

**HARDIN COUNTY FISCAL COURT
RESOLUTION NO. 2016-060**

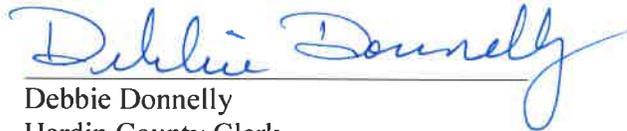
BE IT RESOLVED, upon recommendation of Judge/Executive Harry L. Berry, to approve the Hardin County Detention Center's Policies and Procedures Handbook for Fiscal Year 2016/2017.

APPROVED by the Hardin County Fiscal Court in its regular meeting of 10 May 2016.



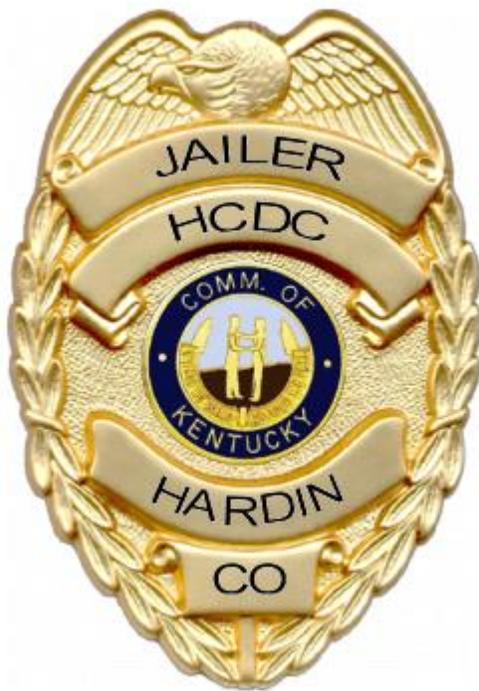
Harry L. Berry
Hardin County Judge/Executive

ATTEST:



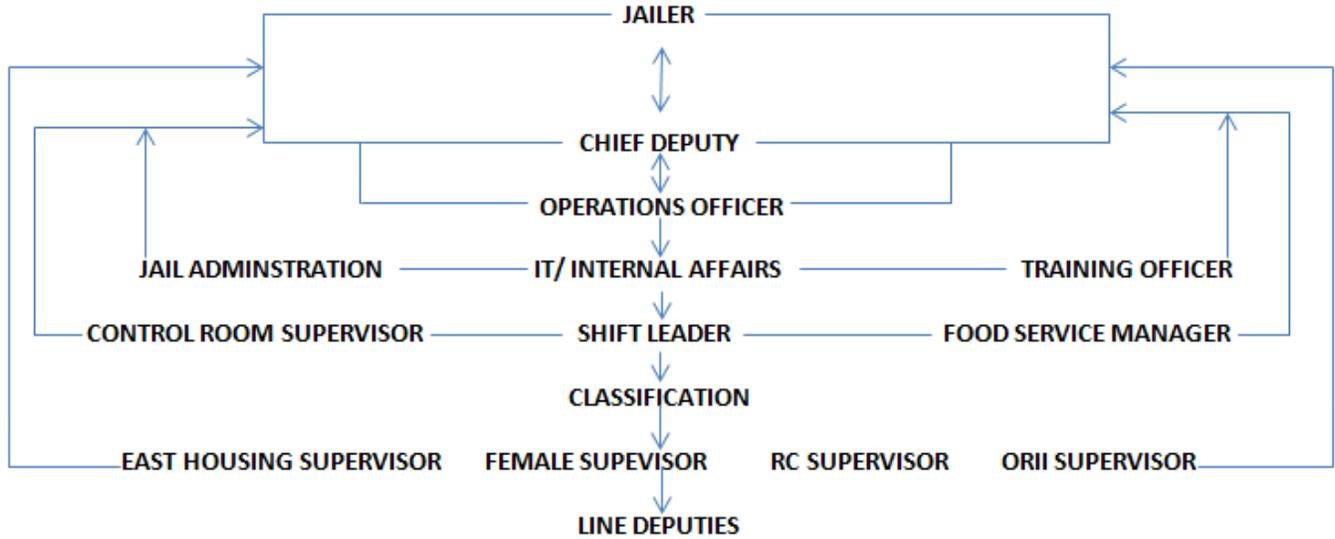
Debbie Donnelly
Hardin County Clerk

Hardin County Detention Center Policy and Procedures Year 2016-2017



Danny Allen, Jailer

Organizational Chart



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JAIL POLICIES

Policy #	
ADA	
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this agency for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Kentucky Statutes:	
Applicable Kentucky Regulation	
ACA Standard:	
Date Implemented:	Review Date:

- I. **Purpose:** The purpose of this policy is to outline the jail's mandates with respect to contacts with persons who have disabilities.

- II. **Policy:** It is the policy of this jail to provide services in an equal and impartial manner. This policy includes providing services to those prisoners who have disabilities that employees either observe or become aware of based upon the circumstances presented or information obtained. This jail shall take steps to protect persons with disabilities from inequitable treatment based on their disability and to avoid furthering any injury or disability based on the contact with the jail staff where such accommodation can occur without jeopardizing the safety of all persons involved in the event.

- III. **Definitions:**
 - A. **ADA (Americans with Disabilities Act):** Federal Civil Rights Law protecting individuals with disability.

 - B. **Recognized Disability/Protected Person under ADA:** Any person who has a physical or mental impairment that substantially limits one or more major life activities such as walking, seeing, hearing, speaking, breathing, learning and working. A person who associates with a disabled person is also protected under the act.

 - C. **Other disabilities:** Injury, Illness, Mental or Emotional state that would render a person more vulnerable to police actions such as use of force, incarceration or restraint. These are disabilities that should be determined by the intake screening process.

IV. Procedure:

A. Intake: When dealing with a person who suffers from a recognized disability jail intake personnel should consider whether the prisoner should be immediately referred to medical or mental health for a custody plan.

B. Use of Force: In determining the appropriate level of force to be used to control a situation involving a prisoner with a recognized or other disability, personnel should consider whether the particular control or restraint tactic is more dangerous or unreasonable in light of the particular prisoner's disability.

C. In cases where an employee becomes aware, through information or observations, of a disability, the employee should take steps to accommodate that disability where they are able to do so without jeopardizing the prisoner, the staff member or any other person present. The recognition of a disability shall be reported in writing to the medical authority.

a. Handcuffing or other restraints-where handcuffing or other restraints may cause further injury of an existing disability and there is no imminent threat, employees should seek assistance from a supervisor to determine if there is an appropriate method of restraint that will accommodate the disability without jeopardizing safety.

b. Lock-up- in cases where a prisoner indicates that they have some recognized or other disability, employees shall call for a supervisor in order that steps may be taken to verify the disability and determine what steps can be taken to accommodate the disability without jeopardizing the safety of the individual, the jail staff and the institutional security of the jail. Decisions regarding accommodation of disabilities shall be made in consultation with the medical authority.

D. Mobility: Standard transport procedures may be dangerous for many people with mobility disabilities. Employees should use caution not to injure the person or damage their wheelchair or other mobility device. The best approach when possible is to ask the prisoner what type of transportation he or she can use, and how to lift or assist him or her in transferring them in or out of the vehicle.

E. Visually Impaired: When dealing with a person who is visually impaired it is important for employees to identify themselves verbally and state clearly and completely any directions or instructions including any information that is posted visually which cannot be seen by the person who is visually impaired.

a. Intake officers and other employees should read out loud and fully any document that a visually impaired person is required to sign as the result of a jail action.

b. Visually impaired persons shall also be assisted in submitting grievances.

c. Before taking photos or fingerprints of a visually impaired person, jail

personnel shall describe the activity to the visually impaired person so that they know what to expect.

F. Hearing Impaired: The jail is required by the ADA to ensure effective communication with the deaf or hearing impaired.

a. In jails, hearing impaired prisoners must have access to a TDD phone in the same manner as other persons in custody have access to telephone privileges.

G. Other Disability: In any case where an employee becomes aware of an injury, illness or disability which may render the activity, tactic or restraint to be undertaken more dangerous to the individual, the employee shall notify a supervisor and in conjunction with supervisory support and consultation with the medical authority if feasible, take reasonable steps to accommodate the injury or disability.



JAIL POLICIES

Policy #	
Classification	
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Applicable Kentucky Statutes:	
Applicable Kentucky Regulation: 501 KAR 3:110	
ACA Standard: 4ALDF-2A-22; 4ALDF-2A-25; 4ALDF-2A-30; 4ALDF-2A-31; 4ALDF-2A-32; 4ALDF-2A-33; 4ALDF-2A-34; 4ALDF-2A-35; 4ALDF-2A-36;	
Date Implemented:	Review Date:

- I. **Purpose:** The purpose of this policy is to set forth procedures governing the jail’s classification process.
- II. **Policy:** It is the policy of this jail to create the categorical separation of offenders to provide a “reasonable” degree of protection from assault, self-harm and preventable illness by optimizing housing choices, supervision methods and the provision of adequate healthcare services.
- III. **Definitions:**
 - A. **Objective Classification:** A categorical separation of offenders based upon measurable and predictive elements of risk and or special needs based upon
 - a. **Current charge and or previous conviction**
 - b. **Current and or historical institutional behavior**
 - c. **Special inmate risk and or needs such as**
 - i. **Medical care**
 - ii. **Mental Health care**
 - iii. **Suicide or self-harm**
 - iv. **Protective Custody- Threat**
 - v. **Protective Custody- Victim**
 - B. **Custody Level:** the classification designation of an offender that best matches the housing, supervision and or special needs requirements of an offender

IV. Procedure:

A. Responsibility of the Jailer:

- a. The Jailer will designate an classification officer to be responsible for developing and coordinating all classification functions
- b. The Jailer or designee shall be responsible for maintaining classification policy that meets and or exceeds the professional standard of care
- c. The Jailer or designee will assure that all correctional staff receive the level of classification training necessary facilitate adequate housing, supervision and health care access of all offenders
- d. The Jailer or designee will ensure that all Classification Officers have specialized training in objective inmate classification methods and theory.
- e. The Jailer will request the resources necessary to adequately fund the process of Objective Jail Classification
- f. The Jailer or designee will provide for decisions made by classification staff concerning the level of custodial management and program participation of a prisoner is consistent with the jail classification plan.
- g. The Jailer or designee shall create a system of critical incident reporting to evaluate the effectiveness of the classification process in providing a "reasonable degree" of protection from inmate assault, self-harm and preventable illness.

B. Classification Process:

- a. Classification based upon race, color, creed, or national origin, or other discriminatory factors not related to the security of the jail is prohibited.
- b. The process of classification shall include but not be limited to the following components;
 - i. Classification Alerts - The process of designating the existence of a critical and or chronic inmate risk and or special need based upon current and or historical documentation from custody or health care supervisors.
 - ii. Intake assessment- Questions asked of the arresting and or transporting officer intended to assist in the identification of inmate risk and or need
 - iii. Booking screening- Questions asked of an inmate during the booking process intend to facilitate the self-reporting of instances of serious risk and or special needs.
 - iv. Primary Classification- A cumulative process of risk and needs assessment factored onto a formal instrument intended to result in a classification designation that will adequately reflect the most appropriate housing placement, supervision level and referral for health care services for each inmate.
 - v. Classification Reviews- A continuous reassessment of inmate risk and need based upon events, change in charge status, referral or request that may require the modification of housing, supervision and or healthcare services.
 - vi. Program Assessment- A focused assessment of inmate risk and or need intended to determine eligibility and appropriate assignment for various inmate programs and work assignments.

- c. **Supervisory Override:** The jailer or their designee may override the objective classification designation of a particular inmate. Overrides should be reserved for actions outside the parameters of classification instrument scoring. Classification overrides should be used judicially and with full documentation of the reason for the override.
- d. Any override that results in the commingling of a violent and non-violent inmate shall require the approval of the Jailer.

C. Custody Levels:

- a. **Maximum:** Inmates posing the highest level of threat to the public and or institutional safety generally characterized by a first degree violent felony offense and or an ALERT Level of institutional behavior
 - i. **Housing:** Single cells/High Security Hardware and Fixtures
 - ii. **Perimeter Security:** The highest level construction of the security envelope, razor and or electric security fencing and electronic monitoring
 - iii. **Internal Security Measures:**
 - (a) Formal census taken at required frequencies
 - (b) Staffing and supervision consistent with highest level of inmate risk during cell observation, scheduled movement and transports
 - (c) Designation for ALERT Level movement protocols when requiring full restraint and supervisor supplemented movement.
 - iv. **Programs Eligibility:**
 - (a) Housing unit programs only.
- b. **Medium:** Inmates posing a significant level of threat to the public and or institutional safety generally characterized by a violent felony offense of lesser than 1st degree and or possessing a high frequency of non-compliant or disruptive institutional behavior
 - i. **Housing:** Multiple occupancy cells and/or dormitories.
 - ii. **Perimeter Security:** The high level construction of the security envelope, razor wire and or electric security fencing and electronic monitoring
 - iii. **Internal Security Measures:**
 - iv. Census taken at standards regulated frequencies.
 - (a) Staffing and supervision consistent with a high level of inmate risk during cell observation, scheduled movement and transports
 - (b) Census taken at standards regulated frequencies
 - v. **Programs Eligibility:**
 - (a) Interior Jail Programs only no exterior security door access.
- c. **Minimum:** Inmates posing the lowest level of threat to the public and or institutional safety generally characterized by non-violent felony offenses and or compliant behavior with tolerance for minor behavior infractions.
 - i. **Housing:** Dormitories, cubicles, or rooms.

- ii. **Perimeter Security:** Security envelope ranging from secure to commercial construction. May or may not require security fencing.
- iii. **Internal Security Measures:**
 - (a) Census taken at standards regulated frequencies.
 - (b) Inmates returning from programs affording public access are subject to strip search
- iv. **Program Eligibility:** Interior and exterior jail programs with supervision ranging from officer control to commingling with public
- d. **Protective Custody:** Inmates, who appear vulnerable, request or require protection from other inmates.
- e. **Administrative Segregation:** A classified status generally outside the parameter of normal custody housing classifications requiring supervisory level designated housing, supervision and or care. The Jailer upon recommendation by the classification officer should approve all administrative segregation custody classification designation.

D. Housing Plan:

- a. The classification staff in conjunction with a custody supervisor and healthcare representative should create a plan for housing all offenders based upon the classification designations.
- b. The classification housing plan is an constantly evolving document that matches the risk and needs of inmates with a reasonable and appropriate housing assignment.
- c. In order to assure the most reasonable and appropriate housing assignment for each inmate the following housing practices are suggested;
 - i. Violent offenders should not be housed with non-violent offenders
 - ii. Offenders exhibiting violent and or highly disruptive institutional behavior should not be housed with non-violent offenders exhibiting minor behavioral problems
 - iii. Inmates designated with special needs should be further separated into violent and non- violent classification categories.
 - iv. Inmates designated as in need of Protective Custody because of their predatory and violent propensities should carry a Protective Custody Threat designation PCT and should not be housed with Protective Custody inmates that are prone to victimization or Protective Custody Victim PCV.
 - v. Inmates housed in Administrative Segregation that are designated as violent offenders should never be commingled with non-violent offenders. The cell assignments should be separate and dayroom time should never permit this commingling.
 - vi. If court ordered housing such as work release find a violent and non-violent offender commingled, the classification housing conflict should be documented with notice given to the ordering court. Efforts should be made to more closely supervise the violent inmate while commingled in the unit.

- E. Documentation/Audit:** The jailer shall regularly review documentation to determine whether the classification process is successfully meeting the needs of the prisoners as well as the safety and security of the jail. Audit items shall include:
- a. Assaults requiring medical attention
 - b. Sexual assaults
 - c. Suicide and suicide attempts
 - d. Medical emergencies requiring hospital transport
 - e. Any in-custody death
 - f. Housing statistics demonstrating the maintenance of classification separations



JAIL POLICIES

Policy #	
Disciplinary Procedure	
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Applicable Kentucky Statutes:	
Applicable Kentucky Regulation: 501 KAR 140	
ACA Standard: 4-ALDF-3A-01; 4-ALDF-3A-02	
Date Implemented:	Review Date:

- I. **Purpose:** The purpose of this policy is to outline the jail's disciplinary procedure.
- II. **Policy:** It is the policy of the jail to maintain order within the jail through an established disciplinary system. This system shall be conducted in a fair and impartial manner with penalties for violations which are proportionate to the violation. This system shall respect the due process rights of inmates.
- III. **Definitions:**
 - A. Prohibited act: any violation of a rule or guideline established by jail policy. Violations may also include any other behaviors not covered by written rules that are determined to be detrimental to the good order and security of the jail.
 - B. Minor infraction: infractions of the rules and/or behaviors which, normally, would not be expected to seriously impact the good order and security of the jail. Minor infractions may be adjudicated through a formal or informal process.
 - C. Major infraction: Infractions of rules and/or behaviors which, normally, would be expected to have a potentially serious impact on prisoner and jail management. Major infractions may be adjudicated through a formal disciplinary process and/or criminal prosecution.
- IV. **Procedure:**
 - a. **Disciplinary Procedure:**
 - i. The Jailer shall develop and maintain a system for disciplinary violations within the jail
 - ii. The disciplinary system shall specify acts prohibited within the jail and the range of penalties that may be imposed for violations.

- (a) Rules should relate to conduct that has an adverse impact on the jail's order and security.
- (b) The inmate handbook should list the violations and range of penalties.
- iii. In the event that the prisoner's conduct rises to the level of criminal behavior, the matter shall be forwarded to the prosecutor for prosecution.
- iv. A prisoner's custody level/housing status may be changed to protect the safety and security of the institution pending the outcome of the investigation.
- v. All disciplinary matters shall be fully and impartially investigated.
- vi. All investigations shall be done in a timely manner.
- vii. The prisoner shall be informed of the outcome of the investigation.
- viii. The modification of an inmate's classification is not subject to the disciplinary process.

B. Examples of Major Infractions:

- a. Intimidation or coercion of fellow prisoners;
- b. Providing false information in official proceedings; forms; or documents;
- c. Assault
- d. Participating in sexual conduct;
- e. Causing or participating in any diversionary tactic/action in order to facilitate interference, delay, disruption, or deception, to confuse or divert jail personnel from their normal duties such as disrupting prisoner counts, or to enable other prisoners to participate, undetected, in any unauthorized activity.
- f. Taking and holding a staff member, other person, or other prisoner as a hostage or in any way restraining or confining a person;
- g. Fighting;
- h. Verbally threatening any person with death, violent injury, or sexual assault;
- i. Escape; conspiring to escape; attempt to escape, or aiding an escape;
- j. Violation Federal, State or Local law;

C. Examples of minor violations:

- a. Failure to maintain neat and sanitary housing;
- b. Using profane, derogatory, or abusive language;
- c. Possession of unauthorized or excessive materials;
- d. Disorderly Conduct;
- e. Misuse of jail services and/or programs
- f. Unnecessary noise such as shouting/whistling
- g. Exchanging or bartering items or money with other prisoners.
- h. Gambling

- D.** A documented multiplicity of minor infractions may lead to the enhancement of the penalty to a major infraction. Consideration of enhancement should examine both the frequency and time frame of previous infractions for cumulative penalty enhancement.
- E.** Hearing Process: The Jailer shall set the hearing process for disciplinary hearings as well as sanctions that are proportionate to the violation.
- F.** A prisoner who is dissatisfied with the outcome of the hearing may appeal to the Jailer.



JAIL POLICIES

Policy #	
Early Warning/Intervention System	
This policy is for internal use only and does not enlarge an employee’s civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this agency for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Kentucky Statutes:	
ACA Standard:	
Date Implemented:	Review Date:

- I. **Purpose:** A comprehensive Personnel Early Intervention System is an essential component of good discipline in a well-managed Jail. The Early Intervention System is a supervisory tool and not a disciplinary process. The early identification of employees exhibiting symptoms of stress or other behavior that could pose a liability to other jail staff, prisoners, the jail, or the employee must be detected as soon as possible. When appropriate, an intervention consisting of a menu of remedial actions can increase agency accountability and offer employees a better opportunity to meet the agency’s values and mission statement.
- II. **Policy:** The Jail will establish an Early Intervention System to identify agency employees who may require agency intervention efforts. The system should identify patterns of behavior that might be symptomatic that an individual employee requires an intervention. The system should review at a minimum,
 - A. Complaints
 - B. Incidents involving use of force
 - C. Grievances
 - D. Prisoner injuries with a connection to the staff member
 - E. Civil litigation
 - F. Performance Evaluations
- III. **Definitions:**
- IV. **Early Intervention System (EIS):** A data based management tool designed to identify jail personnel whose performance exhibits potential problems, and then to provide interventions, usually counseling or training, to correct those performance problems.

V. Procedure:

- A. The Early Intervention System will be maintained by either the Internal Affairs Section of the jail, the Human Resources Section or an employee designated by the jailer.
- B. The Jailer will establish thresholds in each of the indicated categories in Section II of this document. It is recommended that the nature of the assignment of the staff member be considered when establishing the threshold and that first-line supervisors and a cross section of the agency be involved in establishing realistic thresholds.
- C. The review of the data will generate periodic reports identifying personnel who have met the established thresholds triggering the Early Intervention System. These reports should be prepared on a monthly, quarterly, and annual basis or more frequently if the data is available on line.
- D. It will be the responsibility of the identified employee's chain of command, to recommend, in writing, the appropriate action initiated to correct any deficiency that might be identified. The recommended actions could include the following:
 - a. No further action required. The employee's that triggered the EIS have been thoroughly reviewed and do not indicate any concern for corrective action.
 - b. Supervisory Counseling
 - c. Periods of observation during shifts by the first line supervisor.
 - d. Peer Counseling
 - e. Referral to the Employee Assistance Program
 - f. Referral to psychological services
 - g. Referral for remedial training
 - h. Re-assignment
 - i. Referral for anger management training
 - j. Referral for stress reduction training
 - k. Other action as deemed appropriate
- E. **Process:** Once the recommended action plan is discussed with the employee, and approved by the chain of command, the intervention will be engaged, and reported back in writing to the entity charged with the responsibility of maintaining the system. A follow-up component will be established in the action plan to ensure the behavior that triggered the intervention is no longer a concern.



JAIL POLICIES

Policy #	
Escape Response	
<i>This policy is for internal use only and does not enlarge an employee’s civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Kentucky Statutes:	
Applicable Kentucky Regulations: 501 KAR 3:060	
ACA Standard	
Date Implemented:	Review Date:

I. Purpose:

- A. To establish procedures to be used whenever an escape occurs from the facility.
- B. To protect the public by ensuring that facility personnel and law enforcement respond immediately to an escape.

II. Policy:

- A. Provide staff with clear procedures to assist them in the event of an escape.
- B. The Jailer or designee of the facility develops within thirty (30) days of this policy’s effective date a specific escape response procedure which will be implemented in the event of an escape.
 - a. The jailer reviews the facility’s procedures yearly and makes appropriate revisions.

III. Definitions:

- A. Hot Pursuit: Continued pursuit, off grounds, by jail professionals who have visual contact with an escaping offender for as long as visual contact is maintained.

IV. Procedure:

- A. Prevention: Jail professionals take measures each day to prevent any escape or escape attempt by:
 - a. Performing regularly scheduled counts and informal counts.
 - i. There shall be no less than three documented prisoner counts per twenty-four hour period with at least one on each shift.

- ii. Staff member conducting count will establish each prisoner's physical presence by show of skin or by movement.
 - b. Patrolling perimeters, checking doors, bars, and windows.
 - c. Checking perimeter detection systems.
- B. In the event of an escape, the goals of the facility are to:**
 - a. Ensure public safety;
 - b. Apprehend the escapee;
 - c. Discover the method of escape and secure it;
 - d. Report events; and
 - e. Report corrective procedures.
- C. The On-Duty Supervisor ensures that all involved units are given full cooperation in their investigations.**
- D. It is critical that the escape (crime) scene be secured and access controlled. The scene will be searched by authorized personnel only.**
 - a. No other personnel are allowed to enter the crime scene or touch any objects in the crime scene.
- E. Duties of the Facility:**
 - a. Upon suspicion or discovery of an escape, the discovering employee contacts the On-Duty supervisor.
 - b. *The On-Duty Supervisor will then:*
 - i. Establish a Command Post
 - ii. Initiate a response requesting resources from assisting agencies to resolve the incident;
 - iii. Assigns a staff member to record all events that occur, using a separate log book, located in the Command Post;
 - iv. Raise security level code;
 - v. Disable all inmate telephones;
 - vi. Account for all keys, radios, and security equipment including all assigned vehicles;
 - vii. Order all inmate movement to end;
 - viii. Freeze facility movement;
 - ix. Take an emergency count using bed books to verify the identity (ies) of the escapee (s); and
 - (a) A second emergency count is taken by a different staff member to verify the first count's results.
 - x. Verify all uniformed and civilian staff are accounted for to ensure no hostages have been taken or that the escapee(s) is/ are not disguised as an employee.

F. Upon verification of an escape:

i. The On-Duty Supervisor will then:

- (a) Ensure all proper notifications are made according to the Escape Notification Checklist:
- (b) Notification Order: Kentucky State Police, Jailer, Chief Deputy, Operations Officers, and IT Director.
- (c) Designate a staff member to assemble an escape package. The escape package includes, but is not limited to:
 - (i) Current inmate photo(s);
 - (ii) Current inmate visiting list(s);
 - (iii) Inmate's(s') last known address(es);
 - (iv) List of known associates and enemies, if known by facility staff;
 - (v) Gang affiliations, if known by facility staff;
 - (vi) No contact order(s)
- (d) Designate a staff member to secure the suspected point of escape and the escapee's(s') cell(s) as crime scenes and limits access to said scene.
 - (i) This staff member should wear gloves at all times and not make contact with the inmate's(s') clothing or other property in an effort to preserve the crime scene and for possible scents if K-9 are used.
- (e) Ensure the facility's perimeter is secured by designated responding staff with the assistance of outside agencies, if necessary;
- (f) Ensure the facility is searched systematically at the furthest point within the perimeter of the facility;
- (g) Ensure all search tasks are completed;
- (h) Assign a staff member to assist the Main Control Center with issuance of weapons to search team members.
- (i) Ensure all movement is frozen in the facility until positive identifications are made of the persons released by the Jailer or designee who are leaving the facility;
- (j) Ensure all privately owned vehicles are accounted for;
- (k) Designate a Check-In Site Supervisor to coordinate responding staff and assemble search teams;
- (l) Ensure search teams, as well as the facility, are staffed for a 24-hour period; and
- (m) Plan for all other operations in the facility.

ii. The Investigative staff should:

- (a) Secure the crime scene;
- (b) Conduct searches;

- (c) Retrieve mail, telephone records, and other sources of intelligence which guide the scope and nature of the search for the escapee(s);
- (d) Coordinate with outside agencies to check airports, train stations, and all other methods of transportation that may be used by the escapee(s) to leave the jurisdiction;
- (e) Notify victims and/ or individuals with no-contact orders of the escape;

iii. Search Teams:

- (a) Search team members must be in uniform and have proper identification.
- (b) Search teams should be issued equipment which contains the following equipment:
 - (i) Side arms;
 - (ii) Portable radios and call signs;
 - (iii) Oleoresin Capsicum (OC);
 - (iv) Batons;
 - (v) Maps of search areas (sectors) (topographical maps;)
 - (vi) Flex cuffs; Flashlights; and
 - (vii) Equipment needed for the season (raincoat, bug spray, etc.)
- (c) *Search checklists include:*
 - (i) Car dealerships
 - (ii) Schools
 - (iii) Day Care centers
 - (iv) Airports

G. Confinement and Processing of Returned Escapee(s):

- a.** If staff find an unidentified individual on facility grounds outside the secure perimeter, they will:
 - i.* Detain the person using non-deadly force;
 - ii.* Identify the individual; and
 - iii.* If necessary, call for additional assistance.
- b.** Firearms:
 - i.* Staff is authorized to use firearms against offenders as a last resort to prevent an escape from a facility with a secure perimeter or when the employee reasonably believes that it is necessary to prevent death or great bodily harm to the employee or others.
 - ii.* The Jailer/ acting jailer must approve the use of firearms unless delay would result in death, great bodily harm, or the loss of control of an area.
 - iii.* The Jailer or designee will immediately report to the local law enforcement authority when there is a discharge of a firearm against a person.

iv. Use of firearms is not permitted if other use of force methods are sufficient.

H. General Information:

- a.** The following procedures should be adhered to at all times during incidents of escape/ attempted escape:
- i.* All inquiries from the news media are referred to a Public Information Officer.
 - ii.* An Active Escape Report , a photograph, visit list, and no contact orders should be provided.
 - iii.* It is critical that any unusual or prominent, identifiable characteristics related to the escapee (unusual haircut, physical abnormalities, clothing, etc.) be provided to personnel to aid them in the search process.
 - iv.* The use of privately owned vehicles in a search is not allowed because of lack of communication, risk of accidents, and jurisdiction.
 - v.* Personnel assigned to search details must be in uniform and must carry identification- photo I.D. card, badge, or both.
 - vi.* The use of privately owned firearms is prohibited.
 - vii.* Personnel do not have the authority to establish road blocks, nor do they have the authority to trespass over private property unless in hot pursuit.
 - viii.*Apprehended escapees will be photographed and seen by Health Care Services staff upon return to custody.



JAIL POLICIES

Policy #	
Ethics	
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Kentucky Statutes: 522.010; 522.020; 522.030; 522.040; 522.050	
Applicable Kentucky Regulation: 501 KAR 3:040	
ACA Standard: 4-ALDF-7C-01; 4-ALDF-7C-02	
Date Implemented:	Review Date:

- I. **Purpose:** Jailers and their employees, representing government, bear the heavy responsibility of maintaining their own conduct, and the honor and integrity of the government entity that they represent. It is the purpose of this policy to provide additional guidance to the standards of conduct embodied in a code of ethics so that employees of this agency will better understand prohibitions and limitations pertaining to their conduct and activities while on and off duty.
- II. **Policy:** This agency will maintain the highest standard of integrity by never violating the community's trust. All agency employees must recognize that they are held to a higher standard than the private citizen because, in addition to representing this agency, they also represent a government entity. Conduct, on and off duty, must be beyond reproach. Agency employees must avoid any conduct that might compromise the integrity, morale, operations or efficiency of the Jail.
- III. **Definitions:**
 - A. **Ethical Conduct:** In the context of this policy, ethical conduct means the duty of all employees to conduct themselves at all times in a manner that reflects the ethical standards consistent with the rules and values published by this agency.
- IV. **Personal Conduct:**
 - A. **Abuse of position:** Employees shall not:
 - a. Exchange a personal gift or favor with a prisoner, prisoner's family, prisoner's friend, or any prisoner's associate;

- b. Accept any form of bribe or unlawful inducement;
 - c. Perform duties while under the influence of an intoxicant or consume and intoxicant while on duty;
 - d. Violate the principle of a drug-free work place;
 - e. Violate or disobey an established rule, administrative regulation, or lawful order from a superior;
 - f. Discriminate against a prisoner on the basis of race, religion, creed, gender, national origin, or other individual characteristic;
 - g. Employ corporal or unnecessary physical force;
 - h. Subject a prisoner to physical or mental abuse;
 - i. Intentionally demean or humiliate a prisoner;
 - j. Bring a weapon or an item declared as contraband into the jail without proper authorization;
 - k. Engage in a critical discussion of staff or a prisoner in the presence of another prisoner;
 - l. Divulge confidential information without proper authorization;
 - m. Withhold information which threatens the security of the jail, its staff, visitors, or the community;
 - n. Through negligence, endanger the well-being of self or another;
 - o. Engage in a business or profitable enterprise with a prisoner; or
 - p. Inquire about, disclose, or discuss details of a prisoner's crime other than as may be absolutely necessary in performing official duties.
 - q. Use their position to seek personal or financial gain
 - r. Use their position to avoid consequences of illegal acts
 - s. Associating with criminal element: No employee, except in the discharge of duty, may knowingly associate with persons engaged in unlawful activities or who have been a prisoner under their charge.
 - t. Violations of ethical standards: Ethical conduct violations will be investigated by the appropriate authority to determine the validity of complaints and to report findings as prescribed by existing policies and procedures.
 - u. Violations of this code of ethics shall be made part of the employee's personnel file.
- B. Employee responsibilities:** Employees must exercise judgment, initiative, and sound reasoning in all official transactions; strive for efficiency and effectiveness, exercise restraint in difficult situations, seek self-improvement through formal and informal training, and assist fellow employees whenever possible. In situations where no written directive or supervisory guidance is available, employees are expected to analyze the situation and react in accordance with the mission statement and the core values of this agency.

C. Employees shall:

- a. Comply with established rules, administrative regulations, and lawful orders from a superior.
 - b. Treat each prisoner in a fair, impartial manner; and
 - c. Report all violations of this code of ethics to the jailer immediately;
- D.** In the performance of their duty, jail personnel are called upon to make difficult decisions and must exercise discretion in situations where rights and liabilities are affected by conduct and judgment. Decisions are not made easily and involve choices which may cause hardship or discomfort. The members of the jail staff must be faithful to their position as a member of the jail staff, to the principles of a professional jail operation and the objectives of the agency. In the discharge of duty, they must not allow personal motives to govern decisions and conduct.
- E. Conduct Unbecoming:** The conduct of a public employee, on and off duty, reflects upon the jail operation. Employees must avoid conduct which might discredit themselves or adversely affect the morale, operations or efficiency of the jail.
- F. Financial Obligations:** Employees should avoid incurring financial obligations which are beyond their ability to satisfy.
- G. Employee Handbook:** All employees must read and understand the employee handbook as well since it relates to job function and performance.

Note: Training-The department will strive to include a component of ethics in all in-service training. The department shall conduct annual in-service training on ethics.



JAIL POLICIES

Policy #	
Fire Prevention/Response	
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Kentucky Statutes:	
Applicable Kentucky Jail Standard:501 KAR 3:070	
ACA Standard: 4-ALDF-1C-02, 4-ALDF-1C-07, 4-ALDF-1C-08, 4-ALDF-1C-09, 4-ALDF-1C-10 4-ALDF-1C-11	
Date Implemented:	Review Date:

- I. **Purpose:** It is the purpose of this agency to provide specific guidelines for the protection of inmates, employees, visitors, volunteers, interns, contractors and the public from fire and smoke emergencies in the facility by following specific evacuation procedures. Designated evacuation routes will be used during a fire emergency as well as other major emergencies.
 - A. To prevent and/or minimize injuries or damage resulting from fire, bomb threats, or hazardous materials.
 - B. To establish an effective evacuation procedure.

- II. **Policy:** This agency will maintain a well-developed policy and procedure in regards to fire prevention and protection as well as planning and training operations.
 - A. **Fire Detection and Suppression:** This component requires providing for early detection of fire through the use of a smoke detector; the use of a fire alarm system which notifies occupants of a fire; the provision of automatic suppression (automatic sprinklers), and provisions for manual suppression, which includes fire extinguishers, fire hydrants and hoses.

 - B. **Planning and Training Operations:** This component requires staff education and training; emergency procedure plans; and fire drills.
 - a. The jail shall have a fire emergency planning session at least quarterly which is documented in writing.

III. Definitions:

- A. Self-Contained Breathing Apparatus (SCBA): A type of respirator used only to perform secondary sweeps of living areas and to provide escort services to municipal fire department personnel. The SCBA is not designated for firefighting purposes.
- B. NFPA: National Fire Protection Agency

IV. Procedure:

A. Ignition Control

- a. An institution may limit the use of electrical appliances and extension cords,
 - i. Appliances and extension cords shall be:
 - (a) UL approved; if allowed at all and
 - (b) Rated within the capabilities of the buildings' electrical distribution system.
 - ii. A homemade, altered, or damaged appliance or extension cords shall not be allowed.
 - iii. Cigarette lighters or matches may be restricted or denied.

B. Fuel Control

a. *Quantities of Fuel*

- i. Each institution may impose restrictions on the quantity of newspapers, books, letters, furniture or other flammable items that an inmate may possess.

b. *Types of Fuels*

- i. Correctional facilities shall purchase and use only mattresses which have cover and batting that meets current ACA Standard 4-4213, Federal Standard-DOC-FF-4-72 as amended.
- ii. Furniture which has foam-type padding shall have fire resistant covering.
- iii. Furniture shall be of non-flammable construction.
- iv. Flammable materials (particle board, press board, plywood, plastic materials, wood panels, and flammable ceiling materials) shall not be used in new construction, renovation or other institutional improvements. All proposed materials shall be referred to the State Fire Marshal's Office for approval or meet current fire codes.

c. *Arrangement and Storage of Fuels*

- i. A flammable item or flammable liquid like petroleum, oil-based paint, lacquer thinners, and dyes, mattresses, pillows and other items that pose particular fire hazards shall be stored in a building away from living and sleeping areas.

- ii.* A flammable and combustible liquid shall not be stored in a stairway, exit, or passageway.
- iii.* An approved container shall be used for storage and handling of flammable and combustible liquids.
- iv.* An inside storage room shall meet the required fire resistive rating.
- v.* A flammable and combustible liquid storage room shall be labeled “Flammable – Keep Fire Away”.
- vi.* Fire protection for the flammable and combustible liquid storage room shall include a sprinkler, water spray, carbon dioxide or other system approved by a nationally recognized testing laboratory for this purpose. At least one (1) portable fire extinguisher having a rating of not less than 20-B units shall be located outside of, but no more than ten (10) feet from, the door opening.
- vii.* Electrical wiring and equipment located in the storage room shall be approved.

d. Occupant Protection

- i.* An institution shall have an evacuation plan for its buildings. A copy of the fire evacuation plan for each building shall be posted at normal exits, stairways and other points, as necessary, to ensure that every occupant, including visitors, has an opportunity to learn the evacuation routes. Precaution shall be taken to ensure that all fire exits and crash gates shall be opened within a very short period of time. Staff with the necessary keys shall remain in the immediate vicinity of all living areas after lockup. Each exit shall be marked with signs required by the National Fire Protection Association Life Safety Code. On future renovations, the institution shall comply with fire safety regulations.

e. Detection and Suppression Activities.

- i.* In order to prevent fires and save lives daily inspections should take place within the facilities (i.e., buildings in which inmates reside).
 - (a)** Respective areas should be surveyed daily and written reports should be submitted on missing cover plates, bare wires, defective plugs, switches and sockets, etc.
 - (b)** Shift Commanders should inspect each staff member at roll call to ensure all personnel have telephone box keys and fire box keys.

ii. Warning signs:

- (a)** Recurring problems such as blowing fuses or tripping circuit breakers.
- (b)** Experiencing a tingling feeling when you touch an electrical appliance.
- (c)** Discolored wall outlets.
- (d)** A burning or rubbery odor coming from an appliance.
- (e)** Flickering lights.

iii. Prevention:

(a) The jail shall be a non-smoking facility

(b) Outlets:

(i) If a plug doesn't match an outlet, upgrade the outlet; do not alter the plug.

(ii) A plug's round grounding prong should never be clipped.

(iii) A plug's wide polarized prong should never be filed down.

(c) Appliances:

(i) Keep heat-producing appliances at least three (3) feet away from furniture, curtains, and any other materials/ objects that can burn.

(ii) Unplug small appliances when they are not in use.

(iii) Allow adequate air flow around electronic components (computers, radios, etc.) to prevent overheating.

(d) Cords:

(i) Do not overload cords by exceeding marked ratings.

(ii) Replace frayed/ cracked cords.

(iii) Keep cords out of the path of foot traffic.

(iv) Do not pinch cords against furniture or walls.

(v) Do not run cords under carpets.

(e) Lamps:

(i) Position lamps on level surfaces, away from materials/ objects that can burn.

(ii) Do not use bulbs that exceed the lamp's recommended wattage.

(f) No smoking allowed in any area

(g) All tools and toxic, corrosive, or flammable substances, and other potentially dangerous supplies and equipment must be stored in a secure, locked area located outside the security perimeter of the confinement area.

(h) Only portable space heaters approved by the Fire Marshalls office are allowed for staff use.

iv. The jailer shall ensure that the jail has an emergency smoke control system activated by smoke detectors and operated by emergency power.

v. A jail without an automatic alarm or pull station shall devise a fire warning system. This system shall include who and how notification shall be made in a fire.

vi. The jail shall post Fire contingency plans. These plans shall be posted near all normal exits, fire extinguishers and telephones. The Fire plans shall instruct personnel in what to do in a fire and shall include:

(a) A requirement to alert all occupants of the building.

- x.** Schedule the following services with appropriate inspection services/or vendors:
 - (a)** The jailer shall ensure that a fire safety inspection by the Department of Corrections is conducted annually.
 - (b)** Sprinkler systems inspection and test (quarterly)
 - (c)** Fire alarm test (quarterly)
 - (d)** Kitchen hood suppression inspection (semi-annually)
 - (e)** Kitchen hood cleaning (semi-annually)
 - (f)** Fire extinguisher inspection (annually)
 - (g)** Inspection and testing of fire protections equipment annually with staff inspections monthly

C. Extinguishing a Small Fire

- a.** Before fighting a fire, be sure:
 - i.** Someone as sounded the alarm and called the fire department.
 - ii.** Everyone has left/ is leaving the area.
 - iii.** The fire is small, confined, and not spreading.
 - iv.** No highly flammable materials are near the fire site.
 - v.** You know what is burning, and your extinguisher is right for the fire.
 - vi.** You know how to properly use the extinguisher.
 - (a)** Extinguisher operations:
 - (i)** P: Pull the pin that unlocks the operating lever. (Some models may have over lever release mechanisms.
 - (ii)** A: Aim low. Point the extinguisher nozzle at the base of the fire.
 - (iii)** S: Squeeze the lever above the handle to discharge the extinguishing agent. To stop the discharge, release the lever. (Some models may have a button instead of a lever.)
 - (iv)** S: Sweep the nozzle or hose from side to side. If the fire is going out, move carefully toward the flames, keeping the extinguisher aimed at the base of the fire, and sweep back and forth.
- b.** Keep your back to a clear exit.
- c.** Stand 6-8 feet away from the fire.
- d.** When an employee discovers a fire that is small enough for them to extinguish they will do so utilizing the nearest fire extinguisher.
- e.** After they extinguish the fire the employee will notify the On-Duty-Supervisor of the incident.
- f.** The On-Duty-Supervisor will respond to the location of the fire and verify that no further threat exists.

- g.** The Fire Department may be notified of the incident and the circumstances at the discretion of the On-Duty-Supervisor. It will be their decision to respond or not.
- h.** The On-Duty-Supervisor will notify Medical and/or Maintenance to respond to the area if needed.
- i.** The employee will ensure that the area is cleaned up and returned to normal operating conditions.
- j.** The On-Duty-Supervisor will ensure that the employee who found the fire completes an Incident Report and, if necessary, a Crime Report.

D. Emergency Procedure for Larger Fires

- a.** If there are fire enunciator panels in the Master Control, the Commander's Office, and the staff Work Stations than these panels can assist in determining the location of the smoke/fire. If there is a fire, or a mechanical sensor detects smoke, Master Control and the employee assigned nearest the location will be alerted.
- b.** When Master Control is alerted to a possible fire by the enunciator board or other source the jail employee nearest to the location will be notified and requested to check the area.
- c.** A duplicate set of keys are to be maintained in a separate and secure place and the local fire officials will be informed of the location by the Jailer or his/her designee.
- d.** When an employee detects fire or smoke, they will notify Master Control and give the following information:
 - i.** Their radio number
 - ii.** The exact location of the fire or smoke
 - iii.** A description of the fire size
 - iv.** The amount of smoke in the area
- e.** After Master Control verifies a fire, they will call 911 to request a Fire Department response.
- f.** Incident Command will be established, an Incident Commander identified and the Incident named. The Incident Commander will direct that all jail employees be advised of the fire. Incident Command will be equipped with a jail radio and at least one telephone. The Incident Commander will designate a Scribe to officially record all events as they occur.
- g.** Only Jail staff and Fire/Emergency personnel will be allowed into the Jail during a fire, unless cleared by someone from the Jailer's Command Staff or Incident Commander.
- h.** All employees with inmates under their control will obtain a count, secure their areas, and notify Master Control when they have completed these tasks.
- i.** Staff will evacuate all visitors from the facility. Reception personnel will help in evacuating visitors from the building and verify that everyone who signed in has left the facility. Any professional visitors in Interview or Multi-Purpose Rooms will be

evacuated from the facility. Incident Command will direct an staff member to go to the appropriate area(s) and evacuate professional visitors and inmates.

- j.** If returning the inmates to their living units is not safe, they may be returned to the evacuation site for that module. Incident Command will be notified when this task is completed.
- k.** Incident Command will direct available staff to go to areas where needed to help with evacuation.
- l.** All employees will confirm with Incident Command which evacuation route(s) they should use.
- m.** A list of all employees and their whereabouts will be established and kept updated by Incident Command.
- n.** Any employee working in, or responding to a real or potential fire/smoke incident, will equip themselves with an air pack before proceeding to the fire/smoke's location.
- o.** Employees on the scene will determine whether it is safe to begin fighting the fire with an extinguisher. If it is safe, they may do so. If the fire is too large or dangerous they will wait for the Fire Department. The employees will communicate this decision to Incident Command.
- p.** Incident Command will select the appropriate entrance for the Fire Department to enter the jail. An employee will be designated to meet them and to escort them to the fire/smoke location.
- q.** The areas/housing units closest to the fire/smoke location may be evacuated depending on circumstances.
- r.** The Incident Commander will consult with the Fire Department and determine if we have evacuated the appropriate areas, or if more areas need to be cleared.
- s.** Employees in the areas being evacuated will remain at their module and await further instructions from Incident Command.
- t.** In the areas to be evacuated, employees will instruct the inmates to file out into the corridor in a single line. Employees will obtain another count as the inmates leave the area.
- u.** When all the inmates are in the corridor, the area's corridor door will be secured for smoke control. Employees will close all doors through which they have evacuated.
- v.** If smoke becomes heavy during the evacuation, employees evacuating inmates/visitors will instruct them to get as close to the floor as possible and crawl along the corridor.
- w.** Once they have reached the evacuation destination, employees will conduct another count to ensure that everyone arrived safely and notify Incident Command.
- x.** Medical may be directed to respond to the evacuation site if there are any injuries.
- y.** If the count is not correct, Incident Command will assign employees to return to the area and search for any missing person, if it is safe to do so. If it is not safe, the officer will notify Incident Command of the missing person. Incident Command will notify the Fire Department.

- z.** Incident Command will notify all jail employees when they can return evacuated inmates to their living units.
- aa.** Jail employees will return the evacuated inmates to their living units and jail operations will return to normal.
- bb.** Incident Command will ensure that the employee finding the fire and other appropriate employees complete an Incident Report and a Crime Report.

E. Fire Evacuation Plans

- a.** Smoke and heat rise, evacuate upper levels first.
- b.** Feel doors before opening.
- c.** Know the fire evacuation plan as well as primary and secondary exits.

F. Fires in Master Control

- a.** If the fire is in Master Control, a designated area will assume all of the monitoring and radio operations.
- b.** The Master Control employee will remain in Master Control and try to extinguish the fire if it is safe to do so. If doing it is not safe, they will notify the Incident Commander that they are abandoning Master Control.
- c.** The employee will activate the override system on the Inner and Outer Master Control Doors, obtain the Master Control key set, exit Master Control and meet the On Duty Supervisor in the Administration Corridor.
- d.** If the fire makes it impossible for them to exit Master Control, he or she will equip him or herself with an air pack and notify Incident Command that they need assistance.
- e.** The Master Control employee will wait for the Fire Department to provide a safe exit or other point of escape.

G. Fires in Booking Area

- a.** If a fire occurs in Intake, employees will be responsible for evacuating all arrestees, inmates and other visitors/personnel in that area to an evacuation site.
- b.** Some employees may remain in Intake to fight the fire, if it is safe to do so. If doing so is not safe, they will remain as close to Intake as is safe until the Fire Department arrives. They will then direct the Fire Department to the fire scene.
- c.** If it becomes necessary to evacuate into the Intake Garage, Master Control will not open doors into the area for anyone, except Fire Department or other necessary emergency personnel to get to Intake.

H. Fires in Reception/ Administration

- a.** If the fire is in Reception or Administration and they have evacuated all the visitors, the Receptionist, other employees, and Administrators will then secure the area and evacuate out the front door or the Employee Entrance.
- b.** If leaving via the front door is unsafe, the alternate way out would be the Intake Garage.



JAIL POLICIES

Policy # Grievance Procedures -Prisoner Rights	
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this agency for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Kentucky Statutes:	
Applicable Kentucky Regulation: 501 KAR 3:140	
ACA Standard 4-ALDF-6B-01	
Date Implemented:	Review Date:

- I. **Purpose:** The purpose of this policy is to outline the jail's grievance procedure.
- II. **Policy:** The policy of the jail is to accept, investigate fairly, and respond in a timely manner to all prisoner grievances. In doing so the jail will respect the due process rights of all prisoners incarcerated in the jail.
- III. **Definitions:**
 - A. **Grievance:** an actual or perceived circumstance regarded by the prisoner as just cause for protest.
- IV. **Procedure:**
 - A. **Grievance Procedure:** A grievance system is a fundamental element of a functional jail system. The purpose of this system is to resolve legitimate complaints.
 - a. The grievance procedure shall provide a mechanism for the prisoner to make the Jailer and his or her staff aware of possible deficiencies with respect to conditions of confinement within the jail.
 - b. All prisoners admitted to the jail shall be made aware of the grievance procedure during their initial orientation as well as in the jail's handbook.
 - c. Prisoners shall be able to file their grievances in a secure and confidential manner and without a threat of retaliation.
 - d. All prisoners shall have equal access to the grievance system.
 - e. Grievance forms shall be readily available to all inmates.
 - f. The Jailer shall appoint a grievance officer who shall be responsible for the collection and investigation of all grievances.

- g.** The grievance officer shall be responsible for the initial response to a prisoner who has filed a grievance.
 - h.** Prisoners may turn their grievance in to any staff member and shall be provided with an envelope which seals in order to confidentially submit their grievance.
- B.** Grievance response:
- a.** Grievances shall be responded to in a responsive and prompt manner.
 - i.** A prisoner must file a grievance within forty-eight (48) hours of the event or condition giving rise to the grievance.
 - ii.** In no case shall a response to a grievance be delayed beyond ten (10) days.
 - iii.** In any case where the jailer or his designee does not respond to a filed grievance within ten (10) days, the grievance is deemed denied.
- C.** Grievance Appeal:
- a.** In cases where the prisoner is not satisfied with the initial response to the grievance, the prisoner may appeal his grievance to the Jailer or the Jailer's designee.
 - b.** This appeal must occur within forty-eight (48) hours of receipt by the prisoner of the initial response.
 - c.** The jailer or his designee will respond to the appeal within ten (10) days
 - d.** In any case where there is no response to the appeal within ten (10) days, the appeal is deemed denied.



JAIL POLICIES

Policy #	
Hostage Response	
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Kentucky Statutes:	
ACA Standard	
Date Implemented:	Review Date:

- I. **Purpose:** it is the purpose of this policy of this agency to establish procedures for hostage situations. This procedure will clearly delineate the notification process, emergency response and procedures that will help prevent the possibility of injury or death in the event of a hostage situation.
- II. **Policy:** it is the policy of this agency to bring hostage situations to a safe conclusion by protecting hostage(s), staff and inmates using established emergency procedures.
- III. **Definitions:**
 - A. Hostage: any staff member, private citizen (visitor) or inmate that is taken by force against his/her will.
- IV. **Procedure:**
 - A. In the unlikely event of a hostage scenario the following notification process will adhered to. Immediate notification of the Jailer, Deputy Jailer, supervisors and a public information officer.
 - a. Any emergency support agencies i.e.; Medical staff, certified emergency response team and hostage negotiators, Sheriff's department and state police.
 - B. All hostages are considered under duress and have no authority to bargain during the crisis regardless of rank.
 - C. Staff members will not surrender keys or any other security device or codes.
 - D. All movement in the facility ceases, All unaffected parts of the facility will be locked down.
 - E. An emergency head count will take place of both staff members and inmates immediately after the unaffected part(s) of the facility are locked down.

- F. The Jailer, Deputy Jailer or designee must decide a course of action for the safe and peaceful resolution of the crisis.

- G. The agency's emergency response teams to include hostage negotiators will be notified and prepared to engage their specialties on demand. **(if said agency does not have emergency response teams or hostage negotiators, then what agency do they contact to provide the essential emergency services).**

- H. Hostage negotiations should be engaged by trained negotiators. **(if said agency does not have trained negotiators what agency or persons are contacted to provide this task).**

- I. At the resolution of situation render medical attention to all hostages/hostage takers as well having mental health worker evaluate all directly involved.

- J. A thorough debriefing of all involved employee's will be conducted.

- K. At the conclusion of the crisis a thorough and complete investigation shall be conducted. All findings shall be turned over to the Jailer for his review.

- L. The Jailer will make recommendations of his findings if any and disseminate these recommendations down the chain of command.

- M. The Jailer should finalize the incident with an after action report and plan.



JAIL POLICIES

Policy #	
Identification-Warrant Verification	
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this agency for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Kentucky Statutes:	
Applicable Kentucky Regulation	
Date Implemented:	Review Date:

- I. **Purpose:** The purpose of this policy is to direct the procedure for verifying the identity of those persons entering the facility based upon on active warrant for arrest.
- II. **Policy:** It is the policy of this agency to ensure that only those persons who are actually the subject of an active warrant be deprived of liberty. Due to identity theft and use of names of others, it essential that the jail take all reasonable steps to positively identify those brought in on warrants and to verify the validity of the warrant itself.
- III. **Definitions:**
 - A. Misidentification: A misidentification case is a case where the arrestee protests that they are not the person named in the warrant and that the arresting officer has mistaken them for someone else.
 - B. Identity-theft: An identity theft case is a case where the arrestee protests that they are the person named in the warrant however the actual subject of the warrant falsely identified himself or herself when arrested initially using the name and other identifying information of the person now arrested.
 - C. Database identity: This occurs when a person who is arrested gives a false name upon their first arrest with the agency using the name and other identifying information of an actual person thus creating a record with fingerprints under that name given.
 - D. Invalid warrant case: those cases where the arrestee protests that the warrant has already been resolved with the court or agency holding the warrant.

IV. Procedure:

- a.** In all cases of misidentification, identity theft protests, database identity confusion or invalid warrant protests, the booking officer shall immediately document the protest and the nature of the protest.
- b.** The booking officer shall immediately notify a supervisor of the protest.
- c.** All reasonable steps which can be immediately made prior to admission into the jail shall be taken. These steps may include:
 - i.** Calling the court/county that issued the warrant for warrant verification;
 - ii.** Conducting fingerprint classification and comparing to classification of subject of the warrant;
 - (a)** Where warrant subject's initial lockup was at this jail-fingerprint classification should be on file.
 - (b)** Where warrant subject's initial lockup was at another jail, steps should be taken to obtain a copy of prints and classification.
- d.** Where immediate steps are unable to resolve the identity protest, further steps should be taken as soon as feasible to determine the validity of the protest and therefore the incarceration.
 - i.** Notifying court of protest and diligent investigation already undertaken.
 - ii.** Notify the arresting agency for assistance in resolving the protest.



JAIL POLICIES

Policy #	
Internal Affairs	
<i>This policy is for internal use only and does not enlarge an employee’s civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Kentucky Statutes:	
ACA Standard	
Date Implemented:	Review Date:

- I. **Purpose:** To establish guidelines regarding the overall maintenance of professional standards within this agency.

- II. **Policy:** To promote a high degree of Ethical standards and behavior that is essential to the integrity of this agency.
 - A. The process shall protect visitors, jail employees, prisoners and the reputation of this agency. The internal affairs unit shall be responsible for conducting prompt and thorough investigations of complaints relating to staff conduct.
 - B. Therefore the internal affairs process is established and maintained to:
 - a. Investigate allegations of actions by staff that constitutes violations of agency policy, local and or state laws, and agency ethical codes of conduct.
 - b. Respond to incidents of prisoner death, assaults on staff, and major disturbances within the agency, including riots, prisoner escape, natural disasters, work stoppages, discovery of contraband, and other emergency situations.

- III. **Procedure:**
 - A. Chain of command
 - a. The internal affairs investigator/unit is under the direct supervision of the Jailer.
 - b. In the event of critical incidents the Internal affairs investigator will take a role indicated by the Jailer. The roles could include intelligence gathering, observation and investigating the events leading up to the incident.

B. Investigators assigned by the jailer shall:

- a.** Conduct prompt investigations upon being initiated by the supervising Inspector. All allegations of staff misconduct will be investigated and adjudicated promptly. Complaints and incidents to be investigated are to include but not limited to:
 - i.** Employee misconduct both on and off-duty
 - ii.** Staff sexual misconduct
 - iii.** Inmate sexual misconduct (Prison rape elimination act) P.R.E.A.
 - iv.** Dishonesty
 - v.** Breach of trust to ensure integrity of the agency
 - vi.** Corruption
 - vii.** Brutality
 - viii.** Use of force events
 - ix.** Civil right violations
 - x.** Criminal misconduct
 - xi.** Dereliction to duty and ethical violations
- b.** Supervise and control investigations
- c.** Be familiar with the implications of "Garrity" rights on internal investigations.
- d.** Log and register complaints from personnel , prisoners and or the general public as it pertains to the jail staff or operations.
- e.** Provide status reports to the Deputy Jailer and Jailer.
- f.** Maintain the confidential status of all internal affairs investigations and record final dispositions. All dispositions will be considered as classified information and internal personnel matters which are to be held and labeled as confidential.
- g.** Maintain and secure all Internal Affairs investigation records.
- h.** Through training, familiarize all personnel with the functions of the Internal Affairs unit
- i.** Act as a liaison between the Jail and other local, state and Federal agencies.

C. Investigations

- a.** Interviews
 - i.** An accused staff member will be interviewed by the assigned investigator
 - ii.** Failure of an employee to attend an interview, cooperate or be truthful during an interview may be subject to discipline up to and including termination.
 - iii.** In cases involving possible criminal charges, the investigator will inform staff members verbally and in writing of their rights. They will also advise them that their statements, information, or evidence they provide in the investigation will not be voluntarily released to a non-agency authority for any subsequent criminal investigation involving the same incident unless they waive their rights under a Miranda warning. (Garrity Warning).

iv. Investigations will be completed as expeditiously as possible while providing due consideration for availability of interviewees, complexity of the situation, the number of witnesses, and distance or location of interviewees.

b. Additional Investigative duties: In addition to staff interviews, investigators shall collect, preserve and maintain physical and documentary evidence, conduct surveillance and perform related duties as required by the investigation.

D. Final Reports

a. The assigned investigator Inspectors will submit their final written reports of an investigation to the jailer.

b. The final report will include all witness statements, evidence, pictures and any other pertinent information regarding the investigation.

c. The final report will include the final disposition of said case.

d. Any information obtained after the final report has been submitted a supplemental report will be submitted to the Supervising Inspector.

E. Confidentiality

a. Confidentiality is required to preserve the rights of individuals of this agency.

b. The complaint, including all information, documents, and evidence pertinent to the complaint, will be handled with sensitivity and confidentiality by all personnel involved in the investigation.

c. Information regarding an investigation may only reveal or divulge on a need-to-know basis, or in an agency defense of disciplinary or legal action.

d. Closed investigation documents and reports shall not be copied or disclosed to the complainant, accused, witnesses, or other interested parties. Requests for such reports shall be referred to the agency's legal representative for consideration.

F. Complaints against internal affairs investigator(s): In cases where a prisoner makes allegations against an internal affairs investigator(s), the jailer shall assign another investigator to investigate the complaint. This assigned investigator will report directly to the jailer for purposes of the complaint being investigated.



JAIL POLICIES

Policy #	
Medical Care	
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Kentucky Statutes: 210.365; 441.045; 441.047;441.052;441.053; 441.560; 441.048	
Applicable Kentucky Regulations: 501 KAR3: 090; 501 KAR 3:900	
ACA Standard 4-ALDF-4C-22;4-ALDF-4C-23; 4-ALDF-2A-19;4-ALDF-2A-21, 4-ALDF-4C-30	
Date Implemented:	Review Date:

- I. **Purpose:** To provide for procedure and practice of this facility to perform medical, dental, and mental health screening commencing upon intake. To detect prisoners who pose a health or safety threat to themselves or others and who require immediate health care.
- II. **Policy:** The policy of this jail is to provide for the physical and mental health of all persons committed to this facility.
- III. **Definitions:**
 - A. Intake Screening: The collection of information related to physical and mental health during the intake process for purposes of identifying prisoners who have immediate physical or mental health needs or who will require specialized housing due to their condition under the jail classification policy.
 - B. Booking Officer: the person responsible for collecting and documenting all admission documents prior to placing the prisoner in lock-up.
 - C. Medical Authority: means the person or persons licensed and certified to provide medical care to prisoners in the jails custody.
 - D. Commissioner means the Commissioner of the Department of Corrections.
 - E. Department means Department of Corrections
- IV. **Procedure:**
 - A. **Medical Staff:** All health care staff working in the jail shall comply with state licensure and certificate requirements commensurate with health care personnel working in the community.

B. Audit of Certifications/Licenses: The jailer or his designee shall maintain a copy of each health care worker's license/certification and ensure that these licenses are active at all times.

C. Intake Screening: The booking officer shall:

- a. Every prisoner, upon admittance to detention shall be screened for mental health risk issues, including mental illness, suicide, mental retardation, and acquired brain injury, by the personnel of the facility in which the prisoner is to be detained.
- b. Every prisoner shall be screened for current and ongoing health needs. Intake staff must complete a medical health screening form which has been approved by the medical authority. (see sample provided) The intake screening must identify and triage:
 - i. Serious Medical Needs;
 - ii. Drug and Alcohol Withdrawal
 - iii. Communicable Diseases
 - iv. Acute and Chronic conditions requiring immediate attention
 - v. Dental Problems
 - vi. Possibility of Pregnancy
 - vii. Person to be notified in the event of any emergency
- c. Prisoner privacy shall be respected during the intake screening.
- d. (Jails Participating in Jail Triage Crisis Line 210.365)
 - i. The Booking/Screening officer shall ensure that a "Jail Intake Assessment" form has been completed by the arresting officer.
 - ii. The Booking/Screening Officer shall complete and document the "Inmate Booking Screening Questions" form.
 - iii. Where the triage system indicates levels of behavioral risks, the jail shall implement the recommended protocols for housing, supervision, and care delivery that match the level of risk.
- e. Complete a mental health screening form:
 - i. BJMHS (Brief Jail Mental Health Screen) for male prisoners.
 - ii. CMHS-W (Correctional Mental Health Screen for Women) for female prisoners.
- f. In any case where it is indicated that the prisoner is in need of immediate medical or psychological care, the jail shall cause the prisoner to receive immediate treatment consistent with the medical or psychological need.
- g. Every prisoner shall be informed verbally and in writing at the time of admission of the methods of gaining access to all healthcare needs including medical and mental health services in the jail.

D. On-Going Medical Protocols:

- a. Health care shall be made available to prisoners from the time of admission until such time as they are released from the jail. When applicable referrals will be made to community health care agencies upon release.

- b.** The medical authority's decisions with respect to treatment/action shall take precedence except where security of the jail will be threatened. In those cases, an action plan will be developed by the jailer and the medical authority which accomplishes the treatment without adversely impacting security.
- c.** Medical treatment to a serious medical need shall be timely and reasonable.
- d.** The jail, through its medical personnel or contracted service shall perform a screening physical and mental health assessment for each prisoner as soon as practical after the prisoner arrives at the jail.
- e.** The assessment will include:
 - i.** A review of the intake health assessment;
 - ii.** A complete medical history;
 - iii.** Immunization history;
 - iv.** Dental history/screening
 - v.** A physical examination;
 - vi.** Screening for tuberculosis and sexually transmitted diseases;
 - vii.** Recording of height, weight, temperature, pulse, and blood pressure.
- f.** Dental screening shall include:
 - i.** Dental Examination
 - ii.** Dental Hygiene
 - iii.** Dental treatment, when the health of the prisoner would be adversely affected by lack of treatment
- g.** The physical examination shall be conducted by a medically licensed staff.
- h.** Records documenting the assessment and results shall become part of the prisoner's medical record.
- i.** A prisoner who screens positively for drug or alcohol withdrawal shall be provided with appropriate treatment, housing, and medical supervision for drug and alcohol withdrawal.
- j.** Detoxification will be carried out under the supervision of the medical authority.
- k.** NOTE: Size of prisoner population determines sick call day requirement (non-emergency) fewer than 100-one day; 100-300-three days; more than 300-four days. 501 KAR 3:090)
- l.** When a prisoner in the jail is, or becomes sick or ill, or requires specialized medical care or long term medical care which is not available in the jail, the jailer may request, in writing, that the Commissioner of the Department of Corrections or the commissioner's designee, transfer the prisoner to a facility operated by the department or contracted to the department for the purpose of necessary medical treatment and care.
- m.** Prisoners with a chronic medical condition shall be regularly monitored to determine if their condition and course of treatment have the chronic condition under control.

- n. Emergency: when a prisoner develops an emergency condition-emergency medical response shall occur immediately.

E. Training:

- a. Deputy Jailers/Correctional Officers shall have current training in standard first aid equivalent to that defined by the American Red Cross;
- b. At least one staff member per shift shall be trained and have a current certification in CPR.
- c. All staff shall be trained to recognize signs and symptoms of mental illness, retardation, suicide risk, and chemical dependency.
- d. All staff shall be trained in the recognition of signs and symptoms, and knowledge of action required in situations involving a medical emergency or mental health crisis.

F. Documentation:

- a. A daily medical log shall be maintained documenting specific medical treatment rendered in the jail. The log shall be kept current to the preceding hour.



JAIL POLICIES

Policy #	
Nutrition Policy	
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Kentucky Regulation 501 KAR 3:100	
Applicable Kentucky Revised Statutes: KRS 71.040; KRS 217.280 through 217.390	
ACA Standard 4-ALDF-4A-03; 4-ALDF-4A-04; 4-ALDF-4A-06; 4-ALDF-4A-07; 4-ALDF-4A-09; 4-ALDF-4A-10; 4-ALDF-4A-11; 4-ALDF-4A-13; 4-ALDF-4A-15; 4-ALDF-4A-16; 4-ALDF-4A-17; 4-ALDF-4A-18	
Date Implemented:	Review Date:

- I. **Purpose:** The purpose of this policy is to direct the food service operation of this jail.
- II. **Policy:** The policy of this jail is to provide nutritionally sound meals to each and every inmate and ensuring the therapeutic needs of each inmate is met while also providing, to the extent that safety and security allows, for the religious mandates of diet. Meals must be delivered with wholesome foods prepared under sanitary conditions. At the same time, the security of the jail requires that implements used during the preparation process be accounted for and stored in a safe manner.
- III. **Definitions:**
 - A. Food Service Operations Supervisor: A staff person, designated by the Jailer, or contracted vendor who is experienced in food service management who oversees the food service operation for the jail.
 - B. Health professional: For purposes of this policy a health professional includes a doctor; nutritionist; dietician or other certified specialist or clinician authorized to prescribe diets based on health needs.
- IV. **Procedure:**
 - A. The food service operation shall be supervised by a full-time staff member who has been trained or who has experience in food service management. (Note this may be contracted to a vendor who has proper certification) Nothing in this section would prevent the jailer from assigning a full-time trained employee from overseeing the food-service operation on a part-time basis.
 - B. All inmates will receive a nutritionally balanced diet while housed in this facility.

- a. All adult inmates shall receive a diet of a minimum of 2,400 calories per day.
 - b. Special diets for health needs shall be provided. These diets shall be determined by a health professional certified to direct and approve the special diet.
 - c. Special diets based upon religious practices shall be provided when properly requested and reviewed for compliance with a recognized religion and approved by the jail chaplain.
 - d. The jail may refuse a special religious diet where the jail can document a compelling interest related to the safety and security of the jail for the refusal.
- C.** The food service area shall be maintained in a hygienic and sanitary condition.
- a. Restroom facilities which include a toilet and sink near the kitchen/dining area shall be made available for kitchen staff and inmates. Kitchen staff workers are required to wash before returning to work in the kitchen after using the restroom facilities.
 - b. All kitchen staff are directed to wash their hands prior to the start of work in the kitchen area.
 - c. Inmates working in the kitchen area will receive regular health appraisals in an effort to minimize the risk of any contagious disease or illness that may be transferred through the food/dining process.
 - d. Where a contract vendor is used for food services, the jail requires verification that the vendor complies with all state and local health regulations.
- D.** Food Storage/Inspection for wholesome food products:
- a. Water temperature in the kitchen area shall be inspected by the staff and recorded on a daily basis.
 - b. Shelf goods must be stored at a maintained temperature between 45 and 80 degrees Fahrenheit.
 - c. Refrigerated foods shall be maintained at a temperature between 35 to 40 degrees Fahrenheit.
 - d. Frozen foods shall be maintained at a temperature of 0 degrees Fahrenheit.
 - e. Temperatures shall be inspected and recorded daily.
 - f. Canteen food items purchased by prisoners may be stored or prepared in amounts that do not pose a threat to the health or security of the institution.
- E.** All meals shall be prepared, delivered, and served under the supervision of jail staff.
- a. Unless a security or safety issue arises, inmates shall be given a minimum of twenty minutes for each meal.
 - b. All inmates shall receive at least two hot meals per day. (NOTE ACA-2 Hot/Ky Regs. 1 hot)
 - c. There shall be no more than fourteen hours between the evening meal and the following day's breakfast. (Note: this schedule may be deviated from based on weekend and holiday food service needs provided all nutritional protocols for inmates are otherwise met)
 - d. Food shall not be used for disciplinary or reward purposes.

F. Inspection/Documentation:

- a.** The food operation supervisor shall ensure that inspections of water temperature and food storage temperatures are taken and recorded on a daily basis.
- b.** The food operation supervisor shall inspect or cause to be inspected all food products to determine expiration dates/wholesomeness of food on a weekly basis.
- c.** The food operation supervisor shall inspect the food preparation and any service or dining areas as well as equipment on a weekly basis and document the same.
- d.** Documentation shall be maintained indicating that the jail food services has been reviewed by an outside source which concluded that the facilities and equipment meet established government health and safety codes.
- e.** The food operation supervisor shall ensure that that all menus are documented on a daily basis as well as the number of meals served.
- f.** Dietary allowances for inmates shall be reviewed at least annually by a qualified nutritionist or dietician to determine that inmates are receiving the nationally recommended allowances for basic nutrition.

- G. Accounting of kitchen tools/implements:** The jailer shall designate a member of the staff to supervise the food service operation. The designated person will maintain a strict inventory on all kitchen tools/implements and shall immediately report missing items through the chain of command.



JAIL POLICIES

Policy #	
Prescription Dispensing	
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable State Statutes: 441.053	
Applicable Kentucky Regulations: 501 KAR 3:090	
ACA Standard 4-ALDF-4C 38:4-ALDF-4D-18	
Date Implemented:	Review Date:

- I. **Purpose:** To provide for the lawful dispensing, storage, and inventory of prescription drugs for prisoners
- II. **Policy:** The medical Authority of designee shall, acting within the scope of his/her license, prescribe, dispense, administer, account for and dispose of medication in accordance with applicable State and Federal Law.
- III. **Definitions:**
 - A. **Medical Authority-** means the person or persons licensed and certified to provide medical care to prisoners in the jails custody.
 - B. **Dispensing** - The placement of one (1) or more doses of prescribed medications into containers that are correctly labeled.
 - C. **Administering** - The act in which a single dose of an identified drug is given to an inmate.
 - D. **Prescribing** - The legal assigning of a controlled drug to an inmate by a licensed physician.
 - E. **Accounting** - The act of recording, summarizing, analyzing verifying, and reporting medication usage.
 - F. **Disposal** - the destruction of medication on its expiration date or when retention is no longer necessary or suitable.

IV. Procedure:

- A.** The jailer shall comply with all applicable state and federal regulations regarding the prescribing, dispensing, administering, procuring, and disposing of pharmaceuticals.
- B.** The Jailer shall audit the medical authority's drug control license to determine that it is current and in good standing.
- C.** The Medical authority or Jailer shall utilize the Department of Corrections contract pharmacy plan unless the DOC has waived this requirement in accord with KRS § 441.053
- D.** All pharmaceutical are to be stored securely.
- E.** An inventory of needles and syringes as well as all controlled substances shall be maintained by the medical authority.
- F.** Intake screening which indicates the need for prescription drugs will follow the intake protocols of immediate verification of necessary medications.
- G.** Dispensing Pharmaceuticals:
 - a.** Only persons who are trained in the dispensing of pharmaceuticals will be allowed to dispense medications. (Note: Single dose packaging as an option to avoid problems)
 - b.** The person responsible for dispensing medication shall verify the identity of the person who is receiving the medication.
 - c.** The documentation related to each medication dispensed will be done immediately upon dispensing the medication to the particular prisoner. Thus, the documents must be contemporaneously completed and signed upon dispensing the medication.
 - d.** The prisoner will initial the documentation of the receipt of the prescription.
 - e.** Any refusal by the prisoner to take the prescription shall be documented and a copy shall forwarded to the medical authority and the jail commander.
 - f.** All medications shall be dispensed from a medication cup, thus eliminating any need for the prisoner to touch the medication itself.
 - g.** The staff member dispensing the medication shall observe the prisoner put the medication in their mouth and make observations of the following:
 - i.** Observe drinking of water with medication in mouth
 - ii.** Signs of swallowing
 - iii.** Examination of open mouth with a flashlight
 - h.** The use of psychotropic drugs such as antipsychotic and antidepressants will be strictly governed by the physician and/or authorized health provider.



JAIL POLICIES

Policy # PREA/Sexual Assault	Related Policies:
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Kentucky Statutes: 510.120	
ACA Standard: 4-ALDF-2A-29; 4-ALDF-4D-22-1; 4-ALDF-4D-22-2; 4-ALDF-22-3; 4-ALDF-4D-22-4; 4-ALDF-4D-22-5; 4-ALDF-4D-22-6; 4-ALDF-4D-22-7	
Date Implemented:	Review Date:

- I. **Purpose:** Prison Rape Elimination Act (PREA) covers incidents of both staff sexual misconduct and offender on offender sexual abuse. The purpose of this Policy is to eliminate sexual assault by inmates on inmates as well as all staff, contractors and volunteers or interns sexual misconduct on inmates.
- ii. **Policy:** It is the policy of the agency to provide a safe, humane, and appropriately secure environment, free from threat of sexual assault for all inmates, by maintaining a program of prevention, detection, response, investigation, and tracking of all alleged and substantiated sexual assaults. This agency will have zero tolerance for incidences of sexual assault within its facilities.
- III. **Procedure:**
 - D. During facility orientation information will be provided to each offender about sexual abuse, sexual assault and sexual misconduct. Designated staff will communicate the information verbally, in writing and in a language/manner that is clearly understood by the offender. Information provided will include, but is not limited to:
 - a. Agency zero tolerance stance
 - b. Self-protection methods
 - c. Prevention and intervention
 - d. Treatment and counseling
 - e. Reporting procedures
 - f. Protection against retaliation
 - E. Detainees will be screened within 24 hours of processing for potential vulnerabilities or tendencies of acting out with sexually aggressive behavior. Housing assignments shall be made in accordance with the classification policy.

- F.** Detainees identified as high risk with a history of assaultive behavior and detainees identified as a high risk for sexual victimization shall be assessed by a mental health or other qualified professional. Those identified as high risk will be identified, monitored and counseled in accordance with the mental health services policy.
- G.** Sexual contact between staff and detainees, volunteer or contracted personnel and detainees, regardless of consensual status, is prohibited and subject to administrative and criminal sanctions. Reporting of such instances will follow the procedures outlined in the Sexual Harassment and Sexual Misconduct Policy.
- H.** Prisoners may report incidents of sexual abuse/threats through any medium including the confidential grievance procedures. Where an inmate notifies a staff member that staff member is obligated under this policy to forward this complaint through the chain of command in writing. Failure to report such incidents shall result in disciplinary or criminal action.
- I.** All reports of sexual abuse/threats will be fully investigated by Internal Affairs or the designated Internal Affairs person and the Jailer kept informed through written reports.
- J.** Victims of sexual assault are to be separated from his/her assailant and referred to the appropriate medical facilities or professionals for examination to determine the extent of physical injury. With the victims consent the examination includes collection of evidence from the victim using an approved kit.
- K.** Provision is made for testing for sexually transmitted diseases and counseling as appropriate. Treatment and follow-up for sexually transmitted diseases are offered.
- L.** An evaluation by a mental health professional shall assess the need for crisis intervention counseling and long-term follow-up.



JAIL POLICIES

Policy #	
Prisoner Visitation	
<i>This policy is for internal use only and does not enlarge an employee’s civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Kentucky Statutes:	
Applicable Kentucky Regulation: 501 KAR 3: 140	
ACA Standard: 4-ALDF-5B-02, 4-ALDF-5B-03, 4-ALDF-5B-03, 4-ALDF-5B-04	
Date Implemented:	Review Date:

- I. **Purpose:** The purpose of this policy is to outline the procedure of the jail with respect to visitation between prisoners and visitors.
- II. **Policy:** It is the policy of the jail to provide for visitation to prisoners within the security constraints of the jail.
- III. **Procedure:**
 - A. **Visiting:**
 - a. **Schedule:** The schedule for visitation shall provide as follows:
 - i. Not less than two (2) days per week
 - ii. One of the two (2) days must be on the weekend
 - b. A visit shall be no less than fifteen (15) minutes
 - c. Two or more persons permitted to visit at the same time shall count as one visit
 - d. Children, if accompanied by an adult shall be permitted to visit a prisoner.
 - e. Attorneys, clergy, and medical personnel shall be permitted to visit a prisoner at reasonable hours other than during regularly scheduled visiting hours.
 - f. Each visitor shall be required to register in at the jail.
 - g. Visitation may be carried out through video visitation at the discretion of the Jailer.
 - h. Visitors may be refused entry if:
 - i. If the visitor refuses to register; or
 - ii. Refuses a consensual search; or
 - iii. Violates a rule on visitation

- i. Prisoners shall not be restricted with respect to who he or she has as a visitor unless the jailer determines that the visitor should be excluded on the basis of one or more of the following reasons:
 - i. The visitor represents a clear and present danger to the security of the jail;
 - ii. The visitor has a past history of disruptive conduct at the jail;
 - iii. The visitor is under the influence of alcohol or drugs;
 - iv. The visitor refuses to submit to a consensual search;
 - v. The visitor refuses to produce proper identification; or
 - vi. The prisoner refuses the visit.
 - vii. In all cases, where a visitor has been refused admittance, written documentation, including the date, time, name of the visitor, name of the prisoner sought to be visited, and the reason for the refusal, shall be completed.
- j. Visitor Search:
 - i. All visitors may be requested to undergo a consensual search of their person and belongings prior to entry. A refusal as noted may lead only to a denial of entry.
 - ii. Visitors may be pat-frisked for weapons, if while visiting, a member of the staff develops reasonable suspicion to believe they are in possession of a weapon.
 - iii. Visitors may be searched when there is probable cause to believe they have committed a crime while visiting the jail and they are to be arrested.



JAIL POLICIES

Policy #	
Religious Rights	
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Kentucky Statutes:	
Applicable Kentucky Regulation 501 KAR 3:140	
ACA Standard: 4-ALDF-5C-17	
Date Implemented:	Review Date:

- I. **Purpose:** The purpose of this policy is to outline the directives of the jail with respect to a prisoner's opportunity to participate in their religious practice and receive religious counseling while incarcerated at the jail.
- II. **Policy:** The policy of the jail is to respect prisoner rights with respect to religious practices and counseling where these practices do not impact the safety and security of the jail. The jail and its employees shall not promote the practice of any religious faith, but will permit inmates the opportunity to participate voluntarily in the practice of any established religious faith, in any respect deemed essential by the faith's religious leaders. Religious worship, practices and rituals shall be limited only by the legitimate need to restrict their exercise for a valid rational (Jack note: check this and make sure it is not a strict scrutiny/compelling interest standard) reason related to institutional safety, security, and/or order.
- III. **Definitions:**
 - A. Faith Group: Major faith groups include, but are not limited to: Buddhist, Catholic, Jewish, Muslim, Native American, and Protestant Faith subgroups commonly referred to as denominations. (e.g. Baptist, Lutheran, Methodist, etc.)
 - B. Non-Faith Group: Groups whose purpose is anything other than religious exercise.
- IV. **Procedure:**
 - A. Religion: Prisoners shall be granted the right to practice his or her religion within the limits necessary to maintain institutional order and security.
 - a. Each prisoner shall be afforded the opportunity to participate in religious services and receive religious counseling within the jail;



JAIL POLICIES

Policy #	
Prisoner Rights	
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Kentucky Statutes:	
Applicable Kentucky Regulation: 501 KAR 3: 120; 501 KAR 3:140	
ACA Standard 4-ALDF-5B-05; 4-ALDF-5B-06; 4-ALDF-5B-08; 4-ALDF-5B-09; 4-ALDF-5B-10; 4-ALDF-5B-11; 4-ALDF-6A-01; 4-ALDF-6A-02; 4-ALDF-6A-03.	
Date Implemented:	Review Date:

- I. **Purpose:** The purpose of this policy is to identify and direct employees with respect to prisoner rights that are not covered by specific policies.
- II. **Policy:** The policy of this jail is to provide prisoners with the rights and protections afforded to them under the Federal, Kentucky, and local laws.
- III. **Procedure:**
 - A. **Prisoner Rights Notification:** Upon admission into the jail, all prisoners shall receive and sign for a written copy of their rights while held in the jail.
 - B. **Jail Handbook:** Each prisoner shall receive a jail handbook upon admission to the facility which orients the prisoner with the jail and specifically addresses:
 - a. How to obtain medical care;
 - b. How to obtain mental health care;
 - c. How to file a grievance;
 - d. Disciplinary Policy
 - C. **Orientation:** As soon as possible after assignment, an oral or written orientation shall be made available to each prisoner. The orientation shall provide the prisoner with information regarding his or her confinement to include:
 - a. Information as to rising and retiring;
 - b. Information on meals;
 - c. Mail procedures;
 - d. Work assignments;

- e. Telephone privileges;
 - f. Visitation;
 - g. Correspondence;
 - h. Commissary;
 - i. Medical care;
 - j. Dental care;
 - k. Mental health care;
 - l. Rules of prisoner conduct;
 - m. Disciplinary procedures;
 - n. Information regarding work, educational, vocational training, counseling, and other social services; and
 - o. Procedures for making a request or registering a complaint with the jail staff or departmental personnel.
- D. Posting:** The jail will maintain a posting of prisoners' rights in the booking area and living area of the jail
- E. The following areas shall be covered under prisoner rights:**
- a. **Access to Court:** The jailer shall not prohibit a prisoner's right of access to the judicial process.
 - i. Inmates shall have access to free legal assistance; or
 - ii. Legal resources in the event that free legal assistance is unavailable
 - b. **Access to Attorney:** The jailer shall ensure the right of the prisoner to have confidential access to his attorney or authorized representative.
 - c. **Mail:** Prisoners shall be allowed to correspond with anyone as long as the correspondence does not violate state or federal law.
 - i. The jailer may restrict prisoner to prisoner mail.
 - ii. Incoming mail may be opened and inspected for contraband, however mail received the following may only be opened in the prisoner's presence:
 - (a) Court; or
 - (b) Prisoner's attorney of record; or
 - (c) Public official.
 - iii. Excluding weekends and holidays or emergency situations, incoming and outgoing letter are held for no more than twenty-four hours and packages are held for no more than forty-eight hours.
 - iv. The jail shall provide indigent prisoners with one first class postage stamped envelope per week so that they may maintain contact with the community and necessary postage for correspondence to their attorney of record, a court, or a public official.

- d. Telephone:** A newly admitted prisoner shall be permitted a reasonable number of local and collect long distance to an attorney of the prisoner's choice, or to a family member, as soon as practical, generally within one (1) hour after arrival until one phone call is achieved. The reason for this provision is to allow the prisoner to notify someone that he or she is in custody.
- i. The jailer or his designee shall maintain a log of phone calls made by a prisoner during the admission process unless the calls are made from a housing area. The log shall document the date, time, and party contacted.
 - ii. Each prisoner shall be permitted to complete at least one (1) telephone call per week. The expense incurred for the call shall be borne by the prisoner or the party called.
 - (a) A minimum of five (5) minutes shall be allotted for each call;
 - (b) If calls are monitored the prisoner shall be notified;
 - (c) Telephone privileges may be suspended for a designated period of time for a violation of the telephone rules.
 - iii. The jail shall maintain a TDD phone (or comparable equipment) for hearing impaired inmates.



JAIL POLICIES

Policy #	
Prisoner Property	
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this agency for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Kentucky Statutes: 67.592; 67.594	
Applicable Kentucky Regulation	
ACA Standard	
Date Implemented:	Review Date:

- I. **Purpose:** The purpose of this policy is to direct the receipt, custody, storage, and disposition of an arrestee's property upon admission to the jail.
- II. **Policy:** It is the policy of the jail to provide for an accurate accounting of property coming into the custody of this facility upon the admission of a prisoner as well as the safe storage of the property and disposition of the property upon release.
- III. **Procedure:**
 - A. During the intake process, the prisoner shall be required to remove all of their personal property from their person/clothing.
 - B. The jailer will set forth a list of items that a prisoner will be allowed to keep in their possession while in the jail.
 - C. The jail may refuse to retain property where the property is perishable or poses a health or safety threat to jail, i.e. fire, unsanitary etc. or items with little or no value.
 - D. All property shall be inventoried and receipted.
 - E. Where feasible, this accounting shall take place in the presence of the officer bringing the prisoner to the jail or some other staff member.
 - F. The prisoner shall be asked to sign the receipt confirming the property, to include cash, which was taken from them.
 - G. Any refusal to sign the inventory shall be documented by the booking officer.
 - H. If a prisoner is inebriated, is a mental inquest detainee, or is mentally ill or mentally retarded, there shall be at least one witness to verify the accounting. As soon as the prisoner is able to understand the accounting, the prisoner shall sign the receipt.

- I. In any case where the prisoner makes an immediate protest of discrepancy between the items/cash seized and what they had on their person, a supervisor shall be called if available.
- J. Personal property/ valuables may be released to a family member or friend at the request of the prisoner but only with signed documentation from the prisoner as well as a documented acknowledgement of receipt by the person to whom the prisoner requested the property be turned over to.
- K. Any perishable property, such as food, on the prisoner's person at the time of admission shall be transferred to the custody of a person chosen by the prisoner subject to the requirements of "g." above. In the event that no such person is available, the prisoner shall be informed that perishable property cannot be properly stored during incarceration.
- L. All property held shall be properly tagged with the prisoner's identification and the booking officer's identification.
- M. Once documented, the property shall be placed in the locked area designated for prisoner property.
- N. Release: When a prisoner is released, a determination shall be made by the employee responsible for release to determine if the prisoner has any property held by the jail.
 - a. The employee releasing the property shall verify the identity of the prisoner matches up to the tagging on the property.
 - b. The prisoner shall be presented with a receipt for his or her signature acknowledging the receipt of the property.
- O. Any disposition of property that remains in the property storage area after the release of a prisoner, transfer of a prisoner, death of a prisoner, or other termination of the prisoner's detention at the jail, shall be disposed of in accord with the Kentucky Revised Statutes



JAIL POLICIES

Policy #	
Prisoner Restraints	
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Kentucky Statutes:	
ACA Standard: 4-ALDF-2B-02, 4-ALDF-2B-03	
Date Implemented:	Review Date:

- I. **Purpose:** To establish specific guideline for the use of restraining devices by staff.
- II. **Policy:** It is the policy of the jail to utilize restraints for the protection of the prisoner, the staff, and overall security of the jail
- III. **Procedure:**
 - A. Restraints are never used:
 - a. As punishment.
 - b. Around the head or neck.
 - c. In a way which causes undue physical pain or bodily injury.
 - d. In a manner as to restrict blood circulation or breathing.
 - e. To replace good supervision.
 - f. Beyond two (2) hours without authorization.
 - B. Restraints may be applied to a prisoner when necessary to:
 - a. Prevent an escape;
 - b. Prevent damage to property;
 - c. Prevent self-injurious behavior or injury to others;
 - d. Prevent or quell a disturbance or riot;
 - e. Provide appropriate security;
 - C. No privately owned restraining devices are authorized.
 - D. Restraints are not to be used to replace supervision.
 - E. Prisoners in restraints must be adequately supervised.

- F. Restraints are only used when necessary and in a manner that is secure, safe, and humane.
- G. Restraints will only be applied by personnel trained in their use.
- H. First aid shall be provided for offenders who are restrained.

IV. Definitions:

- A. Emergency restraint chair: A chair specifically designed to restrain a prisoners arms, legs, shoulders, and chest while in a seated position.
- B. Leather Restraints: A form of 4-Point Restraint- wrist and ankle, with belts; may be used in place of standard metal restraints.
- C. Handcuff/ Leg Iron combination: A form of 4-Point Restraint- two (2) sets of handcuffs and one (1) or two (2) sets of leg irons, depending upon the cell's construction.

V. Application:

A. General Procedures

- a. Restraints are applied as humanely as possible.
- b. The type of restraint should be reduced to the least restrictive level required as soon as the prisoner is cooperative.
- c. Staff will attempt to assist the prisoner in gaining control by less restrictive interventions prior to considering application of restraints. Actions may include but are not limited to:
 - i. Talking to prisoners in a calm manner in attempt to de-escalate situation.
 - ii. Placing a prisoner in seclusion cell.
 - iii. Offering medication, if ordered by physician.
 - (a) Medications are to be given by health service staff.
- d. Restraints should not exceed four (4) hours without a face-to-face evaluation by a physician.
- e. Potentially harmful objects, which might interfere with restraints, are removed from prisoner(s) (e.g. watches and rings).
- f. Staff will encourage prisoner compliance during the application of the restraints by:
 - i. Calmly explaining the restraint procedure.
 - ii. Reasons for decision to restrain.
 - iii. Behavior required for terminating use of restraints.
- g. The prisoners should be monitored at least every 15 minutes by health and security staff while restrained.
- h. Health care staff will observe the inmate at least once every 30 minutes for signs of circulatory, respiratory, or other dysfunction, abrasion, irritation or injury.
 - i. Extremities will be monitored for color, temperature, and pulse.
 - ii. Vital signs will be taken and recorded by nursing staff.

- i. Range of motion exercises should be performed every two (2) hours by health care staff unless the patient is too agitated or assaultive to remove the restraints.
 - i. Restraints shall be removed one extremity at a time.
 - ii. Performance of range of motion exercises shall be clearly documented, as well as the patient's behavior, respiration, and responsiveness.
- j. The prisoners will be provided bathroom privileges, hygiene requirements and exercise of limbs sufficient to ensure adequate circulation.
- k. Meals are to be provided to restrained prisoners. Prisoners head will be elevated and turned laterally when given food or liquid to prevent aspiration.

B. Training

- a. Health care and security staff will be trained in the proper application of restraint devices.

C. Documentation and Review

- a. Reports should be provided to Jail, medical, and administrative staff.
- b. Documentation shall be completed including but not limited to:
 - i. The type of restraint;
 - ii. Where the prisoner was placed;
 - iii. The type of clothing or covering the prisoner wore;
 - iv. Medications administered, if applicable;
- c. Documentation of restraint procedure begins with an entry in the medical record by medical or mental health staff to include, but not limited to:
 - i. prisoner behavior immediately prior to decision to use restraints.
 - ii. Clinical justification for use of restraints rather than less restrictive interventions.
 - iii. Listing of interventions attempted by staff prior to decision to restrain.
 - iv. Notation of physician contact or attempt to contact.
 - v. Type of restraints ordered.
 - vi. Prisoner behavior during application of restraints.
- d. Jail staff in accordance with institutional procedures will complete a report, which details the use of clinically ordered physical restraints.
- e. Nursing staff will document:
 - i. Vital signs.
 - ii. Care and assessment of prisoner.
 - iii. Interaction with inmate in on-going manner in medical record.
- f. Documentation will be completed to ensure compliance with procedures. Forms will be sent to site Health Services Administrator to facilitate review of instance requiring restraint.

D. Types of Restraints

a. 4 Point Restraints: Are a last resort when less restrictive options have failed.

i. Leather Restraints

(a) Application and Use

(i) Staff anchor restraints on both sides of the bed frame.

(ii) Staff place the prisoner's wrists and ankles in cuffs and shackles and secure them.

- Note: The prisoner's wrists and ankles may be wrapped with gauze or cloth to minimize discomfort.

ii. Handcuff/ Leg Iron combination

(a) Application and Use

b. Handcuffs

i. Application and Use

(a) An employee should never handcuff an prisoner to himself or to any other prisoner.

(b) Whenever possible, prisoners should be cuffed in back.

- Wrists should be back to back with palms facing out.

c. Flex Cuffs

i. Application and Use

(a) Staff apply flex cuffs so they circle both of the inmate's wrists and/ or ankles and pull up snugly.

(b) Flex cuffs must be cut with wire cutters in order to remove them.

d. Belly Chains

i. Application and Use

(a) The chain should be secured snugly around the prisoner's waist, using a padlock.

(b) The prisoner's wrists are placed in cuffs.

e. Leg Irons

i. Application and Use

(a) Staff apply upper body restraints (handcuffs, belly chains) first.

f. Lead Chains

i. Application and Use

(a) The prisoners should be cuffed with hands in front.

(b) Lead chains must not be attached to any fixed object in a vehicle.

g. Knee Brace

i. Application and Use

- (a) Knee braces are to be used only when leg irons are impractical.
- (b) Staff apply upper body restraints (handcuffs, belly chains) first.

h. Restraint Chair

i. Application and Use

- (a) The emergency restraint chair will not be used for punishment, harassment, or to intentionally inflict pain on any offender.
- (b) May only be used for the following reasons:
 - (i) Control of a disruptive offender,
 - (ii) Prevention of bodily harm to other persons,
 - (iii) Prevention of property damage,
 - (iv) Medical procedure, as allowed by policy or court order,
 - (v) Transportation of a disruptive prisoner, or
 - (vi) Prevention of self-injury.
- (c) Documentation of efforts for less restrictive treatment alternatives will be completed by the Medical Provider/Mental Health Professional as soon as possible and retained in the prisoner's health record.
- (d) Use of the emergency restraint chair will be limited to the minimum amount of time necessary to ensure control of a prisoner, but no longer than 2 hours at any one time.



JAIL POLICIES

Policy #	Riots and Disturbances
Riot Response	
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Kentucky Statutes:	
Applicable Kentucky Regulation 501 KAR 3: 070	
ACA Standard: 4-ALDF-1C-02, 4-ALDF-1C-05, 4-ALDF-2B-04	
Date Implemented:	Review Date:

- I. **Purpose:** The purpose of this policy is to direct jail operations during a disturbance or a riot.
- II. **Policy:** This agency will use only the force necessary to restore jail operations to normal in the event of a riot or disturbance. The safety and security of all staff and prisoners shall be paramount in these operations.
- III. **Procedure:**
 - A. **Prevention**
 - a. Jail staff should be alert to any signs of an impending riot and should report these observations to the shift commander immediately.
 - b. The shift commander shall attempt to resolve a situation before a riot occurs.
 - B. **Training**
 - a. A formal training should be conducted annually in facility emergency plans.
 - b. Drills shall be conducted periodically to familiarize personnel with their duties in preventing riots as well as their role in diffusing a situation and responding to a disturbance.
 - C. **In the event of a riot:**
 - a. The jail shall establish a Control Center to control, execute and monitor the proper and timely implementation of detailed plans of action to cope with a riot or other major disturbance.
 - b. *Jail staff shall:*

- i. Call for assistance and attempt to contain the disturbance through lockdown procedures.
- ii. If inmates refuse to disperse, the officer may utilize O.C. solution (pepper gas) to stabilize the situation.

c. The Shift Commander shall:

- i. Cease all inmate movement within the facility.
- ii. Access the situation and take appropriate steps to minimize any injuries or damage to the facility.
- iii. Request assistance from other available divisions or departments.
- iv. Establish an exterior perimeter if the jail facility has been breached.
- v. Maintain a line of communication with the rioting inmates, if possible.

d. The Jail Administrator or designee shall:

- i. Request Emergency Medical Services, Fire Department, or other emergency personnel as needed.
- ii. Coordinate with other staff to determine the appropriate course of action and determine if an Emergency Response Team is necessary.
- iii. Attempt to gain control of the affected area through the following use of force continuum:
 - (a) Negotiations
 - (b) Show of force
 - (c) Tactical Operation (i.e., water, chemical agents)
 - (d) Special Weapons**

D. Minor Disturbances

- a.** Jail staff discovering a minor disturbance will notify the On-Duty Supervisor (ODS) and inform him or her of the situation and request additional help if they need it.
- b.** The ODS will respond to the scene and may request additional personnel, order a lockdown of the remainder of the facility based on his or her appraisal of the situation, and establish Incident Command.
- c.** If the Incident Commander (IC) orders a lockdown, he or she will instruct employees not directly involved in the incident to escort any visitors out of the facility.
- d.** If the IC determines that the Jail cannot control the situation without additional assistance, see Procedure II.
- e.** The IC will direct employees to resume normal operations when the minor disturbance has been resolved.
- f.** Officers involved in the disturbance will complete an Incident Report and/or Crime Report.

E. Major Disturbances/Riots

- a.** An employee discovering a possible riot or major disturbance will notify the ODS and inform him or her of the situation and request additional help if they need it.
- b.** The ODS will respond to the scene. If the ODS decides that a riot or major disturbance is underway, he or she will establish Incident Command, contact the Jailer.
- c.** When the Jailer responds or contacts the Incident Commander (IC), the IC will give him or her the following information: the area(s) of the Jail involved the approximate number of inmates involved, known reasons for the disturbance any known or suspected weapons in the inmate's possession, the known leaders of the disturbance, and any known injuries to staff or inmates.
- d.** The IC will instruct employees not directly involved in the incident to lockdown the uninvolved inmates and to escort any visitors out of the building.
- e.** When the Jailer, or designee, arrives the IC will inform him or her of the situation or of any changes that may have occurred since the initial notification. The Jailer may assume the role of the IC.
- f.** The IC will assess the situation to determine if they need further assistance from outside the Jail to restore order.
- g.** The IC will decide if they need any special equipment from the Jail Armory to end the disturbance. The Jailer, or designee, can authorize the use of shotguns/less-lethal if needed. If we require specialized assistance, the IC can request that a Canine Unit and/or the SWAT Team be activated.
- h.** When terminating the incident, the IC will direct jail employees to conduct an inmate count to confirm that all inmates are accounted for. If the counts are correct, we will resume normal operations.
- i.** If the counts cannot be confirmed this will be reported to the ODS and measures will be implemented to resolve the discrepancy.
- j.** Employees involved in the disturbance will complete an Incident Report and/or Crime Report.
- k.** The IC will assess any damage to the facility or equipment and document it in writing to the Jailer.
- l.** The Jailer or IC, will conduct a debriefing of jail personnel involved in the incident once all reports have been completed and reviewed.

F. After control is established, the jail staff shall:

- a.** Administer appropriate medical attention.
- b.** Verify proper number of inmates through head count.
- c.** Repair any damage to the facility, particularly security areas and equipment.
- d.** Segregate ring leaders and agitators,
- e.** The Jail Administrator shall require an investigation in an effort to identify and prosecute all instigators in any riot.

- f.** The Jail Administrator shall review reports and procedures and recommend any revisions.
- g.** Adopt measures to prevent repetition of similar incidents.



JAIL POLICIES

Policy #	
Searches/Contraband Control	
<i>This policy is for internal use only and does not enlarge an employee’s civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only for the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Kentucky Regulation: 501 KAR 3:010; 501 KAR 3:060; 501 KAR 3:120;	
Applicable Kentucky Revised Statute:	
ACA Standard 4-ALDF-2C-01, 4-ALDF-2C-03, 4-ALDF-2C-04, 4-ALDF-2C-05	
Date Implemented	Review Date

- I. **PURPOSE:** The purpose of this policy is to outline the mandates of this jail with respect to the searches of arrestees and inmates within the jail facility both at intake and throughout their incarceration.
- II. **POLICY:** It is the policy of this agency to balance the safety and security of the lock-up facility with the Constitutional Rights of persons who are placed in a holding cell or held within the general population of the jail.
- III. **DEFINITIONS:**
 - A. Strip Search: A re-arrangement of clothing which allows for the visual observation of genitals, buttocks, or breast of a woman.
 - B. Pat or Frisk: Means a manual search of a clothed person and includes a visual inspection of the open mouth.
 - C. Cross-gender strip-search: The strip search of a person by a member of the opposite gender.
 - D. Arrestee: Any newly arrested person who, prior to the moment of arrest, was unaware that they would be placed in a holding facility or jail.
 - E. Contraband: Any item which is prohibited from possession in the jail irrespective of whether the item would be considered illegal for possession in a public environment, i.e. cigarettes, lighter, matches etc.
 - F. Change-out Process: The process by which an arrestee changes from their clothing to a uniform provided by the facility
 - G. Hygienic Shower: A sanitary shower required by the arrestee before being placed into general population

- H. Reasonable suspicion: facts and circumstances based upon observations or information, short of probable cause, but, based on articulable facts that would lead a reasonable officer/correctional officer to believe that the person to be searched was concealing contraband and that the strip search would reveal that item.
- I. Exigent Circumstance: an emergency condition which if not immediately attended to may jeopardize the health and safety of persons in the facility including arrestees, inmates, and staff
- J. Body-Cavity Search: means a manual or instrument search of a person's oral, anal, vaginal, or other body cavity, performed by medical personnel.

IV. PROCEDURE:

A. Arrestees shall only be stripped searched when there is reasonable suspicion to believe that they are concealing contraband or weapons that would be revealed by conducting a strip search. Reasonable suspicion must be based upon the existence of objective information that may predict the likelihood of the presences of a weapon, drugs, or other items of contraband concealed on the particular prisoner.

- a. Strip searching of all arrestees is strictly prohibited.
- b. Reasonable Suspicion may be supported by one or more of the following:
 - i. Current offense for which they have been brought in on:
 - (a) Fresh drug charges;
 - (b) Crime for which they are arrested generally involves weapons or contraband
 - (c) Fugitive Status when the charge for which the prisoner is a fugitive supports reasonable suspicion i.e. drug charge or where there has been a transfer of custody supporting a strip search.
 - (d) Felony Violence
 - (e) History of particular arrestee known to officers that supports subject being in contraband, i.e. recent arrests for weapons or drugs;
 - (f) Institutional Behavior, reliable information or history that indicates possession or manufacturing of contraband, the refusal to submit to a clothed pat-down search or the clothed pat-down search revealed the possession of contraband.
 - (g) Conduct of individual that would indicate they are concealing something;
 - (h) Items felt during pat-down or indicated during electronic detection (i.e. metal detector) search;
 - (i) Information from a reliable source.

B. Alternative Search Options:

- a. Prior to conducting a strip search the staff member should consider alternatives to such a search.
- b. Alternatives include:
 - i. Voluntary surrender;
 - ii. Pat-down;
 - iii. Partial Removal;
 - iv. Metal Detector;
 - v. Last chance box

an area to which the public may have access, or after transport from or through an area to which the public may have access.

F. Body Cavity searches:

- a.** Body cavity searches shall be done pursuant to probable cause and with the authorization search warrant/exigent circumstance.
- b.** Body cavity searches shall only be conducted by medical personnel in a sanitary environment.

G. A prisoner shall be searched in accordance with this policy if entering or leaving the security perimeter.

H. Isolated security spot checks shall be conducted for contraband daily.

I. Contraband documentation: all staff members shall ensure that the recovery of contraband during the non-strippable process be documented and that an ALERT is placed in the prisoner's record.

J. Mail and Legal Mail will be searched in front of the Prisoner. Respect will be given to Inmates Religious Material



JAIL POLICIES

Policy #	
Sexual Harassment	
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Kentucky Statutes:	
ACA Standard	
Date Implemented:	Review Date:

- I. **Purpose:** The purpose of this policy is to establish a zero tolerance for any sexual harassment or sexual discrimination in any form within this agency and caution all staff that any violation involving sexual harassment or discrimination will result in severe consequences including termination and prosecution if applicable. The policy also provides for the reporting and department response to sexual harassment or discrimination. All jail personnel, sworn and civilian, are empowered with authority by their government to perform their duties free of criminal activity. When any staff uses this authority for sexual purposes, and violates another person, the staff not only commits a crime against the victim, but damages the credibility and trust of the entire jail with the public.
- II. **Policy:** It is the policy of this department to prohibit sexual harassment or sexual discrimination in any form and to provide employees, contractors and volunteers with a mechanism for reporting and resolving allegations of sexual harassment and discrimination. Staff on Offender and Offender on Offender Harassment & Misconduct is covered under the Prison Rape Elimination Act of 2003(PREA) Policy
- III. **Definitions:**
 - A. **Sexual Harassment** - Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct when:
 - a. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 - b. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
 - c. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

B. Two Types of Sexual Harassment:

- a. Quid Pro Quo Harassment:** A circumstance by which an employee is afforded a favorable employment action in exchange for a sexual favor. Examples:
 - i. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 - ii. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
 - iii. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.
- b. Hostile Work Environment:** A circumstance by which an employee is confronted with an environment involving sexually explicit language, photos, or conduct. Examples:
 - i. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 - ii. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
 - iii. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

C. Sexual Harassment Progression:

- a. Non-Physical**
 - i. Pressure for Dates
 - ii. Sexual Jokes
 - iii. Teasing
 - iv. Remarks
 - v. Questions
 - vi. Suggestive Looks/Gestures
- b. Physical/Non-Physical Intimidation:**
 - i. Sexual Favors
 - ii. Pinching
 - iii. Touching
 - iv. Phone Calls
 - v. Blocking
 - vi. Cornering
 - vii. Sending Materials of Sexual Nature

c. Physical/Bodily Harm

- i. Sexual Assault
- ii. Attempted Sexual Assault

D. Sexual Discrimination: The disparate treatment of an employee with respect to work benefits, conditions, assignments, promotions, etc. based upon the gender of the employees unless such disparate treatment is necessary based upon some bona-fide occupational qualification.

IV. Procedure: Supervisors and all employees have an obligation to provide a work environment free of all harassment. This includes taking steps to insure that the agency is in a position to control prohibited harassment whether it is done by supervisors, co-workers or non-employees (such as vendors, volunteers or student interns, working with the agency or supplying services).

A. Reporting Requirements: All employees within the agency have an obligation to promptly report violations of this policy. This would include sexual harassment, sexual discrimination or indicators of a hostile, offensive work environment that the employee experiences, witnesses, or otherwise has knowledge of. Once made aware the employee is required to report the violation to their supervisor. The supervisor will immediately contact the Internal Affairs Section, or the command level personnel having Internal Affairs responsibility who will immediately initiate an investigation in accordance with their established investigative policy. The investigation will involve other investigative elements of the jail as necessary and any forensic evidence will be protected and processed immediately. The accused staff's supervisor will not attempt to resolve a complaint of this nature with the complainant, and is required to make immediate contact with Internal Affairs or the command level personnel having Internal Affairs responsibility.

- a. If the violation involves supervisory personnel, the reporting employee will notify the appropriate command level officer, Jailer or County Attorney and will not be strictly held to his or her chain of command.
- b. Anonymous reporting can follow his/her chain of command, go directly to Internal Affairs or the command level personnel having Internal Affairs responsibility or report directly to the Jailer or the County Judge/Executive.

B. The department shall promptly investigate all complaints regarding harassment or discrimination regardless of their origin.

C. Once an allegation is made steps should be taken to separate the involved employees while an investigation into the allegations is conducted. The separation should be undertaken in an equitable manner which is non-punitive in nature. In no case will the complaining employee be forced to change assignments against their choice. The supervisor is required to immediately stop any conduct which might continue or aggravate the allegation(s).

D. All allegations of sexual harassment or sexual discrimination shall be documented and forwarded up the chain of command to the Jailer or County Judge/Executive.

E. All complaints of sexual harassment or discrimination shall be immediately and thoroughly investigated by Internal Affairs or the person responsible for such investigations.

- F. The alleged victim of the sexual harassment shall be kept informed of the progress of the investigation.
 - G. At the conclusion of the investigation, the alleged victim and the accused employee should be informed of the conclusions reached by the investigation.
 - H. Where evidence is established to sustain a violation of this policy, immediate disciplinary action shall be taken against the offending employee, up to and including termination from employment with this agency.
 - I. No employee shall be retaliated against for reporting allegations of sexual harassment or discrimination.
- V. **Training:** The department shall conduct annual training regarding sexual harassment and sexual discrimination for all employees that includes instruction on the reporting requirements of such conduct. This training shall be documented to ensure that all employees received the training.



JAIL POLICIES

Policy #	
Sexual Misconduct	
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Kentucky Statutes: 501 KAR 3:040	
ACA Standard	
Date Implemented:	Review Date:

- I. **Purpose:** All jail personnel, sworn and civilian, are empowered with authority by their government to perform their duties free of criminal activity. When any staff uses this authority for sexual purposes, and violates another person, the staff not only commits a crime against the victim, but damages the credibility and trust of the entire jail with the public. The purpose of this policy is to establish zero tolerance for any sexual misconduct and caution all staff that any violation of the public trust involving sexual misconduct will result in severe consequences including prosecution to the fullest extent possible.
- II. **Policy:** It is the policy of this Jail to train all personnel concerning the potential for sexual misconduct within the jail, how to recognize it, and the requirements for reporting any violation to the appropriate authorities.
- III. **Definitions:**
 - A. **Criminal Sexual Misconduct:** The abuse of authority by any jail personnel for sexual purposes that violate the law.
 - B. **Sexual Misconduct:** Any sexual activity while on-duty or stemming from official duty. Sexual misconduct includes but is not limited to use of official position and official resources to obtain information for purposes of pursuing sexual conduct.
 - C. **Intimate Part:** Genital area, inner thigh, groin, buttocks or breasts of a person.
 - D. **Actor:** The person accused of sexual assault
 - E. **Sexual Contact:** Any contact for the purpose of sexual gratification of the actor with the intimate parts of a person not married to the actor.

IV. Procedure:

- A.** Sexual activity of any nature while on duty is prohibited.
- B.** Sexual Misconduct is prohibited and shall be disciplined up to and including termination and prosecution to the fullest extent.
- C.** Any contact for the purpose of sexual gratification of the actor with the intimate parts of a person while on duty is prohibited.
- D.** All sworn jail employees, paid civilian staff and vendors/volunteers shall not engage in sexual contact with another person when such staff has supervisory or disciplinary authority over such other person.
- E.** Training: All employees of this agency including supervisors, contractors and volunteer/interns will receive specific annual training about the elements of sexual misconduct involving jail personnel. The training will be documented and also include all elements of this policy as well as the Prison Rape Elimination Act (PREA) policy and procedures which covers sexual misconduct of prisoner on prisoner or staff on prisoner.
- F.** Reporting Requirements: Any employee of this Jail, who is made aware of any violation of this policy, is required to report the violation to their supervisor. The supervisor will immediately contact the Internal Affairs Section, or the command level personnel having Internal Affairs responsibility who will immediately initiate an investigation in accordance with their established investigative policy. The investigation will involve other investigative elements of the jail as necessary and any forensic evidence will be protected and processed immediately. The accused staff's supervisor will not attempt to resolve a complaint of this nature with the complainant, and is required to make immediate contact with Internal Affairs or the command level personnel having Internal Affairs responsibility.
 - c.** If the violation involves supervisory personnel, the reporting employee will notify the appropriate command level officer, Jailer or County Judge/Executive and will not be strictly held to his or her chain of command.
 - d.** Anonymous reporting can follow his/her chain of command, go directly to Internal Affairs or the command level personnel having Internal Affairs responsibility or report directly to the Jailer or the County Judge/Executive.

V. Discipline:

- A.** Any employee found to be in violation of the provisions of this policy shall be disciplined up to and including termination and criminal charges where established.
- B.** Any employee having knowledge of a violation of this policy, who fails to report said violation shall also be disciplined up to and including dismissal, and criminal charges if appropriate.



JAIL POLICIES

Policy #	
Suicide Prevention	
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Kentucky Statutes: 210.365; 441.047;441.048 ; 202A.011	
Applicable Kentucky Regulations: 501 KAR 3:020, 501 KAR 3:060	
ACA Standard 4-ALDF-4-32, 4-ALDF-4C-33	
Date Implemented:	Review Date:

I. Purpose: The purpose of this policy is to direct the screening and care of prisoners who, after proper screening, are determined to be in need of care for mental health, suicide, and acquired brain injury afflictions.

II. Policy: It is the policy of this facility to provide adequate mental health care for those persons incarcerated in the jail.

III. Definitions:

- A. Intake Screening:** The collection of information related to physical and mental health during the intake process for purposes of identifying prisoners who have immediate physical or mental health needs or who will require specialized housing due to their condition under the jail classification policy.
- B. Booking Officer:** The person responsible for collecting and documenting all admission documents prior to placing the prisoner in lock-up.
- C. Suicide Watch:** means any level of supervision, observation, or other measure directed at preventing self-harm.
- D. Medical Authority:** Medically licensed and certified physician employed by or contracted by the jail to direct and provide medical/mental health services to the jail.
- E. Mental Health Professional:** A licensed mental health professional employed or contracted by the jail to supervise and provide mental health evaluation and care to prisoners at the jail.

IV. Procedure:

- A. Intake Screening:** The booking officer shall conduct a suicide screening of all persons who are to be booked into the jail.

- a. Every prisoner, upon admittance to detention shall be screened for mental health risk issues, including mental illness, suicide, mental retardation, and acquired brain injury, by the personnel of the facility in which the prisoner is to be detained.
 - b. Complete a medical health screening form which has been approved by the medical authority (see sample provided)
 - c. (Jails Participating in Jail Triage Crisis Line 210.365)
 - i. The Booking/Screening officer shall ensure that a “Jail Intake Assessment” form has been completed by the arresting officer.
 - ii. The Booking/Screening Officer shall complete and document the “Inmate Booking Screening Questions” form.
 - iii. Where the triage system indicates levels of behavioral risks, the jail shall implement the recommended protocols for housing, supervision, and care delivery that match the level of risk.
 - d. (Non-Participant Option to screen for mental health) Complete a mental health screening form:
 - i. BJMHS (Brief Jail Mental Health Screen) for male prisoners.
 - ii. CMHS-W (Correctional Mental Health Screen for Women) for female prisoners.
 - e. In any case where it is indicated that the prisoner is in need of immediate medical or psychological care, the jail shall cause the prisoner to receive immediate treatment consistent with the medical or psychological need.
 - f. In an emergency, emergency medical services shall be notified for immediate response.
- B.** A prisoner who is identified as a suicide risk shall be evaluated by a mental health professional.
 - C.** When the intake screening process or other credible information identifies such a risk and clothing may be an instrument of a suicide attempt, the prisoner shall be changed into a suicide smock or other clothing designed to diminish its use for suicide.
 - D.** Jail personnel shall conduct and document direct in-person surveillance every twenty (20) minutes on suicidal prisoners. 501 KAR. 3:060). A prisoner who is identified as a suicide risk through the intake process or other credible information jail personnel shall conduct.
 - E.** Modification to suicide or mental health protocols shall be made with consultation with a healthcare provider.
 - F.** A prisoner who is placed on suicide watch shall not be taken off suicide watch except on the direction of a mental health professional that has completed a suicide risk evaluation.
- V. Training:** All facility staff that has prisoner contact shall receive training as follows:
- A.** The warning signs and symptoms of prisoners at risk of suicide;
 - B.** Why jail environments are conducive to suicidal behavior;
 - C.** High-risk suicide periods

- D. Potential pre-disposing factors to suicide;
 - E. Procedure and methods for responding to prisoners who exhibit pre-disposition to suicide;
 - F. Observation techniques;
 - G. Searches of prisoners who are placed on suicide watch;
 - H. Emergency procedures for responding to a suicide attempt;
 - I. Location and use of cut-down tools and other emergency response supplies;
 - J. Signs, symptoms, and response to mental illness;
 - K. How to refer a prisoner with mental health needs for appropriate care.
- VI. Reporting:** Jails housing state prisoners must report serious suicide attempts and suicides to the Department of Corrections.



JAIL POLICIES

Policy #	
Training Mandates	
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Kentucky Statutes:	
Applicable Kentucky Regulations: 501 KAR 3:040	
ACA Standard 4-ALDF-7B-10, 4-ALDF-7B-10-1	
Date Implemented:	Review Date:

- I. **Purpose:** The purpose of this policy is to outline the training mandates for the staff of this jail.
- II. **Policy:** It is the policy of this jail to provide its staff with a high level of training to prepare them to fulfill their functions within the jail by providing the highest quality of service to the jail, the prisoners, and the community served by the jail.
- III. **Definitions:**
- IV. **Definitions:**
 - A. **High Risk Critical Tasks:** These tasks include:
 - a. Tasks that the Jailer knows to a moral certainty that staff members will face and;
 - b. The task is made easier with training or the Jailer knows that staff members have historically made mistakes; and,
 - c. The wrong decision with respect to the task will lead to a physical or a constitutional injury.
- V. **Procedure:**
 - A. **Requirements:**
 - a. Jail Staff who are assigned to a direct supervision area shall receive 40 hours of pre-service training related to direct supervision. This training must be approved by the Department of Corrections. (note ACA: 4ALDF 7B-10 All new correction officers 120 hours of training during first year, with specified curriculum)
 - b. Jail personnel shall receive a minimum of sixteen (16) hours of in-service training

delivered by or approved by the Department of Corrections. (note 4-ALDF-7B-10-1 requires correctional officers receive a minimum Of 40 hours of annual training with specified topics)

- c. All jail personnel shall receive a minimum of four (4) hours of mental health training within their first year of service.
- d. Jail staff members will receive annual training on the high risk critical tasks in the jail operation.
- e. In-service annual training shall include training in the following high-risk critical task areas:
 - i. Prisoner Intake
 - ii. Safety Emergency Procedures
 - iii. Medical Services/Mental Health/Suicide Prevention
 - iv. CPR/First Aid
 - v. Classification
 - vi. Searches
 - vii. Prisoner Transport
 - viii. Sexual Harassment/Sexual Misconduct
 - ix. Rape/ Sexual Assault/PREA
 - x. Use of Force
 - xi. Prisoner Grievances
 - xii. Internal Affairs
 - xiii. Nutrition and Special Dietary Needs

VI. Documentation: All training shall be documented in the following manner:

- A. Each officer shall have a training file that indicates the training programs received by the officer to include:
 - a. Subject matter of the training
 - b. Date of the training
 - c. Number of hours
 - d. Proficiency scores where applicable
- B. Agency files will contain a lesson-plan and outline of each in-house training session which indicates the following:
 - a. Subject matter
 - b. Lesson plan
 - c. Course objectives
 - d. Course content
 - e. Handout Material

- f.** Dates training was given
 - g.** Instructor of training
- C.** Agency will also retain as part of agency records, documentation relating to any external program an officer attends as part of continued training.



JAIL POLICIES

Policy #	
Transportation of Prisoners	
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Kentucky Statutes: KRS71.020; KRS71.030; KRS71.040; KRS71.050; KRS71-060	
Applicable Kentucky Regulation: 501 KAR 3:060; 501 KAR 7-060	
ACA Standard: 4-ALDF-1B-06; 4ALDF-4C-06; 4-ALDF-4D-27	
Date Implemented:	Review Date:

- I. **Purpose:** The purpose of this policy is to direct agency operations dealing with the transport of prisoners from the jail by this agency and to the jail by this agency.
- II. **Policy:** It shall be the policy of this facility to have established procedures for transporting inmates outside the jail and into the jail by this agency which are designed to prevent escapes, provide safety for the staff and to maintain control with the minimum amount of necessary force. Special Transports for Medical reasons should be coordinated with Medical Staff when possible.
- III. **Procedure:** Any time an inmate (except a trusty on work detail) is transported outside this facility, or into this facility by agency staff the following procedures shall be adhered to:
 - A. **TRANSPORTATION OPERATIONS:**
 - a. **VEHICLE INSPECTION:** At the beginning and end of each shift, all vehicles regularly used for prisoner transport, shall be inspected by the agency member assigned to that vehicle to determine that all safety devices are in working order and that the interior is free of weapons and contraband.
 - b. Prior to placing a prisoner in a vehicle for transport, the agency member shall inspect the interior for weapons and contraband. An additional inspection shall be conducted after the prisoner has been delivered to the detention facility or other destination.
 - B. **RESTRAINING DEVICES:**
 - a. Jailer staff shall use only those restraining devices for which they have been trained.

- b. With few exceptions, all prisoners shall be handcuffed, double locked and checked for proper application, with their hands behind their back.
- c. Transport personnel shall document, in their report that “subject was handcuffed, checked for fit and double-locked.”
- d. Transport personnel may use discretion in restraining persons or using other restraining devices in specific cases such as:
 - i. Obvious state of pregnancy;
 - ii. Prisoner has a physical handicap;
 - iii. Prisoner has injuries that could be aggravated by standard handcuffing procedures;
 - iv. Elderly; and Very young persons. (would jail ever transport juveniles)
 - v. All prisoners shall be secured with seatbelts. No prisoner shall be handcuffed to any part of the vehicle. If officers are unable to securely fasten with a seatbelt alternate means of transportation should be utilized (example ambulance). This section would not preclude the transport of prisoners on a bus that is not equipped with seatbelts.
 - vi. With the approval of a supervisor, leg irons, hobbles or flex-cuffs may be applied to the ankles of a prisoner who violently resists transport, is an escape risk, is prone to violent behavior, or manifests mental disorders that pose a threat to the prisoner, the transporting officer, or the public.

C. TRANSPORT:

- a. All transports will be conducted by the Jailer with a deputy jailer or two fully and properly trained deputy jailers.
- b. The jail personnel must be armed. Only properly trained personnel in firearms usage may transport prisoners.
- c. Prior to transport, all prisoners shall be thoroughly searched for any weapons, tools of escape, or contraband.
- d. When possible and practical at least one of the transporting personnel shall be of the same sex as the prisoner(s). They will conduct a pat-down frisk for the purpose of seizing any weapons or tools of escape.
- e. In the event that the transporting personnel and prisoner(s) are of the opposite sex, the transporting personnel may conduct a limited pat-down frisk for the purpose of seizing any weapons, tools of escape or contraband. This search should be observed, if possible, by a witness or in front of the vehicle video camera, and it is advised to use the back of his/her hand or some object such as a pen.
- f. Cross gender searches and transports are prohibited unless an emergency exists.
- g. Any search shall be documented by the transporting personnel.
- h. Prior to transporting a prisoner and where communications to the main control center or some other dispatch is available, the transporting personnel shall notify, via radio, the main control center and document in a separate log the:
 - i. Identity of the prisoner

- ii. Destination
 - iii. Vehicle odometer mileage; and
 - iv. Vehicle odometer mileage at time of arrival at the intended destination.
- i. Prisoners shall be transported in the following manner:
- i. Prisoners shall only be transported in a vehicle equipped with a security screen and a two-way radio.
 - ii. A single prisoner shall be placed in the rear, right-side seat. The transporting personnel shall be positioned in the front seat.
 - iii. If two prisoners are being transported the prisoners shall be placed in the rear seat. The transporting personnel shall be positioned in the front seat.
 - iv. Up to three prisoners may be transported, provided that two personnel make the transport. The prisoners shall be placed in the rear seat. The transporting personnel shall be positioned in the front seat.
 - v. All prisoners being transported shall wear properly fastened seat belts.
 - vi. Prisoners shall not be transported in a reclined position.
 - vii. Any wheelchairs, crutches, prosthetic devices, and medication shall be transported with, but not in the possession of the prisoner.
 - viii. Prisoners shall not be left unattended while being transported.
 - ix. Unless approved by a supervisor, no stops will be made while transporting a prisoner.
 - x. Prisoners of the opposite sex shall not be transported in the same vehicle unless extraordinary circumstances exist, and only when approved by a supervisor.
 - xi. If a prisoner is to be transported to another secure facility and the prisoner is believed to be a security risk, the transporting personnel shall inform the receiving agency in order that they may prepare to accept custody of the prisoner.
 - xii. Under all other circumstances, jail personnel will remain with the prisoners as primary security personnel.
- j. SPECIAL TRANSPORT SITUATION
- i. When possible, all Medical Transport will be coordinated with Medical Staff.
 - ii. If a prisoner is sick or injured the transporting officers, when possible, shall summons emergency medical support to examine the prisoner prior to transport. Appropriate medical records should accompany the Transport.
 - iii. If emergency hospital treatment is necessary, the prisoner and at least one transport person shall be transported by the rescue to the hospital. The transport person shall remain with the prisoner (unless prevented by emergency circumstances or treatment needs) until the hospital personnel release the prisoner or until appropriate security can be arranged.
 - iv. If emergency hospital treatment is not necessary, and a reasonable request is

made by the prisoner to go to the hospital, the prisoner shall be transported in an agency vehicle and:

- v. Prisoners with physical handicaps may be transported in agency vehicles. All reasonable precautions shall be taken by the transporting officer to ensure the security and reasonable comfort of the prisoner, without compromising the safety of the transporting personnel.
- vi. Appropriate measures for the security and control of prisoners in medical facilities shall be taken. Whenever a prisoner is transported to a medical facility, the transport personnel shall:
 - (a) Maintain a constant view of the prisoner;
 - (b) Ensure that proper restraints are applied to the prisoner until the medical staff needs them removed for medical treatment. Once treatment is completed, proper restraints shall be reapplied;
 - (c) Guard against any injury to the prisoner and all medical staff;
 - (d) If required to guard the prisoner, and when possible, rotate guarding assignments at regular intervals to avoid complacency;
 - (e) Ensure that the prisoner does not have contact with visitors;
 - (f) Notify hospital security, if available, and the law enforcement agency within the jurisdiction of the medical facility of the presence of a prisoner within the hospital;
 - (g) If the prisoner is admitted to the medical facility the Jailer or the Shift Commander must be notified to arrange for 24 hour guard coverage;
 - (h) Upon the prisoner's release from the medical facility, and prior to transport, the prisoner shall be thoroughly searched; and
 - (i) Upon the prisoner's release from the medical facility, the transporting officer shall ensure that all medical records and instructions for future treatment are in the prisoner's possession and are provided to the detention facility.
- vii. Whenever a prisoner is to be transported and has been involved in the following types of incidents special safety considered shall be adhered to:
 - (a) When the prisoner:
 - (i) Was involved in a violent struggle during apprehension,
 - (ii) Was subjected to the use of a chemical agent, Taser, neck restraint hold, multiple body weight control, or impact strikes to the body,
 - (iii) Is highly intoxicated on either alcohol or drugs or a combination.
 - (iv) Is secured by maximal restraints, four point restraints, TARP devices, or a hobble tool, or
 - (v) Evidences a difficulty in breathing, the transporting officers shall:
 - Ensure that the prisoner remains in a seated, upright position.
 - One officer shall maintain constant visual and audible observation of the prisoner.

- If there is any indication that the prisoner is in medical distress the officer(s) shall administer emergency medical attention consistent with his/her level of training and shall immediately summon emergency medical support, and
- Shall advise the detention staff accepting the prisoner of all of the above circumstances



JAIL POLICIES

Policy #	
Use of Force	
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Kentucky Statutes:	
Applicable Kentucky Regulation: 501 KAR 3:060	
ACA Standards: 4-ALDF-2B-01M; 4-ALDF-2B-02; 4-ALDF-2B-03M; 4-ALDF-2B-04; 4-ALDF-2B-05; 4-ALDF-2B-06; 4-ALDF-2B-07; 4-ALDF-2B-08M;4-ALDF-7B-15; 4-ALDF-7B-16	
Date Implemented:	Review Date:

- I. **Purpose:** : The purpose of this document is to establish policy and procedure to establish uniform procedures regarding the use of force, including the deadly use of force, security restraints, mechanical restraints, Electric Body Immobilizer Devices and/or oleoresin capicum upon inmates.
- II. **Policy:** The policy of this agency is to use force when necessary to the security of the jail, the safety of the public, and the safety of staff as well as prisoners. Force will be balanced against the rights and safety of the subject prisoner. Force may be necessary and justified to maintain order within the jail.
- III. **Definitions:**
 - A. **Deadly force:** The amount of force that would be reasonably expected to result in death or serious bodily injury.
 - B. **Electric Body Immobilizer Device (EBID):** Any non-lethal defensive electrical device used to temporarily immobilize an individual. These include products such as the Nova Spirit, Nova Shield, Taser, or other devices that use this technology.
 - C. **Force Options:** The various options of force available to jail staff in order to control a prisoner:
 - a. Command presence
 - b. Verbal commands
 - c. Soft-empty hand control
 - d. Show of force

- e.** Control techniques*
- f.** Oleoresin capsicum*
- g.** Electronic Body Immobilizing Device (EBID)/Taser*
- h.** Chemical munitions other than oleoresin capsicum
- i.** Active counter measures (strikes against the inmate)
- j.** Firearms

*These options are equivalent methods of control, subject to availability under the circumstances.

- D. Instruments of Restraint:** Any authorized device used to prevent escapes, prevent an inmate from injuring him/herself or other persons, or prevent property damage (e.g. handcuffs, flex cuffs, leg irons, waist chains, etc.).
- E. Non-Deadly Force:** An amount of force used against an inmate or in a situation that would be reasonably expected not to result in death or serious bodily injury of the inmate.
- F. Oleoresin Capsicum (OC):** A product using tincture of oleoresin capsicum derived from cayenne pepper as its active agent.
- G. Planned Use of Force:** The planned use of force by Jail professionals, for example: to remove an inmate(s) from a cell, the anticipated use of oleoresin capsicum, EBID, or other situation where a use of force can be reasonably expected to complete a specific objective and there is time to plan the response. This does not include tactical operations conducted during declared emergencies.
- H. Show of Force:** The process of use of staff and equipment for the appearance of a show of force against an inmate.
- I. Use of Force:** Use of force can consist of a show of force (non-aggressive) or the physical contact with an offender in a confrontational situation to control behavior and enforce order. Use of force includes the possible use of restraints
- J. Tempering Force:** A warning in an effort to gain compliance without the need for escalated force or to diminish the force necessary to bring the situation under control and an immediate response to diminish the effects of the force once the circumstance is brought under control.

IV. Procedure:

- A.** In determining whether and to what degree force is appropriate in the jail, jail staff shall consider:
 - a.** The need for the use of force;
 - b.** The level or amount of force to be used;
 - c.** Whether the need justifies the level of force being considered;
 - d.** The seriousness of the threat reasonably believed to exist;
 - e.** In all cases, jail staff should take steps to temper the severity of a forceful response.
 - f.** Force shall never be disproportionate to the need or the threat.

B. Prior bad acts committed by a prisoner do not justify a use of force.

C. Force Considerations:

- a.** Use of force is authorized to accomplish any of the following objectives:
 - i.* Protection of the Public;
 - ii.* Protection of self or others;
 - iii.* Protection of jail property from damage or destruction;
 - iv.* Prevention of an escape or riot;
 - v.* Recapture of an escapee;
 - vi.* Prevention of a criminal act in the jail;
 - vii.* Self-defense;
 - viii.* Effect compliance with rules and regulations when other methods of control are ineffective or insufficient;
 - ix.* Protect the prisoner from self-inflicted harm.
- b.** When an offender's behavior represents a danger, staff has a responsibility to respond. Dangerous behavior includes assaultive behavior, offender self-harm and situations that require staff to physically move an offender who is noncompliant. In response to dangerous behavior, force may be employed consistent with this policy and the training of this jail.
- c.** Staff shall not create a circumstance in order to justify using force against a prisoner. i.e. inciting the inmate to fight, taunting etc.
- d.** Prior to the use of force, staff will give the offender clear directions and a choice to cooperate.
- e.** Management strategies shall be utilized that minimize the likelihood of injury to all involved.
- f.** Only staff trained in the use of force should engage in the use of force.
 - i.* However, staff members that have not been trained may use force to protect themselves in self-defense.
- g.** No firearms shall be allowed within the secure area of the facility except in an emergency and with the approval of the Jailer.
- h.** All security devices shall be maintained in a secure area (arsenal, vault, or other locked room) when not in use.
 - Security devices include:
 - (a) Ammunition;
 - (b) Batons;
 - (c) Helmets;
 - (d) Shields;
 - (e) Electronic restraining device (Taser)

(f) Chemical agents

D. Force Options: These options of force are intended as a guide to the staff to demonstrate possible responses in an escalating force situation.

- a. Officer presence:** Arrival of a staff member in the area ceases any disturbance.
- b. Verbal commands:** Staff member gives advice, directive, orders, or warnings.
- c. Soft hand control:** Staff member controls inmates by use of mild hands on direction such as pressure points, etc.
- d. Chemical agents:** Use of O.C. solution by trained personnel.
- e. Hard Hand Control:** Active physical defensive tactics.
- f. Temporary incapacitation:** Impact weapons and/or electronic restraining devices.
- g. Deadly force:** Force intended to cause death or great bodily injury.
- h. *Note:*** *The staff shall temper force by warning where feasible and by de-escalating as the need diminishes and control is gained as well as providing treatment for the effects of the force.*

E. Training

- a.** Jail Staff shall be trained in the following:
 - i.* Procedures and constraints involved in the use of force;
 - ii.* Safety, care, and use of weapons;
 - iii.* Chemical irritants, respirators, and first aid for chemical exposure; and,
 - iv.* Restraint equipment and physical restraint techniques.
 - v.* Any weapon systems that are used by the jail must be trained and certified to each user. Documentation of the training and certification shall be retained.
- b.** Annual training for use of force procedures in the following areas:
 - i.* Mechanical/ pinion restraints;
 - ii.* Aerosol irritant projectors;
 - iii.* Empty hand control measures;
- c.** Any special response team member shall receive annual training in the following areas:
 - i.* Mechanical restraints;
 - ii.* Empty hand control measures;
 - iii.* Batons and riot formations;
 - iv.* Riot control chemical agents; and,
 - v.* Less lethal munitions.
- d.** All personnel shall be trained to use only the reasonable amount of force

necessary to maintain proper safety and security of inmates and staff.

- e.** No employee shall be issued or allowed to carry any weapon until they have been properly trained in the use of force procedures and demonstrates proficiency in the weapons use.

F. Medical Evaluation

- a.** All prisoners involved in a use of force will be assessed immediately for injuries that may have occurred. This may require a transport to a medical facility where no trained staff is available to make the assessment.
- b.** Health services will provide the appropriate treatment for an inmate involved in a use of force, or direct the inmate receive treatment from ambulance or hospital personnel.
- c.** Any person coming into contact with a chemical agent will be referred to health services immediately.
- d.** Where a prisoner has been subjected to OC, the prisoner shall be de-contaminated immediately once control is gained. If the prisoner shows any signs of physical distress or does not recover in a reasonable amount of time, jail staff shall immediately direct an emergency medical response and render first-aid at the degree for which they are trained.

G. Reporting Uses of Force

- a.** Debriefing and documentation of events from inception to completion will be conducted by the completion of the work day.
- b.** Every use of force, beyond command presence, verbal command, and soft empty hand control, shall be documented and reported including:
 - i.* An accounting of the events leading to the use of force;
 - ii.* An accurate and precise description of the incident, force used and reasons for employing force;
 - iii.* A description of the weapon, if any, and the manner in which it was used;
 - iv.* A description of the injuries suffered, if any, and the treatment given and/ or received;
 - v.* A list of all participants and witnesses to the incident.
 - vi.* The form for reporting is provided.
- c.** Any staff member who uses physical force, beyond command presence, verbal command, or soft empty-hand control, is required to report such action to the Shift Supervisor as soon as possible.
- d.** The Shift Supervisor is required to ensure that all necessary written reports are completed and for reporting the incident to the Jailer or his designee, or other appropriate staff as directed, as soon as possible.

H. Review/ Investigation

- a.** All use of force incidents required to be reported under this policy shall be reviewed by the Jailer or his designee for an evaluation regarding, but not limited to:
 - i.* policy violations;
 - ii.* appropriateness of staff/inmate interaction;
 - iii.* appropriateness of staff actions;
 - iv.* training needs as they relate to the decision making of the staff involved;
 - v.* appropriateness of the level of force used;
 - vi.* any potentially problematic issues; and
 - vii.* recommendation(s) of follow-up action(s).
- b.** The Jailer may request an outside investigation of the use of force incident.

Policy # Kentucky Jail Standards	Kentucky Jail Standards, Jail Policy Specifics to Operation...
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Kentucky Statutes: Listed Under Chapter Reference	
Applicable Kentucky Regulation: 501 KAR Chapter(s) 2 and 3	
ACA Standards:	
Date Implemented: 01/2016	Review Date:

The following standard policies and procedures apply if the included programs exist in the Hardin County Jail and/or are approved by the local courts.

501 KAR 3:010. Definitions for 501 KAR Chapter 3.

RELATES TO: KRS 67A.028, 67B.020(1), 441.005, 441.045, 441.055, Ky. Const. Sec. 99, 152, 42 U.S.C. 15601-15609

STATUTORY AUTHORITY: KRS 196.035, 197.020, 441.055

NECESSITY, FUNCTION, AND CONFORMITY: KRS 441.055(1) requires the Department of Corrections to promulgate administrative regulations establishing minimum standards for jails that house state prisoners. This administrative regulation establishes definitions for 501 KAR Chapter 3, regulating full-service jail facilities.

Section 1. Definitions. (1) "Automatic fire extinguishing system" means an approved system of devices and equipment that automatically detects a fire and discharges an approved fire extinguishing agent onto or in the area of a fire in accordance with 815 KAR 7:120.

(2) "Ceiling" means the overhead area in any area of the jail which is below the secure deck.

(3) "Cell" means an area for housing no more than two (2) prisoners.

(4) "Commissioner" is defined by KRS 196.010(2).

(5) "Dayroom" means a secure area with controlled access from the prisoner living area, to which prisoners may be admitted for daytime activities including dining, bathing, and selected recreation or exercise.

(6) "Deck" means the secure overhead area of the jail, which is part of the security perimeter.

(7) "Department" is defined by KRS 441.005(5).

(8) "Detoxification area" means an area used to hold one (1) or more chemically impaired persons temporarily during the detoxification process until they can care for themselves.

- (9) "Direct supervision area" means an area used to house seventy (70) or fewer prisoners in which jail personnel is always present and directly supervising the prisoners.
- (10) "Dormitory" means:
- (a) An area equipped for housing not less than three (3) nor more than thirty-six (36) persons; or
 - (b) If in a direct supervision area, an area equipped for housing not more than seventy (70) persons.
- (11) "Full-service jails" means jails that may house state prisoners pursuant to KRS 441.055 and that meet the standards established by 501 KAR Chapter 3.
- (12) "Governing authority" means a county fiscal court, urban-county government, charter county government, consolidated local government, unified local government, or regional jail authority.
- (13) "Jail" means a jail as defined by KRS 441.005(1) or a regional jail as defined by KRS 441.005(7).
- (14) "Jail administrator" means the official appointed by a regional jail authority and charged with the responsibility of administering the regional jail.
- (15) "Jail personnel" is defined by KRS 441.005(6).
- (16) "Jailer" means:
- (a) The official duly elected or appointed pursuant to Section 99 or 152 of the Kentucky Constitution, charged with the responsibility of administering the jail;
 - (b) A department as defined by KRS 67B.020(1); or
 - (c) A correctional services division as created by KRS 67A.028.
- (17) "Medical authority" means the person or persons licensed to provide medical care to prisoners in the jail's custody.
- (18) "Passive Holding Area", "Diversion Holding Area", or "Temporary Holding Area" means an area used to hold one (1) or more persons temporarily while awaiting processing, booking, court appearance, or discharge, or until they can be moved to a general housing area.
- (19) "Pat" or "frisk" means a manual search of a clothed person and includes a visual inspection of the open mouth.
- (20) "Penal type" means furnishings, fixtures, and equipment approved by the department.
- (21) "PREA" means the Prison Rape Elimination Act, 42 U.S.C. 15601-15609.
- (22) "Prisoner" is defined by KRS 441.005(3).
- (23) "Prisoner living area" means a group of rooms or cells that provide housing for the prisoner population.
- (24) "Probing of body cavities" means a manual or instrument search of a person's oral, anal, vaginal, or other body cavity, performed by medical personnel.
- (25) "Religion Reference Manual" means the Kentucky Department of Corrections Religion Reference Manual incorporated by reference in 501 KAR 6:080.
- (26) "Sally port" means a covered vehicular drive-through, located adjacent to the jail intake

area.

(27) "Security area" means a defined space whose physical boundaries have controlled ingress and egress.

(28) "Security vestibule" means a defined space that promotes security by the use of two (2) or more doors used to contain and observe those who pass.

(29) "Sexually abusive conduct" means:

(a) Sexual contact, sexual intercourse, and deviate sexual intercourse, as defined by KRS 510.010;

(b) Sexual abuse as defined by 28 C.F.R. 115.6; and

(c) Other types of similar sexually based conduct.

(30) "Sick call" means the evaluation and treatment of an ambulatory patient in a clinical setting, either on or off site of the jail, by the medical authority.

(31) "Special Needs Area" means an area used to hold one (1) prisoner for observation when displaying violent, erratic, or suicidal behavior or expressing suicidal ideations.

(32) "Strip search" means a body search during which a person is required to open or remove clothing, during which a person is subject to visual inspection of the torso, female breast, genital area, anal area, and other body cavities.

(33) "Telehealth" means the use of interactive audio, video, or other electronic media to deliver health care. It includes the use of electronic media for diagnosis, consultation, transfer of health or medical data, and continuing education.

501 KAR 3:020. Administration; management.

RELATES TO: KRS 69.210, 202A.091, 441.055

STATUTORY AUTHORITY: KRS 196.035, 197.020, 441.055

NECESSITY, FUNCTION, AND CONFORMITY: KRS 441.055 requires the Department of Corrections to promulgate administrative regulations establishing minimum standards for jails that house state prisoners. This administrative regulation establishes procedures for the administration and management of full-service jails.

Section 1. Policy and Procedure-Organization. (1) The jailer or jail administrator for a jail that houses state prisoners shall develop and maintain an organizational chart and a policy and procedures manual that has been adopted by the governing authority and filed with the department.

(2) The written policy and procedures manual shall be made available to employees. Employees shall sign documentation attesting they have read and will comply with the jail's policy and procedure manual within thirty (30) days of employment.

(3) The policy and procedures manual shall include, at a minimum, the following aspects of the jail's operation:

- (a) Administration;
- (b) Fiscal management;(c) Personnel;
- (d) Security and control;
- (e) Sanitation and management;
- (f) Medical services;
- (g) Food services;
- (h) Emergency and safety procedures;
- (i) Classification;
- (j) Prisoner programs;
- (k) Prisoner services;
- (l) Admission and release; and
- (m) Training.

(4) The policy and procedures manual shall be reviewed, updated, and any changes approved by the governing authority at least annually. All revisions shall be marked with the effective date and filed with the department.

Section 2. Legal Assistance. (1) The jailer for a jail that houses state prisoners shall be represented and advised by the county attorney as provided by KRS 69.210.

(2) The county attorney shall advise the governing authority in writing if legal representation or legal advisement to the jailer by that office is inappropriate or creates a conflict of interest. The governing authority shall provide funds for adequate legal

representation for the jailer if the jailer has acted within his official capacity and is involved in civil or criminal litigation as a result. The governing authority shall be encouraged to carry liability insurance for the jail employees and other county officials.

Section 3. Legal Assistance for Regional Jails. The jail administrator for a regional jail that houses state prisoners shall be represented and advised by the county attorney in the county in which the regional jail is located.

Section 4. Public Information. (1) The jailer or jail administrator for a jail that houses state prisoners shall develop and implement a procedure for the dissemination of information about the jail to the public, to government agencies, and to the media. The public and prisoners shall have access to the procedures.

(2) With the prisoner's written consent on a form authorizing release of information, news media shall be permitted to interview a prisoner as established in the jail's policy and procedures manual except if the safety and security of the jail is affected.

Section 5. Information Systems. The jailer or jail administrator for a jail that houses state prisoners shall establish and maintain an information system that shall comply with the requirements of this section. (1) Jail information and prisoner records shall be retained in written form or within computer records.

(2) Jail information and prisoner records shall be stored in a secure manner so that they are protected from theft, loss, tampering, and destruction. Prisoner records shall be maintained as required by the Department of Libraries and Archives pursuant to 725 KAR Chapter 1.

(3) A telephonic report to the department shall be made of all extraordinary or unusual occurrences within twenty-four (24) hours of the occurrence, and a final written report shall be made within forty-eight (48) hours. This report shall be placed in the jail record. Extraordinary or unusual occurrences shall include at a minimum:

- (a) Death of a prisoner;
- (b) Suicide or attempted suicide that constitutes a serious health situation;
- (c) Serious injury, whether accidental or self-inflicted;
- (d) Escape or attempted escape from confinement;
- (e) Fire;
- (f) Riot;
- (g) Assault, whether by jail personnel or prisoner;
- (h) Sexually abusive conduct;
- (i) Occurrence of contagious or infectious disease, or illness within the facility; and
- (j) Any serious event that threatens the safety or security of the facility or jail personnel.

(4) Each jail that houses state prisoners shall keep a log of daily activity within the jail.

(5) Each jail that houses state prisoners shall provide the department with a weekly

population update that shall include the number of state prisoners, federal prisoners, and county prisoners.

(6) Each jail that houses state prisoners shall provide the Department with all external movements of state prisoners via KOMS or electronically and on a daily basis. This information shall be sent to the Division of Local Facilities.

(7) Each jail that houses state prisoners shall, if there is an escape, immediately:

- (a) Notify the Division of Local Facilities jail inspector;
- (b) Notify the Kentucky State Police or local law enforcement;
- (c) Activate VINE through use of the Emergency Override Line (EOL); and
- (d) Enter the prisoner's escape status into the jail management system.

Section 6. Prisoner Records. (1) The information required by 501 KAR 3:120 and 3:130 for admission and release shall be retained for each prisoner. Other information retained in each prisoner's jail record shall include at a minimum:

- (a) Court orders;
- (b) Personal property receipts;
- (c) Infraction reports;
- (d) Reports of disciplinary actions;
- (e) Work record and program involvement; and
- (f) Unusual occurrences and if a prisoner dies, disposition of the prisoner's property and remains.

(2) Medical records shall be maintained as required by the Department of Libraries and Archives pursuant to 725 KAR Chapter 1.

(3) The jailer or jail administrator for a jail that houses state prisoners shall ensure that prisoner records are safeguarded.

(4) The jailer or jail administrator shall not release information, other than public information, to individuals other than law enforcement or court officials unless the prisoner has signed a form authorizing release of information. A copy of the signed form shall be maintained in the prisoner's record. The form shall include:

- (a) Name of person, agency, or organization requesting information;
- (b) Name of facility releasing information;
- (c) Information to be disclosed;
- (d) Date consent form is signed; and
- (e) Signature of prisoner.

(5) All jail records maintained on mental inquest detainees held under KRS Chapter 202A shall be kept separate from any other jail records. Mental inquest records are confidential and shall be made available for examination only as provided in KRS 202A.091. Upon an order of expungement pursuant to KRS 202A.091(2), the jailer for a jail that houses state prisoners shall seal the records and the mental inquest detainee's stay at the jail shall be deemed never to have occurred.

501 KAR 3:030. Fiscal management.

RELATES TO: KRS 43.070, 68.020, 441.055, 441.135, 441.215, 441.235

STATUTORY AUTHORITY: KRS 441.055

NECESSITY, FUNCTION, AND CONFORMITY: KRS 441.055 requires the Department of Corrections to promulgate administrative regulations establishing minimum standards for jails that house state prisoners. This administrative regulation establishes fiscal management procedures to be followed in full-service jails.

Section 1. Budgeting. The jailer or jail administrator, county judge/executive and treasurer shall prepare and present a line item budget request to the governing authority in accordance with KRS 441.215.

Section 2. Accounting. (1) The county treasurer shall maintain fiscal records which clearly indicate the local cost for operating the jail in accordance with KRS 68.020 and 441.235.

(2) Fiscal records shall have an itemized breakdown of the total operating expenses including wages, salaries, food and operating supplies.

Section 3. Canteen. As provided in KRS 441.135, each jailer may establish a canteen to provide prisoners with approved items.

Section 4. Audits. (1) The county jail budget shall be audited in accordance with KRS 43.070.(2) The records of income, expense, and disbursements of the jail canteen fund shall be examined annually by the Auditor of Public Accounts concurrently with the annual audit of the county conducted in accordance with KRS 43.070(1)(a), unless the Auditor of Public Accounts declines to perform the examination of the canteen fund or has failed to respond to written notice of intent to employ a certified public accountant within thirty (30) days of receipt of the notice.

(a) If the county judge/executive notifies the Auditor of Public Accounts with specific or known jail canteen fund concerns or irregularities, the auditor shall thoroughly investigate the noted concerns or irregularities in the examination if, in the auditor's judgment, the investigation is warranted.

(b) The cost of the canteen fund audit shall be paid from the canteen fund as an allowable expense. If the jail's canteen fund is insufficient to cover the expense of the examination, the expense shall be borne by the county jail fund.

Section 5. Payroll. Jail employees shall be paid on the same dates as county employees.

Section 6. Inventory. Each jailer or jail administrator shall implement and utilize the established inventory procedure of the county.

501 KAR 3:040. Personnel.

RELATES TO: KRS 441.045, 441.055, 441.115

STATUTORY AUTHORITY: KRS 196.035, 197.020, 441.055

NECESSITY, FUNCTION, AND CONFORMITY: KRS 441.055 requires the Department of Corrections to promulgate administrative regulations establishing minimum standards for jails that house state prisoners. This administrative regulation establishes personnel procedures to be followed in full-service jails.

Section 1. Staffing. (1) A category I, II, III, IV, and V jail shall provide twenty-four (24) hour awake supervision for all prisoners by providing a minimum of three (3) jail personnel, excluding jail personnel designated for communication.

(2) A staffing analysis may be requested by the jailer or governing authority.

(3) If a female prisoner is booked, detained, or otherwise lodged in the jail, the jail shall provide a female deputy to perform twenty-four (24) hour awake supervision.

Section 2. Qualifications. All persons who work inside the secure perimeter of the jail shall be at least twenty-one (21) years of age.

Section 3. Compensation. Each employee shall receive a wage at least equal to the State Minimum Wage Law except if Federal Minimum Wage Law applies.

Section 4. Policy and Procedure. Written policy shall specify that equal employment opportunities exist for every position.

Section 5. Physical Fitness. The jailer or jail administrator shall ensure a level of physical fitness is maintained that will allow each employee to satisfactorily perform his or her duties.

Section 6. Code of Ethics. (1) The jailer or jail administrator shall make a written code of ethics available to each employee.

(2) The written code of ethics shall be incorporated in the jail's policy and procedures manual and shall include the following:

(a) An employee shall not:

1. Exchange a personal gift or favor with a prisoner, prisoner's family, or prisoner's friend;
2. Accept any form of bribe or unlawful inducement;
3. Perform duties under the influence of an intoxicant or consume an intoxicant while on duty;
4. Violate or disobey an established rule, administrative regulation, or lawful order from a superior;

5. Discriminate against a prisoner on the basis of race, religion, creed, gender, national origin, or other individual characteristic;
 6. Employ corporal punishment or unnecessary physical force;
 7. Subject a prisoner to physical or mental abuse;
 8. Intentionally demean or humiliate a prisoner;
 9. Bring a weapon or an item declared as contraband into the jail without proper authorization;
 10. Engage in critical discussion of jail employees or a prisoner in the presence of another prisoner;
 11. Divulge confidential information without proper authorization;
 12. Withhold information which threatens the security of the jail, jail employees, visitors, or the community;
 13. Through negligence or intentionally, endanger the well-being of self or another;
 14. Engage in a business or profitable enterprise with a prisoner;
 15. Inquire about, disclose, or discuss details of a prisoner's crime other than as may be absolutely necessary in performing official duties;
 16. Enter into an intimate, personal relationship with a prisoner while the prisoner is incarcerated at the same jail that the employee is employed by; or
 17. Enter into an intimate, personal relationship with a former prisoner of the jail within six (6) months of that prisoner's release; and
- (b) An employee shall:
1. Comply with established rules, administrative regulations, and lawful orders from a superior;
 2. Treat each prisoner in a fair, impartial manner; and
 3. Report a violation of the code of ethics to the jailer.
- (3) A violation of the code of ethics shall be made a part of the employee's personnel file.

501 KAR 3:050. Physical Plant.

RELATES TO: KRS 441.045, 441.055, 441.064, 441.075, 441.415-441.450

STATUTORY AUTHORITY: KRS 196.035, 197.020, 441.055

NECESSITY, FUNCTION, AND CONFORMITY: KRS 441.055 requires the Department of Corrections to promulgate administrative regulations establishing minimum standards for jails that house state prisoners. This administrative regulation establishes standards and procedures to be followed in the design, construction, renovation, and expansion of full-service jails.

Section 1. Definitions. (1) "Construction authority" is defined by KRS 441.415.

(2) "Division" means the Department of Corrections Division of Local Facilities.

(3) "Expansion" means a renovation which includes an increase in the number of square footage of the local correctional facility to add prisoner bed space as described in KRS 441.450(3).

(4) "Local correctional facility" is defined by KRS 441.415.

(5) "Renovation" means changes to the physical plant of or construction on an existing local correctional facility that does not:

(a) Include an increase in the number of square footage of the local correctional facility to add prisoner bed space; and

(b) Require approval of the construction authority as described in KRS 441.450(3).

Section 2. Consultation. The department may provide to a unit of local government seeking to remodel an existing jail or construct a new jail, a consultant knowledgeable in the design, utilization, and operation of jails. The consultant may meet with the appropriate officials of that county and advise them concerning:

(1) Site selection;

(2) Probable need as it relates to capacity and types of prisoners to be housed;

(3) Sources of financing for constructing;

(4) Laws and administrative regulations relating to treatment of prisoners;

(5) Laws and administrative regulations relating to facilities for prisoners;

(6) Sources of revenue for operations of the jail;

(7) Probable cost for operation of the jail; and

(8) Potential for sharing facilities with adjoining counties.

Section 3. Application for Construction. (1) Prior to the commencement of any construction for a new local correctional facility or for the renovation or expansion of an existing local correctional facility, a unit of local government shall submit to the division:

- (a) An application for approval; and
- (b) If the construction is for a new facility or an expansion of an existing facility, any applications and materials submitted to the construction authority in accordance with KRS 441.430.
- (2) The application required by subsection (1)(a) of this section shall:
 - (a) Be signed by the:
 - 1. County judge-executive for each county involved in the proposal;
 - 2. Highest executive of a unit of local government other than a county; or
 - 3. Head of the Regional Jail Authority, if applicable;
 - (b) State in detail the need for the specific request being proposed;
 - (c) Identify the unit of local government submitting the request;
 - (d) Identify other units of local government that are partnering in the pursuit of a full service regional jail, if applicable;
 - (e) State the following information for the current jailer:
 - 1. Name;
 - 2. Address; and
 - 3. Phone number;
 - (f) Identify the type of local correctional facility currently being used:
 - 1. Full service;
 - 2. Regional full service;
 - 3. Life safety; or
 - 4. None;
 - (g) Identify the type of local correctional facility that will exist after the proposed construction is completed:
 - 1. Full service; or
 - 2. Regional full service;
 - (h) If construction is proposed at a location other than where the current local correctional facility is located, then provide the following information for the new property:
 - 1. Address;
 - 2. Description of new property;
 - 3. Explanation of ownership of new property; and
 - 4. Estimated cost to purchase property if not owned by the unit of local government proposing construction;
 - (i) If the proposed construction is for a new local correctional facility, then identify the size of facility being requested using the bed capacity increments required for plans in KRS 441.420(1)(b).
 - (j) If the proposed construction is for an expansion, then state the:

1. Number of proposed additional beds; and
 2. Proposed additional square footage;
- (k) If the proposed construction is for a renovation, then state:
1. The purpose of the renovation; and
 2. The amount of any proposed additional square footage;
- (l) For the current local correctional facility, state the:
1. Current capacity;
 2. Average daily population (ADP) for the preceding two (2) years;
 3. Total amount of remaining bond indebtedness;
 4. Amount of monthly debt installment payment; and
 5. Remaining number of payments on any note; and
- (m) Identify the architect, consultant, or other person or entity with which the unit of local government consulted for the construction proposal.

Section 4. Documentation Required for Application. A unit of local government shall provide a copy of the following documents with any application submitted to the division:

- (1) Ordinance for the unit of local government showing an affirmative vote for the proposed construction for the local correctional facility;
- (2) If applicable, a resolution or other verified document showing the regional jail authority affirmative vote for the proposed construction for the local correctional facility;
- (3) Deed, lease, or legal description of the new property for proposed construction;
- (4) Local correctional facility budget for the preceding two (2) years;
- (5) General budget for any unit of local government proposing construction;
- (6) Feasibility study or other documentation provided by any architect, entity, or other person that consulted on the proposed construction; and
- (7) Documentation showing that the unit of local government has sufficient bonding and revenue sources to pay the bond indebtedness, operating costs, and maintenance costs over the anticipated life of the note for the proposed construction.

Section 5. Site Selection Review. The following criteria shall be considered by the Division in its site selection review:

- (1) Size;
- (2) Proximity to court;
- (3) Proximity to community resources;
- (4) Availability of public transportation;
- (5) Environmental health;
- (6) Adequate parking; and

(7) Provisions for future expansion.

Section 6. Construction Documents. (1) A unit of local government shall submit plans and specifications to the Division for approval prior to the commencement of any construction for a new local correctional facility or for the renovation or expansion of an existing local correctional facility. The division may waive some of the requirements of this section on a case-by-case basis depending on the specifics proposed for the construction.

(2) If the construction is for a new facility or expansion of an existing facility, a unit of local government shall submit plans and specifications for the applications required by KRS 441.430 to the Division.

(3) Whether new construction or renovation or expansion of an existing facility, plans and specifications for a local correctional facility shall meet the following criteria and contain the following documentation:

(a) A programming phase to include:

1. Evaluation of the existing facility;
2. Population analysis as based on the NIC (National Institute of Corrections) staffing analysis, and may include, jail operations, jail programs, court location, and transportation issues;
3. Space requirements based on population analysis and standards for the facility and site outlined in this administrative regulation;
4. Staffing analysis;
5. Cost analysis to include construction and operation costs;
6. Financing alternatives, if applicable;
7. Design-construction time schedule; and
8. Summary and recommendations;

(b) A schematic phase to include:

1. A scale drawing of each floor plan with proposed rooms and areas one-eighth (1/8) inch minimum;
2. A scale drawing of the site, locating the building, parking, and other facilities with one (1) inch equaling fifty (50) feet;
3. Documentation of site as to:
 - a. Size;
 - b. Proximity to court;
 - c. Proximity to community resources;
 - d. Availability of public transportation;
 - e. Environmental health;
 - f. Adequate parking; and
 - g. Provisions for future expansion;

4. Sections through the proposed structure indicating deck heights of rooms, mechanical spaces, roof slopes, and other related information;
5. Scale elevation drawing of exterior walls;
6. Schematic cost estimate to include revised construction and operation costs; and
7. A revised design-construction time schedule;

(c) A design development phase containing:

1. A scale drawing on each floor plan with proposed rooms and areas with their dimensions one-eighth (1/8) inch minimum;
2. All necessary construction drawings including construction details;
3. Specifications for materials and workmanship;
4. A proposed contract with general and special conditions;
5. Engineering calculations for the foundations, structure, heating, ventilating, air conditioning, lighting, and plumbing; and
6. Detailed estimates of cost of land, site development, construction, financing, professional services, equipment, and furnishings;

(d) Construction document phase containing:

1. Revised design development construction drawings following review by all applicable agencies, signed by an architect registered in the Commonwealth of Kentucky, and revised if necessary to include changes required by the division; and
2. Revised design development specifications of material and workmanship following review by all applicable agencies; and

(e) A contract administration phase containing:

1. Signed copies of the contracts for construction, financing, and bonding;
2. Signed copies of the construction permits; and
3. Documentation of required review by other applicable state agencies.

(4) Whether new construction or renovation or expansion of an existing facility, every change order shall be submitted to the Division jail consultant for review and approval.

Section 7. Approval of Construction Plans and Specifications. (1) Construction shall not begin until the construction plans have been approved by the division and, if required, the construction authority has approved the construction. The division shall:

(a) Review each complete application within thirty (30) days of receipt;

(b) For a renovation, issue:

1. An approval;
2. An acceptance with required changes; or
3. A rejection, with reasons stated;

(c) For an expansion or new local correctional facility, issue a recommendation to the

construction authority whether to approve construction; and

(d) For an incomplete application, inform the applicant of the information or documents that need to be submitted to complete the application.

(2) A request for changes to the plans shall be submitted to the division and shall include a description of the changes requested and the reasons for the changes.

(3) A change to the approved plans shall require redrawing unless specifically exempted by the department. Specifications shall be rewritten to reflect a change.

Section 8. Exemption from compliance. If a jail, renovation, or expansion was built before the effective date of the physical plant standards in Section 12 of this administrative regulation, the department shall exempt the jail from a specific requirement if the department finds that the exemption does not significantly affect the security, supervision of prisoners, programs, or the safe, healthful, or efficient operation of the jail.

Section 9. Waiver of Compliance. (1) The department may grant a temporary waiver of a physical plant standard in Section 12 of this administrative regulation for an existing jail that can no longer meet a standard if the department determines that:

(a) Strict compliance will cause unreasonable difficulties;

(b) A waiver will not significantly affect the security, supervision of prisoners, programs, or the safe, healthful, or efficient operation of the jail; and

(c) Compliance may be achieved in a manner other than that specified, but in a manner that is sufficient to meet the intent of this administrative regulation.

(2) If a waiver from a standard is desired, the responsible unit of local government shall submit a written request to the department. The written request shall include the following information:

(a) Citation of the specific standard involved;

(b) Identification and description of the specific difficulties involved in meeting strict compliance;

(c) Description of the alternative proposed; and

(d) Provision of sufficient documentation which shall demonstrate that the waiver, if granted, will not jeopardize the security, supervision of prisoners, programs, or the safe, healthful, or efficient operation of the jail.

(3) A waiver, if granted by the department, shall apply only to the petitioner for the specific situation cited and for the period of time specified and shall include any requirements imposed by the department as conditions upon the waiver. A waiver shall not be granted for longer than twelve (12) months. A waiver granted for a twelve (12) month period shall be reviewed for reapproval at the end of the period.

Section 10. Existing Local Correctional Facilities. All existing local correctional facilities that are in operation shall comply with the physical plant design standards in Section 12 of this administrative regulation, unless the facility is exempt from a standard pursuant to

Section 8 of this administrative regulation or has obtained a waiver from the department pursuant to Section 9 of this administrative regulation for the standard.

Section 11. New Local Correctional Facilities and Expansion and Renovation of Existing Local Correctional Facilities. A new local correctional facility and the expansion or renovation of an existing local correctional facility shall comply with the physical plant design standards in Section 12 of this administration regulation and additional requirements incorporated by reference in Section 15 of this administrative regulation unless the facility has obtained a waiver from the department pursuant to Section 9 of this administrative regulation.

Section 12. Physical Plant Design Standards. (1) Entrances. Each jail shall have three (3) separate and distinct entrances: a public entrance, a prisoner entrance, and a service entrance. The department may permit these entrances to be combined.

(a) Public entrance. The purpose of this entrance shall be to divert the general public from the security area of the jail and from contact with incoming prisoners. This area shall be the location for the general public to conduct their business at the jail. The following design features shall be incorporated:

1. Provide a clear view of this entrance from the control room by means of direct surveillance or closed circuit TV; and
2. Meet the requirements for handicapped persons.

(b) Service entrance. The purpose of this entrance shall be to provide access to service vehicles and delivery trucks with minimum security risks. It shall be located in close proximity to storage rooms and the kitchen area.

(c) Prisoner entrance. The purpose of this entrance shall be to provide secure and controlled access to the jail for prisoners. The entrance shall be serviced by a covered drive-through sally port, located adjacent to the jail intake area, and made secure by electronically or manually operated doors for entrance and exit, or a secure walk-in vestibule and shall incorporate the following design features:

1. Be located adjacent to the booking area;
2. Be monitored from the control room;
3. Be free of steps or other obstacles;
4. Be protected from inclement weather;
5. Have a security penal-type pistol locker in the sally port or vestibule; and
6. Have approved penal-type hardware and equipment.

(d) If the vestibule is used for outside entrance, at least the outer entry door shall be remotely operated.

(2) Exits. An opening in the security perimeter shall be secured with a penal device. Fire exits, if possible, shall open into controlled, secured courts or exercise areas.

(3) Administrative areas. Administrative areas shall provide space outside the secured area of the jail for the housing of administrative offices and to accommodate the public.

Administrative areas shall contain the following additional areas:

(a) A waiting area which shall provide:

1. Space for the general public;
2. Protection from inclement weather; and
3. If the facility is a new jail, ADA compliant toilet facilities for both male and female persons and drinking fountains;

(b) A visiting area, public side which shall:

1. Provide for private communication with prisoners;
2. Be located in close proximity to the waiting area; and
3. Provide at least one (1) ADA compliant space;

(c) An office area which shall be of sufficient space to house the administrative function of the jail; and

(d) An entrance to the security area which shall:

1. Provide secure access to the security area;
2. Be of penal-type; and
3. Have access controlled from the security area.

(4) Security area. The area shall enclose those facilities and services required for or used by prisoners. It shall contain a booking area. The purpose shall be to provide a private and separate area, properly equipped to carry out admission and release procedures. The equipment shall be penal-type. This area shall be designed for different classes of prisoners. Design features for this area shall include:

(a) Close proximity to a secure area for storage of prisoner personal property;

(b) Close proximity to an area for photography and fingerprinting;

(c) Close proximity to an area for showering, delousing, and strip searching a prisoner and which ensures privacy for the prisoner;

(d) Close proximity to temporary holding and detoxification cells; and

(e) Located in a manner to be monitored by a control room;

(5) Detoxification area. The purpose shall be to provide an area to separate intoxicated prisoners from the general prisoner population. It shall include design features as established in this subsection.

(a) There shall be a minimum of fifty (50) square feet per prisoner.

(b) There shall be a minimum of eight (8) feet deck height including soffits.

(c) There shall be one (1) concrete slab thirty (30) inches wide by seventy-two (72) inches long by four (4) inches high for each prisoner.

(d) There shall be a penal commode, lavatory, and a flush floor drain controlled from outside the cell.

(e) There shall be a bubble-type drinking fountain.

- (f) The fixtures and equipment shall be penal-type.
 - (g) Each surface inside the area shall be smooth, flush, and free of sharp edges and protrusions.
 - (h) Each horizontal surface (the bunk and the floor) shall be sloped (one-fourth (1/4) of an inch to the foot) to the floor drain.
 - (i) The protruding corners (except at deck) shall be covered.
 - (j) Deck, walls, surfaces of the wall base, and floors shall be of approved masonry, concrete, or steel construction.
 - (k) Each detoxification cell shall have sufficient light for the tasks being performed.
- (6) Holding areas. The purpose of holding areas shall be for temporary detention not to exceed thirty (30) hours in secure holding or thirty (30) hours in diversion holding.
- (a) Design features for secure holding shall include:
1. Twenty-five (25) square feet per rated capacity with a minimum size of no less than fifty (50) square feet;
 2. Eight (8) feet deck height;
 3. One (1) commode and lavatory for a rated capacity of ten (10) or less, two (2) commodes and lavatories for a rated capacity of eleven (11) to twenty (20), or three (3) commodes and lavatories for a rated capacity of twenty-one (21) or more;
 4. Penal-type equipment;
 5. One (1) penal-type lavatory and commode;
 6. One (1) penal-type light fixture capable of providing sufficient light for the tasks being performed; and
 7. Decks, walls, surfaces of wall bases and floors that are constructed of approved masonry, concrete or steel construction.
- (b) If a diversion holding area is provided, features and requirements shall include:
1. Twenty-five (25) square feet per rated capacity with a minimum size of fifty (50) square feet;
 2. Total rated capacity not to exceed twenty-four (24) persons;
 3. One (1) bathroom for a rated capacity of ten (10) or less; two (2) bathrooms for a rated capacity of eleven (11) to twenty (20); and three (3) bathrooms for a rated capacity of twenty-one (21) or more;
 4. At least one (1) water fountain that is located in the area;
 5. A phone system that is available for use by prisoners;
 6. Fire-rated construction with penal hardware, windows, and door;
 7. Fire-rated chairs and tables per rated capacity but no beds;
 8. An unobstructed view into the area; and
 9. Areas that allow constant in-person surveillance.
- (c) Policy and procedure shall set forth criteria for placement of prisoners in the diversion

holding area.

(7) Medical exam area. The purpose of this room shall be to provide a separate and secure area for medical examinations and rendering medical treatment. Design features shall include:

- (a) Minimum dimensions that are no less than 100 square feet;
- (b) Minimum deck height that is eight (8) feet including soffits;
- (c) One (1) lavatory or counter sink;
- (d) One (1) work counter;
- (e) Secured lockers for medical equipment, medical instruments, medications, bandages, etc., secured to the floor or walls or a secure closet;
- (f) One (1) or more medical examination tables;
- (g) Electrical power outlets with at least one (1) outlet or power source connected to an emergency power source;
- (h) Decks, walls, and floors constructed of approved masonry, concrete, or steel construction;
- (i) A secure area for storage of medication and medical equipment if medical services are provided outside the jail; and
- (j) One (1) bathroom with commercial grade fixtures.

(8) Visiting area, prisoner side. The purpose shall be to provide secure and private visitation for the prisoners. The equipment and furnishings shall be of penal-type and permanently attached. At least one (1) area shall be ADA compliant.

(9) Conference area. The purpose of this area shall be to provide space for confidential conferences between prisoners and lawyers, counselors, clergy, etc. It shall include design features as established in this subsection.

- (a) Doors, windows, and light fixtures shall be penal-type.
- (b) Walls, floors, and decks shall be of approved masonry, concrete, or steel construction.
- (c) Furnishings shall be noncombustible and nontoxic as approved by the department.

(10) Multipurpose room. The purpose of this area shall be to provide space for assembly of prisoners for specific program activities.

(a) The multipurpose room shall be a minimum of:

- 1. For a Category I jail, one (1) 250 square foot room;
- 2. For a Category II jail, two (2) 250 square foot rooms;
- 3. For a Category III jail, four (4) 250 square foot rooms;
- 4. For a Category IV jail, six (6) 250 square foot rooms; or
- 5. For a Category V jail, eight (8) 250 square foot rooms.

(b) It shall include design features as established in this paragraph.

- 1. Doors, windows, and light fixtures shall be penal-type.

2. Walls, floor, and deck shall be of approved masonry, concrete, or steel construction.
3. Furnishings shall be noncombustible and nontoxic as approved by the department.
4. Deck shall be of approved construction.

(11) Outdoor recreation. The purpose of this area shall be to provide secure outdoor space for recreational activities. This area shall allow at least thirty-five (35) square feet per prisoner in an area with a minimum of 385 square feet. At least part of this area shall be covered.

(12) Kitchen. The purpose of this area shall be to provide sufficient space and equipment for preparing meals for the maximum rated capacity of the jail. Design features shall include:

- (a) Compliance with the Kentucky Food Code, 902 KAR 45:005;
- (b) Commercial-type stoves and refrigeration units;
- (c) Penal-type doors and windows; and
- (d) Walls, floors, and decks constructed of fire-rated masonry, concrete, or steel construction.

(13) Control room. The purpose of this area shall be to control all movement of prisoners within the jail and traffic in and out of the security area. Also, this area shall be the hub for operations within the jail. It shall include design features as established in this subsection.

- (a) Doors and windows shall be of penal-type.
- (b) Walls, floors, and deck shall be approved masonry, concrete, or steel construction.
- (c) Audio and video monitors shall be located in this area.
- (d) Gauges, indicators, and alarms shall be located in this area.
- (e) Central control panels shall be located in this area.
- (f) This area shall permit visual observation of all corridors, entrances, and exits under its supervision.

(14) If jail personnel are not within normal hearing distance of prisoners, an audio communication system shall be installed to allow jail personnel to communicate with prisoners.

(15) A panic button, jail personnel call station, or portable communication device shall be installed or available in corridors and jail personnel observation areas, which shall sound an alarm in the control center in an emergency situation.

(16) Confinement areas. The purpose of these areas shall be to provide suitable living conditions for all types of prisoners lodged in the jail.

(a) Design features for all living areas shall include:

1. Sufficient natural or artificial light for the tasks being performed;
2. Ventilation to meet air exchange as required in the Kentucky Department of Corrections Jail Construction, Expansion, and Renovation Guidelines;
3. Temperature ranges within comfort zones (sixty-five (65) degrees Fahrenheit to eighty-five (85) degrees Fahrenheit);

4. Approved masonry, concrete, or steel construction;
5. Penal-type furnishings and equipment that are permanently attached;
6. Floor drains that service each living area;
7. An approved securable food pass where appropriate and approved by the division jail consultants;
8. Electrical outlets that if provided, are ground-faulted or have ground-fault circuit breakers; and
9. Penal-type receptacle and switch plate covers.

(b) All cells and housing areas shall meet the design requirements established in this paragraph.

1. Prisoner living areas shall be equipped with the security hardware to meet the security requirements of the prisoners housed in the area. Depending on the size of the jail, at least one (1) living area shall be designed at high security and be equipped with a safety vestibule to enter the living area.
2. Depending on the size of the jail, at least one (1) male, one (1) female, and one (1) medical isolation cell shall be provided.
3. All cells shall open into a dayroom and a cell shall not be less than seventy (70) square feet. A cell shall not have more than two (2) penal-type bunks. If two (2) persons are housed in a cell, they shall not be detained in the cells for longer periods than twelve (12) hours, except in emergency situations.
4. If the vestibule is used at a cell area, at least the inner door shall be remotely operated.
5. Each cell shall contain:
 - a. A penal-type commode, lavatory, and drinking fountain, penal-type bunks secured to the floor or wall, penal-type table with two (2) seats, and penal-type storage area for personal property; and
 - b. A penal-type light fixture with controls inaccessible to prisoners unless it has staff override.
6. The jail shall provide living space for low security prisoners including work release and community service workers. This area shall be either cells opening into a dayroom or a combination of this and multiple-occupancy dorms. If dorms are used, they shall include:
 - a. Forty (40) feet per prisoner;
 - b. One (1) commode, one (1) lavatory, and one (1) drinking fountain per ten (10) prisoners, but one (1) urinal may be substituted for each commode in male areas if the commodes are not reduced to less than one-half (1/2) the number required;
 - c. One (1) shower per twenty (20) prisoners;
 - d. Sufficient tables and benches to handle the number of prisoners housed in the dorm;
 - e. One (1) penal-type storage area for personal property per prisoner; and
 - f. One (1) penal-type bunk per prisoner.
7. Jails may assign conditional housing arrangements relating to overcrowding if they meet the minimum square footage allowable for the area, and have in place an objective

classification system relating to the management of the inmate population.

a. The conditional housing arrangement assignment shall be limited to a maximum of seven (7) days.

b. If at any time during the seven (7) days the population drops below the maximum allowable number, the seven (7) day timeframe shall restart. The cycle of assigning conditional housing arrangements shall not exceed a continuous period of more than four (4) consecutive weeks within a sixty (60) day time period without being found in violation.

c. The requirements of subparagraph 7. of this paragraph shall apply to all secure and nonsecure areas where a maximum number of inmates have been predetermined by the jail to be in the area.

8. Each dayroom area shall contain:

a. Thirty-five (35) square feet per prisoner;

b. One (1) commode per ten (10) prisoners, but one (1) urinal may be substituted for each commode in male areas if the commodes are not reduced to less than one-half (1/2) the number required;

c. One (1) lavatory per ten (10) prisoners;

d. One (1) drinking fountain per twenty (20) prisoners;

e. One (1) shower per twenty (20) prisoners; and

f. Tables and benches sufficient to handle the rated capacity with space twenty-four (24) inches wide and twelve (12) inches deep per prisoner.

(17) Direct supervision areas. The purpose of a direct supervision area shall be to provide suitable living conditions for prisoners who are located in the jail whose behavior indicates their ability to function in a less secure setting under the direct supervision of jail personnel. Jails that elect to use the direct supervision concept shall have a sufficient number of secure cell or dormitories, as approved by the Department, in order to separate prisoners who display negative behavior in direct supervision areas. All direct supervision areas shall have a secure perimeter. Direct supervision area design features shall include:

(a) Sufficient natural or artificial light for the tasks being performed;

(b) Ventilation to meet air exchange as required in the Kentucky Department of Corrections Jail Construction, Expansion, and Renovation Guidelines;

(c) Temperature ranges within comfort zones (sixty-five (65) degrees Fahrenheit) to eighty-five (85) degrees Fahrenheit;

(d) Approved masonry or concrete construction;

(e) Penal- or commercial-type furnishings and equipment;

(f) Electrical outlets that are ground-faulted or have ground-fault circuit breakers;

(g) Dormitories that provide not less than forty (40) square feet per person and do not exceed seventy (70) persons;

(h) One (1) commode, one (1) lavatory, and one (1) drinking fountain per ten (10) prisoners, but one (1) urinal may be substituted for each commode in male areas if the commodes are not reduced to less than one-half (1/2) the number required;

- (i) One (1) shower per twenty (20) prisoners;
- (j) Sufficient tables and chairs to handle the number of prisoners in the dorm;
- (k) One (1) storage area for personal property per prisoner;
- (l) A phone system available for use by prisoners; and
- (m) Compliance with all other full-service requirements as established in 501 KAR Chapter 3.

Section 13. In any new construction or expansion of the local correctional facility, there shall not be a 911 Control Center housed within the secure perimeter of the local correctional facility. Any increase of square-footage of an existing 911 Center shall require the removal of the Center's location to a new location outside the secure perimeter of the local correctional facility.

Section 14. Facility Status. (1) A jail shall not change its status from full service to life safety.

(2) If the Department of Corrections issues an order of closure for a facility or a portion of a facility pursuant to KRS 441.075, before the facility may reopen, it shall:

(a) Obtain approval from the department; and

(b)1. Meet the physical plant design standards in Section 12 of this administrative regulation; or

2. Receive an exemption from compliance pursuant to Section 8 of this administrative regulation.

Section 15. Incorporation by Reference. (1) "Kentucky Department of Corrections Jail Construction, Expansion, and Renovation Guidelines", January 2016, is incorporated by reference.

501 KAR 3:060. Security; control.

RELATES TO: KRS 441.045, 441.055

STATUTORY AUTHORITY: KRS 441.055(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 441.055 requires the Department of Corrections to promulgate administrative regulations establishing minimum standards for jails that house state prisoners. This administrative regulation establishes security procedures to be followed in full-service jails.

Section 1. Policy and Procedure. (1) The jailer or jail administrator shall develop a written policy and procedure governing the security aspects of the jail's operation.

(2) If requested in writing, the department shall provide technical assistance to the jailer or jail administrator in formulating written policy and procedure.

(3) The policies and procedures shall include:

- (a) Prisoner rules;
- (b) Staffing;
- (c) Searches of prisoner and of secure areas;
- (d) Visitation;
- (e) Key and weapon control;
- (f) Prisoner head counts;(g) Surveillance checks;
- (h) Emergency situations;
- (i) Jail schedule; and
- (j) Administering medication.

Section 2. Prisoner Supervision. (1) Jail personnel shall conduct and document direct in-person surveillance of each prisoner on an irregular schedule, at least every sixty (60) minutes.

(2) Jail personnel shall conduct and document direct in-person surveillance on an irregular schedule, at least every twenty (20) minutes on the following classes of prisoners:

- (a) Suicidal;
- (b) Mentally or emotionally disturbed, if housed in a single cell; or
- (c) In detox cell.

(3) If available, closed-circuit television shall be used primarily to monitor hallways, stairwells, sally ports, perimeter security, points of egress, and common and support areas.

(4) There shall be at least three (3) documented prisoner counts every twenty-four (24) hours during which each prisoner's physical presence, by show of skin or by movement, shall be observed. At least one (1) count shall be conducted per shift.

Section 3. Security Procedures. (1) Each jailer or jail administrator shall establish a procedure for weekly inspection, for contraband and physical security, of each area accessible to a prisoner.

(a) Isolated security spot checks for contraband shall be conducted daily.

(b) The prisoner rules, as specified in Section 1(3)(a) of this administrative regulation, shall contain a clear definition of each item permitted in the jail. All other items shall be considered contraband.

(c) There shall be a written procedure for reporting security irregularities.

(2) A weapon, ammunition, chemical agent, related security equipment, or object which may be used as a weapon shall not be permitted in the security area unless authorized by the jailer or jail administrator. Firearms shall not be permitted in the security area unless authorized by the jailer or jail administrator, under emergency circumstances.

(3) If a weapon, ammunition, chemical agent, or related security equipment is not being carried or used, as authorized by the jailer, it shall be stored in an arsenal, vault, or other secure room under lock.

(a) The weapons storage area shall be inaccessible to unauthorized persons.

(b) There shall be a written procedure for issuing and accounting for all weapons.

(4) Security devices and safety equipment shall be inspected monthly to ensure they are maintained in proper working order.

(5) Tools and toxic, corrosive, or flammable substances, and other potentially dangerous supplies and equipment shall be stored in a secure, locked area located outside the security perimeter of the confinement area.

(6) A prisoner shall use hazardous tools, supplies, or equipment only under the direct supervision of jail personnel.

(7) A prisoner:

(a) May be assigned the responsibility of providing prisoner services, including providing meals, under the direct supervision of jail personnel; and

(b) Shall not be assigned to a position of authority over another prisoner.

(8) A prisoner shall not be permitted to perform or assist in a security duty.

(9) A jail with a work release or community service program shall establish special control procedures to minimize contact between a prisoner with work release privileges and another prisoner.

(10) A prisoner shall be searched, in accordance with the guidelines established in 501 KAR 3:120, if entering or leaving the security perimeter.

(11) Written procedures shall be developed for transporting a prisoner outside the jail and shall identify training required before jail personnel are permitted to transport any prisoner.

(12) Each jailer or jail administrator shall develop written policies and procedures governing the use of physical restraints.

(13) A prisoner placed in physical restraints shall be constantly monitored.

(14) The jail shall have key-control procedures as established in this subsection.

(a) A key control center shall be secure and inaccessible to an unauthorized person at all times.

(b) There shall be an accounting procedure for issuing and returning keys.

(c) There shall be a procedure for immediate reporting and repairing of a broken or malfunctioning key or lock;

(d) A set of duplicate keys shall be maintained in a separate, secure place.

(e) A prisoner shall not be permitted to handle a key used to operate a jail security lock.

(f) A key operating a lock to an outside door or gate shall not be permitted in the security area.

(g) An emergency key or any key to a critical security area shall be issued in accordance with written procedures established by the jailer or jail administrator.

(h) Precautions similar to those outlined in paragraphs (a) through (g) of this subsection shall be taken to ensure the security of nonkey operated locking devices including electrical switches or levers.

(i) A lock to an outside exit shall be keyed differently from an interior lock.

(j) The lock to the control room shall be keyed differently from all other locks.

(15) Trustees.

(a) A trustee shall not have access to, or control of, a weapon.

(b) An unsupervised trustee shall not be permitted in either a program, support, or housing area with a prisoner of the opposite sex.

(c) A trustee shall not be permitted in either a program, support, or housing area with a juvenile inmate.

Section 4. Daily Jail Log; Special Reports. A daily jail log shall be kept current and shall reflect significant occurrences within the jail. Special reports shall include:

(1) Use of force;

(2) Disciplinary action;

(3) Medical or mental health treatment;

(4) Feeding schedule and menus;

(5) Extraordinary occurrences, including:

(a) Fire;

(b) Assault;

(c) Suicide or attempted suicide; and

(d) Escape or attempted escape;

(6) Inmate vandalism, including:

(a) Destruction of jail property; and

- (b) Flooding of plumbing fixtures;
- (7) Jail personnel roster for each shift; and
- (8) Visitor's log.

501 KAR 3:070. Safety; emergency procedures.

RELATES TO: KRS 441.045, 441.055

STATUTORY AUTHORITY: KRS 196.035, 197.020, 441.055

NECESSITY, FUNCTION, AND CONFORMITY: KRS 441.055(1) requires the Department of Corrections to promulgate administrative regulations establishing minimum standards for jails that house state prisoners. This administrative regulation establishes safety and emergency procedures to be followed in full-service jails.

Section 1. Policy and Procedure. (1) Each jail shall have a written policy and procedure that specifies fire prevention practices to provide for the safety of prisoners, visitors, and jail employees. The policy shall include:

- (a) A fire emergency planning session for jail employees at least quarterly;
 - (b) Maintaining written documentation of the fire planning session including evacuation, fire drills, and other procedures covered during the session;
 - (c) A fire safety inspection by the department at least once a year;
 - (d) Inspection and testing of fire protection equipment by a qualified person at least annually with visual inspections by jail employees monthly;
 - (e) Being a tobacco-free facility; and
 - (f) An evacuation plan coordinated with local fire officials and approved by the department.
- (2) Each jail shall have written policy and procedures for emergency situations including:

- (a) Escape;
- (b) Hostage taking;
- (c) Riot;
- (d) Food poisoning;
- (e) Civil disturbance in the community;
- (f) Natural disaster;
- (g) Suicide;
- (h) Other death and disorder; and
- (i) Mass evacuation disaster plan.

Section 2. Physical Plant. (1) Each jail shall comply with the Kentucky Building Code, incorporated by reference in 815 KAR 7:120. An existing jail for which approval has been granted may continue without change, except if a significant alteration, addition or change of occupancy occurs.

(2) Each exit shall be:

- (a) Distinctly and permanently marked;

(b) Visible at all times;

(c) Kept clear; and

(d) Maintained in usable condition.

(3) Each jail shall have equipment necessary to maintain essential lights, power, HVAC, and communications in an emergency situation.

(4) In each area where a prisoner may be confined, there shall be an emergency smoke control system activated by smoke detectors and operated by emergency power. Inspection and testing of the smoke control system shall be conducted by a qualified person at least annually.

(5) Each jail shall have a fire alarm and smoke detection system.

(6) Each direct supervision area shall have an automatic fire extinguishing system.

501 KAR 3:080. Sanitation; hygiene.

RELATES TO: KRS 441.055

STATUTORY AUTHORITY: KRS 441.055

NECESSITY, FUNCTION, AND CONFORMITY: KRS 441.055 requires the Department of Corrections to promulgate administrative regulations establishing minimum standards for jails that house state prisoners. This administrative regulation establishes procedures to provide proper sanitation and hygiene in full-service jails.

Section 1. Procedures. (1) The jailer or jail administrator shall provide for the control of vermin and pests.

(2) The jail shall provide for both solid and liquid waste disposal.

(3) The jailer or jail administrator shall have a written preventative maintenance plan that includes:

(a) A cleaning schedule for various locations and items in the jail;

(b) A schedule for inspections by the jailer;

(c) A schedule for trash and garbage removal; and

(d) A schedule for periodic inspection and maintenance of specific mechanical equipment.

(4) The jail shall have fresh air circulating within prisoner living and activity areas.

(5) The jail shall furnish clean sanitized bedding to prisoners except in holding areas and unless it is determined to be detrimental to a particular prisoner. Issuance of bedding in detoxification is optional. Bedding shall include:

(a) One (1) mattress;

(b) One (1) blanket if conditions require;

(c) Two (2) sheets;

(d) One (1) pillow, if not part of the mattress; and

(e) One (1) pillowcase, if applicable.

(6) Prisoner bedding shall be cleaned on a regular basis according to the schedule established in this subsection.

(a) Sheets, pillowcases, and mattress cover shall be cleaned at least once per week and cleaned prior to reissue to next prisoner.

(b) Blankets shall be laundered upon reissue or quarterly, whichever is sooner.

(c) Mattresses and pillows shall be cleaned quarterly and cleaned prior to reissue to next prisoner.

(7) Each prisoner shall be issued a clean jail uniform and towel upon admission to a prisoner living area. If a prisoner does not have undergarments upon admission, then the jail shall issue them. Jail uniforms, undergarments, and towels shall be laundered at least twice weekly and laundered prior to reissue to the next prisoner. Prisoners shall not be required to be without a clean uniform, undergarment, or towel while laundry is being processed.

(8) All floors, toilets, and sinks in the jail shall be cleaned daily or more often as necessary.

(9) All showers shall be cleaned on at least a weekly basis.

(10) (a) All prisoners assigned to prisoner living areas shall be issued or permitted to obtain the following hygienic items:

1. Soap;
2. Toothbrush;
3. Toothpaste;
4. Toilet paper; and
5. Female sanitary supplies (if applicable).

(b) Indigent prisoners shall be furnished these items by the jail.

(11) All prisoners shall be permitted to shave a minimum of two (2) times per week. Communal razors shall not be used. A sanitized electric razor may be substituted with jailer approval.

(12) Hair cutting services or sanitized hair cutting equipment shall be available to all prisoners.

(13) All prisoners shall be provided shower facilities within twenty-four (24) hours of admission. Prisoners shall be permitted to shower daily unless there is a documented security risk.

(14) All prisoners in the jail shall be provided with hot and cold running water in showers and lavatories.

501 KAR 3:090. Medical services.

RELATES TO: KRS 72.025, 441.045, 441.047, 441.055, 441.560

STATUTORY AUTHORITY: KRS 196.035, 197.020, 441.055, 441.560

NECESSITY, FUNCTION, AND CONFORMITY: KRS 441.055 requires the Department of Corrections to promulgate administrative regulations establishing minimum health standards for jails that house state prisoners. This administrative regulation establishes procedures for the proper delivery of medical services in full-service jails.

Section 1. Medical Services. (1) The jail's medical services shall be provided by contracting with a health care provider licensed in Kentucky.

(2) The medical authority shall be a licensed practical nurse (LPN), a higher level of licensed nurse, a licensed medical doctor, or licensed doctor of osteopathy. Telehealth services may be used, except for mental health evaluations for involuntary commitments pursuant to KRS Chapter 202A.

(3) The health care staff shall not be restricted by the jailer in the performance of their duties except to adhere to the jail's security requirements.

(4) All health care staff working in the jail shall comply with state licensure and certificate requirements commensurate with similar health care personnel working elsewhere in the community. Copies of licenses and certificates for health care staff employed by the jail shall be maintained on file within the jail.

(5) A daily medical log shall be maintained documenting specific medical treatment rendered in the jail. This log shall be kept current to the preceding hour.

(6) Prisoners shall not perform any medical functions within the jail.

(7) Prisoners shall be informed verbally and in writing at the time of admission the methods of gaining access to medical care within the jail.

(8) All medical procedures shall be performed according to orders issued by the responsible medical authority. All medical procedures that require hospital care shall use the Kentucky Correctional Health Care Services Network, or other contracted health care network.

(9) Medical screening shall be performed by the receiving jail personnel on all prisoners upon their admission to the jail and before their placement in prisoner living areas. The findings of this medical screening shall be recorded on a printed screening form approved by the medical authority. The medical screening inquiry shall include:

(a) Current illnesses and health problems;

(b) Medications taken and special health requirements;

(c) Screening of other health problems designated by the medical authority;

(d) Behavioral observation, state of consciousness, and mental status;

(e) Notation of body deformities, markings, bruises, lesions, jaundice, ease of movement, and other distinguishing characteristics;

(f) Condition of skin and body orifices, including rashes and infestations; and

(g) Disposition and referral of prisoners to qualified medical personnel on an emergency basis.

(10) Sick call conducted by the medical authority shall be available to each prisoner as provided by this subsection.

(a) Category I jails shall hold sick call two (2) days per week, at a minimum.

(b) Category II jails shall hold sick call three (3) days per week, at a minimum.

(c) Category III jails shall hold sick call four (4) days per week, at a minimum.

(d) Category IV jails shall hold sick call five (5) days per week, at a minimum.

(e) Category V jails shall hold sick call six (6) days per week, at a minimum.

(11) Jailers, jail administrators, or jail personnel shall report suicides or attempted suicides that constitute a serious health situation to the department within twenty-four (24) hours.

(12) Each jail shall have a written policy and procedure outlining jail personnel response to detainees who are at risk for suicide or have attempted or completed suicide.

(13) Emergency medical, vision, and dental care shall be available to all prisoners commensurate with the level of care available to the community.

(14) Medical research shall not be permitted on any prisoner in the jail.

(15) Access to the prisoner's medical file shall be controlled by the medical authority and the jailer. The medical record shall be separate from custody and other administrative records of the jail.

(16) The jail shall follow informed consent standards in the community for prisoner care.

(17) The jailer, jail administrator, or jail personnel shall notify the coroner, if a prisoner dies while in the jail's custody, to allow for a postmortem examination pursuant to KRS 72.025.

(18) The jailer or jail administrator shall have written delousing procedures.

(19) The jail shall have first aid kits available at all times.

(20) A prisoner who has been prescribed treatment by a recognized medical authority and cannot receive that treatment in the jail shall be moved to another confinement facility that can provide the treatment or may be moved to a hospital.

(21) If emergency care is needed, it shall be provided.

Section 2. Medical Transfers pursuant to KRS 441.560. (1) A jailer, jail administrator, or jail personnel may request that a prisoner be transferred to the department for necessary medical treatment and care if the prisoner:

(a) Is injured;

(b) Is pregnant;

(c) Becomes sick or ill;

(d)1. Is severely and persistently mentally ill; and

2. Is presenting an imminent risk of harm to self or others; or

(e) Requires specialized medical care or long-term medical care that is not available at the local jail.

(2) The transfer request shall be submitted to the Classification Branch in writing and shall contain the following information:

- (a) Prisoner's name;
 - (b) Prisoner's Social Security number;
 - (c) County where currently housed;
 - (d) Inmate number;
 - (e) Pending charge or conviction and whether felony or misdemeanor;
 - (f) Estimated sentence or time to serve;
 - (g) Whether the prisoner has insurance or not;
 - (h) Whether the prisoner is indigent or not;
 - (i) Justification for medical transfer;
 - (j) Whether the care is necessary or not;
 - (k) Any conflict reports; and
 - (l) Relevant attachments such as:
 1. Copy of prisoner's insurance card;
 2. Doctor's report;
 3. Incident report;
 4. Citation;
 5. Booking information;
 6. Preexisting medical records; or
 7. Current medication.
- (3) If a prisoner is approved for transfer to the department, pursuant to KRS 441.560, the jail shall provide the following, unless already provided with the transfer request:
- (a) All medical information;
 - (b) Current medication in proper container;
 - (c) Booking information;
 - (d) Incident reports;
 - (e) Current citation;
 - (f) Classification information;
 - (g) Conflict reports;
 - (h) Any additional pertinent information; and
 - (i) Custody receipt.
- (4) If a prisoner is approved for transfer to the department, pursuant to KRS 441.560, the prisoner shall be transported by the department.

Section 3. Inmate Medications. When a prisoner is transferred from the jail to another facility, or discharged:

- (1) A copy of the most recent Medical Administration Record (MAR) shall be sent with the prisoner;
and
- (2) If prescribed medication was purchased for a prisoner, by the jail, then the jail may provide the medication, a prescription, or both to the prisoner.

501 KAR 3:100. Food services.

RELATES TO: KRS 196.035,197.020, 217.280-217.390, 441.055

STATUTORY AUTHORITY: KRS 441.055

NECESSITY, FUNCTION, AND CONFORMITY: KRS 441.055 requires the Department of Corrections to promulgate administrative regulations establishing minimum health standards for jails that house state prisoners. This administrative regulation establishes procedures for proper food services for full-service jails.

Section 1. Procedures. (1) The jail shall comply with KRS 217.280 through 217.390 and 902 KAR 45:005.

(2) The jailer or jail administrator shall provide adult prisoners with a nutritionally adequate diet containing at least 2,400 calories per day. Condiments shall not be included in the daily caloric totals. If prisoners are housed in the diversion holding area during normal meal times, they shall be fed. Meals may be either hot or cold.

(3)(a) Except as provided by paragraph (b) of this subsection, prisoners shall receive three (3) meals per day, one (1) of which shall be hot. More than fourteen (14) hours shall not elapse between any two (2) meals.

(b) The jailer or jail administrator may elect to provide only two (2) meals on Saturdays, Sundays, and holidays, if both meals still meet the minimum 2,400 calories per day. Condiments shall not be included in the daily caloric totals. If the jailer or jail administrator elects to serve only two (2) meals, more than sixteen (16) hours shall not elapse between any two (2) meals.

(4) The jailer or jail administrator shall provide for religious diets in accordance with 501 KAR 3:130 after review and approval of religious authority.

(5) The jailer or jail administrator shall provide for medical diets if prescribed by a medical authority.

(6) The jailer or jail administrator shall maintain accurate records of all meals served.

(7) Food shall not be used for disciplinary purposes.

(8) A nutritionist or dietician shall approve the nutritional value of the jail menu on an annual basis.

(9) Jail personnel shall directly supervise all food prepared within the jail.

(10) All food shall be served under the direct supervision of jail personnel.

(11) The jail shall have sufficient cold and dry food storage facilities.

(12) The jailer, jail administrator, or jail personnel shall inspect the food service area daily.

(13) Canteen food items purchased by prisoners may be stored or prepared in amounts that do not pose a threat to the health or security of the institution.

501 KAR 3:110. Classification.

RELATES TO: KRS 441.045, 441.055

STATUTORY AUTHORITY: KRS 441.055

NECESSITY, FUNCTION, AND CONFORMITY: KRS 441.055(1) requires the Department of Corrections to promulgate administrative regulations establishing minimum standards for jails that house state prisoners. This administrative regulation establishes procedures for the classification of prisoners in full-service jails.

Section 1. Procedure. (1) Each jail shall develop a prisoner classification system, which shall be included in the facility's written policy and procedure manual.

(2) The prisoner classification system shall provide for separation of the following categories of prisoners:

- (a) Male and female prisoners, except in diversion/holding;
- (b) Mental inquest detainee and other prisoners;
- (c) Mentally ill or mentally retarded prisoner and other prisoners;
- (d) Chemically incapacitated prisoner and other prisoners;
- (e) A prisoner with a tendency to harm others, be harmed by others, or requiring administrative segregation and other prisoners; and
- (f) A prisoner with a communicable disease and other prisoners.

(3) The criteria to be used in the classification of other prisoner categories shall be as follows:

- (a) Seriousness of current offense;
- (b) Institutional behavioral history;
- (c) Special needs;
- (d) Known criminal history; and
- (e) Trustees. The jailer or his designee shall base selection of prisoners for trustee status on the following criteria:
 - 1. The nature of the prisoner's offense and sentence;
 - 2. Previous escape attempts; and
 - 3. The prisoner's "day-to-day" behavior.

(4) A prisoner's classification shall be reevaluated if the prisoner's status changes based on factors to include the following::

- (a) Results of a court appearance by the prisoner, such as being sentenced;
- (b) Disciplinary hearing and action; and
- (c) Reevaluation of the prisoner's physical, emotional, or mental condition.

(5) The prisoner classification system shall prohibit discrimination or segregation based upon race, color, creed, or national origin.

Section 2. (1) Each detention facility with direct supervision areas shall, and other detention facilities may, develop a system of prisoner classification to assess prisoners for the purpose of:

- (a) Protecting public or institutional safety;
- (b) Providing an acceptable level of health care services; and
- (c) Considering the opportunity to provide programs intended to reduce the likelihood of reincarceration.

(2) The classification system shall provide for the assessment of prisoner risk and need, considering elements including:

- (a) Need for medical care;
- (b) Need for mental health care;
- (c) Propensity for suicidal behavior;
- (d) Potential conflict arising from contact with another individual or group within the institution;
- (e) Potential threat of escape;
- (f) Potential threat to public safety if placed in a community release program;
- (g) Potential risk to staff or another prisoner;
- (h) Record of previous institutional behavior; and
- (i) Assessment for participation in educational, vocational, rehabilitative, or work-related programming.

(3) Each classification system shall consider the development of the following components:

(a) An assessment of a prisoner upon intake to the facility to determine:

- 1. Legal custody;
- 2. Medical fitness for acceptance; and
- 3. Information asked of the arresting or transporting agent concerning the prisoner's potential risk and needs.

(b) A screening component to assess, as soon as practical after acceptance into the facility, the prisoner's risk and need for the purpose of determining appropriate housing, supervision requirements, and the need for providing immediate health care or other services.

(c) A primary classification of a prisoner shall be accomplished as soon as practical after his initial court appearance, or prior to a permanent housing placement within the institutional population to address the long term housing, supervision, and health care needs of the prisoner. Primary classification may also address the appropriateness of program placement in consideration of the needs of the prisoner and the potential risks to the community and the institution associated with the placement.

(4) A reclassification component shall be developed that reassesses the prisoner's risk, need, and housing assignment and supervision based upon either time, event, change of status, or request.

(5) An instrument of assessment shall be developed for each of the classification components using sources including charged offense, criminal history of the prisoner, available institutional behavior history, interview and observation of the prisoner, or other information sources to the institution.

501 KAR 3:120. Admission; searches and release.

RELATES TO: KRS 441.045, 441.055

STATUTORY AUTHORITY: KRS 441.055

NECESSITY, FUNCTION, AND CONFORMITY: KRS 441.055(1) requires the Department of Corrections to promulgate administrative regulations establishing minimum standards for jails that house state prisoners. This administrative regulation establishes admission, search, and release procedures for full-service jails.

Section 1. Policy and Procedure. Each jail shall develop written admission, orientation, and release procedures to be included in the jail's policy and procedure manual.

Section 2. Admission. (1) A person in need of emergency medical attention shall not be admitted to the jail until a medical examination is conducted. A Denial of Admission document shall be completed, listing the reason for denial. The document shall be signed by jail personnel on duty.

(2) Jail personnel shall ensure that each prisoner is committed under proper legal authority by a duly authorized officer.

(3) An intake form shall be completed on every new admission and shall include the following:

- (a) Time and date of commitment;
- (b) Name, alias, and nickname;
- (c) Official charge;
- (d) Authority ordering commitment;
- (e) Unit of government to be billed;
- (f) Signature and title of arresting or committing officer;
- (g) Date of birth;
- (h) Race;
- (i) Sex;
- (j) Height and weight;
- (k) Current or last known address;
- (l) Telephone number;
- (m) Marital status;
- (n) Spouse or next of kin;
- (o) Emergency contact including name, relation, address, and telephone number;
- (p) Employer, place of employment, and telephone number;
- (q) Social Security number;
- (r) Health status including current medications, known allergies, diet, or other special medical needs;

- (s) The name of any known person in the jail who might be a threat to the prisoner; and
- (t) Mental health history including past hospitalizations, comprehensive care treatment, current treatment, and medication.

Section 3. Searches. (1) Jail personnel shall conduct a search of each prisoner and his possessions.

(a) Each prisoner shall be searched for contraband in a manner jail personnel reasonably determine is necessary to protect the safety of fellow prisoners, jail personnel, and institutional security.

(b) A prisoner may be strip searched only on reasonable suspicion that is based upon the existence of objective information that may predict the likelihood of the presence of a weapon, drugs, or other item of contraband concealed on a particular prisoner. Reasonable suspicion may be based upon one (1) or more of the following examples:

1. A current felony offense, fugitive status, or past felony conviction, involving violence or drug charges;
2. Institutional behavior, reliable information, or history that indicates possession or manufacturing of a dangerous contraband, the refusal to submit to a clothed pat down search, or a clothed pat down search reveals the possession of a dangerous contraband;
3. Contact with the public by a contact visit, court appearance that takes place in an area to which the public may have access, or after transport from or through an area to which the public may have access; or
4. The court has ordered commitment to custody after arraignment, conviction, sentencing, or other court appearance, and the prisoner was not in custody prior to the court appearance.

(c) The jailer shall require that a strip search or body cavity search be documented. Documentation shall include:

1. Basis for reasonable suspicion to conduct a search;
2. Date and time of search;
3. Name of prisoner;
4. Name of person conducting search;
5. Type of search; and
6. Result of search.

(d) A strip search shall be conducted by jail personnel of the same sex as the prisoner and in a private area.

(e) Probing of body cavities shall:

1. Not be done unless there is reasonable suspicion to believe that the prisoner is carrying contraband in a body cavity; and
2. Be conducted in a private location, under sanitary conditions, by a licensed medical professional, acting within his statutory scope of practice.

(2) Each jail shall develop written policies and procedures, specifying the personal property that a prisoner may retain in his possession.

(a) Cash or personal property taken from a prisoner upon admission shall be listed by complete description on a receipt form, and securely stored pending the prisoner's release. The receipt shall be

signed by the receiving jail personnel and the prisoner and kept for the jail record.

(b) If the prisoner is inebriated, is a mental inquest detainee, or is mentally ill or mentally retarded, there shall be at least one (1) witness to verify the transaction in paragraph (a) of this subsection. As soon as the prisoner is able to understand and account for his actions, the prisoner may sign the receipt.

(c) Personal property released to a third party shall have the prisoner's signature of approval and the signature receipt of the third party.

(3) The jailer may establish a written policy on hair length or beards if based on actual concerns for safety, security, identification, or hygiene. A prisoner may be permitted freedom in personal grooming if not in conflict with the jail's policy. Caution shall be taken to protect prisoner rights in accordance with court decisions regarding religious practice.

Section 4. Orientation. (1) As soon after assignment as possible, an oral or written orientation shall be made available to each prisoner.

(2) The orientation shall provide the prisoner with information regarding his confinement, including the following:

(a) Information pertaining to rising and retiring, meals, mail procedures, work assignments, telephone privileges, visitation, correspondence, commissary, medical care, and other matters related to the conditions of the prisoner's confinement;

(b) Rules of prisoner conduct established pursuant to 501 KAR 3:060, Section 1(3);

(c) Disciplinary procedures;

(d) Information regarding work, educational and vocational training, counseling, and other social service programs; and

(e) Procedures for making a request or registering a complaint with the jail personnel or department personnel. Prisoners shall follow the grievance procedure and attach a copy of the grievance documents if requesting a review by the department.

Section 5. Release. (1) Written legal authorization shall be required prior to the release or removal of a prisoner from confinement.

(2) When a prisoner is released or removed for a legal purpose to the custody of another, the identity of receiving authority shall be verified.

(3) A written record shall be kept of the time, purpose, date, and authority for release or removal from confinement, and into whose custody the prisoner is released or removed.

(4) Prior to the release or removal of a prisoner, the receiving authority shall sign an authorized release form.

(5) Before jail personnel releases a prisoner to an out-of-state jurisdiction, jail personnel shall consult with the appropriate prosecutorial office in the county.

(6) Property, not legally confiscated or retained, receipted from the prisoner upon admission shall be returned to the prisoner when the prisoner is released.

(7) Each prisoner shall sign a receipt for property returned at the time of release.

(8) Complaint regarding property returned shall be submitted in writing with specific details within twenty-four (24) hours from the time of release.

501 KAR 3:130. Prison programs; services.

RELATES TO: KRS 439.179, 441.055, 441.125, 532.100

STATUTORY AUTHORITY: KRS 196.035, 197.020, 441.055, 532.100(4)(d)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 441.055 requires the Department of Corrections to promulgate administrative regulations establishing minimum standards for jails that house state prisoners. This administrative regulation establishes procedures for prisoner programs and services in those jails.

Section 1. Work Programs. (1) Written policy and procedure shall provide that prisoner programs and services shall be available and include social services, religious services, recreation and leisure time activities, and library services.

(2) Sentenced prisoners who perform work as authorized by KRS 441.125 may receive rewards in the form of sentence reductions or other privileges, if granted by the proper authority.

(3) Written policy and procedure shall provide that unsentenced prisoners shall not be required to work except to do personal housekeeping.

Section 2. Education Programs. (1) The jail shall develop a policy and procedure that encourages the implementation of education programs in the jail. The utilization of community resources in these efforts shall also be encouraged to offset the costs of the programs.

(2) Education programs may be made available in accordance with KRS 439.179.

(3) State prisoners shall be provided the opportunity to attend adult basic education programs or to pursue a general educational development (GED) diploma.

Section 3. Library Services. If resources are available in the community, library services may be made available to all prisoners.

Section 4. Religious Programs. (1) Written policy and procedure shall ensure the constitutional rights of prisoners to voluntarily practice their own religious activities, subject to those limitations necessary to maintain the order and security of the jail.

(2) The jailer or designee shall ensure that an inmate has the opportunity to participate in practices of his religious faith in accordance with the Religion Reference Manual incorporated by reference in 501 KAR 6:080. For specific situations not addressed in the Religion Reference Manual, the jailer or designee may refer to department Policy and Procedure 23.1 incorporated by reference in 501 KAR 6:020.

(3) Inmate responsibilities.

(a) Upon entry into the correctional system, an inmate's religious preference shall be recorded on the inmate I.D. form.

(b) After three (3) months, an inmate may change his religious preference by contacting the jailer or designee.

(c) It shall be the inmate's responsibility to seek a job or program assignment that does not conflict with his religious beliefs and practices.

Section 5. Recreation Programs. (1) Written policy and procedure shall provide all prisoners with the opportunity to participate in at least one (1) hour of physical exercise per day with at least three (3) exercise periods per week outside the cell. There shall be available one (1) hour of outdoor recreation two (2) times per week if weather permits. Prisoners who pose a threat to the safety and security of the jail shall be denied outdoor recreation.

(2) Leisure time and recreation programs shall be scheduled to permit prisoners to participate in board games, arts and crafts, radio and television, or other activities designed to relieve idleness and boredom.

Section 6. Programs for State Prisoners. (1) State prisoners may be provided the opportunity to participate in work programs in accordance with KRS 441.125.

(2) Substance abuse programs. State prisoners shall be provided the opportunity to participate in self-help substance abuse programs offered within the jail. State prisoners who apply for treatment and are accepted by the Division of Mental Health, shall be allowed to participate in the substance abuse program (SAP), if space is available or may be housed in jails offering the program, if space is available.

501 KAR 3:150. Hearings, procedures, disposition.

RELATES TO: KRS Chapter 13B, 441

STATUTORY AUTHORITY: KRS 13B.170, 441.075

NECESSITY, FUNCTION, AND CONFORMITY: The Commissioner of the Department of Corrections is authorized by KRS 441.075(4) to hear matters covered by the order of the department requesting county jails, correctional or detention facilities to comply with the minimum standards for local jails pursuant to KRS 441.055 and to issue, modify or repeal the order at the conclusion of the hearing.

Section 1. Definitions. (1) "Day" means a calendar day.

(2) "Hearing officer" means a hearing officer appointed by the commissioner pursuant to KRS 441.075.

(3) "Order" means the order of the commissioner requiring the petitioner or petitioners to comply with the minimum jail standards for local jails as specified in the order.

(4) "Petitioner" means the jailer or county/judge executive who requests a hearing for review of the commissioner's order.

(5) "Proceeding" means any proceeding before the commissioner or before a hearing officer.

(6) "Standards" means the minimum jail standards for local jails as established by the department in 501 KAR Chapters 3, 7, and 13.

Section 2. Assignment of Hearing; Filings. (1) Pursuant to KRS 441.075(4), cases coming before the commissioner may be assigned to a hearing officer within the discretion of the commissioner for a hearing and a finding of facts, conclusions of law, and recommended order. Cases may be withdrawn by agreement, dismissed for cause, or otherwise disposed of before hearing in the discretion and judgment of the commissioner.

(2) A recommended order or adjudication by the hearing officer or the initial order of the commissioner, if dismissed or disposed of as provided in subsection (1) of this section, or any modification or repeal of the initial order, shall become the final order of the commissioner under the provisions of KRS 441.075(4), appealable to the Franklin Circuit Court, thirty (30) days from the date of issue.

(3) Prior to the assignment of a case to a hearing officer, the county jailer or county judge/executive shall, within seventy-two (72) hours of receipt of notification of order, request in writing a public hearing before the commissioner or his designee on the matters covered by the order to the Commissioner of the Department of Corrections, P.O. Box 2400, Frankfort, Kentucky 40602-2400. Subsequent to the assignment of the case to a hearing officer and prior to the issuance of his decision, all papers shall be filed with the hearing officer at the address given in the notice of hearing.

(4) All evidence and witnesses of both parties and interveners and all proof shall be presented at the hearing. Additional evidence shall not be permitted after the hearing except in unusual circumstances and within the discretion of the commissioner or the hearing officer.

(5) All hearings shall be held in Frankfort, Kentucky unless otherwise ordered by the commissioner.

(6) Unless otherwise ordered, all filing may be accomplished by first class mail.

(7) Filing shall be deemed effective when mailed.

Section 3. Scope of Rules; Applicability of Kentucky Rules of Civil Procedure. (1) This administrative regulation shall govern all proceedings before the department and its hearing officers.

(2) In the absence of a specific provision, procedure shall be in accordance with KRS Chapter 13B and the Kentucky Rules of Civil Procedure.

Section 4. Computation of Time. If service of a pleading or documents is by mail pursuant to Section 2 of this administrative regulation, three (3) days shall be added to the time allowed by this administrative regulation for the filing of a responsive pleading.

Section 5. Notice and Time of Hearing. (1) Notice of hearings shall be given to all parties and interveners within forty-five (45) days from the receipt of the request for hearing unless otherwise ordered by the commissioner or his designee. A hearing shall not be held later than ninety (90) days from the date of request.

(2) The notice of hearing shall comply with KRS 13B.050(3).

Section 6. Continuance of Hearing. (1) Continuance of a hearing shall not be allowed except in the case of an extreme emergency or in usual circumstances.

(2) A request for a continuance shall be provided to the department at least three (3) days in advance of the time set for the hearing. The request for continuance shall include the reasons for the continuance.

(3) The hearing officer may consider a request for an extension during the hearing, if extenuating circumstances:

(a) Arise during the hearing; or

(b) Prevented compliance with the timing provisions of subsection (2) of this section.

(4) Continuance of hearing not in excess of fifteen (15) days may be granted in the discretion of the hearing officer. One (1) additional continuance not in excess of fifteen (15) days may be granted by the hearing officer in extreme emergency or under unusual circumstances. An additional continuance shall not be granted without approval of the commissioner.

Section 7. Failure to Appear. (1) Subject to the provisions of subsection (3) of this section, the failure of a party to appear at a hearing shall be deemed to be a waiver of all rights except the rights to be served with a copy of the decision of the hearing officer.

(2) Requests for a newly scheduled hearing shall be made in the absence of extraordinary circumstances within five (5) days after the scheduled hearing date.

(3) The commissioner or the hearing officer, upon a showing of good cause, may excuse a failure to appear. If the failure to appear is excused, the hearing shall be rescheduled.

Section 8. Consolidation. Cases may be consolidated on the motion of any party, on the hearing

officer's own motion, or on the commissioner's own motion, if there exist common parties, common questions of law or fact, or both, or in other appropriate circumstances.

Section 9. Severance. Upon its own motion, or upon motion of any party or intervener, the commissioner or the hearing officer may, for good cause, order any proceeding severed with respect to some or all issues or parties.

Section 10. Intervention. (1) A petition for leave to intervene may be filed at any stage of a proceeding before commencement of the hearing, or in the event of a settlement or dismissal, before issuance of a recommended order.

(2) The petition shall set forth the interest of the petitioner in the proceeding and show that participation of the petitioner will assist in the determination of the issues in question and that the intervention will not unnecessarily delay the proceeding.

(3) The commissioner or the hearing officer may grant a petition for intervention to the extent and upon the terms as the commissioner or the hearing officer determines.

(4) The caption of all cases where intervention is allowed shall reflect the intervention by adding to the caption after the name of the respondent the name of the intervener, followed by the designation "intervener."

Section 11. Service. (1) If filing pleadings or other documents, the filing party or intervener shall serve a copy on every other party or intervener.

(2) Service upon a party or intervener who has appeared through a representative shall be made only upon the representative.

(3) Unless otherwise ordered, service may be accomplished by postage prepaid first-class mail or by personal delivery. Service shall be deemed effected at the time of mailing (if by mail) or at the time of personal delivery (if by personal delivery).

(4) Proof of service shall be accomplished by a written statement of service which sets forth the date and manner of service. The statement shall be filed with the pleading or document.

Section 12. Statement of Position. At any time prior to the commencement of the hearing before the hearing officer, any person entitled to appear as a party, or any person who has been granted leave to intervene, may file a statement of position with respect to any or all issues to be heard.

Section 13. Response to Motions. Any party or intervener upon whom a motion is served shall have ten (10) days from service of the motion to file a response.

Section 14. Failure to File. Failure to file any pleading pursuant to this administrative regulation when due, may, in the discretion of the commissioner or the hearing officer, constitute a waiver of right to further participation in the proceedings.

Section 15. Withdrawal of Notice of Hearing. At any stage of a proceeding, a party may withdraw his notice of hearing, subject to the approval of the commissioner.

Section 16. Prehearing Conference. (1) At any time before a hearing, the commissioner or the hearing officer, on his or her own motion or on motion of a party, may direct the parties or their representatives to exchange information or to participate in a prehearing conference for the purpose of considering matters which will tend to simplify the issues or expedite the proceedings, or for any other matter in accordance with KRS 13B.070(1).

(2) The commissioner or the hearing officer may issue a prehearing order in accordance with KRS 13B.070(2). The order shall be served on all parties and shall be a part of the record.

Section 17. Requests for Admissions. (1) At any time after the filing of responsive pleadings, any party may request of any other party admissions of facts to be made under oath. Each admission requested shall be set forth separately. The matter shall be deemed admitted unless, within fifteen (15) days after service of the request, or within a shorter or longer time as the commissioner or the hearing officer may prescribe, the party to whom the request is directed serves upon the party requesting the admission of a specific written response.

(2) Copies of all requests and responses shall be served on all parties in accordance with this administrative regulation and filed with the commissioner within the time allotted and shall be a part of the record.

Section 18. Discovery Depositions and Interrogatories. (1) Except by special order of the commissioner or the hearing officer, discovery depositions of parties, interveners, or witnesses, and interrogatories directed to parties, interveners, or witnesses shall not be allowed.

(2) If the commissioner or the hearing officer grants an application to conduct discovery depositions or interrogatories, the order shall set forth appropriate time limits governing the discovery.

Section 19. Failure to Comply with Orders for Discovery. If any party or intervener fails to comply with an order of the commissioner or the hearing officer to permit discovery in accordance with the provisions of this administrative regulation, the commissioner or the hearing officer may issue appropriate orders.

Section 20. Duties and Powers of Hearing Officers. It shall be the duty of the hearing officer to conduct a fair and impartial hearing, ensure that the facts are fully elicited, adjudicate all issues, and avoid delay. The hearing officer, in cases assigned to him, between the time he is designated and the time he issues his decision, subject to the administrative regulations of the department, may:

(1) Administer oaths and affirmations;

(2) Rule upon offers of proof and receive relevant evidence;

(3) Regulate the course of the hearing and, if appropriate or necessary, exclude persons or counsel from the hearing for contemptuous conduct and strike all related testimony of witnesses refusing to answer any proper questions;

- (4) Hold conferences for the settlement or simplification of the issues;
- (5) Dispose of procedural requests or similar matters including motions referred to the hearing officer by the commissioner and motions to amend pleadings; also to dismiss complaints or portions thereof, and to order hearings reopened or, upon motion, consolidated;
- (6) Examine witnesses and to introduce into the record documentary or other evidence;
- (7) Request the parties at any time during the hearing to state their respective positions concerning any issue in the case or theory in support thereof; and
- (8) Adjourn the hearing as the needs of justice and good administration require.

Section 21 Exhibits. (1) All exhibits offered in evidence shall be marked with a designation identifying the party or intervener by whom the exhibit is offered.

(2) In the absence of objection by another party or intervener, exhibits shall be numbered and admitted into evidence as a part of the record, unless excluded by the hearing officer pursuant to this administrative regulation.

(3) Unless the hearing officer finds it impractical, a copy of each exhibit shall be given to the other parties and interveners.

(4) All exhibits offered, but denied admission into evidence, shall be identified as required by subsection (1) of this section and shall be placed in a separate file designed for rejected exhibits.

Section 22. Objections. (1) Any objection with respect to the conduct of the hearing, including any objection to the introduction of evidence or a ruling of the hearing officer, may be stated orally or in writing, accompanied by a short statement of the grounds for the objection, and shall be included in the record. An objection shall not be deemed waived by further participation in the hearing.

(2) If evidence is excluded from the record, the party offering the evidence may make an offer of proof, which shall be included in the record of the proceeding.

Section 23. Recommendations of Hearing Officer; Exceptions; Final Order. (1) The decision of the hearing officer shall include findings of fact, conclusions of law, and a recommended order to the commissioner disposing of all issues before him in accordance with KRS 13B.110.

(2) Any party may file exceptions to the hearing officer's findings of fact, conclusions of law, and recommended order in accordance with KRS 13B.110(4).

(3) The commissioner shall issue a final order in accordance with KRS 13B.120.

501 KAR 3:160. Training.

RELATES TO: KRS 441.045, 441.055, 441.115

STATUTORY AUTHORITY: KRS 441.055

NECESSITY, FUNCTION, AND CONFORMITY: KRS 441.055(1) requires the Department of Corrections to promulgate administrative regulations establishing minimum standards for jails that house state prisoners and KRS 441.115 sets requirements to obtain training allowances. This administrative regulation establishes training requirements for jail personnel in full-service jails.

Section 1. Procedure. (1) Training of Jailers, jail personnel, and other employees shall be the responsibility of the governing authority. The department shall provide training assistance and archiving of electronic training records at no cost to the local body of government.

(2) The department shall schedule a Jail Training Curriculum Advisory Committee meeting annually to advise concerning needs and topics for jail training curriculum. The committee shall be comprised of the Deputy Commissioner of Corrections for Local Facilities, the Director of Local Facilities, and the Director of the Division of Corrections Training (DCT). The committee shall also include those members of the Kentucky Jailers Association (KJA) that are appointed by the KJA Executive Board.

Section 2. Information System. (1) A jail shall maintain cumulative records on the types and hours of training completed annually by jail personnel. The records shall be maintained in a manner so that all of the records for a specific jail employee may be readily retrieved and shall be entered into the department training records management system.

(a) If the training is conducted by the department, the department shall enter and maintain records of the training for the jail personnel in the department's training records management system.

(b) If training is conducted by someone other than the Department, jail personnel who have been trained to enter information into the Department training records management system shall enter the training information. Training information shall be entered within ten (10) days of the training being completed. A jail employee shall have access to his individual record.

(2) Training records within the Division of Corrections Training (DCT) Learning Management System shall serve as proof of attendance and successful completion of department training to the governing authority for its employees.

Section 3. Jailer Training. (1) Pursuant to KRS 441.115, training shall be offered to newly elected jailers. The training may be coordinated and conducted with the Kentucky Jailers Association (KJA). A jailer or jail administrator appointed to complete the term of office of an elected jailer who is unable to complete his term or appointed after new jailer training has occurred shall be offered training prior to assuming his duties.

(2) In order to qualify for the training expense allowance pursuant to KRS 441.115, for his first year, the jailer shall successfully complete a minimum of forty (40) hours training provided or approved by the department.

(3) In order to qualify for the training expense allowance pursuant to KRS 441.115 after his first year, the jailer shall complete a minimum of forty (40) hours annual in-service training provided or

approved by the department.

Section 4. Curriculum. (1) Jail personnel shall receive a minimum of twenty-four (24) hours annual in-service training.

(2) The training shall include:

(a) A minimum of four (4) hours of mental health training within the first year of service, and one (1) hour of additional mental health training each year thereafter. The initial four (4) hours of mental health training should be conducted by the service provider of mental health triage or mental health services to the jail, if possible;

(b) Medical awareness training for jail personnel within the first thirty (30) days of employment; and

(c) Communicable disease training.

(3) All Jail personnel or health services staff who administer medications to prisoners shall be trained in the proper procedures as outlined in the jail's policy and procedures manual.

(4) Jail personnel who are assigned to duties within a direct supervision area or facility shall receive forty (40) hours of pre-service training related to direct supervision. The training shall be approved by the department.

Section 5. First Aid and CPR. (1) Jail personnel shall have current training in standard first aid equivalent to that provided by the American Red Cross, American Heart Association, or an equivalent nationally recognized organization. New jail personnel shall receive training within their first year of employment.

(2) Jail personnel shall be certified to perform CPR (Cardiopulmonary Resuscitation), equivalent to that provided by the American Red Cross, American Heart Association, or an equivalent nationally recognized organization. New jail personnel shall receive certification within their first year of employment.

501 KAR 3:170. Classifications.

RELATES TO: KRS 441.045, 441.055

STATUTORY AUTHORITY: KRS 441.045, 441.055

NECESSITY, FUNCTION, AND CONFORMITY: KRS 441.055 requires the Department of Corrections to promulgate administrative regulations establishing minimum standards for jails that house state prisoners. This administrative regulation establishes jail categories defined by the maximum bed capacity of full-service jails.

Section 1. Jail Categories.

- (1) Category I – Jails with one (1) to 100 beds shall be classified as a Category I jail.
- (2) Category II – Jails with 101 beds to 250 beds shall be classified as a Category II jail.
- (3) Category III – Jails with 251 beds to 500 beds shall be classified as a Category III jail.
- (4) Category IV – Jails with 501 beds to 999 beds shall be classified as a Category IV jail.
- (5) Category V – Jails with 1,000 beds or more shall be classified as a Category V jail.

501 KAR 2:020. Definitions for 501 KAR Chapter 2.

RELATES TO: KRS 532.060, 532.100

STATUTORY AUTHORITY: KRS 196.035, 197.020, 532.100

NECESSITY, FUNCTION, AND CONFORMITY: KRS 532.100(4) requires the Department of Corrections to house qualifying Class D and Class C felons in county jails and promulgate administrative regulations establishing required programs for the jails where they are housed. This administrative regulation establishes the definitions used in 501 KAR Chapter 2, which implements the required housing program.

Section 1. Definitions. (1) "Assessment and Classification Center" or "AC Center" means the units at Roederer Correctional Complex and Kentucky Correctional Institution for Women that initially receive all convicted felons, except for those sentenced to the death penalty, who are committed to the Kentucky Department of Corrections.

(2) "Class C felon" means an inmate convicted of a Class C felony that meets the requirements established in KRS 532.100(4)(c)1.

(3) "Class D felon" means an inmate convicted of a Class D felony that meets the requirements established in KRS 532.100(4)(a), (b), or (c).

(4) "Classification branch manager" means the Department of Corrections employee who approves inmates for placement in jails and in halfway house facilities throughout the state and oversees the prerelease programs.

(5) "Close custody" means that the inmate meets the requirements for that classification level established in the Department of Corrections Classification Manual, incorporated by reference in 501 KAR 6:080.

(6) "Community custody" means that the inmate meets the requirements for that classification level established in the Department of Corrections Classification Manual, incorporated by reference in 501 KAR 6:080.

(7) "Controlled intake inmate" means a convicted felon who is entering into the Kentucky Adult Correctional System.

(8) "Department" is defined by KRS 441.005(5).

(9) "Educational good time" means a credit on an inmate's sentence for an educational accomplishment pursuant to KRS 197.045(1)(a)2.

(10) "Escape" is defined in KRS 520.010(5).

(11) "Jail" is defined by KRS 441.005(1).

(12) "Jail administrator" means the official appointed by a regional jail authority and charged with the responsibility of administering the regional jail.

(13) "Jail personnel" is defined by KRS 441.005(6).

(14) "Jailer" means:

(a) The official duly elected or appointed pursuant to Section 99 or 152 of the Kentucky Constitution, charged with the responsibility of administering the jail;

- (b) A department as defined by KRS 67B.020(1); or
- (c) A correctional services division as described by KRS 67A.028.
- (15) "KOMS" means Kentucky Offender Management System.
- (16) "Maximum custody" means that the inmate meets the requirements for that classification level established in the Department of Corrections Classification Manual, incorporated by reference in 501 KAR 6:080.
- (17) "Medium custody" means that the inmate meets the requirements for that classification level established in the Department of Corrections Classification Manual, incorporated by reference in 501 KAR 6:080.
- (18) "Meritorious good time" means a credit on an inmate's sentence pursuant to KRS 197.045(1)(b)2.
- (19) "Minimum custody" means that the inmate meets the requirements for that classification level established in the Department of Corrections Classification Manual, incorporated by reference in 501 KAR 6:080.
- (20) "Qualified inmate" means an inmate that may be housed in county jails electing to house state inmates as described in KRS 532.100(4).
- (21) "Restricted custody" means that the inmate meets the requirements for that subcategory of the minimum custody classification level established in the Department of Corrections Classification Manual, incorporated by reference in 501 KAR 6:080.
- (22) "Statutory good time" means a credit on an inmate's sentence pursuant to KRS 197.045(1)(b)1.
- (23) "Waiver" means that the department has granted the county an exemption from housing any Class D or Class C felons in its county jail pursuant to KRS 532.100.

501 KAR 2:030. Administration.

RELATES TO: KRS 532.100

STATUTORY AUTHORITY: KRS 196.035, 197.020, 532.100

NECESSITY, FUNCTION, AND CONFORMITY: KRS 523.100(4) requires the Department of Corrections to house qualifying Class D and Class C felons in county jails. This administrative regulation establishes the division responsible for the administration of the program.

Section 1. This program shall be administered by the Division of Local Facilities.

501 KAR 2:040. Waivers.

RELATES TO: KRS 532.100

STATUTORY AUTHORITY: KRS 196.035, 197.020(1), 532.100(4)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 532.100(4) requires the Department of Corrections to grant a waiver to any county that chooses not to house Class D and Class C felons in its county jail. This administrative regulation establishes the process for a county to request a waiver from the department and the effect of the waiver on that county's Class D and Class C felons.

Section 1. Request for Waivers; Effect of Waivers. (1) The waiver request shall be made in writing and signed by the county judge executive and jailer.

(2) Once granted, the waiver shall remain in effect until terminated. To request termination of the waiver, the county shall provide the department a request in writing, and signed by the county judge executive and jailer, to terminate the waiver. The department shall provide notice to the county when the waiver is terminated.

Section 2. Controlled Intake. (1) For a Class D or Class C felon in a county with a waiver, the department:

(a) May transfer the felon directly to a county jail which houses Class D or Class C felons, if space is available; or

(b) Shall consider the felon, if not transferred directly, a controlled intake inmate and process the inmate through the AC Center pursuant to CPP 17.3, incorporated by reference in 501 KAR 6:020.

(2) A computer listing shall be maintained at the AC Center of all Class D and Class C felons convicted in counties granted waivers.

(3) For a Class D or Class C felon considered a controlled intake inmate, the Classification Branch Manager shall transfer the felon to a county jail if a jail bed becomes available.

501 KAR 2:050. Transfer requests.

RELATES TO: KRS 532.100

STATUTORY AUTHORITY: KRS 196.035, 197.020(1), 532.100(5)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 532.100(5) establishes the circumstances in which a county jailer may request the Department of Corrections to transfer a Class D or Class C felon housed in the county jail to a state corrections institution. This administrative regulation establishes the process for the jailer to request a transfer.

Section 1. Transfer Requests. (1) To request a transfer of a Class D or Class C felon housed in a county jail to a state corrections institution pursuant to KRS 532.100(5), the county jailer shall:

- (a) Request the transfer on an "Inmate Priority Movement Form"; and
- (b) Submit the form to the Classification Branch, which shall review the form.

(2) The commissioner or his designee shall approve or deny the request.

- (a) If approved, the Classification Branch Manager shall arrange an appropriate transfer.
- (b) If denied, a copy of the form shall be returned to the jailer who may appeal the denial as provided by KRS 532.100(5). Section 2. Incorporation by Reference. (1) "Inmate Priority Movement Form." 6/07, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Department of Corrections, Division of Local Facilities, 2439 Lawrenceburg Road, P.O. Box 2400, Frankfort, Kentucky 40602-2400, Monday through Friday, 8 a.m. to 4:30 p.m.

501 KAR 2:060. Procedures for housing of Class D and Class C felons.

RELATES TO: KRS 196.035, 197.020, 197.045, 431.215, 441.045, 441.075, 441.510, 532.100

STATUTORY AUTHORITY: KRS 532.100

NECESSITY, FUNCTION, AND CONFORMITY: KRS 532.100(4) requires the Department of Corrections to house qualifying Class D and Class C felons in county jails. This administrative regulation establishes the procedures to implement the required housing program.

Section 1. Eligibility. Any county housing qualified inmates pursuant to KRS 532.100(4) shall be eligible to continue to do so unless the department, through its minimum jail standards enforcement procedures established by KRS 441.075, orders a county jail to cease housing Class D and Class C felons.

Section 2. Submission of Documents for Class D Felons. In any county jail housing Class D felons, the jailer shall forward to the assessment and classification center the following documents, within ten (10) working days of receipt of the judgment, for each Class D felon for whom a transfer has not been requested:

- (1) Picture, which shall be updated annually in accordance with Section 13 of this administrative regulation;
- (2) Any detainers;
- (3) Any incident or disciplinary reports; and
- (4) Body identification sheet.

Section 3. Custody Assignment for Class D Felons. (1) The assessment and classification center staff shall, within ten (10) working days of receipt of the presentence investigation and the judgment documents, review the inmate file and assign a custody classification level to the Class D felon.

(2) The AC Center staff shall notify the jailer of the custody classification level assignment. Offender Information Branch, Central Office, shall audit the file within five (5) working days of receipt.

(3) If the custody level assigned is minimum or community, the Class D felon may:

(a) Participate in community service work or any program offered inside or outside the secure perimeter of the jail; and

(b) Be housed inside the secure perimeter of the jail, in the restricted custody area of the jail, or in a restricted custody center.

(4) If the custody level assigned is restricted, the Class D felon:

(a) May only participate in community service work under direct supervision of jail personnel;

(b) Shall not participate in any outside program; and

(c) Shall be housed:

1. Inside the secure perimeter of the jail;

2. In a restricted custody area with a barrier fence; or

3. In a restricted custody center with a barrier fence.

(5) If the custody level assigned is medium, close, or maximum, the Class D felon:

(a) Shall not be eligible to participate in any program or work outside the secure perimeter of the jail; and

(b) Shall be housed in the secure perimeter of the jail.

(6) The jailer may request the department to review the assignment ninety (90) days from the date of the last assignment. Any additional custody review may be completed as deemed necessary by the Classification Branch Manager.

Section 4. Assignment of Class C Felons. (1) The assessment and classification center shall identify and inform the jailer of a Class C felon who qualifies under KRS 532.100(4)(c)1. to be housed in a county jail.

(2) The AC center shall notify the jailer when an inmate has been assigned as a Class C felon.

Section 5. Assessment Summary Reports. Prior to the meeting of the Parole Board, jail personnel shall prepare and submit an assessment summary report on each qualified inmate to the Offender Information Branch via KOMS or electronically, as requested by the Parole Board.

Section 6. Transportation. Jail personnel shall be responsible for the transportation of a qualified inmate except as specified in KRS 431.215(1) and 441.510.

Section 7. Release Procedures. (1) The release of a qualified inmate shall follow the procedure established by CPP 25.6, incorporated by reference in 501 KAR 6:020.

(2)(a) Jail personnel shall not release a qualified inmate to any other county jail or agency without submission of external movement information to the Director of Local Facilities or designee. The information shall include:

1. Name;

2. Inmate number;

3. Facility transferring felon;

4. Facility receiving felon; and

5. Date transferred and received.

(b) Any jail that is under order of the department relating to restrictions on state inmates shall receive prior authorization from the Director of Local Facilities before requesting state inmates from the Department or any other county jail.

(c) A qualified inmate shall not be released to another state or to federal authorities without advance notice and approval of the Director of Local Facilities or designee.

(3) Jail personnel shall notify the Director of Local Facilities or the Offender Information Branch of any detainer or holder lodged against the qualified inmate by another jurisdiction.

Section 8. Furlough Program. (1) The Classification Branch Manager shall have the authority and responsibility to grant and monitor any furloughs of a qualified inmate.

(2) Eligibility for a furlough shall be determined in accordance with this subsection.

(a) The furlough of a qualified inmate shall be a privilege, not a right.

(b) To be considered for a furlough, a community or minimum custody qualified inmate shall have spent at least sixty (60) days in the county jail since the date of the custody assignment.

(c) A Class D felon who is community custody or minimum custody or a Class C felon, who meets the requirement established in paragraph (b) of this subsection, may be considered for a forty-eight (48) hour furlough each quarter, beginning six (6) months after his final sentencing date. The total time on furlough shall not exceed eight (8) days each calendar year. There shall be a minimum of sixty (60) days between furloughs.

(d) To be considered for a furlough, a probation or parole violator who is a community or minimum custody qualified inmate shall have spent at least sixty (60) days in the county jail since the date of the custody assignment.

(e) A probation or parole violator who is a community or minimum custody qualified inmate, who meets the requirement established in paragraph (d) of this subsection, may be considered for a forty-eight (48) hour furlough each quarter, beginning six (6) months after his commitment date. The total time on furlough shall not exceed eight (8) days each calendar year. There shall be a minimum of sixty (60) days between furloughs.

(f) To be considered for a furlough, a qualified inmate shall meet the furlough criteria established in CPP 25.4, incorporated by reference in 501 KAR 6:020, with the exception of the six (6) continuous months of minimum or community custody requirement.

Section 9. Escape. If a qualified inmate escapes, the jailer, jail administrator, or jail personnel shall immediately:

(1) Notify the Division of Local Facilities jail inspector;

(2) Notify Kentucky State Police (KSP) or local law enforcement;

(3) Activate VINE through use of the Emergency Override Line (EOL); and

(4) Enter the prisoner's escape status into the jail management system.

Section 10. Medical Needs. The department shall pay each jail a per diem for state prisoners as established by KRS 532.100(6). The jail shall pay for routine medical and medication expenses. If the inmate requires an admission to a hospital with at least one (1) night stay or outpatient surgery in which a general anesthesia is used, the cost shall be paid by the department. The jailer, jail administrator, or jail personnel shall notify the Department of Corrections Medical Division designee if any qualified inmate is admitted to the hospital for twenty-four (24) hours or longer.

Section 11. Inmate Pay. A qualified inmate on a work assignment shall be paid in accordance with CPP 19.3.

Section 12. Good Time. For a qualified inmate housed in a county jail, the awarding of good time or sentence credit shall be in accordance with this section

- (1) Statutory good time shall follow the procedures established in KRS 197.045(1)(b)1.
- (2) Meritorious good time shall follow procedures established in KRS 197.045(1)(b)2. and CPP 15.3, incorporated by reference in 501 KAR 6:020.
- (3) Educational good time shall follow procedures established in KRS 197.045(1)(a)2. and CPP 20.1, incorporated by reference in 501 KAR 6:020.
- (4) If the jail has a substance abuse program approved by the department, then the felon shall receive credit to his sentence allowed by KRS 197.045(1)(a)3.

Section 13. Annual Photograph. The jailer, jail administrator, or jail personnel shall take a photograph each year of each qualified inmate and immediately send it by United States mail or electronically or via KOMS to Offender Information Services, Central Office, P.O. Box 2400, Frankfort, Kentucky 40602.

501 KAR 2:070. Work release.

RELATES TO: KRS 533.010, 533.025

STATUTORY AUTHORITY: KRS 196.035, 197.020, 533.010(14)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 533.010(14) requires the Department of Corrections to promulgate an administrative regulation to develop written criteria for work release privileges granted by the statute. This administrative regulation establishes work release procedures.

Section 1. (1) The criteria to be used in the determination of granting work release shall be the following:

- (a) The defendant granted work privileges shall have a suitable job placement, at a lawful wage, as approved by the sentencing court.
 - (b) The defendant's job placement shall be within the boundaries of the Commonwealth and shall not require travel outside of the Commonwealth.
 - (c) The defendant shall provide or arrange transportation to and from the employment site in a lawful manner.
 - (d) The defendant's employer shall be willing to cooperate with all law enforcement agencies in the verification of the conditions of the defendant's work release.
- (2) If the defendant is paying for a part of his incarceration through court-ordered work release, it shall be the responsibility of the jailer or designee to notify the Department. The amount paid by the defendant toward his incarceration shall be forwarded to the Department on a monthly basis along with the jail housing bill.

Section 2. The jailer may deny work release privileges to a defendant for violating any duly promulgated or adopted rule of the jail governing inmate conduct or work release including:

- (1) Returning to the jail under the influence of drugs or alcohol;
- (2) Promoting or attempting to promote contraband; and
- (3) Failing to notify the jailer of any change in the status of his employment.

Section 3. Upon denial of work release privileges, a written report shall be completed stating the reasons for the suspension of these privileges and citing the rule or regulation that has been violated.

- (1) The jailer shall provide a copy of the report to the defendant within twenty-four (24) hours.
- (2) The jailer shall file the report and supporting documentation with the court of jurisdiction within the time specified in KRS 533.010(13).