

 <p><b>KENTUCKY CORRECTIONS</b> Policies and Procedures</p>	Policy Number	Total Pages
	14.3	3
	Date Filed	Effective Date
	January 12, 2017	June 2, 2017
References/Authority KRS 196.035, 197.020, 402.020, 402.050, 402.080 CPP 26.1	Subject <b>MARRIAGE OF INMATES</b>	

I. DEFINITIONS

None

II. POLICY and PROCEDURES

- A. An inmate who wants to marry during incarceration may do so if the inmate receives the approval of the Warden of the institution or the Community Center Program Manager.
- B. A Warden or Community Center Program Manager shall disapprove a marriage for the following reasons:
1. There is a legal restriction to the marriage;
  2. The proposed marriage threatens the security of the institution or the public;
  3. The inmate making the request is emotionally unstable or incompetent;
  4. The inmate desires to marry a current Corrections employee; or
  5. The inmate desires to marry an inmate currently incarcerated.
- C. Requirements
1. An inmate desiring to marry during the period of his confinement shall submit a written request from both parties to the personnel designated by the Warden. If an inmate has been married previously, he shall submit a copy of the divorce decree or other applicable document to verify that there is no legal restriction to the marriage.

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- a. A narrative report explaining the circumstances of the marriage request shall accompany the recommendation to the Warden.
  - b. The inmate shall be advised of the Warden's decision within ninety (90) days following the written marriage request.
  - c. An application for a marriage license or other wedding arrangements shall not be made until final approval is given by the Warden.
  - d. If the Warden disapproves the marriage, the institutional inmate may appeal the decision to the Deputy Commissioner of Adult Institutions or his designee.
2. A Community Center inmate shall submit the request to the probation and parole officer assigned to that center. If an inmate has been married previously, he shall submit a copy of the divorce decree or other applicable document to verify that there is no legal restriction to the marriage.
- a. A narrative report explaining the circumstances of the marriage request shall accompany the recommendation to the Program Manager.
  - b. The inmate shall be advised of the Program Manager's decision within ninety (90) days following the written marriage request.
  - c. An application for a marriage license or other wedding arrangements shall not be made until final approval is given by the Program Manager.
  - d. If the Program Manager disapproves the marriage, the inmate may appeal the decision to the Director of Local Facilities.

D. Marriage Ceremony

An inmate may have a marriage ceremony conducted within the institution.

1. The following shall apply to any wedding conducted at an institution:
  - a. The marriage ceremony within the institution may be conducted by the Chaplain or an alternate officiator. The institutional Chaplain may decline to perform the ceremony based upon professional discretion or doctrinal requirements.

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- b. The Chaplain or designated staff member shall assist the couple in obtaining an appropriate alternate to perform the ceremony and in making the necessary arrangements. These arrangements shall be in keeping with institutional security requirements.
  - c. Any person performing the marriage ceremony shall meet minimum statutory requirements and shall be subject to institutional rules and regulations.
  - d. Any alternate officiator shall meet the criteria of a non-certified volunteer as set forth in CPP 26.1, Citizen Involvement and Volunteer Service Program.
  - e. Wedding attendance shall be limited to the prospective spouses and two (2) adult witnesses only. Corrections staff may serve as witnesses to the marriage if no other witnesses are available to accompany the prospective spouse.
    - (1) The prospective spouse and two (2) witnesses shall be pre-screened prior to the ceremony.
    - (2) Children under the age of eighteen (18) shall not be permitted to attend.
  - f. The wedding ceremony shall be limited to thirty (30) minutes.
  - g. Correctional staff shall be present during the wedding ceremony. Staff shall conduct required security searches of the attending inmate, prior to, and following the ceremony.
  - h. Wedding attire and accessories:
    - (1) Clothing for the inmate brought in by family, friends or other individuals shall not be permitted.
    - (2) The prospective spouse may bring the inmate's wedding ring in accordance with CPP 17.1. Other items shall not be permitted.
  - i. An inmate shall not take an item other than his wedding ring to his living area.
2. A copy of the marriage license shall be placed in the inmate's institutional file.