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Introduction To Handbook

The purpose of the Lakin Correctional Center and Jail's (LCC&J) Handbook is to provide you information that will help you while making your transition into our facility. It is important that you take the opportunity to ask any questions that you may have during your initial intake into the facility in order to avoid future violations of the rules and procedures within the institution. Often people don't feel comfortable speaking in a group setting, especially in a new place with unfamiliar people. The Inmate Request Form should be used in these circumstances.

The LCC&J Handbook will also serve as a reference for you throughout your stay here at Lakin Correctional Center and Jail. LCC&J Handbooks are located in every unit and may be checked out from the Officer's desk at any time. It is expected for all inmates to have a general knowledge of the contents of the LCC&J Handbook as it was designed for you in order to answer questions that you may have regarding procedures, programs, and/or security issues and other helpful information. It is our hope here at Lakin Correctional Center and Jail that this Handbook will serve as the first tool of many resources that are made available in order to assist you in making the proper choices on a daily basis and enable you to live a productive lifestyle while housed in this facility. It is our hope that the choices you make will be physically, mentally, and emotionally healthy for you, your family and support group. It is recommended that you take full advantage of the opportunities and resources made available to you and to not only focus on your incarceration. Please, keep an optimistic outlook on your reentry into society and reunification with your family and support group. You should focus on the goals and objectives that you are expected to be working toward while housed at Lakin Correctional Center and Jail.

West Virginia Division of Corrections and Rehabilitation Mission Statement:

The mission of the West Virginia Division of Corrections and Rehabilitation is to enhance public safety by providing safe, secure, and humane correctional facilities, operating an effective system of offender re-entry and community supervision, reducing offender recidivism, and assisting victims of crime.

Lakin Correctional Center and Jail Mission Statement:

It is the mission of Lakin Correctional Center and Jail to maintain a safe, secure, humane, and cost-efficient correctional institution for the public, staff, and inmate population and that provides work, education, and other self-improvement opportunities to assist female offenders in becoming law-abiding citizens.

Lakin Correctional Center and Jail is the only all-female prison in the State of West Virginia. Lakin Correctional Center and Jail currently houses 520 minimum to maximum security adult female felons. It has a Residential Substance Abuse Treatment (RSAT) Unit. The unit has 10 multiple occupancy cells housing a total of 40 inmates. The program is an intensive substance abuse treatment program that is cognitive restructuring in nature and designed to address the needs of the female population. Lakin Correctional Center and Jail also has the Keeping Infant Development Successful (K.I.D.S) Unit, which is a program that houses at a maximum of five inmate mothers and their infant (up to 18 months), after meeting strict guidelines and criteria. It gives the inmate mother the opportunity to bond with her infant and be an integral part of the infant's early childhood development.

West Virginia Division of Corrections and Rehabilitation Re-Entry Initiative:

It is the Policy of the West Virginia Division of Corrections and Rehabilitation to maintain a mechanism that ensures that all inmates have access to a program of release preparation prior to their release in to the community and that all staff carry out their responsibility in a manner that is consistent with a human service orientation and is a balanced approach between supervision and programming of offenders' individual risk and needs.

Introduction of Staff

Superintendent	J.D. Sallaz
Deputy Superintendent	Shelby Searls
Associate Superintendent of Operations	Nathan Ball
Associate Superintendent of Programs	Vacant
Associate Superintendent of Security	G. S. Dickenson
Correctional Hearing Officer	Angela Roach
Trustee Clerk	Loraine Wright
Medical Director of Nursing	Heidi Beegle
Director of Classification	Tammy Larch
Re-Entry Coordinators	Trenton Leonard and Dawnjonelle Cochran
State Shop Supervisor	Chantell Hoffman
Mail Room Supervisor	Courtney Roush/Karen Absten/Tabitha Stanley
Hair Care Supervisor	Ashley Spaulding-Smith
Laundry Supervisor	Loretta Smith
Jobs Coordinator	Joe Thornton
Commissary	Tammy Brooks
Program Facilitator	Samantha Rollins
Lead Teacher	Lori Loomis

Special Housing Unit:

Segregation Commander	Paul Stump
Case Manager	Staci Bain
Counselor I	Amber McDaniel
Office Assistant	Vacant

RSAT/J-Building/Modular Unit Staff:

Unit Manager	Philip Putney
Case Manager	Paula Ray
Counselor I	Vacant
Counselor I	Cindy Williams
Substance Abuse Therapist II	Robert Updegrave
Substance Abuse Therapist I	Lynn Roslinski
Office Assistant	Windy Fauver

General Population (A and B Pods) Unit Staff :

Unit Manager	Paul Stump
Case Manager	Jennifer Caldwell
Counselor I	Beverly Ross
Counselor I	Lora Long
Office Assistant	Amanda Payne

General Population (C and D Pods) Unit Staff:

Unit Manager	Stephen Roush
Case Manager	Tara Rake
Counselor II	Vacant
Counselor I	Lisa Leport
Office Assistant	Amanda Payne

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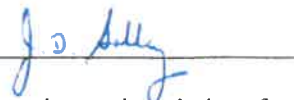
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Lakin Correctional Center & Jail

Rules and Regulations

Effective: 01 April 2019

Superintendent's Signature: _____



1. Each inmate will be present in her 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.
2. General Population inmates are required to display their ID card at all times. No stickers, pictures, etc.... are to be attached to the I.D. When wearing the Khaki Uniform, the I.D. will be clipped to the left shirt pocket with the picture showing. The I.D. will be visible at all times. A \$5 replacement fee is charged for lost or damaged ID cards.
3. No food or beverages are permitted in the following areas:
 - a. Corridors
 - b. Gym
 - c. Visitation Areas (Non-Contact)
 - d. Classrooms
 - e. Libraries
 - f. Attorney/Client Visiting
 - g. Multi-Purpose Rooms
 - h. Chapel
 - i. Medical or Medical Waiting Area
 - j. Segregation/Recreation Area
 - k. Showers
4. Red lines are used to designate restricted areas. Inmates will not cross any restricted area lines without permission.
5. Entering any cell other than your assigned cell will not be permitted.
6. Littering of any type will not be permitted.
7. Inmates will not go beyond any posted sign stating: "No Inmates Beyond This Point", without authorization from a correctional employee.
8. Any item not issued or permitted by LCC & J Operational Procedures or altered from its original state will be considered contraband.
9. Items will not be hung on cell walls.

10. Inmates will be responsible for keeping a clean and orderly cell at all times.
11. Inmates attending education classes, law library, reading library, church services, or hair care center will not exit these areas unless authorized by staff, hall officer, or central control.
12. Items will not be hung over cell windows or cell door glass, nor shall any item be placed in a way as to block cell windows or cell door glass. No items will be placed over vents or under door openings to obstruct air flow.
13. Items will not be hung on light fixtures in cells.
14. Cell doors will not be propped open at any time.
15. Passive Recreation shall take place in the Day Room Area. Loafing on the upper tier is not permitted; however, inmates may go to and from their assigned cells. Every half hour Inmates will be permitted to enter or exit their cell for a five (5) minute period with the exception of returning from the shower.
16. Bunks will be made daily, or anytime the inmate is awake.
17. When walking through a corridor or hallway, inmates will walk in single file lines and as far to the right as possible.
18. No food or drink will be permitted in the Segregation Recreation Area.
19. It will be prohibited for an inmate to enter another housing area other than her own assigned housing area without permission or escorted by staff or as authorized by work contract.
20. Radios, cassette players, televisions, or CD players that are played so loud as to be heard at the Control Panel with the cell door shut will be considered to be creating a disturbance.
21. Inmates will not have their cell open in order to carry on conversations with other inmates.
22. Showers will be taken during passive recreation times. Other times may be approved by staff due to work, medical conditions, or other health reasons. Only one (1) inmate will be permitted in a shower stall at a time. Inmates living on the bottom tier will shower in the bottom tier showers. Inmates living on the top tier will shower in the top tier showers.

23. Inmates will not be allowed in office areas without staff being present, i.e. Unit Manager, Case Manager, Counselors.
24. Loud and/or profane language will be considered creating a disturbance.
25. Inmates will be fully clothed at all times (including bra and panties). This includes cells/rooms, meals, pill call, and to and from showers.
26. Inmates will only change clothes in shower stalls. Bathrooms will be used for Modular Unit inmates and C-wing inmates in J-Building.
27. Loafing on the stairs will not be permitted.
28. Inmates will not use blankets and towels, etc., as floor rugs.
29. Only white soled tennis shoes will be permitted on the gym floor.
30. Inmates will be groomed properly daily to include showering. Inmates reporting to school, work, or recreation not groomed properly will be returned to their housing area until they comply. A violation report (VR) may be issued.
31. Inmates are only permitted to have approved in-cell arts and crafts items in their cell.
32. Inmates will not disrupt school classes, church services, Law/Reading Libraries, etc.
33. Inmates must be appropriately dressed to include Khaki Pant, Khaki Shirt, T-Shirt, Socks and Shoes when departing the Housing Unit with the exception of when going to and from the Recreation Yards and Gymnasium. Inmates will be appropriately attired when in common areas, regardless of whether wearing state issued or personal clothing. Pants will be worn at the natural waistline.
34. No items from the facility Dining Room will be removed from the Dining Room. Only authorized LCC Commissary items will be permitted as part of the in-cell possession limit.
35. Inmates will not be permitted to carry any items into the Dining Room, other than ID Card/Unit Card/Meal Card.
36. Inmates will keep their fingernails clean at all times. An inmate's fingernails will not be longer than her fingertips.
37. Inmates will not be permitted to pass items from one unit to another or pass items through any door.

38. Inmates may be charged with a violation of disciplinary rule 2.10, self-mutilation if the inmate failed to eat by the fourth (4) consecutive meal, unless the institutional physician directs otherwise.
39. 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, that attracts pests or vermin, operation of an unauthorized store, etc., is prohibited. An employee may direct an inmate to dispose of excessive property and may contact the Inspector as necessary. See Operational Procedure governing Offender Property Possession/Issue Authorization.
40. Inmates will not cut, alter, or deface any state issued or personal purchase clothing.
41. Alterations or repairs to state issued clothing will only be conducted by the State Shop.
42. Inmates will immediately report any injury or wound.
43. Inmates will not compromise or attempt to compromise the integrity of any employee.
44. Inmates will not cut, alter or deface cell fixtures.
45. No inmate is permitted to receive anything from staff in regard to gifts/items, etc., nor are they permitted to give staff gifts/items, etc.
46. Inmates will speak to all visitors in a respectful and courteous manner.
47. No inmate is permitted to communicate in any way from one Pod to another or from one Recreation Yard to another. This includes talking, gestures, hand and arm signals, etc.
48. Use of sanitary items and cleaning supplies are not to be abused or used in any manner for which they were not intended.
49. Inmates are not permitted to stand or kneel on the Outdoor Recreation Yard benches.
50. Inmates are permitted to take one (1) drink, one (1) book, six (6) pieces of hard candy, one (1) deck of playing cards and Walkman with headphones only to the Outside Recreation Yards.
51. Inmates are not permitted to question or request from LCC staff that a rule violation/write-up be "kicked-back."
52. Inmates are not permitted to have any hairstyles/haircuts that are faddish in nature or hairstyles/haircuts that are gang related.

- 53. Inmates are only permitted to wear ball caps or toboggans on the recreation yard or in their assigned cell.
- 54. Inmates are only permitted to wear a doo rag in their assigned cell.
- 55. ALL OF THE ABOVE RULES MAY BE SUSPENDED AND/OR CHANGED WITHOUT PRIOR NOTICE BASED ON THE DISCRETION AND AUTHORITY OF THE UNIT MANAGER OR HIGHER AUTHORITY.

THESE RULES WILL BE ENFORCED ON ALL SHIFTS UNTIL CHANGED IN WRITING OR SUPERCEDED.

Personal Property Distribution

Any personal property that is brought into this institution will be thoroughly searched by both canine unit and intake staff for contraband and any non-allowable property. Non-allowable items will be destroyed or sent home at the expense of the inmate within 30 days. If you choose to dispose of the property, it will be listed on a destruction of property form and you will be required to sign said form.

Items that you are allowed to keep will be listed on a pink property card and you will sign for each item. At any time, if you wish to destroy any of these items, you will notify the mailroom and bring the property to the mailroom to be destroyed. If you have property in your possession that is not on your property card or you do not have property that is listed, disciplinary action will be taken.

State Shop Services

Lakin Correctional Center and Jail provides the inmate population services from the State Shop. The State Shop is the department in which all inmates will be issued their clothing, bedding and linens. Upon arrival at LCC&J all inmates are issued standard WVDCR clothing. Each of the items of clothing is either stamped or labeled with the inmates Name and/or OID#. At this time, each inmate will be given a mattress and pillow. These items will also be clearly marked and remain your responsibility throughout your incarceration. Each time you move from cell to cell, these items will be moved with you. **DO NOT FOLD THE MATTRESSES WHEN MOVING**, it causes damage to the outer cover and if it becomes damaged, you will be required to pay for a replacement.

The State Shop hours of operation are Monday through Friday, 8:00 am to 4:00 pm, excluding holidays. Clothing exchanges will be done based on the following schedule:

	Monday	Tuesday	Wednesday	Thursday	Friday
Pick Up Folders From:	Control Unit & J-Building	None	Modulars	A & B Pods	C & D Pods
Exchanges For:	A & B Pods	C & D Pods	Control Unit & J-Building	None – Usually Intakes	Modulars
Drop Off Folders For:	Modulars	A & B Pods	C & D Pods	None	Control Unit & J- Building

Clothing will not be exchanged unless it is no longer serviceable and/or no longer fits properly. No exchanges will be made due to minor stains, color or preference. Any item that is need of repair must be brought to the state shop on your next scheduled exchange day. It is the responsibility of each inmate to maintain proper care of clothing and linens. Any deviation from this could result in disciplinary action.

In order to exchange items, you must submit a completed State Shop Request Form to the State Shop as assigned.

Any inmate who submits a request should not send those requested exchange items to laundry that day. Any inmate who reports to the State Shop for an exchange without the required items will receive a violation report for refusing an order.

Note: The State Shop will be closed the last week of each month for inventory and during parole week. Any other deviation from the normal State Shop schedule will be advised via memos to the units.

Laundry Services

Lakin Correctional Center and Jail does provide laundry services for the inmate population. These services are provided on a weekly basis, however due to Holidays, the schedule is subject to change. If for any reason the laundry schedule is changed, the inmate population will be notified. A memo will be given to your Unit Team and they will inform you of the change.

- ❖ All inmate laundry is to be in the Laundry cart by 6:00 am daily to ensure that your clothes will be washed that day.
- ❖ You're provided with two laundry bags. Use both bags, **DO NOT OVER STUFF YOUR LAUNDRY BAGS**. Don't fold your clothes before putting them in your laundry bags. If the clothes are folded, this restricts a good flow of water for washing and the air to dry them.
- ❖ **DON'T** put Khakis/Reds and Whites in the same bag. It is procedure for Laundry not to fold any bags containing whites. Therefore, if you put whites in your khaki/reds bag, your clothes **WILL NOT** be folded.
- ❖ On the day that we wash whites, secure your bra in your pillowcase or sock. This means: stuff your bra in the sock or pillowcase and tie a knot on the end. This will keep them from getting tangled with the other laundry. **NO PERSONAL SHOES WILL BE WASHED.**
- ❖ All bags are to be tied **LOOSELY**. Do not tie it in a knot. If you tie it in a tight knot, this means that your clothes may not get thoroughly dried and/or folded.
- ❖ When you send your sheets and blankets, only send your sheets and pillowcases in the laundry bags. Your blanket is to be folded neatly and placed in the laundry cart. **REMEMBER:** Your bed needs to be made with one blanket for cell inspections.
- ❖ Make sure that all items are out of your pockets before sending them to be washed. This includes sanitary napkins, pens, Chap Stick, etc. If the items you leave in your pocket causes damage to other inmates clothing, you will be responsible for replacing the damaged items.
- ❖ If for any reason you have any clothing item that has any bodily fluid stains on them, you are required to rinse them out and get a biohazard bag from your officer. Place these items inside of the bag, and then place the bag inside of your laundry bag. Once your laundry bag has been received in Laundry, the biohazard bag will be removed and washed separately. Make sure that you only place the soiled item inside of the bag. If there are items inside the bag that are not contaminated, you will be written up for Refusing an Order. If a biohazard bag is not available, then you are to place the soiled laundry in a clear trash bag and place inside of your laundry bag.

- ❖ You are only permitted (2) laundry bags, therefore any inmate found with more than (2) will be written up. You are not permitted to alter the number on the laundry bag for any reason.
- ❖ Laundry Bags are not to be removed from the housing unit or room when you are moved to another cell. These bags are assigned to the room not the inmate.

ANY INMATE NOT FOLLOWING THESE INSTRUCTIONS IS SUBJECT TO DISCIPLINARY ACTION. IT IS YOUR RESPONSIBILITY TO ENSURE THAT THESE RULES ARE FOLLOWED.

SCHEDULE: (subject to change due to Holidays, etc.)

MONDAY:	All pods Khakis/Reds Blankets for A, B, Medical and Shu only
TUESDAY:	WHITES (panties, bras, socks, thermals, towels, sheets. Grey t-shirts, etc.) This includes personal purchase whites
WEDNESDAY:	Sweatshirts, Sweatpants and shorts only
THURSDAY:	All pods Khakis-Reds Blankets for C, D, J Building and Mods. Coats- do not place your coat in a bag and make sure it is clearly marked with your ID number
FRIDAY:	WHITES (panties, bras, socks, thermals, towels, Sheets, Grey t-shirts etc.) This includes personal purchase whites.

MAILROOM SERVICES

Lakin Correctional Center and Jail provides mail services for all inmates. The Policy Directive for Inmate Mail is 503.00. Mail is distributed to each inmate / housing unit within 48 hours of receiving the mail into the facility, excluding weekends and holidays.

All mail can be sealed, except for inmate to inmate mail. All mail is to be placed in the Blue mail box, outside of MDR A by 8:00 am each morning.

- **Privileged Mail:** Written mail to or from the courts, counsel, officials of the West Virginia Division of Corrections and Rehabilitation, state and local Chief Executive Officers, administrator/designee of the Division of Corrections and Rehabilitation Inmate Grievance System, and members of the West Virginia Board of Probation and Parole. All incoming legal mail is opened in the presence of the inmate and signature is required upon receiving.
- **General Mail:** Written communications and letters which are not privileged or attorney/client mail.
- **Attorney/Client Mail:** Written mail to or from an inmate with his/her attorney of record. Such mail must clearly state “legal mail” on the envelope or must clearly indicate it is from the inmate’s attorney of record.
- Inmates may correspond with other incarcerated inmates, pursuant to the following:
 - Mail with or between inmates is restrictive housing/segregations is not permitted
 - Inmates wishing to correspond with other incarcerated inmates must first receive written permission from the Warden/Administrator of both the sending and receiving facilities.
 - Inmate to inmate letters must be placed in mail depositories or Facility Post Office in an open (unsealed), stamped envelope, and are subject to be read by designated facility authorities.
 - Inmate to inmate mail must only be written correspondence and not contain any items, money or articles.
 - Inmate to inmate mail must not contain information that is a threat to the life and safety to others or that can be considered disruptive to the orderly administration of any correctional facility.
 - Inmate to inmate letter will be appropriately stamped on the envelope by the sending facility with initial or abbreviations identifying the sending facility.
 - All mail sent out of LCC&J should have the address as follows:

Inmate Name, OIS # (Housing Unit or Mailbox #)
Lakin Correctional Center and Jail
11264 Ohio River Road
West Columbia, WV 25287

Incoming General Mail: Incoming mail shall be inspected and opened outside the presence of the inmate. All mail is subject to inspection.

- All contents will be removed and one (1) black and white photocopy will be made, including the envelope.
- Photocopies will be sent via normal facility mail procedures.
- The envelope and its contents will be held for fifteen (15) days and then destroyed (if not stored as evidence).

Money orders and/or cash to an inmate is not permitted. All money must be sent to Century Link.

Packages: "Care" packages are not permitted. All packages received are to be sent from approved distributors and vendors only.

Publications: All newspapers, magazines, puzzle books, etc. are to be sent directly from the distributor / vendor. Inmates ordering publications are required to send full payment (voucher) with the order. The "Bill Me Later" option is not permitted. Only 5 subscriptions are permitted at one time.

Basic Information:

- You are allowed to receive pictures, which will be copied. Pictures are not allowed to be Polaroid or no larger than 5 x 7 in size. Inmate photos, photos of weapons or photos showing nudity will not be permitted.
- You are allowed to receive greeting cards, which will be copied. All greeting cards are to be signed by the sender.
- Perfume / Cologne / Lipstick: These are not allowed in any form.
- Stationary items: Postage stamps, greeting cards, paper, envelopes, ink pens, etc. are to be purchased through the Commissary. These items are not to be sent in from the outside.

Commissary

Every inmate will be permitted to order on Monday. You will be allowed a \$75.00 limit each week. The commissary forms will be picked up in the gym only. For general population, no forms will be handed out unless one is turn in. You are only permitted one form in your cell unless it is the week to order property for the unit you're in.

How to fill out your Commissary Order Form:

- ✓ Commissary forms are to be filled out with a pencil.
- ✓ Make sure to fill the bubbles in completely. If your OID# is incorrect your form will be rejected and you will not receive commissary for that week. Do not skip boxes; start in the left hand side of the box. Do not fill in the empty boxes with 0's.
- ✓ If you make a mistake, please put all (9's) in that box and move on. Do not throw away and get a new form.

Your unit will be called to the gym to pick up commissary: At this time you will bring your completed forms with you. You are required to have your id with you. You are not permitted to bring another inmates form unless arrangements have been made by staff. When turning in an order form you must have the funds on your account at the time you are turning in your order. If you do not have adequate funds to cover all items purchased this will result in disciplinary action. If you ordered a hygiene item and it was not in your bag you will be permitted to fill a form out to replace that hygiene item only.

Keep in mind when making commissary purchases; you have an in-cell possession limit. If you exceed your in-cell possession limit, you will be required to destroy or mail the items home at your expense.

You will not be permitted to fill your form out in the gym also you will not be given your form back once it has been turned in. When your unit is called for commissary you are to report directly to the gym and find a seat, at no time should you talk above a whisper. Once your name is called you will show your id and get the bag, check all items to make sure you have received the entire order. When this is complete you will go to a Commissary staff Member sign the receipt, get your stamps soda and detergents. At this time you will let the staff member know what items you are missing if any, this will be verified and a credit issued. (At no time once you have left the gym will a credit be issue for missing items.) This is when you may ask to reorder the missing item at this time. **MAKE SURE TO KEEP YOUR RECEIPTS.** When you have completed this process you are to return to your seat. Once seated you are to tie your bag shut and wait to be called back to you housing unit. At no time are you to open your bag, show or hand items to another inmate.

If you return to your housing unit and notice an item is molded or bad just take the item and your receipt to the officer, The Officer will dispose of this item and sign your receipt just bring the receipt on you next shopping day for a credit.

Any inmate that chooses to go to outside recreation and not remain in your pod during commissary call will receive a credit for their order and it will be returned.

SEG, Intake, Diagnostic and Medical Unit: The commissary will be delivered to your unit. At this time you are to turn in your order form for the next week. Staff members will not wait on you to fill out your form you must have this done.

If you are in Intake or on SEG, LOP or AD-SEG this is to be written in the Top Right Hand corner of your order form. You will place your order according to your status at the time you turn the order in (not delivery date).

Do not wait until the day of the order to ask for an order form. Commissary will arrive on Monday unless otherwise posted. All forms are to be turned in upon entrance to the gym.

Please make sure to add the correct amount of Taxes to purchases made.

Property Order forms will be collected once a month per unit. The schedule is as follows:

- First Monday A-Pod, Medical and Modular Unit
- Second Monday B and C-Pod
- Third Monday D-Pod and SHU
- Fourth Monday J-Building.

You are permitted to order up to \$200.00 this does not include your regular weekly commissary purchase.

You are also permitted to receive a special package every 90 days if you are write- up free. Make sure you have a signed request giving you permission to order items. The items must be shipped directly from the company. They must be exactly what you have requested on your form. Any items received prior to approval will be contraband – no exceptions.

Inmate Grievance Procedures

Lakin Correctional Center and Jail provides the inmate population a way of bringing complaints to the attention of the Administration. The grievance procedure will be explained during the Orientation Program. Inmates are also able to obtain a viewable Policy Directive 335.00 to read more concerning the Inmate Grievance Procedure. An inmate who wishes to make a complaint must fill out an Inmate Grievance Form. This form is accessible in the housing unit as well as in the Law Library. You may also contact your Unit Team to obtain a Grievance Form. There shall be no reprisals against any inmate who files a grievance.

The first step is for an inmate to fill out a Grievance Form and it is to be placed in the gray box marked Inmate Request and Grievance. This form will be given to the Unit Manager or appropriate Staff Supervisor, who will attempt to resolve any issues. The inmate must fill out the Grievance Form in a correct manner. The response time at this level is five (5) days, excluding weekends and holidays.

If the Unit Manager's or appropriate staff's response to the inmate's complaint does not resolve the problem, the inmate will then initial the Grievance Form "Appealed to the Superintendent/Administrator". The LCC&J Superintendent has five (5) days to respond excluding weekends and holidays.

Should the inmate feel that the Superintendent's response is not adequate, she shall have five (5) days after receipt of the Superintendent's response to initial the Grievance Form "Appealed to the Commissioner". After receiving the letter of appeal, the Commissioner has ten (10) days to respond to the inmate, excluding weekends and holidays. The Commissioner or designee may respond by letter to the inmate.

Religious Services

Lakin Correctional Center and Jail has a full time Chaplain who works with religious volunteers to meet the spiritual needs of the facility as well as the inmate population. LCC&J currently has over one hundred religious volunteers. These volunteers represent the majority of faiths here at LCC&J. There are monthly religious services that are posted on a calendar which is placed in each of the pods. Several times throughout the year there are special services held. One such service is Kairos, an interdenominational Christian ministry. All inmates will be made aware of any and all special services and/or activities. If at any time you wish to have spiritual counseling/guidance, you may put in an inmate request in order to accomplish this.

Classification

Lakin Correctional Center & Jail 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 West Virginia Division of Corrections and Rehabilitation (WVDCR). An inmate's classification will determine the area of LCC&J where she will be housed and/or her eligibility for transfer to another WVDCR facility; the conditions under which she will be allowed to leave her cell/room and types of programs, program delivery, work assignments and privileges for which she may be eligible.

Classification Continuum:

Advancement through the classification levels shall be on a continuum. All inmates, whether classified to LCC&J or inmates transferred to LCC&J from other WVDCR 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 educational/vocational assignments.
- Comply with the recommendations set forth in her Individual Reentry Program Plan (IRPP)/ LSCMI Case Management Plan.
- Be able to meet the eligibility criteria established for each classification, as outlined in this procedure.

Inmates may advance more than one level in the classification continuum if the following criteria are met:

- The inmate meets the eligibility requirements set forth by the WVDCR Classification Manual for the given level.

New Commitments and Intra-Agency Transfers:

When a newly committed inmate arrives at LCC&J, she will be assigned a Case Manager and Counselor, be initially classified as Intake and be housed, as appropriately. Within thirty (30) days of being received at LCC&J as a new commitment, the inmate will receive an Initial WVDCR classification by a Classification Committee. The month of her intake date will be the month of all future regular annual/semi-annual reviews (e.g. If an inmate is received at LCC&J in May, her regular annual reclassification reviews will be every May. If the inmate is within five [5] years of discharge/parole eligibility, the months of classification would be May and November).

Classification Levels:

1. **Level V (Maximum)**: Classification wherein an inmate's prior public and institutional records (or, as in the case of inmates in Intake Status, her Public Risk Score is 5 and the lack of an established institutional record) indicate that she is generally in need of intense supervision due to her extreme risk to the public, staff, inmates and the safe, secure and smooth operation of the facility and the WVDCR. Inmates classified as Level V are generally those in the most severe and restrictive classification relative to housing, rules, movement, programs, program delivery and privileges. Security is the top priority in the management of Level V inmates.
 - a. Inmates classified to a Level V classification have demonstrated behavior or a behavior pattern of manipulation, agitation, aggressive or violent behavior, escape/attempted escape and/or are disruptive to normal security operations and smooth functioning of LCC&J or the WVDCR.
 - b. Level V also applies to inmates who are unclassified and diagnostic inmates.
 - c. There are five (5) classification categories within Level V:
 - 1) **Ad-Seg**: Inmates classified and assigned to housing in the Control Unit.
 - 2) **Punitive Segregation**: Inmates serving Punitive Segregation sentences as determined by the Correctional Hearing Officer.
 - 3) **Detention**: Inmates placed in pre-hearing detention pending a hearing before the Correctional Hearing Officer or Classification Committee.
 - 4) **Receiving/Intake**: Inmates who have not completed initial classification and diagnostic procedures with a Public Risk Score of 5.
 - 5) **Special Management Status**: Condition of confinement for inmates requesting or requiring special monitoring or preventative measures that could entail separation from the general population.
2. **Level IV**: Classification wherein an inmate's prior public and institutional records indicate that she is in need of close supervision due to her risk to the public, staff, inmates and the safe, secure and smooth operation of the facility and the WVDCR. Inmates classified as one of the Level IV classifications are generally those in the next most severe and restrictive custody relative to housing, rules, movement, programs, program delivery and privileges.
 - a) In order for an inmate to advance from Level IV to Level III, she must have actively participated in recommended and/or appropriate rehabilitative programming, received good work and/or housing reports and not have an overall institution/behavior history that indicates a threat to the public or the safe and secure operation of the facility.

3. **Level III (Medium)**: Classification wherein an inmate's prior public and institutional records indicate she is in need of general supervision due to her risk to the public, staff, inmates and the safe, secure and smooth operation of the facility and the WVDCR.
 - a. In order for an inmate to advance from Level III to Level II, she must have actively participated in recommended and/or appropriate rehabilitative programming, received good work and/or housing reports, and not have an overall institution/behavior history that indicates a threat to the public or the safe and secure operation of the facility.
4. **Level II (Minimum)**: Classification wherein an inmate's prior public and institutional records indicate she is in need of less supervision due to her reduced risk to the public, staff, inmates and the safe, secure and smooth operation of the facility and the WVDCR.
 - a. Inmates assigned an Initial WVDCR classification (reception/diagnostic evaluation) of Level II **may** be assigned for transfer to a less secure WVDCR facility.
 - b. In order for an inmate to advance from Level II to Level I, she must have actively participated in rehabilitative programming, received good work and housing reports and have an overall institution record that indicates that she is not a likely security risk.
5. **Level I (Community)**: Classification wherein an inmate's prior public and institutional records indicate she is in need of minimal supervision due to her reduced risk to the public, staff, inmates and the safe, secure and smooth operation of the facility and the WVDCR. Inmates classified as Level I are generally those in the least restrictive custody level. Inmates classified Level I may be eligible for **consideration** for placement in all LCC&J programs.
 - a. Inmates assigned an Initial WVDCR classification (reception/diagnostic evaluation) of Level I **may** be assigned for transfer to a less secure WVDCR facility.

Classification System: A Classification Committee consists of the Classification Director, Unit Manager, Case Manager, members of the Counselor/Therapist staff, Education, Mental Health or Medical staff, a member of the Security staff and members of an inmate's housing Unit Team; any three (3) of whom constitutes a quorum. The terms Classification Committee and Unit Team may be used interchangeably in this procedure.

1. A Classification Committee has the responsibility and authority to determine classification and programs (LSCMI Case Management/Individual Reentry Program Plan). Control of an inmate's movement, privileges, work

assignment, and program delivery will be based upon the inmate's classification.

2. Whenever it becomes apparent that an inmate has been misclassified, that inmate's Unit team will immediately notify the Classification Director. Said notification shall be in writing and shall include all relevant facts and circumstances regarding the inmate's misclassification. If the Classification Director, upon review, determines that the inmate has been misclassified, the Classification Director will direct the inmate's Unit Team to reclassify the inmate.
3. The following guidelines will be used during the classification process:
 - a. Notice of Hearing: The inmate will receive prior written notice of her appearance before a Classification Committee stating the time and place of the meeting, the reason for the inmate's appearance and listing all items and/or written material which will be used in the classification decision making process. This notice will be given to the inmate a minimum of forty-eight (48) hours (excluding weekends and holidays) before her appearance.

Opportunity to Respond: The inmate may waive, in writing and no less than forty-eight (48) hours prior to her scheduled review, her personal appearance before a Classification Committee. If the inmate does not appear, a review will still be conducted and the inmate's absence will be noted by the Classification Committee.

1. The inmate will be permitted to speak for herself and offer other facts and information on her own behalf. She will be permitted to discuss her participation in programming. The inmate will not be permitted to have a representative at any classification hearing or review.
2. The inmate's appearance before a Classification Committee will be documented on the appropriate classification forms and stored in the central file.
3. The Classification Committee will issue a written decision to the inmate within five (5) working days after the hearing date. The decision will indicate the inmate's classification, housing and give specific reasons for the classification decision. The decision may list requirements or recommendations for the inmate to follow (refer to Individual Re-Entry Program Plan/LSCMI Case Management).
5. The inmate may appeal the classification decision. Classification appeals shall be made to the Superintendent (PD 401.01 Attachment #1). Appeals must be filed within five (5) days of receipt of the Classification Committee

decision sheet. Appeals regarding initial placement in Ad-Seg shall be made to the Commissioner of Corrections.

6. An inmate may request (and is encouraged to make) an appointment with her Case Manager/Counselor in order to review her program and progress status between her classification reviews.

Overview of Work Release Selection Process

It is the practice of LCC&J that inmates serve their sentence at the lowest possible custody level, keeping in mind the needs of safety for the community, correctional staff, and other inmates. Inmates from LCC&J, under the custody and control of the Commissioner, shall be eligible for the selection and transfer to a community-based facility. However, inmates who are eligible for selection and transfer to a community-based facility must meet the following minimum criteria prior to being considered for placement:

- ❖ Be within twenty-four (24) months to possible release (RSAT compliant inmates can be within thirty (30) months of possible release).
- ❖ Utilizing the Correctional Classification profile, an inmate must be classified as a Level II (Minimum) or Level I (Community).
- ❖ Must have served a minimum of thirty (30) days at LCC&J and be accurately classified.
- ❖ Must have a minimum of sixty (60) days without a Class I violation and have no infractions within thirty (30) days preceding the date of transfer. Inmates with a clear conduct record may be given priority.
- ❖ Must have no outstanding felony detainers (moderate or high risk on the Severity of Felony Offense Scale), including outstanding warrants and must not have any Federal detainer of any kind.
- ❖ Must be able to seek employment and retain employment, with physical ability verified by medical personnel prior to transfer to a community-based facility.
- ❖ **In order to be eligible for review for the Charleston Correctional Center and Jail Residential Substance Abuse Treatment Unit, and inmate must be compliant with RSAT**

At least once a month, a three (3) member panel shall review the inmate's eligibility for possible placement in a community-based program. This committee shall conduct an in-depth file review and an updated assessment of risk of all eligible offenders. The offender will be notified of the results of the review. Those inmates who are approved for a community-based facility will be transferred, as space is available.

Program and Treatment Options

At a minimum, level of risk must be recognized as an important factor in determining program recommendations. At the time of the CASE MANAGEMENT PLAN development and updates, Case Supervisors will utilize the following general guidelines in the recommending of general programs. Offenders who are referred to programs provided by the Department of Education must present their CASE MANAGEMENT PLAN to enroll. Offenders will be referred to all other programs utilizing the Resource Referral Form.

- A. **Identification of Need:** Individual needs will be determined through scoring of the LS/CMI and other approved assessments.
- B. **Low Risk versus High Risk:** Research has consistently shown that high risk offenders are the target population for making significant impacts through intensive programs and services, while low risk offenders have been shown to actually increase in risk if programmed at intensive levels. Therefore, Case Supervisors should provide program recommendations that fit specific level of need of each individual offender.
- C. **Cognitive program model:** The core of criminality is rooted in poor decision-making skills which are compounded by anti-social and criminal thinking. Addressing criminogenic needs through cognitive-behavioral interventions has shown the most impact in reducing risk within correctional populations, and should be the cornerstone of all correctional programs intended to instill change within offenders.
 - a. **Thinking for a Change (T4C):** An integrated, cognitive behavior change program which may be recommended by program staff for offenders based on the offender's background, their personality and behavior, attitudes and orientation.
- D. **Substance Abuse Programs:** the majority of men and women within the correctional system are incarcerated for reasons relating to alcohol/drug/drug use/abuse/addiction. Substance abuse programming does not need to be voluntary to be effective. Studies have consistently shown that offenders with low motivation for change and healthy living relating to their substance use are just as successful in their recovery as those with high motivation for change and healthy living.
 - a. **Cognitive Behavioral Interventions to Substance Abuse (CBI-SA):** A curriculum designed for offenders who are moderate to high need in the area of substance abuse.
 - b. **Residential Substance Abuse Treatment Unit:** Offenders whose are identified on the LSCMI as scoring high-very high in AD and high-very high overall will be referred to RSAT.

If an RSAT Unit is an appropriate referral for an inmate and the inmate refuses participation in the RSAT Unit, the Case Supervisor shall not Change the recommendations to Non-RSAT.

- c. Alcoholics Anonymous/Narcotics Anonymous (AA/NA): Offenders may voluntarily attend meetings when announced.

E. Sex Offender Programs

- a. Sex Offender Programs should be recommended for all offenders with a current offense that involves sexual violence or abuse or with a history, or an offense of sexual violence or abuse. This includes offenders who have “hidden” sex crimes (i.e. dismissed charges, offenses with a sexual component that were pled down to non-sexual crimes, etc.). It is a two-part program designed to educate, challenge beliefs and assist in rehabilitation.
- b. Sex Offender Program Education: Consists of five (5) sessions that include topics such as consents vs cooperation, sex offender registration requirements, and effects on the victims.
Upon completion of SOP Education, the program facilitator will make the determination for the offender to continue in the SOP Treatment.
- c. Sex Offender Program Treatment: Consists of 52 sessions with topics such as the offender’s deviant offense cycle, thinking errors, problem solving skills, family issues, development of healthy relationships, level of victim empathy, and relapse prevention plan.

- F. **Adult Basic Education/GED Preparation (TASC)**: Case Supervisors should refer each inmate not possessing a GED or high School Diploma to Education for assessment and/or placement in ABE/GED Classes

- G. **Vocational Education Programs**: Almost all offenders could benefit from having a vocational trade before reentering society. While it is generally best for offenders to do vocational programming as close to parole eligibility or discharge date as possible, there are exceptions.

- H. **College Courses**: College courses are provided at most facilities and can be recommended if the inmate shows the ability to be successful and has a high school diploma or a GED.

All recommendations from DCR Staff will be made from the inmates LSCMI, however, if you wish to attend additional programming, as electives, you can sign up thru the Education Department. This does not go thru DCR Staff and it will not be placed on your IRPP until completion.

Administrative Modification of Child Support

Administrative Modification of Child Support is a tool that has been designed by the United States Legislature in order to assist parents whom have been ordered to pay child support while incarcerated.

If you have been ordered to pay child support and are currently incarcerated, the West Virginia Bureau of Child Support Enforcement (WVBCSE) will assist you in establishing paternity of the child the order is for, and attempt to petition a judge to reduce your child support order to an amount that is based on the pay that you receive for your job here at LCC&J. This process is of no cost to you. All procedures are funded by the U.S. Legislature.

Please be aware that if you are ordered to pay child support, and you are unable to meet these requirements, your child support balance increases by 10% each year, due to interest.

If you are interested in this program, please refer to the *You Are a Parent* handout in the “handout” section of this handbook. If you would like to apply for a modification of your child support order, contact your unit staff or ask the LCC&J paralegal or inmate legal representative for assistance.

Sexual Assault Awareness

Facts Related to Sexual Assault:

- Anyone, male or female can be sexually assaulted.
- Age is not a factor concerning sexual assault.
- Physical attractiveness is not a factor.
- Sexual orientation is not a factor concerning sexual assault. A rapist may be either heterosexual or homosexual. The victims may be either heterosexual or homosexual.
- Nobody “asks to be raped.” The victim of an assault is not at fault. Sexual Assault is a crime of violence and has nothing to do with lust or passion

Sexual Assault Awareness: Most research regarding inmate on inmate sexual assault has focused on male inmates at risk from other male inmates. However, staff and female inmates do report that female inmates can and do sexually assault one another. It is reported that physical force may be used but more often the assaulter will use intimidation and emotional abuse to coerce another inmate into a sexual relationship. As with men in male prisons, it is reported the stronger women will seek out female inmates that appear weaker-physically and/or emotionally. Violence among women in prisons is frequently similar to domestic violence situations.

Sexual Assault Prevention/Intervention:

- Avoid isolated areas when possible.
- When possible stay within eyesight of correctional staff
- Be aware of your body language. Do not walk with your head down and eyes lowered.
- Do not accept food, cigarettes, or other items from inmates. Do not go into debt in any manner. You may be expected to “repay” these debts with sex.
- Be aware of inmates that say they will protect you. Protection frequently has a cost also.
- Do not give out information about your family, friends, or financial support.
- Do not purchase large amounts of commissary or otherwise give the impression of having money available to you.
- Avoid talking about sex and avoid unnecessary nudity.

Reporting Sexual Abuse/Assault:

- If you are being intimidated or are in fear of sexual assault from another inmate immediately report this to a staff member or more than one staff member if necessary. You may also send an Inmate Request directly to the investigator or any other staff member you feel comfortable reporting this to.
- If you are sexually assaulted, immediately report it to institutional staff. The sooner you report the assault the better the chances evidence can be obtained that will help prove the assault.
- When a sexual assault is reported you will be medically checked.

- Any Inmate that feels they have been the victim of Sexual Misconduct by a staff member can call the Sexual Misconduct Hotline. Above each phone there is the phone number to contact in order to report Sexual Assault.
 - Inmates are to use their Inmate ID number as if making a normal call.
 - To report Sexual Misconduct by an employee call “01”.
 - All calls to this number are at no charge to the inmate or the Facility.
 - All calls are recorded and tracked to the Inmate making the call.
 - Inmates are to use this line as a communication link to the Administration for Sexual Misconduct issues **ONLY**.
 - Any calls received not related to Sexual Misconduct will be subject to Disciplinary Action in accordance with Policy Directive 325.00, 2.01 Refusing an Order.

Treatment and Counseling

- You will be referred to mental health services for assessment. Treatment will be provided as necessary.
- Victims of sexual assault may experience feelings of self-loathing, anger, rage, humiliation, nightmares, depression, and isolation among other things. Physical symptoms may include headaches, stomachaches, sleep disturbances and loss of appetite. Report any concerns to medical or mental health services.



Lakin Correctional Center and Jail

ACCESS TO CARE

HEALTH CARE SERVICES

INFORMATION ABOUT YOUR HEALTHCARE

We all want to be taken care of when we are sick. Sometimes this is easy and sometimes it requires a lot of work and cooperation. It may help to know how Wexford Health Sources, Inc. feels about taking care of your health needs.

We Believe You Need To:

- ☒ Have the opportunity to be seen by a qualified health care professional.
 - ☒ Know what the health care staff plans to do for your illness.
 - ☒ Have the opportunity to ask questions about your illness and treatment.
 - ☒ Be able to see a specialist when your illness requires it.
-

General Information

All offenders incarcerated at Lakin Correctional Center and Jail will be provided reasonable access to adequate medical care, which includes but is not limited to, care of the chronically ill and emergency situations 24 hours a day. Licensed nursing staff is available in the Health Care Unit around the clock. Dental, Eye, X-ray, and EKG are some of the services provided. Periodic physical exam and annual skin testing for TB are standard services provided by the health care staff.

Treatments by Nursing Staff

- ☒ Injuries, such as: lacerations, sprains, possible fractures and burns.
 - ☒ Indigestion, constipation, diarrhea, and hemorrhoids.
 - ☒ Cold and flu symptoms, cough, nausea and vomiting.
 - ☒ Rashes, athlete's foot, jock itch, and blisters.
 - ☒ Insect bites, poison ivy, muscle strain and urinary tract infection.
-

Eye Clinic

If you have a problem with your eyes, you must submit a Health Services Request form stating your problem and bring it to open sick call. Your name will be placed on the Eye Doctor list if criteria is met. If the eye problem is an emergency, speak to your Unit Manager or a Correctional Officer so they can contact the Health Care Unit immediately.

Health Education

At Lakin, we provide Health Education for residents. The educational topics often coincide with Chronic Care Clinics while others are often seasonal (cold weather, injuries, insect bites, etc.) Please check the bulletin boards frequently for new information. We welcome suggestions on educational topics.

We also provide educational videos for offenders to watch and group classes. We have videos on a wide variety of topics, from HIV/Aids to surviving a heart attach to Hepatitis C.

Any question on offender education can be brought to the attention of any nurse in the Medical Unit by submitting your question on a Health Service Request form.

Conditions Considered an Emergency

- ☒ Chest pain that radiates to the arm or jaw.
 - ☒ Shortness of breath
 - ☒ Heavy bleeding
 - ☒ Sudden onset of confusion
 - ☒ Any life threatening condition
-

Dental Services

If you have a dental problem, you must submit a Health Services Request form stating your problem and bring it to open sick call. If you have an emergency dental problem such as severe tooth pain, recent cracked teeth, any severe or continuous bleeding after dental procedures, contact your Unit Counselor or the Correctional Officer on duty in your unit.

Doctor Call

Doctor call is by appointment only. A medical Provider is here 40 hours a week. The doctor/NP will see patients who have initially been evaluated by the nurse and referred for a problem, for medication orders, or for chronic care. You will be called to medical by staff when needed. In order to comply with the State Co-Pay Policy, any resident that missed an appointment may be charged for that appointment.

Dress Code

The dress code in the Medical Unit requires residents to be clothed according to Lakin Correctional Center and Jail's Policy.

Evaluation of Daily Request

Residents needing to see a nurse must complete a Health Services Request Form. These are available in your housing unit and in the medical unit. We have an Open Sick Call System daily starting at 8:30 am. Please bring your completed Health Services Request Form to Open Sick Call. If you are on the Work Crews, working in MDR, GED testing, or taking Cosmetology classes, your sick call is at 7:30 p.m. If you are on Segregation Status, you submit your Health Service Request Form in the appropriate box, and you will be called down accordingly. If you experience an Emergency, let your Officer know.

For any questions regarding the co-pay policy, please refer to the co-pay policy, which is posted on your housing unit. A copy is also available in the Legal Library. The boxes located in each housing unit may still be utilized. Utilize the boxes within the housing unit only for KOP refills, accessing PSI med, or if you are on Seg status. The sick call slips placed in the box will be evaluated and addressed by medical staff as deemed by Wexford Health Sources. All offenders will be seen regardless of ability to pay. No medical services will be refused to any offender.

Examples of Treatments by Nursing Staff During Nurse Sick Call

- ☒ Joint pain, muscle soreness, and sprains
 - ☒ Indigestion, constipation, diarrhea, and hemorrhoids
 - ☒ Cold and flu symptoms, coughs, nausea and vomiting.
 - ☒ Rashes, athlete's foot, yeast infections, and blisters
 - ☒ Insect bites, poison ivy, muscle strain, and urinary tract infections
-

Co-Pay

Nurse Sick Call	\$3.00
Nurse Sick Call (\$3.00) with referral to Dr. (\$2.00) for total of	\$5.00
Non-emergency visit for treatment by the nurse	\$3.00
Self-inflicted/self induced injury/illness requiring nurse	\$3.00
Self-inflicted/self-induced injury/illness requiring doctor	\$3.00
Missed, non-excused scheduled appointment	\$3.00
New complaint presented at appointment and not related to original appointment	\$3.00
Scheduled non-referred Doctor	\$5.00
Non-emergency scheduled Dental Visit	\$5.00
Fee per prescription (excluding chronic care prescriptions for Chronic Care Patients)	\$2.00
Over-the-counter medications-priced as established according to the Standard marketing practices	\$2.00

Remember...Fully Complete the Health Services Request Form

Print your name, your DOC number, your housing unit, date submitted and briefly state your problem. Sign your name and bring to open sick call.

Pill Call (MEDICATION PASS) Times

6:00 AM
NOON
4:15 PM
9:00 PM

AS NEEDED MEDICATION WILL BE GIVEN AT REGULAR PILL PASS TIMES.

No medication will be given before or after the designated pill call times unless a verifiable reason can be given by Security.

Self-Administering Medications

This is a program which you may want to participate in while at LCC&J. You will need to submit a Health Services Request to be placed on this program. Your compliance and medications will be reviewed and you will be informed of your eligibility for the program. You must be 100% compliant with all medications to be considered as eligible for the program. Self-Administration Medications are dispensed as needed.

Grievances

If you do not agree with the care you have received, believe you have been denied care, believe you have been wronged, or any other problem, please bring it to the attention of the Health Services Administrator. Problems usually can be solved quicker and more easily informally. If resolution is not to your satisfaction, you have the right to Grievance process. For grievance forms, contact your Unit Counselor.

Mental Health Therapy and Intervention is Available

If you feel you need to talk to mental health professional speak with your Unit Counselor, Unit Manager or submit a Health Services Request. The mental health staff will review the request and a member of that staff will see you.

Advance Directives / Living Will

Information and help is available in the Medical Unit if you wish to develop advanced directives / living will. These are direction for your care in case of a terminal illness and / or cardiac arrest. For more information- please submit a Health Service Request.

Hepatitis and HIV/AIDS Information

HIV is Human Immunodeficiency Virus

AIDS is Acquired Immuno Deficiency

Hepatitis C is a virus that affects primarily the liver.

Hepatitis C and HIV are viruses that enter a person's body through bodily fluids such as blood, semen, vaginal secretions, needle sharing and nasal cocaine pipes. Do not share your "works". There is no cure yet available for HIV/AIDS disease.

Hepatitis C and HIV are not spread through shaking hands, toilet seats, eating in restaurants, swimming in pools, donating blood, being bitten by a mosquito or any casual contact.

Abstinence or not having sex. Not sharing any body fluids is the only way to prevent getting these diseases. Using latex condoms during all sex situation is not fool proof but it can limit your chances of getting diseases. Do not share needles or drug paraphernalia with anyone. **DO NOT GET TATTOOS OR HAVE SEX WHILE IN PRISON**

Treatment is available to slow down the disease if you test positive for HIV. Antiviral medication can be obtained by prescription. The doctor may also prescribe certain medication to boost the immune system.

Always wear gloves when cleaning up blood spills, report any exchange of bodily fluids to the Medical Unit (for example, a fight where there is a blood splash or sharing needles and tattoo equipment). This is just a brief over view of these diseases.

The medical unit here at St. Mary's will be happy to address any further concerns or questions you may have regarding these diseases.

IF YOU WANT a Hep C or HIV TEST, PLEASE SUBMIT A HEALTH SERVICE REQUEST

Prevent Hepatitis A

Hepatitis A is a liver disease caused by the Hepatitis A virus.

Hepatitis A can affect anyone. Hepatitis A is still a common disease in the United States. Young children can be infected with the virus but not show symptoms. These children often spread the illness to older children and adults.

Good personal hygiene and proper sanitation can help prevent Hepatitis A. Vaccines are also available for long-term prevention of Hepatitis A virus infection in persons 2 years of age and older. Immune globulin is available for short-term prevention of Hepatitis A virus in all ages.

How do you get Hepatitis A?

Hepatitis A virus (HAV) is found in the stool of persons with Hepatitis A. HAV is spread from person to person by putting anything in the mouth that has been contaminated with the stool of a person with Hepatitis A. The virus is easily spread in areas where there is poor sanitation or poor personal hygiene.

Persons with Hepatitis A can spread the virus to household members or to sexual partners. Casual contact as in the usual office, factory or school setting, does not spread the virus.

Who is more likely to get Hepatitis A?

Persons who share a household or have sexual contact with someone who has Hepatitis A.

Men who have sex with men.

Persons who use street drugs.

Children and employees in child care centers (especially centers that have children in diapers) where a child or an employee has Hepatitis A.

Travelers to countries where Hepatitis A is common.

Persons with clotting factor disorders who receive factors concentrates.

Residents and staff of institutions for developmentally disabled persons when a resident or an employee has Hepatitis A.

Workers who handle HAC infected animals or work with HAV in a research laboratory setting (this does not include laboratories doing routine testing).

How do you know if you have Hepatitis A?

Children who are infected often have no symptoms. Three of every four adults who get Hepatitis A have symptoms. Symptoms usually develop over a period of several days.

Symptoms may include:

- | | | | |
|-----------------------------------|------------------------------|--|------------------------------------|
| ☐ Yellow Eyes | ☐ Nausea | ☐ Tiredness | ☐ Stomach Ache |
| ☐ Dark Urine | ☐ Fever | ☐ Loss of appetite | ☐ Vomiting |

A person can spread HAV about one week before symptoms appear and during the first week of symptoms. Persons with no symptoms can still spread the virus. This often happens with young children who unknowingly spread HAV to older children or adults.

Hepatitis A usually does not cause death. There is no chronic (long-lasting) infection with Hepatitis A. Recovering from the disease produces lifelong immunity from future HAV infection, he/she will never get it again.

How can you prevent Hepatitis A?

You should always wash your hands after using the bathroom, changing a diaper, or before preparing or eating food.

Hepatitis A vaccines provide long-term protection against Hepatitis A and can be given to persons 2 years of age and older.

Children and adults need Hepatitis A vaccine for long-term protection. You will either need two shots of Hepatitis A vaccine or three shots of the combination Hepatitis A and Hepatitis B vaccine. After getting your first shot, your doctor or nurse will tell you when to return for the second shot.

Immune globulin, (IG) might be used for short-term protection in two situations:

For travelers instead of, or in addition to Hepatitis A vaccine

For unvaccinated persons, who have recently been exposed to HAV

Immune globulin must be given within two weeks of exposure to HAV in order to work.

Can you get Hepatitis A from food or water?

In addition to getting Hepatitis A directly from infected people, you can get Hepatitis A by:

Eating fruits, vegetables, or other food that may have become contaminated during handling

Eating raw shellfish harvested from sewage-contaminated water

Swallowing contaminated water or ice.

Can HAV be killed?

The virus is killed by heating to 185 degrees Fahrenheit (85 degrees Celsius) for 1 minute. However, the virus can still be spread by cooked foods if they are contaminated after cooking. Adequate chlorination of water as recommended in the United States kills HAV.

How great is the risk for Hepatitis B?

About 5% of persons in the United States will get Hepatitis B sometime during their life. If you engage in certain behaviors, your risk for Hepatitis B may be much higher.

You may be at risk for Hepatitis B if you:

Have a job that exposes you to human blood.

Live in the same house with someone who has lifelong Hepatitis B virus infection.

Injects drugs.

Have sex with a person infected with Hepatitis B virus.

Have sex with more than one partner.

Are a child whose parents were born in South-East Asia, Africa, the Amazon Basin in South America, the Pacific Islands, or the Middle East.

Are a patient or work in an institution for the developmentally disabled.

Have hemophilia.

Travel internationally to areas with a high prevalence of Hepatitis B.

How is Hepatitis B virus spread?

Hepatitis B virus is found in the blood and body fluids of persons with Hepatitis B. Contact with even small amounts of infected blood can cause infection. You can get Hepatitis B by direct contact with the blood or body fluids of an infected person, for example, by sharing needles or by having sex with an infected person. A baby can get Hepatitis B from an infected mother during childbirth.

Can Hepatitis B be spread by food?

Unlike Hepatitis A, another form of Hepatitis, Hepatitis B is not spread through food or water. If you had Hepatitis A, it is still possible to get Hepatitis B. If you had Hepatitis C, another form of Hepatitis that can be spread by contact with blood, you can still get Hepatitis B.

What is the Hepatitis B carrier state?

Among adults who have Hepatitis B, 5% to 10% develop a lifelong infection; among children, the risk for lifelong infection is much higher.

Some persons infected with Hepatitis B virus never fully recover and carry the virus for the rest of their lives. These persons are known as carriers, and they can affect other household and secular contacts throughout their lives. In the United States today, an estimated one million persons have lifelong Hepatitis B virus infections.

Why is Hepatitis B so serious in pregnant women?

All pregnant women should be tested early in pregnancy to determine if they are infected with Hepatitis B virus

Pregnant women who are infected with Hepatitis B virus frequently transmit the disease to their babies. Many of these babies develop lifelong infections, cirrhosis of the liver, and liver cancer. If the blood test is positive, the baby should be vaccinated at birth and during the first year of life.

How can Hepatitis B be prevented?

No cure is available for Hepatitis B, so prevention is crucial. Vaccines can provide protection in 90% to 95% of healthy persons. The vaccine can be given safely to infants, children, and adults in three doses over a period of 6 months. For information about Hepatitis B vaccine, visit your public health clinic or see your physician or public health nurse.

Who should be vaccinated?

Preventing Hepatitis B is important because of the high risk of lifelong infection leading to serious liver problems.

The following persons should be vaccinated against Hepatitis B:

All babies, beginning at birth.

Adolescents who have sex or inject drugs.

Persons who engage in any of the high-risk behaviors listed in this pamphlet.

Person whose jobs expose them to human blood.

Why should you be vaccinated?

If you are at risk, every day you delay increases your chances of getting a highly contagious liver disease. The problems caused by Hepatitis B – liver cancer, cirrhosis of the liver, and the danger of infecting loved ones – are too great. Give your future a shot in the arm. Get vaccinated!

If You Have Hepatitis C

Almost 4 Million Americans Have been Infected With Hepatitis C Virus

What is Hepatitis C?

Hepatitis C is a liver disease caused by the Hepatitis C virus (HCV), which is found in the blood of persons who have this disease. The infection is spread by contact with the blood of an infected person.

How Serious is Hepatitis C?

Hepatitis C is serious for some persons, but not for others. Most persons who get Hepatitis C carry the virus for the rest of their lives. Most of these persons have some liver damage, but many do not feel sick from the disease. Some persons with liver damage due to Hepatitis C develop cirrhosis (scarring) of the liver and liver failure, which may take many years to develop. Others have no long-term effects.

What can I do now that my Hepatitis C test is positive?

Contact your doctor. Additional tests may be needed to check your diagnosis and to see if you have liver damage.

What if I don't feel sick?

Many persons with long-term Hepatitis C have no symptoms and feel well, but should still see their doctor. For some persons, the most common symptom is extreme tiredness.

How can I take care of my liver?

See your doctor regularly.

Do not drink alcohol.

Tell your doctor about all medicines that you are taking, even over-the-counter and herbal medicines. If you have liver damage from Hepatitis C, you should get vaccinated against Hepatitis A.

Is there treatment for Hepatitis C?

Drugs are licensed for the treatment of persons with long-term Hepatitis C. About 3-4 out of every 10 patients who are treated gets rid of the virus. You should check with your doctor to see if treatment may help you.

How could I have gotten Hepatitis C?

HCV is spread primarily by exposure to human blood. You may have gotten Hepatitis C if:

You ever injected street drugs, even if you experimented a few times many years ago.

You were treated for clotting problems with a blood product made before 1987.

You received a blood transfusion or solid organ transplant (e.g. kidney, liver, heart) from an infected donor.

You were ever on long-term kidney dialysis.

You were ever a health care worker and had frequent contact with blood in the workplace especially accidental needle sticks.

You mother had Hepatitis C at the time she gave birth to you.

You ever had sex with a person infected with HCV.

You lived with someone who was infected with HCV and shared items such as razors or toothbrushes that might have had blood on them.

A person who has Hepatitis C can still get other types of viral Hepatitis such as Hepatitis A or Hepatitis B.

How can I prevent spreading HCV to others?

Do not donate your blood, body organs, other tissue or sperm.

Do not share toothbrushes, razors or other personal care articles that might have your blood on them. Cover your cuts and open sores.

If you have one long-term steady sex partner, you do not need to change your sexual practices. There is a very low chance of giving Hepatitis C to that partner through sexual activity. If you want to lower the small chance of spreading HCV to your sex partner, you may decide to use barrier precautions such as latex condoms. Ask your doctor about having you sex partner tested.

There is no vaccine available to prevent Hepatitis C.

What if I am pregnant?

About five out of every 100 infants born to HCV infected women become infected. This occurs at the time of birth, and there is no treatment that can prevent this from happening. However, infants infected with HCV at the time of birth seem to do very well in the first few years of life. More studies are needed to find out if these infants will have problems from the infection as they grow older.

Persons should not be excluded from work, school, play, child-care, or other settings on the basis of their HCV infection status.

Hepatitis C is NOT spread by:

Breast feeding.
Hugging
Food or water.
Sharing eating utensils or drinking glasses.
Sneezing.
Coughing.
Casual contact.

If you use or inject street drugs:

Stop and get into a drug treatment program.
If you cannot stop, do not reuse or share syringes, water, or drug works.
Get vaccinated against Hepatitis B and Hepatitis A.

If you have having sex, but not with one steady partner:

You are your partners can get diseases spread by having sex (e.g. AIDS, Hepatitis B, gonorrhea or Chlamydia).
Use latex condoms. The efficacy of latex condoms in preventing infection with HCV is unknown, but their proper use may reduce transmission.
The surest way to prevent the spread of any disease by sex is not to have sex at all.
Get vaccinated against Hepatitis B.

For information on viral Hepatitis:

Access our website at
<http://www.cdc.gov/Hepatitis/>
or call the Hepatitis Information Lind at
1-888-4HEPCDC, 1-888-443-7232
or write
Centers for Disease Control and Prevention
Division of viral Hepatitis, Mailstop G37
Atlanta GA 30333
Or
Contact your state or local health department

Tuberculosis

The Connection between TB and HIV (the AIDS virus) 2005



People infected with HIV (the virus that causes AIDS) are more likely than uninfected people to get sick with other infections and diseases. Tuberculosis (TB) is one of these diseases.

What is tuberculosis TB?

TB is a disease that usually affects the lungs. It sometimes affects other parts of the body, such as the brain, the kidneys, or the spine.

General symptoms of TB may include:

- Weakness.
- Feeling sick.
- Weight loss.
- Fever.
- Night sweats.

Common symptoms of TB of the lungs may include:

- Long term coughing.
- Chest pain.
- Coughing up blood.



Other symptoms depend on the particular part of the body that is affected.

TB infection may be spread to other people who share the same breathing space (such as family members, friends, coworkers, roommates) with someone who has TB disease.

Why is it important to know if I have TB and HIV infections?

HIV infection weakens the immune system. If a person's immune system gets weak, TB infection can activate and become TB disease. Someone with TB infection and HIV infection has a **very high risk** of developing TB disease. Without treatment, these two infections can work together to shorten the life of the person infected with both.

Good News!

The good news is that TB infection can be prevented from developing into TB disease and TB disease can be cured. The first step is to find out if you are infected with the TB germ. You can do this by getting a TB skin test.

What is a TB skin test?

For a TB skin test, a health worker uses a small needle to put some testing material, called tuberculin, just under your skin. This is usually done on the lower inside part of your arm. After you get the test, you must return in 2 to 3 days to see if there is a reaction to the test. If there is a reaction, the size of the reaction is measured.



Some people who are infected with both HIV and TB will not react to the TB skin test. This is because the immune system, which causes the reaction, is not working properly. Anyone who is HIV infected and has a negative skin test should also have other medical tests, especially if they have symptoms of TB disease.

What must I do if I have TB infection?

Get the required follow-up tests. Follow your doctor's advice and take the medicine as prescribed. Today, both TB infection and TB disease can be treated and cured with medication.

It is especially important for people with both TB and HIV infections to take their TB medication. The HIV-weakened immune system makes it **much** more likely for them to develop TB disease than people who are not HIV infected. TB is one of the few diseases related to HIV infection that is easily prevented and cured with medication.



STDs Today

Sexually transmitted diseases (STDs) affect men and women of all backgrounds and economic levels. Despite the fact that STDs are extremely widespread and add billions of dollars to the nation's healthcare costs each year, most people in the United States remain unaware of the risk and consequences of all but the most prominent STD—HIV, the virus that causes AIDS.



Common STDs and the Organisms That Cause Them

Many STDs affect millions of men and women each year. Many of these STDs initially cause no symptoms, especially in women. Symptoms, when they do develop, may be confused with those of other diseases that are not transmitted through sexual contact.



STDs can still be transmitted person to person even if they do not show symptoms. Health problems caused by STDs tend to be more severe for women than for men.

What Are Some Health Risks of STD Infection?

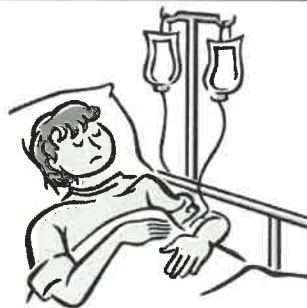
STDs can result in irreparable lifetime damage, including blindness, bone deformities, mental retardation, and death for infants infected by their mothers during gestation or birth.



In women, STDs can lead to pelvic inflammatory disease (PID), infertility, potentially fatal ectopic pregnancies, and cancer of the reproductive tract.

Acquired Immune Deficiency Syndrome (AIDS)

AIDS (acquired immunodeficiency syndrome) was first reported in the United States in 1981. It is caused by the human immunodeficiency virus (HIV), a virus that destroys the body's ability to fight off infection. An estimated 900,000 people in the United States are currently infected with HIV.



People who have AIDS are very susceptible to many life-threatening diseases, called **opportunistic infections**, and to certain forms of cancer. Transmission of the virus primarily occurs during sexual activity and by sharing needles used to inject intravenous drugs.

Chlamydia

Chlamydial ("kla-MID-ee-uhl") infection is the most common bacterial sexually transmitted disease (STD) in the United States today. The U.S. Centers for Disease Control and Prevention estimates that more than 4 million new cases occur each year. The highest rates of chlamydial infection are in 15- to 19-year-old adolescents, regardless of demographics or location.

Chlamydial infection is caused by a bacterium, *Chlamydia trachomatis*, and can be transmitted during vaginal, oral, or anal sexual contact with an infected partner. A pregnant woman may pass the infection to her newborn during delivery, with subsequent neonatal eye infection or pneumonia.

Pelvic inflammatory disease (PID), a serious complication of chlamydial infection, has emerged as a major cause of infertility among women of childbearing age. The annual cost of chlamydial infection is estimated to exceed \$2 billion.

Syphilis

The incidence of syphilis has increased and decreased dramatically in recent years, with more than 11,000 cases reported in 1996. Syphilis is caused by *Treponema Pallidum*; the first symptoms of infection may go undetected because they are very mild and disappear spontaneously. The initial symptom is a chancre; it is usually a painless open sore that usually appears on the penis or around or in the vagina. It can also occur near the mouth, anus, or on the hands. If untreated, syphilis may go on to more advanced stages, including a transient rash and, eventually, serious involvement of the heart and central nervous system. The full course of the disease can take years. Penicillin remains the most effective drug to treat people with syphilis.

Genital Warts/HPV

Human papillomavirus (HPV) is one of the most common causes of sexually transmitted disease (STD) in the world. Experts estimate that as many as 24 million Americans are infected with HPV, and the frequency of infection and disease appears to be increasing.

More than 60 types of HPV have been identified by scientists. Some types of the virus cause common skin warts. About one-third of the HPV types is spread through sexual contact and lives only in genital tissue. Low-risk types of HPV cause genital warts, the most recognizable sign of genital HPV infection. Other high-risk types of HPV cause cervical cancer and other genital cancers.

Like many sexually transmitted organisms, HPV usually causes a silent infection—that is, one that does not have visible symptoms. One study sponsored by the National Institute of Allergy and Infectious Diseases (NIAID) reported that almost half of the women infected with HPV had no obvious symptoms. Because the viral infection persists, individuals may not be aware of their infection or the potential risk of transmission to others and of developing complications.

Gonorrhea

Approximately 400,000 cases of gonorrhea are reported to the CDC each year in this country. Gonorrhea is caused by *Neisseria Gonorrhoeae*. The most common symptoms of infection are a discharge from the vagina or penis and painful or difficult urination. The most common and serious complications occur in women and, as with chlamydial infection, these complications include PID, ectopic pregnancy, and infertility. Historically, penicillin has been used to treat gonorrhea, but in the last decade, four types of antibiotic resistance have emerged. New antibiotics or combinations of drugs must be used to treat these resistant strains.

Viral Hepatitis

Hepatitis A is a cause of acute hepatitis. Fewer than 5 percent of infections are transmitted through fecal-oral contact during sexual intercourse, mostly among men who have sex with men.

Hepatitis B virus (HBV) infection is an STD with severe complications, including chronic hepatitis, cirrhosis, and liver carcinoma. Of approximately 200,000 new HBV infections in the United States each year, approximately half are transmitted through sexual intercourse. Preliminary data from a large U.S. multisite study indicate that approximately one third of persons with acute hepatitis B virus infections in 1995 had a history of another STD. In addition to hepatitis B, several other types of viral hepatitis can be transmitted sexually.

Hepatitis C virus, the most common cause of non-A non-B hepatitis, causes chronic liver disease in most infected adults. The efficiency of sexual and perinatal transmission of this virus, however, is much less than that for HBV or HIV.



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1. ADMISSIONS:

1. No person shall be confined to a DCR facility without a lawful order.
2. Upon admission to the facility for confinement, the following steps will be taken:
 - a. The inmate will provide personal information to the booking officer to enable completion of the booking process.
 - b. A preliminary medical screening process will be conducted. During the screening process of a temporary inmate if an active case of vermin is detected, the temporary inmate will be deloused (unless pregnant) and showered to prevent from contaminating other inmates.
 - c. The inmate will be searched, body scanned, required to be deloused (unless pregnant), shower, and shall receive an issue of clothing, personal hygiene articles and linen. Strip search, delousing, shower, and issuance of items are not performed for temporary committed inmates, but clothed body searched will be conducted. A temporary inmate may be strip searched if there is reasonable suspicion they are concealing contraband.
 - d. The inmate will be fingerprinted, photographed and issued an identification wristband.
 - e. The inmate will receive a receipt for all personal property taken from him or her and retained by the facility.
 - f. The inmate will be classified and assigned to a housing unit in accordance with the classification section of this manual.
 - g. A Handbook of Inmate Rules and Procedures will be provided to each inmate. The Booking Officer will ensure that each admitted inmate receive information explaining the DCR's zero-tolerance policy regarding sexual abuse and sexual harassment and will give each inmate information on how to report incidents or suspicions of sexual abuse or sexual harassment
 - h. Each newly committed inmate is entitled to three (3) collect telephone calls.



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- i. All calls except to attorneys shall be monitored, intercepted, recorded and disclosed
- j. All DCR facilities are "Tobacco Free".
- k. The inmate will be charged a processing fee as set forth in WV Code 15A-5-8.
- l. The DCR will collect any outstanding court fees.

2. CLASSIFICATION:

The DCR uses a system that classifies inmates by the nature of their commitment level of custody required, housing assignment and participation in programming. The segregation of inmates based upon race, color, creed or national origin is prohibited.

The following, minimum housing separations will be maintained:

- a. male inmates from female inmates;
- b. pre-trial inmates from convicted inmates;

Separate housing will be provided for the following purposes:

- a. Administrative Segregation;
- b. Protective Custody;
- c. Disciplinary Detention;
- d. Community Custody.
- e. Special Management

The Shift Supervisor shall make an initial classification of all incoming inmates; the classification of inmates shall be based upon specific, objective criteria.

Inmates may be subject to reclassification at any time; reclassification decisions may be based upon changes in legal status, additional information, inmate behavior or other relevant information.

An inmate may appeal his classification by filing a request to the Superintendent on the kiosk system.

3. RULES OF CONDUCT:

The following rules are not to be violated by inmates detained in a DCR facility. Any inmate, who is accused of a rule violation, will be given written notice of the alleged violation. The disciplinary procedures shall apply to all allegations of violations of the inmate rules and inmates found guilty of violating the rules will receive discipline as outlined in the disciplinary procedures.



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Violations of rules of conduct are classified by the severity of the offense; class one violations are the most serious and class three violations are of lesser severity.

Class One Violations

1. **Class One Violations:** Any behavior which threatens life or limb, constitutes a felony or misdemeanor, or seriously breaches institutional security shall be considered a class one violation.
- 1.01. **Escape:** No inmate shall escape, attempt to escape or assist another inmate in escaping or attempting to escape the custody of the West Virginia DCR or other custody in which they may be placed. No inmate shall possess any item, device or tool which could clearly be used to facilitate an escape or is clearly linked to an escape attempt. This shall include any inmate who cannot be located while on furlough in accordance with the master furlough agreement. This shall also include any attempt to breach security perimeters or barriers.
- 1.02. **Assault / Battery:** No inmate shall physically harm or assault any person with or without a weapon. No inmate shall attempt to physically harm or threaten with violence any person. This shall include the throwing of any item or substance.
- 1.03. **Rape / Sexual Assault:** No inmate shall physically force or attempt to force another person to submit to or perform any sexual act or threatening any person with violence in order to compel or coerce him or her to commit a sexual act. Also, no inmate shall engage in any sexual act, including sexual intercourse and sexual contact with another inmate or visitor, including kissing and fondling. No inmate shall expose his/her sexual organs to any person.
- 1.04. **Riot:** No inmate shall riot, mutiny, or attempting to riot or plan with other persons to riot, mutiny or prevent any employee from performing their duties or from entering, leaving or moving about any part of the institution by force or threat of force. No inmate shall incite or attempt to incite a riot or mutiny.
- 1.05. **Arson/Fires:** No inmate shall cause or attempt to cause a fire or explosion, or damage, deface or destroy any property belonging to the State of West Virginia or property belonging to them or any person, by fire or with an incendiary or explosive device.
- 1.06. **Hostage Taking:** No inmate shall take or attempt to take an employee, another inmate, or any person as hostage, or kidnapping any person.
- 1.07. **Possession of Weapons:** No inmate shall possess, manufacture, or attempt to manufacture any weapon or any item, which could be used as a weapon.
- 1.08. **Introduction of Weapon:** No inmate shall smuggle, or attempt to smuggle, any weapon into any institution/facility/center. No inmate shall arrange for others to smuggle or introduce any weapon into any institution/facility/center.



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- 1.09. **Extortion or Bribery:** No inmate shall extort, blackmail or bribe any other person or attempt to extort, blackmail, or bribe any other person.
- 1.10. **Tampering with Locks and or Doors:** No inmate shall possess non-issued keys or lock picks. No inmate shall tamper with, remove, damage, destroy, obstruct, jam, or in any way make any lock, door, security device, or fire safety equipment operate in a manner other than intended by the builder, or attempt to tamper with, remove, damage, destroy, obstruct, jam or make any such item fail to operate as intended.
- 1.11. **Trafficking:** No inmate shall sell, transfer, or manufacture any narcotic drug, synthetic drug, prescription drug, marijuana, or any intoxicant. No inmate shall bring, attempt to bring, or arrange for any other person to bring, or mail, any such item into an institution/facility/center or onto DCR property. Intoxicant shall be defined as any substance, which may be injected, consumed, "huffed", inhaled, absorbed through skin, or ingested by any means with an intoxicating affect.
- 1.12. **Demonstration:** Organizing or participating in a group demonstration, protest, sit-down strike, sickout, or work stoppage or any other joint demonstration or attempt to do any of the above.
- 1.13. **Accessory:** No inmate shall aid or abet any other inmate in the commission of any class one violation.
- 1.14. **Cumulative Class Two Violations:** The Hearing Officer may impose Class One disciplinary actions upon any inmate who has been found guilty of the commission of a third, Class Two violation within a period of thirty-one consecutive days. Any subsequent charges may result in additional disciplinary action.
- 1.15. **Destruction of Property:** No inmate shall alter, damage, mar, deface or destroy any property belonging to any person or institution.
- 1.16. **Obstructing:** No inmate shall hinder, impede or obstruct by acts or other means or attempt to hinder, impede or obstruct any employee or visitor from performing his/her duties or to interfere with the normal or free movement of any person.
- 1.17. **Alteration of food or drink is not permitted.** No inmate shall introduce or attempt to introduce poison or insanitary items or substances into any food or drink. No inmate shall tamper with food, drink, or kitchen appliances before, during, or after preparation.
- 1.18. **Violation of State law:** Committing or attempting to commit any action or acts which are defined as a felony or misdemeanor by the laws of the State of West Virginia or federal law.
- 1.19. **Use and Possession of Drugs and Intoxicants/Paraphernalia:** shall be defined as any narcotic drug, Synthetic drug, prescription drug, alcoholic substance, or substance which



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may be injected, consumed, "huffed", inhaled, absorbed through skin, or ingested by any means with an intoxicating affect.

1. No inmate shall use, possess, inject, inhale, "huff", absorb through skin, ingest by any means, or be under the influence of a drug or intoxicant.
2. No inmate shall use, possess or consume any prescription drug, or medication not specifically prescribed for that inmate or in a manner not consistent with the prescription or the directions of the medical staff. All medications will be taken at the time of dispensing unless otherwise directed by medical staff. Hoarding of medications is prohibited.
3. No inmate shall use, possess or consume any non-prescription drug or medication unless purchased from the commissary for his/her own use, or specifically authorized by staff. All medical items purchased from commissary will be used only for their intended purpose.
4. No inmate shall use or possess any drug/intoxicant/paraphernalia. An inmate shall be held responsible for any such items found in his/her own living area.

- 1.20. **Refusing Drug/Alcohol Screening:** No inmate shall refuse to participate in the drug/alcohol screening process as instructed by any person employed by or for the DCR or any law enforcement agency, within a period not to exceed two (2) hours. This shall include tampering with drug or alcohol screening process, or failure to produce a sample sufficient for testing within a two (2) hour period.
- 1.21. **Theft of Property Valued Over \$100.00:** No inmate shall steal or attempt to steal property belonging to the institution/jail or to any person valued over \$100.00. No inmate shall be in possession of stolen property. The taking or borrowing of the property of another and refusing to return the property shall be considered theft.
- 1.22. **Refusing DNA Blood Screening:** No inmate shall refuse to provide a blood sample or otherwise participate in DNA blood screening as instructed by a person employed by the West Virginia DCR.
- 1.23. **Trading or Selling with Others:** No inmate shall trade, sell, loan, give, borrow, receive, or offer to trade, sell, loan, gift or receipt any goods or services of any nature with employees, contracted employees, or any persons who have dealings with the DCR, including visitors, other than through the system established by the Superintendent for that purpose.
- 1.24. **Sexual Contact with Employees:** No inmate shall engage or attempt to engage in any sexual act, including sexual intercourse and sexual contact with employees, contract employees, or any other person who have dealings with the West Virginia DCR including official visitors. This shall also include kissing and fondling.
- 1.25. **Compromising an Employee:** No inmate shall manipulate or attempt to manipulate, aid, abet, incite, encourage, or otherwise attempt, to aid, abet, incite, or encourage any

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employee of the West Virginia DCR, or any employee of any entity contracting with the West Virginia DCR and/or any volunteer to engage in violations of the West Virginia DCR Policy and Procedures, jeopardize security, engage in poor work performance or otherwise violate applicable laws or regulations.

- 1.26. **Exposing Body Fluids:** No inmate shall intentionally expose to any person body fluids such as urine, feces, spit, blood, or any other body fluid.
- 1.27. **Use of Racial Slurs:** No inmate shall engage in racial slurs and graffiti and/or symbols thereof towards or staff. Graffiti is to include but not limited to living areas, showers, recreational areas, and state issued property.

Class Two Violations

2. **Class Two Violations:** Violations which tend to disrupt the normal operation of the institution or which subvert institutional systems of control.
- 2.01. **Refusing and Order:** No inmate shall refuse to obey, or fail to carry out any order, instruction of assignment
- 2.02. **Threats:** No inmate shall threaten to commit any act, which violates institution/jail rules. No inmate shall threaten or cause any person to be threatened, as distinguished from 1.02, a threat of harm or violence.
- 2.03. **Refusal to Work/Attend Class and Programs:** No inmate shall refuse a work detail or assignment, or refuse to carry out required assignments, work orders or instructions, or leave a place of assignment including programs or classes without permission from the person in charge, feign an illness or be absent from work without authorization or violate terms of their work contract.
- 2.04. **Missing or Confusing Count:** No Inmate shall miss count or take any action which creates confusion or error in the count of inmates.
- 2.05. **Bucking the Line:** No inmates shall buck, break out of, and refuse to join in, or prevent the orderly progression of any inmate line or group.
- 2.06. **Entering Another's Cell/Living Area:** No inmate is to enter, break into, or be present in any cell, room or living area, which is not assigned to them, unless granted permission by a staff member. No inmate is to move oneself to another cell without permission.
- 2.07. **Unauthorized Presence:** No inmate shall be in any unauthorized area unless granted permission by a staff member.



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- 2.08. **Fighting:** No inmate shall fight or wrestle with any other person or attempt to fight or wrestle with any other person.
- 2.09. **Flooding:** No inmate shall cause water to flood any area of the institution.
- 2.10. **Self-mutilation:** No inmate shall deliberately cause injury to oneself, give oneself a tattoo, or permit others to cause injury or to give oneself a tattoo or commit any act which could cause harm to themselves or attempt to do any of these acts. Inmates giving tattoos will be penalized also.
- 2.11. **Contraband:** No inmate shall possess any contraband, whether in your possession or in your cell. Contraband shall include any item or substance not specifically permitted to inmate property by institutional rules or any altered permissible item or excess of permissible items. Contraband shall also include any permissible item not being used for its original intent. Inmates shall be held accountable for contraband items found in their own living areas.
- 2.12. **Possession of Money:** Except where authorized in writing by institution/jail regulations, no inmate shall have any United States Currency or any other form of legal tender or money in their possession. Those inmates authorized to do so may possess only that amount of money specified by institution/jail regulations.
- 2.13. **Failure to Tender Monies/Paychecks:** No inmate shall fail to give to the institution/jail staff any paychecks, wages, or other funds they receive from any source for deposit in their Trustee Account.
- 2.14. **Theft of Property Valued Under \$100.00:** No inmate shall steal, or attempt to steal, either institution/jail property or property belonging to another person valued under \$100.00, nor shall they possess stolen property.
- 2.15. **Forgery:** No inmate shall counterfeit, forge, alter, reproduce without authorization, or attempt to do so, any document, article of identification, security, official paper, or the signature of any other person. No inmate shall possess a forged document.
- 2.16. **Fraudulent Representation:** No inmate shall represent themselves to any individual either as being a person other than who they are, or incorrectly act as a representative of any corporation, association, or organization. No inmate shall deceive, attempt to deceive, misinform, or attempt to misinform any fact or information to any person.
- 2.17. **Gambling:** No inmate shall gamble for money, anything of value, or services of any kind. No inmate shall, without permission, possess or manufacture dice or any other gambling device, equipment, or paraphernalia. No inmate shall organize, operate, or participate in any gambling operation or betting pool.



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- 2.18. **Misuse of Telephone/Kiosk:** No inmate shall use a telephone/kiosk except in accordance with and when allowed by institutional/jail rules and in accordance with telephone/kiosk company regulations. An inmate shall not use a credit card/debit card for making a telephone call. No inmate shall arrange through any means or be a party to a three-way or conference call. No inmate will use another inmate's OID # to place calls.
- 2.19. **Misuse of Correspondence Regulations:** No inmate shall misuse, violate, or attempt to misuse or violate the mail, kiosk, or telephone regulations and policies of the institution. No inmate shall purchase or contract to purchase any item through the mail without written authorization from the Superintendent or his/her designee.
- 2.20. **Failure to Proceed or Return:** No inmate shall fail to proceed directly, within the times and dates listed, to a specified destination unless permission is given to leave the area or proceed to another area. No inmate shall fail to directly return to a specified area within the time indicated. This includes movement covered by verbal or written directive, passes and furloughs.
- 2.21. **Failure to Report Arrest or Accidents Incident:** No inmate shall fail to report to the institution/facility/center staff within two (2) hours, any arrest or accident, detention or questioning by any law enforcement agency.
- 2.22. **Contempt of Disciplinary Hearing:** No inmate shall shout act rudely, speak persistently out of turn, or otherwise disrupt proceedings at any disciplinary hearing.
- 2.23. **Falsification of Information/Testimony:** No inmate shall intentionally provide false, incorrect, or incomplete information to a staff member or give false or untrue testimony.
- 2.24. **Accessory:** No inmate shall aid or abet any other inmate in the commission of a Class Two Violation. No inmate found guilty of aiding or abetting shall be disciplined more severely than the principal.
- 2.25. **Cumulative Class Three Violations:** The Hearing Officer may impose Class Two disciplinary actions upon any inmate who has been found guilty of the commission of a third Class Three Violation within a period of thirty-one (31) consecutive days. Any subsequent charges may result in additional disciplinary action.
- 2.26. **Unauthorized Entering into a Contract:** No inmate shall enter into any form of contract or be a party to such without the authorization of the Superintendent or his/her designee including marriage, bank accounts, loans, post office boxes, etc.
- 2.27. **Creating a Disturbance:** No inmate shall be disruptive by engaging in horseplay or in insulting, vulgar or obscene language or gestures or in creating other loud noise in any form or stopping or interfering with the normal functions of the jail due to this behavior.



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- 2.28. **Furlough Condition Violation:** No inmate shall violate any condition of his/her master furlough agreement.
- 2.29. **Insubordination/Insolence:** An inmate shall not be insubordinate or insolent to a staff person. No inmate shall slander any person.
- 2.30. **Illegal Inmate Store:** No inmate shall operate or participate in the operation of an illegal "store". Also, no inmate shall engage in purchasing any item or service from any such illegal "store". Participation in any such illegal "store" will consist of the sale or accepting as a purchase, with or without interest consideration, any goods, or services between inmates without appropriate approval of the Superintendent.
- 2.31. **Physical Contact:** No inmate shall engage in purposeful physical contact (i.e. embracing, holding hands, etc.) with any other person.
- 2.32. **Use of Tobacco or Tobacco Products:** No inmate shall use tobacco or tobacco products. No inmate shall possess tobacco or tobacco products.
- 2.33. **Unauthorized Communication:** No inmate shall converse, pass notes or make or attempt to make contact in any way with inmates who are housed in another housing unit. No inmate shall use the kiosk system to contact or attempt to contact any inmates housed in other housing units. No inmate shall contact or attempt to contact persons outside the facility through doors, or windows, or shouting at or attempting to attract the attentions of persons passing by the jail.
- 2.34. **Obstructed Window/Lights:** Windows and lights are not to be obstructed in any way.
- 2.35. **Wristbands:** Inmates are required to wear wristbands identification at all times. Inmates may be charged restitution for replacement of lost or damaged wristband, other than normal wear and tear.
- 2.36. **Indecent Exposure:** No inmate shall intentionally expose one's breasts, briefs, brassiere, sex organs, buttocks or the breasts, briefs, brassiere, sex organs or buttocks of another person.
- 2.37. **Inmates are not permitted to shave their heads:** Any alteration of hairstyle will be done only by the barber.

Class Three Violations

3. **Class Three Violations:** Violations which disturb the normal operation and routine of the institution, or which manifest a personal problem of adjustment.



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- 3.01. **Feigning Illness:** No inmate shall miss work call, school call, or any other mandatory assignment for reason of illness without verification from medical staff or other authorized personnel. No inmates shall attempt to miss or avoid any assignment by pretending to be ill. An inmate can also be charged with rule violation 2.03 also.
- 3.02. **Littering:** No inmate shall dispose, throw, or drop any garbage, litter product, or any other item or material in an unauthorized or inappropriate manner, including toilets, sinks, showers, air vents, etc.
- 3.03. **Personal Hygiene/Sanitation:** No inmate shall fail to shower at least three times per week; fail to maintain personal cleanliness and grooming, fail to wear clean and appropriate clothing nor fail to maintain living and sleeping areas in a clean and orderly fashion
- 3.04. **Improper use of Food:** No inmate shall waste or create mess with food. No inmate shall take any food from the kitchen, except as part of a job assignment. No inmate shall hoard food from any meal in their cell or any other part of the facility.
- 3.05. **Attentiveness:** No inmate shall be late in reaching a place of assignment or destination; engage in poor work habits through failure to attend to duty or sleeping on the job.
- 3.06. **Improper use of Property:** No inmate shall misuse equipment or property or engage in inappropriate or unauthorized use or possession of tools, machinery, equipment or other property, whether owned by the institution or any other person.
- 3.07. **Posted Procedures:** No inmate shall violate any other facility procedures as posted that are not defined as class I or class II offenses.
- 3.08. **Accessory:** No inmate shall aid or abet any other inmate before, during, or after the commission of any class III offense.
- 3.09. **Obscene Language:** No inmate shall use indecent, obscene, profane, vulgar, or sexual language in conversation or in response to an order or directive from an employee of the institution.
- 3.10. **Restricted Area:** No inmate shall be in the area of the facility without proper authorization or specific permission, i.e. red zones.
- 3.11. **Unauthorized item:** No inmate is permitted to carry any item such as candy, combs, toothbrushes etc. from their section without authorization from staff.
- 3.12. **Handrails and Shelves:** are to be used for their intended purpose only, exercising on them, or hanging clothes and bed linens from them is not permitted.
- 3.13. **Blocking Access:** No inmate shall obstruct the movement up or down the steps, or in and out of doorways at any time.



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4. Sanctions for Violations of Rules of Conduct:

Any violation of a rule of conduct which may also constitute a crime under the laws of the State of West Virginia may be separately and concurrently prosecuted in accordance with the Rules of Criminal Procedure.

Any disciplinary sanction which involves the restriction or denial of recreation or visitation must be directly related to an offense involving recreation or visitation.

Any inmate on a disciplinary lock down status will be subject to restrictions of commissary and library privileges.

Corporal punishment shall never be administered as a sanction for rule violation.

Class One Sanctions

Upon a finding of guilt, a Class One Violation may be disciplined by one or more of the following:

- a. Revocation of some portion or all good time.
- b. Placement in disciplinary detention for a specific period of time, not to exceed:
 1. fifteen days for any one violation; or no more than
 2. thirty days for all violations arising from any one incident.
- c. Loss of privileges for a specific period, not to exceed:
 1. fifteen days any one violation; and no more than
 2. thirty days for all violations arising from any one incident.
- d. Change in classification and reassignment of housing unit.
- e. Restitution may be ordered to compensate either another person, business or the State. Restitution shall be made by taxing the guilty inmate's trustee account.

Class Two Sanctions

Upon finding of guilt, a Class Two Violation may be disciplined by imposition of one or more of the following sanctions:

- a. Revocation of not more than one-half of all accumulated good time;



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- b. Placement in disciplinary detention for a specific period, not to exceed:
 - 1. ten days for any one violation; and no more than
 - 2. thirty days for all violations arising from one incident;
- c. Loss of privileges for a specific period, not to exceed:
 - 1. ten days for any one violation; and no more than
 - 2. thirty days for all violations arising from one incident;
- d. Change in classification and reassignment of housing unit.
- e. Restitution may be ordered to compensate either another person, business or the State. Restitution shall be made by taxing the guilty inmate's trustee account.

Class Three Sanctions

Upon a finding of guilt, a Class Three Violation may be disciplined by imposition of one or more of the following:

- a. Placement in disciplinary detention for a specific period, not to exceed:
 - 1. five days for any one violation; and no more than
 - 2. thirty days for all violations arising from any one incident;
- b. Loss of privileges for a specific period, not to exceed:
 - 1. ten days for any one violation; and,
 - 2. thirty days for all violations arising from any one incident;
- c. Change in classification and reassignment of housing unit.

The term "Loss of Privileges", as used in this chapter, shall mean any of the following:

- a. Loss of privilege to purchase any items from the Commissary other than pens, pencils, stamps, paper, envelopes, and basic personal hygiene articles.
- b. Loss of use of the library, except for access to legal library;



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- c. Loss of job assignment;
- d. Loss of opportunities to participate in programs and activities;
- e. Loss of gymnasium privileges.

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5. Disciplinary Procedures:

The following procedures will be followed whenever an inmate is accused of violating a rule. No inmate shall be found guilty of a violation or receive a disciplinary sanction except as provided in these procedures.

Hearing Officer:

The Superintendent shall appoint an impartial Hearing Officer who shall hear testimony concerning alleged violations, take evidence, determine guilt or innocence and impose disciplinary sanctions, if appropriate, for all cases in which an inmate is accused of a rule violation. The Hearing Officer may record the hearing manually or through the use of a mechanical recording device.

Reporting Incidents:

Any staff member who has knowledge or suspicion of the violation of a rule by an inmate, is responsible for the preparation of an Incident Report which shall be submitted to the Shift Supervisor.

Any contraband, item, object or material which is evidence of the incident shall be secured by the staff member.

Violation Report:

The Major or Shift Supervisor shall review the Incident Report, conduct such investigation deemed necessary, and decide whether the inmate should be charged with a Rule Violation. Any necessary investigation shall be initiated within forty-eight hours of the receipt of the Incident Report.

If the Major or Shift Supervisor determines that a charge should be made, the staff member who submitted the Incident Report shall be directed to prepare a Rule Violation Report.

The Rule Violations Report shall include the specific charge, including a specific reference to the Rules of Conduct, a statement of the inmate's rights in the disciplinary procedure, and the date and time of the hearing. A copy of the Rule Violation Report shall be served upon the inmate charged with the violation within twenty-four hours of the decision to charge the inmate. The serving staff member shall complete the Record of Service on both the inmate's copy and the Shift Supervisor's copy.



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Pre-Hearing Segregation:

Pre-hearing segregation of inmates charged with a rule violation shall be used only when necessary to ensure the safety of the inmate or the security of the institution.

Setting the Hearing:

The Hearing Officer shall set the date and time for the hearing. A hearing for any violation must be held:

- a. No sooner than twenty-four hours after the Rule Violation Report has been served upon the inmate, unless the inmate has consented, in writing, to an earlier hearing; and
- b. No more than seventy-two hours, excluding weekends and holidays, after the Rule Violation Report has been served upon the inmate. The hearing may be postponed or continued for a reasonable time through a written waiver by the inmate or for documented good cause.

Charges for the same incident against two or more inmates may be heard at the same time.

Conduct of Hearings:

The Rule Violation Hearing shall be conducted as follows:

- a. The Hearing Officer shall read the charges and rights as contained in the Violation Report and ask the accused inmate for a plea;
- b. If the inmate pleads guilty or *nolo contendere*, the Hearing Officer shall determine the appropriate disciplinary sanctions to be imposed;
- c. If the inmate pleads not guilty, the Hearing Officer shall solicit testimony and evidence, including the testimony of witnesses, from the complaining staff member who submitted the Rule Violation Report;
- d. Evidence obtained from any confidential informant must be presented in the form of a written statement, signed by the staff member who spoke with the informant. The identity of the informant shall not be divulged;
- e. The inmate may give testimony and call witnesses on their behalf at the conclusion of the presentation of evidence and testimony against them;
- f. The Hearing Officer may call witnesses and inquire of any party during the hearing;



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g. The inmate may:

1. Have the right to counsel if the State is represented by a lawyer, and otherwise the right to be assisted by another inmate from the same classification, or staff member.
2. Be present during the hearing and to confront their accusers, except for confrontation of confidential informants, where such confrontation could endanger the safety of the informant. If the right to confrontation of accusers is not permitted, the Hearing Officer shall require corroboration of the secret testimony or the determination that the testimony is clear, cognizant and convincing before a finding of guilty is rendered. The testimony of confidential sources shall be preserved for a period of five years from the date of its taking.
3. Present evidence and witnesses on their behalf. The number of witnesses may be limited by the Hearing Officer in the interest of safety, security or order of the facility;
4. Cross examine all witnesses who testify, except confidential informants.

- h. Inmates, whose behavior or conduct is disruptive or assaultive, may be removed from the hearing. The exclusion of an inmate shall be documented in the hearing record by the Hearing Officer.

Findings and Disposition:

The decision of the Hearing Officer shall be rendered and recorded in the appropriate section of the Rule Violation Report.

If the Hearing Officer finds the inmate not guilty, all references to the alleged rule violation cannot be used for classification or evaluation purposes but a record will be maintained of the outcome.

If the hearing Officer finds the inmate guilty, the Rule Violation Report shall include the following:

- a. a list of all witnesses and a summary of their testimony;
- b. a description of each piece of evidence entered, copies of documents (including Incident Reports) shall be attached to the Hearing Officer's copy of the Rule Violation Report.
- c. a statement of the decision of the Hearing Officer;
- d. the signature of the Hearing Officer;
- e. a statement of the sanctions or discipline imposed.



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Once the Rule Violation Report has been completed, a copy, without attachments, shall be given to the inmate. If the verdict is guilty, a copy of the Rule Violation Report, with any attachments, shall be placed in the inmate's file.

Review:

The Superintendent or designee shall review the disciplinary hearing procedure and disposition, when completed.

Appeals:

An inmate may appeal a finding of guilt to the Superintendent by filing a written appeal within five days after he/she has been found guilty by the Hearing Officer.

The Superintendent shall affirm, reverse, modify or remand the decision within five days of receipt of the appeal.

Procedures Upon Release:

The incarceration of an inmate shall not be prolonged by reason of the imposition of disciplinary sanctions, unless the sanction has included the loss of earned 'good time' credit. If an inmate returns to the facility they may, at the discretion of the Superintendent, be required to satisfy previously imposed sanctions.

It is the responsibility of the inmate to return all state property, i.e. clothing, books, linens, etc., upon release. Failure to return such items may result in the inmate being charged restitution for all missing or destroyed items prior to release or in the event of his/her return.

6. Inmate Movement Procedures:

- All inmates are required to walk in a single file line on the right side of the hallway at all times. There is to be no talking in the hallways.
- Any inmate being escorted within the facility is not to communicate in any way with other inmates whether in the gym, recreation yard, classroom, interview room etc.
- Any inmate that is placed in an interview room or non-contact visitation room will remain seated on the stool or chair at all times.
- Any inmate that does not comply with the movement procedures listed above will be returned to their cell and subject to disciplinary action.

7. Inmate Grievance Procedure:

The grievance procedure may be used by inmates to resolve most problems they may experience during their incarceration.

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There shall be no reprisal or disciplinary action taken against inmates who properly use the Grievance Procedure.

Grievances:

Inmates may submit grievances in writing by US mail, by depositing in DCR grievance boxes located in each DCR facility, or by handing the grievance to a DCR employee.

Correctional Officers who are involved in an emergency situation, distributing medication, conducting formal count or transporting another inmate are not required to accept grievances.

Inmates housed in segregation units will be given the opportunity to hand grievances to a DCR employee once a shift.

Inmates held in medical or mental health units may submit grievances by notifying medical personnel that they wish to file a grievance, the medical personnel will call for a DCR employee to come to the unit to accept the grievance.

If an inmate drops a grievance in a lock box, sends it via US mail, or places in a mailbox in a unit manager or counselor's office, the individual responsible for collecting the grievances shall deliver (or cause to be delivered) a copy of the grievance with the grievance number to that inmate as soon as practicable, but within no more than a twelve hours from receipt of the grievance.

If an inmate requires assistance or does not have the capacity to properly fill out a grievance form, another inmate, DCR staff, an attorney, family member, or other individual the inmate chooses may provide assistance. However, the inmate who is grieving, must affix his/her own signature or mark to the form.

Any inmate may file a grievance utilizing a grievance form within fifteen (15) days of any occurrence that would cause him/her to file a grievance. These forms shall be made available to members of the inmate population at all facilities. At a minimum, grievance forms shall be available in all inmate housing units and the law libraries.

An inmate may grieve only one (1) issue or complaint per form and, except for grievances alleging sexual abuse or substantial risk of imminent sexual abuse, the issue must directly pertain to the inmate filing the grievance.

The grievance form shall initially be submitted by the inmate to his/her Unit Manager or the Director of Inmate Services at facilities where Unit Managers are not assigned. Inmates may also submit grievances to a correctional officer, via lock box, or US mail.

Except in allegations of sexual abuse or substantial risk of imminent sexual abuse, prior to responding to the grievance, the Unit Manager/Director of Inmate Services shall inspect the grievance to determine whether the grievance conforms with this policy.



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Grounds for rejection shall include but not be limited to failure to file the grievance in a timely manner; filing a grievance on a matter that has been previously submitted in a prior grievance; failure to seek actual relief (filing a grievance that does seek action or ask for an answer to a question); attaching including excessive pages; submitting writing on multiple sides of the page; and grieving more than one issue or complaint per form. Any presence of a foreign substance shall also be grounds for immediate rejection. If any of these apply, the Unit Manager/Director of Inmate Services shall reject the grievance, providing a brief explanation of the grounds for rejection, in writing and return the grievance to the inmate, noting the rejection on the log. Except for grievances rejected due to having been previously addressed in a grievance or those filed beyond the time limits to file a grievance, the inmate shall have ten (10) days to correct the defect and re-file a new grievance. An inmate may appeal a rejection in the same manner as a decision, but the scope of the appeal is limited only to the propriety of the rejection and not to the merits of the grievance. As such, appealing the rejection to the Commissioner does not exhaust administrative remedies on the issue presented in the defective grievance.

It shall be the responsibility of the Unit Manager/Director of Inmate Services to ensure that an answer to the grievance is provided back to the inmate within five (5) days. The response should be clear, concise, complete, and professional. The Unit Manager/Director of Inmate Services is not required to personally answer the grievance, so long as he/she ensures that the grievance ultimately received is timely addressed and, if accepted, answered. *Provided that the Unit Manager/Director of Inmate Services shall ensure that the staff member to which the grievance pertains shall not answer the grievance.* In the case of accepted grievances addressing questions of health care, the Unit Manager/Director of Inmate Services shall route the grievance to the facility's health care administrator to review and provide the inmate an answer. However, the Unit Manager/Director of Inmate Services, shall ensure that a response has been completed and provided to the inmate, logging the same.

The inmate shall be provided a copy of his/her grievance form prior to submission at each level for the inmate's records. The inmate may attach to the grievance or include only one (1) 8.5 x 11-inch page with writing on a single side. If staples are utilized, only one (1) staple may be used to affix the pages together. The inmate may not tear, fold, or affix tape to the forms, except that the forms may be folded and placed into a number 10 envelope.

If the Unit Manager/Director of Inmate Services fails to answer or reject the grievance within the allowable time frame, the inmate may treat the non-response as a denial of his/her grievance. The inmate shall indicate on the form to the Superintendent that the grievance was previously filed without a response from the Unit Manager/Director of Inmate Services. The Superintendent/designee shall investigate such allegation. If it is determined that the inmate had submitted a grievance without response, the Superintendent shall require an immediate response from the Unit Manager/Director of Inmate Services. If it is determined by the Superintendent that the inmate had either not filed the form with the Unit Manager/Director of Inmate Services or had been given a timely response, the Superintendent shall initiate appropriate disciplinary action upon the inmate.

In the event an inmate suffers a serious injury or illness; is placed in an outside hospital or facility; is in a coma, feverish, heavily medicated, or other altered mental state; is placed in a restrictive



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setting, such as suicide watch, restraint chair, or isolation; the period for filing a grievance regarding the incident which led to the injury/illness, hospitalization, altered mental state or restrictive setting will be tolled until the inmate is returned to a DCR facility, is no longer in an altered mental state or restrictive setting and once again has access to writing utensils.

Should the response at the Unit Manager/Director of Inmate Services level not resolve the issue, the inmate may appeal to the Superintendent within five (5) days from delivery of the response to his/her grievance. The inmate shall use the same form as was submitted to the Unit Manager/Director of Inmate Services and sign in the appropriate location. Only the grievance form and Unit Manager/Director of Inmate Services' response shall be submitted. Submission of any additional materials beyond the initial grievance and response shall be grounds to reject the appeal, except in the case of grievances alleging sexual abuse or substantial risk of imminent sexual abuse.

As with the initial level, the inmate shall be provided a copy of his/her grievance form prior to submission to the Superintendent for his/her records. Only the grievance form [including the one (1) page attachment submitted to the Unit Manager/Director of Inmate Services, if any] and the Unit Manager/Director of Inmate Services' response is to be copied.

Prior to responding to the appeal, the Superintendent/designee shall review the grievance to determine whether any grounds for rejection exists as described above. If such exists, the grievance shall be rejected in the same manner.

The Superintendent/designee shall respond to the appeal, using the grievance form, within five (5) days. The Superintendent/designee shall consider the statement of the grievance, as presented at the initial level, together with the Unit Manager/Director of Inmate Services' response to determine whether the response is appropriate. After a review of the grievance, the Superintendent/designee may affirm the Unit Manager/Director of Inmate Services and deny the grievance; deny the grievance for reasons other than that which is addressed by the Unit Manager/Director of Inmate Services; grant the grievance; or remand the grievance back to the Unit Manager/Director of Inmate Services for further action. In reviewing the grievance, the Superintendent/designee should place the expectation upon the Unit Manager/Director of Inmate Services that the grievance will be fully addressed at his/her level such that additional investigation should rarely be necessary and that a decision can be rendered from a review of the grievance document. If a grievance has not been properly submitted through any level by an inmate, it shall be rejected.

Should the inmate believe that the Superintendent's response does not resolve his/her grievance, or the Superintendent fails to respond in the time frames set forth above, the inmate may submit an appeal to the Commissioner of the Division of Corrections and Rehabilitation within five (5) days after he/she receives the Superintendent's response or the time for the response has passed. The appeal shall be submitted using the same form as was submitted to the Unit Manager/Director of Inmate Services and signing the appropriate location. Only the grievance form together with the Unit Manager/Director of Inmate Services and Superintendent's response shall be submitted. Each grievance appealed to the Commissioner shall be mailed by the inmate to the Commissioner by first class mail. **Only one (1) grievance per envelope shall be permitted.** Except for



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grievances alleging sexual abuse or substantial risk of imminent sexual abuse, submission of multiple grievances or submission of grievances bound with tape or more than one staple or by any other means shall be grounds for rejection of the entire mailing in addition to all other grounds. The inmate may not tear or fold the forms, except that the forms may be folded to place it in a number 10 envelope. The grievances shall be appealed to the Commissioner by mailing only the grievance form and a single 8.5-inch page attachment, together with any response from the Unit Manager/Director of Inmate Services and Superintendent to the Commissioner at the following address:

WV Division of Corrections & Rehabilitation
Commissioner's Office
Attention: Inmate Grievance Review
1409 Greenbrier Street
Charleston, WV 25311

As with the initial level and Superintendent's level, the inmate shall be provided a copy of his/her grievance form prior to submission to the Commissioner for his/her records. Only the grievance form (including the one (1) page attachment submitted to the Unit Manager/Director of Inmate Services, if any) and responses are to be copied.

Prior to responding to the appeal, the Commissioner/designee shall review the grievance to determine whether any grounds for rejection exists in the same manner as described above; or any other provision of this Policy Directive. If such exists, the grievance shall be rejected in the same manner.

The Commissioner/designee shall respond to the appeal, in writing, within fifteen (15) days. The Commissioner/designee shall consider the statement of the grievance, as presented at the initial level, together with the Superintendent and Unit Manager/Director of Inmate Services' response to determine whether the response is appropriate and in furtherance with the mission of the Division of Corrections and Rehabilitation and with the orderly operation of the facility. Upon review of the grievance, the Commissioner/designee may affirm the Superintendent and deny the grievance; deny the grievance for reasons other than that which is addressed by the Superintendent and Unit Manager/Director of Inmate Services; grant the grievance; or remand the grievance back to the Superintendent or Unit Manager/Director of Inmate Services for further action. In reviewing the grievance, an expectation is placed upon the Superintendent and Unit Manager/Director of Inmate Services that the grievance will be fully addressed at their levels and additional investigation should rarely be necessary. A decision should be able to be rendered from a review of the grievance document. If a grievance has not been properly submitted through any level by an inmate, it shall be rejected. A rejected grievance does not exhaust the grievance process or that step of the process.

8. Special Problems

Any inmate or group of inmates may be subject to special problems which require special procedures. Staff and inmates shall be guided by the following procedures in dealing with special problems.



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a. Inmate threats or assaults: If an inmate is threatened or assaulted, the incident should be reported to the staff member at the earliest possible time. Such report may be made orally or in writing. After a report is made, the threatened inmate has a right to be separated from the person who has threatened or assaulted them. The person or persons who have threatened or assaulted him/her will be subject to disciplinary procedures and/or prosecution in the courts.

b. Protective Custody: Any inmate, who believes themselves to be in danger from other inmates, may request placement in protective custody. All such requests shall be in writing. If the danger is substantiated, the inmate shall be placed in protective custody.

9. Good Time Allowance

§15A-4-17. Deduction from sentence for good conduct; mandatory supervision.

- (a) All current and future adult inmates sentenced to a felony and, placed in the custody of the division, except those committed pursuant to §25-4-1 et seq. of this code, shall be granted commutation from their sentences for good conduct in accordance with this section: Provided, That nothing in this section shall be considered to recalculate the "good time" of inmates currently serving a sentence or of giving back good time to inmates who have previously lost good time earned for a disciplinary violation, except for those inmates currently serving a sentence for a misdemeanor.
- (b) The commutation of sentence, known as "good time", shall be deducted from the maximum term of indeterminate sentences or from the fixed term of determinate sentences.
- (c) Each inmate committed to the custody of the commissioner and incarcerated in a facility pursuant to that commitment shall be granted one day good time for each day he or she is incarcerated, including any and all days in jail awaiting sentence which are credited by the sentencing court to his or her sentence pursuant to §61-11-24 of this code or for any other reason relating to the commitment. An inmate may not be granted any good time for time served either on parole or bond or in any other status when he or she is not physically incarcerated.
- (d) An inmate sentenced to serve a life sentence is not eligible to earn or receive any good time pursuant to this section.
- (e) An inmate under two or more consecutive sentences shall be allowed good time as if the several sentences, when the maximum terms of the consecutive sentences are added together, were all one sentence.
- (f) The commissioner shall promulgate disciplinary rules and policies. The rules and policies shall describe acts that inmates are prohibited from committing, procedures for charging individual inmates for violation of the rules, and for determining the guilt or innocence of inmates charged



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with the violations, and the sanctions which may be imposed for the violations. A copy of the rules shall be given to each inmate. For each violation, by a sanctioned inmate, any part or all of the good time which has been granted to the inmate pursuant to this section may be forfeited and revoked by the superintendent of the institution in which the violation occurred. The superintendent when appropriate and with approval of the commissioner, may restore any forfeited good time.

- (g) Each inmate, upon his or her commitment to, and being placed into the custody of the commissioner, or upon his or her return to custody as the result of violation of parole pursuant to §62-12-19 of this code, shall be given a statement setting forth the term or length of his or her sentence or sentences and the time of his or her minimum discharge computed according to this section.
- (h) Each inmate shall be given a revision of the statement described in §15A-4-17(g) of this code when any part or all of the good time has been forfeited and revoked or restored pursuant to §15A-4-17(f) of this code, by which the time of his or her earliest discharge is changed.
- (i) The superintendent may, with the approval of the commissioner, allow extra good time for inmates who perform exceptional work or service.
- (j) There shall be no grants or accumulations of good time or credit to any current or future inmate serving a sentence in the custody of the Division of Corrections and Rehabilitation except in the manner provided in this section.
- (k) Prior to the calculated discharge date of an inmate serving a sentence for a felony crime of violence against the person, a felony offense where the victim was a minor child or a felony offense involving the use of a firearm, one year shall be deducted from the inmate's accumulated good time to provide for one year of mandatory post-release supervision following the first instance in which the inmate reaches his or her calculated discharge date. All inmates released pursuant to this subsection shall be subject to electronic or GPS monitoring for the entire period of supervision. The provisions of this subsection are applicable to offenses committed on or after July 1, 2013.
- (l) Upon sentencing of an inmate for a felony offense not referenced in §15A-4-17(k) of this code, the court may order that 180 days of the sentence, or some lesser period, be served through post-release mandatory supervision if the court determines supervision is appropriate and in the best interest of justice, rehabilitation, and public safety. All inmates released pursuant to this subsection shall be subject to electronic or GPS monitoring for the entire period of supervision. The provisions of this subsection are applicable to offenses committed on or after July 1, 2013.
- (m) The commissioner shall adopt policies and procedures to implement the mandatory supervision provided for in §15A-4-17(k) and §15A-4-17(l) of this code, which may include terms, conditions, and procedures for supervision, modification, and violation applicable to persons on parole.



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(n) As used in this section, "felony crime of violence against the person" means felony offenses set forth in §61-2-1 et seq., §61-3E-1 et seq., §61-8B-1 et seq., or §61-8D-1 et seq. of this code, and the felony offenses of arson and burglary of a residence where an individual is physically located at the time of the offense as set forth in §61-3-1 et seq. of this code.

(o) As used in this section, "felony offense where the victim was a minor child" means any felony crime of violence against the person and any felony offense set forth in §61-8-1 et seq., §61-8A-1 et seq., §61-8C-1 et seq., or §61-8D-1 et seq. of this code.

10. Housekeeping

- All areas of the facility are to be maintained in a clean and sanitary manner.
- Inmates are required to maintain the dayroom, showers and their cells at all times, in a clean and neat manner.
- Inmates are responsible for the daily cleaning of their individual living units, including making the bed. Failure to do so will result in disciplinary action.
- Cleaning supplies will be made available daily.
- Individual living units, dayrooms and showers will be inspected by staff daily as scheduled by this facility.
- If an area fails to pass inspection, the inmate specifically responsible for that area will be required to reclean it.
- Inmates who repeatedly fail to maintain their living unit or other cleaning assignments in an acceptable manner will be charged with violation of the Rules of Conduct.
- A formal inspection of all housing units will be conducted weekly. All beds are to be made, all trash removed, and all inmates will be fully dressed and standing outside of their cell door. A failure of the inspection will result in loss of late-night television (TV) privileges and late-night movies for that week, as well as gymnasium privileges for that week.

11. Personal Hygiene, Clothing and Linen

A. Personal Hygiene

- Upon assignment to a housing unit, each inmate will be issued or made available the following personal hygiene articles:

Soap	Toothpaste	Shaving Cream	Feminine Hygiene
Toothbrush	Comb	Razor (issued three times a week and reclaimed after use)	



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- Replacement articles will be issued in accordance with a posted schedule. Combs, toothbrushes, toothpaste, and shaving cream will be replaced only upon presentation of, or accounting for, the previously issued item.
- Inmates are encouraged to shower daily but are required to shower at least three times per week. Inmates working as trustees within or outside of the facility are required to shower and shave daily.
- Scheduled, basic barber services will be available for the inmates at no cost.
- Disciplinary procedures will be initiated against inmates who repeatedly refuse to keep themselves clean, according to minimum standards. If complaints are made concerning an inmate's hygiene, from another inmate or staff member, the inmate will be required to shower, if the complaint is verified by the Shift Supervisor.
- Additional hygiene items may be available through the commissary.
- Inmates are required to be fully dressed when entering and exiting the shower areas.

B. Clothing

- Upon assignment to a housing unit, each inmate will be issued the following items:

2-two-piece uniforms	3-three pair briefs
3-pair socks	1-pair sandals
2- brassieres for females	1-cup
1-ID	

- Issued clothing is State property, and the inmate is responsible to account for it at all times.
- Inmates will wear clean clothing at all times and I. D. Wristband in a proper manner.
- Special or protective clothing will be issued as required.
- Inmate clothing and linen will be laundered on a regular basis by the facility.
- Issued items will not be marked upon or altered in any way.
- Damage to State property will result in disciplinary action and may include restitution.



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8. Inmates will be fully dressed in the inmate uniform anytime they leave their cell. Specifically: shirt, pants, briefs, socks, shoes and brassieres for females.

C. Linen

1. Upon assignment to a housing unit, each inmate will be issued the following items:

2-Sheets	1-Pillowcase
1-Towel	1-Washcloth
1-Blanket	1-Laundry Bag
1-Pillow	

2. If any item of issued clothing or linen becomes worn to the point it can no longer be used, it is the responsibility of the inmate to notify the Pod Officer and request replacement.
3. Pillows, blankets, and bed linens are not permitted in the dayroom area.

12. Trustee account:

- Upon admission to the facility all money in the possession of an inmate will be taken by the booking officer and a receipt will be given to the inmate. This money will be deposited in the Trustee Account to the credit of the inmate.
- Under no circumstances may inmates have money in their possession while detained in the facility.
- No certified checks or money orders will be accepted at any facility. Visitors/Family members may deposit monies into an inmate's account utilizing the kiosk system in the facility lobby or through the current provider's website.
- Funds credited to an inmate's account may be used to purchase items from the commissary or added to the inmate phone system.
- At the time of release from the facility, the inmate will receive a debit card for the amount of money credited to the inmate.
- If an inmate is unable to pay financial obligations, i.e., restitution, copy loans, processing fees, postage, etc., this will be deducted from the inmate's trustee account in the amount of 50% of all incoming money being paid toward said obligation(s) except for medical fees which will be paid at 100%. If the inmate trustee account has sufficient funds to cover the obligation, the total amount may be deducted at the facility Superintendent's discretion.



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7. All inmates booked into this facility are required by law to pay a processing fee unless under Federal Jurisdiction or transferred to this facility from another Correctional Facility in the State of West Virginia.

8. Funds may not be transferred from one inmate trustee account to another.

13. Commissary

1. The facility operates a commissary for the benefit of inmates. A list of items currently available for sale in the commissary will be posted in all dayrooms and other appropriate areas.
2. Commissary forms will be made available to order items from the commissary. These forms must be completed by the inmate and handed directly to the Pod Officer no later than the time designated.
3. If the inmate does not have sufficient funds to make the purchase, the form will be returned to the inmate marked not sufficient funds (NSF).
4. Commissary hours and procedures will be posted in each dayroom.

14. Access to Counsel and the Courts

1. Attorneys may meet with their inmate clients at any time during the hours of 7:30 a.m. and 11:30 a.m., 12:30 p.m. and 5:30 p.m. and 6:30 p.m. and 9:00 p.m. Appointments for visits during the times other than those listed should be made with the Shift Supervisor. Such requests for special visitation shall be required to include an explanation of the circumstances which require visitation prior to the next regular attorney visitation period.
2. Rooms that allow private contact for such meetings will be available. No staff member will be in the room, unless called for assistance.
3. Inmates have unrestricted and uncensored correspondence rights with their attorneys and the courts. Sufficient pens, paper and postage will be made available for inmates who have no money to correspond with their attorneys and the courts.
4. Inmates may call their attorneys collect by utilizing the telephones located in the dayrooms. These conversations will not be monitored.
5. Inmates wishing to utilize the facility law library should submit a written request form to the Counselor. Law library materials may be used only within the library.
6. Sufficient paper and supplies for the preparation of legal documents will be made available.



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7. Inmates, whose citizenship lies outside of the United States, have the right to communicate with their respective consulate. All foreign nationals are entitled to consular notifications and access, regardless of their visa or immigration status in the United States. Upon your request, or if you are a national of a nation requiring mandatory notification, immediate notification will be made to the nearest consul or official of that nation, informing them of your holding / arrest. Additionally, at your request, you may be provided with embassy contact telephone number(s) for future communication. Inmates should submit a written request to the Counselor.

15. Inmate Telephone System

1. All DCR phones may be recorded, monitored, intercepted, and disclosed except for attorney/client phone calls.
2. Inmate telephones located in each housing area are for collect calls only. Please refer to phone instructions posted near the phone in each housing unit for directions on the use of the phone system. If you are unable to call collect, you must write to the party you wish to contact, or you may contact counseling staff for assistance via request form.
3. Inmate phone services are contracted through an outside agency. If you or your party experience problems with the phone service, you or your party should direct inquiries to the contract agency. Contact information for this agency can be obtained by submitting a written request to the counseling staff.
4. If necessary, at the time of arraignment (initial appearance) the shift supervisor may make arrangements for the inmate to contact a bail bondsman, family member, or others to help effect their release.
5. Each facility will post written instructions in their booking and medical units, with information about the inmate telephone system and scheduled hours of operation for the inmate telephones.

16. Food Service

1. All meals served at the jail are prepared under the direct supervision of the Food Service Director. The menu is approved by a registered dietician and the meals are nutritionally adequate.
2. Inmates will receive three meals per day, at least two of which will be "hot". There will be no "seconds." Beverages will be provided with these meals. These beverages will only be served into state issued cups.
3. The quality or quantity of food shall never be used as a disciplinary action.



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17. Health Care

4. Meals will be served to the inmates in their dayrooms, except in unusual circumstances, during the following time frames:

Breakfast	6:00-7:00AM
Lunch	11:00-12:00PM
Dinner	5:00-6:00PM

5. Special diets will be arranged under two specific circumstances:

- Medically Prescribed Diet:** When ordered by a physician, a special diet will be provided for medical reasons.
- Religious Diet:** Religious diets shall be provided only after written request by the inmate and specific written recommendation of the Chaplain, and Superintendent.

- Emergency** medical, mental health and dental care is available to the inmates on a twenty-four-hour basis. Emergency medical issues should be immediately directed to a staff member who will then immediately notify the medical unit.
- Routine** health care requests should be directed to the medical staff through "non-emergency"/"inmate sick-call" request forms. These forms are obtained from the nurse during the two-daily medication passes and are to be turned in to the nurse at the following medication pass only. These requests will be evaluated and prioritized by the nursing staff and treatment will be provided at nurse sick-call daily.
- Medications will be dispensed in compliance with the medical physician's orders only. All medications are to be consumed at the medication cart in the presence of the nurse and correctional officer. Any attempts to feign illness or hoard medication will result in disciplinary action. The medical physician has the discretion to determine, upon an inmate's admission, to continue or change his or her prescribed medications.
- If an inmate has, or comes in contact with, a contagious medical condition, they may be isolated from the other inmates.
- In case of serious illness or injury, the Superintendent or designee will notify the person listed by the inmate as their emergency contact.
- If an inmate has a chronic medical condition, he/she will be required to attend a chronic care clinic in the medical department at least every ninety days by the chronic care nurse and the physician's assistant. Refusal to attend the clinic will result in the suspension of privileges such as use of the gym, recreation yard, and commissary.



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18. Mail

7. In accordance with W.Va. Code 31-20-5 F, 94-CSR-9 inmates will be charged a medical co-pay for the delivery of adequate medical services. No inmate will be denied medical services because of an inability to pay.
1. The volume of mail sent and received by inmates is not limited, except by overriding security needs.
2. Stamps, envelopes, paper and pens are available for purchase from the commissary. Any stamps, envelopes or paper received in the mail are not permitted. All items will be placed in your personal property.
3. Inmates who have no money will be provided supplies and stamps to mail two (2) personal letters per week, and sufficient supplies and stamps, to correspond with their attorneys, the courts, or public officials.
4. Outgoing mail will be collected from each housing unit at least once per day and mailed daily, except Saturday's, Sunday's and holidays.
5. Privileged incoming mail (letters from attorneys, courts) will be opened by staff and searched for contraband in the presence of the inmate.
6. Copies of incoming mail will be delivered to the inmates within twenty-four (24) hours from the date it is received at the facility.
7. All incoming mail will be opened by staff and checked for contraband. All nonprivileged mail along with the envelope and any pictures will be copied and given to the inmate. All pictures will be copied in black and white. The original mail and envelope will be shredded, and the pictures will be placed into the inmate's property. Any certified checks or money orders received will be returned to the sender with written notification of DCR Procedure. In the event that this is not possible, the check will be placed in the inmate's personal property until release. If cash is received in the mail it will be documented by staff and returned to the sender. Other contraband found in the mail will be confiscated, and the inmate and sender notified in writing. Contraband that violates a law will be turned over to law enforcement officials.
8. Incoming and outgoing mail may be read and rejected if there is reliable information that there is a threat to facility order and security or that the mail is being used in the furtherance of illegal activity.
9. Newspapers sent to inmates must be mailed directly from the publisher. To be exchanged one for one.
10. Any such material will not be permitted if it:



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- a. contains instructions for the manufacture of explosives, drugs or other unlawful substances;
- b. advocates violence within the jail;
- c. advocates racial, religious or national hatred in a manner as to create a serious danger of violence in the facility; or
- d. encourages sexual behavior which is criminal and/or in violation of facility rules.

11. Packages are not permitted.
12. C.O.D. mail will not be accepted.
13. Inmates are restricted from sending or receiving mail from other inmates/prisoners in any correctional facility. Special permission may be granted for immediate family members to correspond with one another. Immediate family members will be verified by the Superintendent or designee. Immediate family members will be limited to mother, father, grandparents, brother, sister, spouse, daughter or son. Also, immediate family will include parents-in-law, children-in-law, stepparents, step siblings, stepchildren, individuals in a legal guardianship relationship. All such correspondences must be approved by the Superintendent/Warden of both facilities.
14. Inmate to inmate letters will be appropriately stamped on the envelope by the sending institution with the name or abbreviation identifying the sending facility.
15. Inmates being housed at any WV DCR facility may receive soft cover publications and newspapers only from the publisher or book retailer. The senders address shall be clearly identified on the outside of the package. Inmates wishing to order magazines will do so through commissary.
16. Any mail, with the exception of legal mail, larger than a standard size envelope will be returned without prior approval from administration.

19. Exercise and Recreation:

1. All inmates will be provided the opportunity for at least one (1) hour of exercise in the outdoor exercise yard per day.
2. Inmates are prohibited from throwing articles over the outside wall, yelling, gesturing or otherwise attempting to communicate with anyone other than those in the exercise yard.
3. Inmates may use the indoor gymnasium as scheduled.



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20. Visitation:

1. Visitation with family and friends is encouraged.
2. Visitation periods will be scheduled at least four times per week, for a duration of not less than three hours per period. Visitation schedules will be posted in each living unit.
3. The WV DCR Jails only authorize noncontact visitation. Only in an extreme circumstance will the WV DCR Jail allow a contact visit. This visit must be approved by the Superintendent or designee.
4. Inmates shall be clean and fully dressed while in visitation.
5. Visitors must be fully and appropriately dressed while in visitation. Female visitors must wear bras and are not allowed to wear provocative clothing, as determined by the Shift Supervisor.
6. All inmates are subject to search prior to and after each visit.
7. Visitors are subject to a pat search prior to entering the visitation area.
8. Visitors who refuse to consent to the pat-search will be denied entry to visitation at that time.
9. All visitors must register at the Administration desk and provide two forms of valid identification, one of which must contain a photograph.
10. Lockers are provided in the public lobby for the visitors' purses and packages. No such item is allowed inside the security area.
11. There shall be no smoking, food or drinks allowed in the facility lobby or visitation area.
12. Visitors who are minors must be immediate family members and accompanied by a parent or legal guardian. Any underage child left unattended in the visitation booth, the lobby or a vehicle will result in the termination of the visit.
13. The passing of any item from visitor to inmate or from inmate to visitor is prohibited.
14. An inmate who is denied a visitor shall have the right to challenge the denial, in writing, to the Superintendent.



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15. The Superintendent or designee may schedule special visits at times other than established visiting hours, based upon good cause and sufficient notice. Such visits should be requested in writing.
16. A visit may be terminated by staff if the inmate or visitor's conduct warrants.
17. Inmates must remain seated during visitation.
18. A visitor's conduct that is disruptive to the peaceful operations of a facility may be suspended for an indefinite period of time as determined by the Superintendent.

21. Fire Safety

1. There will be no hoarding or storing of paper products or other flammable materials in the individual cells or dayrooms. Excessive amounts of mail, periodicals, pictures, etc. will be placed in the inmate's personal property.
2. In case of fire, or during a fire drill, inmates shall be evacuated via designated evacuation routes as posted in the dayroom area.
3. Inmates are required to evacuate the premises as quickly as possible, in orderly fashion so as to prevent confusion and chaos.
4. Fire drills will be conducted.

22. Library Services

1. The facility provides a library service for the inmate population.
2. Staff will bring library books to each section once a month and conduct a book exchange.
3. Inmates are responsible for the upkeep of all library books that are placed into the section. Destruction or misuse will result in disciplinary action.

23. Religious Services and Programs

1. Every inmate may practice his or her religion within limitations necessary to maintain security of the facility.
2. Weekly religious services, Bible study and counseling programs are available to the inmates.



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24. Voting

1. Inmates on pre-trial status and those convicted of a misdemeanor maintain their right to vote in elections.
2. Upon written request, eligible inmates will be assisted in exercising this right, if done or requested in ample time to check for registration and secure absentee ballots.

25. Inmate Services/ Counseling

The counseling staff at this facility is here to assist the inmate population in a wide variety of areas. The inmate population is encouraged to use this department as a resource for assistance and direction during their incarceration and preparation for release.

1. The counseling staff is available to provide counseling to inmates in a variety of areas, including personal or family problems, issues relating to mental health, self-improvement, and substance abuse.
2. If an inmate feels he or she has a problem that will require assistance, he or she should complete a written request to see a counselor.
3. Any inmate interested in available programming within the facility is encouraged to do so. To enroll in these programs, it is necessary to submit a written request to the counseling staff.
4. Release dates for convicted misdemeanors and non-state sentenced felons will be calculated by the Director of Inmate Services in a timely manner upon receipt of a valid court order.
5. The inmate will receive written notice of the pending release date and approximate time to make it possible to prepare for release arrangements.

26. Education

1. Adult Basic Education classes are available to inmates in general population. These classes assist individuals in preparation for the Test Assessing Secondary Completion or TASC (formerly known as the General Equivalency Test or GED).
2. The TASC will be available at the facility to obtain a Diploma. Inmates must attend Adult Basic Education Classes to be eligible to test.
3. Remediation Courses are offered for individuals who already have a High School, TASC or General Equivalency Diploma.



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4. Inmates interested in Adult Basic Education Classes need to submit a request to the Adult Basic Education Teacher.

27. Searches of Inmates and the Facility

Jail personnel shall conduct an appropriate search of all inmates upon admission and prior to assignment to a housing unit. Inmates may be required to submit a search of their person at any time during their detention in a DCR facility.

All jail areas and inmates may be subjected to a shakedown search on a regular basis.

Inmates shall be subject to a "pat down" search at any time. Any inmate may be required to submit to a strip search when staff has a reasonable belief that the inmate may be concealing contraband.

Searches of individual rooms, cells or dayrooms may be conducted by staff at any time and without advance notice.

When an individual cell is searched, the inmate assigned to that cell may be present, unless the inmate's removal is authorized by the Shift Supervisor for cause.

Any inmate found with contraband either in their possession or in their cell will be charged with an offense in accordance with the Rules of Conduct.

28. Inmate Counts

At a minimum five (5) scheduled counts will be conducted each day. When the count time is announced, inmates in their cells shall remain in their cells; inmates in the dayroom or shower areas of living units shall immediately return to their cells. There will be one standing count each day during which inmates are to stand at cell door to be identified.

Those inmates working in the kitchen, laundry or other areas of the jail shall be required to stand in a single line until the count is taken.

Inmates shall not move about to talk while count is being taken.

When unscheduled counts are announced, or conducted, inmates abide by these rules for behavior during counts.

29. Drug Testing - Random and Probable Cause

Approximately once a month ten percent (10%) of total inmate population will be randomly picked and required to take a drug test. Inmates on trustee status can be selected at any time. Any inmate that tests positive or fails to produce a urine sample will be subject to disciplinary action.



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30. Suspension of Rules

In the event of a disruption at the facility that requires emergency action, any or all parts of these procedures may be temporarily suspended by the Superintendent. Any inmate accused of acts which caused, provoked or prolonged the emergency may be detained in segregation without a hearing until the emergency is over.

Upon the restoration of order, all inmates detained shall be accorded all due process, as outlined in these procedures.

31. Prison Rape Elimination Act (PREA)

The WVDCR is 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 against inmates either by staff or by other inmates.

You have the right to be free from intimidation from inmates, staff or any other person to perform or engage in sexual behavior; regardless, of your current situation or sexual orientation.

Sexual Abuse is defined as- Abuse of an inmate, detainee, or resident by another **inmate, detainee, or resident, staff member, volunteer or contract worker.**

Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, resident, staff member, volunteer or contract worker includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

- (1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- (2) Contact between the mouth and the penis, vulva, or anus;
- (3) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
- (4) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

Sexual harassment is defined as- Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by another **inmate, detainee, resident, staff member, volunteer or contract worker,** including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.



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PREVENTION - During your time of incarceration within the DCR, 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 safer. Some cues for spotting predators are: *Inmates/Staff who always stare at you; Inmates/Staff who continually try to talk with you; Inmates/Staff being over-friendly; Inmates who try to borrow things; Inmates on power trips/being controlling.*

REPORTING - If you have been assaulted or witness an assault, or if you are a victim of sexual abuse or witnessed Inmate on Inmate or staff sexual misconduct report it to any staff, grievance form, inmate request, request to see the nurse/counselor; or you may use the Confidential Sexual Abuse Hotline by dialing *9078 on the inmate phones. Anonymous letters can be written to the WV Fusion Center at 1900 Kanawha Boulevard, Bldg. 1, West Wing, Suite W-400 Charleston, WV 25305. Attn: DCR. Your family can also report it by sending an e-mail to DCRPREA@WV.GOV. The local Resource Center Hot Line *9038 can also give you information on local support groups for domestic violence for sexual assault survivors.

You will be protected from the assailant and the incident will be investigated. You may need a medical exam; therefore, you should not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.

INVESTIGATION - The DCR or State Police will conduct the investigation. The purpose of the investigation is to determine the nature and extent of the misconduct. You may be asked to give a statement and if criminal charges are brought against the assailant you may be asked to testify. During this process, Classification will provide appropriate housing for the victim and/or suspect to ensure your safety.

All reports concerning the identity of the victim of sexual battery and the facts of the report are only limited to those who have a need to know to make decisions concerning your welfare and for investigative purposes.

TREATMENT AND COUNSELING - Treatment will be provided by medical staff and you will be referred to a Victim Advocate. If you need more assistance coping, the Chaplain or contracted mental health provider can provide further assistance.

Tips to Avoid Becoming a Victim:

1. Carry yourself in a confident manner at all times. Do not permit your emotions (fear / anxiety) to be obvious to others.
2. Do not accept gifts, favors or offers of protection from other inmates.
3. Find any staff member with whom you feel comfortable with to voice your fears and concerns.



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4. Be alert and aware of your surroundings.
5. Be direct and firm, if others ask you to do something you do not want to do, do not hesitate in reporting this information to staff.
6. Trust your instincts. If you sense that a situation may be dangerous, it probably is. If you fear for your safety, notify any staff member immediately or dial *9078 from the inmate telephone system.
7. If you do not feel comfortable in reporting such an incident directly to a staff member, you may utilize the grievance process or use the inmate hotline *9078.
8. PREA violators will receive additional criminal charges and in-house disciplinary actions and may be subject to reclassification resulting in a higher custody level and further restrictive housing.

32. Definitions:

1. **Trusty:** An inmate that has been granted working privileges; he/she is considered a trusty.
2. **Trustee:** When addressing money issues such as an inmate's account, it is referred to as trustee.
3. **PREA "Prison Rape Elimination Act"** The West Virginia DCR has a **ZERO TOLERANCE** for inmate on inmate sexual assault, and staff on inmate sexual assault or sexual misconduct. Any allegations of sexual assault upon an inmate by another inmate, or sexual assault or sexual misconduct by a staff member directed towards an inmate must be immediately reported to the Shift Supervisor.
4. **BCSE "Bureau for Child Support Enforcement"** An inmate in the West Virginia DCR system must notify the family court or the Bureau for Child Support Enforcement Agency if they have a child support order. The counseling staff will assist you in your preparation in addressing your responsibilities, and your efforts to cooperate with the system.
5. **Chief of security:** The employee with the responsibility and authority for overseeing security operations (i.e. Major).
6. **Inmate:** Any male/female in the custody of the West Virginia DCR who is committed thereto under the criminal jurisdiction of the magistrate, circuit, or federal court.



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7. **Hearing Officer:** A West Virginia DCR employee who has been appointed by the Superintendent of the facility and who must be impartial when hearing testimony concerning alleged violations, taking evidence, determining guilt or innocence and imposing disciplinary sanctions.
8. **Regular Business Day:** All days, except Saturday, Sunday, and State Holidays, as set forth in state law or by a proclamation of the Governor.
9. **Detention:** A level of pre-hearing custody, not atypical of jail life, but which is necessary to preserve institutional order and security. Detention is both preventative and reactive in nature. As such, detention can allow for the removal and segregation of an inmate from general population for purposes including, but not limited to, allowing the responsible official to conduct an investigation into the circumstances of the incident(s), ensuring immediate control and supervision, protecting potential victims, ensuring witnesses against intimidation, and ensuring the maintaining of the facility security and public safety.
10. **Inmate Accountability:** In order to facilitate institutional order and security, each inmate shall be held personally accountable for any violation of the rules contained in this inmate handbook or rules and procedures. This accountability extends to the inmate's behavior, physical actions, communications and the contents of the inmate's personal living and workplaces.
11. **Possession:** Shall mean on an inmate's person or being within his/her living area, property and/or assignment work area.
12. **Contraband:** Any item or article which is not specifically authorized in writing by the Commissioner or Superintendent for inmate possession, or an authorized item which has been altered or which has been obtained from any authorized source.
13. **Felony:** Whenever an inmate allegedly commits an act which prosecuted in a court of competent jurisdiction, would constitute a violation of the criminal laws of the United States or the State of West Virginia or any municipality therein for which one or more years of imprisonment could be imposed or is otherwise designated as a felony, provided that the burden of proof in criminal case shall not be the standard of proof herein
14. **Misdemeanor:** Whenever an inmate allegedly commits an act, which is prosecuted in a court of competent jurisdiction, would constitute a violation of the criminal laws of the United States or the State of West Virginia or any municipality therein for which one year or less of incarceration in jail could be imposed or is otherwise designated as a misdemeanor provided that the burden of proof in criminal case shall not be the standard of proof herein