

JUSTICE AND PUBLIC SAFETY CABINET
Department of Corrections
(Amendment)

501 KAR 7:060. Security; control.

RELATES TO: KRS 441.045, 441.055

STATUTORY AUTHORITY: KRS 196.035, 197.020, 441.055

NECESSITY, FUNCTION, AND CONFORMITY: KRS 196.035 authorizes the secretary to promulgate administrative regulations 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 Correction to promulgate administrative regulations that include a requirement of a physical barrier between male and female prisoners. 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 security procedures to be followed in restricted custody centers.

Section 1. Policy and Procedure.

- (1) Each jailer shall develop a written policy and procedure governing the security aspects of the center's operation.
- (2) If requested in writing, the department may provide technical assistance to the jailer in formulating written policy and procedure.
- (3) The policies and procedures shall include:
 - (a) Prisoner rules;
 - (b) Staffing;
 - (c) Searches of prisoner and of secure areas;
 - (d) Visitation;
 - (e) Key and weapon control;
 - (f) Prisoner head counts;
 - (g) Movement of prisoners;
 - (h) Emergency situations;
 - (i) Center schedule; and
 - (j) Administering medication.

Section 2. Prisoner Supervision.

- (1) Jail personnel shall conduct rounds of the center at least every sixty (60) minutes.
- (2) There shall be at least three (3) documented prisoner counts every twenty-four (24) hours during which each prisoner's physical presence, by show of skin or by movement, shall be observed or his location accounted for. At least one (1) count shall be conducted per shift.
- (3) Males and females shall be housed separately and be separated by a physical barrier.

Section 3. Security Procedures.

- (1) Each jailer shall establish a procedure for weekly inspection, for contraband and physical security, of each area accessible to any prisoner.
 - (a) Isolated security spot checks for contraband shall be conducted daily.
 - (b) The center rules, as specified in Section 1(3)(a) of this administrative regulation, shall contain a clear definition of each item permitted in the center. All other items shall be considered contraband.
 - (c) There shall be a written procedure for reporting security irregularities and for confiscating contraband.
- (2) A weapon, ammunition, chemical agent, related security equipment, or an object which may be used as a weapon shall not be permitted in the security area unless

authorized by the jailer. A firearm shall not be permitted in the security area unless authorized by the jailer, under emergency circumstances.

(3) All weapons, ammunition, chemical agents, or related security equipment, if not being carried or used, as authorized by the jailer, shall be stored in an arsenal, vault, or other secure room under lock.

(a) The weapons storage area shall be inaccessible to unauthorized persons.

(b) There shall be a written procedure for issuing and accounting for all weapons.

(4) Security devices and safety equipment shall be inspected each quarter to ensure they are maintained in proper working order.

(5) Tools and toxic, corrosive, or flammable substances, and other potentially dangerous supplies and equipment shall be stored in a secure, locked area not accessible to prisoners.

(6) A prisoner shall not use hazardous tools, supplies, or equipment unless the prisoner is under the direct supervision of jail personnel, and shall be provided with proper safety equipment.

(7) A prisoner may be assigned the responsibility of providing prisoner services, including providing meals under the direct supervision of jail personnel.

(8) A prisoner shall not be:

(a) Permitted to perform or assist in a security duty; or

(b) Assigned to a position of authority over another prisoner.

(9) A prisoner and his belongings shall be searched, in accordance with the requirements established in 501 KAR 7:120, if entering the security perimeter.

(10) Written procedures shall be developed for transporting a prisoner outside the center.

(11) Each center shall have key control procedures.

Section 4. Daily Center Log; Special Reports. A daily center log shall be kept current and shall reflect significant occurrences within the center. Special reports shall include:

(1) Use of force;

(2) Disciplinary action;

(3) Medical or mental health treatment;

(4) Feeding schedule and menus;

(5) Extraordinary occurrences:

(a) Fire;

(b) Assault;

(c) Suicide or attempted suicide that constitutes a serious health situation; or

(d) Escape or attempted escape;

(6) Prisoner vandalism;

(a) Destruction of center property; or

(b) Flooding of plumbing fixtures;

(7) Jail personnel roster for each shift;

(8) Visitors' log; or

(9) Fire emergency planning sessions, pursuant to 501 KAR 7:070, Section 1(1).

(13 Ky.R. 821; eff. 11-11-1986; Am. 19 Ky.R. 1879; 2635; eff. 6-7-1993; 26 Ky.R. 180; 27 Ky.R. 91; eff. 7-17-2000; 31 Ky.R. 1573; 1806; eff. 5-26-2005; 37 Ky.R. 2978; 38 Ky.R. 586; eff. 10-7-2011; 48 Ky.R. 952; eff. 3-1-2022.)

COOKIE CREWS, Commissioner

APPROVED BY AGENCY: July 23, 2021

FILED WITH LRC: August 3, 2021 at 12:15 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation will be held on October 21, 2021, at 9:00 a.m. at the Justice and

Public Safety Cabinet, 125 Holmes Street, Frankfort, Kentucky 40601. Any person who wishes to be heard at this hearing shall notify the agency in writing by five workdays prior to the hearing of their intent to attend. If a notice of intent to attend the hearing is not received by that date, the hearing may be cancelled. 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 October 31, 2021. Send written notice 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) 564-8207, fax (502) 564-6686, email Justice.RegContact@ky.gov.