, the AGO assumes in 25 percent of the cases where the SAPO is granted, the respondent will file a motion to revise the commissioner's decision. This will result in about five cases (20 cases x 0.25 = 5 cases). The AGO assumes it will require two hours of AAG time to prepare and file a response to the motion for revision and attend the hearing, if any. This will result in 10 hours of AAG time (5 cases x 2 hours = 10 AAG hours). The AGO also assumes it will cost \$200 to order the transcript from the full hearing to respond to the motion for revision. This will result in \$1,000 of direct costs (5 cases x \$200 = \$1,000).

The AGO assumes there will be a review hearing in 25 percent of the cases where the SAPO is granted, which will require about one hour of AAG time to prepare for and attend. This will result in five hours of AAG time (20 cases x 0.25 x 1 hour = 5 AAG hours). The AGO assumes in 25 percent of cases where the SAPO is granted the respondent will file an appeal, which the AGO conservatively estimates will require 20 hours of AAG time to litigate. This will result in 100 hours of AAG time (20 cases x 0.25 x 20 hours = 100 AAG hours).

The AGO assumes in 25 percent of cases where the SAPO is granted, there will be a hearing to modify or termination the SAPO, which will require two hours of AAG time to prepare and file responsive pleadings and prepare for and attend court. This will result in 10 hours of AAG time (20 cases x 0.25 x 2 hours = 10 AAG hours).

Agency administration support FTE are included in the tables. The Management Analyst 5 FTE (MA5) is used as a representative classification. An example ratio is for every 1.0 AAG, the AGO includes 0.5 PL1 and 0.35 MA5.

Workforce Assumptions:

FTE detail is provided, Dollars in Thousands:

FTE		FY 2026	FY 2027	FY 2028	FY 2029	Ongoing ? Y / N
AAG	FTE	0.3	0.3	0.3	0.3	Y
	Object A & B	42	42	42	42	
LA	FTE					
	Object A & B					
PL	FTE	0.2	0.2	0.2	0.2	Y
	Object A & B	12	12	12	12	
INV	FTE					
	Object A & B					
MA5	FTE	0.1	0.1	0.1	0.1	Y
	Object A & B	10	10	10	10	
Other (describe)	FTE					
	Object A & B					
TOTAL FTE		0.6	0.6	0.6	0.6	
TOTAL A & B		64	64	64	64	

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

Strategic and Performance Outcomes

Strategic Framework:

Results Washington: These additional resources would support DCYF in achieving the Results Washington goal related to healthy and safe communities by representing and advising DCYF when it pursues protection orders to protect victims of sex trafficking.

AGO Strategic Plan: These additional resources would enhance the AGO’s ability to both serve the state by delivering high quality and effective legal services and improving the lives of Washingtonians by representing and advising DCYF when it pursues protection orders to protect victims of sex trafficking.

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
002536 - Criminal Cases Closed	0	0	0	0

Performance Outcomes:

Incremental impact for this performance measure is indeterminate.

Equity Impacts

Community Outreach and Engagement:

N/A as this request will allow the AGO to implement SB 6006.

Disproportional Impact Considerations:

N/A as this request will allow the AGO to implement SB 6006.

Target Communities and Populations:

DCYF experiences racial disparity in the proportion of screened in intakes regarding Native American children as compared to white children and disparity in the proportion of child welfare removals of Native American and black children as compared to white children. Additional resources for these legal services would promote more enhanced advice to DCYF regarding legal and policy implications when it pursues protection orders as provided in SB 6006, and related legal requirements.

Community Inputs and Incorporation:

N/A as this request will allow the AGO to implement SB 6006.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

None

Intergovernmental:

See graphic

Client Billing costs are provided, Dollars in Thousands:

Client	Fund	FY 2026	FY 2027	FY 2028	FY 2029
DCYF	405	75	75	75	75
TOTAL		75	75	75	75

Stakeholder Impacts:

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

State Facilities Impacts:

N/A

Changes from Current Law:

None

Legal or Administrative Mandates:

None

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
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$49	\$49	\$98	\$49	\$49	\$98
Obj. B	\$15	\$15	\$30	\$15	\$15	\$30
Obj. C	\$3	\$3	\$6	\$3	\$3	\$6
Obj. E	\$8	\$8	\$16	\$8	\$8	\$16

Agency Contact Information

Edd Giger
(360) 586-2104
Edward.Giger@atg.wa.gov



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
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	1.9	2.3	2.1	0.9	1.4	1.15
Operating Expenditures						
Fund 111 - 1	\$215	\$215	\$430	\$0	\$129	\$129
Fund 405 - 1	\$88	\$148	\$236	\$148	\$73	\$221
Total Expenditures	\$303	\$363	\$666	\$148	\$202	\$350
Revenue						
405 - 0420	\$88	\$148	\$236	\$148	\$73	\$221
Total Revenue	\$88	\$148	\$236	\$148	\$73	\$221

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 replace 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

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

This budget request will fund required AGO requirements for the 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:

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.

1. Assumptions for PCU Legal Services:

During FY 2026 and 2027, PCU will review and respond to filed decarbonization and electrification plans. PCU assumes this process will be similar to the process used to review utility Clean Energy Implementation Plans, involving initial review and comments on the plan, stakeholder work, and potential adjudication. This work will continue into FY 2027. Expert consultation to assist with plan review and litigation is assumed at \$50,000, spread evenly over two years (\$25,000 in FY 2026 and \$25,000 in FY 2027).

During FY 2029, PCU assumes a second round of decarbonization and electrification plans. PCU will prepare for a FY 2030 filing with stakeholder work and review of draft plans, or potential review of a formal filing. Expert consultation to assist with plan review and litigation is assumed to cost \$50,000 and will be spread evenly over two years (\$25,000 each in FY 2029 and FY 2030). During FY 2030, PCU will review and respond to the second round of decarbonization and electrification plans.

PCU: Total King County workload impact:

FY 2026 and 2027: \$215,000 for 0.3 Assistant Attorney General (AAG), 0.3 Paralegal 2 (PL2), 0.2 Paralegal 1 (PL1), and 0.5 Regulatory Analyst 2 (RA), which includes direct litigation costs of \$25,000 in both years.

FY 2029 and 2030: \$129,000 for 0.3 AAG, 0.1 PL2, 0.1 PL1, and 0.3 RA, which includes direct litigation costs of \$25,000 in both years.

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

During FY 2026, advice to support extensive rulemakings related to consolidating utility planning requirements and determining the cost test for emissions reduction measures. Client advice related to development of policy statement. During FY 2027, advice will be provided, and representation related to review of integrated system plan. During FY 2028, advice and representation related to review of integrated system plan. Also, advice and representation related to the first general rate case to be filed after filing of the integrated system plan. During FY 2029 and FY 2030, there will be ongoing advice and representation related to the requirements of the bill.

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

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.

FY 2029: \$73,000 for 0.3 AAG and 0.2 PL1.

Total AGO workload impact:

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.

FY 2029: \$202,000 for 0.5 AAG, 0.1 PL2, 0.3 PL1, and 0.5 RA, which includes direct litigation costs of \$25,000.

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 AAG, the AGO includes 0.5 PL1 and 0.35 MA.

1. Assumptions for PCU Legal Services:

During FY 2026 and 2027, PCU will review and respond to filed decarbonization and electrification plans. PCU assumes this process will be similar to the process used to review utility Clean Energy Implementation Plans, involving initial review and comments on the plan, stakeholder work, and potential adjudication. This work will continue into FY 2027. Expert consultation to assist with plan review and litigation is assumed at \$50,000, spread evenly over two years (\$25,000 in FY 2026 and \$25,000 in FY 2027).

During FY 2029, PCU assumes a second round of decarbonization and electrification plans. PCU will prepare for a FY 2030 filing with stakeholder work and review of draft plans, or potential review of a formal filing. Expert consultation to assist with plan review and litigation is assumed to cost \$50,000 and will be spread evenly over two years (\$25,000 each in FY 2029 and FY 2030). During FY 2030, PCU will

review and respond to the second round of decarbonization and electrification plans.

PCU: Total King County workload impact:

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.

FY 2029 and 2030: \$129,000 for 0.3 AAG, 0.1 PL2, 0.1 PL1, and 0.3 RA, which includes direct litigation costs of \$25,000 in both years.

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

During FY 2026, advice to support extensive rulemakings related to consolidating utility planning requirements and determining the cost test for emissions reduction measures. Client advice related to development of policy statement. During FY 2027, advice will be provided, and representation related to review of integrated system plan. During FY 2028, advice and representation related to review of integrated system plan. Also, advice and representation related to the first general rate case to be filed after filing of the integrated system plan. During FY 2029 and FY 2030, there will be ongoing advice and representation related to the requirements of the bill.

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

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.

FY 2029: \$73,000 for 0.3 AAG and 0.2 PL1.

Total AGO workload impact:

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.

FY 2029: \$202,000 for 0.5 AAG, 0.1 PL2, 0.3 PL1, and 0.5 RA, which includes direct litigation costs of \$25,000.

Workforce Assumptions:

See graphic

FTE detail is provided, Dollars in Thousands:

FTE	FY 2026	FY 2027	FY 2028	FY 2029	Ongoing ? Y / N
AAG FTE	0.6	0.8	0.5	0.5	Y
Object A & B	104	138	85	87	
PL1 FTE	0.3	0.4	0.3	0.3	Y
Object A & B	30	40	24	26	
PL2 FTE	0.3	0.3		0.1	Y
Object A & B	28	28		11	
INV FTE					
Object A & B					
MA5 FTE	0.2	0.3	0.2	0.2	Y
Object A & B	26	35	22	21	
Regulat Analyst 2 FTE	0.5	0.5		0.3	Y
Object A & B	58	58		35	
TOTAL FTE	1.9	2.3	0.9	1.4	
TOTAL A & B	246	299	131	180	

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

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 2026	FY 2027	FY 2028	FY 2029
0011 - Representing Ratepayers	405	88	148	148	73
12 - Representing Ratepayers	111	215	215		129
TOTAL		303	363	148	202

Performance Measure	Fund	FY 2026	FY 2027	FY 2028	FY 2029
2531 - Consumer Utility Rate Saving	405	88	148	148	73
2532 - Consumer Utility Rate Saving	111	215	215		129
TOTAL		303	363	148	202

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
002531 - Consumer Utility Rate Savings	\$0	\$0	\$0	\$0

Performance Outcomes:

Incremental impact for this performance measure is indeterminate.

Equity Impacts

Community Outreach and Engagement:

N/A

Disproportional Impact Considerations:

N/A

Target Communities and Populations:

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.

Community Inputs and Incorporation:

N/A

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

Yes

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

The request 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 2026	FY 2027	FY 2028	FY 2029
UTC (215)	405	88	148	148	73
TOTAL		88	148	148	73

Stakeholder Impacts:

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).
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).

Governor's Salmon Strategy:

N/A

Reference Documents

[2025-2027 HEAL Act Template_Toxic Cleanup Program Clean Energy 2627 Decision Package.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
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$188	\$229	\$417	\$101	\$137	\$238
Obj. B	\$58	\$70	\$128	\$30	\$42	\$72
Obj. C	\$25	\$25	\$50	\$0	\$0	\$0
Obj. E	\$30	\$37	\$67	\$16	\$22	\$38
Obj. G	\$2	\$2	\$4	\$1	\$1	\$2

Agency Contact Information

Edward Giger
(360) 586-2104
edward.giger@atg.wa.gov



Agency Recommendation Summary

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.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	15.8	22.1	18.95	23.5	23.4	23.45
Operating Expenditures						
Fund 405 - 1	\$2,627	\$3,406	\$6,033	\$3,836	\$3,836	\$7,672
Total Expenditures	\$2,627	\$3,406	\$6,033	\$3,836	\$3,836	\$7,672
Revenue						
405 - 0420	\$2,627	\$3,406	\$6,033	\$3,836	\$3,836	\$7,672
Total Revenue	\$2,627	\$3,406	\$6,033	\$3,836	\$3,836	\$7,672

Decision Package Description

This request would fund the Attorney General’s Office (AGO) to provide additional legal services to the Department of Children, Youth, and Families (DCYF) in dependency proceedings statewide. HB 1219, as enacted in 2019, created a phased-in implementation under which children in dependency and permanency matters be appointed counsel by the court, following the implementation schedule described in RCW 13.34.212. In 2024, SB 5805 amended this statute to extend the time for the children’s representation program to develop and phase in a schedule for court appointed attorneys for children in dependency proceedings from a six to seven-year period. This bill also added language specifying the schedule must not add more than 1,250 cases each fiscal year, specified that the schedule requires representation in at least 36 counties beginning January 1, 2027, and changed the full statewide implementation deadline from January 1, 2027, to January 1, 2028.

While this phased-in implementation does not create new dependency cases, it does increase the number of hearings in which DCYF must be represented and increase the complexity and thus the length of some of these hearings. Additionally, DCYF has an enhanced need for legal advice regarding its legal obligations to children in its care in advance of these hearings.

Assumptions and Calculations

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

This request supports increased legal services following the phased-in implementation schedule of the Office of Civil Legal Aid’s (OCLA) statewide children’s legal representation program as amended in 2024 by SB 5805. The schedule includes implementation in 30 counties beginning January 1, 2026. Implementation is required in 36 counties by January 1, 2027, followed by full statewide implementation in all 39 counties by January 1, 2028.

The AGO’s original workload assumptions based on the implementation schedule established by HB 1219 to prepare for and respond to the child’s attorney’s additional motions, inquiries, discovery requests, and arguments, which add time to court preparation and appearances, was as follows:

- FY 2025 (20 counties): 7.6 Assistant Attorneys General (AAG), 0.8 AAG-SEA, 1.5 Paralegal (PL) 2, 0.2 PL 2-SEA, 3.8 PL 1 and 0.4 PL 1-SEA.
- FY 2026 (30 counties): 11.4 AAG, 1.1 AAG-SEA, 2.3 PL 2, 0.2 PL 2-SEA, 5.7 PL 1 and 0.6 PL 1-SEA.
- FY 2027 (39 counties): 14.8 AAG, 1.5 AAG-SEA, 2.9 PL, 0.3 PL-SEA, 7.4 Legal Assistant 3 (LA) and 0.7 LA-SEA.

The AGO assumes that the workload impact of implementing OCLA’s statewide children’s representation program in six additional counties in FY 2027 is two thirds the workload impact of implementing the program in nine counties and that implementing the program in three additional counties is one third the workload impact of implementing the program in nine counties, as follows:

- FY 2025 (20 counties): 7.6 AAG, 0.75 AAG-SEA, 1.5 PL 2, 0.2 PL 2-SEA, 3.8 PL 1, 0.4 PL 1-SEA.
- FY 2026 (30 counties): 11.4 AAG, 1.12 AAG-SEA, 2.3 PL 2, 0.2 PL 2-SEA, 5.68 PL 1, 0.56 PL 1-SEA.

FY 2027 (36 counties): 13.6 AAG, 1.25 AAG-SEA, 2.7 PL 2, 0.3 PL 2-SEA, 6.82 PL 1, 0.6 PL 1-SEA.

FY 2028 and each year thereafter (39 counties): 14.8 AAG, 1.5 AAG-SEA, 2.9 PL 2, 0.3 PL 2-SEA, 7.4 PL 1, 0.7 PL 1-SEA.

Agency administration support FTE are included in the tables. The Management Analyst 5 FTE (MA5) is used as a representative classification. An example ratio is for every 1.0 AAG, the AGO includes 0.5 PL1 and 0.35 MA5.

Detailed Assumptions and Calculations:

The client agency is DCYF. The AGO will bill all clients for legal services rendered. These cash receipts represent the AGO's authority to bill and are not a direct appropriation to the AGO. While implementation occurs by January 1 under the legislation, funding is required the prior July 1 to ensure hiring and training of appropriate attorneys and staff may occur before implementation takes place.

AGO AGENCY ASSUMPTIONS:

DCYF will be billed for King and non-King County rates:

FY 2025: \$2,478,000 for 7.6 AAG, 1.5 PL 2, and 3.8 PL 1

FY 2026: \$4,028,000 for 12.5 AAG, 2.5 PL 2, and 6.2 PL 1

FY 2027: \$4,807,000 for 14.9 AAG, 3.0 PL 2, and 7.5 PL 1

FY 2028 and each year thereafter: \$5,237,000 for 16.2 AAG, 3.2 PL 2, and 8.1 PL 1

The total billed for DCYF is:

FY 2025: \$2,691,000 8.3 AAG, 1.7 PL 2, 4.2 PL 1

FY 2026: \$4,028,000 12.5 AAG, 2.5 PL 2, 6.2 PL 1

FY 2027: \$4,807,000 14.9 AAG, 3.0 PL 2, 7.5 PL 1

FY 2028 and each year thereafter: \$5,237,000 16.2 AAG, 3.2 PL 2, 8.1 PL 1.

The client agency is DCYF. The AGO will bill all clients for legal services rendered. These cash receipts represent the AGO's authority to bill and are not a direct appropriation to the AGO. While implementation occurs by January 1 under the legislation, funding is required the prior July 1 to ensure hiring and training of appropriate attorneys and staff may occur before implementation takes place.

AGO AGENCY ASSUMPTIONS:

DCYF will be billed for King and non-King County rates:

FY 2025: \$2,478,000 for 7.6 AAG, 1.5 PL 2, and 3.8 PL 1

FY 2026: \$4,028,000 for 12.5 AAG, 2.5 PL 2, and 6.2 PL 1

FY 2027: \$4,807,000 for 14.9 AAG, 3.0 PL 2, and 7.5 PL 1

FY 2028 and each year thereafter: \$5,237,000 for 16.2 AAG, 3.2 PL 2, and 8.1 PL 1

The total billed for DCYF is:

FY 2025: \$2,691,000 8.3 AAG, 1.7 PL 2, 4.2 PL 1

FY 2026: \$4,028,000 12.5 AAG, 2.5 PL 2, 6.2 PL 1

FY 2027: \$4,807,000 14.9 AAG, 3.0 PL 2, 7.5 PL 1

FY 2028 and each year thereafter: \$5,237,000 16.2 AAG, 3.2 PL 2, 8.1 PL 1.

Workforce Assumptions:

See graphic

FTE detail is provided, Dollars in Thousands:

FTE		FY 2026	FY 2027	FY 2028	FY 2029	Ongoing ? Y / N
AAG	FTE	1.4	3.9	4.8	4.8	Y
	Object A & B	728	1,366	1,366	1,366	
LA	FTE					
	Object A & B					
PL	FTE	8.7	10.5	11.3	11.3	Y
	Object A & B	875	1,047	1,137	1,137	
INV	FTE					
	Object A & B					
MA5	FTE	4.4	5.2	5.7	5.7	Y
	Object A & B	612	730	795	795	
Other	FTE					
	Object A & B					
TOTAL FTE		14.5	19.6	21.8	21.8	
TOTAL A & B		2,215	3,143	3,298	3,298	

Historical Funding:

Dollars in Thousands:

FY 2026

FTE = 9.8

Total Funds = \$1,401

Near General Fund = \$0

Other Funds = \$1,401

FY 2027

FTE = 9.8

Total Funds = \$1,401

Near General Fund = \$0

Other Funds = \$1,401

Strategic and Performance Outcomes

Strategic Framework:

Results Washington: These additional resources would support DCYF in achieving the Results Washington goal related to healthy and safe communities by safely reducing the number of children in out of home care. Entries into out of home care are often associated with a dependency proceeding, in some of which the children are under the HB 1219 phased-in schedule appointed attorneys by the court. With enhanced legal services in the more frequent and lengthier hearings that follow implementation of counsel for children in these cases, DCYF will be better able to meet its obligations in these cases within the bounds of its goal of safely reducing the number of children in its care.

AGO Strategic Plan: These additional resources would enhance the AGO’s ability to both serve the state by delivering high quality and effective legal services and improving the livings of Washingtonians by advising DCYF in achieving their mission to safely reduce the number of children in the child welfare system.

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
002536 - Criminal Cases Closed	0	0	0	0

Performance Outcomes:

Incremental impact for this performance measure is indeterminate.

Equity Impacts

Community Outreach and Engagement:

N/A as this request is to continue already enacted legislation.

Disproportional Impact Considerations:

N/A as this request is to continue already enacted legislation.

Target Communities and Populations:

DCYF experiences racial disparity in the proportion of screened in intakes regarding Native American children as compared to white children and disparity in the proportion of child welfare removals of Native American and black children as compared to white children. Additional resources for these legal services would promote more enhanced advice to DCYF regarding legal and policy implications of its policy decisions, and related legal requirements.

Community Inputs and Incorporation:

N/A as this request is to continue already enacted legislation.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

See graphic

Client Billing costs are provided, Dollars in Thousands:

Client	Fund	FY 2026	FY 2027	FY 2028	FY 2029
DCYF	405	2,627	3,406	3,836	3,836
TOTAL		2,627	3,406	3,836	3,836

Stakeholder Impacts:

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

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
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$1,656	\$2,184	\$3,840	\$2,476	\$2,476	\$4,952
Obj. B	\$510	\$671	\$1,181	\$760	\$760	\$1,520
Obj. E	\$436	\$521	\$957	\$567	\$567	\$1,134
Obj. G	\$25	\$30	\$55	\$33	\$33	\$66

Agency Contact Information

Edward Giger
 (360) 586-2104
 edward.giger@atg.wa.gov



Office of Attorney General
 2025-27 Regular Budget Session
 Maintenance Level - TX - SB 6194 Legislative Employees

Agency Recommendation Summary

The passage of SB 6194 has increased the demand for legal services from the Attorney General’s Office (AGO) Labor and Personnel Division (LPD). 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 2026 to provide ongoing legal services for to PERC and LRR 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
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	1.1	0.0	0.55	0.0	0.0	0.0
Operating Expenditures						
Fund 405 - 1	\$179	\$0	\$179	\$0	\$0	\$0
Total Expenditures	\$179	\$0	\$179	\$0	\$0	\$0
Revenue						
405 - 0420	\$179	\$0	\$179	\$0	\$0	\$0
Total Revenue	\$179	\$0	\$179	\$0	\$0	\$0

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 LRR while meeting their legal service needs.

Assumptions and Calculations

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 0.3 Management Analyst 5 FTE (MA5). The MA5 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.

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

FY 2026: \$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:

See graphic

FTE detail is provided, Dollars in Thousands:

FTE		FY 2026	FY 2027	FY 2028	FY 2029	Ongoing ? Y / N
AAG	FTE	0.6				
	Object A & B	102				
LA	FTE					
	Object A & B					
PL	FTE	0.3				
	Object A & B	30				
INV	FTE					
	Object A & B					
MA5	FTE	0.2				
	Object A & B	28				
Other (describe)	FTE					
	Object A & B					
TOTAL FTE		1.1	0.0	0.0	0.0	
TOTAL A & B		160	0	0	0	

Historical Funding:

Dollars in Thousands:

FY 2026

FTE = 0

Total Funds = \$1

Near General Fund = \$0

Other Funds = \$1

FY 2027

FTE = 0

Total Funds = \$0

Near General Fund = \$0

Other Funds = \$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 2026	FY 2027	FY 2028	FY 2029
A010 - Legal Services to State Agencies	405	179			
TOTAL		179	-	-	-

Performance Measure	Fund	FY 2026	FY 2027	FY 2028	FY 2029
002533 - Total AG Formal and Informal Opinions Issued	405	179			
TOTAL		179	-	-	-

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
002533 - Total AG Formal and Informal Opinions Issued	0	0	0	0

Performance Outcomes:

Incremental impact for this performance measure is indeterminate.

Equity Impacts

Community Outreach and Engagement:

N/A as this request is to continue already enacted legislation.

Disproportional Impact Considerations:

N/A as this request is to continue already enacted legislation.

Target Communities and Populations:

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 LRR. Increased funding will ensure AGO’s ability to provide comprehensive and timely legal services, thereby assisting PERC and LRR in furtherance of that agency’s statewide mission to protect the public through its role.

Community Inputs and Incorporation:

N/A as this request is to continue already enacted legislation.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

See graphic

Client Billing costs are provided, Dollars in Thousands:

Client	Fund	FY 2026	FY 2027	FY 2028	FY 2029
LEG	405	179			
TOTAL		179	-	-	-

Stakeholder Impacts:

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

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
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$122	\$0	\$122	\$0	\$0	\$0
Obj. B	\$37	\$0	\$37	\$0	\$0	\$0
Obj. E	\$19	\$0	\$19	\$0	\$0	\$0
Obj. G	\$1	\$0	\$1	\$0	\$0	\$0

Agency Contact Information

Edward Giger
(360) 586-2104
edward.giger@atg.wa.gov



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
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	0.0	0.0	0.0	0.0	0.0	0.0
Operating Expenditures						
Fund 25V - 1	\$100	\$100	\$200	\$100	\$100	\$200
Total Expenditures	\$100	\$100	\$200	\$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

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 2026 and in each FY thereafter for continued maintenance level operations.

Workforce Assumptions:

N/A

Historical Funding:

Dollars in Thousands:

FY 2026

FTE = 4.4

Total Funds = \$672

Near General Fund = \$0

Other Funds 25V = \$672

FY 2027

FTE = 4.4

Total Funds = \$672

Near General Fund = \$0

Other Funds 25V = \$672

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 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
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 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, the 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 CPR'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 Communities and Populations:

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 Washington 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 staff and officers. Most participants in the nonprofit sector are well-intentioned and hard-working. However, sometimes, bad-faith actors and or neglect by charity staff places the charities – and the donating public – at risk.

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.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

N/A

Stakeholder Impacts:

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

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
	2026	2027	2025-27	2028	2029	2027-29
Obj. E	\$100	\$100	\$200	\$100	\$100	\$200

Agency Contact Information

Edward Giger
 (360) 586-2104
 edward.giger@atg.wa.gov



Agency Recommendation Summary

The Attorney General’s Office (AGO) is requesting an increase in expenditure authority for the Child Rescue Account to more efficiently payout grant amounts to Children’s Advocacy Centers of Washington.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	0.0	0.0	0.0	0.0	0.0	0.0
Operating Expenditures						
Fund 19P - 1	\$60	\$60	\$120	\$60	\$60	\$120
Total Expenditures	\$60	\$60	\$120	\$60	\$60	\$120

Decision Package Description

In 2015, the legislature enacted the Child Rescue Fund (CRF) under RCW 9.68A.200. The CRF was established to provide additional dedicated resources for law enforcement to investigate and prosecute offenders and for victims to receive necessary services such as mental health treatment.

In establishing this fund, the legislature found that mental health treatment for victims of child pornography is very important because these victims are often re-victimized by their sexually explicit childhood image being repeatedly viewed, traded, printed, or downloaded. The findings further state that “victims of child pornography often experience severe and lasting harm from the permanent memorialization of the crimes committed against them. Child victims endure depression, withdrawal, anger, and other psychological disorders. Victims also experience feelings of guilt and responsibility for the sexual abuse as well as feelings of betrayal, powerlessness, worthlessness, and low self-esteem.” [2015 c 279 § 3]. The legislature furthermore found that “expansion of the internet and computer-related technologies have led to a dramatic increase in the availability of child pornography by simplifying how it can be created, distributed, and collected” and that investigators and prosecutors reported a dramatic increase in the number and violent character of the image being trafficked through the internet.

Per RCW 9.68A.200 (2), the Attorney General’s Office (AGO) is the administrator who may authorized expenditures from the fund. Offenders who are convicted of Possession of Depiction of Minor Engaged in Sexually Explicit Conduct are assessed a fee of \$1,000 per conviction per RCW 9.68A.107. These fees then are remitted via the state treasurer into the CRF. The AGO has been administering this fund since 2015 and is requesting increased expenditure authority to make the disbursement of payments to Child Advocacy Centers more efficiently as they would occur in larger amounts but less frequently. This alleviates the administrative burden on Washington Child Advocacy Centers and the AGO.

Assumptions and Calculations

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

This request does not expand or alter the current program but provides expenditure authority for the current revenue in the account.

Detailed Assumptions and Calculations:

This will allow the AGO to continue to make the disbursements but in larger amounts and with less frequency alleviating administrative burdens on Washington community organizations and the AGO.

Workforce Assumptions:

N/A

Historical Funding:

Dollars in Thousands:

FY 2026

FTE = 0

Total Funds = \$40

Near General Fund = \$0

Other Funds 19P = \$40

FY 2027

FTE = 0

Total Funds = \$40

Near General Fund = \$0

Other Funds 19P = \$40

Strategic and Performance Outcomes

Strategic Framework:

(Results Washington): Goal 4: Healthy and Safe Communities

(AGO Strategic Plan): Protect the People

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

Activity	Fund	FY 2026	FY 2027	FY 2028	FY 2029
A0001 - Administration	19P	60	60	60	60
TOTAL		60	60	60	60

Performance Measure	Fund	FY 2026	FY 2027	FY 2028	FY 2029
002536 - Criminal Cases Closed	19P	60	60	60	60
TOTAL		60	60	60	60

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
002536 - Criminal Cases Closed	0	0	0	0

Performance Outcomes:

Incremental impact for this performance measure is indeterminate.

Equity Impacts

Community Outreach and Engagement:

N/A as this request is for spending authority to provide grants to Child Advocacy Centers in Washington, per RCW 9.68A.200.

Disproportional Impact Considerations:

N/A as this request is for spending authority to provide grants to Child Advocacy Centers in Washington, per RCW 9.68A.200.

Target Communities and Populations:

Research suggests that children in non-white and Hispanic/Latinx communities are at a higher risk of exploitation, abuse, and maltreatment. Per RCW 9.68A.200, 75 percent of the granted funds must go to the Washington Internet Crimes Against Children Taskforce and the remaining 25 percent is grant to Child Advocacy Centers in Washington that protect children from exploitation and sexual abuse and that support victims of exploitation and abuse.

Community Inputs and Incorporation:

N/A as this request is for spending authority to provide grants to Child Advocacy Centers in Washington, per RCW 9.68A.200.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

N/A

Stakeholder Impacts:

N/A

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

Second Substitute House Bill 1281

Sec. 3. A new section is added to chapter 9.68A RCW to read as follows:

- (1) The child rescue fund is created in the custody of the state treasurer. All receipts from fees collected under section 2 of this act must be deposited into the fund.
- (2) Only the attorney general for the state of Washington or the attorney general's designee may authorize expenditures from the fund.
- (3) The attorney general or his or her designee must make any expenditures from the fund according to the following schedule:
 - (a) Twenty-five percent of receipts for grants to child advocacy centers, as defined in RCW 26.44.020; and
 - (b) Seventy-five percent of receipts for grants to the Washington internet crimes against children task force for use in investigations and prosecutions of crimes against children.
- (4) The fund is subject to the allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

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
	2026	2027	2025-27	2028	2029	2027-29
Obj. N	\$60	\$60	\$120	\$60	\$60	\$120

Agency Contact Information

Edward Giger

(360) 586-2104

edward.giger@atg.wa.gov



Agency Recommendation Summary

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.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Operating Expenditures						
Fund 001 - 2	\$600	\$0	\$600	\$0	\$0	\$0
Total Expenditures	\$600	\$0	\$600	\$0	\$0	\$0
Revenue						
001 - 0316	\$600	\$0	\$600	\$0	\$0	\$0
Total Revenue	\$600	\$0	\$600	\$0	\$0	\$0

Decision Package Description

The Attorney General’s Office (AGO) requests an increase to its federal authority in the 2025-27 biennium of \$600,000. The Sexual Assault Kit Initiative (SAKI) begun in the 2017-19 Biennium and this request is a no-cost continuance that was recently approved by the United States Department of Justice (DOJ) to finish the project. Washington State has submitted for testing all the kits from of its large backlog of previously untested sexual assault kits (SAKs) and continues to test other DNA collected at crime scenes. This funding will allow the AGO to continue to follow up on the hits on DNA tests and continue to collect DNA from convicted offenders who owe a DNA sample. There is no impact to State funds and this authority will allow us to spend the remain grant dollars.

In September 2017, the DOJ notified the Washington State AGO that the application for the Federal SAKI grant had been approved. The purpose of the Federal SAKI grant is to provide financial resources to clear the statewide backlog of un-submitted and partially submitted SAKs and to further sexual assault investigations. The AGO was the only state level office to receive the maximum amount authorized under this grant.

In March 2018, the Washington State Legislature and the Governor granted appropriation authority for the AGO to begin expending the three-year \$3 million grant.

Since March 2018, the AGO hired two investigators who work solely on the SAKI grant. Their job duties include inventorying the un-submitted SAKs, working with local jurisdictions to submit those SAKs for testing to the Washington State Patrol (WSP) Crime Laboratory, participating in training, and assisting in investigations where requested.

The AGO has provided a sub-award to the WSP Crime Laboratory to test the un-submitted SAKs. The WSP Crime Laboratory operates five multi-service crime laboratories in Seattle, Tacoma, Marysville, Spokane, and Vancouver, all of which provide forensic DNA typing to criminal justice agencies within Washington State.

As kits are tested and their information is entered into the AGO’s the Homicide Investigation Tracking System (HITS) database, crime analysts have and will continue to review the data for possible patterns and connections between cases. As patterns and connections are found, the SAKI investigators have and will continue to work with local law enforcement agencies to assist with investigations.

Additionally, the SAKI team has developed a cross-disciplinary training model to provide law enforcement, prosecutors, victim advocates and medical personal to ensure all disciplines are prepared to manage the emerging casework in a victim-centered manner. This training includes assistance in producing victim notification procedures, instruction on the effect of trauma on a victim and its relationship to re-victimization, information on the effective use of advocates, and stresses the need to communicate with victims early and often, and that victim cooperation should always be a significant factor in determining the course of an investigation.

Assumptions and Calculations

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

This request does not expand or alter the current program but provides expenditure authority for the current grant awarded to the AGO in the 2025-27 Biennium.

Detailed Assumptions and Calculations:

This will allow the SAKI program to expend the entire grant within the grant periods awarded.

Workforce Assumptions:

AGO is not requesting additional FTE but requesting an increase in the expenditure authority to cover all costs for the current staffing level and operating costs. The anticipated grant costs are \$600,000 for 2025-27 biennium and this request is to cover these costs.

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

Historical funding was treated as one-time.

Strategic and Performance Outcomes

Strategic Framework:

Results Washington:

Goal 4: Healthy & safe communities

Goal 5: Efficient, effective & accountable government

Agency Strategic plan:

Priority 2 – Protect the People

2-1-4 Protect sexually exploited youth and pursue civil commitment of sexually violent predators.

This request advances the Governor’s Results Washington Goal 4: Healthy and Safe Communities and the AGO Strategic Plan Priority 2 – Protect the People by utilizing all available funding to inventory and test un-submitted or partially submitted SAKs and entering those results into HITS. This will assist local law enforcement in the commitment or recommitment of sexually violent predators, while developing cross discipline training that focuses on the victims of sexual assault.

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

Activity	Fund	FY 2026	FY 2027	FY 2028	FY 2029
A003 Criminal Investigations and Prosecutions	001-2	600			
TOTAL		600	-	-	-

Performance Measure	Fund	FY 2026	FY 2027	FY 2028	FY 2029
TOTAL		-	-	-	-

(AGO Performance Measures): No Incremental changes

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
002536 - Criminal Cases Closed	0	0	0	0

Performance Outcomes:

Incremental impact for this performance measure is indeterminate.

Equity Impacts

Community Outreach and Engagement:

Enforcement of sexual assault is statewide and affects all demographic communities. This proposal will help ensure underserved communities receive the same services as other communities. Most of those cases involve the sexual assault of vulnerable women and sexually exploited youth.

Disproportional Impact Considerations:

N/A as this request will allow the AGO to spend the remaining grant funds.

Target Communities and Populations:

This funding will allow the AGO to continue to collect owed DNA from offenders, follow up on DNA hits from tested SAKs, and continue to investigate unresolved sexual assaults.

Community Inputs and Incorporation:

N/A as this request will allow the AGO to spend the remaining grant funds.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

N/A

Stakeholder Impacts:

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

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
	2026	2027	2025-27	2028	2029	2027-29
Obj. E	\$500	\$0	\$500	\$0	\$0	\$0
Obj. G	\$100	\$0	\$100	\$0	\$0	\$0

Agency Contact Information

Edd Giger
(360) 586-2104
Edward.Giger@atg.wa.gov



Agency Recommendation Summary

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.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	2.6	2.6	2.6	0.0	0.0	0.0
Operating Expenditures						
Fund 405 - 1	\$1,648	\$1,648	\$3,296	\$0	\$0	\$0
Total Expenditures	\$1,648	\$1,648	\$3,296	\$0	\$0	\$0
Revenue						
405 - 0420	\$1,648	\$1,648	\$3,296	\$0	\$0	\$0
Total Revenue	\$1,648	\$1,648	\$3,296	\$0	\$0	\$0

Decision Package Description

During first half of the 2023-25 biennium, the cases did not move forward at the pace anticipated. However, in recent months the cases have been active and are currently scheduled for trial in February 2025 and April 2025, and in light of recent court rulings and a recently granted Motion to Amend the Complaint, it is unlikely that the matters will be resolved by the end of the current biennium. Accordingly, continued funding will be needed in 2025-27, as many of the same issues that drove the last funding requests remain present.

This package is being presented as a joint request defending the three cases as the plaintiffs, *Rush 1*, *Rush 2*, and *Wolf*, engaged the same law firm of Bendich, Stobaugh, and Strong, which is a firm that specializes in benefits-related class action lawsuits and has successfully litigated benefits-related cases against the State in the past. The firm is coordinating the three cases, and discovery from one case will likely be attempted to be used in the other cases. In July 2023, the court granted leave to amend the complaint in the *Rush* (retirement) case, which was consolidated with the *Wolf* case. Given the new claims it is anticipated that additional discovery and motions practice will occur. For purposes of this package request, failure to mount a robust defense is assumed to lead to significant state financial liability in all three cases. A successful defense will mitigate those impacts.

Each of the public four-year universities sponsors its own retirement plan, separate and apart from the state employee plans administered by the Department of Retirement Services (DRS). SBCTC sponsors a plan for faculty and exempt staff at the state’s 34 community and technical colleges. Until 2011, all the college and university retirement plans had an attendant supplemental plan that provided a safety net for retirees whose investments in the regular retirement plan did not perform up to a determined threshold level. The supplemental plans were closed by the legislature in 2011, but employees who entered service before 2011 may still be entitled to seek a supplemental benefit. The issue raised in two of the lawsuits is whether this supplemental plan requires 10 years of continuous full-time equivalent employment or whether the plan requires 10 years of full-time equivalent employment in total. Said another way, if there is a break in employment, does the counting for the 10 year full-time employment requirement start anew or continue when the employee resumes his or her employment.

Rush v. State (retirement) was filed in June 2021. Rush claims that he was employed by Green River College as a part-time instructor from 1991 to the end of 2017 Fall Quarter and then, from 2018 Spring Quarter to 2020. Rush claims that Green River College improperly applied eligibility criteria for his retirement benefits after he took Winter Quarter off in 2018 and the State, through the SBCTC, illegally changed the retirement benefit plan in violation of the impairment of contract principles set forth in *Bakenhus v. Seattle*, 48 Wn.2d 695 (1958) by requiring 10 years of continuous full-time employment. Rush seeks class certification, retirement compensation, damages for willful withholding of wages, attorney’s fees, lost investment returns, and interest. Due to the similarities between the *Rush* and *Wolf* cases and the putative the classes, they were consolidated in November 2023. In June 2024, the Court granted a partial motion for summary judgment for plaintiffs; the court ruled that the 2011 plain specifically defined “Years of Service” and contained no limitations relative to “breaks in service.” This consolidated case is set for trial in February 2025, but the court recently granted Plaintiffs’ leave to amend their complaint to expand the time period covered by

approximately 12 years. This could lead to new discovery, additional motions practice, which would likely result in trial being set over into the next biennium.

The Wolf case was filed in February 2019 (consolidated with Rush (retirement) in November 2023). Wolf was employed by the Community Colleges of Spokane (CCS) as a part-time instructor from 1993 to 2002 and from 2006 to 2017 and alleges that he had 15.2 years of full-time equivalent employment in total. He claims CCS improperly applied eligibility criteria for his supplemental retirement benefits after he took four years off and that the State, through the SBCTC, illegally changed the retirement benefit plan in violation of the impairment of contract principles set forth in *Bakenhus v. Seattle*, 48 Wn.2d 695 (1958) by requiring 10 years of continuous full-time employment. The State responded to initial discovery and was successful in a motion on the pleadings, leading the plaintiff to re-file and seek his remedy in another manner in late 2019. In early 2020, the parties filed additional motions, but agreed to stay the proceedings pending discussions on the possibility of settlement. The Attorney General's Office (AGO) worked on valuing the case and exchanged settlement correspondence with the plaintiffs' counsel. Plaintiffs failed to respond for an extended period until AGO notified the plaintiffs that the State wanted to get the case back on track. Since that time, the Wolf case has been consolidated with Rush (retirement) and granted a partial motion for summary judgment for plaintiffs (see above). This consolidated case is set for trial on in February 2025. In light of the recent filing of an amended complaint that adds supplemental retirement benefits claims alleging that in-class/student contact hours should have been used to calculate Rush's part-time instructor's workload for purposes of calculating eligibility for supplemental retirement benefits and expands the relevant time period by approximately 12 years, additional discovery and motions practice is likely necessary. As such, the trial may be set over into the next biennium.

Rush v. State (sick leave) was filed in February 2020. Unlike the other two cases, this case involves sick leave and how it is calculated for part-time academic employees. Rush claims that the statutes require that sick leave for part-time academic employees must be proportional to that received by full-time employees. The state's colleges disagree and argue that the statutes allow colleges and unions to bargain over sick leave accrual rates. Colleges and unions have bargained for years on this topic and part-time faculty accrue sick leave at rates proportional to their teaching commitment in the many union contracts for each college as required by statute. The bargained accrual rate for sick leave for part-time faculty in these union contracts has generally not been proportional to that for full-time faculty as there is no such statutory requirement. In June 2020, the court certified a class consisting of "[a]ll part-time academic employees who did not accrue sick leave in proportion to their full-time equivalency, whether their accrual was not proportionate because of rate of accrual, or accumulation limitations, or in another fashion. The class is limited in time to employees who worked at a college district, a state agency, an education service district, a school district or an institute of higher education within the applicable statute of limitations." In September 2020, the court granted partial summary judgment in favor of the plaintiffs. Specifically, the Superior Court ruled that the class members' sick leave accrual had to be directly proportionate to that of full-time faculty, even though the statute only requires sick leave accrual "in proportion to the individual's teaching commitment." The State attempted to appeal that ruling arguing that it was contrary to RCW 28B.50.489(1) and that colleges and unions can bargain over sick leave accrual rates, but discretionary review was denied. In June 2024, the court granted Plaintiff's motion to determine damages formula, subject to alteration to account for individual circumstances, and the motion for exemplary damages. Trial is scheduled for the end of April 2024. In light of recent rulings, it is possible the trial date could be delayed. Regardless, a robust defense is necessary.

For these three related cases, the AGO projects \$2.5 million for Special Assistant Attorney General (SAAG), discovery, expert costs, and legal defense of the cases. All three cases will require actuarial and other experts, as well as data consultants, some of whom have been contracted.

This request is for 1.0 FTE Assistant Attorneys General (AAG), 0.7 FTE Paralegal 2 (PL2), 0.5 FTE Paralegal 1 (PL1) and \$2.5 million in SAAG and expert costs in the 2025-27 Biennium. This will provide continued defense funding including a litigation team, expert witnesses, and consultants required to mount a full defense of all three cases.

Assumptions and Calculations

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

This proposal is to fund extraordinary litigation costs related to employee benefits.

Detailed Assumptions and Calculations:

To complete this litigation, we need continued funding for 1.0 AAG, 0.7 PL2 and 0.5 PL1. It will also be necessary to hire SAAG and experts, which we assume will cost a total of \$2.5 million (\$1.25 million in each fiscal year.)

FY 2025 and FY 2026: \$1,638,000 each year for 1.0 AAG, 0.7 PL2 and 0.5 PL1, which includes direct litigation costs of \$1,250,000

To complete this litigation, we need continued funding for 1.0 AAG, 0.7 PL2 and 0.5 PL1. It will also be necessary to hire SAAG and experts, which we assume will cost a total of \$2.5 million (\$1.25 million in each fiscal year.)

FY 2025 and FY 2026: \$1,638,000 each year for 1.0 AAG, 0.7 PL2 and 0.5 PL1, which includes direct litigation costs of \$1,250,000

Workforce Assumptions:

FTE detail is provided, Dollars in Thousands:

FTE		FY 2026	FY 2027	FY 2028	FY 2029	Ongoing ? Y / N
AAG	FTE	1.0	1.0			N
	Object A & B	178	178			
PL 2	FTE	0.7	0.7			N
	Object A & B	78	78			
PL 1	FTE	0.5	0.5			N
	Object A & B	51	51			
INV	FTE					
	Object A & B					
MA5	FTE	0.4	0.4			N
	Object A & B	45	45			
Other (describe)	FTE					
	Object A & B					
TOTAL FTE		2.6	2.6	0.0	0.0	
TOTAL A & B		352	352	0	0	

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

Previous funding was provided as one-time.

Strategic and Performance Outcomes

Strategic Framework:

Results Washington Outcome Measures:

World-class Education - These cases challenge employee benefits in the higher education system, seeking a broader interpretation of retirement plan eligibility and sick leave eligibility. The plaintiffs are seeking to apply these new interpretations to a broad class of employees going back over many years. A victory by the plaintiffs would increase the costs of operating the state higher education system.

Efficient, effective & accountable government. A successful result by the plaintiff in any of these cases will divert resources from the priorities established by the legislature in its operating budget.

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

1. 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.

2. Priority – Protect the People

Goal 3—Promote Good Government

The SBCTC and each of the four-year universities are empowered by statute to provide retirement plans under such rules as they may prescribe. The plaintiff’s challenge in two of these cases seeks to curtail that authority and discretion. Similarly, in the sick leave case, the plaintiffs challenge the way colleges calculate their employee workload. Good government requires clear understanding of the roles and authorities of the executive branch agencies as well as protection of taxpayer resources.

Activity	Fund	FY 2026	FY 2027	FY 2028	FY 2029
A010 Legal Services to State Agencies	405	1,648	1,648		
TOTAL		1,648	1,648	-	-

Performance Measure	Fund	FY 2026	FY 2027	FY 2028	FY 2029
2539 - Cases Open at the End of Fiscal Year	405	1,648	1,648		
TOTAL		1,648	1,648	-	-

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
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 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 Communities and Populations:

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

Community Inputs and Incorporation:

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

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

These cases concern benefits, so some impacts on the status quo will occur if the State fails to successfully defend these cases.

Intergovernmental:

These lawsuits impact all 34 community and technical colleges. If the plaintiffs are successful, the colleges likely will have to modify their practices, may have to seek legislative assistance, and certainly will need to seek additional funds. Negative outcomes may also impact other higher education institutions that have similar plans. On behalf of the community and technical college system, the SBCTC agrees with the need for the legal services and fully supports this AGO request

Client	Fund	FY 2026	FY 2027	FY 2028	FY 2029
SBCTC	405	1,648	1,648		
TOTAL		1,648	1,648	-	-

Stakeholder Impacts:

There is no known opposition to this request currently.

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

1. *Wolf v. State of WA and SBCTC*
2. *Rush v. State* (Rush 1-retirement)
3. *Rush v. State* (Rush 2-sick leave)

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
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$269	\$269	\$538	\$0	\$0	\$0
Obj. B	\$82	\$82	\$164	\$0	\$0	\$0
Obj. C	\$1,250	\$1,250	\$2,500	\$0	\$0	\$0
Obj. E	\$44	\$44	\$88	\$0	\$0	\$0
Obj. G	\$3	\$3	\$6	\$0	\$0	\$0

Agency Contact Information

Edd Giger
(360) 586-2104
Edward.Giger@atg.wa.gov



Agency Recommendation Summary

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.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Operating Expenditures						
Fund 405 - 1	\$350	\$350	\$700	\$0	\$0	\$0
Total Expenditures	\$350	\$350	\$700	\$0	\$0	\$0
Revenue						
405 - 0420	\$350	\$350	\$700	\$0	\$0	\$0
Total Revenue	\$350	\$350	\$700	\$0	\$0	\$0

Decision Package Description

The Attorney General’s Office (AGO) is requesting critical resources to support one of the most important environmental damages cases in state history – a case that the State has been jointly litigating with the Confederated Tribes of the Colville Reservation (Colville Tribes) for more than a decade. The State and the Colville Tribes have been successful at the first two phases of litigation. In the third phase, the State and Colville Tribes are seeking the recovery for significant natural resource damages Teck’s pollution caused to the Upper Columbia River area. The Upper Columbia River/Lake Roosevelt Site encompasses 151 river miles of the Columbia River from the U.S. and Canadian border to Grand Coulee Dam. The Site also includes uplands near the international border impacted by smelter air pollution. For a century, the Teck Metals, Limited (Teck) metal ore smelting complex in Trail, British Columbia dumped slag directly into the Columbia River. Metals released from the slag, including arsenic, zinc, cadmium, lead, copper, and mercury, have affected Upper Columbia River/Lake Roosevelt sediments and aquatic life and habitats. Teck’s pollution also includes widespread soil contamination from a century of metals smelting smokestack emissions affecting habitats of the Upper Columbia River Valley, primarily in Stevens County near the U.S. and Canadian border.

Phases 1 and 2 of the litigation established Teck’s liability for releasing hazardous substances into the Columbia River, and through settlement with Washington State (the State) and judgment to the Colville Tribes, secured response cost monetary awards for the State and Colville Tribes exceeding \$12 million. The Phase I and 2 results were affirmed by the Ninth Circuit Court of Appeals in 2018, with the United States Supreme Court declining review.

Phase 3 of the case began in 2021. The State and Colville Tribes are trustees for natural resources under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and in Phase 3, the State and Colville Tribes as trustees seek the recovery of natural resource damages under CERCLA. And because in Phase 2 Teck succeeded in arguing that it could not be an “arranger” under CERCLA for the disposal of airborne hazardous substances at the site, the State has alleged a state law cause of action under the Model Toxics Control Act (MTCA) for damages arising from this contamination. Securing judgment for natural resource damages stemming from smelter contamination will support environmental restoration to mitigate losses in the Upper Columbia River region due to decades of contamination from Teck’s smelter.

Joint litigation by the Colville Tribes and the State seeks to recover statutory damages from Teck for injuries to natural resources (known as natural resource damages (NRD)). The case is being heard in the United States District Court for the Eastern District of Washington.

A multi-party upper Columbia River Natural Resources Trustee Council has also dedicated over a decade to define and quantify NRD. Mediated negotiations for out-of-court settlement with the company have been unsuccessful.

Securing judgment for natural resource injuries is critical to achieving appropriate and full compensation for Washington residents and providing for resource restoration that will mitigate losses in the upper Columbia River and Valley due to decades of environmental injury from the smelter.

The AGO and Department of Ecology (Ecology) estimate one-time costs during the biennium to include \$700,000 for aquatic, economic, and upland injury experts and studies, as well as trial expenses.

Assumptions and Calculations

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

This is a case-specific request for funds to cover costs for *Pakootas v. Teck Metals Ltd.* litigation support.

Detailed Assumptions and Calculations:

The AGO requests \$700,000 to cover the following expenses:

1. Costs of two benthic injury witnesses to prepare for and provide *Daubert* testimony at hearings set in October-November 2024.
2. Costs of expert support in preparing to take testimony of Teck's benthic injury expert for *Daubert* hearing set for February 2025.
3. Consultant costs to support preparation for *Daubert* hearings.
4. Costs of technical consultant review of draft Aquatic Baseline Ecological Risk Analysis prepared by Teck and currently under review by the Environmental Protection Agency (EPA).
5. Costs of nine experts to prepare for and provide trial testimony if trial were to occur during current biennium (currently unscheduled).
6. Costs of consultant support for possible trial during current biennium.
7. Ongoing software data storage costs (eDiscovery, Trial Director).
8. Lodging, transportation, and meal costs for attorneys to attend three days of *Daubert* hearings in Yakima.
9. Lodging, transportation, and meal costs for attorneys to attend possible trial for up to six weeks in Yakima.
10. Other trial-related expenses such as printing exhibits.
11. Contingency budget for unanticipated litigation expenses.

FY 2026: \$350,000 for Expert Consultant costs at \$313,000, eDiscovery data storage and printing at \$12,000, and travel for all parties at \$25,000.

FY 2027: \$350,000 for Expert Consultant costs at \$313,000, eDiscovery data storage and printing at \$12,000, and travel for all parties at \$25,000.

Workforce Assumptions:

N/A

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

Strategic and Performance Outcomes

Strategic Framework:

Results Washington Outcome Measures:

This budget request will support the Governor’s Results Washington priorities of “Healthy and Safety Communities” and “Efficient, Effective, and Accountable Government.”

AGO Strategic Plan: This request supports Goals 1, 2, and 3 of the AGO’s Priority to “Protect the People”:

Goal 1 – Defend the civil rights and stand up for vulnerable Washingtonians.

Goal 2 – Protect Washington’s environment and public health.

Goal 3 – Promote Good Government.

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

Activity	Fund	FY 2026	FY 2027	FY 2028	FY 2029
A 0003 - Criminal Investigations and Prosecutions	405-1	350	350		
TOTAL		350	350	-	-

Performance Measure	Fund	FY 2026	FY 2027	FY 2028	FY 2029
2536 - Criminal Cases Closed	405-1	350	350		
TOTAL		350	350	-	-

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
002536 - Criminal Cases Closed	0	0	0	0

Performance Outcomes:

Incremental impact for this performance measure is indeterminate.

Equity Impacts

Community Outreach and Engagement:

Thorough and timely legal proceedings are essential to uphold the State's joint litigation obligations, and to obtain an award of natural resource damages, which by law must be used to restore or replace injured natural resources in the Upper Columbia River region. This is of particular importance to the Colville Tribes, as well as the Spokane Tribe of Indians, which is another statutory trustee for natural resources in the region.

Disproportional Impact Considerations:

The primary areas of impact include two Washington counties, Stevens and Ferry Counties, that face marked economic hardship. The percent of people who are low-income is much greater in both counties (38 percent and 43 percent, respectively), compared to the state (28 percent). Stevens and Ferry Counties are both designated by the Office of Financial Management (OFM) as meeting the "population density and land area criteria for rural area assistance and other programs" criteria of RCW 82.14.370. Both counties are on the Employment Security Department's (ESD) distressed areas list based on unemployment rates as defined in RCW 43.168.020. Timely and resourced rehabilitation of the river and the economy it supports directly address economic and health disparities for these counties and their residents.

Target Communities and Populations:

The smelter impacts affect two indigenous populations who live and share management of aquatic resources along the river. The Colville Tribes and the Spokane Tribe of Indians. For both tribal nations, the river is a central focus of their culture, identity, and well-being. The environmental injury also affects recreation, fishery management, wildlands, and habitats in northeast Washington. The economies of the area notably benefit from recreation centered on the river and Lake Roosevelt resources. The Colville Tribes is a co-plaintiff in the litigation and is closely collaborating with the State in pursuing natural resource damages from Teck Metals Ltd.

Community Inputs and Incorporation:

N/A,

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

Yes, see attached reference documents.

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

See graphic

Client Billing costs are provided, Dollars in Thousands:

Client	Fund	FY 2026	FY 2027	FY 2028	FY 2029
Ecology-461	405	350	350		
TOTAL		350	350	-	-

Stakeholder Impacts:

There is no known opposition to this request currently.

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

This request is made directly to support litigation efforts related to the *Pakootas v. Teck Metals Ltd.*, federal court case.

Governor's Salmon Strategy:

N/A

Reference Documents

[2025-27_DP_ECY_Pakootas v Teck Metals Phase 3_HEAL Act_Final.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
	2026	2027	2025-27	2028	2029	2027-29
Obj. C	\$313	\$313	\$626	\$0	\$0	\$0
Obj. E	\$12	\$12	\$24	\$0	\$0	\$0
Obj. G	\$25	\$25	\$50	\$0	\$0	\$0

Agency Contact Information

Edd Giger

(360) 586-2104

Edward.Giger@atg.wa.gov



Agency Recommendation Summary

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.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	2.9	1.5	2.2	0.0	0.0	0.0
Operating Expenditures						
Fund 405 - 1	\$460	\$231	\$691	\$0	\$0	\$0
Total Expenditures	\$460	\$231	\$691	\$0	\$0	\$0
Revenue						
405 - 0420	\$460	\$231	\$691	\$0	\$0	\$0
Total Revenue	\$460	\$231	\$691	\$0	\$0	\$0

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.

In *Pope v. OSPI*, OSPI defended its suppression of some personally identified data under the Family Education Rights and Privacy Act, 20 U.S.C. § 1232g (FERPA). The court held, in part, that FERPA exempted personally identifiable information from disclosure under the Public Records Act (PRA) and determined that a very small amount of non-personally identifiable information was improperly withheld. A low penalty of \$5,935 was imposed. Motion practice relating to attorney fees is ongoing and heavily contested. It is anticipated that this case will be appealed, resulting in additional briefing during the remainder of FY 2025 and into the next biennium. The implications of any case involving FERPA have the potential to be far reaching as FERPA applies to both K-12 and higher education institutions.

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 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 the two cases as they concern the fiscal safeguarding of scarce resources available for Washington's schools and the privacy safeguards to which parents and students are entitled under FERPA. 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 in these instances is assumed to have the potential for significant impact on education funding, privacy interests, and governmental transparency.

Assumptions and Calculations

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*, *Pope v. OSPI*, and advice on PRR.

Workforce Assumptions:

See graphic

FTE detail is provided, Dollars in thousands:

FTE	FY 2026	FY 2027	FY 2028	FY 2029	Ongoing ? Y / N
AAG FTE	1.5	0.8			N
Object A & B	267	133			
LA FTE					
Object A & B					
PL FTE	0.8	0.4			N
Object A & B	76	39			
INV FTE					
Object A & B					
MA5 FTE	0.6	0.3			N
Object A & B	67	34			
Other (describe) FTE					
Object A & B					
TOTAL FTE	2.9	1.5	0.0	0.0	
TOTAL A & B	410	206	0	0	

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 funded as one-time.

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 2026	FY 2027	FY 2028	FY 2029
A010 - Legal Services to State Agencies	405	460	231		
TOTAL		460	231	-	-

Performance Measure	Fund	FY 2026	FY 2027	FY 2028	FY 2029
PM 2539 Cases Open at End of Fiscal Year	405	460	231		
TOTAL		460	231	-	-

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
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 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 Communities and Populations:

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

Community Inputs and Incorporation:

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

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

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.

Similarly, the issues raised in *Pope v. OSPI*, have the potential to affect both K-12 and higher education institutions in Washington because the issues involve the interpretation and application of FERPA in the context of the PRA Client.

Billing costs are provided, Dollars in thousands:

Client	Fund	FY2026	FY2027	FY2028	FY2029
OSPI (350)	405	460	231		
TOTAL		460	231	-	-

Stakeholder Impacts:

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

Pope v. OSPI

Washington State Public Records Act, Chapter 42.56 RCW

The Family Education Rights and Privacy Act, 20 U.S.C. § 1232g (FERPA).

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
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$316	\$159	\$475	\$0	\$0	\$0
Obj. B	\$94	\$47	\$141	\$0	\$0	\$0
Obj. E	\$47	\$24	\$71	\$0	\$0	\$0
Obj. G	\$3	\$1	\$4	\$0	\$0	\$0

Agency Contact Information

Edd Giger
(360) 586-2104
Edward.Giger@atg.wa.gov



Agency Recommendation Summary

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.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Operating Expenditures						
Fund 001 - 1	\$103	\$104	\$207	\$103	\$101	\$204
Fund 001 - 2	\$0	\$2	\$2	\$1	\$1	\$2
Fund 111 - 1	\$5	\$5	\$10	\$5	\$5	\$10
Fund 12F - 6	\$2	\$2	\$4	\$2	\$2	\$4
Fund 154 - 1	\$2	\$2	\$4	\$2	\$2	\$4
Fund 17L - 6	\$1	\$1	\$2	\$1	\$1	\$2
Fund 19A - 1	\$92	\$84	\$176	\$5	\$5	\$10
Fund 405 - 1	\$1,011	\$1,070	\$2,081	\$605	\$421	\$1,026
Fund 424 - 6	\$13	\$13	\$26	\$13	\$14	\$27
Total Expenditures	\$1,229	\$1,283	\$2,512	\$737	\$552	\$1,289
Revenue						
001 - 0393	\$0	\$2	\$2	\$1	\$1	\$2
405 - 0420	\$1,011	\$1,070	\$2,081	\$605	\$421	\$1,026
Total Revenue	\$1,011	\$1,072	\$2,083	\$606	\$422	\$1,028

Decision Package Description

The Attorney General's Office (AGO) requests funding to cover the expected increase and decrease in annual lease contracts that will be renewed in the 2025-27 biennium, including contractually scheduled rate increases. It also includes projected increases in the 2025-27 biennium in accordance with the Office of Financial Management's (OFM) budget request instructions.

All 2025-27 and 2027-29 increases are either previously established in existing leases, or are projections based on assumed percentage increases provided by OFM Consumer Price Index for all Urban Consumers (CPI-U) calculator.

The Department of Enterprise Services (DES) negotiates new lease costs with property owners on behalf of the AGO. The AGO has limited control over the increase in lease costs and this request does not duplicate any funding proposed in any other decision package within the 2025-27 biennium budget request. These facilities are all in the AGO six-year lease facility plan.

The increases identified in this request are to continue occupancy in buildings around the state where AGO divisions are currently located to provide services to client agencies and the citizens of Washington State.

- Bellingham: The lease rate will increase on July 1, 2024, from \$15,390 to \$17,864 per fiscal month (FM). The new lease of \$17,864 per FM will be the lease rate through the end of the 2027-29 biennium.
- Bristol Court: The current lease agreement expires July 31, 2025. The current lease rate is \$87,819 per FM until August 1, 2025, where an increase to \$111,536 begins. Increase is projected using OFM CPI-U calculator.
- Everett: Current lease is effective through July 31, 2026. The current lease rate is \$28,886 per FM through the end of FY 2026. FY 2027 and beyond is projected using OFM CPI-U calculator.
- Highway License Building (HLB): There is no lease for HLB office space on Capital Campus. DES states they will only bill the AGO for the funding totals allotted in the Central Service Model (CSM) for office space. The CSM funding allotment for HLB for the 2025-27 biennium is \$65,345. No change from previous biennium.

- Kennewick: The current lease agreement expires February 28, 2029. The lease rate is \$12,142 per FM through the rest of the 2025-27 biennium.
- Kent: The current lease agreement expires April 30, 2026. The current lease rate is \$228 per FM for the duration of the lease. Beginning May 2026 a projected increase to \$282 will begin based on assumed percentage increases provided by OFM CPI-U calculator through the rest of the 2025-27 biennium.
- Kitsap County Juvenile Court: The current lease agreement is from April 2024 and expires March 2026. The current lease agreement is \$200 per FM. Beginning April 2026, no increase is assumed.
- Montesano: The AGO entered a new lease during the 2023-25 biennium with DES support and approval. Montesano lease began June 1, 2023, through May 14, 2025, at \$600 per FM. After May 2025 a projected increase to \$631 per FM will begin in June 2025 based on assumed percentage increases provided by OFM CPI-U calculator through the rest of the 2025-27 biennium.
- Port Angeles: The current lease agreement expires July 31, 2027. The current lease is \$9,041 per FM and increases four percent annually on August 1 of each year until August 1, 2027.
- Seattle: The current lease began July 1, 2022, ending June 30, 2033. The lease also includes parking costs. This lease increases every year on July 1st. Lease rates per FM for FY 2026 is \$668,734, FY 2027 monthly rate is \$686,632, FY 2028 monthly rate is \$704,975, and FY 2029 monthly rate is \$723,985.
- Spokane: The current lease agreement expires October 31, 2024. The lease rate is \$46,943 per FM until October 31, 2024, where a projected increase to \$59,368 will begin in November 2024 based on assumed percentage increases provided by OFM CPI-U calculator through the rest of the 2025-27 biennium.
- Tacoma: The current lease agreement expires July 31, 2025. The current lease rate is \$95,713 per FM until July 31, 2025, where a projected increase to \$121,563 will begin in August 2025 based on assumed percentage increases provided by OFM CPI-U calculator through the rest of the 2025-27 biennium.
- Tumwater: The current lease agreement expires November 30, 2031. The current lease rate is \$281,173 per FM until November 30, 2026, where it will increase to \$302,802 until the lease ends on November 30, 2031.
- Vancouver: The current lease agreement expires March 31, 2029. The current lease rate is \$20,553 per FM until through the rest of the 2025-27 biennium.
- Warehouse (Facilities): The current lease expires June 30, 2029. The current lease rate is \$19,366 per FM through the rest of the 2025-27 biennium.
- Warehouse (Information Services): The current lease expires June 30, 2029. The current lease rate is \$9,343 per FM until June 30, 2029.
- Wenatchee: The AGO was forced to move the Wenatchee office location in June 2024. Wenatchee's new location's lease began on June 1, 2024. The current lease rate is \$11,831 per FM through the rest of the 2025-27 biennium.
- Yakima: The current lease agreement expires July 31, 2025. The current lease rate is \$10,273 per FM until July 31, 2025, where a projected increase to \$11,908 will begin in August 2025 based on assumed percentage increases provided by OFM CPI-U calculator through the rest of the 2025-27 biennium.

The AGO is obligated to pay lease costs negotiated by DES. There is no viable alternative to fully fund leased facility cost requirements.

The AGO is unable to address this issue within its current appropriation levels without having a detrimental impact on the delivery of legal services.

A lease funding shortfall will have a greater negative impact on programs with smaller funding sources and include, but are not limited to the services of Mobile Home Dispute Resolution, Lemon Law Enforcement, Foreclosure Compliance Program, Anti-Trust, and Consultation Program.

Funding this request provides resources necessary to protect the state from adverse judgements. The increase cost of leased space is an unavoidable cost that must be incurred by the AGO to provide legal services to its client agencies.

Assumptions and Calculations

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

AGO facility leases have been fully funded in the last two biennia.

2021-23: \$29,652,000

2023-25: \$32,632,000

2025-27: \$35,362,000

This request includes increased lease contracts and projected costs of lease renewals.

These costs are ongoing and will carry forward into future biennia. One-time costs are not included in this request.

Detailed Assumptions and Calculations:

Dollars in Thousands:

	2025-27 Budget Request (Excludes Torts IAA Costs)			
	FY 2026	FY 2027	FY 2028	FY 2029
TOTAL REQUEST	1,229	1,283	737	552

All projections include additional lease contracts, or projected rates of new leases. There are no discrete, or one-time costs included in this request.

The following funding is required to pay lease rates beginning FY 2023 based on percentage increases provided by OFM Facility Oversight section. See Attachment 1 for each facilities annual lease costs and projected costs.

- Bellingham: The current lease rate is \$17,864 per FM through the end of the biennium. No lease rate adjustment for the 2025-27 biennium.
- Bristol Court: Effective July 1, 2025, a \$23,717 per FM rate increase to the current lease, resulting in \$111,536 per FM as the new projected lease rate.
- Everett: Effective July 31, 2026, a \$6,979 per FM rate increase to the current lease, resulting in \$35,865 per FM as the new projected lease rate.
- Kennewick: The lease rate is \$12,142 per FM through the end of the biennium. No lease rate adjustment for the 2025-27 biennium.
- Kent: Effective April 30, 2026, a \$55 per FM rate increase to the current lease, resulting in \$282 per FM as the new projected lease rate.
- Kitsap County Juvenile Court: The current lease rate is \$200 through the end of the biennium. No lease rate adjustment for the 2025-27 biennium.
- Montesano: The AGO entered a new lease during the 2023-25 biennium with DES support and approval. Montesano lease began June 1, 2023, through May 14, 2025, at \$600 per FM. After May 2025, a projected increase to \$631 per FM will begin in June 2025 based on assumed percentage increases provided by OFM CPI-U calculator through the rest of the 2025-27 biennium. This is an increase of \$31 per FM.
- Port Angeles: The current lease rate is \$9,041 per FM and increases by four percent every year on August 1st, ending July 31, 2027.

- Seattle: The current lease rate is \$651,280 per FM. The lease rate increases approximately three percent every July until the lease expires in 2033.
- Spokane: Effective November 1, 2024, a 26.5 percent increase to the current monthly lease rate is assumed based off OFM CPI-U calculator. The new lease rate effective November 1, 2024, is \$59,368. This is an increase of \$12,425 per FM.
- Tacoma: Effective August 1, 2025, a 27 percent increase to the current monthly lease rate is assumed based off OFM CPI-U calculator. The new lease rate effective August 1, 2025, is \$121,563. This is an increase of \$25,849 per FM.
- Tumwater: Effective December 1, 2026, a 7.7 percent increase to the current monthly lease rate is written into the lease. Effective December 1, 2026, the lease rate is \$302,802 per FM. This is an increase of \$21,629 per FM.
- Vancouver: New lease agreement reached effective April 1, 2024. The new lease agreement is \$20,553 per FM through the 2025-27 biennium. This is a difference of (\$2,085) per FM from previous lease agreement.
- Warehouse (Facilities): New lease agreement reached effective July 1, 2024. The new lease agreement is for \$19,366 per FM through the 2025-27 biennium. This is a difference of \$11,064 per FM from previous lease agreement.
- Warehouse (Information Services): New lease agreement reached effective July 1, 2024. The new lease agreement is for \$9,343 per FM through the 2025-27 biennium. This is a difference of (\$8,096) per FM from previous lease agreement.
- Wenatchee: The AGO was forced to move the Wenatchee office location in June 2024. Wenatchee's new location's lease began on June 1, 2024. The current lease rate is \$11,831 per FM through the rest of the 2025-27 biennium. This is a difference of \$5,202 per FM from previous lease agreement.
- Yakima: Effective August 1, 2025, a 27 percent increase to the current monthly lease rate is assumed based off OFM CPI-U calculator. The new lease rate effective August 1, 2025, is \$13,047. This is an increase of \$2,774 per FM.

Workforce Assumptions:

N/A

Historical Funding:

Dollars in Thousands:

FY 2026

FTE = 0.0

Total Funds = \$16,105

Near General Fund = \$1,823

Other Funds = \$14,282

FY 2027

FTE = 0.0

Total Funds = \$16,514

Near General Fund = \$1,872

Other Funds = \$14,642

Strategic and Performance Outcomes

Strategic Framework:

Results Washington Outcome Measures:

Goal 5: Effective, Efficient, and Accountable Government.

This request aligns the actual cost of AGO facility leases with funding to sustain the current workload. It clarifies how state resources are spent, provides accountability and responsibility in spending, and offers transparency resulting in customer satisfaction and confidence in legal services provided.

Relationship to the AGO Strategic Plan:

Every aspect of the AGO's Strategic Plan is affected by the availability of appropriate office space for each Division to function and funding

being available to pay for this space. Funding the projected lease shortfalls will empower the AGO to sustain current legal efforts across the state, thus enabling employees to meet Strategic Plan goals and objectives.

1. Priority – Serve the State:
 - a. Goal 1 – Deliver high quality, timely, and efficient legal services.
 - b. Goal 2 – Improve internal efficiency and effectiveness through organizational alignment technology solutions, and improved use of data.
 - c. Goal 3 – Proactively engage in risk management efforts to reduce the state’s liability and improve outcomes for the public.
 - d. Goal 4 – Protect the financial resources of the AGO.

2. Priority – Protect the People:
 - a. Goal 1 – Defend the civil rights and stand up for all Washingtonians.
 - b. Goal 2 – Protect Washington’s environment and public health.
 - c. Goal 3 – Promote good government.
 - d. Goal 4 – Protect Washington consumers.

3. Priority – Empower Our Employees:
 - a. Goal 1 – Recognize and empower AGO employees.
 - b. Goal 2 – Promote diversity, inclusiveness, and equity throughout the AGO.
 - c. Goal 3 – Ensure employees have the skills and knowledge they need to be successful.
 - d. Goal 4 – Ensure employees have the tools and workspace they need to be efficient and effective.
 - e. Goal 5 – Promote the health, safety, and well-being of all employees in the workplace.

Relationship to the AGO Performance Measures:

The AGO submits this request to sustain the current level of legal services to communities statewide without any disruption. The approval of this request will not result in incremental changes to agency performance measures. If a shortfall is generated through a lack of fully funding this request, it will result in a reduction to currently funded legal services, and potentially in the consideration of the costly alternative of moving to different, cheaper facility. This request directly supports the following AGO Performance Measures.

Performance Measure 0011: Antitrust Restitution to the Citizens of the State

Target: \$1,400,000 in antitrust related restitution to the citizens of the State per biennium, reported annually.

Key Divisions: Antitrust

Performance Measure 2877: Enforcement of Antitrust Laws

Target: 30 active investigations per FY, reported annually.

Key Divisions: Antitrust

Performance Measure 0018: Average Number of Days to Complete Ethics Investigations

Target: Average of 180 days to complete an ethics investigation, reported quarterly.

Key Divisions: Executive Ethics Board

Performance Measure 0021: HITS Requests from Law Enforcement

Target: 2,026 requests for HITS data by local, state, and federal law enforcement agencies per biennium, reported quarterly.

Key Divisions: Homicide Investigation & Tracking System Unit

Performance Measure 2531: Consumer Utility Rate Savings

Target: \$40,000,000 of consumer utility rate savings per biennium, reported annually.

Key Divisions: Public Counsel Unit

Performance Measure 2533: Total AG Formal and Informal Opinions Issued

Target: Forty-Five opinions (formal or informal) per biennium, reported quarterly.

Key Divisions: Administration

Performance Measure 2534: Direct Restitution Provided to Consumers through Litigation and Complaint Resolution

Target: \$13,000,000 in direct restitution provided to consumers through CPR litigation and informal complaint resolution per biennium, reported annually.

Key Divisions: Consumer Protection Division

Performance Measure 2535: Total Successful Commitment and Recommitment Trials

Target: 34 successful SCC commitment or recommitments per biennium, reported annually.

Key Divisions: Sexually Violent Predator Unit

Performance Measure 2536: Criminal Cases Closed

Target: 181 criminal cases closed or declined per biennium, reported quarterly.

Key Divisions: Criminal Justice Division

Performance Measure 2538: Recoveries to the Medicaid System

Target: \$8,000,000 of biennial recoveries to the Medicaid System, reported annually.

Key Divisions: Medicaid Fraud Control Unit

Performance Measure 2539: Cases Open at End of Fiscal Year

Target: 25,000 open cases at the end of each FY, reported annually.

Key Divisions: Legal Services Divisions

FTE detail is provided, Dollars in Thousands:

Activity	Fund	FY2026	FY2027	FY2028	FY2029
0001 - Administration	001-1	26	26	24	25
	001-2	0	2	1	1
	405	54	63	92	48
0002 - Civil Commitment of Sexually Violent Predators	001-1	19	19	20	20
0003 - Criminal Investigation and Prosecution	001-1	4	4	4	4
	001-2	0	0	0	0
	405	5	5	4	4
0004 - Antitrust Restitution to the Citizens of the State	424	13	13	13	14
0005 - Enforcement of Consumer Protection Laws	001-1	47	44	46	46
	12F	2	2	2	2
	17L	1	1	1	1
	154	2	2	2	2
0006 - Executive Ethics Board	405	4	4	0	0
0007 - Homicide Investigation Tracking System	001-1	4	4	3	3
0009 - Investigation and Prosecution of Medicaid Fraud and Resident Abuse	001-2	0	0	0	0
	19A	92	84	5	5
0010 - Legal Services to State Agencies	405	948	998	509	369
0001 - Administration	001-1	3	7	6	3
0011 - Representing Ratepayers	111	5	5	5	5
TOTAL		1,229	1,283	737	552

Performance Outcomes:

N/A

Equity Impacts

Community Outreach and Engagement:

N/A

Disproportional Impact Considerations:

N/A

Target Communities and Populations:

N/A

Community Inputs and Incorporation:

N/A

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

It is assumed there is no opposition to fully funding AGO lease rate needs. Occupying facilities across the state provides a service to these communities mentioned above.

Courthouse space leases are a low-cost efficiency for AGO Assistant Attorney Generals (AAG).

The increased cost of leased space is an unavoidable cost that must be incurred for the AGO to provide legal services to client agencies and serve the citizens of Washington State. These lease costs are included in bills to clients in monthly legal service invoices

Stakeholder Impacts:

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

State Facilities Impacts:

This request impacts the AGO leased facilities with expiring or changing lease amounts per current lease and contract agreements.

Changes from Current Law:

N/A

Legal or Administrative Mandates:

N/A

Governor's Salmon Strategy:

N/A

Reference Documents

[Attachment 1.pdf](#)

[Attachment 2.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
	2026	2027	2025-27	2028	2029	2027-29
Obj. E	\$1,229	\$1,283	\$2,512	\$737	\$552	\$1,289

Agency Contact Information

Edd Giger

(360) 586-2104

Edward.Giger@atg.wa.gov



Agency Recommendation Summary

The Attorney General’s Office (AGO) requests funding for the 2025-27 biennium, and ongoing for future biennia, to employ one Financial Examiner 3 (FE3) to examine financial records as part of investigation and prosecution of organized retail crime, tax fraud, wage theft, and other complex financial crimes. The request is made due to the rising complexity of financial crimes, to assist with complex financial investigations within our new Organized Retail Crime (ORC) Team, and to remedy the current absence of financial records examination expertise in the AGO’s Criminal Justice Division (CRJ).

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	1.0	1.0	1.0	1.0	1.0	1.0
Operating Expenditures						
Fund 001 - 1	\$154	\$154	\$308	\$154	\$154	\$308
Total Expenditures	\$154	\$154	\$308	\$154	\$154	\$308

Decision Package Description

The Attorney General’s Office (AGO) seeks funding for a Financial Examiner 3 (FE3) to assist in investigations of complex financial crimes that include organized retail crime, tax fraud, employer fraud, wage theft, and other financial crimes. The AGO would use the financial examiner to examine complex and voluminous financial records to solve crimes and prosecute those persons committing the financial crimes.

The AGO’s Major Economic Crimes Unit (MECU) investigates and prosecutes criminal cases referred to the AGO by any of the 39 county prosecutors or the Governor pursuant to RCW 43.10.232. The MECU has two teams: Financial Crimes and Organized Retail Crime (ORC). The Financial Crimes Team investigates and prosecutes Washington State tax fraud and significant employer fraud. The Criminal Justice Division (CRJ) also assists in the investigation and prosecution of public corruption cases such as government officials embezzling government funds. The ORC Team assists in the investigation and prosecution of organized retail crimes and helps staff the AGO’s ORC Task Force. The Financial Crimes team has two main functions: assist in the investigation and prosecution of tax fraud, and significant employer fraud.

In approximately 2000, the AGO began accepting criminal referrals for state tax fraud due to lack of investigative and prosecutorial resources for these complex cases. Of the five employees on the Financial Crimes Team, one Assistant Attorney General (AAG) and one Senior Investigator (INV) are dedicated to investigation and prosecution of tax fraud committed against the state of Washington. The AGO receives these referrals from the Department of Revenue (DOR), which does not have an in-house criminal investigator. Well-intentioned privacy laws make investigation of tax fraud more rigorous, and corporations and business owners are utilizing more sophisticated means to hide collected sales tax, to include utilization of multiple bank accounts and financial institutions, sales suppression software, and comingling funds between legitimate and illegitimate businesses. The unit has needed to hire a private expert financial examiner to review financial and business documents to better understand the financial fraud occurring in a particular case and to explain it to a jury. The FE3 would assist in the day-to-day investigation and prosecution of these cases, including the examination, identification and explanation of off-book accounting, reconciling comingled and transferred funds and sales suppression software altered accounting.

In 2015-17, the Department of Labor and Industries (L&I) and the AGO partnered to address the theft of wages and lack of criminal prosecutions of wage theft. As a result, the AGO started a program to criminally investigate and prosecute wage theft and other significant employer fraud since that is outside the limited commission of L&I investigators. An example of significant employer fraud is a contractor offering to complete construction of numerous project and receiving significant sums of money to do so from numerous victims, but never intended to complete the construction work. Currently, the AGO has one AAG who prosecutes significant employer fraud/wage theft; and one INV who investigates significant employer fraud/wage theft. To date, there have been many successful AGO prosecutions of wage theft, tax fraud and significant employer fraud. These significant employer cases are often complex due to multiple businesses, victims, and financial accounts. The FE3 would assist in tracking stolen funds. For example, business owners often claim they intended to pay their employees, but fell victim to bad business practices or a bad economy. The FE3 can use financial records to demonstrate the falsity of such claims by examining, and reconstructing the financial documents from suspects and/or third party payment processors and/or financial institutions to show that the business was fully solvent, stable, and had the money to pay employees; or that the owners knew they did not have the funds to pay the employee when they hired them. The expertise to examine financial records to this degree does not currently exist in the AGO’s CRJ division.

The 2023 Legislature provided funding to create the AGO's ORC Unit and to support the Organized Retail Crime Task Force to curb organized retail crime in Washington. Federal crime statistics show that the value of items stolen from Washington retailers increased by 151 percent from 2019 to 2020. Organized retail crime differs from burglary and larceny — such as shoplifting — in that it is not the result of a single individual breaking the law, but rather an organized scheme to defraud retailers and/or steal products for resale elsewhere. Organized retail crime can result in intimidation and violence for employees in those stores.

Organized retail crime also harms consumers who may inadvertently buy stolen goods on an online marketplace. Even before the recent, well-publicized national shortage, baby formula was one of the most-stolen items from stores according to the 2020 National Retail Foundation Organized Retail Crime survey. The stolen formula is then sold on online marketplaces, flea markets, or on the streets. Parents who buy stolen formula on the secondary market may be putting their babies at significant risk if the thieves failed to store the formula at an appropriate temperature. Additionally, thieves may have manipulated the packaging, such as changing expiration dates. This is but one example of the extended harm that organized retail crime can cause.

The AGO has established an ORC Unit, grown its task force to over 350 members, and gained significant information about organized retail crime in Washington. The AGO has begun investigating and prosecuting organized retail crime throughout Washington and is uniquely situated to prosecute an offender committing retail crime in multiple county jurisdictions. The FE3 would be particularly adept to assist in dismantling “fencing” operations, and holding those committing these crimes accountable, by “following the money.” “Fencing” means reselling stolen goods often from homes, street markets, flea markets, person to person financials, or online platforms. Fencing operations by definition operate illegally and use numerous methods to obtain money and goods to sell. Fencing operations can be financially complex and consequently difficult to identify and investigate. A financial examiner has the necessary experience and skill set to identify such operations, and connect them to suspects, through review of financial records held by those selling to fences (e.g. “boosters), the fences themselves, online marketplaces, the dark web and financial institutions.

A FE3 is necessary to “follow the money” for fencing operations in organized retail crime, employers who try to hide money to avoid paying their employees, and to identify tax fraud hidden in bank records.

Assumptions and Calculations

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

The AGO was funded in the 2023-25 biennium to establish the 10.5 FTE ORC team. Currently CRJ's budget does not include funding for a FE3 but CRJ's complex financial crimes work has continued to increase and become more complex. The FE3 would examine financial and business records in all cases where the AGO's CRJ division is tasked with either investigating or prosecuting a financial crime that includes evidence consisting of financial records. One tax fraud case can involve voluminous business records that take considerable time to collate, review, and evaluate. The AGO receives numerous tax fraud criminal referrals from the DOR every fiscal year. The AGO also investigates and prosecutes several wage theft referrals every year. Most of these referrals come from L&I, which receives and investigates complaints of wage theft. These referrals for wage theft investigation often have numerous victims, multiple businesses and a dozen or more financial accounts at various institutions.

Finally, the AGO ORC Team is experiencing a significant increase in organized retail theft referrals from retailers, police, and prosecutors that is anticipated to continue to grow. The AGO ORC Team focuses on prolific offenders and fences. CRJ has received referrals on public corruption cases where, for example, a public figure has embezzled government funds. All these investigations and prosecutions combine to produce enough work to justify the FE3.

Detailed Assumptions and Calculations:

Currently there is no financial examiner in the CRJ Division. The AGO requests \$308,000 in the 2025-27 biennium to add 1.0 FE3 due to the increasing complexity of the financial crimes and to support the work of the new Organized Retail Crime Unit and taskforce.

FY 2026 and in each FY thereafter: \$154,000 for 1.0 FE3

Ongoing expenditure items: \$308,000 in the future biennia to continue to fund 1.0 FE3 in the CRJ Division to support the work of the division and specially address complex financial crimes and work with the Organized Retail Taskforce.

Workforce Assumptions:

FTE detail is provided, Dollars in Thousands:

FTE		FY 2026	FY 2027	FY 2028	FY 2029	Ongoing ? Y / N
AAG	FTE					
	Object A & B					
LA	FTE					
	Object A & B					
PL	FTE					
	Object A & B					
INV	FTE					
	Object A & B					
MA5	FTE					
	Object A & B					
Financial Examiner 3	FTE	1.0	1.0	1.0	1.0	Y
	Object A & B	140	140	140	140	
TOTAL FTE		1.0	1.0	1.0	1.0	
TOTAL A & B		140	140	140	140	

Historical Funding:

Dollars in Thousands:

FY 2026

FTE = 10.0

Total Funds = \$1,510

Near General Fund 001-1 = \$1,510

Other Funds = 0

FY 2027

FTE = 10.0

Total Funds = \$1,510

Near General Fund 001-1 = \$1,510

Other Funds = 0

Strategic and Performance Outcomes

Strategic Framework:

Results Washington: This budget request will support the Governor’s Results Washington priorities of “Healthy and Safety Communities” and “Efficient, Effective, and Accountable Government.”

AGO Strategic Plan: This request supports Goals 1, 3, 4, 5 and 6 of the AGO’s Priority to “Protect the People”:

- Goal 1 – Defend the civil rights and stand up for vulnerable Washingtonians.
- Goal 3 – Promote Good Government
- Goal 4 – Protect all Washington consumers.
- Goal 5 – Strive for greater public safety and justice for all Washington communities.
- Goal 6 – Combat racism that impacts the people of the State of Washington.

Wage theft, organized retail crime and construction fraud have a major impact on the health and safety of our communities and, particularly, vulnerable Washingtonians. Those businesspeople that commit wage theft often prey on those that are particularly vulnerable which can cause those individuals to be unable to provide for their basic needs such as shelter, medicine and food for themselves and their families. Organized retail theft impacts the safety and viability of our communities, our businesses and our workers. Business have shut down due to the impacts of organized retail theft leaving employees out of a job, communities with vacant buildings and less access to goods the community needs. Furthermore, certain items that are stolen, and later fenced, may not have been property stored or their labels altered, which can significantly impact unsuspecting consumers health and safety. Public corruption cases impact our efficient, effective and accountable government. A financial examiner would be able to assist in criminal investigations and prosecutions of these complex crimes committed, for profit, by businesses, public officials and organized criminals that disproportionately impact vulnerable Washingtonians to keep our communities healthy and safe, assist with equal justice and protect Washington consumers.

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

Activity	Fund	FY 2026	FY 2027	FY 2028	FY 2029
0003 - Criminal Investigations and Prosecutions	001-1	154	154	154	154
TOTAL		154	154	154	154

Performance Measure	Fund	FY 2026	FY 2027	FY 2028	FY 2029
2536 - Criminal Cases Closed	001-1	154	154	154	154
TOTAL		154	154	154	154

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
002536 - Criminal Cases Closed	0	0	0	0

Performance Outcomes:

Incremental impact for this performance measure is indeterminate.

Equity Impacts

Community Outreach and Engagement:

Local law enforcement and prosecutors are often required to focus resources on violent crimes at the expense of investigation and prosecution of property crimes such as organized retail theft, wage theft and significant employer fraud. Additional resources for AGO investigation and prosecution of these crimes can address some of these gaps. Local law enforcement and prosecutors are often required to focus resources on violent crimes at the expense of investigation and prosecution of property crimes such as organized retail theft, wage theft and significant employer fraud. Additional resources for AGO investigation and prosecution of these crimes can address some of these gaps.

Disproportional Impact Considerations:

N/A as this request will allow the AGO to continue to investigate and prosecute financial crimes.

Target Communities and Populations:

The proposal promotes equity, in part, because communities of color are heavily impacted by organized retail crime, tax fraud and significant employer fraud in our state. Small businesses often lack the resources to hire loss prevention teams. Victims of wage theft are often particularly vulnerable and lack the resources to fight back against wage theft and the impact of wage theft can leave them without the ability to pay rent, medical expenses and other basic needs for themselves or families.

Community Inputs and Incorporation:

N/A as this request will allow the AGO to continue to investigate and prosecute financial crimes.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

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 FE3 FTE would assist in the investigation and prosecution of financial crimes. No opposition on policy grounds is anticipated.

Stakeholder Impacts:

There is no known opposition to this request currently.

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

There is no legal or administrative mandate, although the 2023 legislature funded the new organized retail crime taskforce. This request would assist in that work as well as the other work of the criminal justice division's financial crimes team.

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
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$108	\$108	\$216	\$108	\$108	\$216
Obj. B	\$32	\$32	\$64	\$32	\$32	\$64
Obj. E	\$14	\$14	\$28	\$14	\$14	\$28

Agency Contact Information

Edd Giger
(360) 586-2104
Edward.Giger@atg.wa.gov



Agency Recommendation Summary

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.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	5.1	5.1	5.1	5.1	5.1	5.1
Operating Expenditures						
Fund 405 - 1	\$850	\$850	\$1,700	\$850	\$850	\$1,700
Total Expenditures	\$850	\$850	\$1,700	\$850	\$850	\$1,700
Revenue						
405 - 0420	\$850	\$850	\$1,700	\$850	\$850	\$1,700
Total Revenue	\$850	\$850	\$1,700	\$850	\$850	\$1,700

Decision Package Description

Significant changes to the legal landscape for Department of Children, Youth, and Families’ (DCYF) Juvenile Rehabilitation (JR) program, have both increased the population of youth in its custody and the seriousness of the crimes and offenses for which their resident population were adjudicated. The closure of another facility (Naselle Youth Camp) that JR operated reduce the overall bed and physical capacity of the JR system. Over that same time, JR experienced a sharp increase in litigation by Green Hill School residents, which now include young people up to age 25 who are both juvenile and adult convicted. This request would fund three additional Assistant Attorney General FTE (AAG), one of whom would be a Managing AAG (MAAG), and one additional Paralegal 2 FTE (PL2) to provide increased legal support to JR in this program litigation.

JR currently operates only two institutions that house both juvenile and adult-convicted offenders: Green Hill in Chehalis and Echo Glen in Snoqualmie. This follows a multi-year effort to eliminate juvenile custody beds that began when JR was instructed to close Maple Lane and combine that facility’s population with youth at Green Hill, which occurred in 2013. Most recently, the 2022 Supplemental Operating Budget instructed DCYF to discontinue youth placements at Naselle Youth Camp; the last youth left the facility in September 2022. A Legislative Report on Naselle Youth Camp, December 23, 2022, is attached. Following this closure, JR now has two institutions: Green Hill School and Echo Glen Children’s Center. Green Hill School is a medium/maximum security facility for juvenile and adult convicted male youth aged 17 to 25 years old. Echo Glen is a medium/maximum security facility for female offenders and younger male offenders.

SB 6160, the “JR to 25” bill, effective on July 1, 2019, expanded the population of JR residents from those under 21 to those who are up to 25 years old, and to include both juvenile and adult convicted young people. Over the last five years, JR has experienced a significant increase in its Green Hill School population, increasing 50 percent from 154 residents in 2019 to 235 residents in 2024. The increase has occurred particularly within those residents who have been classified as needing maximum security, which has more than doubled since July 1, 2023, to 137 in 2024. Currently, more than half of the 235 Green Hill residents are classified as requiring maximum security. At the same time, while the caseload forecast council projected in a 2018 fiscal note (see attached) that “JR to 25” would require the addition of three 16 bed units at Green Hill, one was renovated and it is slated to open a year late this summer (while another facility, Naselle, with beds for 50 more youth, was closed). Additionally, in 2020, the Legislature passed HB 2277, which imposed limitations and requirements on isolation and room confinement for youth offenders, including those in JR custody, which impact JR’s staffing requirements including at Green Hill.

JR is under settlement agreements in two cases and is experiencing increased litigation related to its operation of Green Hill School and related issues. *Rogers v. DCYF* is a settled federal court class action lawsuit regarding searches of youth in its custody in which DCYF is required to issue reports to class counsel every six months until 2025. *Ta’afulisia v. DCYF* is a settled state court class action lawsuit under court monitoring that governs transfers of youth from JR to the Department of Corrections (DOC) custody under RCW 13.40.280. Pursuant to the *Ta’afulisia* settlement, JR implemented WAC chapter 110-76 and Policy 5.1, which created a Residential Review Board hearing process

pursuant to which JR residents may be transferred to DOC custody before they turn 25. To transfer a resident to DOC under RCW 13.40.280 before the hearing takes place, JR must obtain court approval. In these Review Board hearings, the resident is represented by appointed counsel, and JR is now represented by a Special Assistant Attorneys General (SAAG); DCYF has hired a Senior Hearings Administrator and is recruiting additional Hearings Administrators. Additionally, in May 2024, JR received three Personal Restraint Petitions filed on behalf of Green Hill School residents alleging numerous violations of their rights and seeking a court order correcting the violations or release. These are original actions filed in the Court of Appeals that each require a review of allegations and response on JR's behalf, and the Court may order JR to cease violating a resident's rights or to release the resident. These are the first Personal Restraint Petitions filed by a JR resident and are more common among the DOC population.

This request would fund additional legal services to advise and represent JR in the sharp increase of litigation it is experiencing. Prior to FY 2022, JR legal services funded only a partial AAG. Due to increased legal service demand, DCYF increased its funding for JR legal services in FY 2022 to support 1.5 AAG that primarily advise JR and no allocation for dedicated professional staff support. In addition, on an as needed basis, AAGs and professional staff in other AGO Divisions assist with litigation. In 2024, JR for the first time received personal restraint petitions regarding conditions of confinement. Following DCYF steps taken to address overpopulation at Green Hill School, DCYF received and the AGO on DCYF's behalf litigated a motion for preliminary injunction in the *Ta'afulisia* case, was served a multi-county lawsuit and motion for preliminary injunction regarding its suspension of intakes and was served several motions across three counties to show cause for why it should not be held in contempt in juvenile criminal matters. Without additional funds, the AGO will continue to allocate the resources it can, which are limited by other DCYF program litigation and appeal demands.

Assumptions and Calculations

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

From FY 2022 forward, JR has been allocated 1.5 AAG within the Children, Youth, and Family Division (CYF) with no dedicated professional staff support. In 2022, based solely on AAG billing (excluding leave, training and other assignments), AAGs billed nearly 1,600 hours to JR legal services. In 2023, without an increase in JR's allocation, AAG billed 2,635 hours to JR legal services—an increase of 65 percent from the billing for 2022. From January to June 2024 alone, and again without an increase in JR's allocation, AAG billed more than 1,400 hours to JR legal services, and if the current level of legal services is maintained through the remainder of the year this would result in 2,800 hours of legal services, a 75 percent increase from those billed two years earlier. This billing is limited by the resources available for these legal services and competing demands within other DCYF programs for these legal services. Allocation of additional resources dedicated to JR legal services would provide a greater opportunity to provide enhanced program-specific legal services.

Detailed Assumptions and Calculations:

DCYF has received four personal restraint petitions (PRP) between January and July 2024. We assume DCYF will continue to receive petitions at this rate and will therefore be the respondent in eight PRPs each year. We estimate that each petition will require on average of 120 AAG hours to complete a factual and legal response, provide legal review, and respond to appeals. The AGO estimates needing 960 (120 x 8) AAG hours for PRPs per year. The AGO estimates that each petition will require on average, 20 PL2 hours to complete and file necessary declarations and briefs. Thus, the AGO estimates these legal services require 160 PL2 hours (20 x 8) for PRPs each year.

Prior to the transfer of JR residents to DOC custody, DCYF must hold a Review Board hearing governed by the Administrative Procedures Act and the DCYF Review Board must make findings that support the transfer. We assume DCYF will continue to require the current level of legal advice regarding this process and related requirements. We estimate these legal services require approximately 900 AAG hours per year.

We assume DCYF will continue to require the same level of legal services to support JR litigation in the *Ta'afulisia v. DCYF* settlement and related legal requirements regarding transfer of JR residents to DOC custody. We estimate these legal services require approximately 1,850 AAG hours per year, and 900 PL2 hours per year.

We assume that DCYF will continue to require professional support for other JR litigation and related appeals, including public disclosure lawsuits. We estimate these legal services require approximately 700 PL2 hours per year.

With these additions, the JR team will be comprised of 3.5 AAG and 1 MAAG who is primarily dedicated to supervising the team of AAGs that represent JR.

Agency administration support FTE are included in the tables. The Management Analyst 5 FTE (MA5) is used as a representative classification. An example ratio is for every 1.0 AAG, the AGO includes 0.5 PL1 and 0.35 MA5.

Workforce Assumptions:

FTE detail is provided, Dollars in Thousands:

FTE		FY 2026	FY 2027	FY 2028	FY 2029	Ongoing ? Y / N
AAG	FTE	2.0	2.0	2.0	2.0	Y
	Object A & B	340	340	340	340	
LA	FTE					
	Object A & B					
PL	FTE	1.0	1.0	1.0	1.0	Y
	Object A & B	106	106	106	106	
INV	FTE					
	Object A & B					
MA5	FTE	1.1	1.1	1.1	1.1	Y
	Object A & B	136	136	136	136	
Other (Managing AAG)	FTE	1.0	1.0	1.0	1.0	
	Object A & B	177	177	177	177	
TOTAL FTE		5.1	5.1	5.1	5.1	Y
TOTAL A & B		759	759	759	759	

Historical Funding:

Dollars in Thousands:

FY 2026

FTE = 415.1

Total Funds = \$64,480

Near General Fund = \$0

Other Funds = \$64,480

FY 2027

FTE = 420.2

Total Funds = \$65,259

Near General Fund = \$0

Other Funds = \$65,259

Strategic and Performance Outcomes

Strategic Framework:

Results Washington: These legal services will support DCYF in achieving the Results Washington goal of healthy and safe communities by supporting its effort to create successful transitions into adulthood for youth and young adults in its care, which is one of its strategic priorities. By receiving enhanced legal services regarding its litigation and advice needs, JR will have an enhanced ability to pursue these strategic priorities.

AGO Strategic Plan: These legal services will support the AGO’s strategic plan goal to protect the people by supporting public safety as it pertains to young people committed to DCYF’s custody who may be released to community placements. They will also support the AGO’s strategic plan goal to serve the state by delivering high quality legal services, improving the lives of our clients in achieving their missions, and supporting DCYF in improving outcomes for the public.

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

Activity	Fund	FY 2026	FY 2027	FY 2028	FY 2029
A010 - Legal Services to State Agencies	405	850	850	850	850
TOTAL		850	850	850	850

Performance Measure	Fund	FY 2026	FY 2027	FY 2028	FY 2029
002536 - Criminal Cases Closes	405	850	850	850	850
TOTAL		850	850	850	850

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
002536 - Criminal Cases Closed	0	0	0	0

Performance Outcomes:

Incremental impact for this performance measure is indeterminate.

Equity Impacts

Community Outreach and Engagement:

JR observes racial disparities for youth in its 30-day rate of room confinement, community facility placements, and discretionary parole placements. This population of young people would be impacted by JR receiving more dedicated legal services to advise and represent JR related to conditions of confinement.

Disproportional Impact Considerations:

N/A as this request is to continue to provide legal services to DCYF JR.

Target Communities and Populations:

JR takes custody of young people adjudicated to have committed juvenile offenses before they turned 18 and those convicted of felonies in adult courts for crimes that occurred before they turned 18.

Community Inputs and Incorporation:

N/A as this request is to continue to provide legal services to DCYF JR.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

Client Billing costs are provided, Dollars in Thousands:

Client	Fund	FY 2026	FY 2027	FY 2028	FY 2029
DCYF	405	850	850	850	850
TOTAL		850	850	850	850

Stakeholder Impacts:

There is no known opposition to this request currently.

State Facilities Impacts:

None

Changes from Current Law:

N/A

Legal or Administrative Mandates:

These legal services would allow the provision of enhanced legal services to DCYF regarding the *Ta'afulisia v. DCYF* settled case and related requirements.

Governor's Salmon Strategy:

N/A

Reference Documents

[2018 Fiscal Note Package 2SSB 6160.pdf](#)

[Legislative Report on Naselle Youth Camp published December 23.2022.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
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$587	\$587	\$1,174	\$587	\$587	\$1,174
Obj. B	\$172	\$172	\$344	\$172	\$172	\$344
Obj. E	\$86	\$86	\$172	\$86	\$86	\$172
Obj. G	\$5	\$5	\$10	\$5	\$5	\$10

Agency Contact Information

Edd Giger
(360) 586-2104
Edward.Giger@atg.wa.gov



Agency Recommendation Summary

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 to effectively serve CJTC and their growing legal needs.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	1.1	1.1	1.1	1.1	1.1	1.1
Operating Expenditures						
Fund 405 - 1	\$179	\$179	\$358	\$179	\$179	\$358
Total Expenditures	\$179	\$179	\$358	\$179	\$179	\$358
Revenue						
405 - 0420	\$179	\$179	\$358	\$179	\$179	\$358
Total Revenue	\$179	\$179	\$358	\$179	\$179	\$358

Decision Package Description

The Attorney General’s Office (AGO) provides client litigation services and related advice to the Criminal Justice Training Commission (CJTC). The AGO’s Government Compliance and Enforcement Division (GCE) currently has approximately 1.4 Assistant Attorney General (AAG) FTE to represent CJTC. There has been a steady growth in the volume and complexity of CJTC’s legal work during the last several years. The approximate number of cases referred to the AGO by CJTC has increased each of the last few FY, as follows: 2021 (24 cases), 2022 (31 cases), and 2023 (89 cases). The AGO assumes CJTC will continue to experience a workload increase due to the collective impact of recently adopted legislation, including SSHB 2499 (2020), E2SSB 5051 (2021) and SHB 1132 (2023). CJTC requires additional funding to meet their growing legal service needs.

CJTC establishes standards and provides training to criminal justice professionals. Some of these include peace officers, corrections officers, and limited authority officers. CJTC has the authority to certify peace officers, and when necessary de-certify peace officers for disqualifying misconduct. The AGO represents CJTC in all contested litigation matters. Legal advice and litigation services from the AGO are needed throughout the investigative and litigation processes. Once CJTC issues a final decision against an officer engaged in disqualifying misconduct, the decision may be appealed to superior court and the state’s courts of appeal under the Administrative Procedure Act (APA), with the AGO representing CJTC in such appeals. CJTC’s work thus requires one or more AAGs to: advise CJTC as to ongoing investigations; prosecute administrative cases; and represent CJTC on appeal as to its’ final decisions.

CJTC’s need for legal services was increasing in the years leading up to 2021. SSHB 2499 (2020) created a new requirement for the certification of all municipal and county correctional officers, with CJTC subsequently referring cases to the AGO for litigation involving such officers where CJTC is seeking decertification or another sanction. E2SSB 5051 (2021) then significantly expanded the conduct for which the certification of a peace officer or a corrections officer may be revoked, while also authorizing citizens to file complaints with CJTC concerning such officers. As a result of this bill, CJTC’s legal workload has further increased. CJTC may now deny, suspend or revoke certification or require remedial training of a peace officer or corrections officer if the applicant or officer on a variety of statutory grounds, including, but not limited to: engaging in a use of force that could reasonably be expected to cause injury and the use of force violated law or policy; committing sexual harassment as defined by state law; through fraud or misrepresentation, using the position of peace officer or corrections officer for personal gain; engaging in conduct involving prejudice or discrimination against a person; on or off duty, committing a felony; engaging in a pattern of acts showing an intentional or reckless disregard for the rights of others; or engaging in unsafe practices involving firearms, weapons, or vehicles indicating a willful disregard for the safety of persons or property; and an affiliation with one or more extremist organizations. The Legislature further expanded CJTC’s authority through the passage of SHB 1132 (2023). SHB 1132 mandated an initial certifications process for approximately 350 limited commission peace officers in the state, while subjecting those officers to decertification proceedings for qualifying misconduct and thereby creating the potential for more case referrals to the AGO for prosecution.

When an officer is alleged to have engaged in such conduct, CJTC is tasked with determining, upon investigation, whether there is probable

cause to believe that an officer's certification should be denied, suspended, or revoked. If there is probable cause, CJTC issues a statement of charges, and the officer has a right to a hearing to contest those charges. A five member panel then hears the case with the assistance of the Office of Administrative Hearings (OAH), and subsequently make CJTC's final decision.

Currently, the demand for the AGO's legal services exceeds the legal services available to perform legal work in a timely manner. Following the passage of E2SSB 5051, CJTC has seen a marked increase in litigation because of charges issued against peace officers that engaged in disqualifying misconduct. Representing CJTC during the hearing process has simultaneously become increasingly complex as matters are often aggressively litigated, with the potential for discovery and motions practice prior to hearing. While the Legislature provided funding for legal services because of E2SSB 5051, additional funding is needed.

In the 2025 Legislative session, the AGO anticipates CJTC will be requesting funding to hire additional investigators so that it may timely work through its current and future caseload in a manner that consistent with the standards for such investigations. Such additional staffing at CJTC will result in a corresponding increase in the need for legal services. While only some of the investigations completed by CJTC's investigators will result in charges being issued against officers, a workload impact on the AGO is anticipated. CJTC's hearings must be held within 90 days of a request for a hearing by an officer, unless other agreed to by the parties or for good cause. The AGO will have to prosecute those additional cases investigated and charged while being mindful as to this statutorily imposed time constraint.

The lead AAG assigned to handle CJTC's litigation has considerable expertise with respect to the agency's regulatory authority. Despite working efficiently due to that expertise, GCE has routinely assigned one or more other AAGs to CJTC, to help ensure adequate coverage for litigation and advice. While some additional work hours are generally expected of AAGs, current staffing limits the AGO's ability to absorb peak workloads associated with CJTC's litigation and advice requests. The short-term solution employed by the AGO is not sustainable, as it does not address either the shortfall in current funding or the fact that other AAGs must prioritize their own client agency assignments over CJTC's legal work. Without additional funding, the AGO may have to retain Special Assistant Attorneys General (SAAGs) (private counsel on contract) due to a lack of staffing and complexities of CJTC's legal work. With this requested funding, however, the AGO should be able to retain legal work that would otherwise go to SAAGs, achieving substantial savings and greater efficiencies through the further development of expertise by other AAGs dedicated to serving CJTC.

Assumptions and Calculations

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

CJTC has experienced an increase in the need for litigation legal services. CJTC demand for legal services is more than their allocation for legal services during the last two biennium. This request assumes that the demand for increase legal service will continue indefinitely. Increased direct litigation costs are assumed nominal and not included in this request. This additional funding will support 0.6 AAG FTE. These costs are ongoing and will carry forward into future biennia. One-time costs are not included in this request.

Detailed Assumptions and Calculations:

The approximate number of cases referred to the AGO by CJTC has increased each of the last fiscal years (FY), as follows: 2021 (24 cases), 2022 (31 cases), and 2023 (89 cases). The AGO assumes CJTC will continue to experience a workload increase due to the collective impact of recently adopted legislation, including SSHB 2499 (2020), E2SSB 5051 (2021) and SHB 1132 (2023). The AGO further assumes that CJTC's pending request for more investigative staff to timely address its existing and anticipated workload will likewise result in more case referrals to the AGO. Thus, the AGO anticipates handling 100 or more cases per year moving forward. Given that 1.0 Assistant Attorney General (AAG) can typically handle no more than 50 cases per year, there is a need for .6 AAG (2.0 AAG total) to adequately cover this additional litigation work in a timely manner. $(100 \text{ total cases} / (1.0 \text{ AAG} \times 50 \text{ cases}) = 2.0 \text{ AAG})$.

AGO Agency Assumptions:

Agency administration support FTE are included in the tables, for every one AAG FTE, the AGO includes a 0.5 Paralegal 1 (PL1) FTE and a 0.35 Management Analyst 5 (MA 5) FTE. The MA 5 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.

Below are the AGO's Government Compliance and Enforcement Division (GCE) and Administration support total FTE assumptions (non-Seattle rate).

FY2026 and in each FY thereafter: \$179,000 for 0.6 AAG, 0.3 PL1, and 0.2 MA 5.

Workforce Assumptions:

FTE detail is provided, Dollars in Thousands:

FTE		FY 2026	FY 2027	FY 2028	FY 2029	Ongoing ? Y / N
AAG	FTE	0.6	0.6	0.6	0.6	Y
	Object A & B	102	102	102	102	
LA	FTE					
	Object A & B					
PL 1	FTE	0.3	0.3	0.3	0.3	Y
	Object A & B	29	29	29	29	
INV	FTE					
	Object A & B					
MA 5	FTE	0.2	0.2	0.2	0.2	Y
	Object A & B	27	27	27	27	
Other (describe)	FTE					
	Object A & B					
TOTAL FTE		1.1	1.1	1.1	1.1	
TOTAL A & B		158	158	158	158	

Historical Funding:

Dollars in Thousands:

FY 2026

FTE = 4

Total Funds = \$708.4

Near General Fund = \$0

Other Funds = \$708.4

FY 2027

FTE = 4

Total Funds = \$708.4

Near General Fund = \$0

Other Funds = \$708.4

Strategic and Performance Outcomes

Strategic Framework:

Results Washington Outcome Measures:

Goal 4: Health and safe communities: Fostering the health of Washingtonians from a healthy start to safe and supported future.

AGO Strategic Plan:

1. Priority - Serve the State

Goal 1: Deliver High Quality, Timely, and Efficient Legal Services.

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

Activity	Fund	FY 2026	FY 2027	FY 2028	FY 2029
A010 - Legal Services to State Agencies	405	179	179	179	179
TOTAL		179	179	179	179

Performance Measure	Fund	FY 2026	FY 2027	FY 2028	FY 2029
2536 - Criminal Cases Closed	405-1	179	179	179	179
TOTAL		179	179	179	179

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
002536 - Criminal Cases Closed	0	0	0	0

Performance Outcomes:

Incremental impact for this performance measure is indeterminate.

Equity Impacts

Community Outreach and Engagement:

Increased funding will ensure the AGO's ability to provide comprehensive and timely legal services, thereby assisting CJTC in furtherance of that agency's statewide mission to protect the public through its role in certifying peace officers and investigating potentially disqualifying misconduct. Increased funding will ensure the AGO's ability to provide comprehensive and timely legal services, thereby assisting CJTC in furtherance of that agency's statewide mission to protect the public through its role in certifying peace officers and investigating potentially disqualifying misconduct.

Disproportional Impact Considerations:

N/A as this request is to continue to provide legal services to CJTC.

Target Communities and Populations:

This proposal will have a statewide impact as it accommodates a sustained increase in legal service needs, both for advice and litigation for CJTC.

Community Inputs and Incorporation:

N/A as this request is to continue to provide legal services to CJTC.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

Client Billing costs are provided, Dollars in Thousands:

Client	Fund	FY 2026	FY 2027	FY 2028	FY 2029
CJTC-227	405	179	179	179	179
TOTAL		179	179	179	179

The CJTC is in agreement with these legal services needs and fully supports the AGO request.

Stakeholder Impacts:

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:

No changes in existing statutes, rules, or contracts is necessary for this supplemental funding request.

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
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$122	\$122	\$244	\$122	\$122	\$244
Obj. B	\$37	\$37	\$74	\$37	\$37	\$74
Obj. E	\$19	\$19	\$38	\$19	\$19	\$38
Obj. G	\$1	\$1	\$2	\$1	\$1	\$2

Agency Contact Information

Edd Giger

(360) 586-2104

Edward.Giger@atg.wa.gov



Office of Attorney General
2025-27 Regular Budget Session
Policy Level - TD - UW Transition of Support Staff

Agency Recommendation Summary

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.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	10.0	10.0	10.0	10.0	10.0	10.0
Operating Expenditures						
Fund 405 - 1	\$1,130	\$1,130	\$2,260	\$1,130	\$1,130	\$2,260
Total Expenditures	\$1,130	\$1,130	\$2,260	\$1,130	\$1,130	\$2,260
Revenue						
405 - 0420	\$1,130	\$1,130	\$2,260	\$1,130	\$1,130	\$2,260
Total Revenue	\$1,130	\$1,130	\$2,260	\$1,130	\$1,130	\$2,260

Decision Package Description

The Attorney General’s Office (AGO) collectively employs and manages the largest legal staff in the State of Washington. This allows for a high degree of coordination and efficiency when not only managing that staff, but planning for future contingencies, setting salary levels as optimally as possible, and reacting to trends in the industry which affect recruitment and retention. The University of Washington (UW) is almost unique among AGO client agencies in that it has historically employed the legal support staff which works within the AGO's University of Washington (UOW) division. Currently UW funds and employs 10 full time staff members within the AGO's UOW: two Legal Secretaries, two Legal Assistants (LA), three Paralegals (PL), one Records Analyst (RA), and two Administrative Assistants (AA). The AGO funds and employs one staff position, an Office Administrator (OA).

Because there are a small number of legal support staff employed by the State outside of the AGO, and because UW employs no legal staff other than those made available to the AGO UOW, this fractured approach of the UOW having some employees working for the AGO and others working for UW results in inefficiencies in operations and disparities between the legal support staff employed by UW and other AGO legal staff.

While AGO staff have recently had their job classifications updated, their colleagues employed by UW have outdated job titles and descriptions. Over time, salaries for AGO employed legal support staff have risen, leaving behind their UW employed colleagues. In addition to creating basic inequities amongst colleagues, this situation also creates significant challenges to the AGO when filling vacancies in UOW, especially in regard to attracting talent from other AGO divisions internally, and in retaining talented and experienced legal support staff. Including the current UW staff in the AGO environment will allow for UOW to more easily have experienced AGO employees seamlessly transfer or promote into the UOW. This will provide for greater continuity of staffing and, where necessary, share work across divisions during workload increases to ensure UW receives prompt and exemplary legal services.

After funding by the Legislature in the last session, AGO job classifications LA3 and LA4 were placed into the PL series. In response to a classification request submitted by the AGO, the Office of Financial Management (OFM) adopted the following Paralegal classification modifications:

1. Modification of the Paralegal series to include the work performed by current AGO LA3 and LA4 staff.
2. Updates to the three Paralegal classifications includes:
 - a. PL1: Entry Level - Perform first level technical PL functions.
 - b. PL2: Journey Level and may supervise - Perform second level of technical PL functions.
 - c. PL3: Expert Level and must supervise - Perform top level of technical PL functions; must supervise and have direct administrative supervision over work of other PL and legal support staff and significantly involved in their training.
3. Includes additional updates to the PL series scope and duties that are unique and specific to the AGO:

- a. Exclusive to a law firm setting
- b. Provides direct paraprofessional support to Assistant Attorneys General (AAG)
- c. Support litigation in two or more court venues
- d. Prepare for trial, research, and apply knowledge of court rules related to legal practice, subject matter, and court filing procedures

The AGO and OFM identified many benefits to the changes, including:

- a. Consistent pay across the organization for work with similar risk and complexity.
- b. Added growth opportunities for LA staff.
- c. Increased success in recruitment and retention of LA and PL staff.
- d. Recognition of the unique skillset demonstrated and required for our legal support staff.

It is critical to implement these changes at the AGO UOW as well to keep the legal support staff there from falling behind and being treated disparately. This request will benefit the legal support staff, the AGO, and the UW. As noted in further detail below, this change will call for engagement with labor organizations at both UW and the AGO.

Assumptions and Calculations

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

This is an alteration of the currently funded UW support staff and expansion of the AGO UOW division. Support staffing for UOW will increase from its current level of 1.0 FTE to 11.0 FTE. The staffing would now be state funded

Detailed Assumptions and Calculations:

The AGO requires additional authority of \$1,130,000 in FY 2025 and in each year thereafter.

This additional funding will support 1.0 PL3, 3.0 PL2, 1.0 PL1, 1.0 LA4, 2.0 LA2, 1.0 LA1 and 1.0 IT Tech Support 2 (ITTS2)

Workforce Assumptions:

FTE detail is provided, Dollars in Thousands:

FTE		FY 2026	FY 2027	FY 2028	FY 2029	Ongoing ? Y / N
PL3	FTE	1.0	1.0	1.0	1.0	Y
	Object A & B	117	117	117	117	
PL2	FTE	3.0	3.0	3.0	3.0	Y
	Object A & B	332	332	332	332	
PL1	FTE	1.0	1.0	1.0	1.0	Y
	Object A & B	102	102	102	102	
LA4	FTE	1.0	1.0	1.0	1.0	Y
	Object A & B	117	117	117	117	
LA2	FTE	2.0	2.0	2.0	2.0	Y
	Object A & B	155	155	155	155	
LA1	FTE	1.0	1.0	1.0	1.0	Y
	Object A & B	77	77	77	77	
IT Tech Support	FTE	1.0	1.0	1.0	1.0	Y
	Object A & B	90	90	90	90	
TOTAL FTE		10.0	10.0	10.0	10.0	
TOTAL A & B		990	990	990	990	

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

Strategic and Performance Outcomes

Strategic Framework:

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 4: Health and safe communities: Fostering the health of Washingtonians from a healthy start to safe and supported future.

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

This budget request supports the following goals in the AGO Strategic Plan:

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

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

Activity	Fund	FY 2026	FY 2027	FY 2028	FY 2029
A010 - Legal Services to State Agencies	405	1,130	1,130	1,130	1,130
TOTAL		1,130	1,130	1,130	1,130

Performance Measure	Fund	FY 2026	FY 2027	FY 2028	FY 2029
PM #2539 Open Cases at End of Fiscal Year	405	1,130	1,130	1,130	1,130
TOTAL		1,130	1,130	1,130	1,130

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
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 Outreach and Engagement:

Maintaining funding will ensure the AGO’s ability to provide comprehensive and timely legal services, thereby assisting UW in furtherance of its statewide mission to serve all people and communities it touches equitably.

Disproportional Impact Considerations:

N/A as this request will not change how legal services are delivered to the UW.

Target Communities and Populations:

This proposal will have a statewide impact as it maintains legal service needs, both for advice and litigation for the UW.

Community Inputs and Incorporation:

N/A as this request will not change how legal services are delivered to the UW.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

Client Billing costs are provided,

Dollars in Thousands:

Client	Fund	FY 2026	FY 2027	FY 2028	FY 2029
UW	405	1,130	1,130	1,130	1,130
TOTAL		1,130	1,130	1,130	1,130

Stakeholder Impacts:

The UW supports this request. There is no known opposition to this request currently.

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

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
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$716	\$716	\$1,432	\$716	\$716	\$1,432
Obj. B	\$256	\$256	\$512	\$256	\$256	\$512
Obj. E	\$151	\$151	\$302	\$151	\$151	\$302
Obj. G	\$7	\$7	\$14	\$7	\$7	\$14

Agency Contact Information

Edd Giger

(360) 586-2104

Edward.Giger@atg.wa.gov



Agency Recommendation Summary

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.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	8.2	8.2	8.2	8.2	8.2	8.2
Operating Expenditures						
Fund 405 - 1	\$1,089	\$1,089	\$2,178	\$1,089	\$1,089	\$2,178
Total Expenditures	\$1,089	\$1,089	\$2,178	\$1,089	\$1,089	\$2,178
Revenue						
405 - 0420	\$1,089	\$1,089	\$2,178	\$1,089	\$1,089	\$2,178
Total Revenue	\$1,089	\$1,089	\$2,178	\$1,089	\$1,089	\$2,178

Decision Package Description

The most significant driver for Labor and Industries (L&I) workloads over the last few years has been an increase in discovery obligations. Discovery is a legal process where the parties in a legal dispute are entitled to seek information relevant to the dispute. Every party is required to respond if discovery is sought from them. L&I has experienced an increase in both the volume and complexity of discovery work over the past two biennia. The AGO Labor and Industries Division (LNI) tracks discovery volume by calendar year. Cases have increased from 677 in FY 2021 to 754 in FY 2023. This is an increase of 11 percent. Complexity is harder to measure, but L&I has seen a rise in multimillion-dollar cases. These cases typically include greater obligations for electronic discovery, which involve the collection, review, and production of gigabytes or terabytes of information. This issue is a rising cost nationally for all parties, and L&I is no exception. Information on these trends is included in the reference documents. Adding paralegal staff increases capacity at the AGO level and reduces the need to hire Special Assistant Attorneys General (SAAG) or other outside vendors. Those outside vendors often charge significantly higher rates for their services than the AGO does.

Mediation and complex discovery have seen the largest increases come from L&I’s enforcement programs. From worker safety to wage protections to regulating the building trades, L&I is a national leader among the states. Building trades enforcement cases totaled 392 in the 2021-23 biennium. L&I has engaged in 395 cases in FY 2024 alone (on pace for 101 percent increase) and it appears this higher volume will continue. Worker safety cases totaled 597 in the 2021-23 biennium. L&I has engaged in 418 cases in FY 2024 alone (on pace for 40 percent increase) and it appears this higher volume will continue. The AGO uses paralegals to advance the mediation process for these cases. With sufficient staffing, we can historically reach settlement rates of 40 percent or more. Mediation settlements result in significant costs savings for each case and often mean better outcomes for all parties.

LNI currently has 30 paralegals (PL) working in discovery and mediation. The increase of five PL2s and one PL3 would be a 20 percent increase in the workforce to handle this ongoing workload.

All of this work generates obligations for L&I in tracking deadlines, editing and filing legal documents, and communication between the agency, the AGO, and outside parties. The addition of one Paralegal 2 supervisor will address the ongoing increase of workload in this regard. We have over 45 combined PL1s and PL2 supervisors. The one PL2 supervisor would be a two percent increase in staffing to handle this ongoing workload.

Assumptions and Calculations

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

L&I has experienced an increase in the need for legal services in multiple programs. This request provides funding for AGO staffing to help with discovery and mediation settlements.

Detailed Assumptions and Calculations:

AGO Agency Assumptions:

Agency Administration Support FTE are included in the tables. The Management Analyst 5 FTE (MA5) 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.

Below are the AGO’s LNI Division total FTE assumptions (King County rate).

FY 2026 and in each FY thereafter: \$1,089,000 for 6.0 PL2, 1.0 PL3, and 1.2 MA5.

Workforce Assumptions:

FTE detail is provided, Dollars in Thousands:

FTE		FY 2026	FY 2027	FY 2028	FY 2029	Ongoing ? Y / N
AAG	FTE					
	Object A & B					
LA	FTE					
	Object A & B					
PL 2	FTE	6.0	6.0	6.0	6.0	Y
	Object A & B	664	664	664	664	
INV	FTE					
	Object A & B					
MA5	FTE	1.2	1.2	1.2	1.2	Y
	Object A & B	155	155	155	155	
PL 3	FTE	1.0	1.0	1.0	1.0	Y
	Object A & B	120	120	120	120	
TOTAL FTE		8.20	8.20	8.20	8.20	
TOTAL A & B		939	939	939	939	

Historical Funding:

Dollars in Thousands:

FY 2026

FTE = 123.5

Total Funds = \$35,237

Near General Fund = \$0

Other Funds = \$35,237

FY 2027

FTE = 123.5

Total Funds = \$35,237

Near General Fund = \$0

Other Funds = \$35,237

Strategic and Performance Outcomes

Strategic Framework:

Results Washington:

Enforcement cases have direct and indirect impacts on Goal 2 by protecting worker wages, reducing workplace injuries and resulting job separations, and discouraging bad actor businesses from undercutting their competitors by ignoring their compliance obligations. They also have an indirect impact on Goal 4 since workplace injuries impact medical costs borne by the state.

AGO Strategic Plan:

This request furthers Goals 3 and 4 of Serve the State. For Goal 3, improving our capacity to respond to discovery requests will mitigate risks to our client in litigation. For Goal 4, adding paralegals will reduce the need for outside vendors or AAGs to take on this work. Both of those sources would be more expensive and take away from other priority work.

This request furthers Goal 1, Goal 4, and Goal 5 of Protect the People. For Goal 1, these actions are often about protecting the legal rights of vulnerable workers. For Goal 4, enforcement actions against unlicensed contractors, electricians, plumbers, etc. protect homeowners and other consumers from shoddy, expensive, and dangerous work. For Goal 5, the rate is decreasing but we still have nearly 100 on the job fatalities per year in Washington. Worker safety enforcement both drives accountability for individual fatalities and serves an important preventative role to reduce future fatalities.

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

Activity	Fund	FY 2026	FY 2027	FY 2028	FY 2029
A010 - Legal Services to State Agencies	405	1,089	1,089	1,089	1,089
TOTAL		1,089	1,089	1,089	1,089

Performance Measure	Fund	FY 2026	FY 2027	FY 2028	FY 2029
PM 2539 Cases Open at End of Fiscal Year	405	1,089	1,089	1,089	1,089
TOTAL		1,089	1,089	1,089	1,089

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
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 Outreach and Engagement:

Where workers with better resources and more leverage can advocate for themselves or hire private attorneys. These workforce communities are more reliant on state action to protect their rights.

Disproportional Impact Considerations:

N/A as his request is to continue to provide legal services to L&I.

Target Communities and Populations:

Worker protections are often the most important for the least empowered workers. For example, businesses within industries like agriculture, transportation network drivers (e.g., Uber, Lyft, etc.), restaurants, warehouses, and construction are often the subject of these cases. The workers in those industries are disproportionately immigrants, people of color, women, and youth.

Community Inputs and Incorporation:

N/A as his request is to continue to provide legal services to L&I.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

Client Billing costs are provided, Dollars in Thousands:

Client	Fund	FY 2026	FY 2027	FY 2028	FY 2029
L&I - 235	405	1,089	1,089	1,089	1,089
TOTAL		1,089	1,089	1,089	1,089

Stakeholder Impacts:

There is no known opposition to this request currently.

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

N/A

Governor's Salmon Strategy:

N/A

Reference Documents

[Ediscovery Article reference document.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
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$703	\$703	\$1,406	\$703	\$703	\$1,406
Obj. B	\$236	\$236	\$472	\$236	\$236	\$472
Obj. E	\$141	\$141	\$282	\$141	\$141	\$282
Obj. G	\$9	\$9	\$18	\$9	\$9	\$18

Agency Contact Information

Edd Giger
(360) 586-2104
Edward.Giger@atg.wa.gov



Agency Recommendation Summary

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.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	3.7	3.7	3.7	3.7	3.7	3.7
Operating Expenditures						
Fund 405 - 1	\$613	\$613	\$1,226	\$613	\$613	\$1,226
Total Expenditures	\$613	\$613	\$1,226	\$613	\$613	\$1,226
Revenue						
405 - 0420	\$613	\$613	\$1,226	\$613	\$613	\$1,226
Total Revenue	\$613	\$613	\$1,226	\$613	\$613	\$1,226

Decision Package Description

The Attorney Generals’ Office (AGO) University of Washington Division (UOW) provides legal advice and representation to the University of Washington (UW). The division is currently staffed with 20 Assistant Attorney General (AAG) positions to serve UW and all current UOW AAG’s are being utilized at or very near maximum capacity. This request will add 2.0 AAG and 1.0 Paralegal (PL) in FY 2026 and will be ongoing at this level in each FY thereafter.

One AAG position is needed for UOW’s General Practice Team. A new position has not been added to the team since 2015. This would help cover:

1. The increase in subpoena volume being experienced by UW over the last several years, seen in the number of subpoenas received. The AGO provides increasing support to UW as it responds to third party subpoenas and similar requests for information and document production, such as civil investigative demands, warrants, and congressional subpoenas. Recent examples of this include third party subpoenas received by UW in the litigation over Food and Drug Administration (FDA) approval of Mifepristone, athletics-related antitrust cases (Alston, House, Carter, Hubbard, Grant-in-Aid Cap, etc.), and also federal government investigations into the OceanGate submarine disaster, and a doctor accused of misconduct in California, before he was employed by UW Medicine. Institutions nationwide have seen an increase in the size and complexity of e-discovery response work, and UW is no exception. The volume and complexity of responding to e-discovery requests has grown and requires additional resources. The AGO has also identified the need to adjust levels of attorney supervision of legal staff during the process of e-discovery work.

2. Increased legal advice needs regarding implementation and effects of new Title IX regulations. New Title IX regulations put in place by the US Department of Education expand the definition of what qualifies as discrimination on the basis of sex. It strengthens the requirements and obligations concerning pregnancy, such as providing students who are pregnant with information about the UW’s obligations, reasonable accommodations, voluntary leaves of absence, and lactation spaces, and significantly changes the grievance process concerning sexual harassment complaints. While implementation of the new regulations remains on hold while UW is subject to temporary injunctive relief issued by a federal court, significant planning and structural change is underway nonetheless, much of it necessitating ongoing legal advice, consultation, and review. Work taken on by this General Practice Team position, as opposed to the Employment Team position outlined below, will focus on aspects of Title IX affecting students.

3. Increased legal advice needs regarding developing athletics issues such as Name, Image and Likeness (NIL) and the effects of antitrust litigation. As a Big 10 Conference school, UW will be implementing a profit-sharing model as regards to its student athletes. Ongoing legal advice will be needed around contracting with student athletes, managing relationships with third party entities involved in NIL payments to student athletes, Title IX implications of profit sharing, and generally navigating the new legal framework instituted by recent antitrust litigation settlements.

4. Increased legal advice needs commensurate with an increase in public records requests (PRR) and legal issues, including litigation as it arises. UW has, along with many other state agencies, seen an increase in PRR it receives. This is partly a result of litigants increasingly relying on the Public Records Act (PRA) as a secondary method for obtaining discovery. The AGO works closely with UW's Office of Public Records (OPR) and an increase in volume for OPR necessarily correlates to an increase in requests for legal advice and assistance to the AGO. In addition, UW is currently in the process of updating and revamping portions of its OPR, and University-wide, processes, which will also require legal advice for the foreseeable future.

5. The UW Office Of Global Affairs' requirements for contract review and negotiation. The Office of Global Affairs is responsible for coordinating, managing, and reviewing international agreements and contracts (that are not sponsored research or gifts) across the university. Since pandemic-related travel restrictions have eased significantly, the office has seen a significant increase in requests for contract reviews requiring AGO review and advice. The need is urgent and growing.

One AAG position is needed for UOW's Employment Team. This would help cover:

1. Increased legal advice needs regarding implementation and effects of new Title IX regulations. New Title IX regulations put in place by the US Department of Education expand the definition of what qualifies as discrimination on the basis of sex. It strengthens the requirements and obligations concerning pregnancy, such as providing students who are pregnant with information about the University's obligations, reasonable accommodations, voluntary leaves of absence, and lactation spaces, and significantly changes the grievance process concerning sexual harassment complaints. While implementation of the new regulations remains on hold while UW is subject to temporary injunctive relief issued by a federal court, significant planning and structural change is underway nonetheless, much of it necessitating ongoing legal advice, consultation, and review. Work taken on by this Employment Team position, as opposed to the General Practice Team position outlined above, will focus on aspects of Title IX affecting employees and faculty.

2. Increased legal advice around various investigatory processes at UW, including advising on Equal Employment Opportunity Commission (EEOC) complaint responses, Title VI investigation responses, and others. UW has requested that the AGO play a larger role in advising on and assisting with its responses to different types of federal investigations. Both UW and the AGO see an opportunity to reduce legal and financial risk by increasing the AGO's role in advising UW during its various investigatory processes and reviewing and advising regarding UW responses to federal investigations. An EEOC investigation is an inquiry into EEOC complaints, focusing on allegations of discrimination in the workplace based on protected characteristics such as race, religion, sex, age, national origin, disability, and genetic information. Title VI of the Civil Rights Act of 1964 is the primary education law that protects people from discrimination based on race, national origin, or color in educational programs or activities. The educational programs or activities that are covered by Title VI are those that receive federal financial assistance. The Office for Civil Rights (OCR) enforces Title VI as it applies to programs and activities funded by the US Department of Education. The OCR has the authority to investigate, negotiate, and resolve complaints from those who complain they were discriminated against due to their race, national origin, or color.

3. Representation of the UW during faculty adjudications. The goal is that having these additional resources will also allow the AGO to handle some of the UW's faculty adjudication work in the future, which is currently handled by Special Assistant Attorneys General (SAAG).

4. This new position will also contribute to addressing UW's increase in subpoena response work, as outlined in more detail above. The PL will provide legal support to both AAG's in the above detailed work.

Assumptions and Calculations

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

UW has experienced an increase in the need for client advice and legal services and as such needs to increase the number of trained staff needed to meet the growing legal needs of the UW.

An increase in legal advice is needed regarding implementation and effects, and ongoing application, of new Title IX regulations; increased legal advice needed regarding developing athletics issues such as NIL and revenue sharing models with student athletes; and increased legal advice needed commensurate with an increase in public records requests and associated legal advice.

Detailed Assumptions and Calculations:

Agency administration support FTE are included in the tables. The Management Analyst 5 FTE (MA5) is used as a representative classification. An example ratio is for every 1.0 AAG, the AGO includes 0.5 PL1 and 0.35 MA5.

The AGO requires additional authority in FY 2026 and in each FY thereafter of \$613,000 for 2.0 AAG and 1.0 PL.

Workforce Assumptions:

FTE detail is provided, Dollars in Thousands:

FTE		FY 2026	FY 2027	FY 2028	FY 2029	Ongoing ? Y / N
AAG	FTE	2.0	2.0	2.0	2.0	Y
	Object A & B	355	355	355	355	
PL	FTE	1.0	1.0	1.0	1.0	Y
	Object A & B	102	102	102	102	
MA5	FTE	0.7	0.7	0.7	0.7	Y
	Object A & B	90	90	90	90	
TOTAL FTE		3.7	3.7	3.7	3.7	
TOTAL A & B		547	547	547	547	

Historical Funding:

Dollars in Thousands:

FY 2026

FTE = 21

Total Funds = \$5,394

Near General Fund = \$0

Other Funds = \$5,394

FY 2027

FTE = 21

Total Funds = \$5,394

Near General Fund = \$0

Other Funds = \$5,394

Strategic and Performance Outcomes

Strategic Framework:

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 4: Health and safe communities: Fostering the health of Washingtonians from a healthy start to safe and supported future.

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

This budget request supports the following goals in the AGO Strategic Plan:

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

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

Activity	Fund	FY 2026	FY 2027	FY 2028	FY 2029
A 010 - Legal Services to State Agencies	405	613	613	613	613
TOTAL		613	613	613	613

Performance Measure	Fund	FY 2026	FY 2027	FY 2028	FY 2029
PM 2539 - Cases Open at End of Year	405	613	613	613	613
TOTAL		613	613	613	613

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
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 Outreach and Engagement:

Providing funding will ensure the AGO’s ability to provide comprehensive and timely legal services, thereby assisting UW in furtherance of its statewide mission to serve all people and communities it touches equitably.

Disproportional Impact Considerations:

N/A as his request is to continue to provide legal services to the UW.

Target Communities and Populations:

This proposal will have a statewide impact as it meets legal service needs, both for advice and litigation for the UW.

Community Inputs and Incorporation:

N/A as his request is to continue to provide legal services to the UW.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

Client Billing costs are provided, Dollars in Thousands:

Client	Fund	FY 2026	FY 2027	FY 2028	FY 2029
UW	405	613	613	613	613
TOTAL		613	613	613	613

Stakeholder Impacts:

The University of Washington supports this request. There is no known opposition to this request currently.

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

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
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$422	\$422	\$844	\$422	\$422	\$844
Obj. B	\$125	\$125	\$250	\$125	\$125	\$250
Obj. E	\$63	\$63	\$126	\$63	\$63	\$126
Obj. G	\$3	\$3	\$6	\$3	\$3	\$6

Agency Contact Information

Edd Giger
(360) 586-2104
Edward.Giger@atg.wa.gov



Agency Recommendation Summary

The Attorney General’s Office (AGO) Policy Division (POL) requests a Policy Analyst (PA) to provide staffing support for the Washington Public Records Exemptions Accountability Committee, more commonly known as the Sunshine Committee (Committee). The Legislature created the Committee in FY 2007. However, the AGO did not receive funding or a dedicated FTE to support the Committee. The AGO requests resources to conduct important functions, including legislative research, outreach and engagement of stakeholders, and bill tracking.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	1.2	1.2	1.2	1.2	1.2	1.2
Operating Expenditures						
Fund 001 - 1	\$183	\$183	\$366	\$183	\$183	\$366
Total Expenditures	\$183	\$183	\$366	\$183	\$183	\$366

Decision Package Description

The Washington Public Records Exemptions Accountability Committee, more commonly known as the Sunshine Committee (Committee), makes recommendations to the Legislature to repeal or amend exemptions to the Public Records Act (PRA). The Committee’s inability to move legislation through the Legislature has received significant media attention. A few examples are included below:

- [“Long snubbed by Washington lawmakers, sunshine panel not ready to surrender,”](#) *Washington State Standard*, Jerry Cornfield, October 17, 2023.
- [“Washington lawmaker proposes aid for state’s beleaguered Sunshine Committee,”](#) Oregon Public Broadcasting, December 13, 2023.
- [“WA’s government transparency committee is ready to call it quits,”](#) Crosscut, March 1, 2024.
- [“Member of WA’s Sunshine Committee quits, cites lawmakers’ inaction,”](#) Seattle Times, March 1, 2024;
- [“What’s next for WA ‘Sunshine Committee’ with legislative exits, apathy,”](#) *Seattle Times*, March 15, 2024.

The Attorney General’s Office (AGO) believes the Committee’s mission will be aided by a 1.0 Policy Analyst FTE (PA) to conduct functions similar to legislative staff, including research, briefing memos, and stakeholder coordination.

On December 4, 2023, Senator Wilson proposed SB 5779, concerning the Committee. The AGO included a fiscal note on the bill requesting 1.0 PA to staff the Committee at a cost of \$183,000 per Fiscal Year. SB 5779 died in the Senate Rules Committee.

Assumptions and Calculations

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

This request will expand the capabilities and effectiveness of Committee. The AGO has yet to receive funding for the Committee.

Detailed Assumptions and Calculations:

The AGO Policy Division (POL) requests 1.0 PA to provide staffing support for the Committee.

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

FY 2026 and each FY thereafter: 1.0 PA to facilitate appointments, organize meetings, develop and publish meeting agendas, perform research, facilitate meetings and subcommittee meetings, perform outreach, engagement with experts and other additional participants as needed and to draft the annual report.

Total AGO workload impact:

FY 2026 and each FY thereafter: \$183,000 for 1.0 PA.

Workforce Assumptions:

FTE detail is provided, Dollars in Thousands:

FTE	FY 2026	FY 2027	FY 2028	FY 2029	Ongoing ? Y / N
MA5 FTE	0.2	0.2	0.2	0.2	Y
Object A & B	25,000	25,000	25,000	25,000	
Policy Analyst FTE	1.0	1.0	1.0	1.0	Y
Object A & B	142,000	142,000	142,000	142,000	
TOTAL FTE	1.2	1.2	1.2	1.2	
TOTAL A & B	167,000	167,000	167,000	167,000	

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

Strategic and Performance Outcomes

Strategic Framework:

Results Washington: Driving transparency is an element of and part of the vision of Results Washington. Within this a Core Value identifies that Washington State is accountable and transparent. These statements are, in part, achieved through and expected by the Committee’s activities. This is not only a principle for State agencies but also for all local governments.

AGO Strategic Plan: To protect the legal rights of the people of Washington State, the AGO is committed to promoting good government. Good governance is achieved through Justice Brandis’ often quoted saying, “Sunlight is the best disinfectant.” The Committee contributes to greater trust and transparency in government.

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

Activity	Fund	FY 2026	FY 2027	FY 2028	FY 2029
A001 - Administration	001-1	183	183	183	183
TOTAL		183	183	183	183

Performance Measure	Fund	FY 2026	FY 2027	FY 2028	FY 2029
2539 - Cases Open at the end of Fiscal Year	001-1	183	183	183	183
TOTAL		183	183	183	183

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
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 Outreach and Engagement:

N/A as this will allow the AGO to continue to staff the committee and continue to provide greater trust and transparency to all Washingtonians.

Disproportional Impact Considerations:

N/A as this will allow the AGO to continue to staff the committee and continue to provide greater trust and transparency to all Washingtonians.

Target Communities and Populations:

This proposal impacts equity in the state by providing the Committee with the staffing it needs to be successful and contribute to greater trust and transparency to all Washingtonians.

Community Inputs and Incorporation:

N/A as this will allow the AGO to continue to staff the committee and continue to provide greater trust and transparency to all Washingtonians.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

N/A

Stakeholder Impacts:

There is no known opposition to this request currently.

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

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
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$129	\$129	\$258	\$129	\$129	\$258
Obj. B	\$38	\$38	\$76	\$38	\$38	\$76
Obj. E	\$16	\$16	\$32	\$16	\$16	\$32

Agency Contact Information

Edd Giger
(360) 586-2104
Edward.Giger@atg.wa.gov



Office of Attorney General
 2025-27 Regular Budget Session
 Policy Level - TH - Medicaid Fraud Authority

Agency Recommendation Summary

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.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	5.0	5.0	5.0	5.0	5.0	5.0
Operating Expenditures						
Fund 001 - 2	\$2,120	\$3,281	\$5,401	\$3,281	\$3,281	\$6,562
Fund 19A - 1	\$725	\$1,091	\$1,816	\$1,091	\$1,091	\$2,182
Total Expenditures	\$2,845	\$4,372	\$7,217	\$4,372	\$4,372	\$8,744
Revenue						
001 - 0393	\$2,120	\$3,281	\$5,401	\$3,281	\$3,281	\$6,562
Total Revenue	\$2,120	\$3,281	\$5,401	\$3,281	\$3,281	\$6,562

Decision Package Description

In past years, Medicaid Fraud investigations have dramatically increased in number, complexity, nature, and scope. Due to outreach and education of our partner agencies, fraud referrals continue to increase in number and quality along with investigations produced by data mining. Attorney General’s Office (AGO) requests legislative approval to spend Federal Grant dollars that support 75 percent of the statutorily mandated Medicaid Fraud Program in Washington State for costs approved by the Office of the Inspector General at the Department of Health and Human Services (OIG HHS). The results are better protections for the Medicaid program and Washington State’s most vulnerable citizens.

Medicaid Fraud Control Division (MFCD) has recovered over \$40.8 million for Washington’s Medicaid program since 2017-19 biennium. MFCD successfully litigated the first False Claims Act case in the state and increased in state False Claim Act litigation as well as national qui tams. With the significant increase in staffing in the 2019-21 biennium, MFCD case filings have increased dramatically, including a three-fold increase in criminal case filings and convictions ranging from complex fraud to abuse and neglect in residential facilities. The opioid epidemic has enabled Washington MFCD to continue to not only work on opiate matters but also have staff on opioid taskforces, where local law enforcement focuses on the street level crime and Washington MFCD on the fraudulent doctors and pharmacies fueling the epidemic.

The AGO requests an increase to its federal authority of \$5.4 million and its state authority for Medicaid Fraud Penalty Account (Fund 19A) of \$1.8 million in the 2025-27 Biennium.

Assumptions and Calculations

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

This request provides expenditure authority for the current maintenance level provided by the federal government to handle the growing caseload and case filing demand.

Detailed Assumptions and Calculations:

As the need for expert witnesses, court reporters and translation services continue to increase so does the costs for these services. MFCD requests additional federal and Fund 19A expenditure authority to cover these costs. OIG HHS has approved the request for additional funding.

Workforce Assumptions:

AGO is increasing the expenditure authority and FTE to cover all costs for the current staffing level and operating costs.

FTE detail is provided, Dollars in Thousands:

FTE		FY 2026	FY 2027	FY 2028	FY 2029	Ongoing ? Y / N
AAG	FTE	1.0	1.0	1.0	1.0	Y
	Object A & B	160	176	176	176	
LA	FTE					
	Object A & B					
PL	FTE					
	Object A & B					
INV	FTE	2.0	2.0	2.0	2.0	Y
	Object A & B	280	304	304	304	
MA5	FTE					
	Object A & B					
Other (Operations Research Specialist)	FTE	2.0	2.0	2.0	2.0	Y
	Object A & B	288	320	320	320	
TOTAL FTE		5.0	5.0	5.0	5.0	Y
TOTAL A & B		728	800	800	800	

Historical Funding:

Dollars in Thousands:

FY 2026

FTE = 69

Total Funds = \$0

Near General Fund = \$0

Other Funds = \$15,900

FY 027

FTE = 69

Total Funds = \$0

Near General Fund = \$0

Other Funds = \$17,400

Strategic and Performance Outcomes

Strategic Framework:

Results Washington:

Goal 4: Healthy & safe communities

Goal 5: Efficient, effective & accountable government

Agency Strategic plan:

Priority 2 – Protect the People

2-1-3 Protect vulnerable adults and combat elder abuse.

2-2-3 Combat the opioid epidemic.

2-4-2 Combat health care fraud.

This request supports the AGO Strategic Plan and Results Washington because MFCD’s continuation enables the division to ensure provider fraud accountability, increase revenue for the Fund 19A and enables the division to bring more residential patient abuse and neglect matters - helping deter and protect Washington’s most vulnerable citizens.

No incremental changes to the Performance Measures.

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

Activity	Fund	FY 2026	FY 2027	FY 2028	FY 2029
A009 Investigation and Prosecution of Medicaid Fraud and Resident Abuse	001-2	2,120	3,281	3,281	3,281
A009 Investigation and Prosecution of Medicaid Fraud and Resident Abuse	19A	725	1,091	1,091	1,091
TOTAL		2,845	4,372	4,372	4,372

Performance Measure	Fund	FY 2026	FY 2027	FY 2028	FY 2029
TOTAL		-	-	-	-

Performance Measures	Incremental Changes 2026	Incremental Changes 2027	Incremental Changes 2028	Incremental Changes 2029
002538 - Recoveries to the Medicaid System	\$0	\$0	\$0	\$0

Performance Outcomes:

Incremental impact for this performance measure is indeterminate.

Equity Impacts

Community Outreach and Engagement:

Recovering money lost to fraud and holding offenders accountable is essential to the integrity of the Medicaid program. The results are better protections for the Medicaid program and Washington State's most vulnerable citizens.

Enforcement is statewide.

Disproportional Impact Considerations:

N/A as this request is for spending authority to continue to investigate and prosecute Medicaid fraud offenders.

Target Communities and Populations:

Medicaid provider fraud drives up healthcare costs for Washingtonians, harms Medicaid clients and honest providers, and misuses taxpayer's money.

Community Inputs and Incorporation:

N/A as this request is for spending authority to continue to investigate and prosecute Medicaid fraud offenders.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

N/A

Stakeholder Impacts:

Law enforcement agencies including but not limited to the Washington Association of Sheriffs and Police Chiefs, Washington Association of Community Oriented Police, Washington Association of Prosecuting Attorneys, and Washington State Patrol (WSP) support this request. Health Care Authority (HCA) and Department of Social and Health Services (DSHS) expressed their support as for our past, current, and future work in this important area.

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

It is required by federal law to maintain MFCF outside of Health Care Authority (HCA), for the state to obtain Medicaid funding, as required under [42 USC 1396a \(a\)\(61\)](#); [42 CFR 1007.9](#).

Governor's Salmon Strategy:

N/A

Reference Documents

[eCFR __ 42 CFR 1007.9 -- Relationship a...ment between Unit and Medicaid agency.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
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$1,494	\$2,325	\$3,819	\$2,325	\$2,325	\$4,650
Obj. B	\$433	\$675	\$1,108	\$675	\$675	\$1,350
Obj. C	\$350	\$490	\$840	\$490	\$490	\$980
Obj. E	\$170	\$276	\$446	\$276	\$276	\$552
Obj. G	\$94	\$132	\$226	\$132	\$132	\$264
Obj. T	\$304	\$474	\$778	\$474	\$474	\$948

Agency Contact Information

Edd Giger
(360) 586-2104
Edward.Giger@atg.wa.gov

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 to 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.

Policy Level Decision Package Prioritization

Policy Enhancements Prioritized

AGENCY	Code	Title
	100	Attorney General's Office

Priority	DP Code	DP Title	2025-27 Biennium						2027-29 Biennium					
			FY-26			FY-27			FY-28			FY-29		
			NGFS	Other	Total	NGFS	Other	Total	NGFS	Other	Total	NGFS	Other	Total
1	TA	Economic Crimes Unit	154		154	154		154	154		154	154		154
2	TB	Juvenile Rehab Legal Services		850	850		850	850		850	850		850	850
3	TC	Criminal Justice Training Center		179	179		179	179		179	179		179	179
4	TD	UW Transition of Support Staff		1,130	1,130		1,130	1,130		1,130	1,130		1,130	1,130
5	TE	L&I Legal Services		1,089	1,089		1,089	1,089		1,089	1,089		1,089	1,089
6	TF	UW Legal Services		613	613		613	613		613	613		613	613
7	TG	Sunshine Committee Staffing	183		183	183		183	183		183	183		183
8	TH	Medicaid Fraud Authority		2,845	2,845		4,372	4,372		4,372	4,372		4,372	4,372
			337	6,706	7,043	337	8,233	8,570	337	8,233	8,570	337	8,233	8,570

Policy Level Decision Package Prioritization

All Policy Item Prioritized

	Code	Title
AGENCY	100	Attorney General's Office

Priority	DP Code	DP Title	2025-27 Biennium						2027-29 Biennium						
			FY-26			FY-27			FY-28			FY-29			
			NGFS	Other	Total	NGFS	Other	Total	NGFS	Other	Total	NGFS	Other	Total	
1	TA	Economic Crimes Unit	154		154	154		154		154	154		154		154
2	TB	Juvenile Rehab Legal Services		850	850		850	850		850	850		850	850	
3	TC	Criminal Justice Training Center		179	179		179	179		179	179		179	179	
4	TD	UW Transition of Support Staff		1,130	1,130		1,130	1,130		1,130	1,130		1,130	1,130	
5	TE	L&I Legal Services		1,089	1,089		1,089	1,089		1,089	1,089		1,089	1,089	
6	TF	UW Legal Services		613	613		613	613		613	613		613	613	
7	TG	Sunshine Committee Staffing	183		183	183		183	183		183	183		183	
8	TH	Medicaid Fraud Authority		2,845	2,845		4,372	4,372		4,372	4,372		4,372	4,372	
			337	6,706	7,043	337	8,233	8,570	337	8,233	8,570	337	8,233	8,570	