

March 28, 2024

Governor Andy Beshear  
700 Capitol Avenue, Suite 100  
Frankfort, Kentucky 40601

Dear Governor Beshear,

The General Assembly's effort to address violent crime in Kentucky through HB5 is a mixed bag. There are a limited number of provisions within the legislation that will enhance public safety while the majority of the bill is based on failed strategies from the past.

We urge you to VETO HB5.

The legislation's increased penalties and enhancements won't provide long-term, sustainable solutions that make Kentucky safer. HB5 will increase the cost burden to taxpayers and put additional strain on already limited resources both in our Corrections system and law enforcement.

HB5 removes the opportunity for parole from those offenders who are convicted of three violent offenses. However, Kentucky already has laws to enhance the penalty for persistent felony offenders. Removing the option for parole guarantees an increase in corrections costs without any improvement in public safety.

A 2016 briefing from the National Institute of Justice summarizes research on deterrence. Lengthy sentences do little to keep individuals from committing crime. In addition, those serving time without the possibility of parole could present greater security risk to Corrections staff as they have no incentives to rehabilitate themselves.

Additionally, HB5's enhanced punishment for selling or distributing fentanyl will not decrease overdose deaths nor will it lead to the arrest of those producing fentanyl. That approach has been shown to capture low-level users, typically individuals with substance use disorders, who are the very people needing the most help.

In closing, our organizations feel that it would be more prudent, and in the true interest of a "Safer Kentucky," to veto HB5 with the recommendation that the General Assembly work together collaboratively with all stakeholders going forward to craft a better long-term solution for the Commonwealth.

Sincerely,

Kate Miller  
Advocacy Director

Sarah Durand  
VP of Government Affairs

