

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

501 KAR 6:450. Corrections policies and procedures: classification.

RELATES TO: KRS Chapter 196, 196.070, 196.073, 196.173, 196.610, Chapter 197, 197.140, 439.380, 440.450, 504.150, 640.070, 640.075

STATUTORY AUTHORITY: KRS 196.035, 197.020, 197.110

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(1) (a) and (b) require the Department of Corrections to promulgate administrative regulations for the government and discipline of the penitentiary, government and official conduct of all officials connected with the penitentiary, government of the prisoners in their department and conduct, and preservation of the health of the prisoners. KRS 197.110 authorizes the department to promulgate administrative regulations for the classification of prisoners and purposes as the department deems necessary and proper for carrying out the intent of KRS Chapter 197. This administrative regulation establishes policies and procedures concerning classification for the Department of Corrections.

Section 1. Incorporation by Reference.

(1) "Department of Corrections Policies and Procedures, Chapter 18", May 15, 2024, are incorporated by reference. Department of Corrections Policies and Procedures Chapter 18 includes:

- 18.1 Classification of the Inmate (5/15/24)
- 18.2 Central Office Classification Committee (5/15/24)
- 18.3 Confinement of Youthful Offenders (5/15/24)
- 18.5 Custody Level and Security (5/15/24)
- 18.7 Transfers (5/15/24)
- 18.9 Out-of-state Transfers (5/15/24)
- 18.11 Placement for Mental Health Treatment in CPTU or PCU (6/14/16)
- 18.12 Referral Procedure for Inmates Adjudicated Guilty But Mentally Ill (2/15/06)
- 18.13 Population Categories (5/15/24)
- 18.15 Protective Custody (5/15/24)
- 18.16 Information to the Parole Board (1/13/20)
- 18.17 Interstate Agreement on Detainers (7/9/07)
- 18.18 International Transfer of Inmates (5/14/07)

(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 in the policies and procedures area at <https://corrections.ky.gov/About/cpp/Pages/default.aspx> or the regulation filing area at <https://corrections.ky.gov/about/pages/lrcfilings.aspx>.

COOKIE CREWS, Commissioner

APPROVED BY AGENCY: March 4, 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.RegsContact@ky.gov.