

CORRECTIONS IMPACT STATEMENT

SESSION: 15RS **BILL #:** HB 382 Introduced **BR #:** 1057 **DOC ID#:** BR105700.100 - 1057 - 1885

BILL SPONSOR(S): Rep. R. Bunch **AMENDMENT SPONSOR(S):**

SUBJECT: AN ACT relating to violent offenders.

SUMMARY OF LEGISLATION: Amend KRS 439.3401 to include within the definition of "violent offender" persons who have been convicted of an attempt to commit a capital offense.

This bill amendment committee substitute is expected to:

Have the following Corrections impact Have no Corrections impact

- | | |
|--|---|
| <input type="checkbox"/> Creates new crime(s)
<input type="checkbox"/> Increases penalty for existing crime(s)
<input checked="" type="checkbox"/> Increases incarceration
<input type="checkbox"/> Reduces inmate/offender services
<input type="checkbox"/> Increases staff time or positions
<input checked="" type="checkbox"/> Changes elements of offense for existing crime(s)
<input type="checkbox"/> Otherwise impacts incarceration (Explain) _____ | <input type="checkbox"/> Repeals existing crime(s)
<input type="checkbox"/> Decreases penalty for existing crime(s)
<input type="checkbox"/> Decreases incarceration
<input type="checkbox"/> Increases inmate/offender services
<input type="checkbox"/> Reduces staff time or positions |
|--|---|

STATE IMPACT: Class A, B & C felonies are based on an average daily prison rate of \$60.38. Most Class D felons are housed in one of 78 full service jails for up to 5 years. DOC's cost to incarcerate a felony inmate in a jail is \$32.92 per day (includes jail per diem, medical & central office costs), not including substance abuse treatment. Projections are based on the daily rate x 365 x number of years.

Projected Impact: NONE MINIMAL MODERATE SIGNIFICANT

Potential Impact: Section 1 Would elevate an attempt to commit a capital offense to violent offender status. This would require a minimum service requirement of 85% of the sentence imposed. While it is not possible to predict how many new felons this bill would generate, it would increase costs associated with incarceration. The chart below reflects the current number of inmates serving a sentence of imprisonment for Criminal Attempt to Commit Murder.

Number of current inmates serving on Attempted Murder – Violent offense	75
Number of current inmates serving Attempted Murder- Non-Violent offense	143
Total Number of current inmates serving Criminal Attempt to Commit Murder	218

A Class B Felony sentence is 10 to 20 years 10 Class B Felons cost \$2.2M to \$4.4M.
 1 Class B Felon costs Ky. \$220,382 to \$440,763. 100 Class B Felons cost \$22M to \$44M.

LOCAL IMPACT: Local governments are responsible for the cost of incarcerating individuals charged with Class A or B misdemeanors and felony defendants until disposition of the case. While the expense varies by jail, this estimated impact will be based on \$32.25 per day, which equals the per diem and medical that DOC pays jails to house felony offenders.

Creates no new misdemeanor offenses.

The following offices contributed to this Corrections Impact Statement:

- Dept. of Corrections Dept. of Kentucky State Police Administrative Office of the Courts Parole Board Other

NOTE: Consideration should be given to the cumulative impact of all bills that increase the felon population or that impose new obligations on state or local governments.

APPROVED BY: _____

Commissioner, Kentucky Department of Corrections

_____ Date