

**441.046 Persons in adult or juvenile detention facility to be fingerprinted -- Failure of jailer to comply.**

- (1) All persons arrested or detained in any adult or juvenile detention facility shall be fingerprinted prior to the person's release from custody. A copy of these fingerprints shall be transmitted to the Department of Kentucky State Police for review.
- (2) The jailer shall fingerprint persons for other law enforcement agencies.
- (3) The jailer shall submit the fingerprints to the Department of Kentucky State Police in the manner and at the time required by the Department of Kentucky State Police through administrative regulation.
- (4) The Department of Kentucky State Police shall notify the Department of Corrections and the jailer, in writing, of the intentional failure of a jailer to comply with subsection (1), (2), or (3) of this section. Upon the first receipt of the notification of an intentional failure to comply with subsection (1), (2), or (3) of this section, the Department of Corrections shall issue a formal written warning to the jailer setting forth the consequences of continued intentional failure to comply with subsection (1), (2), or (3) of this section.
- (5) If the jailer intentionally failed to comply with any fingerprinting requirements of subsection (1), (2), or (3) of this section, after being warned of such intentional failure, the Department of Corrections shall have authority to withhold the state contribution under KRS 441.206 and may require the jailer to return the state contribution funds received under KRS 441.206 for any period in which he or she intentionally failed to comply after being warned.

**Effective:** June 26, 2007

**History:** Amended 2007 Ky. Acts ch. 85, sec. 323, effective June 26, 2007. -- Amended 2006 Ky. Acts ch. 182, sec. 29, effective July 12, 2006. -- Created 1998 Ky. Acts ch. 606, sec. 30, effective July 15, 1998.