

CORRECTIONS IMPACT STATEMENT

SESSION: 16RS

BILL #: HB 173

BR #: 804

DOC ID#: BR080400.100 - 804 - 1063

BILL SPONSOR(S): Rep. J. Fischer AMENDMENT SPONSOR(S):

SUBJECT: . AN ACT relating to crimes and punishments.

SUMMARY OF LEGISLATION:

Amend KRS 439.3406 and 532.400 to move Class B felony offenders from the mandatory reentry supervision program into the postincarceration supervision program; include noncodified transitional provisions.

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

STATE IMPACT: Class A, B & C felonies are based on an average daily prison rate of \$61.09. 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 \$31.92 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 Cost: Section The proposed legislation will have a significant impact on incarceration and supervision of offenders. By removing the offenders with a Class B felony from eligibility for Mandatory Re-entry Supervision there would be an increase in length of incarceration by 6 months. Then there will be additional time spent on Post Incarceration Supervision. Post Incarceration Supervision lasts 1 year whereas Mandatory Reentry Supervision is 6 months. In addition with the recidivism rate for Post Incarceration Supervision an additional cost will be accrued. Factors used to come up with the potential cost include the Post Incarceration recidivism rates and the number of class B felons released on MRS over the last 4 years. Using the 2015 Jail w/out Substance Abuse Program Daily Cost to Incarcerate and the 2015 Cost of Supervision, these changes would cost approximately \$1,683,988.82 per year.

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 \$31.34 per day, which equals the per diem and medical that DOC pays jails to house felony offenders.

Section

Based on the \$31.34 per diem rate, the local impact is estimated as follows:

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