

JUSTICE AND PUBLIC SAFETY CABINET
Department of Corrections
(New Administrative Regulation)

501 KAR 6:540. Inmate record.

RELATES TO: KRS Chapters 196, 197

STATUTORY AUTHORITY: KRS 196.035, 197.020, 197.110, 439.470

NECESSITY, FUNCTION, AND CONFORMITY: KRS 196.035 authorizes the secretary to promulgate administrative regulations deemed necessary or suitable for the proper administration of the functions of the cabinet or any division in the cabinet. KRS 197.020 requires the Department of Corrections to promulgate administrative regulations for the government and discipline of the penitentiary and for the government and official conduct of all officials connected with the penitentiary, and for the government of the prisoners in their department and conduct. KRS 197.110 authorizes the department to promulgate administrative regulations for purposes as the department deems necessary and proper for carrying out the intent of KRS Chapter 197. KRS 439.470 requires the commissioner to promulgate administrative regulations for the conduct of persons placed on probation or parole except not conflict with the conditions of probation imposed by the court or conditions of release imposed by the Parole Board. This administrative regulation establishes procedures concerning the inmate record for the Department of Corrections.

Section 1. Definitions.

- (1) "Access" means the ability to view the contents of an inmate record.
- (2) "Committed name" means an inmate's name, as it appears on the court order committing the inmate to department's custody, at the time of the inmate's initial commitment to the custody of the Department of Corrections.
- (3) "Inmate record" means the official record maintained within the offender management system for an inmate committed to the Department of Corrections for service of a felony sentence.

Section 2. Inmate Record.

- (1) The official inmate record shall be maintained in the electronic offender management system for an inmate committed to the Department of Corrections. If an inmate does not exist in the offender management system, the inmate shall be entered into the offender management system upon notice of commitment and sentencing to create an electronic inmate record for the inmate.
- (2) The inmate record, along with all official documents retained within the inmate record, shall use the inmate's committed name. Any other names used by an inmate shall be considered an alias and documented as an alias within the inmate record.
- (3) The inmate record shall be securely maintained and access limited to authorized users. The contents of the inmate record shall be confidential unless release is required by law, including KRS 61.870 – 61.884. Prior to release authorized by KRS 61.870 – 61.884, information contained in the inmate record shall be carefully evaluated to ensure the release of information will not endanger either the inmate or others and is not prohibited by law. Exemptions to KRS 61.870 – 61.884 may apply.
- (4) All judgments, pre-sentence investigations, and risk assessments performed by the department shall be retained as part of the inmate's electronic inmate record in the offender management system. The following records to the extent that they exist for an inmate shall be maintained in the inmate record:
 - (a) Classification:
 1. Forty-eight (48) hour notice;
 2. Classification appeal;

3. Conflict questionnaire;
4. Conflict resolution;
5. Correctional Psychiatric Treatment Unit segregation contract;
6. CPTU treatment plan;
7. CPTU voluntary form;
8. Criminal history;
9. Custody classification form signed;
10. General classification correspondence;
11. Good time restoration;
12. Inmate family emergency notification form;
13. Risk assessment score/plan;
14. Miscellaneous (classification);
15. On-the job training form;
16. Orientation;
17. Protective custody form;
18. Protective custody refusal;
19. Receipt of handbook;
20. Request for special reclass;
21. Transfer authorization form; and
22. Waiver of forty-eight (48) hour notice;

(b) Judgments/Detainers/Legal:

1. Administrative remedy request/response;
2. Central office records (required in writing by commissioner or designee);
3. Court orders (other);
4. Court orders (sentencing);
5. Detainer;
6. Documentation of time custody sheet;
7. Executive clemency;
8. General correspondence (Offender Information Services);
9. Hold;
10. Inmate grievance;
11. Institution records(required in writing by warden or designee);
12. Miscellaneous (other);
13. Miscellaneous (Offender Information Services);
14. Open records request/response;
15. Orders for appearance; and
16. Warrant;

(c) Parole/Release:

1. Classification appeal;
2. General services psychological evaluations;
3. Home incarceration application;
4. Mandatory reentry supervision;
5. Miscellaneous (parole/release);
6. Notice of discharge;
7. Parole Board correspondence;
8. Parole Board reading material;
9. Parole Board vote sheets;
10. Parole certificate;
11. Parole risk assessment;
12. Pre parole progress report;
13. Presumptive parole;
14. PSI;

15. Sex offender conditional discharge plan;
16. Supervision risk assessment score/plan;
17. Victim impact statement/letter; and
18. Victim notification letter;

(d) Programs:

1. College diploma;
2. Educational good time form;
3. GED;
4. General correspondence (Programs);
5. Miscellaneous (Programs);
6. Pathfinders;
7. Prerelease program;
8. Substance Abuse Program acceptance;
9. SAP appeal;
10. SAP completion;
11. SAP non-acceptance;
12. SAP termination;
13. Sex offender treatment program report;
14. SOTP acceptance;
15. SOTP appeal;
16. SOTP completion;
17. SOTP non-acceptance;
18. SOTP termination; and
19. Vocational diploma;

(e) Security:

1. Forty-eight (48) hour notice;
2. Authorization to delete visitor form;
3. Behavioral control report;
4. Bedside/funeral visit;
5. Controlled work assignment form;
6. Detention order;
7. Emergency notification;
8. Extraordinary occurrence report;
9. Jail report for disciplinary violation;
10. Media release form;
11. Miscellaneous (security);
12. Occurrence report;
13. Removal of visitation restriction;
14. Request for special reclass;
15. Transportation alert review;
16. Visitation restriction;
17. Visiting information form;

(f) Offender Standard Forms:

1. Affidavit to revoke;
2. Client profile report;
3. Conditions of supervision;
4. Custody classification form signed;
5. Custody time credit;
6. Detention order;
7. Disciplinary report - part I;
8. Disciplinary report - part I (prior);
9. Disciplinary report - part II;

10. Disciplinary report - part II (prior);
11. Escape notice flyer;
12. Final disposition hearing note;
13. Final parole revocation hearing note;
14. Grievance acknowledgement letter;
15. Grievance investigation worksheet;
16. Grievance warden response letter;
17. Initial custody classification;
18. Interstate transfer request;
19. Interstate compact investigation request;
20. Mandatory reentry supervision results of final revocation hearing;
21. MRS revocation hearing note;
22. MRS violation warrant;
23. Parole Board assessment summary;
24. Parole denied order;
25. Parole recommended order;
26. Parole violation warrant;
27. Pre-parole progress form;
28. Pre/post-sentence investigation;
29. Prisoner status change;
30. Probation revocation PSI update;
31. Postincarceration supervision results of final revocation hearing
32. PS revocation hearing note;
33. PS violation warrant;
34. Re-classification custody;
35. Reply to interstate compact transfer investigation request;
36. Request for reduction in custody;
37. Results of final disposition hearing;
38. Results of parole revocation hearing;
39. Sex offender conditional discharge results of final revocation hearing;
40. SOCD revocation hearing note;
41. SOCD violation warrant;
42. Sex offender postincarceration supervision results of final revocation hearing;
43. SOPS revocation hearing note;
44. SOPS violation warrant;
45. Special supervision report;
46. Supplemental investigation (PSI);
47. Transfer authority;
48. Transfer request (in-state P&P);
49. Travel permit;
50. Victim notification; and
51. Violation of supervision report.

Section 3. Use of Committed Name and Name Change.

(1) If an inmate obtains a legal name change by court order or other valid legal process after commitment to the DOC, the inmate may provide a copy of the name change order or other valid legal process to the Offender Information Services Office at his institution to register the name as an alias in the inmate record. The inmate shall continue to use the original committed name and inmate number on all forms for or correspondence with the department but may also use the legally changed name as well.

(2) An inmate may use an alias on documents to and for the department if the committed name and number are used first.

(50 Ky.R. 2532; eff. 2-4-2025.)

COOKIE CREWS, Commissioner

APPROVED BY AGENCY: April 11, 2024

FILED WITH LRC: May 15, 2024 at 10:30 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on July 23, 2024, 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 July 31, 2024. 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 and Public Safety Cabinet, 125 Holmes Street, Frankfort, Kentucky 40601, phone (502) 564-3279, fax (502) 564-6686, email Justice.RegContact@ky.gov.