 <p style="text-align: center;"><b>KENTUCKY CORRECTIONS</b> Policies and Procedures</p>	Policy Number	Total Pages
	Date Filed	Effective Date
Authority/References KRS 196.035, 197.020 200 KAR 2:006 ACA Standard 5-ACI-5F-04	Subject <p style="text-align: center;"><b>TRANSPORTATION OF INMATES TO FUNERALS OR BEDSIDE VISITS</b></p>	

## I. DEFINITIONS

- A. "Bedside visit" means a visit to an immediate family member, who is critically ill and, in the opinion of the attending physician, is not expected to survive.
- B. "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.
- C. "Virtual visit" means a meeting held through the use of video telecommunications and is not physically in person with the immediate family member.

## II. POLICY and PROCEDURE

- 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.

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- B. The visit shall be limited to the confines of the Commonwealth of Kentucky, unless the bedside or funeral visit is a virtual visit. The in person bedside visit may be made only at a hospital, nursing home, or convalescence center.
- 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;
    - g. Objections from immediate family; or
    - h. Facility staffing levels.
  - 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.
  - 4. Confirmation of death shall be verified through the funeral home.

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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. Immediate family and the public shall not 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.
4. The trip shall be made in a state vehicle.
5. Accompanying staff members shall keep the inmate in sight at all times.

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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 regulation 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 requirements of this policy, except for requirements limited to actual travel, and:
  - a. Be requested by the inmate;
  - b. Require approval from the Warden or designee for either a virtual bedside visit or virtual funeral visit;

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- c. Be free of charge;
    - d. Be monitored by institutional staff; and
    - e. Be 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 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, or institutional or legal concerns).
- K. The Warden or designee shall notify the Deputy Commissioner of Adult Institutions of denial for any bedside visit, funeral home visit, virtual bedside visit, or virtual funeral home visit.

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	9.6	2
	Date Filed	Effective Date
	February 26, 2016	August 5, 2016
Authority/References KRS 196.035, 197.020, Chapter 218A, 500.080, 520.010, 520.050, 520.060 CPP 15.2 ACA 2-CO-3A-01	Subject  <b>CONTRABAND</b>	

## I. DEFINITIONS

“Contraband” is defined by KRS 520.010 and includes items described in subsection II.B below.

“Controlled substance” is defined by KRS 218A.010.

“Dangerous contraband” is defined by KRS 520.010 and includes items described in subsection II.A below.

“Detention facility” is defined by KRS 520.010.

“Marijuana” is defined by KRS 218A.010.

“Possession” is defined by KRS 500.080.

## II. POLICY and PROCEDURES

Anyone who promotes contraband or dangerous contraband may be subject to the administrative disciplinary procedures outlined in CPP 15.2 or may be prosecuted as provided in KRS 520.050 or 520.060.

Some specific examples of contraband and dangerous contraband items follow:

### A. Dangerous Contraband

1. Any gun, firearm, weapon, sharp instrument, knife, unauthorized tool, or any other object which may be used to do bodily harm or facilitate escape.
2. Any explosive or any ammunition.
3. Any amount of a controlled substance or any quantity of marijuana.


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4. Any drug paraphernalia capable of administering an injection.
5. Any intoxicating substance including beer, alcohol, paint thinner, whiskey, wine, home brew, and cleaning fluid.
6. Any device capable of storing data for review to include personal messages, movies, correspondence concerning illegal activity, or other security risk items (e.g., DVD's, cellphones, advanced calculators, unsupervised flash drives).
7. Any staff clothing, badge, official patch, institutional or Corrections staff identification, or any imitation or forgery thereof.
8. Any tobacco products, simulated tobacco products, nicotine patches, lighters, or matches.

B. Contraband

1. Money, unless authorized in writing by an appropriate institutional staff member for a specific inmate.
2. Any unauthorized clothing. Refer to CPP 17.1.
3. Anything not authorized for retention or receipt by the inmate and not issued to him through regular institutional channels.
4. Any disguise or mask.
5. Any counterfeit, forged, or unauthorized reproduction of any document, article of identification, money, security, or official paper.
6. Any device for the purpose of gambling.
7. Prescribed authorized medication not taken at time of issue and not authorized and maintained as required through an institutional self-administration program.
8. Any prescription medication not considered a controlled substance.

C. Nothing in this policy shall be construed to prevent an inmate from being issued a disciplinary report for any offense listed in CPP 15.2.

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	Date Filed	Effective Date
	<b>MAY 15 2024</b>	
	Supersedes Effective Date	
Authority/References KRS 196.035, 197.020, 520.050, 520.060 CPP 14.8, 16.2, 17.1 Bell v. Wolfish, 441 US 520 (1979); Spear v. Sowders, 71 F.3d 626 (6th Cir. 1995), Hunter v. Auger, 672 F.2d. 668 (8th Cir. 1982) ACA 4-4192, 4-4193, 4-4194, 4-4282, 2-CO-3C-01, 28 CFR § 115.15	<b>SEARCH POLICY</b>	

## I. DEFINITIONS

“Body cavity search” means a manual or instrument inspection of a person’s anal, vaginal or other body cavity by a trained medical professional. An instrument inspection does not include whole body imaging for security.

“Contraband” is defined by KRS 520.010 and includes items described in CPP 9.6 II.B.

“Cross-gender search” means searching a person of the opposite gender.

“Exigent circumstances” means any set of temporary and unforeseen circumstances that require immediate action to combat a threat to the security or institutional order of an institution.

“Frisk” or “pat-down search” means a search during which a person is not required to remove his clothing and includes a visual inspection of the open mouth.

“Inventory search” means the search of an inmate’s property and personal belongings.

“Strip search” means a body search during which a person is required to remove his clothing, and during which a person is subject to visual inspection of the genital and anal area, as well as other body cavities.

## II. POLICY and PROCEDURE

### A. Search Policy for Inmates

#### 1. General Policy



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- a. All inmate areas and property shall be subject to a search at any time.
- b. All inmates shall be subject to a search at any time.
- c. All inmates shall be subject to a strip search if entering or exiting:
  - (1) An institution;
  - (2) The visiting area; or
  - (3) A controlled area, the Prison Industries area, boiler room area, or other area to which inmate access is limited.
- d. Inmates, who do not fall into one of the strip search categories above, may be strip searched if reasonable suspicion exists that the inmate is carrying contraband.
- e. A transgender or intersex inmate shall not be searched or physically examined for the sole purpose of determining the inmate's genital status. However, a medical exam may be performed as permitted by 28 CFR § 115.15.
  - (1) Operationally, four options may be used for searches of transgender or intersex inmates:
    - (a) Pat search of adult inmate conducted by the female staff only, especially given there is no prohibition on the pat searches female staff can perform;
    - (b) Ask inmate to identify the gender of staff with whom he or she would feel most comfortable conducting the search;
    - (c) Search conducted in accordance with the inmate's gender identity;
    - (d) Body cavity search conducted only by medical staff. See CPP 14.8
- f. Body cavity searches in conjunction with strip searches shall only be made if a reasonable suspicion exists that the inmate is carrying contraband in a cavity. All body cavity searches shall require the approval of the Warden or his designee.

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- g. All strip searches, other than those authorized in subsection c. (1), (2) and (3) above, shall be logged and documented in the institutional strip search logbook, which shall include:
- (1) Date and time of the search;
  - (2) Person authorizing the search;
  - (3) Person or persons conducting the search;
  - (4) Whether the genital area or the anal area was inspected;
  - (5) Whether any body cavity was searched;
  - (6) The reason for the search; and
  - (7) The results of the search.
- h. Except in exigent circumstances, a strip search shall be conducted by a staff member of the same gender as the inmate. All cross-gender strip searches, to include those authorized in subsection c. (1), (2), and (3) above shall be logged and documented in the institutional strip search logbook.
- (1) The search shall be carried out in a dignified manner and under sanitary conditions.
  - (2) Officers or others conducting the search shall not make threatening, insulting, or suggestive remarks while conducting the search.
  - (3) If requiring an inmate to expose body cavities, the person conducting the search shall not touch the body of the inmate except in exigent circumstances.
  - (4) Once a search is complete, clothing that is not in violation of policy shall be returned to the inmate to redress.
- i. Any search of an inmate that requires probing of a body cavity, x-rays, or any medical procedure shall be conducted in private by an institutional medical professional.
2. An inmate shall not be subject to repeated searches of his person or living area as a method of harassing the particular inmate. Cell or inventory searches shall be done with the affected inmate present unless his presence poses a threat to staff, security, or institutional order. Inventory of property

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of transferred inmates shall be completed on the official property form (see CPP 17.1 attachment) and may be done with the inmate present unless circumstances or operations dictate otherwise. If any inventory is done without the inmate present, a witness shall sign off on the property form if the inventory was conducted properly by the staff member.

3. When conducting cell or inventory searches in the inmate's assigned living area, the affected inmate, if present during the search, may be handcuffed behind his back and may be required to remain seated in a chair during the search.
4. Any search of legal materials shall occur in the inmate's presence.
  - a. This restriction shall not prohibit institution staff, who are packing an inmate's property for a move from checking the property for contraband, provided that staff does not read the legal material.
  - b. Institution staff may confiscate legal mail items from an inmate, but staff shall not review or inspect those items until the inmate is present except as provided in 4(a) above.
5. All cross-gender pat down or frisk searches of female inmates shall only be conducted under exigent circumstances and shall be documented. Other pat down or frisk searches, or area searches of inmates may be conducted as deemed necessary by correctional staff. Reasons for these searches may include the following:
  - a. If suspicious or unusual activity is observed or suspected;
  - b. If a rule violation is committed;
  - c. For the protection of staff, inmate, or institution;
  - d. On an unannounced basis;
  - e. If entering or exiting an activity within the main institutional compound;
  - f. If ordered by any Correctional employee; and
  - g. If an employee is not sure of an inmate's possessions.
6. Inmates may be placed in restraints during pat down, or frisk searches for safety and security reasons.

B. Search Policy for Non-inmates and Non-employees

1. This section shall apply to all individuals who are not employees or inmates, including visitors, contractors, volunteers, and training participants.
2. All entrances to institutional property shall have a large sign that informs an individual in language comparable to the following that:

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- a. The introduction of controlled substances, intoxicating substances, tobacco, weapons, or any other instrument that may be used to do bodily harm or facilitate escape shall be strictly forbidden.
  - b. All electronic devices to include cameras, recorders, and cell phones shall remain secured in a locked vehicle.
  - c. For security reasons, individuals and their vehicles may be subject to search.
  - d. Any individual who knowingly introduces contraband or dangerous contraband into an institution operated by Corrections or a private correctional institution may be prosecuted as provided in KRS 520.050 and 520.060.
3. Briefcases or containers in the possession of attorneys, ministers, public officials, and other professionals entering the prison may be searched for contraband. Documents may be inspected, but shall not be read.
  4. All individuals shall be subject to pat down or frisk searches by officers of the same gender as the individual.
  5. Pat down or frisk searches shall be conducted in a dignified manner with as much privacy as can be reasonably afforded. Prior to any strip search of individuals by Corrections personnel, the individual shall be requested to consent to the search.
  6. Any individual who refuses to be searched prior to entry shall be denied entry to the institution.
  7. Strip searches or body cavity searches of individuals shall be conducted only after approval of the Warden or his designee.
  8. The Warden or his designee may approve strip searches or body cavity searches of individuals only with reasonable suspicion that a felony is being committed.
  9. Strip searches shall be conducted by members of the same sex as the person being searched and in a professional, non-abusive manner under sanitary conditions.
  10. Probing and physical examination of body cavities during a body cavity search shall be done by an institutional medical professional in private. Physical examination of body cavities shall only take place after a thorough frisk or pat down search has been conducted.

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11. Juveniles shall be afforded the same consideration as adults if being searched. In addition, a parent or a legal guardian of a juvenile shall be present, consent to the search, and encouraged to observe the search.
12. If probable cause exists that a felony has been or is in the process of being committed, only the Warden or his designee may order the temporary detention of an individual until local law enforcement officials arrive.
  - a. Upon arrival of law enforcement officials, the individual shall be released to their custody.
  - b. The detention shall be in a manner that the individual cannot dispose of the evidence.
13. Exit searches of individuals shall be prohibited unless the officer has probable cause to suspect that the individual leaving is carrying some document or item related to an escape, escape attempt, contraband, dangerous contraband, or stolen property.
14. Individuals' vehicles may be searched if permission has been granted by the individual and a consent form signed. The consent form shall also authorize a search of all areas and items in the vehicle including luggage, containers, or other articles.
15. If the individual does not grant permission for a vehicle search, only the Warden or his designee may authorize asking local law enforcement officials to search the vehicle if there is probable cause that a felony has been or is in the process of being committed involving the vehicle.
16. If the individual refuses to permit a strip search and there is probable cause to believe that he is committing or has committed a felony, staff shall obtain the approval of the Warden or his designee and may detain the individual for a reasonable time and seek a search warrant. The institution shall contact the local authorities to request that a warrant be obtained, unless there is an agreement with the authorities that the institution seek a warrant directly from the appropriate district or circuit court judge. If the search reveals that a felony has been committed, local or state law enforcement shall be notified for the arrest and detention of the individual.

C. Search Policy for Employees

1. Any individual who knowingly introduces contraband or dangerous contraband into an institution operated by the Department of Corrections or a private correctional institution may be prosecuted as provided in KRS 520.050 and 520.060.

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2. Employees shall be subject to pat down or frisk searches at any time if authorized by the shift supervisor.
3. If approved by the Warden or his designee, random pat down or strip searches of employees may occur:
  - a. To control contraband from being introduced; or
  - b. If a reason exists to believe staff are introducing contraband.
4. If approved by the Warden or his designee, an employee may be strip searched if reasonable suspicion exists to believe an employee is introducing or removing contraband.
5. Searches of employees shall follow the same guidelines as given for searches of individuals:
  - a. Searches of employees shall be made by members of the same gender as the person being searched.
  - b. Strip searches shall be made in a professional, non-abusive manner under sanitary conditions.
  - c. Probing and physical examination of body cavities or any touching shall be done by an institutional medical professional in private.
  - d. A physical examination of body cavities shall only take place after a thorough frisk or pat down search has been conducted.
6. Search of an employee's vehicle may be conducted only if:
  - a. Reasonable suspicion exists to believe a felony has been or is being committed;
  - b. The vehicle is on institutional property; and
  - c. Authorized by the Warden or his designee.

D. Search Policy for Vehicles Entering the Institutions

1. Efforts shall be made to reduce vehicle traffic entering institutional compounds to the minimum essential to meet the needs of the institution.
2. Vehicles that may afford an escape opportunity and that may be difficult to search, such as large delivery vans, and trucks, shall be kept under visual observation by staff at all times while on institutional grounds.

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3. All vehicles entering or exiting a secured area of an institution shall be thoroughly searched to prevent the introduction of contraband or dangerous contraband, and to prevent escape attempts by inmates.

E. Searches with Trained Dogs

Dogs trained in detection, if handled by trained handlers, may be used in searches of inmates, visitors, staff, and vehicles. Without reasonable suspicion, dogs to detect drugs shall only be used in a random search of inmates, visitors, staff members, or vehicles passing a given point or within a given area.

F. Policy for Seizure of Property

1. General Property

If property, except contraband or dangerous contraband, is taken from an inmate or from his cell or living area, the inmate shall be issued a receipt for the property.

- a. The receipt shall include:

- (1) The inmate's name and number;
- (2) The date;
- (3) A description of the property; and
- (4) A description of its general condition.

- b. The receipt shall be signed by the staff member taking the property and countersigned by the inmate concerned.

- c. A copy of the receipt shall be sent along with the property to the Property Officer who shall hold the property until its proper disposition has been determined.

2. Contraband or Dangerous Contraband

- a. Items considered contraband or dangerous contraband shall not require a receipt. However, receipts may be offered if there is a question as to whether or not the item is contraband, since a determination in favor of the inmate may result in a requirement that the property be returned to the inmate.

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- b. Items considered contraband or dangerous contraband shall be hand delivered by the employee confiscating the property to the appropriate authority for preservation and safe-keeping as evidence.
  - (1) A chain of custody document shall be completed.
  - (2) The property shall be kept in an evidence locker, safe, or other secure place until its final disposition has been determined.
  - (3) The determination regarding final disposition shall be made by the Warden or designee and may include turning the property over to the State or other police authority, for destruction. If an item is determined to not be contraband or dangerous contraband, it shall be returned to the inmate for use, storage, or to be sent out of the institution.
  
- G. A search shall be conducted in accordance with this CPP unless an emergency or exigent circumstance warrants deviation. In an emergency, the circumstances of the emergency and the deviation from the policy shall be fully documented and justified by the appropriate personnel.



KENTUCKY DEPARTMENT OF CORRECTIONS  
ADULT SEARCH CONSENT FORM

My name is \_\_\_\_\_ . I am over 18 years of age.

I understand that I have been asked to allow a search of my person which shall involve the removal of my clothing and a search of certain body cavities by medical personnel. I understand that this is a purely voluntary procedure and that I may refuse and leave the institution unless you have probable cause to temporarily detain me. If a body cavity search is conducted, I understand this cavity search shall be conducted by trained, medical personnel and that in no case shall I be touched during the cavity search by anyone except medical personnel.

Understanding all these facts, I give my permission for the search as evidenced by my signature this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Witness

KENTUCKY DEPARTMENT OF CORRECTIONS  
CHILDREN SEARCH CONSENT FORM

My name is \_\_\_\_\_ . I am the parent or guardian  
for \_\_\_\_\_ , who is a minor under the age of 18. I  
understand that I have been asked to allow a search of his or her person that shall involve the  
removal of his or her clothing and a search of certain body cavities by medical personnel. I  
understand that this is purely a voluntary procedure and that I may refuse permission and leave the  
institution unless you have probable cause to temporarily detain us. If a body cavity search is  
conducted, I understand this cavity search shall be conducted by trained, medical personnel and  
that in no case shall he or she be touched during the cavity search by anyone except medical  
personnel.

Understanding all these facts, I give my permission for the search as evidenced by my  
signature this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Witness

CONSENT TO SEARCH

I, \_\_\_\_\_, knowing that I have a right to refuse a search of my motor vehicle, do hereby voluntarily authorize and permit staff at the \_\_\_\_\_  
\_\_\_\_\_ to make a complete search of my vehicle including luggage, containers or any other articles inside the vehicle and to take possession of any item that constitutes contraband on prison grounds.


I am giving this written permission to these officers freely and voluntarily without any threats or promises having been made, and after having been informed that I have the right to refuse this search and leave the institution.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
(Signature of Person Consenting to Search)

WITNESSES: \_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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	Date Filed	Effective Date
References/Referénces	Subject	
KRS 31.100, 197.022	<b>TRANSPORT TO COURT – CIVIL ACTION</b>	
	9.13	2
	May 14, 2007	August 31, 2007

## POLICY and PROCEDURES

An inmate shall be transported to court for a civil action in compliance with KRS 197.022.

- A. The transport shall be limited to the confines of the Commonwealth of Kentucky.
- B. If the inmate's custody and other considerations permit, a furlough may be used for the transport.
- C. 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.
- D. Transporting Staff
  1. In accordance with this policy, an inmate shall be transported by a staff member.
  2. In the case of an inmate with medium, close, or maximum custody, the staff member shall be a correctional officer. In a minimum security institution, other staff may provide transport. A community center inmate approved for a civil court action trip and who does not qualify for an emergency furlough shall be transported by a local probation and parole officer.
- E. 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 of the court appearance 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. The accompanying staff member shall keep the inmate in sight at all times.
6. An inmate shall be dressed in a transportation jumpsuit.

F. Expenses

1. The institution shall calculate the cost of the transporting staff members' time, vehicle costs, and incidental expenses like toll charges, parking, and meals. Calculation of costs shall be made by the Fiscal Department.
  - a. Staff time shall be computed by using the midpoint hourly rate plus benefits 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 usage shall be the daily rate charged by Fleet Management including the overage charge. 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 regulation on travel expenses, 200 KAR 2:006.

Incidental expenses shall be charged at actual cost.

2. Money received shall be payable to the Kentucky State Treasurer and deposited in the institutional Trust and Agency account.
3. If the party making the request is indigent in accordance with KRS 31.100, the Warden or his designee may authorize the transportation costs to be paid from the institution's inmate canteen fund.

 <p style="text-align: center;"><b>KENTUCKY CORRECTIONS</b> Policies and Procedures</p>	Policy Number	Total Pages
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	Date Filed	Effective Date
	September 13, 2010	January 3, 2011
References/Authority KRS 196.035, 197.020 Hensley v. Wilson, 850 F.2d 269 (6th Cir. 1988)	Subject  <b>INFORMANTS</b>	

## I. DEFINITIONS

“Informant” means one who provides information or accusations against another person or persons.

## II. POLICY and PROCEDURES

- A. Information provided by an informant may be used for both investigative and administrative purposes within the Department of Corrections. This information shall not be obtained in exchange for the promise of a favor or preferential treatment.
1. If information provided by the informant jeopardizes his personal safety or the safety of others, an internal change in housing assignment or transfer to another institution may be authorized.
  2. Employees of Corrections shall not intercede in any court action against an informant or promise an informant protection from prosecution for any violation of the law; however, if prosecution is being contemplated or has commenced against an informant, and that informant has provided reliable information that assists authorities in investigative or administrative matters directly related to this prosecution, the Warden may bring this to the attention of the appropriate prosecutor.
  3. Corrections Policies and Procedures shall not be waived in any administrative action for the purpose of rewards or favors.
  4. If an outside law enforcement agency requests to use an inmate as an informant, a written agreement shall be made between the law enforcement agency and the Department of Corrections that specifies the conditions under which the inmate may be used as an informant, including but not limited to a definite time period. An agreement shall not be put into effect until approval is given by the Commissioner. Recommendations for informant agreements to the Commissioner shall be made by the Deputy Commissioner of Adult Institutions. The Deputy Commissioner’s recommendation shall be

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forwarded to the Commissioner for review and signature. Only the Commissioner may approve this type of agreement.

- B. Uncorroborated confidential information from a single informant shall be insufficient as the sole basis for an Adjustment Committee finding that an inmate committed a prohibited act, unless the circumstances of the incident and the knowledge possessed by the confidential informant convince the committee that the confidential informant's information is reliable. In an unwitnessed assault, for example, the statement of a seriously injured assault victim may be sufficient evidence to support an Adjustment Committee finding without corroborating evidence.
- C. Uncorroborated confidential information from a single informant shall be insufficient as the sole basis for performing a strip search on an employee or a visitor unless the circumstances of the incident, the knowledge possessed by the confidential informant, or the established reliability of the confidential informant convince the Warden, Deputy Warden or Duty Officer that there is probable cause that a felony has or may be in the process of being committed. Then, a strip search may be authorized following the procedures outlined in CPP 9.8.
- D. Correctional Institutions: Use of informant information in Adjustment Committee hearings.
1. If information provided by an inmate, in the judgment of the Adjustment Committee, may subject the inmate to possible retaliation for providing this information, the committee may receive the information in confidence without confrontation or cross-examination by the accused inmate.
  2. The accused inmate shall be given written notice of the general nature of the confidential information, omitting those details that may tend to identify the inmate who gave the confidential information, 24 hours in advance of the adjustment or classification committee hearing.
  3. Ordinarily, an adjustment officer or committee decision that an inmate committed a prohibited act shall be supported by more than one reliable confidential source, unless the circumstances of the incident and the knowledge possessed by the confidential informant convince the officer or committee that the confidential informant's information is reliable. (See Section II, E (6) for establishing reliability of informant). If there is only one source, the confidential informant information shall be corroborated by independently verified factual evidence linking the inmate charged to the prohibited act.


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4. All confidential information presented to the officer or committee shall be in writing and shall state facts and the manner in which the confidential informant arrived at knowledge of those facts.
  - a. If possible, the statement shall be signed by the confidential informant.
  - b. If the confidential informant does not write a statement, the staff member receiving the information shall provide that information in writing and in the language as close to the confidential informant's as possible (actual words of confidential informant if possible).
5. The identity of the confidential informant shall be known, at a minimum, by the adjustment officer or chairperson of the adjustment committee, and at the chairperson's discretion, may be revealed to the other committee members. The substance of the confidential informant information shall be available to all members of the adjustment committee.
6. The reliability of a confidential informant shall be established before the adjustment officer or committee may use the information provided to support a finding.
  - a. Reliability may be determined by a record of past reliability or by other factors that reasonably convince the adjustment officer or committee of the confidential informant's reliability.
  - b. The staff member providing the information to the officer or committee shall include a written statement of:
    1. the frequency with which the confidential informant has provided information;
    2. the period of time during which the confidential informant has provided information; and
    3. the degree of accuracy of that information.
  - c. If reliability is based on factors other than a history of reliability, those other factors supporting a determination of reliability shall be clearly specified.
  - d. Staff shall have an affirmative obligation to determine whether there may be any basis for concluding that the confidential informant may be providing false information.



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7. Information to be included in the adjustment officer or committee report:
  - a. The adjustment officer or committee chairperson shall include, in the record of the hearing, a statement of the basis for finding that the information provided by the confidential informant is reliable.
  - b. A confidential informant's statement shall, at a minimum, be summarized in the adjustment officer's or committee report.
  - c. The report shall identify the specific information relied on by the adjustment officer or committee.
  - d. If the adjustment officer or committee decides that information given by a single confidential informant is sufficient for finding that the inmate committed the prohibited act, the adjustment officer or committee report shall include a statement giving the rationale for that decision.
  
8. Information to be kept confidential.
  - a. If the adjustment officer or chairperson of the adjustment committee determines that including the information listed above in the adjustment officer's or committee report may reveal the identity of the confidential informant, the adjustment officer or chairperson shall ensure that a separate confidential report is prepared.
  - b. This separate report shall not be placed in the inmate central file, but shall be retained in a secure location that is inaccessible to inmates, but available to appropriate staff for purposes of later administrative or judicial review.
  - c. The separate confidential report shall contain:
    1. A copy of the confidential informant's statements.
    2. A statement identifying the specific information relied on by the adjustment officer or committee.

 <p style="text-align: center;"><b>KENTUCKY CORRECTIONS</b> Policies and Procedures</p>	Policy Number	Total Pages
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	Date Filed	Effective Date
	October 14, 2005	February 3, 2006
References/Authority KRS 196.035, 197.020, CPP 17.1	Subject <b>FOUND, LOST OR ABANDONED PROPERTY</b>	

## I. DEFINITIONS

"Lost or abandoned property" means an item with which the owner has voluntarily or involuntarily parted.

## II. POLICY and PROCEDURES

Lost or abandoned property found by an inmate or staff shall be disposed of or returned to its rightful owner, if possible. A weapon, explosives, toxic material or other contraband shall be turned over to local or state law enforcement authorities for appropriate action and to protect the public.

### A. General

1. Inmates and on-duty staff who find lost or abandoned property shall report the finding in writing to the appropriate authority in an attempt to see that the property is handled in a safe and appropriate manner.
2. Lost or abandoned property shall not be kept by the inmate or on-duty staff member finding it, nor shall it be given to another individual.

B. Lost or abandoned property found on institutional grounds shall be handled and disposed of in accordance with CPP 17.1.

### C. Lost or Abandoned Property Found at Work Area Outside the Institution

1. Weapons and other items that may have been used in a crime shall be turned over to state or local police. Finders shall respect that these items may be supporting evidence. The condition of the items, any fingerprints or other evidence of ownership or use, and the location, in which they are found, shall be safeguarded.
2. If possible, photographs of the weapons or other items shall be taken prior to removal from area of discovery.

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3. Explosives, toxic materials or other dangerous materials shall not be handled but shall be reported to appropriate state or local authorities for disposition. The area shall be restricted to all persons until the proper authorities assume control of the area.
4. Other property shall be turned into the institution and it shall take appropriate action through state or local authorities to find its rightful owner.