

 <b>KENTUCKY YMCA YOUTH ASSOCIATION KENTUCKY YOUTH ASSEMBLY Commonwealth Bill</b>	<b>Blue   CW 46</b>						
	<b>Referred to Committee: Senate 2</b>						
<b>Authors:</b> Eileen Bunch, Emily Wright, Scott McQueen, Thomas Schutzman	<b>Action on the Bill</b>  <table> <tr> <td><b>House</b></td> <td><b>Senate</b></td> </tr> <tr> <td>___ <input type="checkbox"/> Passed</td> <td>___ <input type="checkbox"/> Passed</td> </tr> <tr> <td>___ <input type="checkbox"/> Defeated</td> <td>___ <input type="checkbox"/> Defeated</td> </tr> </table>	<b>House</b>	<b>Senate</b>	___ <input type="checkbox"/> Passed	___ <input type="checkbox"/> Passed	___ <input type="checkbox"/> Defeated	___ <input type="checkbox"/> Defeated
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<b>School:</b> Villa Madonna Academy							
<b>City:</b> Villa Hills							

1                                   An act to abolish monetary bail in the Commonwealth of Kentucky  
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3                                   **Be it enacted by the Youth Assembly of the Commonwealth of Kentucky**  
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5 Section 1: Under current Kentucky law, an accused person awaiting trial may be released from prison if  
6 they post bail, defined as paying a monetary amount set by a judge on the condition that the money  
7 will be returned to the defendant if they appear in court. In Kentucky, there is a process to determine  
8 the risk of flight or violence of defendants. Judges are encouraged to release lower-risk defendants  
9 without bail and instead utilize pretrial services. If judges do set bail for these defendants, they must  
10 explain why. However, judges often set bail anyway, with little to no explanation. The bail is most often  
11 too high for the defendant to pay it. Therefore, a large portion of the prison population has not been  
12 convicted of a crime; many are simply awaiting trial, having been unable to post bail. This practice is at  
13 odds with the basis of the criminal justice system: that one is innocent until proven guilty. Pre-trial  
14 incarceration leads to defendants losing jobs, housing, and custody of children, exacerbating the  
15 effects of poverty and leading to more crime. In addition, incarceration comes at an expense to the  
16 state.  
17  
18 Section 2: Monetary bail will be abolished, and, instead, low-to-moderate-risk defendants will be  
19 subject to Pretrial Services as established in the 1976 Bail Bond Reform Act. Pretrial Services consist  
20 of a series of assessments, interviews, and checks that allow the courts to keep in touch with the  
21 defendant before trial. The exact parameters of "low-to-moderate-risk" will be determined by the  
22 Kentucky Court of Justice.  
23  
24 Section 3: Pretrial services will be paid for by the money saved from the decrease in incarceration rates  
25 resulting from abolishing bail.  
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27 Section 4: This bill will go into effect January 1, 2018.