

1 AN ACT relating to training for deputy jailers.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 441 IS CREATED TO  
4 READ AS FOLLOWS:

- 5 *(1) (a) 1. Each deputy jailer employed before January 1, 2023, shall within one*  
6 *(1) year after January 1, 2023; and*  
7 *2. Each deputy jailer employed on or after January 1, 2023, shall within*  
8 *one (1) year after commencing his or her duties;*  
9 *complete a basic training course developed under Section 5 of this Act that*  
10 *consists of no less than eighty (80) hours and is approved by the Kentucky*  
11 *Jail Training Council. Annual training received under KRS 441.115 or*  
12 *other annual training that is required for deputy jailers or jail personnel by*  
13 *the Justice and Public Safety Cabinet may be used toward satisfying this*  
14 *requirement. A jailer may set a minimum amount of training required for*  
15 *his or her deputies at an amount higher than eighty (80) hours.*
- 16 *(b) Each deputy jailer shall certify his or her successful completion of the basic*  
17 *training course required under this subsection by a written statement filed*  
18 *with the jailer under whom the deputy jailer serves. Each statement shall*  
19 *identify the course and date of each program attended; its subject matter,*  
20 *location, and sponsors; and the time spent in each program. The jailer shall*  
21 *forward this written statement to the secretary of the fiscal court in the*  
22 *county wherein the jailer serves no later than January 31 following the year*  
23 *in which the training was completed.*
- 24 *(c) Pursuant to KRS 171.420 to 171.740, each county judge/executive shall*  
25 *keep in his or her official public records the original of all statements and*  
26 *the written documentation of attendance required in paragraph (b) of this*  
27 *subsection filed with the secretary of the fiscal court. The county*

1           judge/executive shall forward a copy of the training records to the Kentucky  
2           Jail Training Council, where the reports shall be aggregated and kept.

3           (d) Each deputy jailer shall be responsible for obtaining written documentation  
4           signed by a representative of the provider of the basic training course for  
5           which credit is claimed, acknowledging that the individual attended the  
6           course for which credit is claimed, and shall present it to the jailer. The  
7           jailer shall file the documentation with the secretary of the fiscal court as  
8           attachments to the statements required by paragraph (b) of this subsection  
9           and shall forward a copy of the attachment to the Kentucky Jail Training  
10           Council, where the reports shall be aggregated and kept.

11           (2) (a) Beginning January 1, 2023, deputy jailers shall receive forty (40) hours  
12           each calendar year of continuing education training developed under  
13           Section 5 of this Act and approved by the Kentucky Jail Training Council.  
14           Annual training received under KRS 441.115 or other annual training that  
15           is required for deputy jailers or jail personnel by the Justice and Public  
16           Safety Cabinet may be used toward satisfying this requirement. A deputy  
17           jailer shall commence annual training the year after completing the basic  
18           training course as set out in subsection (1) of this section.

19           (b) Each deputy jailer shall certify his or her completion of the training  
20           required under this subsection no later than January 15 following the year  
21           in which the training was completed by filing a written statement filed with  
22           the jailer under whom the deputy jailer serves. Each statement shall identify  
23           the date of each program attended; its subject matter, location, and  
24           sponsors; and the time spent in each program. The jailer shall forward this  
25           written statement to the secretary of the fiscal court in the county wherein  
26           the jailer serves no later than January 31 following the year in which the  
27           training was completed.

1 (c) Pursuant to KRS 171.420 to 171.740, each county judge/executive shall  
 2 keep in his or her official public records the original of all statements and  
 3 the written documentation of attendance required in paragraph (b) of this  
 4 subsection filed with the secretary of the fiscal court. The county  
 5 judge/executive shall forward a copy of the training records to the Kentucky  
 6 Jail Training Council, where the reports shall be aggregated and kept.

7 (d) Each deputy jailer shall be responsible for obtaining written documentation  
 8 signed by a representative of the provider of any jail training course for  
 9 which credit is claimed, acknowledging that the individual attended the  
 10 program for which credit is claimed, and shall present it to the jailer. The  
 11 jailer shall file the documentation with the secretary of the fiscal court as  
 12 attachments to the statements required by paragraph (b) of this subsection  
 13 and shall forward a copy of the attachment to the Kentucky Jail Training  
 14 Council, where the reports shall be aggregated and kept.

15 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 441 IS CREATED TO  
 16 READ AS FOLLOWS:

17 The Kentucky Jail Training Council is hereby established as an independent  
 18 administrative body of state government, which shall consist of:

19 (1) (a) The following four (4) members, or their designees, who shall serve as full  
 20 voting members of the council by reason of their offices:

- 21 1. The commissioner of the Kentucky Department of Corrections;
- 22 2. The commissioner of the Department of Criminal Justice Training;
- 23 3. The president of the Kentucky Jailers Association; and
- 24 4. The Attorney General of Kentucky; and

25 (b) The following eight (8) members, who shall serve as full voting members of  
 26 the council and shall be appointed by the Governor, subject to Senate  
 27 confirmation in accordance with KRS 11.160, for terms of four (4) years:

- 1           1. A jailer from a county with a population of less than seventy thousand
- 2                   (70,000) who operates a full-service jail within the county;
- 3           2. A jailer from a county with a population of seventy thousand (70,000)
- 4                   or more who operates a full-service jail within the county;
- 5           3. A jailer who operates a regional county jail;
- 6           4. A jailer who operates a life-safety jail;
- 7           5. A jailer representing a county in which the jail has closed;
- 8           6. A county judge/executive appointed from a list of three (3) names
- 9                   submitted by the Kentucky County Judge/Executive Association;
- 10          7. A member of the Kentucky State Bar Association; and
- 11          8. A citizen of Kentucky who is not a county judge/executive, jailer, or a
- 12                   member of the Kentucky State Bar Association.

13           Members appointed under this paragraph shall serve terms of four (4)  
14           years.

15          (2) (a) A person shall not serve as a member of the council beyond the time he or  
16           she holds the office or employment by reason of which he or she was  
17           initially eligible for appointment. Vacancies shall be filled in the same  
18           manner as the original appointment, and the successor shall be appointed  
19           for the unexpired term. Any member may be appointed for additional terms.

20          (b) A member shall not serve on the council with the dual membership as the  
21           representative of more than one (1) of the groups set forth in subsection (1)  
22           of this section or the holder of more than one (1) of the positions set forth in  
23           subsection (1) of this section. If an existing member of the council assumes  
24           a position entitling him or her to serve on the council in another capacity,  
25           the Governor shall appoint an additional member from that group to  
26           prevent dual membership.

27          (3) Membership on the council does not constitute a public office, and a member

1 shall not be disqualified from holding public office by reason of his or her  
2 membership.

3 (4) The members of the council shall not receive a salary but shall be reimbursed for  
4 their reasonable and necessary expenses actually incurred in the performance of  
5 their duties.

6 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 441 IS CREATED TO  
7 READ AS FOLLOWS:

8 The business of the Kentucky Jail Training Council shall be conducted in the  
9 following manner:

10 (1) The council, at its initial meeting to be held promptly after the appointment of its  
11 members, shall elect a chair and vice chair from among its members who shall  
12 serve until the first meeting in the succeeding year. Thereafter, the chair and vice  
13 chair shall be elected at the first meeting of each calendar year;

14 (2) A majority of the council's membership shall constitute a quorum for the  
15 transaction of business; and

16 (3) The council shall maintain minutes of its meetings and such other records as it  
17 deems necessary.

18 ➔SECTION 4. A NEW SECTION OF KRS CHAPTER 441 IS CREATED TO  
19 READ AS FOLLOWS:

20 (1) The Kentucky Jail Training Council shall be administratively attached to the  
21 Kentucky Department of Criminal Justice Training, which shall provide staffing,  
22 office space, and other necessities sufficient for the council to perform its duties.

23 (2) The council shall provide a written report at least annually to the Legislative  
24 Research Commission regarding the status of deputy jailer training, which shall  
25 at least include the required subjects for basic and annual training as designated  
26 by the council, the number of deputy jailers employed at the time of the report,  
27 and the number of deputy jailers who have completed training, are completing

1 training, and who have failed to complete the training required in Section 1 of  
 2 this Act.

3 (3) The council may request, and the jailers and counties shall provide, any  
 4 information needed to complete the report required in this section.

5 (4) The council may promulgate administrative regulations in accordance with KRS  
 6 Chapter 13A to implement Sections 1 to 5 of this Act.

7 ➔SECTION 5. A NEW SECTION OF KRS CHAPTER 441 IS CREATED TO  
 8 READ AS FOLLOWS:

9 (1) The Kentucky Jail Training Council shall establish a universal core curriculum  
 10 and approve training subjects to be provided to deputy jailers for basic training  
 11 courses and continuing education courses that may include but are not limited  
 12 to:

13 (a) Health and welfare of employees and inmates that may include:

14 1. Best practices for recognizing and addressing health crises arising in  
 15 individuals or groups within the facility;

16 2. Disease mitigation;

17 3. Cardiopulmonary resuscitation and automated external defibrillator  
 18 use;

19 4. Cultural considerations;

20 5. Substance abuse issues;

21 6. Mental health and suicide prevention;

22 7. Prison rape and prevention training;

23 8. Sexual harassment; and

24 9. Stress management;

25 (b) Inmate interactions that may include:

26 1. Searches;

27 2. Inmate manipulation of staff;

1           3. Use of force; and

2           4. Use of restraints;

3           (c) Safety and security that may include:

4           1. De-escalation techniques;

5           2. Defensive tactics;

6           3. Hostage situations; and

7           4. Facility security best practices;

8           (d) Legal and professional standards that may include:

9           1. Ethics; and

10          2. Knowledge of applicable bodies of law; and

11          (e) Jail administration that may include:

12          1. Jail operations and procedures;

13          2. Grievances; and

14          3. Paperwork and report writing.

15          (2) The council shall work with counties, jailers, professional organizations, and any  
16          other stakeholders to develop, approve, and otherwise accommodate training  
17          options that meet the requirements of Sections 1 to 5 of this Act in the most  
18          economical manner for the entities responsible for bearing the costs of training.

19          (3) Any prospective provider of a training course or program which is intended to  
20          meet the deputy jailer training requirements set out in subsection (1) or (2) of  
21          Section 1 of this Act shall submit the topics, syllabi, venue, and such other details  
22          as may be required for consideration and approval by the council. Except as set  
23          out in subsection (4) of this section, only trainers, training courses, and programs  
24          approved by the council shall be used to meet the jailer and deputy jailer training  
25          requirements set out in subsection (1) or (2) of Section 1 of this Act.

26          (4) Any deputy jailer, with the approval of the jailer under whom the deputy serves,  
27          may submit an application for accreditation of a continuing education course to

1 have credit time applied from a course attended or planned to be attended, but  
2 which is not accredited by the council under subsection (3) of this section at the  
3 time of the application. Applications may be presented to the council for approval  
4 either before or after the date the course was presented. Credit shall not be  
5 awarded for a course that was approved but the applicant failed to complete. The  
6 council shall approve applications for accreditation which it determines meet the  
7 training goals of subsection (1) of this section. The council shall promulgate  
8 administrative regulations in accordance with KRS Chapter 13A to establish:  
9 (a) Guidelines for the procedures that the council will follow relating to  
10 acceptance or denial of applications for credit;  
11 (b) Minimum qualifications for the sponsors or presenters, as necessary, of the  
12 course;  
13 (c) Procedures for determining and awarding credit time for the approved  
14 courses;  
15 (d) Procedures and timelines for submitting forms by applicants;  
16 (e) Standardized forms for submitting applications; and  
17 (f) Any other requirements the council deems necessary to implement this  
18 subsection.

19 ➔Section 6. Notwithstanding any provision of Section 2 of this Act, the initial  
20 appointments of members to the Kentucky Jail Training Council under subsection (1)(b)  
21 of Section 2 of this Act shall be staggered so that four members are appointed for two-  
22 year terms and four members are appointed for four-year terms. After the initial  
23 appointments, each appointment under subsection (1)(b) of Section 2 of this Act shall be  
24 for a term of four years.

25 ➔Section 7. Sections 1 to 5 of this Act may be cited as Dylan's Law.