

The provisions of HB 542 will allow convictions for Class D felony assault in the fourth degree to be made more easily. This may raise some convictions of what might have been Class A misdemeanors to become convictions as Class D felonies. Thus, there may be some small increase in Class D felony convictions and incarcerations.

When a court denies bail to a Class D 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. While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an estimated average of \$31.34 per day. However, upon sentencing, a Class D felon is housed in one of Kentucky's full service jails for the duration of his or her sentence. The Department of Corrections pays a jail \$31.34 per day to house a D felon. Since the per diem pays for the estimated average cost of housing a Class D felon, the per diem may be less than, equal to, or greater than the actual housing cost.

Data Source(s): Kentucky Department of Corrections; LRC staff

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