

501 KAR 7:010. Definitions for 501 KAR Chapter 7.

RELATES TO: KRS 67.900, 67A.028, 67B.020(1), 441.045, 441.055, Ky. Const. Sec. 99, 152

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 definitions for 501 KAR Chapter 7, regulating restricted custody centers.

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

(3) "Governing authority" means a county fiscal court, urban-county government, charter county government, consolidated local government, unified local government, or regional jail authority.

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

(5) "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 center;

(b) A department as defined by KRS 67B.020(1);

(c) A correctional services division as created by KRS 67A.028; or

(d) Jail administrator.

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

(7) "Medical authority" means the person or persons licensed to provide medical care to prisoners in the jail's custody.

(8) "Pat" or "frisk" means a manual search of a clothed person and includes a visual inspection of the open mouth.

(9) "Prisoner" is defined by KRS 441.005(3).

(10) "Prisoner living area" means a group of rooms or cells which provide housing for the prisoner population.

(11) "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.

(12) "Restricted custody center" or "center" means a facility or area separate from the jail used for the housing of:

(a) Sentenced prisoners who have been approved for educational, work, or program participation release; and

(b) Pretrial prisoners who have been approved by the court for educational, work, or program participation release.

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

(14) "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.

(15) "Strip search" means a body search during which a person is required to open or re-

move clothing, and during which a person is subject to visual inspection of the torso, female breast, genital area, and anal area, as well as other body cavities.

(16) "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. (13 Ky.R. 815; eff. 11-11-1986; Am. 22 Ky.R. 1359; 1599; eff. 3-7-1996; 26 Ky.R. 174; 27 Ky.R. 87; eff. 7-17-2000; 31 Ky.R. 1729; eff. 7-1-2005; 2969; 38 Ky.R. 583; eff. 10-7-2011; 42 Ky.R. 1957; 2347; eff. 3-4-2016.)