

**JUSTICE AND PUBLIC SAFETY CABINET**  
**Department of Corrections**  
**(Amendment)**

**501 KAR 6:130. Western Kentucky Correctional Complex.**

RELATES TO: KRS Chapters 196, 197, 439

STATUTORY AUTHORITY: KRS 196.035, 197.020, 439.470, 439.590, 439.640

NECESSITY, FUNCTION, AND CONFORMITY: KRS 196.035, 197.020, 439.590 and 439.640 authorize the Justice and Public Safety Cabinet and Department of Corrections to promulgate administrative regulations necessary and suitable for the proper administration of the department or of its divisions. These policies and procedures are incorporated by reference in order to comply with the accreditation standards of the American Correctional Association. This administrative regulation establishes the policies and procedures for the Western Kentucky Correctional Complex.

Section 1. Incorporation by Reference.

(1) "Western Kentucky Correctional Complex Policies and Procedures," September 14, 2022~~[March 10, 2014]~~, are incorporated by reference. Western Kentucky Correctional Complex policies and procedures include:

- WKCC Public Information and Media Communication (Amended 01-02-01 9/14/22~~[1/14/14]~~)
- WKCC Inmate Funds (Amended 02-01-01 9/14/22~~[1/14/14]~~)
- WKCC Inmate Canteen (Amended 02-01-02 9/14/22~~[6/15/12]~~)
- WKCC Confidentiality of Information by Consultants, Contract 03-00-06 Personnel, and Volunteers (Amended 9/14/22~~[11/14/06]~~)
- WKCC Offender Records and Information Access (Amended 06-00-01 9/14/22~~[8/14/12]~~)
- WKCC Administrative Process for Inmate Court Orders 06-00-02 (~~Amended~~9/14/22~~[6/15/12]~~)
- WKCC Fire Safety Plan (Amended 08-02-01 9/14/22~~[8/14/12]~~)
- WKCC Tool Control (Amended 09-11-01 9/14/22~~[6/15/12]~~)
- WKCC Special Management Unit (SMU) Operating Procedures, Living 10-02-02 Conditions and Classification (Amended 9/14/22~~[1/14/14]~~)
- WKCC Food Service General Requirements~~[Guidelines]~~ (Amended 11-00-01 9/14/22~~[6/15/12]~~)
- ~~[WKCC 11-02-00] Food Service Budgeting and Purchasing (Added 6/15/12)]~~
- WKCC Food Service Meals~~[, Menus, Nutrition]~~ and Special Diets 11-03-01 (Amended 9/14/22~~[8/14/12]~~)
- WKCC Housekeeping, Sanitation, and Waste Removal (Amended 12-00-02 9/14/22~~[8/14/12]~~)
- WKCC Use of Pharmaceutical Products (Amended 13-01-01 9/14/22~~[6/15/12]~~)

WKCC  
 13-02-01 Health Care Services (Amended 9/14/22~~[6/15/12]~~)  
 WKCC  
 13-02-02 Mental Health Services (Amended 9/14/22~~[8/14/12]~~)  
 WKCC  
 14-02-01 Inmate Clothing and Personal Hygiene Provisions (Amended 9/14/22~~[6/15/12]~~)  
 WKCC  
 14-04-01 Legal Services Program (Amended 9/14/22~~[6/15/12]~~)  
 WKCC  
 15-01-01 Hair and Grooming Standards (Amended 9/14/22~~[6/15/12]~~)  
 WKCC  
 16-01-01 Visiting Policy and Procedures (Amended 9/14/22~~[3/10/14]~~)  
 WKCC  
 16-02-01 Inmate Correspondence (Amended 9/14/22~~[6/15/12]~~)  
 WKCC  
 16-03-01 Inmate Access to Telephones (Amended 9/14/22~~[10/14/05]~~)  
 WKCC  
 16-04-01 Inmate Packages (Amended 9/14/22~~[1/14/14]~~)  
 WKCC  
 17-01-01 Inmate Personal Property (Amended 9/14/22~~[8/14/12]~~)  
 WKCC  
 17-02-01 Inmate Reception and Orientation (Amended 9/14/22~~[8/14/12]~~)  
 WKCC  
 19-04-01 Assignment to and Safety Inspections of Inmate Work Program Areas (Amended 9/14/22~~[8/14/12]~~)  
 WKCC  
 19-04-02 Farm Management and Production ~~[Guidelines]~~ (Amended 9/14/22~~[Added 6/15/12]~~)  
 WKCC  
 20-01-01 Education ~~[Program]~~ (Amended 9/14/22~~[8/14/12]~~)  
 WKCC  
 21-00-01 Library Services (Amended 9/14/22~~[8/14/12]~~)  
 WKCC  
 22-00-01 Inmate Recreation and Leisure Time Activities (Amended 9/14/22~~[8/14/12]~~)  
 WKCC  
 22-00-02 Inmate Organizations (Amended 8/14/12)  
 WKCC  
 23-00-01 Religious Services (Amended 9/14/22~~[8/14/12]~~)  
 WKCC  
 24-00-01 Social Services (Amended 9/14/22~~[8/14/12]~~)  
 WKCC  
 25-02-01 Inmate Release Process (Amended 9/14/22~~[6/15/12]~~)  
~~[WKCC  
 25-03-01] Prerelease Programs (Amended 6/15/12)]~~  
 WKCC  
 26-01-01 Volunteer Services Program (Amended 9/14/22~~[6/15/12]~~)

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Justice and Public Safety Cabinet, Office of Legal Services, 125 Holmes

Street, 2nd Floor, Frankfort, Kentucky 40601, phone (502) 564-3279, fax (502) 564-6686, Monday through Friday, 8 a.m. to 4:30 p.m. This material may be obtained from the Department of Corrections Web site at <https://corrections.ky.gov/About/Pages/lrcfilings.aspx>.

*COOKIE CREWS, Commissioner*

APPROVED BY AGENCY: March 30, 2022

FILED WITH LRC: September 14, 2022 at 12:15 p.m.

**PUBLIC HEARING AND COMMENT PERIOD:** A public hearing on this administrative regulation shall be held on November 30, 2022, at 9:00 a.m. at the Justice and Public Safety Cabinet, 125 Holmes Street, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through November 30, 2022. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

**CONTACT PERSON:** Amy V. Barker, Assistant General Counsel, Justice & Public Safety Cabinet, 125 Holmes Street, Frankfort, Kentucky 40601, phone (502) 564-3279, fax(502) 564-6686, email [Justice.RegContact@ky.gov](mailto:Justice.RegContact@ky.gov).

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

**Contact Person: Amy Barker, Assistant General Counsel**

**(1) Provide a brief summary of:**

**(a) What this administrative regulation does:**

This regulation incorporates by reference the policies and procedures governing the Western Kentucky Correctional Complex.

**(b) The necessity of this administrative regulation:**

This regulation meets statutory requirements in KRS 196.035 and 197.020 and meets American Correctional Association (ACA) policy requirements.

**(c) How this administrative regulation conforms to the content of the authorizing statutes:**

The authorizing statutes permit the Secretary of the Cabinet or his delegate and the Commissioner to implement practices or procedures to ensure the safe and efficient operation of the institution.

**(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:**

The regulation and material incorporated by reference provide direction and information to the institution's employees and inmates concerning employee duties, inmate responsibilities, and the procedures that govern operations of the institution.

**(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:**

**(a) How the amendment will change this existing administrative regulation:**

The amendment brings the Western Kentucky Correctional Complex into compliance with ACA Expected Practices and updates practices for the institution.

**(b) The necessity of the amendment to this administrative regulation:**

The amendment meets the requirements of KRS 196.035 and 197.020 and updates practices for the institution in part to maintain accreditation with the ACA.

**(c) How the amendment conforms to the content of the authorizing statutes:**

The authorizing statutes permit the Secretary of the Cabinet or his delegate and the Commissioner to implement or amend practices or procedures to ensure the safe and efficient operation of the institution.

**(d) How the amendment will assist in the effective administration of the statutes:**

The amendment provides staff and inmates information concerning the effective and orderly management of the institution.

**(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:**

This affects approximately 250 employees and 675 inmates at the Western Kentucky Correctional Complex and all volunteers and visitors to the institution.

**(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:**

**(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:**

Staff, inmates, volunteers, and visitors will have to follow the changes made in the policies and procedures. They will have to change their actions to comply with the operational changes made by this amendment.

**(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):**

An increase in cost is not anticipated from the changes in operations made in the amendment. An exact cost of compliance is unknown, but it is not anticipated that the amendment to this administrative regulation will increase current costs.

**(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):**

The operational changes will assist in the effective and orderly management of the institution.

**(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:**

**(a) Initially:**

No additional cost is anticipated.

**(b) On a continuing basis:**

No additional cost is anticipated.

**(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:**

Department of Corrections budgeted funds for the institution for the biennium.

**(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:**

No increase in fees or funding is anticipated.

**(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:**

The amendment does not establish or increase or decrease any fee.

**(9) TIERING: Is tiering applied?**

No. Tiering was not appropriate in this administrative regulation because the administrative regulation applies equally to all those individuals or entities regulated by it.

## FISCAL NOTE

**(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation?**

The amendments to this regulation impact the operation of Western Kentucky Correctional Complex.

**(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.**

KRS 196.035, 197.020

**(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.**

**(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year?**

The amendment to this regulation will not create any revenue.

**(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years?**

The amendment to this regulation will not create any revenue.

**(c) How much will it cost to administer this program for the first year?**

The amendment to this regulation impacts how the institution operates but does not increase costs from what was previously budgeted.

**(d) How much will it cost to administer this program for subsequent years?**

The amendment to this regulation impacts how the institution operates but does not increase costs from what was previously budgeted.

**Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.**

**Revenues (+/-):**

**Expenditures (+/-):**

**Other Explanation:**

**(4) Estimate the effect of this administrative regulation on the expenditures and cost savings of regulated entities for the first full year the administrative regulation is to be in effect.**

**(a) How much cost savings will this administrative regulation generate for the regulated entities for the first year?**

No cost savings are anticipated.

**(b) How much cost savings will this administrative regulation generate for the regulated entities for subsequent years?**

No cost savings are anticipated.

**(c) How much will it cost the regulated entities for the first year?**

The regulation impacts how the institution operates, but does not increase costs from what will be budgeted to the institution for the biennium.

**(d) How much will it cost the regulated entities for subsequent years?**

The regulation impacts how the institution operates, but does not increase costs from what will be budgeted to the institution for the biennium.

**Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.**

**Cost Savings (+/-):**

**Expenditures (+/-):**

**Other Explanation:**

**(5) Explain whether this administrative regulation will have a major economic impact, as defined below.**

"Major economic impact" means an overall negative or adverse economic impact from an administrative regulation of five hundred thousand dollars (\$500,000) or more on state or local government or regulated entities, in aggregate, as determined by the promulgating administrative bodies. [KRS 13A.010(13)] No major economic impact is anticipated.