OHIO COUNTY CORRECTIONAL CENTER 1501 EOFF STREET WHEELING, WV 26003

The rules and regulations contained within this rulebook are for your information and benefit. If you follow these rules and regulations, the time you spend at this facility will be more beneficial to you.

One thought to keep in mind is that you should not just serve time, but rather let time serve you. You can accomplish this by becoming involved in the various Ohio County Correctional Center's programs, work opportunities, and activities.

As time passes and conditions change, it will become necessary to change Operational Procedures. You need to be able to accept changes and be prepared to make changes within your self. To be able to accept change is to be able to grow. Please understand that changes will occur only in an effort to make Ohio County Correctional Center the best it can be for the public, staff, and inmate population.

Through your cooperation and willing participation in the programs and activities available to you at the Ohio County Correctional Center, you will be able to serve your sentence in a constructive manner and acquire valuable life and education skills that will benefit you during and upon your release from incarceration.

I wish you well during your time here and trust you will find it within yourself (with appropriate staff assistance if necessary) to bring about a positive change in your life and future.

Alle

William Yurcina Administrator

WV DIVISION OF CORRECTIONS

Mission Statement

The Mission of the West Virginia Division of Corrections is to enhance public safety by providing a safe, secure, humane correctional system, including an effective community supervision program, opportunities to prepare offenders for successful re-entry, and sensitivity and responsiveness to victims of crime.

OHIO COUNTY CORRECTIONAL CENTER 1501 EOFF STREET WHEELING, WV 26003

I HEREBY ACKNOWLEDGE THAT I DID RECEIVE A COPY OF THE RULES AND REGULATIONS UNDER THE DATE OF 20 AUGUST 2013.

Inmate Signature/Number

Date

Witness

OHIO COUNTY CORRECTIONAL CENTER 1501 EOFF STREET WHEELING, WV 26003

By my signature below, I do hereby indicate that I have been advised that while I am incarcerated in a WVDOC Facility, I will be required to make medical co-pays for certain health care services of a non-emergency nature which shall be made available to me through the WVDOC or one of its contracted medical service providers. Any follow-up appointments scheduled by the provider will not require co-pay unless I refused the scheduled appointment. Additionally, I will not be denied medical care due to being indigent.

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Inmate Signature/Number

Date

Witness

Program Staff Classes

Class

Program Staff Aladrue Phase One Aladrue Phase Two Program Staff Aladrue Phase Three Program Staff Alcoholics Anonymous Program Staff Narcotics Anonymous Program Staff Crime Victim Awareness **Program Staff** Anger Management Program Staff Program Staff Batterers Intervention Prevention Program

Ohio County Correctional Center 1501 Eoff Street Wheeling, WV 26003

The following is a list of staff and their areas of assignment provided to the inmates housed at the Ohio County Correctional Center.

Administrator

William Yurcina

Unit Manager

Chief Correctional Officer

Director of Education

Programs

Inmate Records

Unit Clerks

Institutional Hearing Officer

Contract Medical Administrator

Director of Medical **Physicians Assistant Physicians Assistant**

Psychiatrist

Psychologist

Dentist Dentist

Eye Doctor

Chris Tyler

Mike Hill

Judy Burkle

Josh Bailey Allen Utt

Deborah Croft

Kathy Conner Ann Ickler

Sean Strawn

Jason Kindelberger, LPN

Dr. Jerry Hahn Kelsey Hott Joe Yeater

Dr. Timothy Thistlewaite

Dr. Vic Cerra

Dr. Bennett Dr. Williams

Dr. Marshall

Counselor I

Program Specialist

Office Assistant III Office Assistant II

Counselor II

OCCC Inmate Rules and Regulations Revised: 20 August 2013

- 1. No food or beverages are permitted in the following areas:
 - A. Corridors (except in route to the recreation yard)
 - B. Visitation Areas (Contact / Non-Contact)
 - C. Education Room
 - D. During Religious Services
 - E. Medical Unit
- 2. No loafing/loitering in hallways, doorways, and/or stairs at any time.
- 3. Running and/or horseplay is not permitted in any area.
- 4. Loud and/or profane language is not permitted in any area.
- 5. Disruptive behavior of any type is not permitted in any area.
- 6. Inmates are not permitted in office areas without the presence of a staff member.
- 7. Inmates are not permitted in Medical or Medical office without the presence of a correctional staff member.
- 8. Inmates are not permitted downstairs without permission.
- 9. Littering of any type is not permitted in any area.
- 10. Any items not issued or permitted by policies and procedures will be considered contraband. (This includes any item over the limit.)
- 11. No item will be hung or placed on any of the bars at any time.
- 12. No item will be hung on or over any light fixtures at any time.
- 13. Inmates are not to use blankets or towels as floor rugs.
- 14. It is the responsibility of all inmates to keep their blocks, bunks, lockers, and/or locker boxes neat and orderly at all times. No items are to be stored on top of the lockers and/or locker boxes
- 15. A thorough cleaning (GI) of all housing units will be completed on Saturday evenings. ALL inmates are expected to participate.
- 16. All inmates are required to have their bunks completely made anytime they are not in them.
- 17. Grooming and clothing procedures will be strictly enforced. Inmates are required to be clean shaven no later than 8:00am.
- 18. Inmates are required to be properly clothed **at all times.** Inmates will be fully dressed in khaki clothing when going to educational/programming classes, office areas, downstairs, work (inside and outside jobs), church/other volunteer activities, commissary/pizza orders, and receiving mail outside of the housing unit.
- 19. Personal ball caps are not to be worn while working on CSC, any work outside of the facility, or on any transport. Ball caps and head wear are not permitted to be worn on the 1st floor, with the exception of the kitchen and they must wear hairnets while working in the kitchen.
- 20. All issued or personal inmate property must be marked with the inmate's last name and DOC #.
- 21. TV's are not to be turned up loud at any time, if they are heard out in the hallways they are too loud.

Inmate Rules and Regulations

Page 2

- 22. Telephone procedures are to be followed at all times. Three way calls are prohibited. The use of someone else's pin number is not permitted.
- 23. Commissary orders should be completed and placed in the designated box by 8:00am on each Monday of every week unless otherwise advised. Note: Inmates filling out these forms are to use their (5) digit DOC number only.
- 24. All mail is to come through the following address:

Inmate Name and DOC # OCCC 1501 Eoff Street Wheeling, WV 26003

- 25. The tables and chairs in each block are to be neatly arranged at all times, tables are not to be moved around and the chairs are to be placed around the tables while not in use.
- 26. Cleaning supplies of any kind are **not** to be kept inside the housing units.
- 27. Shower shoes are **not** to be worn anywhere but in the housing units.
- 28. Sweat clothes, shorts, etc. are permitted to be worn while on passive recreation in the housing units and on the rec. yard. T-shirts do not have to be tucked in during these times.
- 29. Tobacco possession and/or usage are not permitted at any time. (This includes while working on a community service crew.)
- 30. No CSC boots are permitted to be worn anywhere in the facility.
- 31. No boots are permitted to be worn on transports.
- 32. Every inmate is required to work as jobs become available or be placed on labor pool.
- 33. Inmates are permitted to utilize a chair in the shower areas while showering, but it must be returned to the dayroom when finished.
- 34. Inmates are not permitted to sit, lay, or stand on the tops of any table, including the picnic tables on the outside recreation yard.
- 35. Inmate visitation will be Saturdays and Sundays from 12:00pm to 3:00pm. All visitors must be approved prior to the visit. In addition, inmate visitation is permitted Monday through Friday from 12:00pm to 3:00pm by request. All visitors are required to be at the facility on time (by 12:00pm). If they are more than 15 minutes late they may be turned away. You receive one (1) visitation form on intake. Additional forms are available in the upstairs hallway.
- 36. Inmates may save a food item from their tray to eat at a later time of the day, as long as it is gone by the end of that day. In addition, you will only be permitted to keep what you specifically received from your tray.
- 37. Random searches will be conducted of you person and/or you living areas at any time per the discretion of the staff.

STATE OF WEST VIRGINIA DIVISION OF CORRECTIONS EXCERPTS FROM POLICY DIRECTIVE NUMBER: 325.00 DATE: 01 August 2013 SUBJECT: Discipline of Inmates

POLICY:

It is the policy of the WVDOC to maintain a mechanism that delineates rules of discipline for all inmates, procedural guidelines governing the disciplinary process within all units of the Division, and the imposition of disciplinary sanctions.

The following disciplinary rules apply for any inmate under the custody of the West Virginia Division of Corrections. Any inmate who is suspected of committing any of these offenses shall be dealt with in accordance with established disciplinary procedures. The offenses are divided into three (3) classes.

<u>Class I Offenses</u> - Those rule violations that threaten life or limb, which seriously breach facility security and/or public safety or which are felonies.

1.01 - Escape

No inmate shall escape, attempt to escape, or assist another inmate in escaping or attempting to escape from the custody of the WV Division of Corrections or the WV Regional Jail & Correctional Facility Authority or other custody in which they may be placed. No inmate shall possess any item, device or tool which could clearly be used to facilitate an escape or is clearly linked to an escape attempt. This shall include any inmate who cannot be located while on furlough in accordance with the master furlough agreement and any attempt to breach security perimeters or barriers.

1.02 - Assault and/or Battery

No inmate shall physically harm or assault any person with or without a weapon. No inmate shall attempt to physically harm or threaten with violence any person. This may include the throwing of any item or substance.

1.03 - Rape/Sexual Assault/Sexual Abuse/Sexual Acts

No inmate shall: physically force, or attempt to force another person to submit to or perform any sexual act; make sexual proposals to any person or threaten any person with violence in order to compel or coerce another person to commit a sexual act; engage in any sexual act, such as, but not limited to sexual intercourse, oral sex, kissing, fondling or masturbation; commit any act of indecent exposure; no inmate shall possess, nor have in his possession, drawings, photographs, letters, or other correspondence that contain or depict any form of child indecency, to include animations and characterizations.

1.04 – Riot

No inmate shall riot, mutiny or attempt to riot or mutiny, or plan with other persons to riot, mutiny, or prevent any employee from performing his/her duties or from entering, leaving, or moving about any part of the facility by force or threat of force. No inmate shall incite or attempt to incite a riot or mutiny.

1.05 – Arson/Fires

No inmate shall cause, or attempt to cause a fire or explosion, or damage, mar, deface or destroy any property belonging to the State of WV or property belonging to them or any person, by fire or with an incendiary or explosive device.

1.06 - Hostage Taking

No inmate shall take or attempt to take an employee, another inmate, or any person as a hostage or kidnap any person.

1.07 - Possession of Weapons

No inmate shall possess, manufacture, or attempt to manufacture any weapon or any item which could be used as a weapon.

1.08 - Introduction of a Weapon

No inmate shall smuggle, or attempt to smuggle, any weapon into any facility. No inmate shall arrange for others to smuggle or introduce any weapon into any facility.

1.09 - Extortion or Bribery

No inmate shall extort, blackmail, or bribe any other person or attempt to extort, blackmail, or bribe any other person.

1.10 - Tampering with Locks and/or Doors

No inmate shall possess non-issued keys or lock picks. No inmate shall tamper with, remove, damage, destroy, obstruct, jam, or in any way make any lock, door, security device, fire or safety equipment operate in a manner other than intended by the builder, or attempt to tamper with, remove, damage, destroy, obstruct, jam, or make any such item fail to operate as intended.

1.11 - Trafficking

No inmate shall sell, transfer, or manufacture any narcotic drug, prescription drug, marijuana, or any intoxicant. No inmate shall bring, attempt to bring, or arrange for any other person to bring any such item into a facility or onto DOC property. Intoxicant shall be defined as: any substance, which may be injected, consumed, "huffed", inhaled, or ingested by any means with an intoxicating effect.

1.12 - Demonstration

No inmate shall organize or participate in a group demonstration, protest, sit-down strike, sick-out, hunger strike, or work stoppage or any other joint demonstration or attempt to do any of the above.

1.13 - Accessory

No inmate shall aid or abet any other inmate in the commission of any Class I violation. No inmate found guilty of aiding or abetting shall be punished more severely than the inmate who was found guilty of the actual Class I violation.

1.14 - Cumulative Class II Offenses

Any inmate who has been found guilty of the commission of two (2) Class II offenses and commits a third Class II within thirtyone (31) consecutive days may be charged under a Class I provision for the third Class II offense. Any subsequent charges may result in additional disciplinary action.

1.15 - Vacant

1.16 - Obstructing

No inmate shall hinder, impede, or obstruct by acts or other means or attempt to hinder, impede, or obstruct any employee or visitor from performing his/her duties or interfere with the normal or free movement of any person.

1.17 - Adulteration of Food or Drink

No inmate shall introduce or attempt to introduce poison or unsanitary items or substances into any food or drink. No inmate shall tamper with food, drink, or kitchen appliances before, during or after preparation.

1.18 – Violation of State Law

No inmate shall commit or attempt to commit any action or acts which are defined as a felony or misdemeanor by the laws of the State of WV or Federal Law.

1.19 - Use and Possession of Drugs/Intoxicants/Paraphernalia

Intoxicants shall be defined as any narcotic drug, prescription drug, alcoholic substance, or substance which may be injected, consumed, "huffed", inhaled, or ingested by any means with an intoxicating effect.

(1) No inmate shall use, possess, inject, inhale, "huff', ingest by any means, or be under the influence of a drug or intoxicant. Drugs shall include any substance defined in Chapter 60-A of the WV Code.

(2) No inmate shall use, possess, or consume any prescription drug, or medication not specifically prescribed for that inmate or in a manner not consistent with the prescription or the directions of the medical staff.

(3) No inmate shall use, possess, or consume any non-prescription drug or medication unless purchased from the Commissary for his/her own use, or specifically authorized by staff.

(4) No inmate shall use or possess any drug/intoxicant/paraphernalia. An inmate shall be held responsible for any such items found in his/her own living area.

1.20 - Refusing Drug/Alcohol Screening

No inmate shall refuse to participate in drug/alcohol screening process as instructed by any person employed by or for the WVDOC, WV Regional Jail/Correctional Facility Authority, or any law enforcement agency, within a period not to exceed two (2) hours. This shall include tampering with any drug or alcohol screening process, or failure to produce a sample sufficient for testing within a two (2) hour period.

1.21 - Theft of Property Valued over \$100.00

No inmate shall steal, or attempt to steal property belonging to the facility or to any person valued over \$100.00. No inmate shall possess stolen property. The taking or borrowing of the property of another and refusing to return the property shall be considered to be theft.

1.22 - Refusing DNA Blood Screening

No inmate shall refuse to provide a blood sample or otherwise participate in DNA blood screening as instructed by a person employed by or for the WV Regional Jail and Correctional Facility Authority or the WV Division of Corrections.

1.23 - Trading or Selling with Others

No inmate shall trade, sell, loan, give, borrow, receive, or offer for trade, sale, loan, gift, or receipt any goods or services of any nature with employees, contracted employees, or any other persons who have dealings with the WV Regional Jail and Correctional Facility Authority or WVDOC, including visitors, other than through the system established by the Administrator for that purpose.

1.24 - Vacant

1.25 – Compromising an Employee

No inmate shall aid, abet, incite, encourage, or otherwise attempt to aid, abet, incite, or encourage any employee of WV Regional Jail and Correctional Facility Authority or the WVDOC, or any employee of any entity contracting with the WV Regional Jail and

Correctional Facility Authority or the WVDOC, and/or any volunteer to engage in violations of the WV Regional Jail and Correctional Facility Authority or the WVDOC policies and procedures, jeopardize security, engage in poor work performance, or otherwise violate applicable laws or regulations.

1.26 – Exposing Body Fluids/Tattooing/Piercing

No inmate shall intentionally expose to any person body fluids such as urine, feces, spit, blood, or any other body fluid. No inmate shall give oneself or others a tattoo/piercing or allow another inmate to give him/her a tattoo/piercing. No inmate shall possess any tattooing/piercing equipment, to include, tattooing ink, tattooing patterns, tattooing needles, etc.

1.27 – Hate/Gang Activity

No inmate shall engage in racial/ethnic/religious slurs, graffiti and/or symbols thereof towards any person or any gang activity, graffiti and/or symbols.

1.28 – Refusing Housing Assignment

No inmate shall refuse a housing assignment, including a housing assignment within his/her present facility or a transfer to another facility.

1.29 – Invasion of Privacy

No inmate shall possess or seek to obtain or possess: any item, record, document or other information of any current or former staff member or family or household member.

1.30 - Inmate E-Mail, Internet, Website, etc Prohibition

No inmate shall use a computer or any other electronic device, including wireless devises, to transfer, e-mail, text messages, photographic images, sound files, or other computer files using a file transfer protocol or other mechanism

1.31 – Destruction of Property Valued Over \$100.00

No inmate shall alter, damage, mar, deface, or destroy any property belonging to any person or institution valued over \$100.00.

<u>Class II Offenses</u> - Those offenses which tend to disrupt the normal operation of the facility or which subvert institutional systems of control.

2.01 - Refusing an Order

No inmate shall refuse to obey or fail to carry out any order, instruction or assignment.

2.02 - Threats

No inmate shall threaten to commit any act, which violates facility rules. No inmate shall threaten or cause any person to be threatened, as distinguished from 1.02 – Assault and/or Battery, a threat of harm or violence.

2.03 - Refusal to Work/Attend Class and Programs

No inmate shall refuse a work detail or assignment, or refuse to carry out required assignments, work orders, or instructions, or leave a place of assignment including programs or classes without permission from the person in charge, or be absent from work without authorization or violate terms of his/her work contract.

2.04 - Missing or Confusing Count

No inmate shall miss count or take any action which creates confusion or error in the count of inmates.

2.05 - Bucking Line

No inmate shall buck, break out of, and refuse to join in, or prevent the orderly progression of any inmate line or group.

2.06 - Entering Another's Cell/Living Area

No inmate shall enter, break into, or be present in any cell, room, or living area, which is not assigned to him/her, unless granted permission by a staff member.

2.07 - Unauthorized Presence

No inmate shall be in any unauthorized area unless granted permission by a staff member (posted areas, housing units other than their own, etc.). No inmate shall be in any unauthorized area with a person of the opposite sex without a supervisor's permission. 2.08 - Fighting

No inmate shall fight, wrestle, or engage in any physical altercation with any other person.

2.09 - Vacant

2.10 - Self-Mutilation

No inmate shall deliberately cause injury to oneself or commit any act which could cause harm to themselves or attempt to do any of these acts.

2.11 - Contraband

No inmate shall possess any contraband, whether in his/her possession or in his/her cell. Contraband shall include any item or substance not specifically permitted to be inmate property by intuitional rules or altered permissible item or excess of permissible items. Contraband shall also include any permissible item not being used for its original intent. Inmates shall be held accountable for contraband items found in their own living areas.

2.12 - Possession of Money

Except where authorized in writing by facility regulations, no inmate shall have any US Currency or any other form of legal tender or money in his/her possession. Those inmates authorized to do so may possess only that amount of money specified by facility regulations.

2.13 - Failure to Tender Monies/Paychecks

No inmate shall fail to give to the facility staff any paychecks, wages or other funds they receive from any source for deposit in their Trustee Account.

2.14 - Theft of Property Valued Under \$100.00

No inmate shall steal or attempt to steal facility property or property belonging to another person valued under \$100.00, nor shall they possess stolen property.

2.15 - Destruction of Property Valued Under \$100.00

No inmate shall alter, damage, mar, deface, or destroy any property belonging to any person or institution valued under \$100.00.

2.16 - Forgery

No inmate shall counterfeit, forge, alter, reproduce without authorization or attempt to do so, any document, article of identification, security, official paper, or the signature of any other person. No inmate shall possess a forged document.

2.17 - Fraudulent Representation

No inmate shall represent himself/herself to any individual either as being a person other than who they are or incorrectly act as a representative of any corporation, association, or organization. No inmate shall deceive, attempt to deceive, misinform, or attempt to misinform any fact or information to any person. No inmate shall tender or attempt to tender a worthless voucher.

2.18 - Trading or Selling

No inmate shall trade, sell, pass, loan, borrow, or receive or offer for trade, sale, loan, gift, or receipt any goods or services of any nature with other inmates other than through the system established by the Administrator for that purpose.

2.19 - Gambling

No inmate shall gamble for money, anything of value, or services of any kind. No inmate shall, without permission, possess or manufacture, dice or any other gambling device, equipment, or paraphernalia. No inmate shall organize, operate, or participate in a gambling operation or betting pool.

2.20 - Misuse of Telephone

No inmate shall use a telephone except in accordance with and when allowed by facility rules and in accordance with the telephone company regulations. An inmate shall not use a credit card/debit card for making a telephone call. No inmate shall arrange through any means or be a party to a three-way or conference call.

2.21 - Misuse of Correspondence Regulations

No inmate shall misuse, violate, or attempt to misuse or violate the mail regulations and policies of the facility. No inmate shall purchase, or contract to purchase, any item through the mail without written authorization from the Administrator/designee.

2.22 - Failure to Proceed or Return

No inmate shall fail to proceed directly to a specified destination. An inmate shall remain at the specified destination unless permission is given to leave the area or proceed to another area. No inmate shall fail to directly return to a specified area, including movement within and without buildings and facilities, movement covered by verbal or written directive, passes and furloughs.

2.23 - Failure to Report Arrests or Accidents

No inmate shall fail to report to the facility staff within two (2) hours, any arrest or accident, detention or questioning by any law enforcement agency.

2.24 - Contempt of Disciplinary Hearing

No inmate shall shout, act rudely, speak persistently out of turn, or otherwise disrupt proceedings at any disciplinary hearing.

2.25 - Falsification of Information/Testimony

No inmate shall intentionally provide false, incorrect, or incomplete information to a staff member or give false or untrue testimony at any disciplinary hearing.

2.26 - Accessory

No inmate shall aid or abet any other inmate in the commission of a Class II violation. No inmate found guilty of aiding or abetting shall be disciplined more severely than the inmate who was found guilty of the actual Class II violation.

2.27 - Vacant

2.28 - Operation of a Motor Vehicle

No inmate shall operate a motor vehicle without authorization of the Administrator/designee.

2.29 - Unauthorized Entering into a Contract

No inmate shall enter into any form of contract or be a party to such without the authorization of the Administrator/designee including marriage, bank accounts, loans, post office boxes, etc.

2.30 - Creating a Disturbance

No inmate shall be disruptive by engaging in horseplay or in insulting, vulgar, or obscene language or gestures or in creating other loud noise in any form.

2.31 - Furlough Condition Violation

No inmate shall violate any condition of his/her master furlough agreement.

2.32 - Insubordination/Insolence

No inmate shall be insubordinate or insolent to or toward staff.

2.33 - Illegal Inmate Store

No inmate shall operate or participate in the operation of an illegal "store". Also, no inmate shall engage in purchasing any item or service from any such illegal "store". Participation in any such illegal store will consist of the sale or accepting as a purchase, with or without interest consideration, any goods or services between inmates without appropriate approval of the Administrator.

2.34 - Vacant

2.35 - Attempted Extortion or Bribery

No inmate shall attempt to extort, blackmail, or bribe any other person.

2.36 - Physical Contact

No inmate shall engage in purposeful physical contact (i.e. embracing, holding hands, etc.) with any other person.

2.37 - Use of Tobacco or Tobacco Products

No inmate shall possess or use tobacco or tobacco-like products within the confines of a Correctional Facility or Work Release or any other time when the inmate is under the supervision of staff during transport, while working on a road crew, or any similar direct supervision work detail from any Correctional Facility or any other non-community work setting.

2.38 - Unauthorized Communication

No inmate shall converse, pass notes, or make or attempt to make contact in any way with inmates who are housed in another housing unit. No inmate shall contact or attempt to contact persons outside the facility through doors or windows or shout at or attempt to attract the attention of persons passing by the facility.

2.39 - Obstruction Windows/Lights

No inmate shall obstruct facility windows and lights in any way.

2.40 – Inmate ID

No inmate shall be without proper identification. Inmates are required to wear/carry identification with them at all times. Inmates may be charged restitution for replacement of lost or damaged identification, other than normal wear and tear.

2.41 - Vacant

2.42 – Altering Appearance

No inmate shall alter his/her appearance so that it deviates from that contained in his/her current inmate identification photograph without the permission of the Chief of Security.

2.43 - Physical Encounters/Military Drill

No inmate shall demonstrate, practice, or use martial arts, boxing (except for use of a punching bag), wrestling, or other forms of violent or potentially violent physical encounter, or military exercises or drills.

<u>Class III Offenses</u> - Violations which disturb the normal operation and routine of the facility or which manifest a personal problem of adjustment but do not individually rise to a level sufficient to interfere with parole eligibility.

3.01 - Feigning Illness

No inmate shall miss work call, school call, or any other mandatory assignment for reason of illness without verification from medical staff or other authorized personnel. No inmate shall attempt to miss work or avoid any assignment by pretending to be ill.

3.02 - Littering

No inmate shall dispose, throw, or drop any garbage, litter product, or any other material in an unauthorized or inappropriate manner, including toilets, sinks, showers, air vents, etc.

3.03 - Personal Hygiene/Sanitation

No inmate shall fail to shower at least three (3) times per week, fail to maintain personal cleanliness and grooming, fail to wear clean and appropriate clothing, nor fail to maintain living and sleeping areas in a clean and orderly fashion.

3.04 - Improper Use of Food

No inmate shall waste or create a mess with food. No inmate shall take any food from the kitchen, except as part of a job assignment.

3.05 - Attentiveness

No inmate shall be late in reaching a place of assignment or destination. No inmate shall engage in poor work habits through failure to attend to duty or sleeping on the job or in class.

3.06 - Improper Use of Property

No inmate shall misuse equipment or property, or engage in inappropriate or unauthorized use or possession of tools, machinery, equipment, or other property whether owned by the facility or any person.

3.07 - Vacant

3.08 - Posted Procedures

No inmate shall violate any other facility procedures as posted that are not defined as Class I or Class II offenses.

3.09 - Accessory

No inmate shall aid or abet any other inmate before, during, or after the commission of a Class III offense. No inmate found guilty of aiding or abetting shall be punished more severely than the inmate who was found guilty of the actual Class III offense.

3.10 - Vacant

3.11 - Vacant

3.12 - Interfering with Escort Searches

No inmate shall be permitted to carry any item such as candy, combs, tooth-brushes, etc. from his/her section without authorization from staff.

3.13 - Handrails and Shelves

No inmate shall use a handrail or shelf for other than its intended purpose. Exercising on them, or hanging clothes and bed linens from them is not permitted.

3.14 - Stairway Obstruction

No inmate shall obstruct the movement up or down a stairway at any time.

3.15 – Proper clothing

All inmates are to be fully clothed in the inmate uniform any time they leave their cell. Specifically, shirt, pants, briefs, socks, shoes, and brassieres for females, unless otherwise specified by the Administrator in posted rules/procedures.

PUNISHMENTS

Class I Rule Violations

A. Any inmate housed in any WVDOC Facility, with the exception of any young adult offender incarcerated at the ACC, who is found guilty of a Class I rule violation could lose up to a maximum of two (2) years of good time as imposed by the Correctional Hearing Officer and approved by the Administrator.

B. In addition to sanctions noted above, the inmate may be punished by one or more of the following:

(1) Segregation for not more than sixty (60) days and/or transfer to another facility

(2) Restitution to include repair or replacement costs, special housing or treatment costs, related extra staff expenses (overtime, mileage, etc.) and any other identifiable costs related to the offense.

(3) Loss of privileges for not more than sixty (60) days.

(4) Change or loss of work assignment.

(5) Assignments of up to eighty (80) hours of extra work. No extra work will be done on the Sabbath or religious holidays. The Administrator designee will determine specific assignment locations and scheduling.

(6) Forfeiture of cash monies. Cash will be ordered placed in the facility's IBF.

(7) An inmate who is found guilty of violating rules 1.03 or 1.25 may be referred for participation in available therapy, counseling, or other interventions as a condition of access to programming or other benefits.

Class II Rule Violations With the exception of any young adult offender incarcerated at the ACC may be punished by one or more of the following:

A. Segregation for not more than thirty (30) days, and/or transfer to another facility when deemed necessary to maintain the orderly operation of the facility or public safety.

B. Recommendations for the loss of good time credit, not to exceed six (6) months.

C. Restitution to include repair or replacement costs, special housing or treatment costs, related extra staff expenses (overtime, mileage, etc.), and any other identifiable costs related to the offense.

D. Loss of privileges for not more than thirty (30) days.

E. Change or loss of work assignment.

F. Assignments of up to eighty (80) hours of extra work. No extra work will be done on the Sabbath or religious holidays. Specifiassignment locations, as well as scheduling, will be determined by the Administrator/designee.

G. Forfeiture of cash monies. Cash will be ordered placed in the facility's IBF.

H. An inmate who is found guilty of violating rules 2.36 may be referred for participation in available therapy, counseling, o other interventions as a condition of access to programming or other benefits.

Class III Rule Violations With the exception of any young adult offender incarcerated at the ACC, may be punished by one (1) or more of the following:

A. Restitution to include repair or replacement costs, special housing or treatment costs, related extra staff expenses (overtime mileage, etc.), and any other identifiable costs related to the offense.

B. Loss of privileges for not more than thirty (30) days.

C. Change or loss of work assignment.

D. Assignments of up to forty (40) hours of extra work. No extra work will be done on the Sabbath or religious holidays. The Administrator/designee will determine specific assignment locations, as well as scheduling.

PROCEDURE FOR CLASS I, II, AND III VIOLATIONS: All Class I, II and III disciplinary rule violations shall be prosecuted and heard in accordance with this policy. All cases in which an inmate is charged with violating a Class I, II or III disciplinary rule shall be heard by a Correctional Hearing Officer, except as allowed by the policy governing the Unit Behavior Management Team.

A. **Reporting Rule Violations**: Incident Reports – Any employee witnessing or determining the occurrence of a rule violation pursuant to this directive shall complete an Incident Report as soon as possible. The Incident Report will fully describe the date time, location, individuals present, and all other pertinent details regarding the alleged violation.

B. Charging an Inmate: The employee writing the incident report alleging the violation is the charging employee. In cases involving confidential inmate information, the charging employee must be authorized by the Administrator.

(1.) The charging officer shall complete a Violation Report and Incident Report then submit it to the Chief of Security.

(2.) The Chief of Security/designee will review staff Incident Reports and approve or disapprove charging an inmate with a violation pursuant to this directive, except for those Class II or III violations to be disposed of per the Unit Behavior Management Team.

(3.) The Correctional Hearing Officer shall assign a date and time for a hearing in accordance with established policy.

C. Detention of the inmate before charging: Before an inmate is served with a violation report charging him with a violation, the Chief of Security/designee or Administrator may place him in detention if it is necessary to conduct an investigation, ensure immediate control and supervision, protect potential victims, ensure witness against intimidation, ensure the maintenance of facility security or public safety, or causes of similar nature and gravity.

D. Scheduling Hearings:

(1.) The hearing should be scheduled no later than seven (7) days and no sooner the twenty-four (24) hours, excluding weekends and holidays from the date the inmate was served with the Violation Report.

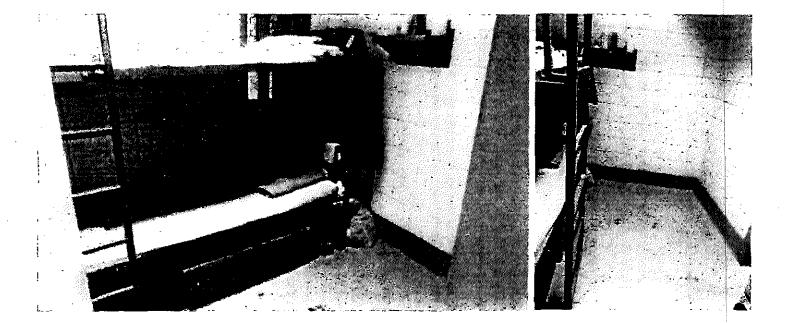
(2.) A hearing may be postponed by the Hearing Officer or if the accused inmate or staff moves for a continuance, and then only for cause. No hearing shall be continued beyond the fifteenth (15th) regular business day after the accused has been served with the violation report, except when criminal court prosecution is pending on the charges or a suspension of these rules exists as outlined in this policy. If a continuance beyond the fifteenth (15th) regular business day is granted due to a suspension of these rules in an emergency, a written declaration by the Administrator must be entered to cover the days exempted.

E. Considering More than One Violation: The Hearing Officer may consolidate for one hearing consideration of two (2) or more violations alleged to have been committed by one (1) inmate. Consolidation may also be done of one (1) single violation alleged to have been committed by two (2) or more inmates, or by one (1) inmate and an accessory.

F. Inmate Representatives: In any disciplinary proceeding on a Class I, II or III rule violation, the inmate shall be permitted to have a representative of their choice. It is the responsibility of the inmate to seek inmate or staff representation, if desired. The inmate must provide the name of the representative to the Hearing Officer within twelve (12) hours of the hearing. No person need serve as a representative unless they are willing. The Hearing Officer may refuse to allow an inmate to have a particular person as their representative, but only if there are compelling reasons based on security considerations. Such reasons shall be rendered in writing with the reason(s) stated. In those cases where the inmate has a representative, the accused inmate need not say a word, even in answer to any questions. Instead, they may have their representative exercise all the rights afforded them by these rules. If silent, the accused inmate shall be informed that the Hearing Officer can draw a negative inference from their silence.

A COMPLETE VERSION OF POLICY DIRECTIVE 325.00 IS AVAILABLE IN THE FACILITY LAW LIBRARY.

Example of a clean/organized bunk area



Beds neatly made Locker boxes under beds with nothing on top of them Tops of lockers are to be cleaned off Shoes placed neatly under bunk Floor kept clean and clear of clutter Bars are to be kept cleaned off Nothing is to be blocking any lights or windows

f you pe

OHIO COUNTY CORRECTIONAL CENTER IN-CELL LIMITS EFFECTIVE DATE: 01 January 2012

ihords, gym/walking, white or gray only 3 ihower shoes 1 pr. ocks, white 12 weats, top/boltom, white or gray only, no hoods or zippers 3 each hermal underwaar, top/bottom set, white only 4 sets oboggan, blaze orange, state issued only 1 -shirt white 7 oderwear, white 1 assettes/CDs, combined total 15 ermory card for play station 2 orage case (for cassettes/CDs) must be soft sided 1 alkman style rado/CD/cassette with headphores 1 ars ooap 2 <th>ITEMS</th> <th>LIMIT</th>	ITEMS	LIMIT	
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Band-Aids from commissary Contact lenses/case/lotion - no colored lenses	
Contact lenses/case/lotion - no colored lenses	
	1 box
	1
Cough drops	1 pack/bag
Denture adhesive, if applicable	1
Denture cleaner, if applicable	1 pack
Denture container, if applicable	1
Medical/Dental prostheses	as medically required
Mulli-vitamin	1 bottle
Nail clippers (no file)	1
Prescription eyeglasses 1 state issued & 1 personal purchase, tint restricted to 5%	1 each
Miscellaneous	
Combination lock	1
Cooler	1
Drinking cup	2
aundry Bags, state issued only	2
ocker Box, state issued only	1
Plastic bowl with lid	1
Plastic fork	1
lastic knife	1
lastic spoon	1
lastic spork	1
laying cards	1 deck
ug	1
rashcan, small	1 1
/edding band, if legally married, no stones	1
eight lifting gloves	1 pair
Reading/Writing/Legal Material	
ddress book	1
poks general interest	6
ivelopès	1 box
Iders, no metal	1
gal materials, personal only	current, active cases only
gal pads (writing tablets)	2
wspapers/magazines/periodicals	5 total
ns/pencils	5 each
rsonal letters, including cards	12
oto albums, no metal	2
imped envelopes	20
amps	20
Religious items	
le or religious scripture	1
ligious medallion/beads - not to exceed \$100 dollars in value	1

Visitation Rules for the Ohio County Correctional Center

1501 Eoff Street, Wheeling, WV 26003 (304) 238-1007

1. Inmate visitation will be Saturdays and Sundays 12:00PM - 3:00PM. In addition, inmate visitation is permitted Monday through Friday 12:00PM - 3:00PM by request. Additional special visiting hours may be approved by the Administrator and/or designee. Note: All visitors are required to be at the Institution on time. If they are more than 15 minutes late they may be turned away.

2. Positive identification of all visitors will be required before they will be admitted to visit. All visitors will be required to register at the designated area in the lobby of the OCCC and to have two (2) forms of identification, with all persons age eighteen (18) years and older required to have one (1) of the two (2) identifications being a picture identification (proper identification includes a driver's license, birth certificate, social security card, or state issued non-driver's license).

3. No more than two (2) adult visitors may visit one (1) inmate at a time, unless prior approval is received from the Administrator or designee. Juvenile visitors (minor children) will not be counted against the total number of visitors. Therefore, juvenile visitors (minor children) will be permitted to visit a family member even if the number of visitors exceeds three (3).

4. All visitors and their property will be searched upon entering and can be searched at anytime thereafter. If a visitor refuses to be pat-searched, the visitor will not be permitted to enter the facility. Any visitor refusing any search on person, property, or vehicle while on facility property will be denied entrance. ALL INDIVIDUALS AND ITEMS ARE SUBJECT TO SEARCH AT ANY TIME!

5. All visitors to the facility are required to wear suitable, modest clothing, which includes undergarments. Not permitted are: tube tops, halters, tank tops, sleeveless garments, shorts, tight clothing, see-through blouses, sun dresses, low-cut or provocative clothing, midriff tops which allow the abdomen to be seen, t-shirts or caps with offensive logos or advertisement for drug or alcohol, dresses/skirts must be below the knee and must not button below the waist (if a dress has a slit at the bottom, the slit must not come above the knee), pants that snap up the sides, clothing with holes.

Only children age five (5) and under will be permitted to wear shorts. All visitors and inmates are required to be fully dressed - including shoes.

6. The following items are permitted in the visiting area: identification cards/papers, engagement ring, wedding ring, all religious jewelry, nitroglycerin tablets - limit five (5) - no other medication permitted, one (1) belt, one (1) pair of suspenders. House and car keys will not be permitted in the visiting area. They are to be placed in the secure boxes in the lobby and the visitor should take the key to that box with them to the visiting room and return it at the completion of the visit.

*When a small child is visiting, the following additional items may be permitted in the visiting area: clear baby bottles containing only milk or juice, one (1) baby blanket, additional diapers. ALL OTHER ITEMS ARE PROHIBITED.

7. Visitors are not authorized to bring any item to give to any inmate at any time during visitation. There are other appropriate ways to give an inmate authorized items.

8. Inmates may embrace and kiss their visitors upon arrival and upon departure. However, sexual stimulation, lewd behavior, and/or physical contact (which include fondling of any body parts, especially breasts, stomach, thighs, buttocks, or pelvic area) are strictly prohibited!

9. Inmates and visitors may hold hands; however, their hands must be in plain view at all times. Furthermore, neither visitors (except for young children) nor inmates may sit on each other's laps.

10. Neither inmates nor visitors (except young children) are permitted to sit or lay on the floor of the visiting room.

11. Any visitor who engages in verbal or physical confrontations while on state property will lose visiting privileges for a period of time as determined by the Administrator or designee. Anyone found defacing State Property will be barred from the facility and removed from the inmate's approved visiting list.

12. A Correctional Staff Member's orders will be followed by all inmates and visitors. Failure to follow a Correctional Officer's orders will result in the immediate termination of the visit.

DIRECTIONS TO THE OHIO COUNTY CORRECTIONAL CENTER

From Washington, PA: Travel 1-70 West towards Wheeling, WV for approximately 25 miles. Merge onto J-470 West via exit 5A toward Columbus, OH. Take Exit 1 WV-2/US-250. Keep right at fork towards ramp to US-250N/WV-2N. Take exit towards 18th Street/WV-2N/Downtown. Go straight on Eoff Street N for approximately 0.2 miles.

From Columbus, OH:

Travel I-70 East towards Wheeling, WV. Take exit 1A towards Main Street/US-40E/WV-2N/Downtown. Go straight on Main Street E for approximately 0.4 miles. Turn left onto 15th Street Place. Turn right onto Eoff Street for a short distance.

From Charleston, WV:

Travel 1-77 North towards Parkersburg, WV for approximately 75 miles. Merge onto WV-2 North towards Wheeling, WV. Take exit towards 18th Street/WV-2N/Downtown. Go straight on Eoff Street N for approximately 0.2 miles.

INFORMATION ABOUT LOCAL TRASPORTATION AVAILABLE

GREY HOUND BUS DEPOT (304) 232-1500 1405 MAIN STREET WHEELING, WV 26003 OPEN EVERY DAY 24 HOURS ONLY CLOSED ON CHRISTMAS DAY CLOSED SUNDAYS AND HOLIDAYS YELLOW CAB COMPANY (304) 232-5151 1916 MAIN STREET WHEELING, WV 26003 OPEN MONDAY -FRIDAY 6AM-6PM SATURDAY 6AM-2PM OHIO VALLEY REGIONAL TRANSIT AUTHORITY (LOCAL BUS) (304) 232-2190 CALL FOR SCHEDULES, PICK UP TIMES, PLACES LOCAL BUSES RUN EVERY DAY EXCEPT FOR SUNDAY AND HOLIDAYS

*Visitors keep this form for your records

West Virginia Division of Corrections APPLICATION TO VISIT

Information and Instructions

1. The following information and instructions are subject to change. Please refer any questions to the Chief of Security.

- 2. Fill out the form truthfully and completely. All information is subject to verification. Incomplete information will result in delays in processing.
- 3. All applications to visit inmates shall be subject to a background check and review by the Chief of Security prior to being permitted to visit an inmate. This includes an NCIC check prior to initial approval and an updated NCIC check every three years or as otherwise directed by the Chief of Security. Providing false information on the application shall be cause for denial.
- 4. It is your responsibility to return this application to the address listed on the Application to Visit.
- <u>Immediate Family</u>: shall be defined as father, mother, sister, brother, spouse, children, grandchildren or grandparents. These shall be interpreted to include "step" relations and legal guardianships.
- 6. Eligibility criteria:
 - a. Applicants must be able to substantiate a relationship with the inmate that pre-dates incarceration.
 - b. Applicants can only be approved as a visitor on one inmate's visiting list at a time, except in those cases they can verify they are an immediate family member of more than one inmate.
 - c. Ex-inmates and other convicted felons shall not be approved as visitors unless they are:
 - i. the immediate family member of the inmate they are applying to visit;
 - ii. not a crime victim of said inmate;
 - iii. arrest and incarceration free for at least two years.
 - d. Any person with a pending criminal charge, warrant or detainer shall not be eligible.
 - e. Any person who has a criminal conviction or pending charge for any felony or misdemeanor that was committed on the grounds of, or in relation to the operation of, any correctional institution, jail or detention center shall not be eligible to visit an inmate.
 - f. Employees and ex-employees, volunteers and ex-volunteers are not permitted to visit with immates with the exception of immediate family members. However, separate criteria shall be used to screen and approve program volunteers and orime victims in support of rehabilitative programming and restorative justice reentry activities.
 - g. Minor children shall only be permitted to visit when in the company of a parent, other adult member of the immediate family or legal guardian; other adult members of the immediate family must present a notarized statement from the parent or legal guardian verifying that they have issued permission for the minor child to be in that adult's company on institution grounds for the purpose of visiting the inmate.
- h. If a visitor is removed, whether voluntarily or involuntarily, from an inmate's approved visitor list he or she must wait one year before being eligible to apply for approval to visit another inmate. If the visitor is removed at the request of the inmate it shall be the inmate's responsibility to notify the person of the removal from the approved visiting list.

7. The inmate will be notified of the result of this request. It shall be the inmate's responsibility to notify you.

Thank you for your cooperation.

Policy Directive 505.03 01 September 2010 Attachment #1 Page 2 of 3

West Virginia Division of Corrections APPLICATION TO VISIT

Ohio County Correctional Center

RETURN TO: - 1501 Eoff Street Wheeling, WV 26003

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Please fill out the form truthfully and completely. All information is subject to verification. Incomplete information will result in delays in processing. Providing faise information on the application shall be cause for denial. THIS FORM IS TO BE FILLED OUT BY THE VISITOR, NOT AN INMATE.

APPLICATION DATE:		INMATE NAI	ME:		DOC NUMBER:	
VISITOR'S NAME:	·				MAIDEN NAME:	
	(Last)	(First)	(Middle)	(9u <i>fflx</i>)	(If applicable	
SOCIAL SECURITY NO);				EYE COLOR:	
HAIR COLOR;	·	date of Bir	TH:		GENDER:	
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HOME PHONE: Area	Code ()		work	K PHONE:	Area Code ()	
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Policy Directive 505.03 01 September 2010 Attachment #1 Page 3 of 3

DO YOU HAVE ANY PENDING CRIMINAL CHARGE, WARRANT, OR DETAINER OR ARE YOU CURRENTLY UNDER INDICTMENT FOR A CRIME?

YES_____ NO _____ IF YES, PLEASE EXPLAIN THE CIRCUMSTANCES: _____

HAVE YOU EVER BEEN CONVICTED OF A CRIME (EXCLUDING MINOR TRAFFIC OFFENSES)?

YES _____ NO _____ IF YES, PLEASE LIST THE CRIME(S), DATE OF CONVICTION, AND SENTENCE, IF INCARCERATED: _____

LIST THE FACILITY OR FACILITIES YOU WERE COMMITTED TO AND RELEASED FROM:

WERE YOU OR ANY CHILDREN UNDER THE AGE OF 18 A VICTIM OF THIS INMATE'S CRIME? YES ______ NO _____ IF YES, PLEASE STATE THE CIRCUMSTANCES: _______

ARE YOU OR HAVE YOU EVER PARTICIPATED IN ANY PROGRAM AS A VOLUNTEER AT ANY WVDOC INSTITUTION/ FACILITY/CENTER ? YES ______ NO______ IS ______ NO______ IF YES, LIST THE INSTITUTIONS/FACILITIES/CENTERS AND THE PROGRAMS YOU ARE/WERE PARTICIPATING IN;

<u>CHILDREN UNDER THE AGE OF 18</u>; YOU MAY ONLY APPLY FOR CHILDREN IF YOU ARE ABLE TO PROVIDE PROOF THAT YOU ARE THEIR PARENT OR LEGAL GUARDIAN. IF ANYONE OTHER THAN THE PARENT OR LEGAL GUARDIAN WISHES TO BRING A CHILD INTO THE INSTITUTION/FACILITY/CENTER, THEY MUST HAVE A NOTARIZED PERMISSION SLIP FROM THE PARENT OR LEGAL GUARDIAN. IN ADDITION, ANY ADULT ESCORTING A CHILD FOR VISITATION MUST ALSO DE ON THE INMATE'S APPROVED VISITING LIST.

CHILD'S NAME	DOI	AGR	RELATIONSHIP TO VISITOR	RELATIONSHIP 'TO INMATE
		,		
		·		

CERTIFICATION AND RELEASE: I hereby affirm that all answers to the above questions are true and correct. I hereby request and authorize the West Virginia Division of Corrections or its agent(s) to conduct a background check as part of this visitor application process and authorize all persons and entities to release information requested by it or them to it or them.

SIGNATURE:

__ DATE: ____

.

WVDOC STAFF ONLY BELOW THIS LINE

APPROVED: _____DENIED: _____

DENIAL REASON:

INVESTIGATING WVDOC OFFICIAL SIGNATURE: _____ DATE: _____ DATE: _____

REVISED: 01 September 2010

Assurance/Certification of Compliance With Regulations

Office for Civil Rights, Office of Justice Programs U.S. Department of Justice Funds

For Subgrants Awarded Through the WV Division of Justice and Community Services (DJCS)

Federal Grant Program Name:

Subgrantee Name: West Virginia Division of Corrections

Authorized Official's Name: Jim Rubenstein

<u>Assurance</u>

As authorized official, I assure and certify, by my signature below, that I have read and am fully cognizant of our duties and responsibilities under this assurance and certification.

This entity will comply with the following statutes and regulations as mandated by law:

Section 3789d(c) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; Title VI of the Civil Rights Act of 1964, as amended, and Department of Justice Regulation 28 C.F.R. Part 42, Subparts C, D, E; Section 504 of the Rehabilitation Act of 1973, as amended, and Department of Justice Regulation 28 C.F.R. Part 42, Subpart G; Title II of the Americans With Disabilities Act and Department of Justice Regulation 28 C.F.R. Part 35; Title IX of the Education Amendments of 1972 and Department of Justice Regulation 28 C.F.R. Part 54; and The Age Discrimination Act of 1975.

This entity will send all adverse findings of discrimination within the last three years to the Office for Civil Rights to the following address:

Office for Civil Rights Office of Justice Programs 810 7th Street, NW Washington, DC 20531

Equal Employment Opportunity Plan Certification

Check only <u>one</u> certification that applies to the subgrantee during the project period outlined in the application.

Certification "A" - No EEOP Required

This entity falls under one or more of the following categories (Check all that apply).

is an educational, medical or non-profit institution or an Indian Tribe

has less than 50 employees

was awarded through this subgrant from DCJS less than \$25,000

_Certification "B" – Subgrantee Must Maintain EEOP On File

This entity, as a for-profit entity or a state or local government having 50 or more employees, was awarded, through this subgrant from DCJS, more than \$25,000, but less than \$500,000. Also, this entity has not been awarded more than \$1 million cumulatively from all programs administered by the U.S. Department of Justice over an 18-month period that includes this subgrant period. An EEOP has been developed and signed into effect and disseminated to all employees, and it is on file for review or audit by officials of the Division of Justice and Community Services or the Office for Civil Rights, Office of Justice Programs.

__Certification "C" – Subgrantee Must Submit EEOP To Office for Civil Rights

This entity, as a for-profit entity or a state or local government having 50 or more employees, was awarded, through this subgrant from DCJS, more than \$500,000, or has been awarded more than \$1 million cumulatively from all program administered by the U.S. Department of Justice over an 18 month period that includes this subgrant period. Therefore, the funded entity will submit, within 45 days of the award, an EEOP or an EEOP Short Form (attached), that will include a section specifically analyzing the subgrantee to the following address:

Office for Civil Rights Office of Justice Programs 810 7th Street, NW Washington, DC 20531

As the Authorized Official for the above subgrantee, I certify, by my signature below, that I have read and am fully cognizant of our duties and responsibilities under this assurance and certification.

Typed Name: Jim Rubenstein Title Commissioner Date: 2/25/2014

Authorized Official's Signature:___

RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM

Conditions and Assurances

Page 11

29. LOBBYING. Grantee will comply with the lobbying provisions of OMB circular A-122.

- 30. <u>Compliance with Federal Procedures</u>. The applicant assures that it will comply with the provisions of 28 CFR applicable to grants and cooperative agreements, including Part II, Applicability of Office of Management and Budget Circulars; Part 18, Administrative Review Procedures; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 30, Intergovernmental Review of Department of Justice Programs and Activities; Part 42, Nondiscrimination Equal Employment Opportunity Policies and Procedures: Part 61 Procedures for Implementing the National Environmental Policy Act; and Part 63, Floodplain Management and Wetland Protection Procedures.
- 31. <u>CIVIL RIGHTS COMPLIANCE.</u> All recipients of Federal grant funds are required to comply with Federal nondiscrimination requirements, as outlined in the assurances. If any court or administrative agency makes a finding of discrimination on grounds of race, color, religion, national origin, gender, disability, or age against a recipient of funds after a due process hearing, the State office must forward a copy of the finding to the OJP Office of Civil rights at the address on the inside cover of this document. An Equal Employment Opportunity Plan is required for all grants of \$500,000 or more. If a plan is required and is not already on file with OJP, a special condition will be attached to the award requiring submission of a plan.
- 32. **PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS**. It is the sense of the Congress, as conveyed through the FY 1997 Appropriations Act, that to the greatest extent practicable, all equipment and products purchased with Federal funds should be Americanmade.
- 33. The grantee shall submit one copy of all reports and proposed publications resulting from this agreement twenty (20) days prior to public release. Any publications (written, visual, or sound), whether published at the grantee's or government's expense, shall contain the following statements: (NOTE: This excludes press releases, newsletters, and issue analyses.) This project was supported by Grant No. _________ awarded by the Office of Justice Programs, U.S. Department of Justice/West Virginia Division of Criminal Justice Services. Points of view in this document are those of the author and do not necessarily represent the official position of policies of the U.S. Department of Justice."
- 34. Approval of this grant does not indicate an approval of any consultant rate in excess of \$450 per day. Specific and detailed justification must be submitted to and approved by the Division of Criminal Justice Services prior to obligation or expenditure of such funds.
- 35. Recipient/subgrantee is expected to follow the competitive bid process in the award of contracts involving Federal grant funds.
- 36. The grantee agrees to cooperate with any national evaluation efforts as requested.
- 37. Recipient/subgrantee shall obtain prior approval from Division of Criminal Justice Services for contracts of \$100,000 or more supported by grant funds.

38. PROGRAM DESIGN AND IMPLEMENTATION.

The Residential Substance Abuse Treatment formula grant funds will implement residential substance abuse programs that provide individual and group treatment activities for offenders in residential facilities operated by State and local correctional agencies. These programs must:

- Last between 6 and 12 months. Each offender must participate in the program for not less than 6 nor more than 12 months, unless he or she drops out or is terminated.
- Be provided in residential treatment facilities set apart from the general correctional population. Set apart means a totally separate facility or a dedicated housing unit within a facility exclusively for use by program participants.
- Focus on the substance abuse problems of the inmate.
- Develop the inmate's cognitive, behavioral social, vocational, and other skills to solve the substance abuse and related problems.

Subgrantees are encouraged to develop a comprehensive substance abuse treatment strategy for providing services in correctional institutions and community-based programs. Past experience with grant-supported treatment programs has shown that programs implemented in a single institution are less likely to obtain continued management and financial support than programs implemented as part of a comprehensive treatment strategy.

RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM

Conditions and Assurances Page 12

Participation in the residential program should be limited to inmates who have 6 to 12 months left in their term of confinement so that they can be released from prison after completing the treatment program, rather than being returned to the general prison population.

- 39. <u>DRUG TESTING</u>. Subgrantees must agree to implement or continue to require urinalysis and/or other proven reliable forms of drug and alcohol testing of individuals assigned to residential substance abuse treatment programs in correctional facilities. Such testing must include individuals released from residential substance abuse treatment programs who remain in the custody of the State. Subgrantees are also encouraged to implement drug testing and treatment programs for offenders throughout their criminal justice systems.
- 40. <u>AFTERCARE</u>. Aftercare services must involve coordination between the correctional treatment program and other human service and rehabilitation programs, such as education and job training, parole supervision, halfway houses, and self-help and peer group programs that may aid in rehabilitation. However, under the governing statute, grant funds may not be used for non-residential treatment provided during the aftercare component of the program.
- 41. <u>COORDINATION</u>. Corrections treatment programs and State and/or local substance abuse treatment programs are required to work together to place program participants in appropriate community substance abuse treatment when these individuals leave the correctional facility at the end of their sentence or time on parole. Both agencies should work together in developing an individualized plan for community substance abuse treatment for each offender. This plan should begin when an offender enters the residential treatment program. States are encouraged to develop written agreements and procedures to facilitate this cooperation.
- 42. <u>EVALUATION</u>. The subgrantee is required to submit an evaluation report not later than January 30 of each year. The report should describe the activities carried out with formula grant funds during the previous fiscal year, the criteria used to assign offenders to the program(s), the impact of such activities in meeting the goals of the program, and the results of any program or project evaluations.
- 43. <u>RESTRICTION ON USE OF FUNDS</u>. Grant funds shall not be used for land acquisition or construction projects.

State Agency Head Signature

Date

RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM

Project Description Page 7

Problem Statement

The WV Division of Corrections currently houses over 5,100 offenders in correctional facilities statewide. Of these 5,100, it is estimated that between 80%-85% have serious substance abuse and addiction issues. To accommodate the special needs of the population served, the agency operates a total of eight (8) Residential Substance Abuse Treatment Units within the agency at Beckley, St. Marys, Huttonsville, Pruntytown, Lakin, Parkersburg, Charleston and Mt. Olive Correctional Centers. With the nineth one under construction at Salem Correctional Center.

One of the most critical dilemmas faced by the DOC is that the agency has lacked the knowledge and expertise to comprehensively evaluate the implementation of the current RSAT units, and has experienced an inability to implement new units based on this same factor. Based on the number of offenders currently being housed within correctional facilities who are drug/alchol abusers or addicts, the agency has had a significant need to increase the number of treatment beds within its system. Due to inconsistent collaboration between state and local agencies, there remains a serious gap in the continuum of services and supervision, making it critical to provide offenders with transitional and aftercare planning services prior to release. Moreover, insufficient resources have impeded the agency's ability to appropriately training staff in methods and principles of RSAT units.

Over the course of the RSAT grant funding, the DOC has implemented a total of eight (8) RSAT units. Since RSAT's inception, the agency has eliminated one unit at Anthony Correctional Center based on the length of time served by the average offender within this facility. Through trail and error in this project, the DOC has learned the value of utilizing qualified and experienced consultants to ensure that the units are being implemented approperatly, with the required structure and services being made available as well as ensuring that the units are placed appropriately within our system of movement and classification. While all units have now been implemented using national-level consultants, additional work is needed to ensure appropriate levels of quality control are in place and that the units are functioning at high levels.

One of the most identifiable errors in implementation for the first RSAT units coming online was a lack of training for staff who were responsible for working within the RSAT units. Therapeutic Communties require specialized training, as they are entities within the corrections system that are not common to normal operations. Unfortunately, the agency was not aware of the especially different nature of these units within the overall operations of the units, and therefore, little training was offered to staff in the initial implementation process. In recent years, however, RSAT funding has allowed the agency to place more focus and effort into training of staff who work with offenders residing with RSAT units to ensure that their treatment and program progression is notes in all aspects of their living (i.e. work supervisors, educators, leisure time supervisors, shift and area security supervisors, etc.). While a great deal of training has been made available to staff through RSAT funding, there is still a large number of staff who need to complete training programs to better prepare them to work with RSAT offenders.

It is as important for staff working within RSAT units to have the opportunity to train and network with one another and with successful RSAT units in other agencies in order to achieve the level of consistency and quality control that is desired by the DOC. With current budget constraints, it has become increasingly more difficult to provide staff with the opportunity to travel and receive training, which has the potential of negatively impacting the value of programs the agency is operating. BI-annual meetings of RSAT unit staff are important tools in the continued professional development of staff as well as providing the agency with the opportunity to improve the program/service delivery of the RSAT units.

The transitional aftercare planning component continues to be of great importance in the overall success of the programs that are offered throughout the DOC. Through Reentry Initiative, awareness of the need in this area has been heightened. Gaps continue to exist between DOC and other state and local agencies, creating the potential for offenders to "slip through the cracks." This area must be maintained and nutured to ensure that offenders experience a smooth transition from the RSAT units into the community. In working to achieve such, the DOC has revised the mission of Beckley Correctional Center to become both an aftercare placement facility and a RSAT unit. Offenders in the aftercare unit can receive aftercare services and programs prior to being released into the community. Addiitionally, the DOC is working closely with the Department of Health and Human Resources to bring Oxford Houses on-line throughout the State for offenders leaving

RSAT units to reside in within the community. Achieving this will only serve to help offenders feel some level of stability and security, and ultimately assist them in staying sober.

Grantee Background

The first unit utilized for residential treatment in the DOC was implemented in April 1994 at Pruntytown Correctional Center and now serves 64 offenders. Since that time, five additional facilities have opened residential treatment units that focus on long-term treatment for addictions. In 1999, Huttonsville Correctional Center's unit came on-line and today serves up to 80 offenders; St. Marys Correctional Center was operationalized in April 2005, now serving 66 offenders; Mt. Olive Correctional Complex was operationalized in October 2005, now serving 48 offenders; Lakin Correctional Facility for Women was operationalized in February 2006, serving 80 offenders; and Beckley Correctional Center made its debut as the agency's aftercare facility in April 2006, serving up to 18 offenders in the aftercare unit and 59 offender in there RSAT unit; Parkersburg Correctional Center coming online in 2012 serving 30 offenders in their RSAT Unit; and right now Charleston Work Release serving all women Aftercare RSAT offenders transferring from Lakin's RSAT Unit. All units within the agency are currently operational bringing our total bed capacity to approximately 450 offenders. The eight units providing residential treatment provide bed space for all offenders, both male and female, from every security level across the state, from maximum to minimum custody. The programs operate on a 6-12 month schedule, require regular drug testing of offenders, and utilize a comprehensive approach to treating the addictions of the offender.

The WV Division of Corrections is requesting federal funding through the RSAT grant fund to continue our current programs, provide training and travel for staff members, and provide resource materials and small equipment items to each of the operational unit. *Goals*

- 1. To continue current programs in Huttonsville, Beckley, Pruntytown, St. Marys, Mt. Olive, Parkersburg, Salem and Lakin Correctional Centers.
- 2. To provide the highest quality treatment programs within residential treatment units.
- 3. To provide training certification to the WV Association of Alcoholism and Drug Abuse Counselors.
- 4. To review transitioning, professional development issues and conduct training on a regular basis.
- 5. To provide offenders living within treatment units with aftercare/transitional services.
- 6. To build solid relationships with other agencies and local non-profits in order to more effectively link offenders with services upon release.

Objectives

- 1.1. Maintain current staffing levels within each of the eight residential treatment units, with all previously grant funded positions being picked up and retained by the DOC.
- 1.2. Purchase resource materials and small equipment items, as necessary, to maintain program requirements, and goals.
- 2.1. Study successful Therapeutic Communities in order to know which programs have been the most beneficial to the participants and implement these programs in the current centers.
- 2.2. Provide on-site technical assistance, evaluation of programs, and general guidance through the regular visits of a TC Program Mentor to residential treatment units.
- 2.3 Monitor the progress of individuals who leave the program, through written and verbal Communication, up to a year after realease.
- 3.1 Provide training certification for drug and alcohol counselors with the most effective learning programs and training techniques
- 3.2 All Substance Abuse Therapist attend the WV Association of Alcoholism and Drug Abuse Counselors Annual Fall Conference
- 4.1 Transition and Staff Development Committee to meet twice a year.
- 4.2 Regular site visits by Project Manager to check for complainence with policy and procedure.
- 4.3 Provide treatment staff with the bi-annual opportunity to network and train together on a statewide level, in an effort to attain consistency and quality control
- 4.4 Provide RSAT staff across the agency with Community Building, Skills Building and Professional Development training programs to ensure the appropriate level of skill and knowledge in working within these specialized units.
- 5.1 Provide offenders with outside resources to encourage transitions into constructive roles in society.
- 5.2 Develop job opportunities by networking with participating organizations.
- 5.3 Develop an aftercare plan with each individual who leaves the program
- 5.4 Make appropriate contact with outside service providers and support networks that an individual may need to carry out his/her aftercare plan.
- 6.1 Invite staff from Department of Health and Human Resources, Work Force WV and local Non-Profits to the RSAT Units and to training.

Implementation

The Director of Programs, working with the Program Mentor for Addiction Services and the Program Mentor for Therapeutic Communities, will be responsible for the implementation of each project goal and objective.

Project Assessment/Evaluation

Each of the RSAT units will keep accurate records of the persons entering and exiting their programs. Such records will reflect the crime and sentence of each partipant, an assessment as to the extent of drug and/or alcohol abuse, prior treatment programs, current treatment programming, the length of time in these residential programs, the reason(s) for exiting the program, and an aftercare plan. Each person who is accepted into an RSAT unit will be subject to follow-up telephone contact at established intervals for up to two years after returning to the community.

Indicators of success of the project will be: 1) program completion; 2) compliance with the aftercare plan; 3) functioning outside of the prison system without re-offending. The participant's case manager will be responsible for follow-up telephone contacts and for keeping accurate records regarding the success or failure of each individual who is accepted into these residential programs. Each program participant will be asked to complete a program evaluation upon release. A second evaluation will be requested at the end of six months following release, which will indicate the treatment programs' relevance to the success or failure of the individual.

RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM	Itemization of Funds By Category Page 3			
	Matching Funds (25%)	Federal Grant Funds Requested	Approved (DCJS Use Only)	
Personnel / ContractualSkills building trainingProfessional development trainingCase Manager position at Pruntytown's RSAT UnitTravel / Training2 RSAT Bi-Annual Staff Meetings3 Transition & Staff Development Committee Meetings, 11participantsAdministrative travel related to implementation and oversight of RSAT unitsCommunity Building, 5 days, 25 participantsSkills Building, 3 days, 25 participantsProfessional development training,3 days, 25 participantsCertified Criminal Justice Addiction Counselors, 4 days, 12 participants1 RSAT workshop, 25 participants, 3 daysEquipmentOther Training/Resource Materials License Renewal Fees	\$26,538	\$1,500.00 \$1,500.00 \$6,700.00 \$3,500.00 \$9,500.00 \$6,700.00 \$6,700.00 \$6,700.00 \$6,700.00 \$17,464.00 \$700.00		
Total Matching Funds	\$26,538			
Total Federal Funds		\$75,964.00		
Total Approved Project				

*All funds must be rounded to the nearest whole dollar.