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March 13, 2017

**Vote "Yes" On Senate Bill 120**

Dear Representative,

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 200 national organizations to promote and protect the rights of all persons in the United States, the Kentucky Council of Churches, and the American Civil Liberties Union of Kentucky, we are writing to express our support for the bipartisan criminal justice package, Senate Bill 120 (S.B. 120). On February 24<sup>th</sup>, S.B. 120 passed the Senate with overwhelming support and the bill was recently reported favorably out of the House Judiciary Committee.

While we regret that lawmakers removed several positive reforms in the final version of the bill – including provisions replacing bail with pre-trial risk assessments, increasing the amount triggering a felony class of offense, increasing the value of credits for each day spent in jail, and establishing protections for defendants during bail determinations – S.B. 120 remains an important first step toward reducing mass incarceration in Kentucky and enabling successful reentry for those who were formerly incarcerated.

Each year, the state of Kentucky spends almost half a billion taxpayer dollars sustaining an ineffective, unjust, and dangerously overcrowded prison system that incarcerates mostly nonviolent offenders<sup>1</sup> and disproportionately impacts communities of color, women, children, and seniors. Kentucky actually leads the nation in the number of children with a parent who has been incarcerated.<sup>2</sup> The state also imprisons women at a higher rate than all other states, except Oklahoma and Idaho.<sup>3</sup> The system has a particularly harsh impact on African Americans; despite making up only 8 percent of the total population in Kentucky, African Americans comprise 23.5 percent of the prison population.<sup>4</sup> Those who return to their communities after finishing their sentence or being granted parole often face almost insurmountable barriers to employment, education, and civic engagement.

S.B. 120 attempts to address some of these issues. By expanding fair chance hiring protections in the field of licensing, the bill eliminates a significant barrier to employment for those who were formerly incarcerated and looking to rebuild their lives and careers. Securing and holding employment is imperative to successful re-entry and has been demonstrated to reduce rates of recidivism. Removing questions about criminal history from applications, known as "banning the box," allows employers and licensing authorities to judge applicants on their qualifications first, without the stigma of a record. S.B. 120 would therefore help



promote stronger families and communities by ensuring that applicants for licensing are evaluated not solely on their criminal records, but also on the merits of their qualifications. In addition, S.B. 120 authorizes work release, day reporting programs, and reentry centers as alternatives to imprisonment, thereby reducing overcrowding and encouraging effective reintegration of individuals back into their communities. Finally, by establishing a drug supervision pilot program where participants can receive credit toward the remainder of their sentence and by authorizing law enforcement agencies to make referrals for substance abuse treatment in lieu of arrest for certain individuals, S.B. 120 will guide individuals toward the treatment they need, rather than locking them up for unnecessarily lengthy periods of time.

In the future, we hope to work with lawmakers to further expand these types of reentry initiatives, while also implementing stronger front-end reforms, such as eliminating unnecessarily harsh mandatory minimums and reforming Kentucky's persistent offender law. In the meantime, S.B. 120 represents an important step toward reducing incarceration and recidivism in Kentucky, saving taxpayer money, enhancing public safety and fairness, and enabling individuals who have served their time to reenter their communities as successful citizens. When S.B. 120 is brought to a vote on the floor of the House of Representatives, we strongly urge you to vote "Yes."

Thank you for your consideration of this critical legislation. If you have any questions, please feel free to contact Sakira Cook at [cook@civilrights.org](mailto:cook@civilrights.org) or (202) 263-2894.

Sincerely,

The Leadership Conference on Civil and Human Rights

Kentucky Council of Churches

The American Civil Liberties Union of Kentucky

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<sup>1</sup> <http://corrections.ky.gov/about/Documents/Research%20and%20Statistics/Annual%20Reports/2015%20Annual%20Report.pdf>

<sup>2</sup> <http://www.kentucky.com/opinion/editorials/article73839547.html>

<sup>3</sup> <https://www.bjs.gov/content/pub/pdf/p14.pdf>

<sup>4</sup> <http://www.sentencingproject.org/publications/color-of-justice-racial-and-ethnic-disparity-in-state-prisons/>