

Sections 3 and 4:

The Department of Community Based Services within the Cabinet For Health and Family Services along with the Kentucky State Police provided that the number of reported sexual abuse cases involving a 16-17 year old victim and a perpetrator age 28 or older averaged 100 cases per calendar years 2014, 2015, and 2016; and 84 cases for CY 2017 thru November 2.

By expanding what constitutes a Class D felony to include rape in the third degree and sodomy in the third degree, an increase in the number of Class D felons being incarcerated might result.

When a court denies bail to a Class D felony defendant, the local government is responsible for incarcerating the defendant until disposition of the case in one of Kentucky's 76 full service jails or four life safety jails. While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an estimated average of \$31.34 per day, which equals the per diem and medical expenses that the Department of Corrections pays jails to house felony offenders. Upon sentencing, a Class D felon is housed in one of Kentucky's full service jails for the duration of his or her sentence. The Department of Corrections pays a jail \$31.34 per day to house a Class D felon. Since the per diem pays for the estimated average cost of housing a Class D felon, the per diem may be less than, equal to, or greater than the actual housing cost.

Part III: Differences to Local Government Mandate Statement from Prior Versions

The GA version to this bill does not have any changes from the bill as introduced. There were no committee substitutes or floor amendments adopted.

Data Source(s): LRC Staff; Department of Corrections, Kentucky State Police, Department of Community Based Services.

Preparer: Wendell F. Butler **Reviewer:** KHC **Date:** 1/5/18