

Commonwealth of Kentucky  
Office of the Governor

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**Gov. Beshear signs custodial misconduct bill**

*New law makes sexual contact between inmates, correctional staff a felony*

**FRANKFORT, Ky. (April 15, 2010)**—Gov. Steve Beshear today ceremonially signed Senate Bill 17 into law, strengthening the penalty for sexual contact between correctional staff and inmates from a misdemeanor to a felony offense.

“The inherent power disparity between correctional officers and inmates precludes there from ever being a consensual sexual relationship between the two,” Gov. Beshear said. “This legislation offers greater protection for inmates in our custody, and helps eliminate circumstances that can create security risks in our prisons.”

Gov. Beshear noted that, in addition to the potential for abuse, sexual relationships in prison can create a hostile work environment; corrupt staff members; lead to the introduction of contraband; create mistrust and expose the state and staff to civil and criminal liability.

“I’ve been working on this issue for over a year,” said Sen. Julie Denton, of Louisville, sponsor of SB 17. “This legislation is a proactive attempt to provide more deterrence against prison employees taking advantage of our prison inmates.”

Gov. Beshear said allegations of sexual contact between inmates and staff at Otter Creek Correctional Complex, a privately owned prison that is currently under state contract to house female inmates, underscores the need for such a law. The new law will serve as a critical deterrent and will allow for effective prosecution and punishment for such action, he said.

Justice and Public Safety Cabinet Secretary J. Michael Brown said the legislation has the strong support of the Kentucky Department of Corrections and correctional staff and officers, who have pushed the measure for the past five years.

“No one is more proud to have this law on the books than the men and women who work in our prisons,” Sec. Brown said. “Abuse of power of this nature severely undermines the safety of our inmates, the decency of our institutions, and the professionalism of our staff.”

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