



Summary of Kentucky House Bill 14 (H.B. 14)

H.B. 14 would amend KRS 532.031, adding language that would make it a hate crime to threaten, harass, assault, or engage in disorderly conduct towards a police officer, firefighter, or emergency medical personnel. Under KRS 532.031 (3), a sentencing judge has the authority to deny an individual probation, shock probation, conditional discharge, “or other form of nonimposition of a sentence of incarceration” solely because of a hate crime conviction.

Arguments in Opposition to H.B. 14

H.B. 14 is unnecessary. While violence against police officers is entirely unacceptable, it is already a serious crime in Kentucky to threaten or use force against law enforcement officers.¹ Furthermore, assault has taken the lives of only 16 officers in Kentucky since 1791.² In the last 15 years, the number of officers killed in Kentucky has remained fairly constant with zero deaths in 2017, zero in 2016, five in 2015,³ one in 2014,⁴ four in 2013,⁵ four in 2012,⁶ one in 2011,⁷ one in 2010,⁸ zero in 2009,⁹ two in 2008,¹⁰ three in 2007,¹¹ three in 2006,¹² three in 2005,¹³ one in 2004,¹⁴ three in 2003,¹⁵ and three in 2002.¹⁶

H.B. 14 undermines coalition efforts to reduce incarceration and reform the justice system. H.B. 14 would make it harder for those who are deserving and low risk to be released under supervision. The bill will further exacerbate a prison system that is already over-capacity¹⁷ and costs taxpayers almost *half of billion* taxpayer dollars maintaining its prison system in 2015.¹⁸

H.B. 14 distracts from improving police-community relations. Our focus should be rebuilding trust and cooperation between law enforcement and the communities they serve.

H.B. 14 does nothing to improve officer wellness and safety. Not a single recommendation from the bipartisan Task Force on 21st Century Policing referenced legislation like H.B. 14.¹⁹

H.B. 14 perverts the original intent behind hate crime laws. Hate crimes statutes are intended to protect individuals and communities who have experienced a “long legacy of violence, intimidation, and discrimination.”²⁰ A chosen profession isn’t an identity like race, religion, ethnicity, gender, disability or sexual orientation.

H.B. 14 is not a response to a crime that goes unprosecuted. Hate crimes laws were intended to aid prosecutions for crimes that were under charged or not charged at all. There is no record that crimes against law enforcement have not been prosecuted or otherwise treated frivolously.²¹ It is harder to prosecute hate crimes against police and show the underlying crime *and* that it was based on police status.

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¹ See e.g. KRS 508.025. See also KRS 520.090.

² <https://www.odmp.org/search?name=&agency=&state=Kentucky&from=1791&to=2017&cause=Assault&filter=all>

³ <https://www.odmp.org/search/year?year=2015>

⁴ <https://www.odmp.org/search/year?year=2014>

⁵ <https://www.odmp.org/search/year?year=2013>

⁶ <https://www.odmp.org/search/year?year=2012>

⁷ <https://www.odmp.org/search/year?year=2011>

⁸ <https://www.odmp.org/search/year?year=2010>

⁹ <https://www.odmp.org/search/year?year=2009>

¹⁰ <https://www.odmp.org/search/year?year=2008>

¹¹ <https://www.odmp.org/search/year?year=2007>

¹² <https://www.odmp.org/search/year?year=2006>

¹³ <https://www.odmp.org/search/year?year=2005>

¹⁴ <https://www.odmp.org/search/year?year=2004>

¹⁵ <https://www.odmp.org/search/year?year=2003>

¹⁶ <https://www.odmp.org/search/year?year=2002>

¹⁷ <http://corrections.ky.gov/about/Documents/Research%20and%20Statistics/Daily%20Count%20Sheet/2016/12/12-20-16.pdf>

¹⁸ <http://www.kentucky.com/opinion/op-ed/article8777347.html> See also page 20:

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

¹⁹ https://cops.usdoj.gov/pdf/taskforce/TaskForce_FinalReport.pdf

²⁰ <https://www.ncjrs.gov/pdffiles1/nij/grants/210300.pdf>

²¹ <http://www.denverpost.com/2016/07/20/making-attacks-against-police-hate-crimes-goes-too-far/>