Local Mandate Fiscal Impact Estimate Kentucky Legislative Research Commission 2015 Regular Session

Part I: Measure Information

Bill Request #: 483	
Bill #: HB 310	
Bill Subject/Title: _	An Act relating to day reporting centers
Sponsor: Representative Joni L. Jenkins	
Unit of Government:	XCityXCountyXUrban-CountyXCharter CountyXConsolidated LocalXGovernment
Office(s) Impacted:	County Jails
Requirement:	Mandatory X Optional
Effect on Powers & Duties:	Modifies Existing X Adds New Eliminates Existing
Part II: Purpose and Mechanics	

This proposal provides for Day Reporting Programs as an alternative sentencing option for the court system and probation. The program allows eligible offenders to participate in this program in lieu of incarceration, thereby reducing the population within the main jail facility.

Part III: Fiscal Explanation, Bill Provisions, and Estimated Cost

The fiscal impact of HB 310 on local governments is expected to be a moderate savings.

Offenders that would normally be sentenced to incarceration might be eligible for participation in a Day Reporting Program.

The following Louisville-specific data was made available by GEO Reentry Services regarding the day reporting program they helped establish in Louisville. Louisville Metro Department of Corrections (LMDOC) when faced with jail overcrowding adopted a day reporting program in March 2011. The initial program had 75 participants, and included an offender-specific curriculum that has since been proven effective at reducing

repeat offenders. Louisville-specific data reflects the program has benefitted Jefferson County financially saving them \$43 per day per participant. Per day cost of incarceration to Jefferson County was \$65 per participant. The day reporting program cost was \$18 per day per participant.

Looking at this proposal from a state-wide perspective, a smaller cost savings than what LMDOC experienced can be identified. In addition to other intake requirements, eligible participants are those individuals convicted of a misdemeanor or a felony who are eligible to serve all or part of his or her sentence in the county jail.

A person convicted of a Class B misdemeanor may be incarcerated for up to 90 days. A person convicted of a Class A misdemeanor may be incarcerated for up to one year. Misdemeanants are housed in one of Kentucky's 78 full service jails or five life safety jails.

When a court denies bail to a Class D or Class C felony defendant, the local government is responsible for incarcerating the defendant until disposition of the case in one of Kentucky's 78 full service jails or five life safety jails. Upon sentencing, a Class D felon is housed in one of Kentucky's full service jails for the duration of his or her sentence. Class C felons are ineligible for placement in local jails until they are classified at the lowest custody level with 18 months or less to their minimum expiration date or parole eligibility date.

While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an estimated average of \$31.24 per day. The Department of Corrections pays a jail \$31.24 per day to house a class D or C felon. Since the per diem pays for the estimated average cost of housing a Class D or C felon, the per diem may be less than, equal to, or greater than the actual housing cost.

Data Source(s): GEO Reentry Services; Louisville Metro Department of Corrections; LRC Staff

Preparer: Wendell F. Butler **Reviewer:** MCY **Date:** 1/22/15