

1 A RESOLUTION urging drug crime diversion programs.

2 WHEREAS, the United States has five percent of the world's population, yet our  
3 state and federal prisoners make up 25 percent of the world's prisoners; and

4 WHEREAS, Kentucky ranks tenth among U.S. states in drug offense imprisonment  
5 rates, but ranks 26th in population; and

6 WHEREAS, state incarceration rates for drug offenses have no statistically  
7 significant relationship to rates of illicit drug use, drug overdose deaths, or drug arrests,  
8 according to a study of public data by the PEW Charitable Trust; and

9 WHEREAS, the number of Kentuckians charged for felony drug offenses has  
10 increased 22 percent over the past five years, and misdemeanor drug charges have  
11 increased by 25 percent over that same period, according to the Administrative Office of  
12 the Courts; and

13 WHEREAS, the Bureau of Justice Statistics estimates that half of state and federal  
14 prisoners meet Diagnostic and Statistical Manual for Mental Disorders criteria for drug  
15 abuse or dependence; and

16 WHEREAS, some public policy experts estimate that every dollar spent on drug  
17 treatment returns seven dollars to the public coffers; and

18 WHEREAS, drug court participation through diversion agreements, deferred  
19 prosecutions, or conditional discharges of probation periods provided treatment and case  
20 management to almost 8000 of Kentuckians from the initial pilot programs in 1996 to the  
21 113 counties offering drug court as of the 2016 fiscal year; and

22 WHEREAS, a growing number of public policy voices are speaking out for pre-  
23 arrest diversion to treatment, such as Law Enforcement Leaders to Reduce Crime and  
24 Incarceration and the Police, Treatment, and Community Collaborative;

25 NOW, THEREFORE,

26 ***Be it resolved by the House of Representatives of the General Assembly of the***  
27 ***Commonwealth of Kentucky:***

1           ➔Section 1. The members of the House of Representatives applaud the outreach  
2 efforts of prosecutors, defense attorneys, courts, pretrial specialists, corrections  
3 professionals, and treatment providers to provide help to criminal defendants with  
4 substance use disorders. The members of the House of Representatives encourage all  
5 involved entities to greatly expand those efforts in the interest of public health and  
6 effective management of limited resources.

7           ➔Section 2. The members of the House of Representatives encourage local police  
8 departments to consider diverting nonviolent offenders with substance use disorders away  
9 from the criminal justice system and into community-based interventions.

10          ➔Section 3. The Clerk of the House of Representatives is directed to transmit a  
11 copy of this Resolution to the secretary of the Justice and Public Safety Cabinet, the  
12 secretary of the Cabinet for Health and Family Services, the Kentucky Attorney General,  
13 the Kentucky County Attorneys Association, the Kentucky Commonwealth Attorneys  
14 Association, and the Kentucky Fraternal Order of Police.