



Department of Public Advocacy

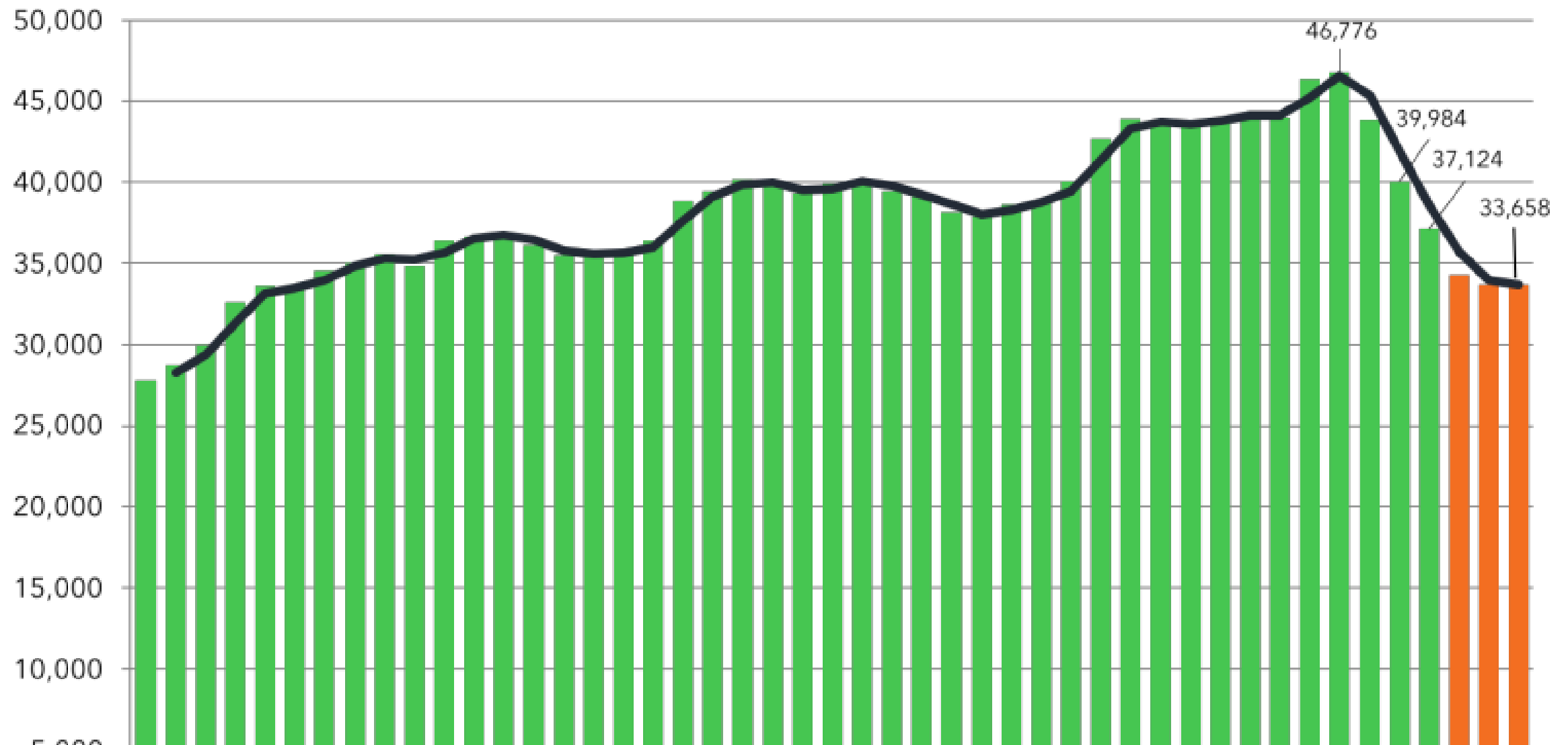
Good Ideas for #kyga19

Many Thanks!





NUMBER OF **LAW GRADUATES** FROM ABA-ACCREDITED LAW SCHOOLS, 1973 TO 2019







My Vision for DPA

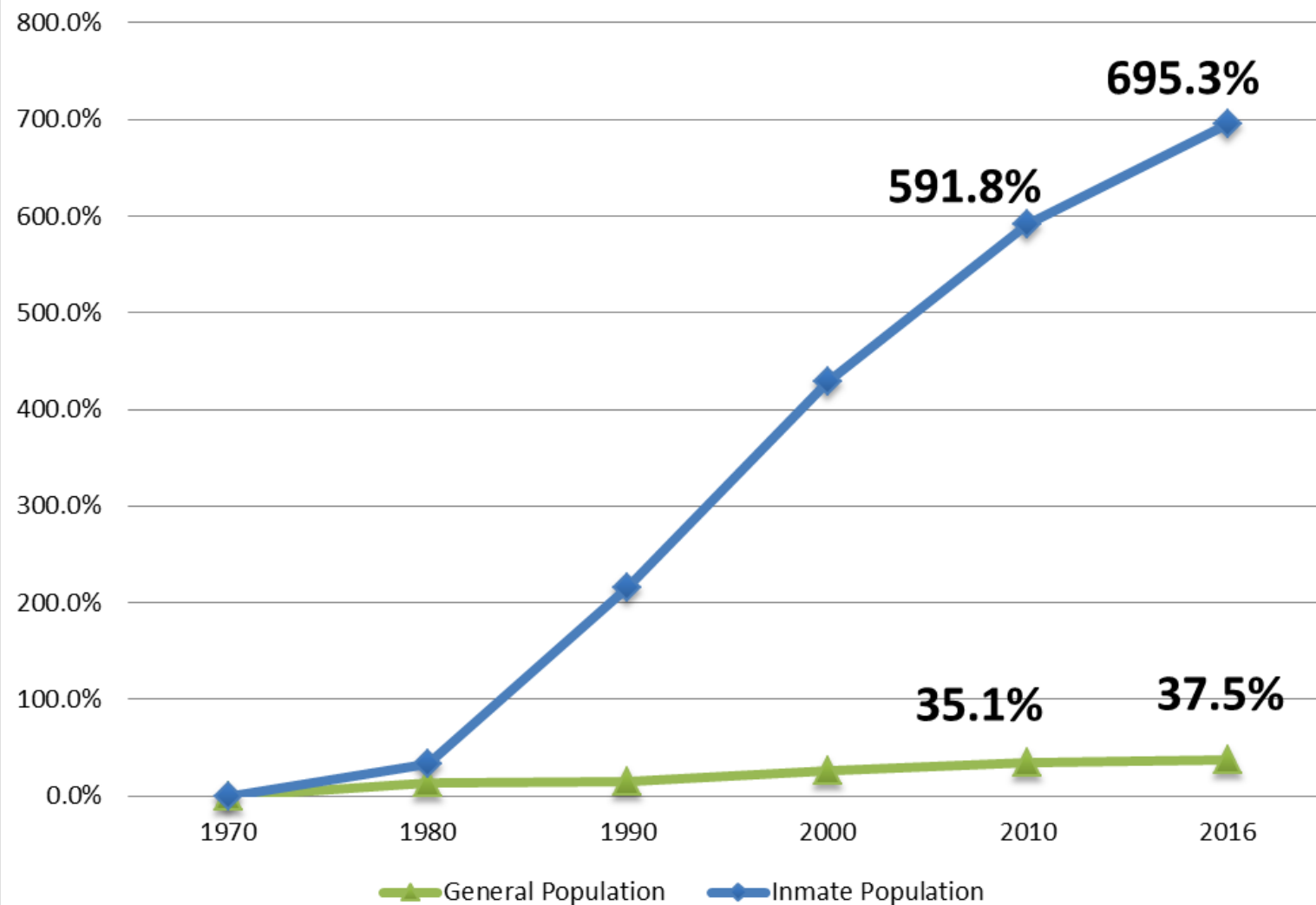
Every client receives
professional and excellent
legal services delivered with
passion, respect, and
empathy.



#DPATour18

Kentucky Inmate Population vs General Population

(Trend since 1970)



The Perspective Underlying our Recommendations...

- Our clients are people
 - worthy of respect and dignity,
 - even when they've made mistakes,
 - even serious mistakes
- Our clients are our neighbors
 - Parents of the kids in our local school
 - Workers at the local grocery store or restaurant
 - Fellow members of our church



Expungement

Why not make it available for almost everyone?

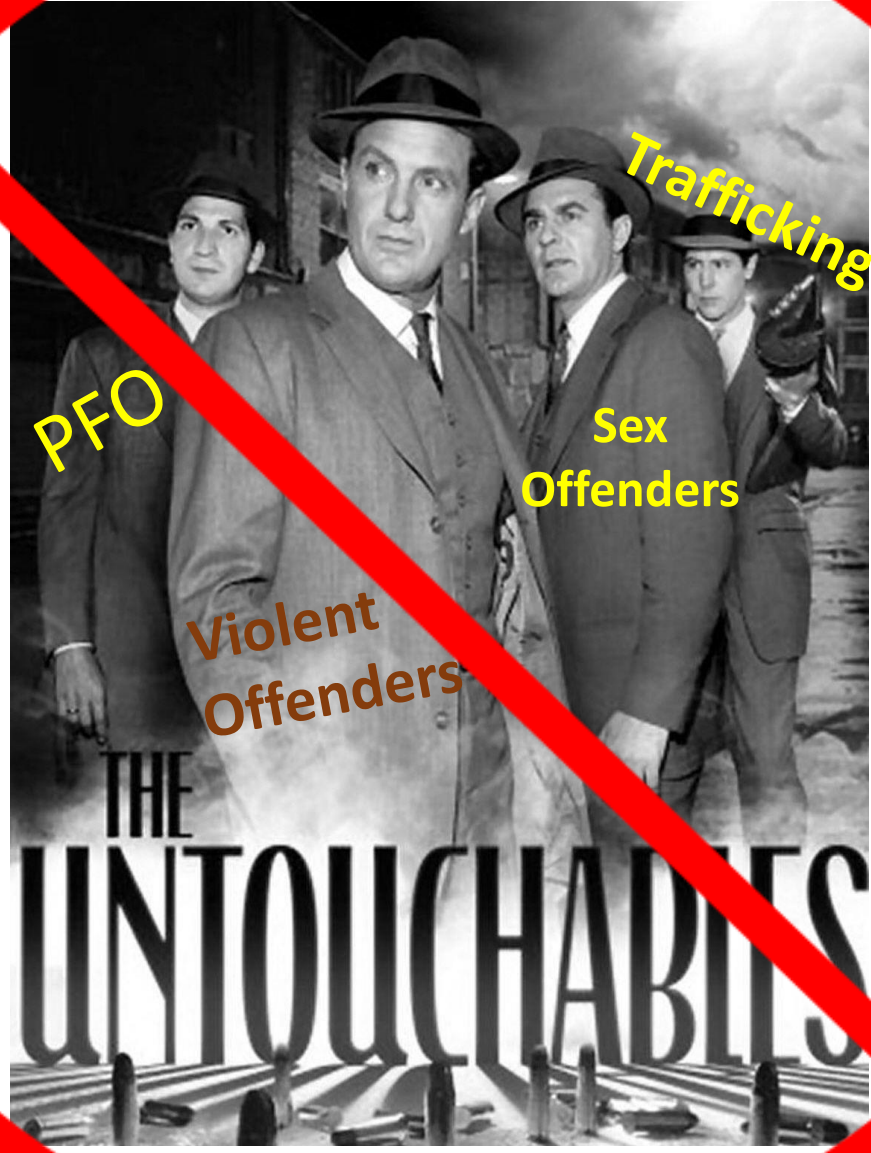


- 25-year employment history with advancements
- Good references
- Highly skilled in relevant areas
- Motivated and Dependable
- No criminal record since 1989 conviction for _____? _____

Expanded Expungement

- Staggered Eligibility for convictions
 - 5 years for Class D felonies (with exceptions)
 - 10 years for remaining Class D felonies and some Class C felonies
 - 15 years for remaining Class C felonies
 - 20 years for Class A and B felonies

IMPORTANT: Clock runs from end of sentence
- Expand expungement of dismissals or acquittals
 - Include dismissals without prejudice
 - Automatic expungement after 12 months



PFO

Trafficking

Sex
Offenders

Violent
Offenders

THE
UNTOUCHABLES

TOUCHING THE UNTOUCHABLES

- PFO
 - Leave it up to the jury
- Violent Offenders
 - Return to 50% as it was prior to 1994 federal incentive
- Sex offenders
 - Incentives for compliance for non-predatory offenders
- Trafficking
 - Distinguish transfers between addicts from commercial sales

Criminal Justice Reform



Criminal Justice Reform



Criminal Justice Reform

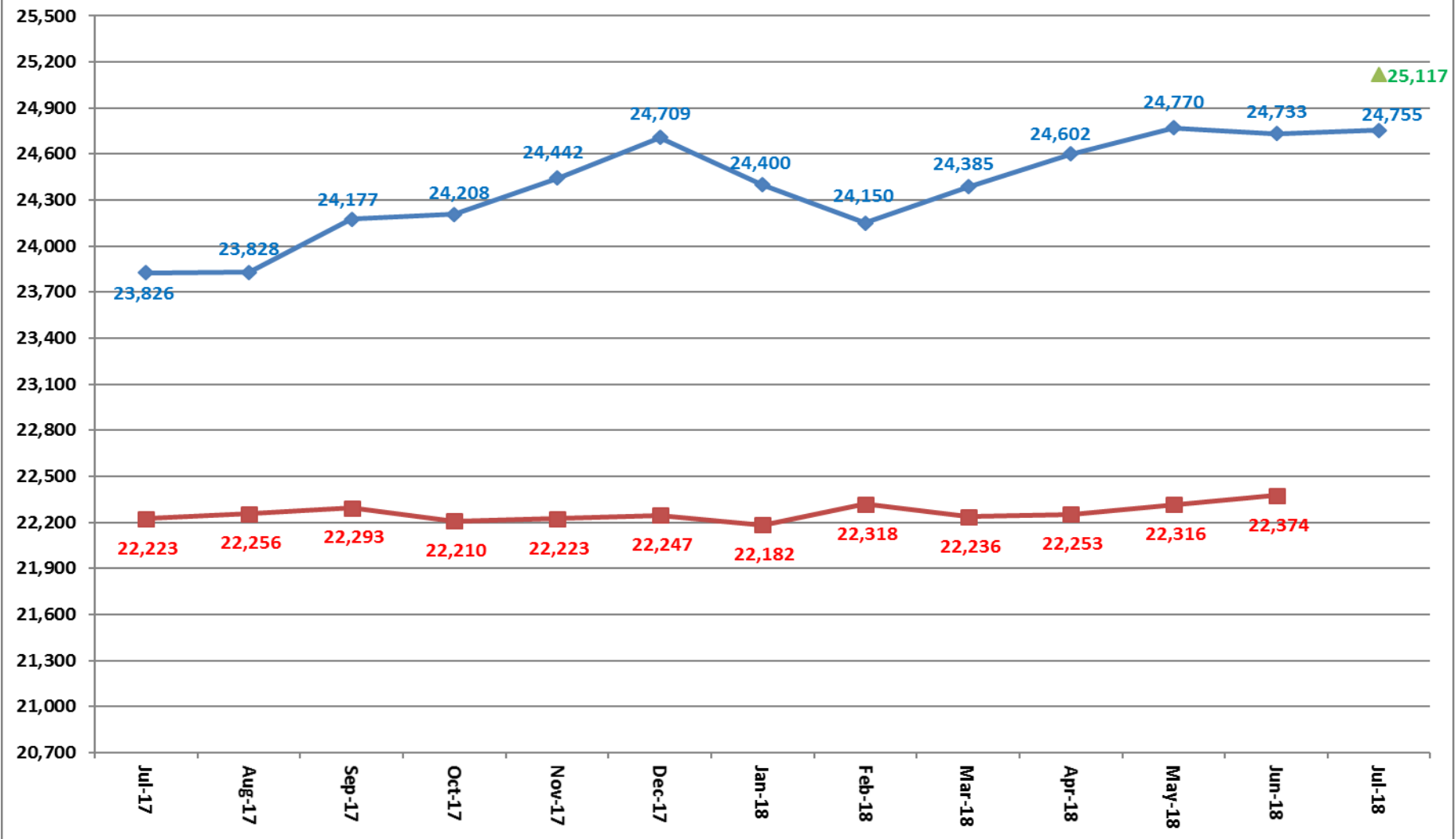


Criminal Justice Reform

- Reexamine Prison Terms
 - Elderly Inmates
 - Maximum sentences for probated terms
 - Life or decades sentences for Class B offenses
 - Mandatory consecutive sentences



Inmate Population between July 15, 2017 to July 15, 2018



FY16-18 consensus blended population (adjusted for HB303 enacted) projections are included for December 2015 – June 2018. FY18-20 consensus blended population projections are included starting with July 2018.

Changes to Criminal Law in #kyga18

New Crimes or Increased Sentence

- 508.025 – Assault 3rd
- 510.050 – Rape 2nd
- 510.060 – Rape 3rd
- 525.045 – Terrorism
- 510.080 – Sodomy 2nd
- 510.090 – Sodomy 3rd
- 510.110 – Sex Abuse 1st
- 510.120 – Sex Abuse 2nd
- 17.500 – Expanded Registrants
- 311.780 – Abortion
- 311.990 – Telehealth Abortion
- 506.170 – Gang Enhancement
- 506.120 – Criminal Gang Syndicate
- 501.110 – Liability for drone offenses
- 525.015 – Obstructing Emergency Responder
- 531.010 – Distributing Private Material Without Consent
- 506.140 – Criminal Gang Recruitment
- 506.160 – Mandatory Minimum for Gang Members
- 511.100 – Trespass Upon Infrastructure Assets
- 527.040 – Possession of Firearm by Convicted Felon
- 510.010 – Expansion of Sexual Intercourse Definition
- 281A.185 – No Diversion for CDL Holders
- 17.545 – Sex Registrant New Restrictions
- 510.020 – Jenna’s Law – Age of Consent
- 500.130 – Unauthorized Operation of Drone
- 439.3401 – Violent Offender Expansion



Eliminated Crimes or Reduced Sentence

- 439.3110 – Temporary release of pregnant inmates
- 441.127 – Increase in misdemeanor jail credits



**CAN WE IMPROVE
THE JUSTICE SYSTEM,
FAMILIES IN KENTUCKY,
OUTCOMES FOR OFFENDERS,
PUBLIC SAFETY
AND SAVE MONEY
ALL AT THE SAME TIME?**

