

February 3, 2021

Dear Members of the House Judiciary Committee,

On behalf of our respective organizations, as well as all who are concerned about right-sizing the justice system in Kentucky, we urge you to support HB 126. This bill would increase the felony theft threshold to \$1,000, better aligning it with neighboring states and accounting for inflation since the felony theft threshold was last amended.

Kentucky last updated its felony theft threshold 11 years ago, and much has changed since then. This bill would still hold individuals convicted of theft offenses accountable for their crimes, but it will no longer saddle individuals convicted of low-level offenses with a harsh felony record that makes it harder for them to obtain housing, employment, and much more. Instead, it more appropriately tailors the punishment to the crime.

Many states, including many conservative states, have higher felony theft thresholds than Kentucky. For example, Oklahoma, Tennessee, Arkansas, Mississippi, Ohio, Arizona, South Dakota, Wyoming, and others have their felony theft thresholds set at \$1,000, which is what this bill would set Kentucky's at as well. Texas' threshold is more than twice that at \$2,500, and conservative Alabama, Nebraska, Kansas, Utah, and Georgia have theirs set at \$1,500. All-in-all, at least 30 states have felony theft thresholds between \$1,000 and \$2,500 dollars.

Studies have shown that increased theft thresholds do not have a corresponding impact on larceny crime in states, and some states that have increased their felony theft thresholds have also seen reductions in property crimes. Low felony theft thresholds, like Kentucky's, do not deter property crime—instead, the outdated theft threshold contributes to overcrowding in correctional facilities and burdens Kentuckians with the consequence of a felony record for decades.

The bill does not let repeat offenders off the hook, either. For those who have been convicted of a theft offense of \$1,000 or less three times over the course of five years, their current conviction would be a felony. Further, if a person is convicted of retail theft between \$501 and \$999 three times over the course of five years, their current conviction would be a felony as well.

With Kentucky's ballooning prison population and correctional costs reaching a near breaking point, it's time for the legislature to pass meaningful reforms that will set Kentucky on a path to right-sizing its justice system. We strongly believe that HB 126 does just that, and urge you all to vote in favor of this important bill today.

Respectfully,

