## Local Government Mandate Statement Kentucky Legislative Research Commission 2020 Regular Session

## Part I: Measure Information

Bill Request #: 196						
Bill #: HB 219						
<b>Document ID #:</b> <u>365</u>						
Bill Subject/Title: AN ACT relating to body cameras.						
Sponsor: Representative Reginald Meeks						
Unit of Government:XCityXCountyXUrban-CountyXCharter CountyXConsolidated LocalXGovernment						
Office(s) Impacted: law enforcement; jails						
Requirement: X Mandatory Optional						
Effect on Powers & Duties: X Modifies Existing Adds New Eliminates Existing						

## Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

BR 196 would amend KRS 61.168 to create a new Class D felony – operation of a bodyworn camera by a law enforcement officer in a manner intended to prevent the creation of evidence with the intent to obstruct justice.

It is indeterminable how many law enforcement officers might violate the prohibition in BR 196. However, creation of a new Class D felony could increase the number of state inmates in local jails, and would increase the total per diem paid by the Kentucky Department of Corrections to local jails to house those state inmates.

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 77 full service jails or three 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 (DOC) 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. A Class D felony is punishable by 1 - 5 years in prison. The Department of Corrections pays a jail \$31.34 per day to house a D felon. If a Class D felon is incarcerated in a local jail for 365 days, the jail is paid \$11,439.10 by DOC. 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 borne by the local jail. If less than the actual cost, the difference between the per diem of \$31.34 and the actual cost of housing the defendant would represent an expense to the local jails. If more than the actual cost, the difference between \$31.34 and the actual cost would represent income to the local jail.

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

Part II, above, pertains to bill as drafted.

Data Source(	s): <u>LRC staff; Depa</u>	artment of Corre	<u>ctions</u>		
Preparer: N	Iary Stephens	<b>Reviewer:</b>	КНС	Date:	1/8/20