

WEST VIRGINIA DIVISION OF CORRECTIONS

SLAYTON WORK CAMP



INMATE HANDBOOK

Revised 01 April 2013

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LIVING QUARTERS & HOUSEKEEPING RESPONSIBILITIES

Once you have been assigned to a specific dorm, bed, and locker it is considered your living area for which you are thereafter responsible. You are not permitted to change the location of your living quarters without prior permission from SWC staff. If you wish to change the location of your living quarters you must submit a Green unit team request and submit it to the SWC Commander/designee.

All inmates are required to maintain a clean living area at all times. This shall include:

- Ensuring individual beds are made everyday
- Bed linen shall be washed on a weekly basis as scheduled (**mandatory**)
- All items are to be stored, and maintained, in assigned locker boxes or lockers. The top of lockers shall remain clear.
- Shoes shall be arranged neatly.
- Lights and individual appliances are to be turned off when leaving the dorm.

All inmates are responsible for keeping the bathroom, dayroom, and individual dorms clean. This is where the "pitch-in" principle goes into effect ("everyone who utilizes the area is expected to help keep it clean"). A schedule shall be posted on the dayroom, at the Correctional Officer's desk, detailing specific assignments for inmates.

All inmates shall be issued, and accountable for, both a padlock and a key. The SWC Commander, or higher, reserves the authority to revoke authorization for any inmate to carry his own key without any due process procedures. Lost keys shall be replaced at the cost of the inmate (\$10.00 per key), this also shall apply should an inmate fail to return his issued key. Lost locks shall be replaced at the cost of the inmate (\$15.00), this also shall apply should an inmate fail to return his issued lock. Each inmate, as part of his in-processing, shall sign separate vouchers (\$10.00 and \$15.00) to cover the replacement fee for a lost key or lock or for failure to return either item prior to release from the Work Camp. Prior to departure from the Work Camp, the vouchers shall be returned to the inmate if there is no need to cover the cost of a lost or missing lock and/or key.

PERSONAL APPEARANCE & CLEANLINESS

All inmate shall be required to shower/bathe at least once a day. Inmates are expected to be clean shaven unless in possession of a shaving-slip issued by a qualified health care practitioner. "Sculpting" is strictly prohibited. Hair length shall not exceed the collar or ears and will be no longer than three inches (3") on top.

Personal trimmers will be available for purchase by approved special requests. Barber equipment will be made available for haircuts and grooming. The Barber equipment must be signed out, and returned, by the same person. The inmate who signed out the Barber equipment shall be liable for any damage to found to any Barber equipment, to include the possibility of disciplinary action.

Dress:

- Clothing is to be kept clean. Failure to comply could result in appropriate disciplinary action.
- Sandals, shower shoes, or shoes with opened toes or heels shall not be worn outside of the building.
- Appropriate clothing shall be worn in all areas of the SWC at all times. This will consist of a shirt, a pair of shorts/pants at a minimum. **An orange shirt must be worn at all times when exiting the SWC building, with the exception of while utilizing the SWC recreation yard.** Pants shall, at all times, be worn at the natural waistline.
- Work crews will be performing their work assignments within the local community and therefore shall be representing the SWC before the public. If SWC staff feel you fail to meet the expectation of appropriate dress, you may be directed to change before being allowed to exit the SWC building. **Continued incidents of failing to meet appropriate dress requirements may result in disciplinary action.**
- **During the hours of 7:00 am to 3:00 pm Mondays through Friday (with the exception of holidays) all inmates shall be fully dressed for work with orange shirts tucked into the pants and buttoned above the breast pocket.**
- All clothing issued by the WV Division of Highways to those inmates assigned to Road Crews are to remain in their respective WVDOC vehicles unless approved to be removed for laundering by the crew supervisor.
- Inmates assigned to road crews who have sunglasses listed on their property cards may bring them to the work site.

MEALS

Meals will be provided by the MOCC contracted Food Service provider. Meal times (approximate) are as follows (meal times may be disrupted and delayed due to unforeseen circumstances such as insititutional disturbances, inclimate weather, fog-lines, etc.):

Breakfast: 6:00 am – 6:30 pm
6:00 am – 7:00 am (Saturday & Sunday)
Lunch: 11:00 am – 11:30 pm
Dinner: 4:30 pm – 5:15 pm

All inmates shall receive, or be offered, one serving during any meal. If you wish to give another inmate any portion of your meal, you will need to go through the serving line and then give your portion to that person. The kitchen worker is working under direct orders of the SWC unit team; the only Food that will be "HELD" by the kitchen worker will be the portions for any road crews that have not returned by the time a meal is served. Additionally, "Seconds" may be served (if available) only after all inmates have had the opportunity to have an initial serving of the provided meal.

Do not ask for the kitchen to be opened early.

Only the kitchen worker, or SWC staff, are permitted access to the refrigerator and closet within the kitchen area.

During scheduled meal times, from the time the Food arrives at SWC until the kitchen worker has completed his work, the only people permitted within the kitchen area are the kitchen worker, ONE volunteer worker, and SWC staff.

Following scheduled meal times, after the kitchen worker has completed his work assignment, SWC inmates may utilize the kitchen under the following conditions:

- Inmates shall utilize their own bowls and utensils (do not ask for any kitchen bowls or utensils).
- Do not leave dirty dishes or utensils in the sink.
- The refrigerator or the kitchen closet will not be opened by the Desk Officer so do not ask.
- Clean up after yourself! No food or crumbs are to be left in the sink or upon counters or the stove.
- There will be one baking sheet, and one six-inch pan, available for use in the oven. Inmate(s) utilizing these items are also responsible for ensuring proper cleaning and storage after use.

All meals shall be eaten within the SWC dining area. No Food items from provided meals are to be stored in lockers/locker boxes. Dishes and silverware are not to be removed from the dining area. Removal of these items may result in appropriate disciplinary action.

Inmates assigned to road crews may bring their own lunches (i.e. order out, food in bowl, and coffee mug).
Nothing comes back!

Special Diets:

- Any inmate who is required to certain foods due to medical reasons must submit an Inmate Medical Services Request ("Sick-Call Slip") to the MOCC Medical Department to have a Special Diet ordered.
- Any inmate who is required to certain foods due to religious reasons must submit an Inmate Religious Accommodation Request to the MOCC Religious Services Department to have a Special Diet ordered.

LAUNDRY

Inmates are to place laundry inside of their laundry bags and place them in front of the laundry room in accordance with the current posted laundry schedule.

- There will be no laundry Service on Saturdays and Sundays.
- All beds shall be stripped, and bedding laundered, on the designated day **There will be no exceptions.**

TOBACCO - ALCOHOL - DRUG TESTING

All inmates shall be required to submit to tobacco, alcohol, and/or drug testing when so directed. Failure to cooperate with testing, or refusing to submit to testing, will result in appropriate disciplinary action.

RESTRICTED AREAS

Inmates are not permitted to loiter in hallways/door entrances or any other rooms or any other rooms/dorms to which they are not assigned.

Only authorized personnel are permitted within the kitchen and laundry areas.

All storage areas are off-limits unless with prior staff permission.

Administrative offices are off limits unless invited or directed to report to the area. **Knock and wait to be answered!**

Keep off of the front lawn and utilize the sidewalk when entering, or upon exiting, the SWC building.

The SWC recreation yard is the only approved area for recreation, all other areas are restricted.

INMATE – STAFF COMMUNICATION

All requests to SWC staff must be in writing and addressed to the appropriate staff member by utilizing a **Unit Team Request Form**.

- Requests concerning work assignments/placement are to be addressed to the SWC Commander/designee.
- Requests concerning classification, parole, movements, work release, or accelerated parole are to be addressed to the SWC Case Manager.
- Requests concerning State Shop (property), Trustee Clerk (finances), visitation, telephones, etc. are to be addressed to the SWC Counselor(s).

EMERGENCY EVACUATION

During the course of your assignment to the SWC, you will experience fire drills during odd hours of the day and evening. Regardless of the time, should you be present within the SWC building when a drill is conducted you will be required to participate.

Schematic drawings outlining primary and secondary evacuation routes are posted throughout the interior of the SWC building. In the event an actual evacuation of the SWC is required, all inmates will report to the SWC recreation yard's basketball court (primary rally point) or the parking lot adjacent to the MOCC Post Office (secondary rally point) as directed.

PERSONAL PROPERTY – ALLOWABLE ITEMS

You are permitted to retain in your possession all items listed in your personal property sheet. Any item(s) found in your possession or living area, that is not documented on your personal property sheet shall be confiscated as contraband and processed accordingly. You will receive a copy of your personal property sheet when your personal property is issued to you.

Common sense and good judgment will be used concerning the amount of personal property accumulated primarily due to limited space within the individual living quarters. Any items such as (but not limited to) those that may pose a fire hazard (i.e. cardboard or excessive paper); those that may attract pests or verming (i.e. open or empty food containers) as well as accumulated items which indicate the operation of an unauthorized "inmate store" shall be prohibited and confiscated.

It is the responsibility of each inmate to ensure his personal property is marked for identification purposes and no inmate shall be permitted to lend or borrow personal property with the intention of personal or financial gain.

There shall be nothing hanging on the inside, or outside, of individual lockers except for what is provided to you by the SWC Unit Team

PERSONAL PROPERTY – DONATION OF PERSONAL PROPERTY

Upon your departure from the SWC (i.e. discharge or transfer), you will be afforded the opportunity to donate specific items to another inmate. Items permitted for donation include coolers, walkmans, CD players, and headphones.

If you wish to donate any item(s) prior to your departure, you must complete a Personal Property Appliance Waiver Donation form and submit it, along with the item(s) to be donated, to designated SWC staff. The donation must be pre-approved through both the SWC staff and the MOCC State Shop.

Unclaimed items of personal property will be disposed of after thirty (30) days.

You may also donate reading material to the SWC Library; however, you must first utilize a donation form to have the item(s) removed from your personal property list.

PERSONAL FINANCES – ROOM AND BOARD

Inmates assigned to the SWC will be required to pay room and board when assigned to a road crew contract.

Any monies earned through a work assignment will be subject to a deduction of thirty percent (30%), up to a maximum of \$155.00, by the MOCC Trustee Clerk. An addition ten percent (10%) shall be deducted and placed into a mandatory individual savings account.

Other deductions (i.e. court ordered restitution, court ordered child support, etc.) will also be made accordingly by the MOCC Trustee Clerk.

PERSONAL FINANCES – INMATE COMMISSARY

Commissary order forms must be turned in no later than 7:00 am each Wednesday and Commissary items (if available) will be issued the following Friday.

Commissary order forms must be completed in full and include your full name, DOC number, Dorm/Bed, and signed. Substitute items, if desired, must be marked "yes."

The individual spending limit for each inmate is \$100.00 per week.

Purchasing through the MOCC Commissary is a privilege. Inmates must have funds on deposit to cover a purchase when it is made. **Credit purchases are not allowed.** Per purchase limits are enforced. A computer-generated voucher provides verification of purchases. An inmate must present his ID and sign each voucher before receiving his order.

PERSONAL FINANCES - MONEY RECEIVED BY INMATES

Your money does not arrive from the transferring facility on the same day that you arrive at SWC. The best way to determine if your money has arrived is to submit a Commissary slip and see if your order has been filled.

All money in any form (i.e. personal check, money order, etc.) received by an inmate at SWC, from any source to include personal mail, must be turned-in to a SWC staff member immediately upon receipt in order to ensure it is properly put onto your account.

Inmates at SWC may receive personal money orders not to exceed an amount of \$100.00. Upon receipt at the Post Office, it should take approximately twenty-four hours for it to be posted within your individual trust account.

Any money (in any form) found by any member of a work crew while at a work site shall be considered contraband and must be relinquished to the the SWC staff member supervising the work crew. The money will then be placed into the Inmate Benefit Fund.

SWC inmates are not permitted to take loans, or make loans to, any other SWC inmate or person nor request a salary advance.

VISITATION – GENERAL INFORMATION

Applications for approved visitors are available in the forms box outside of the unit office. You are responsible for mailing the application to the intended visitor who, in turn, must complete the application and return it, via mail, to the MOCC Visitation Department. All visitors must be approved prior to any visit taking place.

To have an individual removed from your approved visitors list, you must submit a written request to the MOCC Visitation Department; additionally, if you desire to have a copy of your approved visitors list you must also submit a written request to the MOCC Visitation Department.

Each SWC inmate is allotted a total of fifteen (15) hours of visiting time per month. Unused visiting hours will not be carried over into the following month. Visits will be conducted on Saturdays and Sundays, by appointment only, between the times of 9:00 am – 11:00 am and 1:00 pm – 3 pm with a maximum of four (4) inmates per session. Visitors must call at least one week in advance to schedule a visit.

Complete visitation procedures are outlined within MOCC Operational Procedure 5.06 "Inmate Visiting Program."

MAIL – GENERAL MAIL REGULATIONS

Mail may be received at the SWC on a daily basis (Monday through Friday). Packages will be picked up on Fridays only. Inmate mail, except that protected by attorney-client privilege, is subject to being monitored, opened, reviewed and disclosed in accordance with the provisions of WV Code §25-1-18. All mail and packages are searched for contraband prior to being delivered. Attorney-client mail is opened in the inmate's presence and searched for contraband prior to being delivered. Complete procedures for inmate mail services are outlined within WVDOC Policy Directives #503.00 "Mail Privileges for Inmates" and #503.03 "Incoming Publications."

Inmates may correspond with other inmates (WVDOC and those within other Correctional agencies) provided the criteria established within WVDOC Policy Directive 503.00 "Mail Privileges for INmates" has been met. Outgoing mail must be left unsealed and will be searched by MOCC Post Office staff before being mailed.

INMATE PROGRAMS – OPPORTUNITIES & SERVICES

While assigned to the SWC, the SWC Case Manager and staff will assist each inmate in the development of an individual program plan. The expectation at SWC is that each inmate shall establish personal goals to be accomplished that will assist them in achieving a successful future both while remaining incarcerated and upon parole or discharge. In addition, SWC inmates are required to volunteer for Community Service activities approved by SWC staff.

INMATE TELEPHONE USAGE

Inmate telephone calls, except those protected by attorney-client privilege, are subject to being monitored, intercepted, recorded, and disclosed in accordance with the provisions of WV Code §25-1-17. Inmates must submit a list of no more than 15 telephone numbers, including clergy and attorneys, to the MOCC Communications & Electronics Technician. 3-way, conference, credit card and calls to inmates at other correctional institutions/facilities/centers are prohibited.

SWC inmates are prohibited from utilizing any telephone other than the inmate telephones located within the SWC.

Upon arrival at the SWC, new inmates will receive a bubble form to use for creating a telephone list. Each separate telephone number you wish to have included on the approved list must be recorded on this bubble form. Once completed and submitted, telephone change forms must be utilized to add, or delete, any current telephone number from your approved list. Only immediate family members (Mother, Father, Brother, Sister, etc.) may be added at any time. Each January and July SWC inmates will be afforded the opportunity to add new numbers (can be any relation) to their approved list (not to exceed a total of fifteen numbers).

EMPLOYMENT (WORK ASSIGNMENT)

Note: The use of the Word "employment" in no way construes that any SWC inmate holding a current work assignment is considered as an employee of the SWC, MOCC, or the WVDOC as a whole.

Meaningful employment is of primary importance in assuring an individual successful SWC experience. Accordingly, the following rules have been established to regulate the work assignment program at SWC:

- You will be assigned a position within the unit, in the kitchen, or with the MOCC Maintenance Department, upon your arrival at SWC.
- You are required to report to work on time and perform the job duties required of your assigned position whether that assignment be a job within the unit, the kitchen, with the MOCC Maintenance Department, or for those authorized, with the Department of Highways Road Crews. The only recognized exception shall be due to illness, which must be reported to the inmate's assigned duty officer or other SWC staff member. For those unable to work ("lay-in"), they will be placed on a restricted status and must remain in their assigned living quarters area (no day room privileges) except during meal times. This includes the loss of outside recreation during the time lay-in period.
- Each inmate is expected to work as scheduled by his work supervisor. Inmates are not permitted to sign-out for work, or proceed to an assigned work destination, unless scheduled to be there or unless called out to work.
- SWC inmates are not permitted to leave their work assignment location; request days off; or quit their work assignment without permission. Inmates who encounter any type of a problem with their work assignment supervisor or co-workers, are to notify designated SWC staff for advice, counseling, and problem resolution.
- Inmates assigned to a Maintenance or Road Crew are expected to work as scheduled in accordance with his assignment.
- It is the responsibility of each inmate to ensure that they are awake on time for work assignments, medical appointments, program appointments, etc. Kitchen workers are the only SWC inmates that staff will be responsible for waking up in the morning.
- Inmates may be assigned extra duties by SWC staff, such assignments will not be refused.
- Inmates assigned to road crew community Service duties shall maintain a professional attitude and appearance at all times. This includes the prohibition of fraternizing with any member of the public.

RELIGIOUS PROGRAMS

The MOCC Religious Services Department provides SWC inmates with the opportunity to practice religious beliefs and to receive other services of a religious nature, which are consistent with safety and security. The Chaplain is involved in the approval of special diets necessary to meet the mandates of a religion. The Chaplain coordinates the activities of community volunteers who provide services in a variety of faiths. Religious counseling is available, including crisis counseling in the event of the death of a family member or other crisis.

Religious books and material, provided by the MOCC Religious Services Department are available within the SWC and Religious services may be offered per individual requests. Counselor Requests forms are available for the purpose of sending individual requests to the MOCC Religious Services Department.

SWC RECREATION YARD

The SWC recreation yard will be open for inmate use during the same times that the MOCC recreation yard is open for general population inmates. The door leading to the SWC recreation yard will only be opened at the top of each hour, with the exception of emergency situations (i.e. evacuation) and will always be opened **only by a SWC staff member**.

The SWC recreation yard is to be kept clean at all times (this is the responsibility of the SWC inmates). All weights and weight bars shall be placed in their proper places on the provided racks. The SWC Commander, or higher, reserves the authority to revoke the privilege from any inmate of utilizing any weight equipment with any due process procedures.

The recreation yard will be open from 3:00 pm – 9:45 pm on Mondays through Fridays, subject to change due to the necessity of facility needs as well as during all formal counts. The recreation yard will be open from 8:00 am – 9:45 pm on weekends and holidays, except during all formal counts.

MEDICAL HEALTH CARE

Health care for SWC inmates shall be provided by the MOCC contracted health care provider. Services include medical, dental and mental health services. The general health care contractor may subcontract some services. The Health Services Administrator is responsible for the quality of all health care services and to ensure that inmates have access to those services. **All medical, psychiatric and dental matters involving medical judgment are the sole province of the responsible physician and dentist, respectively.**

- **Sick Call and Access to Care Providers:** All inmates have the opportunity to access non-emergency medical care by completing the Inmate Medical Services Request (sick call slip). Sick call slips are picked up daily reviewed then appointments are scheduled with the appropriate medical personnel (e.g. physician, physician assistant, dentist, optometrist, etc.). Correctional staff do not approve or disapprove sick call slips. SWC inmates who receive prescribed medication will receive their disbursement of prescribed medications either through medical staff during their medical runs at SWC or through the KOP (Keep On Person) program.
- **Inmate Medical Services Co-Pay:** The co-payment system for medical services is a policy of the WVDOC. Medical Services personnel assist in the management of this system by charging as noted in Part B of the Inmate Medical Services Request. All funds collected through the co-pay go to the WVDOC.
- **Mental Health Services:** The Mental Health Director is responsible for the quality of mental health services and to ensure that inmates have access to these services. Referrals for mental health services can be obtained through the Unit Team or by submitting a sick call slip. Emergency referrals will be handled on an expedited basis. Mental health services include; individual therapy, group therapy and psychological services.

TOBACCO PROHIBITION

The use of tobacco in any form, and the possession of any tobacco related paraphernalia (i.e. matches and lighter) is strictly prohibited. If it is established that a SWC inmate has in his possession or has used any tobacco/tobacco-like product (as stipulated MOCC Warden/Designee and/or Work Camp Behavior Management Team, as appropriate, will take necessary action, including, but not limited to, the following steps:

First Incident: Written Warning and automatic enrollment in a Tobacco Use/Smoking Cessation Class. Should the inmate refuse to take the class, the inmate shall be charged with Refusing an Order and punished pursuant to Policy Directive 325.00. The inmate will be confined to the SWC for seventy-two (72) hours without pay.

Second Incident: The inmate will be mandated to re-take a Tobacco Use/Smoking Cessation Class, receive twenty (20) hours of extra duty, be confined to the SWC for seven (7) days without pay and lose visitation privileges for thirty (30) days.

Third Incident: The inmate will be mandated to re-take a Tobacco Use/Smoking Cessation Class, receive thirty (30) hours of extra duty, be confined to the SWC for seven (7) days without pay, lose visitation privileges for thirty (30) days, and lose Commissary privileges for thirty (30) days. (After the third incident, a Disciplinary Report may be issued charging the inmate with an appropriate official rule violation.

Fourth Incident: Possible return to a more secure institution/facility/center.

The MOCC Warden/designee shall have the option of convening a Classification Committee for a Classification Hearing in order to determine whether the inmate should remain at the inmate Work Camp or be returned to a more secure institution/facility/center.

MOCC OPERATIONAL PROCEDURES

MOCC Operational Procedure 5.11 "Slayton Work Camp" establishes procedures and guidelines for the operation of the Slayton Work Camp. In addition, as a satellite unit of MOCC, all SWC inmates shall be required to be familiar with, and abide by, all MOCC Operational Procedures. The following is a list of MOCC Operational Procedures, in addition to OP 5.11, that are approved for inmate viewing:

- | | | | |
|------|---|------|--|
| 1.02 | Inmate Unit Representatives | 4.47 | Mental Health Services |
| 1.05 | Inmate Accessibility to Policies and Procedures | 4.48 | Hospice Care for Inmates |
| 1.16 | MOCC Exchange (Commissary) | 4.53 | Availability of Social Services & Rehabilitative Programs |
| 1.17 | Inmate Funds | 4.54 | Substance Abuse Programs |
| 1.51 | Records Department | 4.55 | Inmate Releases |
| 1.56 | Research Activities | 4.56 | MOCC Residential Substance Abuse Treatment Unit Therapeutic Community Program |
| 1.70 | MOCC Citizen Involvement & Volunteer Services Program | 5.01 | Inmate Work Program |
| 2.02 | Operational Guidelines – Inmate Honor Hall | 5.02 | Academic/Career and Technical Education Programs |
| 3.17 | Daily Operational Schedule | 5.03 | Recreational Programs & Activities |
| 3.30 | Procedures for Control Unit Operation & Step-Down Release from the Control Unit | 5.05 | Inmate Use of Computer & Telephone Systems |
| 3.32 | Mainline Punitive Segregation | 5.06 | Inmate Visiting Program (Attachment #3 is Restricted) |
| 3.33 | Reception, Orientation and Intake Unit Procedures & Privileges | 5.07 | MOCC Library Programs & Services |
| 3.35 | Special Management Procedures | 5.08 | Religious Programs |
| 3.36 | Conditions of Confinement & Quality of Life | 5.08 | Attachment #2 – Native American Religious Practices |
| 3.37 | Sexual Abuse/Assault Awareness & Prevention | 5.08 | Attachment #3 – Chapel Music Program |
| 3.47 | Inmate Identification Cards, Altering Appearance & Inmate Grooming Standards | 5.08 | Attachment #4 – Religious Tapes and CDs |
| 3.70 | Inmate Rights | 5.08 | Attachment #5 – Approved Items for Wotanist/Odinist/Asatru Religious Practices |
| 4.03 | Inmate Property & State Shop Procedures | 5.08 | Attachment #6 – Religious Medallions and Other Religious Items |
| 4.04 | MOCC Operations Division – Inmate Services | 5.09 | Correctional Industries Building Procedures |
| 4.05 | Health & Sanitation Program & Inspections | 5.10 | Business Contracts & Inmates |
| 4.20 | Food Service | 5.12 | Arts & Crafts Program |
| 4.35 | Health Care Services – Inmate Approved Procedures | 5.13 | Inmate Marriages |
| 4.40 | Medical Waiting Room Policy | | |

WVDOC POLICY DIRECTIVES

The following is a list of WVDOC Policy Directives that are approved for inmate viewing:

- | | | | |
|--------|--|---------|--|
| 111.06 | Financial Responsibility Program for Inmates | 401.15 | Notary Public Services |
| 117.01 | Collection of Rent from Inmates | 407.00 | Labeling of Inmate Clothing |
| 117.03 | Mandatory Savings for Certain Inmates | 407.01 | Clothing & Bedding Supplies |
| 128.00 | Financial Transactions Between Inmates | 408.00 | Bathing & Personal Hygiene |
| 128.01 | Arts and Crafts Sales | 410.10 | Eyecare/Contact Lenses |
| 151.02 | Good Time (Computation/Restoration of Inmate Good Time) | 410.12 | Medical Respite Application Procedures |
| 308.03 | Drug Abuse Testing and Sanctions | 424.01 | Inmate Medical Co-Payments |
| 308.06 | Alcohol Abuse Testing and Sanctions | 452.01 | Counseling for Pregnant Inmates |
| 325.00 | Discipline of Inmates | 454.06 | Oxford House Project |
| 325.02 | Inmate E-Mail, Internet, Website, etc. Prohibition | 454.07 | Accelerated Parole Program |
| 325.08 | Unit Behavior Management Team | 456.03 | Human Gift Registry |
| 325.09 | Facility Behavior Management Team | 457.04 | Registration of Offenders |
| 325.11 | Work Camp Behavior Management Team | 500.00 | Work Assignment-Education Participation, Eligibility & Pay Scale |
| 326.01 | Administrative Segregation | 501.01 | Academic & Vocational Education |
| 327.01 | Access to Courts | 503.00 | Mail Privileges for Inmates |
| 328.00 | Access to Counsel | 503.03 | Incoming Publications |
| 329.00 | Institutional Law Libraries | 505.05 | Extended Visits Through Work Release Furloughs |
| 330.00 | Access to Programs & Services | 506.00 | Library Services |
| 331.00 | Inmate Media Access | 507.00 | Inmate Marriages |
| 331.01 | Diplomatic Representation | 510.00 | Religious Services |
| 331.02 | Transfer of Inmates Under Federal Treaty | 700.05 | Supervision Fee for Parolee Procedures/Probationers |
| 334.01 | Inmate Grooming Standards | 2000.12 | Non-Possession/Use of Tobacco Products/Tobacco-like Products by Inmates Housed in Community Correctional Centers |
| 335.00 | Inmate Grievance Procedures | | |
| 400.03 | Issuance of Property to Inmates | | |
| 401.12 | Level of Service Case Management Inventory (LS/CMI) Procedures | | |

INMATE DISCIPLINARY PROCEDURES

WVDOC Policy Directive 325.00 "Discipline of Inmates" contains complete procedural information concerning the following topics involved in the inmate disciplinary process.

- Reporting Rule Violations
- Detention of the inmate before charging
- Approval of detention
- Considering more than one violation
- Inmate Representatives
- Finding & Disposition
- Expunging of records
- Emergencies
- Charging of an inmate
- Detention of the inmate before hearing
- Scheduling hearings
- Disqualification of the Correctional Hearing Officer
- Hearing Procedures
- Appeals, Grounds for Appeals & Actions on Appeal
- Procedures for Felonies

All Class 1, 2 & 3 rule violations shall be prosecuted and heard in accordance with WVDOC Policy Directive 325.00. All cases in which an inmate is charged with violating as Class 1,2 or 3 rule shall be heard by a Correctional Hearing Officer, except as allowed by WVDOC Policy Directive 325.11 ("Work Camp Behavior Management Team").

The following is a breakdown of Class 1, 2, & 3 offenses as delineated by current WVDOC Policy (See WVDOC Policy Directives #325.00 "Discipline of Inmates" and 325.11 "Work Camp Behavior Management Team" for complete details/sanctions/procedures)

Class 1 Offenses – Those rule violations that threaten life or limb, which seriously breach facility security and/or public safety or which are felonies.

- | | | | |
|------|--|------|---|
| 1.01 | Escape | 1.17 | Alteration of Food or Drink |
| 1.02 | Assault and/or Battery | 1.18 | Violation of State Law |
| 1.03 | Rape/Sexual Assault/Sexual Abuse/Sexual Acts | 1.19 | Use and Possession of Drugs and Intoxicants/Paraphernalia |
| 1.04 | Riot | 1.20 | Refusing Drug/Alcohol Screening |
| 1.05 | Arson/Fires | 1.21 | Theft of Property Valued Over \$100.00 |
| 1.06 | Hostage Taking | 1.22 | Refusing DNA Blood Screening |
| 1.07 | Possession of Weapons | 1.23 | Trading or Selling with Others |
| 1.08 | Introduction of a Weapon | 1.24 | (Vacant) |
| 1.09 | Extortion or Bribery | 1.25 | Compromising an Employee |
| 1.10 | Tampering with Locks and/or Doors | 1.26 | Exposing Body Fluids/Tattooing/Piercing |
| 1.11 | Trafficking | 1.27 | Hate/Gang Activity |
| 1.12 | Demonstration | 1.28 | Refusing Housing Assignments |
| 1.13 | Accessory | 1.29 | Invasion of Privacy |
| 1.14 | Cumulative Class II Violations | 1.30 | Inmate E-Mail, Internet, Website, etc. Prohibition |
| 1.15 | (Vacant) | 1.31 | Destruction of Property Valued over \$100.00 |
| 1.16 | Obstructing | | |

Class 1 Offenses - Range of Penalties: Any inmate found guilty of a Class 1 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 Warden. In addition the following punishments may also be imposed by the Correctional Hearing Officer:

- Segregation for not more than sixty (60) days and/or transfer to another institution/facility/center.
- 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.
- Loss of Privileges for not more than sixty (60) days.
- Change or loss of work assignment.
- Assignments of up to eighty (80) hours of extra work. No extra work will be done on the Sabbath or religious holidays. The Warden/designee (AWS) will determine specific assignment locations and scheduling.
- Forfeiture of cash monies. Cash will be ordered placed in the facility's Inmate Benefit Fund (IBF).
- 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.

INMATE DISCIPLINARY PROCEDURES - Continued

Class 2 Offenses – Those offenses which tend to disrupt the normal operation of the facility or subvert the facility systems of control, community security, or violate Federal, State or local laws or ordinances.

2.01 Refusing an Order	2.23 Failure to Report Arrests or Accidents
2.02 Threats	2.24 Contempt of Disciplinary Hearing
2.03 Refusal to Work/Attend Class and Programs	2.25 Falsification of Information/Testimony
2.04 Missing or Confusing Count	2.26 Accessory
2.05 Bucking Line	2.27 (Vacant)
2.06 Entering Another's Cell/Living Area	2.28 Operation of a Motor Vehicle
2.07 Unauthorized Presence	2.29 Unauthorized Entering into a Contract
2.08 Fighting	2.30 Creating a Disturbance
2.09 (Vacant)	2.31 Furlough Condition Violation
2.10 Self-Mutilation	2.32 Insubordination/Insolence
2.11 Contraband	2.33 Illegal Inmate Store
2.12 Possession of Money	2.34 (Vacant)
2.13 Failure to Tender Monies/Paychecks	2.35 Attempted Extortion or Bribery
2.14 Theft of Property Valued Under \$100.00	2.36 Physical Contact
2.15 Destruction of Property Valued Under \$100.00	2.37 Use of Tobacco or Tobacco Products
2.16 Forgery	2.38 Unauthorized Communication
2.17 Fraudulent Representation	2.39 Obstructed Window/Lights
2.18 Trading and Selling	2.40 Inmate ID
2.19 Gambling	2.41 (Vacant)
2.20 Misuse of Telephone	2.42 Altering Appearance
2.21 Misuse of Correspondence Regulations	2.43 Physical Encounters/Military Drill
2.22 Failure to Proceed or Return	

Class 2 Offense - Range of Penalties: Any inmate found guilty of a Class 2 rule may have one or more of the following punishments imposed by the Correctional Hearing Officer:

- 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.
- Recommendations for the loss of good time credit, not to exceed six (6) months.
- 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.
- Loss of Privileges for not more than thirty (30) days.
- Change or loss of work assignment.
- Assignments of up to eighty (80) hours of extra work. No extra work will be done on the Sabbath or religious holidays. The Warden/designee (AWS) will determine specific assignment locations and scheduling.
- Forfeiture of cash monies. Cash will be ordered placed in the facility's Inmate Benefit Fund (IBF).
- An inmate who is found guilty of violating rule 2.36 may be referred for participation in available therapy, counseling, or other interventions as a condition of access to programming or other benefits.

The MOCC AWS or Chief Correctional Officer may take any of the following three actions with reports alleging a Class 2 rule violations, as deemed warranted Referral to the Correctional Hearing Officer; Referral to the Work Camp Behavior Management Team or Dismissal of the matter. If receiving such a referral, the Work Camp Behavior Management Team may impose one or more of the following sanctions (refer to WVDOC Policy Directive 325.11 "Work Camp Behavior Management Team" for complete details):

- Written warning to be placed in the inmate's classification file.
- Extra duty or work assignment within the unit, not to exceed eight (8) hours.
- Modification or restriction of recreation privileges not to exceed seventy-two (72) hours
- Confinement to the inmate's cell, not to exceed seventy-two (72) hours, except for meals.

INMATE DISCIPLINARY PROCEDURES - Continued

Class 3 Offenses – Those offenses which disturb the smooth operation and routine of the facility or community 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	3.09 Accessory
3.02 Littering	3.10 (Vacant)
3.03 Personal Hygiene/Sanitation	3.11 (Vacant)
3.04 Improper Use of Food	3.12 Interfering with Escort Searches
3.05 Attentiveness	3.13 Handrails and Shelves
3.06 Improper Use of Property	3.14 Stairway Obstruction Shelves
3.07 (Vacant)	3.15 Proper Clothing
3.08 Posted Procedures	

Class 3 Offense - Range of Penalties: Any inmate found guilty of a Class 3 rule may have one or more of the following punishments imposed by the Correctional Hearing Officer:

- 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.
- Loss of Privileges for not more than thirty (30) days.
- Change or loss of work assignment.
- Assignments of up to forty (40) hours of extra work. No extra work will be done on the Sabbath or religious holidays. The Warden/designee (AWS) will determine specific assignment locations and scheduling.

The MOCC AWS or Chief Correctional Officer may take any of the following three actions with reports alleging a Class 3 rule violations, as deemed warranted: Referral to the Correctional Hearing Officer; Referral to the Work Camp Behavior Management Team or Dismissal of the matter. If receiving such a referral, the Work Camp Behavior Management Team may impose one or more of the following sanctions (refer to WVDOC Policy Directive 325.11 "Unit Behavior Management Team" for complete details):

- Written warning to be placed in the inmate's classification file.
- Extra duty or work assignment within the unit, not to exceed four (4) hours.
- Modification or restriction of recreation privileges not to exceed seventy-two (72) hours
- Confinement to the inmate's cell, not to exceed seventy-two (72) hours, except for meals.

All Class 1, 2 & 3 disciplinary rule violations shall be prosecuted and heard in accordance with WVDOC Policy Directive 325.00. All cases in which an inmate is charged with violating as Class 1, 2 or 3 rule shall be heard by a Correctional Hearing Officer, except as allowed by WVDOC Policy Directive 325.11. It must be noted, however, that an inmate may waive the right to attend a hearing provided that the waiver is documented and reviewed by the Warden/designee.

ADDITIONAL PENALTIES - Loss of Privileges: When permitted by policy, a Correctional Hearing Officer may punish an inmate for a rule violation by loss of privileges or restriction. Such shall be limited only to one (1) or more of the following:

- Loss of telephone privileges, except for calls to and from attorneys
- Loss of reading library privileges (Law library privileges may not be taken)
- Restriction of recreation privilege to one (1) hour outdoor exercise per day
- Loss of access to the Inmate Exchange, except for purchases of personal hygiene items and writing materials (limited to writing tablets, pens or pencils, envelopes and stamps)
- Loss of access to arts and crafts and music room areas
- Loss of the possession of a personal radio, television, stereo and other electrical appliances, or access to television viewing.
- Loss of visitation privileges
- Loss of personal clothing
- Restriction to housing unit, not to exceed thirty (30) days
- Loss of visitation privileges
- Loss of personal clothing
- Restriction to housing unit, not to exceed thirty (30) days
- Restriction of mail privileges, except for mail to and from the following: immediate family members, as approved by the Warden/Administrator; courts; counsel; officials of the West Virginia Division of Corrections; State and Local Chief Executive Officers; Administrator/designee of the WVDOC Inmate Grievance System; and members of the West Virginia Board of Probation and Parole.

INMATE DISCIPLINARY PROCEDURES - Continued

ADDITIONAL PENALTIES - Restitution: Restitution may be ordered to compensate either another person, business, or the state and shall be made by deductions from the guilty inmate's Trustee spending account. In no event, however, shall restitution be ordered unless the amount is reasonable and a Correctional Hearing Officer makes a determination of the inmate's ability to pay such amount without undue hardship to himself or his dependents.

ADDITIONAL PENALTIES - Probation: In every case in which an inmate is found guilty of a rule violation, a Correctional Hearing Officer may first prescribe punishment as permitted by Policy Directive 325.00 and then suspend the imposition of the punishment. Such suspension shall be in the nature of probation. If the inmate maintains good behavior, he shall continue on probation until the term of probation ends. No administrative proscriptions beyond those imposed by the Correctional Hearing Officer shall be applied. If an inmate commits a subsequent rule violation, a Correctional Hearing Officer may revoke his probation. When the probation is revoked, a Correctional Hearing Officer may choose to impose part or all of the punishment for the original offense **and** shall impose punishment for the second offense. Probation imposed by a Correctional Hearing Officer shall be imposed for a specific period (At the Correctional Hearing Officer's discretion, probationary terms may be concurrent or consecutive):

- Class 1 Offenses: The term of probation shall not exceed three hundred-sixty five (365) days
- Class 2 Offenses: The term of probation shall not exceed one hundred-eighty (180) days
- Class 3 Offenses: The term of probation shall not exceed thirty (30) days

Any SWC inmate with a pending disciplinary action scheduled to appear before the Correctional Hearing Officer will be restricted from going out on any road crew assignment and will perform assigned tasks wither within the unit or with the MOCC Maintenance Department and restricted to dayroom recreation only.

Any extra duty hours assigned resulting from disciplinary action will be completed upon the complex. Off-complex community service **does not apply!**

Behavior Management Team (BMT)/Progressive Discipline:

1st Offense: Twenty (20) hours Extra Duty – One (1) weekend bunk restriction

2nd Offense: Thirty (30) hours Extra Duty – Two (2) weekends bunk restriction

3rd Offense: Forty (40) hours Extra Duty – Three (3) weekends bunk restriction & loss of seniority for work release.

Definitions:

Bunk Restriction: From 7:00 am – 7:00 pm (Saturdays & Sunday), inmate shall be restricted to his bunk. The only exception will be for the purpose of utilizing the shower, restroom, lunch and dinner (for which a fifteen [15] minute time limit to eat before returning to the bunk will be enforced). Inmates will not be permitted to leave their bunk for visits. Inmates will be permitted to the opportunity to utilize the unit's microwave ovens twice during the twelve hour period, provided permission is first obtained from the desk officer.

Extra Duty: Additional duties assigned by the unit team only, unless otherwise specified. Most of the extra duty is on a volunteer basis; however, inmates do not have the option of not completing an assignment given to them.

Extra Duty Time Frame: Any extra duty assigned administered by the unit team, or Correctional Hearing Officer, must be completed by the date rendered or the inmate will be subject to additional disciplinary action (Rule 2.01 "Refusing an Order." WVDOC Policy Directive 325.00 "Discipline of Inmates").

INMATE GRIEVANCE PROCEDURE

Inmate Grievance Procedure: Inmates and staff are urged to resolve complaints at the lowest level authorized to make a decision.

Step	Time Frame	To Whom	Response Time
Attempt to resolve issue through discussion	Day of problem or event	Correctional Counselor or other Unit Team Member	By close of next working day
Initial Grievance	Within 15 days of occurrence causing the inmate to file a grievance	SWC Commander	Within 5 working days of receiving grievance, excluding weekends and holidays
Appeal to Warden	Within 5 days of receiving initial grievance response	MOCC Warden	
Appeal to Commissioner	Within 5 days of receiving Warden's response	Commissioner	Within 10 working days excluding weekends and holidays

If an inmate has a complaint, he should first discuss it with his Counselor. If the inmate does not believe that dialogue has resolved the issue he can file a grievance. Inmates are urged to exhaust the internal grievance procedure before filing complaints in court. Some courts are declining to hear filings in which the inmate has failed to exhaust the internal grievance procedure. Grievances must be submitted on state issue forms or they will be returned unanswered. There will not be reprisals against inmates who file a grievance. Copies of inmate grievances shall be retained in the inmate's file, but shall not be made available to the Parole Board, except on request of the inmate. Grievance forms are available in each housing unit and the Library. (Refer to WVDOC Policy Directive 335.00 "Inmate Grievance Procedures.")

OVERVIEW OF THE PRISON RAPE ELIMINATION ACT (PREA) AND THE PREVENTION OF SEXUAL MISCONDUCT/ABUSE/ASSAULTS

The WVDOC, MOCC and the SWC are all committed to maintaining a safe, humane and secure environment for the inmate population as well as for staff and the general public. This commitment includes the zero tolerance for the sexual assaults, abuse or threat thereof against inmates either by staff or by other inmates.

All inmates will be screened within twenty-four (24) hours of arrival at SWC for potential vulnerabilities or tendencies of acting out with sexually aggressive behavior. Housing assignments will be made accordingly.

During your time at SWC there will be certain members of the inmate population you will learn to avoid. The inmates are referred to as predators, inmates who prey on the weak. By learning how to recognize predators and getting them to leave you alone, you will make your time at SWC safer. Some cues for spotting predators are: *Inmates who always stare at you; Inmates who continually try to talk with you; Inmates who try to borrow things; Inmates who try to offer you things; Inmates being over-friendly; Inmates on power trips/being controlling.*

Should an inmate be victimized by an act of sexual misconduct/abuse/assault, SWC shall ensure that the victimized inmate receives appropriate treatment, and counseling, as a result. The treatment and counseling measures shall be referred to the facility's contracted medical health-care and mental health-care professionals and the victimized inmate shall be referred under appropriate security provisions to a community facility for treatment and gathering of evidence or if these procedures are performed "in-house" the following guidelines are used:

- A history is taken by health care professionals who conduct an examination to document the extent of physical injury and to determine if referral to another medical facility is indicated. With the victim's consent, the examination includes the collection of evidence from the victim, using a kit approved by the appropriate authority.
- Provision is made for testing of sexually transmitted diseases (e.g. HIV, gonorrhea, hepatitis, and other diseases) and counseling, as appropriate.
- Prophylactic treatment and follow-up for sexually transmitted diseases are offered to all victims, as Appropriate.
- Following the physical examination, there is availability of an evaluation by a mental health professional to assess the need for crisis intervention counseling and long-term follow-up.
- A report is made to the MOCC Warden to assure separation of the victim from his assailant.

