

 <p>KENTUCKY CORRECTIONS Policies and Procedures</p>	Policy Number	Total Pages
	Date Filed	Effective by Memorandum Date
Authority/References KRS 196.035, 197.020 200 KAR 2:006 ACA Standard 5-ACI-5F-04	9.4 June 9, 2015	5 August 11, 2021
Subject		
		TRANSPORTATION OF INMATES TO FUNERALS OR BEDSIDE VISITS

I. DEFINITIONS

A. "Immediate family" means the following:

1. Parents, including step-parents and those who may have reared the inmate in place of parents;
2. Grandparents;
3. Brothers, sisters and other sibling relations, for example half and step siblings;
4. Spouse and children, including step-children or adopted children;
5. Son-in-law, daughter-in-law, sister-in-law, brother-in-law, mother-in-law, father-in-law;
6. A child to whom the inmate, although not a natural parent, acted as a parent; and
7. Grandchildren.

B. "Bedside visit" means a visit to an immediate family member, who is critically ill and who, in the opinion of the attending physician, is not expected to survive. These visits shall be made only at a hospital, nursing home, or convalescence center.

C. "Virtual visit" means a meeting held in a forum other than face to face through the use of video telecommunications.

II. POLICY and PROCEDURE

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- A. When feasible, arrangements may be made to allow an inmate to make a bedside or funeral home visit for an immediate family member. An inmate shall not attend both a bedside visit and a funeral home visit for the same person.
- B. The visit shall be limited to the confines of the Commonwealth of Kentucky, unless the bedside or funeral visit is to be a virtual visit.
- C. If the inmate's custody and other considerations permit, a furlough may be used for the visit.
- D. A community center inmate who qualifies for a furlough under CPP 25.6 may be issued an emergency twenty-four (24) hour furlough without a staff escort. A community center inmate who is not eligible for a furlough shall be transported in accordance with the provisions of this procedure.
- E. Approval Process
 - 1. The final decision concerning an inmate visiting a funeral home, virtual visit or making a bedside visit shall be made by the warden or his designee. The Commissioner or designee shall determine whether a community center inmate may make a funeral home or bedside visit. Decisions shall be made on a case-by-case basis considering factors like:
 - a. Institutional behavior;
 - b. History of escapes or violence;
 - c. Mental condition of inmate;
 - d. Community attitude toward the inmate;
 - e. Conditions at the site of the visit;
 - f. Legitimate security concerns that may create a risk to staff, inmate, or other person; or
 - g. Objections from immediate family.
 - 2. The relationship of the family member shall be verified through the inmate record. If the relationship is not clear, local law enforcement agencies or probation and parole officers may be contacted for verification as to the relationship of the family member.
 - 3. The necessity for a bedside visit shall be verified through the attending physician.

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4. Confirmation of death shall be verified through the funeral home.
5. The Warden or designee denying a visit shall justify the denial in writing and shall place the reason for denial in the inmate record on the offender management system.

F. Transporting Staff

1. In accordance with this policy, an inmate shall be transported by an on-duty staff member. An off-duty officer may be scheduled to transport an inmate. However, an officer shall be on-duty when placed in charge of an inmate.
2. An inmate with medium, close, or maximum custody shall require two (2) correctional officers for transport. In a minimum security institution, other staff may provide transport. A community center inmate approved for a funeral visit and who does not qualify for an emergency furlough shall be transported by a local probation and parole officer.

G. Time Limits

1. The trip shall be completed within a twenty-four (24) hour period except when feasible or necessary to lodge the inmate overnight at an institution with a security rating appropriate to the inmate's custody.
2. For an escorted funeral visit, arrangements shall be made through the funeral director for the inmate to visit at a private time prior to the funeral. The visit shall be scheduled at least two (2) hours before the service is open to the public. The inmate may be allowed a thirty-minute visit with the deceased. No immediate family or public can be present during this visit due to security reasons. The inmate shall not be allowed to attend the funeral or go to the cemetery.

H. Security Procedures

1. An inmate shall travel and remain in restraints appropriate to his custody level. The Warden, Deputy Warden or senior security officer may specify a higher level of restraint.
2. The trip shall be planned and made in accordance with CPP 9.9.
3. Law enforcement officials, in the area requested for visit, may be contacted for notification purposes or to solicit information pertinent to the security of the requested trip.

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4. The trip shall be made in a state vehicle.
5. Accompanying staff members shall keep the inmate in sight at all times.
6. An inmate shall be dressed in a transportation uniform.

I. Expenses

1. The institution shall require payment from the inmate or the inmate's family for the transporting staff members' time, vehicle costs and incidental expenses like toll charges, parking and meals. Calculation of costs shall be made by the inmate account office. If the inmate is paying the costs, he shall sign an authorization to have the costs transferred from his account. If the inmate cannot pay, the inmate's family shall pay for the funeral trip. The collection of expenses shall be made through the funeral director. The cost of the trip shall be reported to the funeral director. The funeral director shall present a check made payable to the Kentucky State Treasurer to the transporting officer.
 - a. Staff time shall be computed by using the midpoint hourly rate for a correctional officer. If the trip requires the institution to hire a correctional officer for overtime, staff time shall be computed by using the overtime rate for a correctional officer.
 - b. Vehicle mileage shall be computed at the standard state mileage rate contained in the regulation on travel expenses 200 KAR 2:006.
 - c. Meals shall be charged at the standard rate given in the regulations on travel expenses 200 KAR 2:006.
 - d. Incidental expenses shall be charged at actual cost.
2. If the inmate is indigent and the family cannot pay all or part of the costs of the trip, the Warden or his designee may authorize the transportation costs to be paid from the institution's inmate canteen fund.
3. Money received as reimbursement shall be deposited in the institution's Trust and Agency account.

J. Virtual Visit

1. A virtual visit shall follow all other provisions within this policy and be:
 - a. Requested by the inmate;

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- b. Approved by the Warden or designee for either a virtual bedside visit or virtual funeral visit;
 - c. Free of charge;
 - d. Monitored by institutional staff; and
 - e. Limited to thirty (30) minutes in duration.
2. If approved, a virtual visit may be scheduled with a non-immediate family member who has the technology capable of conducting the virtual bedside or funeral visit, or funeral home by the institutional Chaplain or designee.
3. The inmate may be allowed to view the deceased during a virtual visit.
4. An inmate shall be allowed to speak with no more than two (2) family members to help with the grieving process. If the virtual visit is for a virtual bedside visit, the inmate shall be allowed to speak with the critically ill immediate family member, if capable, in addition to two (2) family members, if present or according to hospital protocols in place at the time. Conversations outside the death of the immediate family member shall not be permissible (i.e., asking for money, the display of gang signs, institutional or legal concerns).