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**To: Legislative Research Commission
Interim Joint Committee on Appropriations and
Revenue**

**From: Cookie Crews, Commissioner
Kentucky Department of Corrections**

Date: October 10, 2025

RE: 24RS HB 6 - Pre-trial Housing Study

Pursuant to the requirements outlined in 2024 House Bill 6 enacted as part of the 2024–2026 Budget Bill, the Department of Corrections (DOC), in cooperation with county jails, has conducted a statewide Pretrial Housing Study survey.

To collect this information, DOC issued a statewide survey to county jails for the 2024–2025 fiscal year and 49 out of 77 jails responded. A copy of the survey instrument is enclosed, along with the self-reported data from each jail.

There are inconsistencies in the data that DOC is unable to clarify or validate. For example, some jails reported no offenders with Capital offenses but responded to the average number of jail days for offenders with Capital offenses. DOC does not collect this information through other avenues and has no way to verify the information or the varying impacts cited by the county jails.

In the summary of data below, the median was used as the average because responses varied so widely between jails. DOC recommends reviewing the self-reported data for information on how each jail is impacted by pretrial housing, as there is a significant amount of variation between number of offenders and days housed, as well as financial impact to the jails.

The data collected includes:

- The average number of days of pre-adjudication incarceration for defendants charged with

capital crimes, capital crimes with aggravators, Class A felonies, and Class B felony sex offenses, as reported by county jails.

- Per the jails that responded to this question, the median number of days an offender stayed in jail before they were sentenced was 365 days for Capital crimes, 311.5 days for Capital crimes with aggravators, 348.5 days for Class A felonies, and 246.5 days for Class B felony sex offenses.
- The average number of days from arraignment in District Court to Circuit Court arraignment, conviction, and post-conviction sentencing at the statewide, regional, and local Circuit Court levels, as reported by county jails.
 - Per the jails that responded to this question, the median number of days an offender in jail from their first court appearance in District Court to their first court appearance in Circuit Court was 40 days for Capital crimes, 28.5 days for Capital crimes with aggravators, 57 days for Class A felonies, and 60 days for Class B felony sex offenses.
 - Per the jails that responded to this question, the median number of days an offender stayed in jail from their first Circuit Court appearance until they were found guilty and sentenced was 382.5 days for Capital crimes, 150 days for Capital crimes with aggravators, 365 days for Class A felonies, and 237 days for Class B felony sex offenses.
- Cost estimates related to housing, projected savings, and other relevant impacts, as reported by county jails.
 - When the 49 responding jails were asked how they would be impacted if defendants with these charges were moved to state custody 60 days after their Circuit Court arraignment, 2 jails said it would create additional costs, 28 jails said it would result in cost savings, 8 jails said it would result in a loss of revenue, 1 jail said it would have no significant impact, and 10 jails were unsure. Some jails provided additional explanation for these responses in the last question.

Footnotes on data treatment for calculations:

For responses formatted as “120 days”, the word “days” was removed. Similarly, “365+” was converted to “365”. For responses given as a range such as “80-100”, the maximum number was used. Responses given in weeks, months, or years, were converted to days using 7 days per week, 30 days per month, or 365 days per year. Responses of “0” were considered to be a count of days, while blank responses, “N/A”, “not tracked”, or similar were excluded.

DOC does not have the information necessary to determine the potential impact to DOC since pre-trial inmates do not go through the classification process. It is impossible to determine an accurate assessment of such a profound change to the corrections system without a detailed proposal.