

CORRECTIONS IMPACT STATEMENT

SESSION: 24RS BILL #: HB 660 Introduced.

BR #: 1085

BILL SPONSOR(S): Rep. J. Bray

AMENDMENT SPONSOR(S):

TITLE: AN ACT relating to local jails.

SUMMARY OF LEGISLATION: Amend KRS 532.100 to provide that a Class C or D felon may serve his or her term of imprisonment in a local jail in which the fiscal court of the county has agree to house state prisoners, under certain circumstances.

AMENDMENT:

This bill amendment committee substitute is expected to:

Have the following Corrections impact

- Creates new crime(s)
- Increases penalty for existing crime(s)
- Increases incarceration
- Reduces inmate/offender services
- Increases staff time or positions
- Changes elements of the offense for existing crime(s)

Have no Corrections impact.

- Repeals existing crime(s)
- Decreases penalty for existing crime(s)
- Decreases incarceration.
- Increases inmate/offender services.
- Reduces staff time or positions.

Otherwise impacts incarceration (Explain): **Modifies the housing locations for state inmates.**

STATE IMPACT: Class A, B, & C felonies are based on an average daily prison rate of \$116.93. Community Custody Class C and most Class D felons are housed in one of seventy-four (74) full-service or regional jails for up to five (5) years. Department of Corrections cost to incarcerate a felony inmate in jail is \$44.97 per day, which includes \$35.34 per diem, medical costs, and central office administrative costs (substance abuse treatment not included).*

Projected Impact: NONE MINIMAL to MODERATE (< \$1 million) SIGNIFICANT (> \$1 million)

This legislation could have a significant impact on the operational costs at the state level. The necessary appropriations associated with the costs estimated in this corrections impact statement require an increase in current service funding for adult correctional institutions.

It is unknown how many offenders would be impacted by the changes in this legislation however, there are currently over 3,000 inmates in the Class D Program who would become eligible to be housed in alternate locations. It could also affect the approximately 1,800 inmates in the Class C Community Program and approximately 780 in the Class D Extended Program.

The cost to incarcerate an inmate in a state prison is \$116.93 as opposed to the cost to incarcerate an inmate in a local jail is \$44.97 - a difference of \$71.96 per inmate per day. Relocating the existing jail population to prison beds would significantly delay the controlled intake process as fewer prison beds would be available for the new intake.

LOCAL IMPACT: Local governments are responsible for the cost of incarcerating individuals charged with Class A or B misdemeanors and felony defendants until the disposition of the case. The estimated impact will be based on the \$44.97 cost to incarcerate for the Department of Corrections, including \$35.34 per diem and medical that DOC pays jails to house felony offenders. This cost to incarcerate may not be the actual housing cost for the jail.*

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PROJECTED IMPACT FROM AMENDMENTS: NONE MINIMAL to MODERATE (< \$1 million) SIGNIFICANT (> \$1 million)

**All projections are based on the daily rate x 365 days x number of years. The cost to incarcerate as calculated by the Department is shown here as rounded to the hundredths. Offenders may have multiple offenses or be incarcerated on other charges unless otherwise noted. Unless otherwise noted, numbers will include inchoate offenses at the underlying offense level.*

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, lengthen the term of incarceration, or impose new obligations on state or local governments.



APPROVED BY: _____

Chief of Staff, Kentucky Department of Corrections

3/6/2024

Date