

520.010 Definitions for chapter.

The following definitions apply in this chapter, unless the context otherwise requires:

- (1) "Contraband" means any article or thing which a person confined in a detention facility is prohibited from obtaining or possessing by statute, departmental regulation, or posted institutional rule or order;
- (2) "Custody" means restraint by a public servant pursuant to a lawful arrest, detention, or an order of court for law enforcement purposes, but does not include supervision of probation or parole or constraint incidental to release on bail;
- (3) "Dangerous contraband" means contraband which is capable of use to endanger the safety or security of a detention facility or persons therein, including, but not limited to, dangerous instruments as defined in KRS 500.080; any controlled substances; any quantity of an alcoholic beverage; any quantity of marijuana; cell phones not authorized under KRS 441.111; drones, unmanned aircraft, or other remotely controlled vehicles, and any payload carried by those vehicles; and saws, files, and similar metal cutting instruments;
- (4) "Detention facility" means any building and its premises used for the confinement of a person:
 - (a) Charged with or convicted of an offense;
 - (b) Alleged or found to be delinquent;
 - (c) Held for extradition or as a material witness; or
 - (d) Otherwise confined pursuant to an order of court for law enforcement purposes;
- (5) "Escape" means departure from custody or the detention facility in which a person is held or detained when the departure is unpermitted, or failure to return to custody or detention following a temporary leave granted for a specific purpose or for a limited period; and
- (6) As used in this section and KRS 520.015, "penitentiary" includes any facility operated by the Department of Corrections and the confines of any work detail or other detail, whether under guard or not, under the custody and control of the Department of Corrections.

Effective: June 27, 2019

History: Amended 2019 Ky. Acts ch. 61, sec. 2, effective June 27, 2019. -- Amended 2018 Ky. Acts ch. 190, sec. 1, effective July 14, 2018. -- Amended 2014 Ky. Acts ch. 94, sec. 3, effective July 15, 2014. -- Amended 1998 Ky. Acts ch. 606, sec. 170, effective July 15, 1998. -- Amended 1992 Ky. Acts ch. 211, sec. 133, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 497, sec. 23, effective July 13, 1990. -- Amended 1986 Ky. Acts ch. 297, sec. 1, effective July 15, 1986. -- Amended 1982 Ky. Acts ch. 405, sec. 1, effective July 15, 1982; and ch. 410, sec. 1, effective July 15, 1982. -- Created 1974 Ky. Acts ch. 406, sec. 169, effective January 1, 1975.