

New Kentucky Misdemeanor Law Takes Effect Wednesday



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"I think the one thing that it's going to mean is we're going to see an increase in crime." A new Kentucky law to reduce jail overcrowding has a lot of people wondering if it's such a good idea. The rules in Kentucky on who gets arrested and who gets a ticket will change Wednesday. People will not go to jail for many misdemeanors, including minor drug charges. But some worry saving money will mean more crime.

Local 12's Joe Webb has the lowdown on how things will change.

Right now, if I get pulled over in Kentucky and have any amount of marijuana on me, I'm going to jail. I'll probably get out on a low bond, but if I've got no money, I'm stuck here. Kentucky's General Assembly saw that as a costly problem and passed House Bill 463 that now lets police issue citations to court for minor misdemeanors, if the person is no apparent threat to themselves or others. Sounds reasonable... but there's more to

the law that has a lot of people concerned.

Stephen Campbell was booked into the Kenton County Jail on drug charges this morning. If he'd been busted two days later, he'd probably never have seen the inside of the jail. His charges would have gotten him a ticket and citation to court. It's the new law come Wednesday. It has support.

Shannon Sexton, Defense Attorney: "As a criminal defense attorney, I think I meet people who don't need to go to jail who do. And as a citizen, I don't want my tax dollars to continue to pay to lock these people up. I don't feel any safer, if they're in a jail."

The state projects the new law will cut down on jail costs to the tune of 422-million dollars over the next 10 years. Some feel jail, even for minor offenses, is worth the cost.

Garry Edmondson, Kenton County Attorney: "Sometimes you need to, because it's the only thing they understand. There are certain culture, a certain percent of the population that don't understand anything else."

"It's that taste of being incarcerated. Sometimes, it makes a difference. I think so. That's my concern."

The new law also reduces the jail time for some drug offenses. Felony prosecutors say that's a step in the wrong direction.

Michele Snodgrass, Campbell Co. Commonwealth's Attorney: "As the law stands now, any amount of cocaine, heroin, oxycontin that you sell gets you a penalty between 5 and 10 years in prison. After the 8th, what's going to happen is you're going to have to sell over 4g of cocaine to get that penalty. Over 2g of heroin to get the same penalty."

Snodgrass fears the new law will be felt by everyone, not just those committing crimes.

"I think there's a possibility this law could, not only increase petty crimes, but even some more serious crimes, too."

The new law also gives some offenders a 100 a day credit towards their bond. Conceivably, if you're in on a 10-thousand dollar cash bond, in 100 days you'd be able to build up enough credit to make bond. The new law creates some real challenges for probation and parole, but it may indeed save money. It goes into effect Wednesday. The new law still allows police to make an arrest for a minor offense, if the person appears to be a threat. It also allows arrests for domestic violence misdemeanors, sex abuse offenses, menacing, stalking and assault.