

# CORRECTIONS IMPACT STATEMENT

SESSION: 16RS

BILL #: SB 150

BR #: 443

DOC ID#:

**BILL SPONSOR(S):** Sen. J. Adams, D. Carroll, R. Alvarado, T. Buford, D. Harper Angel, A. Kerr, M. McGarvey, W. Westerfield  
**AMENDMENT SPONSOR(S):**

**SUBJECT:** AN ACT relating to DNA.

**SUMMARY OF LEGISLATION:** Amend KRS 17.169 to include local law enforcement as persons authorized to collect DNA samples; amend KRS 17.170 to provide for the collection of DNA samples at arrest or initial appearance from all persons charged with a felony offense; amend KRS 17.175 to provide for expungement of DNA samples in specified circumstances and allow use of all samples collected in good faith; amend KRS 64.060 to establish a \$5 payment from the State Treasury to the collecting agency for each DNA sample collected.

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 type="checkbox"/> Increases incarceration                           | <input type="checkbox"/> Decreases incarceration                    |
| <input type="checkbox"/> Reduces inmate/offender services                  | <input type="checkbox"/> Increases inmate/offender services         |
| <input type="checkbox"/> Increases staff time or positions                 | <input checked="" 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 \$32.51 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 Savings:** The proposed legislation would result in the Department of Corrections no longer having to collect DNA samples. This would reduce the work load on staff freeing up resources. More prints would be available to law enforcement the Department of Corrections only collects DNA from convicted felons.

In 2015, 14,319 DNA prints were collected by the Probation and Parole Officers. It takes approximately 20 minutes to take and process each print. Under the proposed legislation the Department of Corrections would save the equivalent of the man hours for 2.45 Probation and Parole Officer I positions or \$71,366.36 a 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 \$31.92 per day, which equals the per diem and medical that DOC pays jails to house felony offenders.

**Projected Impact:**  NONE  MINIMAL  MODERATE  SIGNIFICANT

Creates no new misdemeanor offenses. While the proposed legislation will not increase incarceration costs on a local level, local law enforcement will be responsible for the collection of DNA samples and for sending them to the State Police Laboratory.

**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