

1           A RESOLUTION urging adoption of racial and ethnic community criminal justice  
2 and public safety impact statements.

3           WHEREAS, public policymakers are increasingly concerned with the disparity  
4 between the number of minorities in the population and the number incarcerated in jails  
5 and prisons; and

6           WHEREAS, racial and ethnic disparities in America's criminal justice system result  
7 in devastating consequences to society; and

8           WHEREAS, families of incarcerated individuals face the shame and stigma  
9 associated with incarceration, as well as the loss of financial and emotional support of a  
10 loved one; and

11           WHEREAS, individuals reentering society face daunting employment challenges,  
12 reduced lifetime employment earnings, and lack of access to public benefits; and

13           WHEREAS, high rates of recidivism and burgeoning prison system costs affect all  
14 communities; and

15           WHEREAS, nationally, one of every nine black males between 20 and 34 years old  
16 is incarcerated; and

17           WHEREAS, 37 percent of prisoners under federal and state jurisdiction at the end  
18 of 2014 were black, 32 percent were white, and 22 percent were Hispanic; and

19           WHEREAS, according to 2014 United States Census data, 13.2 percent of the  
20 United States population is black; and

21           WHEREAS, in Kentucky, 21 percent of the prison population is African-American  
22 but, according to 2016 United States Census data, 10.2 percent of the Kentucky  
23 population is black or reports two or more races; and

24           WHEREAS, criminal justice policies, while neutral on their face, often adversely  
25 affect minority communities, and these unintended consequences could be more  
26 adequately addressed prior to adoption of a new initiative, particularly since such  
27 initiatives, once adopted, often are difficult to reverse; and

1 WHEREAS, strong independent state legislatures need the tools, information, and  
2 resources to craft the best solutions to difficult problems; and

3 WHEREAS, racial and ethnic community criminal justice and public safety impact  
4 statements are tools to guide policymakers in proactively assessing how proposed  
5 sentencing initiatives affect racial and ethnic disparities of adults and juveniles in the  
6 criminal justice system. Similar to fiscal and corrections impact statements, they provide  
7 legislators and agencies with a statistical analysis of the projected impact of policy  
8 changes before legislative deliberation or administrative regulation adoption; and

9 WHEREAS, four states – Iowa, Connecticut, Oregon, and New Jersey – have  
10 implemented racial impact statement requirements in order to guide the creation of fair  
11 criminal justice policies; and

12 WHEREAS, it is altogether fitting and proper, and in the public interest, to require  
13 racial and ethnic community criminal justice and public safety impact statements to be  
14 prepared for bills, resolutions, or amendments that may result in an increase or a decrease  
15 in adult and juvenile pretrial detention, sentencing, probation, or parole populations; and

16 WHEREAS, it is also altogether fitting and proper, and in the public interest, to  
17 require racial and ethnic community criminal justice and public safety impact statements  
18 to be included in the notice of a proposed agency rule that could increase or decrease  
19 adult and juvenile pretrial detention, sentencing, probation, or parole populations;

20 NOW, THEREFORE,

21 ***Be it resolved by the Senate of the General Assembly of the Commonwealth of***  
22 ***Kentucky:***

23 ➔Section 1. The Kentucky Senate supports criminal justice reform to make our  
24 justice system more effective and more reflective of our highest ideals.

25 ➔Section 2. The Kentucky Senate urges the General Assembly to adopt  
26 legislation requiring racial and ethnic community criminal justice and public safety  
27 impact statements, in order to better guide legislative decision making.