

CORRECTIONS IMPACT STATEMENT

SESSION: 16RS

BILL #: SB 292

BR #: 335

DOC ID#:

BILL SPONSOR(S): Sen. G. Neal

AMENDMENT SPONSOR(S):

SUBJECT: AN ACT relating to racial impact statements.

SUMMARY OF LEGISLATION: Create a new section of KRS Chapter 6, relating to legislation considered by the General Assembly, to require racial impact statements when indicated.

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
\$0-\$1,000,000 \$1,000,000- \$5,000,000 \$5,000,000- Up

Potential Impact: The Department of Corrections would be required to assist the Commission on Human Rights in providing a racial impact statement on all proposed legislation. Currently, during the legislative session, the Department of Corrections is responsible for creating impact statements on each piece of legislation that could impact the Department. Using existing data for crimes that have already been created, the Department of Corrections may be able to extrapolate some numbers as to what the racial breakdown may be on some crimes. However, it would be extremely difficult to determine the racial impact on the legislation of new crimes. While the cost to complete racial impact statements may be considered minimal, the staff requirements to develop the impact statements could be significant due to the number of staff and man hours that would be needed to determine the racial impact of legislation.

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.

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