

JUSTICE AND PUBLIC SAFETY CABINET
Department of Corrections
(Amendment)

501 KAR 7:110. Classification.

RELATES TO: KRS 441.055

STATUTORY AUTHORITY: KRS 13A.350, 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 requires the Department of Corrections to promulgate administrative regulations establishing minimum standards for jails that house state prisoners. This administrative regulation establishes the procedure for the classification of prisoners in restricted custody centers.

Section 1. Procedures.

(1) Each center shall develop an appropriate prisoner classification system, which shall be included in the center's written policy and procedure manual.

(2) The classification system shall:

(a) Establish guidelines for admission to the center and for transfer to the jail from the center;

(b) Provide for the separation of male and female prisoners by a physical barrier;

(c) Provide for a program evaluation of each prisoner by jail personnel whenever there is a change in the prisoner's status; and

(d) Prohibit discrimination or segregation based on race, color, or national origin.

(3) Each center shall establish a procedure for an appeal by the prisoner of his classification.

(13 Ky.R. 826; eff. 11-11-1986; 37 Ky.R. 2985; 38 Ky.R. 589; eff. 10-7-2011; 48 Ky.R. 957; eff. 3-1-2022.)

The Jail Standards Review Commission established pursuant to KRS 441.055(1)(b) has approved the standards in this administrative regulation at its meeting on July 13, 2021 prior to its filing with the Legislative Research Commission in compliance with KRS 13A.120(3), 13A.220(6)(a), and 441.055(2).

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.

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