

**WEST VIRGINIA DIVISION OF  
CORRECTIONS**

**MOUNT OLIVE CORRECTIONAL  
COMPLEX**



**INMATE HANDBOOK**

Revised 01 May 2013

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# MESSAGE FROM THE WARDEN

Prison, in its best terms, is not the best place to be. It is however, your home for a period prescribed by law. The Mount Olive Correctional Complex (MOCC) is a maximum-security correctional facility. Within are academic, vocational and other rehabilitative opportunities. The safety and security of the public, staff and inmate population is the foundation upon which a rehabilitative atmosphere can be built. We respect your right to dignity and will not tolerate you being harassed or brutalized. In return, we expect your understanding and cooperation in our efforts to create a safe and secure environment. MOCC operates based upon the principles of Unit Management. The highest-ranking employee in each housing unit is the Unit Manager or Segregation Commander. Each unit is also assigned a Case Manager, Correctional Counselors, Correctional Officers and an Office Assistant. Your Unit Team is your first and most important resource. See your Counselor first. Adjusting to a long term of incarceration offers many challenges and choices. Whether your goal is to build a life here, to transfer to a less secure facility or to reenter society, I urge you to be a positive member of the institutional community.

***The choice is yours.*** The rules and regulations contained within this handbook are for your information and benefit. If you follow these rules and regulations, the time you spend at this facility can result in you making choices that result in positive long-term changes in your life.



David Ballard  
Warden

## MOCC EXECUTIVE STAFF

Warden  
Deputy Warden  
Associate Warden-Security  
Associate Warden-Programs  
Associate Warden-Operations  
Business Manager

David Ballard  
Ralph Terry  
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**WVDOC VISION STATEMENT:** *The vision of the West Virginia Division of Corrections is to be recognized as an innovative leader in providing quality correctional services.*

**WVDOC MISSION STATEMENT:** *The mission of the West Virginia Division of Corrections is to enhance public safety by providing a safe, secure, and 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.*

**MOCC MISSION STATEMENT:** The MOCC mission is five-fold, to:

- *Provide for the custody, control and care of adult, male felons who have been convicted of severe crimes against man or nature and committed to the custody of the WVDOC.*
- *Preserve order in all facilities by the safe, secure and humane management of the highest risk inmates in the custody of the WVDOC.*
- *Prevent duplication of resources by providing medical and mental health care for the most ailing and infirmed inmates in the custody of the WVDOC.*
- *Restructure inmate conduct through behavior driven and cognitive restructuring programs, as appropriate, which facilitate the inmate controlling his own behavior within the facility, transfer to a less secure facility or reintegration into society.*
- *Develop and empower professional correctional staff to manage high-risk inmates and to function as effective leaders and team members.*

## INMATE GENERAL RULES AND REGULATIONS

As part of the overall process of ensuring that MOCC maintains a safe, secure, and orderly operation at all times each inmate, each inmate's living area, each inmate's work area (as applicable), and all property belonging to each is subject to search by Correctional Staff at all times.

Each inmate will be present at his cell or other assigned place for count. Inmates will not do anything that can confuse or delay a count. Employees are required to count living, breathing flesh and are authorized to awaken an inmate to resolve any doubts during a count.

Inmates will only be allowed in the cell assigned to them. Cell doors will remain closed at all times and will not be propped open except during cleaning or moving. Inmates will not have their cell doors open in order to carry on conversations with other inmates. Inmates will only be permitted on the tier they live on. Inmates will keep a clean and orderly cell at all times and are subject to routine inspections for cell and personal cleanliness.

As of March 1<sup>st</sup>, 2008 the possession and/or use of all tobacco and tobacco-like products (smoking and smokeless) by all inmates at MOCC is strictly prohibited.

Haircuts, grooming and personal hygiene shall be maintained as stipulated in by current policy and procedure. General population inmates will shower and shave their faces daily, segregation inmates as directed by policy and procedure. Inmates reporting to school, work, or recreation unshaven will be returned to their housing unit until they comply. A disciplinary report may be issued. To receive a new state issued razor, you must turn in the old and intact state issued razor. Inmates reporting to the dining room for the morning and mid-day meal (weekends and holidays excluded), Medical, Dental, Mental Health, Education, Library, Magistrate Court will wear the issued khaki pants and shirt. Tennis shoes or issued boots will be worn. No shower shoes.

Common sense and good judgment will be used in the amount of property accumulated in a cell. Anything such as, but not limited to, a potential life hazard in event of fire (i.e. cardboard and excessive papers), attracts pests or vermin (i.e. open or empty food containers), the operation of an unauthorized store, etc. is prohibited. An employee may direct an inmate to dispose of excessive property and may contact the Inspector if necessary.

Inmates will send their clothes and linens to the laundry weekly on the designated day. Washing of clothes in any area other than the laundry will not be permitted. Inmates will not cut, alter, or deface any state issued clothing. Alterations will only be conducted in the laundry.

Loud and/or profane language, horseplay or other behavior that disrupts the smooth, orderly operation of an area is prohibited. Doing so will be considered creating a disturbance. Any inmate causing a disruption in any area will be removed from the area.

General population inmates will carry their ID cards at all times. ID is required to enter/exit restricted areas, make purchases in the exchange, verify meal service in the Dining Room, etc. ID cards must be presented upon the request of any employee.

Any item not issued by the prison, sold at the Commissary, altered from its original state, or not approved in writing by the Warden for possession by inmates will be considered contraband. Inmates will not possess, deal or traffic in contraband. Inmates are personally accountable for all items carried on their person or in their cell or property.

Inmates will immediately report any injury or wound to staff.

Inmates will not be permitted to pass items from cell to cell or pass items under or through any door for any reason.

Inmates will be appropriately clothed anytime they leave their cells and enter a common area. Pants are to be worn at the natural waistline. Bathrobes or towels are to be worn when going to or from the shower. This includes meals and pill call. Inmates will keep all clothing and property properly stored in their locker box. Only bedding will be stored on the beds. No clotheslines and/or strings are permitted to be hanging in a cell for any reason. Items will not be hung on light fixtures or cell walls unless approved in writing.

Signs or red lines designate restricted areas. Inmates will not enter any restricted area without permission from an employee. Passes will be issued to control inmate movement. Inmates will proceed directly to and return directly from the pass location.

Inmates will not cut, alter or deface cell fixtures nor use issued blankets, towels, etc. as floor rugs.

Items will not be hung over cell windows or cell door windows, nor shall any item be placed in a way as to block cell windows or cell door windows. The only authorized covering for the cell window is the curtain issued by MOCC. A 3" x 5" index card only may be placed in the cell door window when using the toilet. No items will be placed over vents or under door openings to obstruct air flow.

## INMATE GENERAL RULES AND REGULATIONS (Continued)

Inmates will not be permitted to loaf in any corridor area, on the top tier or underneath the stairs. Inmates will not sit on the stairs.

Televisions, radios, etc. that are played so loud as to be heard at the Officer's Station with the cell door shut will be considered to be creating a disturbance. Only one (1) warning will be given. Second offense – a disciplinary report will be issued and the Unit Team may confiscate the appliance.

All trash is to be placed in the receptacles provided. Littering is prohibited.

Showers will be taken during passive recreation and/or as dictated by operation procedure. Inmates living on the bottom tier will shower in the bottom tier showers, likewise inmates living on the top tier will shower in the top tier showers. No exceptions without permission.

Day Room tables and chairs will not be moved around without permission.

Any inmate losing or destroying a cell door key will be charged \$25.00 for its replacement.

Inmates are not permitted to enter another housing unit or be on the patio of another housing unit without permission or escort by staff or as authorized by their written work assignment agreement. Inmates are not allowed in office areas without staff being present.

No food items will be removed from the dining room. Only MOCC Exchange items will be permitted as part of the in-cell possession limits.

Only white-soled (non-marking) tennis shoes will be permitted on the gym floor. Running is allowed only in the gymnasium or on the recreation yard.

Whenever any WVDOC canine team is present on the yard, inmates are prohibited from engaging in any deliberate actions designed to intimidate or otherwise distract the working canines. Such actions may include, but are not limited to, "barking" at the canines, whistling, attempting to "pet" or touch the animals, or throwing objects at or in the direction of the animals. Any such act will be considered a violation of Policy Directive 325.00, 1.16 "Obstructing."

**Policy Directives & Operational Procedures:** *Policy Directives* are defined as a course or line of action adopted and pursued by the WVDOC that guides and determines present and future decisions and actions. They indicate the course or direction of the WVDOC within which the activities of WVDOC personnel must operate. They are also defined as statements of guiding principles that should be followed in directing activities toward the attainment of objectives. *Operational Procedures* are defined as written procedure issued by the Warden providing the detailed and sequential actions that must be executed to ensure that a Policy Directive is fully implemented. It is the method of performing an operation or a manner of proceeding on a course of action. It differs from a Policy Directive in that it directs actions in a particular situation to perform a specific task within the guidelines of policy. Both WVDOC Policy Directives and MOCC Operational Procedures approved for inmate viewing can be found in the Library.

**Posted Procedures:** Information relating to a specific housing unit can be found on bulletin boards located within that unit. Inmates should review the memos/notices posted for any changes or additional information that the MOCC Administration disseminates to the inmate population.

### 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 325.08.

## INMATE DISCIPLINARY PROCEDURES

(See WVDOC Policy Directives #325.00 "Discipline of Inmates" and 325.08 "Unit 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.

**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		

## INMATE DISCIPLINARY PROCEDURES (Continued)

**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 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 Unit Behavior Management Team or Dismissal of the matter. If receiving such a referral, Unit Behavior Management Team may impose one or more of the following sanctions (refer to WVDOC Policy Directive 325.08 "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 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.

**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 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 Unit Behavior Management Team or Dismissal of the matter. If receiving such a referral, Unit Behavior Management Team may impose one or more of the following sanctions (refer to WVDOC Policy Directive 325.08 "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 325.08. 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.

# INMATE DISCIPLINARY PROCEDURES (Continued)

## DISCIPLINARY PROCEDURES

**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 possession of a personal radio/television/stereo/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's Inmate Grievance System; and members of the West Virginia Board of Probation and Parole.

**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

## INMATE CLASSIFICATION OVERVIEW

MOCC is principally committed to maintaining an inmate in the least restrictive classification level, as appropriate, for the safety of the public, staff, other inmates and the safe, secure and smooth operation of the facility and the WVDOC. An inmate's classification will determine the area of MOCC where he will be housed and/or his eligibility for transfer to another WVDOC facility; the conditions under which he will be allowed to leave his cell and types of programs, program delivery, work assignments and privileges for which he may be eligible. Advancement through the classification levels shall be on a continuum. All inmates, whether classified to MOCC or inmates transferred to MOCC from other WVDOC facilities, shall not advance from one (1) classification level to the next until they have met the eligibility requirements for the next level. To advance to the next level of the classification system, an inmate must:

- Maintain excellent behavior and demonstrate a positive attitude.
- Perform satisfactorily in available work and academic/Career and Technical Education (CTE) assignments.
- Comply with the recommendations set forth in his Individual Reentry Program Plan (IRPP).
- Be able to meet the eligibility criteria established for each classification, as outlined in this procedure.

Full details and procedures governing the WVDOC Inmate Classification process are outlined within WVDOC Policy Directive 401.01 "Correctional Classification Guidelines."



## INMATE PROGRAMS AND SERVICES

**Introduction & Overview of Inmate Programs & Services at MOCC:** In keeping with WVDOC policy the MOCC will strive to effectively deliver programs and services to the inmate population in a manner that facilitates staff-inmate contact to the greatest degree practical. Inmates have the option of refusing to participate in any rehabilitative or treatment program, **except for** Adult Basic Education (ABE), programs required by State Code, or programs ordered by the sentencing court or paroling authority. Failure to participate in programs may result in administrative or disciplinary action.

**Programs Division:** The Associate Warden-Programs (AWP) reports directly to the Deputy Warden and is the Programs Division Manager having the responsibility and authority for all aspects of the MOCC inmate programs. The following units/areas comprise the MOCC Programs Division: *General Population Housing Units; Residential Substance Abuse Treatment (RSAT) Unit; Classification; Inmate Records; Inmate Movement; Institutional Parole Officer; Inmate Work Assignment; Arts & Crafts Program; Religious Services Program; Recreation Department; Substance Abuse Therapist; Reading/ Law Libraries;* and the AWP is also the MOCC liaison for the *Education Dept. & Mental Health Services Provider.*

MOCC utilizes the Unit Management concept as the method of administering the appropriate care and security needs for the inmate population. Unit Management Teams work in the housing units and additional staff positions through the facility all play important roles alongside of the Unit Teams. They provide necessary and appropriate guidance, instruction, and input to other members of the Unit Team and members of the inmate population living in the housing unit. The Unit Team has the delegated authority to make decisions regarding security classification, services, and programs for inmates living in the unit.

**Operations Division:** The MOCC Operations Division falls under the supervision of the Associate Warden-Operations (AWO) and comprises various departments that directly provide services to the inmate population or to the facility as a whole to ensure that day-to-day operations are maintained in efficient working order. The following are the various department and services that are provided through the MOCC Operations Division; *Inmate Barber Shop; Laundry Department; State Shop/Inmate Property; Post Office (Mail & Package Service); Maintenance Department, Central Receiving Warehouse* and the AWO is also the MOCC liaison for the *Medical Health Care Services Provider Health Services, Food Services Provider, Commissary Services Provider, WV Office of Technology, and WV Correctional Industries.*

**Correctional Industries:** The AWO serves as the MOCC liaison with the Correctional Industries located on the facility. For a full account of the Correctional Industries program at MOCC and security and program determinations necessary for inmates to be eligible for work in Correctional Industries refer to Operational Procedures #5.01 "Inmate Work Program" and #5.09 "Correctional Industries Building Procedures."

**Education:** Inmates are required to undergo an educational assessment with a certified teacher upon being received at MOCC. The WV Department of Education provides a comprehensive program that includes academic and Career and Technical Education programs for eligible inmates. (Refer to Operational Procedure 5.02 "Academic/Career and Technical Education Programs")

**Food Service:** The AWO serves as the MOCC liaison with the contracted food service provider. A full account of procedures governing food service at MOCC may be found in Operational Procedure #4.20 "Food Service."

**Health Care:** A contractor will provide health care services, including 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.**

- The Medical and Mental Health Units are staffed with medical personnel twenty-four (24) hours a day, seven (7) days a week. The Dental Department is staffed with a Dentist and a Dental Hygienist Monday through Friday, excluding holidays. Optometry services are provided weekly. Laboratory and Radiology services are provided as needed. Outside referral services are provided for emergencies and when requested by the on-site physician or another referring physician who has seen the inmate previously (for follow-up care). Telemedicine technology will be used to facilitate referrals as determined by the physician.
- Medication is dispensed to the general population in the Main Dining Room during the morning and evening meals. Medication is dispensed in each restricted/segregated housing unit by qualified medical staff daily as medically indicated.

## INMATE PROGRAMS AND SERVICES (Continued)

- *Sick Call and Access to Care Providers:* Each inmate has the opportunity to speak to a nurse daily during general population pill line or during rounds in restricted/segregated housing units. 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. Each cell at MOCC is equipped with an emergency call button that allows the inmate to notify an employee in the event of an emergency. Medical and Mental Health Unit cells have electronic nurse calls.
- *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.
- Inmates will not be used to provide any type of health care services, schedule appointments or to determine access of other inmates to health care services. At no time are inmates to have or have access to surgical instruments/syringes/needles, health care records, the pharmacy, any medications except those prescribed to him personally, or to operate or maintain diagnostic or therapeutic equipment.
- Each inmate will receive a thorough examination at least bi-annually (every two years) and each inmate age fifty (50) or above at least annually.
- The use of inmates for any medical, pharmaceutical or cosmetic experiments is strictly prohibited. This policy does not preclude individual treatment of an inmate based upon his need for a specific medical procedure that is not generally available.
- *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. See Operational Procedure governing Mental Health Services.

**Inmate Barber Shop/Hair Care Service:** A centralized Barber Shop has been established within the Gymnasium Building for inmates living in the general population. Haircuts will be provided in accordance with current grooming standards and shaves will only be provided for those inmates who have in their possession current and valid medical shaving slips that have been issued by the MOCC Physician/Physician Assistant.

- Hair care service for inmates is free of charge and will be provided during the normal operating hours of the Gymnasium on a first come-first served basis. In the event that the Gymnasium is closed during normal operating hours, the Barber Shop may remain open and hair care service may still be available. However, inmates wishing to receive haircuts must first secure a pass from their Housing Unit before proceeding to the Barber Shop.
- Hair care service will also be provided for the segregated units. The Barber Supervisor will coordinate services for these units with their respective Unit Manager or Segregation Commander on a flexible schedule that will be based upon inmate needs and available staff manpower. Only "Barber-2" Inmate Barbers will be authorized to provide hair care services in any segregated unit within this facility.
- Inmate barbers must secure and maintain a valid inmate written work assignment agreement in order to perform hair care service. A list of rules and regulations to be adhered to by Inmate Barbers will be posted in the Barber Shop.
- Inmates will not loiter inside, or be in the Barber Shop area for any reason other than to receive hair care services. Inmates will conduct themselves appropriately while in the Barber Shop area. A red line zone is in place at the entry/exit door to the Barber Shop area. The number of inmates authorized inside the Barber Shop to receive hair care service will be monitored, controlled, and limited when deemed necessary, by the Barber Shop Supervisor.

**Inmate Commissary: Purchasing at the store is a privilege.** Purchases are made on a first come first server basis. 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. Segregation inmates submit written store call requests through the unit team when permitted by their status. (Refer to Operational Procedure 1.16 "MOCC Exchange [Commissary]")

## INMATE PROGRAMS AND SERVICES (Continued)

**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	Unit Manager, Segregation Commander	Within 5 working days of receiving grievance, excluding weekends and holidays
Appeal to Warden	Within 5 days of receiving initial grievance response	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.")

**Inmate Laundry Services:** MOCC provides a laundry service to ensure the sufficient supply of clean linen and clothing for the inmate population. Inmate laundry will be picked up and delivered back to the housing units on weekly basis, with the schedule being posted in each housing area. This schedule is subject to change due to holidays, breakdown and lockdowns. In the event the schedule is changed, the Shift Commander and AWO will both be notified and a revised schedule will be posted in all housing areas and all Unit Managers and the Segregation Commander will be notified. Laundry services include, but may not be limited to, washing, drying, pressing, folding and sewing services at no cost to the inmates.

- Each cell within the inmate living areas will be assigned two (2) laundry bags, per cell occupant, that are marked for identification with the cell number and color coded to the appropriate housing unit. Laundry bags will not be altered or used for any purpose other than as a means to send or receive laundered clothing and linens. Nothing will be placed in laundry bags except clothing and linens. Inmate laundry will be sorted with one (1) bag being utilized for color clothing, bedding, etc. and the second bag utilized for white clothing, linens, etc. Laundry bags are assigned to the cells and not the inmates living in the cells.
- The Inmate Laundry shall not be responsible for damaged/lost inmate personal clothing.
- Clothing alterations or repairs will be accomplished during the posted hours (established by the Laundry Supervisor and approved by the AWO) and must be requested through, and approved by, the Laundry Supervisor/designee. Alterations will include, but are not limited to replacement of lost buttons; repairing of seams; and/or hemming of pants (no pegging, etc.).

**Inmate Mail:** MOCC has in place a Mail Room utilized for the processing in and out of all mail sent to and out of the facility. Additionally, the MOCC Mail Room operates a Sub-Station for the delivery of legal and privileged mail to general population inmates.

- 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 presences 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."

**Inmate Reading & Law Libraries:** General Population inmates can use the main reading library and law library on a pass control basis. Inmates housed in Control Units can make a request for books or legal materials in writing from the Librarian via internal mail. (Refer to Operational Procedure 5.07 "MOCC Library Programs & Services")

## **INMATE PROGRAMS AND SERVICES (Continued)**

**Inmate Recreation:** The Recreation Department offers a variety of active and passive indoor and outdoor recreation activities for eligible inmates. (Refer to Operational Procedure 5.03 "Recreational Programs and Activities")

**Inmate Religious Programs:** The Religious Programs Department provides 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. (Refer to Operational Procedure 5.08 "Religious Programs")

**Inmate Telephones:** 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. (Refer to Operational Procedure 5.05 "Inmate Use of Computer and Telephone Systems")

**Inmate Trust Accounts:** Inmates are required to deposit funds into trust accounts for spending and savings in compliance with WV Code §62-13-4. The Trustee Clerk accepts calls for inmate passes Monday-Friday as posted, but will not see inmates on "Turn-in", weekends, holidays, or the last business day of the month. Vouchers are available in each housing unit. Inmates must sign each voucher in the presence of a member of his unit team who has verified his identification. Inmates must have funds on deposit to cover the voucher the day it is received by the Trustee Clerk. (Refer to Operational Procedure 1.17 "Inmate Funds")

**Inmate Work Assignments:** Eligible inmates have the opportunity to be engaged productively in institutional work or program assignments that afford the opportunity to learn job skills and develop good work habits. (Refer to Operational Procedure 5.01 "Inmate Work Program")

**Internal Paging System:** General population inmates should pay attention for and comply with announcements made over the internal paging system

**Internal Television Channel:** From time to time information concerning events or activities will be broadcast to the inmate population via closed circuit television. This station is also used to broadcast educational, religious and special entertainment programming.

**State Shop Services & Inmate Property Procedures:** A full account of inmate services provided through the MOCC State Shop as well as procedures regarding inmate property are outlined within MOCC Operational Procedure #4.03 "Inmate Property & State Shop Procedures."

**Visitation:** Applications can be obtained from the Unit Team. The inmate is responsible for mailing the application to the prospective visitor. The prospective visitor must return their completed application via U.S. Mail to the MOCC Visiting Room. All visitors must be approved prior to visiting. (Refer to Operational Procedure 5.06 "Inmate Visiting Program")

**Inmate Honor Hall:** MOCC has in place an Inmate Honor Hall program designed as an incentive and privilege for those inmates who have demonstrated through their overall institutional record that they are indeed worthy of privileges not afforded to other inmates assigned to the general population. A full description of this program is outlined in MOCC Operational Procedure 2.02 "Operational Guidelines – Inmate Honor Hall."

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

The WVDOC and MOCC are both 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 MOCC for potential vulnerabilities or tendencies of acting out with sexually aggressive behavior. Housing assignments will be made accordingly.

## INMATE PROGRAMS AND SERVICES (Continued)

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

During your time of incarceration at MOCC 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 here at MOCC 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, MOCC 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 Warden to assure separation of the victim from his assailant.

Additional information will be provided during the inmate's orientation program upon arrival at MOCC.

Any inmate who feels threatened or has been the victim of a sexual assault or sexual abuse has the option of reporting the incident to any MOCC employee.

In addition to the option of reporting any such incident to any MOCC employee, GTL, the current provider of the inmate telephone service, has also established a direct line that can be utilized for reporting incidents involving any type of sexual contact or sexual violence, to include sexual abuse, sexual assault and/or sexual threats.

This direct reporting line can be reached through any inmate telephone located throughout the facility. To utilize this method of reporting an incident of sexual contact or sexual violence, to include sexual abuse, sexual assault and/or sexual threats, there are three simple steps to follow:

- Press 1 for English
- Dial \*9029#
- At the tone (as directed by pre-recorded message) Leave Your Message

This direct line may also be utilized for reporting other criminal activity or situations in which an inmate may feel threatened or has been victimized.

This direct line **IS NOT** to be utilized for the purpose of general complaints concerning facility operations (to include complaints about the inmate telephone system). Such complaints are to be directed to your Unit Team or through established inmate grievances procedures.

