

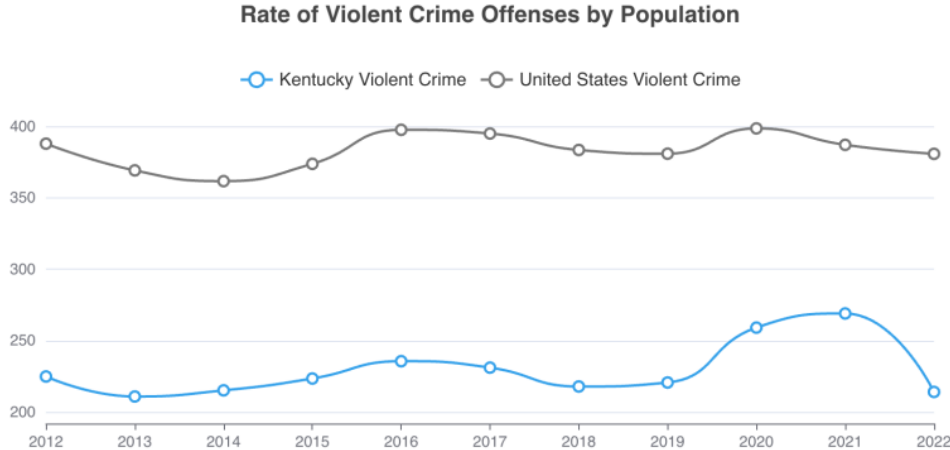
## Crime Statistics Do Not Support Claims of a Crime Wave

The sponsors of House Bill 5 (HB 5), which will significantly increase incarceration in Kentucky by harshening penalties and lengthening sentences for a broad array of crimes, claim that we are in the middle of a violent crime wave. But the [available crime data](#) does not support these claims. Kentucky's crime rate is very low compared to other states and its violent crime rate is dropping, including for crimes with enhanced sentences under HB 5.

### Overall, the violent crime rate in Kentucky is low and is declining

It is true that crime spiked nationally and in Kentucky during the COVID pandemic. But as illustrated in the graph below, the violent crime rate is dropping rapidly and is much lower in Kentucky than the nation. It is important to note that as used in this section, the definition of "violent crime" is consistent with the definition used by the FBI and includes murder, non-negligent manslaughter, rape, aggravated assault, and robbery. <sup>i</sup>

- Kentucky's violent crime rate is declining and remains significantly below the national average. FBI crime data from 2022 shows that Kentucky's violent crime rate is 5% lower than it was in 2012, and that Kentucky's rate of violent crime is 44% lower than the national average, with a significant drop between 2021 and 2022.



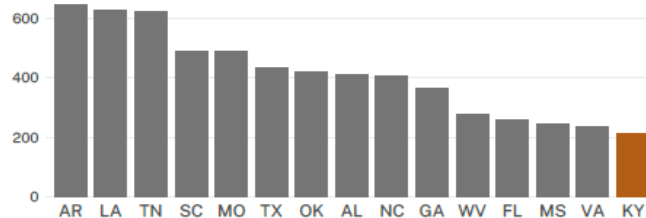
Source: <https://cde.ucr.cjis.gov/LATEST/webapp/#/pages/explorer/crime/crime-trend>

- Kentucky has the lowest violent crime rate in a 15-state region identified by the Council for State Governments and the seventh lowest rate in the nation. <sup>ii</sup>

## There were 9,663 violent index crime incidents reported to police in Kentucky in 2022.

Kentucky had the lowest violent crime rate in the region and the 7th-lowest violent crime rate in the country.

**Figure 12. Violent index crime reported to police**  
Rate per 100k residents, Southern Region, 2022



FBI Uniform Crime Reporting Program SRS

See note on page 7 for more information about FBI Uniform Crime Reporting Program data quality.

8 \* Kentucky Criminal Justice Data Snapshot

Source: [https://justicereinvestmentinitiative.org/wp-content/uploads/2024/01/Kentucky-Criminal-Justice-Data-Snapshot\\_accessible.pdf](https://justicereinvestmentinitiative.org/wp-content/uploads/2024/01/Kentucky-Criminal-Justice-Data-Snapshot_accessible.pdf)

- The [most recent report](#) on crime in Kentucky published by the Kentucky State Police for calendar year 2022 compares the number of offenses reported within 23 specific categories between 2021 and 2022, including both personal and property crimes. The report shows a decrease in crime based on all 23 of these offenses.<sup>iii</sup>

### **Focusing on Kentucky’s homicide rate as justification for HB 5 is inappropriate because sentences for murder are already very long and not increased by HB 5**

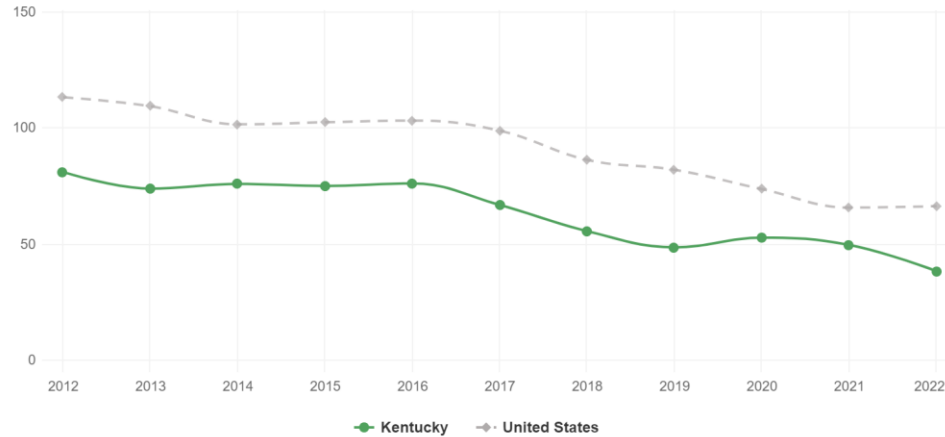
The murder rate in Kentucky spiked above the national average in 2020 and 2021, during the height of the COVID pandemic, and remains slightly above the national average, but fell significantly in 2022. But the focus on this statistic as justification for HB 5 is unfounded because:

- Murder is already a capital offense in Kentucky – the harshest penalty available. At minimum, murder has a 20-year prison sentence and includes the possibility of the death penalty; and
- A person convicted of manslaughter in the first degree (as well as any other Class A or B felony resulting in a death or serious physical injury) is already denied early release and must serve at least 85% of their sentence.

## Kentucky's robbery rate is low and continues to fall – Yet HB 5 harshens penalties for Robbery in the second degree

### Robbery in Kentucky

Incidents reported to police per 100,000 residents where robbery was the most serious offense



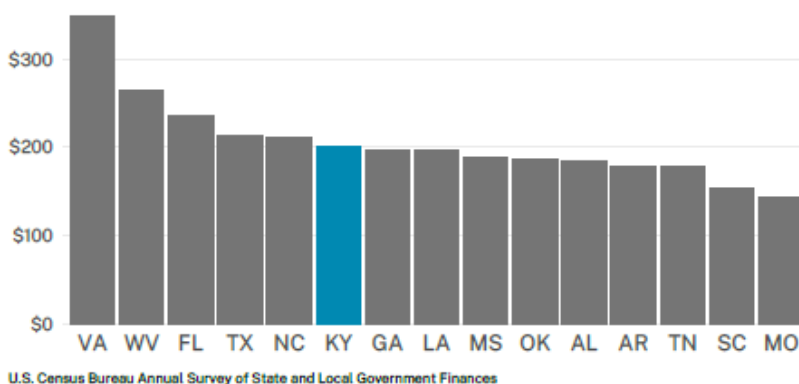
FBI Uniform Crime Reporting Program SRS state estimates

- **Kentucky's robbery rate is falling** - The robbery rate has fallen by 53% in Kentucky since 2012, and the rate in Kentucky has fallen faster than the national average over this period (a 42% decline). Although the robbery rate increased nationally between 2021 and 2022 by 1.3%, Kentucky's robbery rate dropped by 23% during that same period.
- **Yet HB 5 includes harsher penalties for robbery in the second degree** - Despite this statistic, HB 5 harshens the penalties for a person convicted of robbery in the second degree by not allowing any form of early release and requiring that a person serve 85% of their sentence (Note that people convicted of robbery in the first degree are already ineligible for early release and must serve 85% of their sentence).
- **The cost of increased penalties for robbery is high** - If the 792 people currently serving time on robbery in the second degree were convicted with these provisions in place, the **additional cost of HB 5 to Kentucky from this provision alone would be at least \$219,776,040 over the term of their imprisonment.**

**Kentucky already spends a lot on corrections – and incarcerates more people per capita than most states despite long having a relatively low crime rate**

In 2021, Kentucky state and local governments spent \$903,404,000 on corrections, which was close to \$200 per resident. As illustrated in the graph below, Kentucky’s expenditures were sixth highest per resident in the 15 state Southern Region.

**Figure 30. State and local corrections expenditures**  
Total per resident, Southern Region, 2021



Source: <https://projects.csgjusticecenter.org/tools-for-states-to-address-crime/50-state-crime-data/?state=KY>

Based on the [latest data](#) from the Bureau of Justice Statistics from 2021, Kentucky has the ninth highest incarceration in the United States at 530 people per 100,000.

There are [currently](#) 19,309 people incarcerated in a correctional facility in Kentucky – a number greater than the population of 57 of Kentucky’s counties. More than 3,500 of them are over 50 years old, and more than 4,000 of them are serving a sentence of greater than 20 years. The current average sentence length is 14 years.

The latest [jail population](#) report reflects that 49 of Kentucky’s full-service jails, or 69% of them, are over capacity, and in more than half of them, this condition is chronic.

Kentucky’s crowded system cannot humanely accommodate the influx of additional people who will be incarcerated for much longer if HB 5 passes in its current form.

---

<sup>i</sup> Note that the definition of “[violent offender](#)” in Kentucky is much broader than that used by the FBI and includes all the crimes listed by the FBI as well as dozens more.

---

<sup>ii</sup> The Council of State Governments Justice Center, "Kentucky Criminal Justice Data Snapshot", December 2023, [https://justicereinvestmentinitiative.org/wp-content/uploads/2024/01/Kentucky-Criminal-Justice-Data-Snapshot\\_accessible.pdf](https://justicereinvestmentinitiative.org/wp-content/uploads/2024/01/Kentucky-Criminal-Justice-Data-Snapshot_accessible.pdf).

<sup>iii</sup> Following publication of this report, homicide data included for Jefferson County was questioned and the Louisville Metro Police Department reported that homicides in Louisville were 164 in 2022, not the 64 included in the report. However even with the inclusion of 100 more homicides in Jefferson County, the overall decrease in reported crimes is 9.17%, and the homicide rate still declined, but by 19% rather than 33%. [https://www.wdrb.com/in-depth/a-state-crime-report-says-kentucky-homicides-fell-by-33-but-the-numbers-are-wrong/article\\_7a3e2c96-2b14-11ee-8152-d352da59d5d2.html](https://www.wdrb.com/in-depth/a-state-crime-report-says-kentucky-homicides-fell-by-33-but-the-numbers-are-wrong/article_7a3e2c96-2b14-11ee-8152-d352da59d5d2.html). A further report questioned all data submitted by LMPD but even with the additional crimes, the overall decrease in listed crimes would be 2.1% [https://www.wdrb.com/wdrb-investigates/lmpd-says-none-of-its-crime-numbers-are-correct-in-annual-kentucky-report/article\\_c2d48204-6136-11ee-a06a-d306438ad0f1.html](https://www.wdrb.com/wdrb-investigates/lmpd-says-none-of-its-crime-numbers-are-correct-in-annual-kentucky-report/article_c2d48204-6136-11ee-a06a-d306438ad0f1.html).