

# **The Sentencing Project**

## **Criminal Justice Issues and Prisoners' Rights**

**<https://www.sentencingproject.org/publications/letter-in-support-of-kentucky-efforts-to-improve-public-safety/>**

### **Public Facing Advocacy Writing**

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February 19, 2015

Representative Brent Yonts  
Vice Chair, House Judiciary  
Chair, House State Government Committee  
702 Capitol Ave, Annex Room 366A  
Frankfort, KY 40601

Dear Representative Yonts:

We, the undersigned organizations, a coalition of civil rights, social and criminal justice, and other legal and advocacy organizations, are writing in support of the proposed legislation to safely reduce county and state incarceration costs in 2015. The proposed measures are modest approaches that assist can lawmakers in addressing correctional growth while maintaining public safety. As organizations dedicated to improving sentencing policy and practice, we strongly support your leadership in this area of public policy.

Currently, more than 37,000 Kentuckians are incarcerated in state prisons and jails. There is a growing consensus that high rates of incarceration lead to poor outcomes for communities and that there are more cost effective ways to improve public safety. Policymakers and criminal justice stakeholders are increasingly exploring other policy options.

The proposed legislation offers a range of policy solutions that may impact the states correctional population. The legislation includes:

Kentuckys prison and jail population is a result of two key factors: admissions and length of stay. As either or both of these population drivers change, so too will the resulting correctionalpopulation. While this is a straightforward formula, it is comprised of various factors and decisions made by policymakers and practitioners.

In recent years, other states have made modest changes in policy and practice, while maintaining public safety, to address the growth of their correctional population. More than half the states have scaled back their mandatory sentencing laws. Those changes include:

Louisiana Lawmakers passed House Bill 1068, allowing persons convicted of offenses subject to mandatory minimums to be eligible for probation or parole if agreed to in a negotiated plea deal or as part of post-conviction agreement for persons convicted at trial. Misdemeanor and felony offenses are eligible for sentence relief under the new statute.

Mississippi Policymakers codified several changes into state law, under HB 585, including authorizing a 50% truth-in-sentencing threshold for persons with certain violent offenses. Previously, offenders convicted of violent offenses were required to serve 85% of their prison sentence.

Tennessee Legislators authorized HB 1429 to allow jail time reductions for a second or third driving under the influence conviction for persons who complete alcohol abuse treatment.

In recent years, agreement to address growth in state correctional populations has grown. In many ways, Kentucky has provided leadership with its measured approach that has resulted changes to the states prison population. Nationally, thought leaders like Newt Gingrich, the former Republican Speaker of the House, publicly supports efforts to reduce nations incarceration rate by 50% by 2025. Other conservative leaders, like Senator Rand Paul, also reinforce support to address correctional policies and practices.

The current climate provides an opening to continue in the right direction and address Kentuckys approach to public safety. Reforming

criminal justice policies and practices can result in a reduction in state correctional expenditures and offers an opportunity to leverage public resources towards services proven to reduce crime. Kentucky will benefit from a strategy that uses evidence- based practices to reduce costs and prioritizes savings towards interventions that make us all safer.

Sincerely,

Kentucky Department of Public Advocacy  
Crossroad Bible Institute  
Grassroots Leadership In The Public Interest International CURE Pretrial Justice Institute Prison Policy Initiative  
Southern Center for Human Rights  
The Ella Baker Center for Human Rights  
The Sentencing Project

Increase in U.S. jail & prison population in the last 40 years

Sentencing Policy

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