WV Community Corrections Grant Program
Administrative Manual

Appendices

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Appendix A

The West Virginia Community Corrections Act

WEST VIRGINA CODE
CHAPTER 62. CRIMINAL PROCEDURE.
ARTICLE 11C. THE WEST VIRGINIA COMMUNITY CORRECTIONS ACT

§62-11C-1. Legislative intent.

(a) The Legislature hereby declares that the purpose of this article is to enable any county or Class I or II municipality or any combination of counties and Class I or II municipalities to develop, establish and maintain community-based corrections programs to provide the judicial system with sentencing alternatives for those offenders who may require less than institutional custody.

(b) The goals of developing community-based corrections programs include:

(1) Allowing individual counties or combinations of a county or counties and a Class I or II municipality greater flexibility and involvement in responding to the problem of crime in their communities;
(2) Providing more effective protection of society and promoting efficiency and economy in the delivery of correctional services;
(3) Providing increased opportunities for offenders to make restitution to victims of crime through financial reimbursement;
(4) Permitting counties or combinations of a county or counties and a Class I or II municipality to operate programs specifically designed to meet the rehabilitative needs of offenders;
(5) Providing appropriate sentencing alternatives with the goal of reducing the incidence of repeat offenders;
(6) Permitting counties or combinations of a county or counties and a Class I or II municipality to designate community-based programs to address local criminal justice needs;
(7) Diverting offenders from the state regional jail or correctional facilities by punishing them with community-based sanctions, thereby reserving state regional jail or correctional facilities for those offenders who are deemed to be most dangerous to the community; and
(8) Promoting accountability of offenders to their community.

§62-11C-2. Community corrections subcommittee.

(a) A community corrections subcommittee of the Governor's Committee on Crime, Delinquency and Correction is hereby created and assigned responsibility for screening community corrections programs submitted by community criminal justice boards or from other entities authorized by the provisions of this article to do so for approval for funding by the Governor's Committee and for making recommendations as to the disbursement of funds for approved community corrections programs. The subcommittee is to be comprised of fifteen members of the Governor's Committee including: A representative of the Division of Corrections, a representative of the Regional Jail and Correctional Facility Authority, a person representing the interests of victims of crime, an attorney employed by a public defender corporation, an attorney who practices criminal law, a prosecutor and a representative of the West Virginia Coalition Against Domestic Violence. At the discretion of the West Virginia Supreme Court of Appeals, the Administrator of the Supreme Court of Appeals, a probation officer and a circuit judge may serve on the subcommittee as ex officio, nonvoting members.

(b) The subcommittee shall elect a chairperson and a vice chairperson. The subcommittee shall meet

quarterly. Special meetings may be held upon the call of the chairperson, vice chairperson or a majority of the members of the subcommittee. A majority of the members of the subcommittee constitute a quorum.

§62-11C-3. Duties of the governor's committee and the community corrections subcommittee.

(a) Upon recommendation of the community corrections subcommittee, the governor's committee shall propose for legislative promulgation in accordance with the provisions of article three, chapter twenty-nine-a of this code, emergency and legislative rules to:

(1) Establish standards for approval of community corrections programs submitted by community criminal justice boards or other entities authorized by the provisions of this article to do so;
(2) Establish minimum standards for community corrections programs to be funded, including requiring annual program evaluations;
(3) Make any necessary adjustments to the fees established in section four of this article;
(4) Establish reporting requirements for community corrections programs; and
(5) Carry out the purpose and intent of this article.

(b) Upon recommendation of the community corrections subcommittee, the governor's committee shall:

(1) Maintain records of community corrections programs including the corresponding community criminal justice board or other entity contact information and annual program evaluations, when available;
(2) Seek funding for approved community corrections programs from sources other than the fees collected pursuant to section four of this article; and
(3) Provide funding for approved community corrections programs, as available.

(c) The governor's committee shall submit, on or before the thirtieth day of September of each year, to the governor, the speaker of the House of Delegates, the president of the Senate and, upon request, to any individual member of the Legislature a report on its activities during the previous year and an accounting of funds paid into and disbursed from the special revenue account established pursuant to section four of this article.

§62-11C-4. Special revenue account.

(a) There is hereby created in the State Treasury a special revenue account to be known as the West Virginia Community Corrections Fund. Expenditures from the fund are for the purposes set forth in subsection (e) of this section and are not authorized from collections but are to be made only in accordance with appropriation by the Legislature and in accordance with the provisions of article three, chapter twelve of this code and upon the fulfillment of the provisions set forth in article two, chapter five-a of this code. The West Virginia Community Corrections Fund may receive any gifts, grants, contributions or other money from any source which is specifically designated for deposit in the fund.

(b) Beginning on the first day of July, two thousand six, in addition to the fee required in section nine, article twelve of this chapter, a fee not to exceed thirty-five dollars per month, unless modified by legislative rule as provided in section three of this article, is also to be collected from those persons on probation. This fee is to be based upon the person's ability to pay. The magistrate or circuit judge shall conduct a hearing prior to imposition of probation and make a determination on the record that the

offender is able to pay the fee without undue hardship. The magistrate clerk or circuit clerk shall collect all fees imposed pursuant to this subsection and deposit them in a separate account. Within ten calendar days following the beginning of the calendar month, the magistrate clerk or circuit clerk shall forward the amount deposited to the State Treasurer to be credited to the West Virginia Community Corrections Fund.

(c) Beginning on the first day of July, two thousand seven, in addition to the fee required in section five, article eleven-b of this chapter, a fee of two dollars fifty cents per day is to be collected from those persons on home incarceration. The circuit judge, magistrate or municipal court judge shall consider the person's ability to pay in determining the imposition of the fee. The circuit clerk, magistrate clerk or municipal court clerk shall collect all fees imposed pursuant to this subsection and deposit them in a separate account. Within ten calendar days following the beginning of the calendar month, the circuit clerk or municipal court clerk shall forward the amount deposited to the State Treasurer to be credited to the West Virginia Community Corrections Fund.

(d) Beginning on the first day of July, two thousand six, in addition to the usual court costs in any criminal case taxed against any defendant convicted in a municipal, magistrate or circuit court, excluding municipal parking ordinances, a ten-dollar fee shall be added. The circuit clerk, magistrate clerk or municipal court clerk shall collect all fees imposed pursuant to this subsection and deposit them in a separate account. Within ten calendar days following the beginning of the calendar month, the circuit clerk, magistrate court clerk and the municipal court clerk shall forward the amount deposited to the State Treasurer to be credited to the West Virginia Community Corrections Fund.

(e) The moneys of the West Virginia Community Corrections Fund are to be disbursed by the Governor's Committee on Crime, Delinquency and Correction, upon recommendation by the community corrections subcommittee, for the funding of community corrections programs and to pay expenses of the Governor's committee in administering the provisions of this article, which expenses may not in any fiscal year exceed ten percent of the funds deposited to the special revenue account during that fiscal year.

(f) Any disbursements from the West Virginia Community Corrections Fund allocated for community corrections programs by the Governor's committee may be made contingent upon local appropriations or gifts in money or in kind for the support of the programs. Any county commission of any county or the governing body of a municipality may appropriate and expend money for establishing and maintaining community corrections programs.

(g) Nothing in this article may be construed to mandate funding for the West Virginia Community Corrections Fund or to require any appropriation by the Legislature.

§62-11C-5. Establishment of programs.

(a) Any county or combination of counties or a county or counties and a Class I or II municipality may establish and operate community corrections programs, as provided for in this section, to be used both prior to trial as a condition of bond in circuit and magistrate court, as well as an alternative sentencing option for those offenders sentenced within the jurisdiction of the county or counties which establish and operate the program: *Provided,* That the chief judge must certify that the community corrections facility is available for use in connection with the imposition of pretrial bond conditions.

(b) Any county or combination of counties or a county or counties and a Class I or II municipality that seek to establish programs as authorized in this section shall submit plans and specifications for the programs to be established, including proposed budgets, for review and approval by the community corrections subcommittee established in section three of this article.

(c) Any county or combination of counties or a county or counties and a Class I or II municipality may establish and operate an approved community corrections program to provide alternative sanctioning options for an offender who is convicted of an offense for which he or she may be sentenced to a period of incarceration in a county or regional jail or a state correctional facility and for which probation or home incarceration may be imposed as an alternative to incarceration.

(d) Community corrections programs authorized by subsection (a) of this section may provide, but are not limited to providing, any of the following services:

(1) Probation supervision programs;
(2) Day fine programs;
(3) Community service restitution programs;
(4) Home incarceration programs;
(5) Substance abuse treatment programs;
(6) Sex offender containment programs;
(7) Licensed domestic violence offender treatment programs;
(8) Day reporting centers;
(9) Educational or counseling programs; or
(10) Drug courts.

(e) A county or combination of counties or a county or counties and a Class I or II municipality which establish and operate community corrections programs as provided for in this section may contract with other counties to provide community corrections services.

(f) For purposes of this section, the phrase "may be sentenced to a period of incarceration" means that the statute defining the offense provides for a period of incarceration as a possible penalty.

(g) No provision of this article may be construed to allow a person participating in or under the supervision of a community corrections program to earn "good time" or any other reduction in sentence.

§62-11C-6. Community criminal justice boards.

(a) Each county or combination of counties or a county or counties and a Class I or II municipality that seek to establish community-based corrections services shall establish a community criminal justice board: *Provided*, That if a county has not established a community criminal justice board by the first day of July, two thousand two, the chief probation officer of such county, with the approval of the chief judge of the circuit, may apply for and receive approval and funding from the governor's committee for such programs as are authorized by the provisions of section five of this article. Any county which chooses to operate without a community criminal justice board shall be subject to the regulations and requirements established by the community corrections subcommittee and the governor's committee.

(b) The community criminal justice board is to consist of no more than fifteen voting members.

(c) All members of the community criminal justice board are to be residents of the county or counties represented.

(d) The community criminal justice board is to consist of the following members:

(1) The sheriff or chief of police or, if the board represents more than one county or municipality, at least one sheriff or chief of police from the counties represented;
(2) The prosecutor or, if the board represents more than one county, at least one prosecutor from the counties represented;
(3) If a public defender corporation exists in the county or counties represented, at least one attorney employed by any public defender corporation existing in the counties represented or, if no public defender office exists, one criminal defense attorney from the counties represented;
(4) One member to be appointed by the local board of education or, if the board represents more than one county, at least one member appointed by a board of education of the counties represented;
(5) One member with a background in mental health care and services to be appointed by the commission or commissions of the county or counties represented by the board;
(6) Two members who can represent organizations or programs advocating for the rights of victims of crimes with preference given to organizations or programs advocating for the rights of victims of the crimes of domestic violence or driving under the influence; and
(7) Three at-large members to be appointed by the commission or commissions of the county or counties represented by the board.

(e) At the discretion of the West Virginia supreme court of appeals, any or all of the following people may serve on a community criminal justice board as ex officio, nonvoting members:

(1) A circuit judge from the county or counties represented;
(2) A magistrate from the county or counties represented; or
(3) A probation officer from the county or counties represented.

(f) Community criminal justice boards may:

(1) Provide for the purchase, development and operation of community corrections services;
(2) Coordinate with local probation departments in establishing and modifying programs and services for offenders;
(3) Evaluate and monitor community corrections programs, services and facilities to determine their impact on offenders; and
(4) Develop and apply for approval of community corrections programs by the governor's committee on crime, delinquency and correction.

(g) If a community criminal justice board represents more than one county, the appointed membership of the board, excluding any ex officio members, shall include an equal number of members from each county, unless the county commission of each county agrees in writing otherwise.

(h) If a community criminal justice board represents more than one county, the board shall, in consultation

with the county commission of each county represented, designate one county commission as the fiscal agent of the board.

(i) Any political subdivision of this state operating a community corrections program shall, regardless of whether or not the program has been approved by the governor's committee on crime, delinquency and correction, provide to the governor's committee required information regarding the program's operations as required by legislative rule.

§62-11C-7. Supervision or participation fee.

(a) A circuit judge, magistrate, municipal court judge or community criminal justice board may require the payment of a supervision or participation fee from any person required to be supervised by or participate in a community corrections program. The circuit judge, magistrate, municipal court judge or community criminal justice board shall consider the person's ability to pay in determining the imposition and amount of the fee.

(b) All fees ordered by the circuit court or community criminal justice board pursuant to this section are to be paid to the circuit clerk, who shall monthly remit the fees to the treasurer of the county designated as the fiscal agent for the board pursuant to section six of this article. All fees ordered by the magistrate court pursuant to this section are to be paid to the magistrate clerk, who shall monthly remit the fees to the treasurer of the county designated as the fiscal agent for the board pursuant to said section. All fees ordered by the municipal court judge pursuant to this section are to be paid to the municipal court clerk who shall monthly remit the fees to the treasurer of the county designated as the fiscal agent for the board pursuant to section six of this article.

§62-11C-8. Local community criminal justice accounts.

(a) The treasurer of the county designated as the fiscal agent for the board pursuant to section six of this article shall establish a separate fund designated the community criminal justice fund. He or she shall deposit all fees remitted by the municipal, magistrate and circuit clerks pursuant to section seven of this article and all funds appropriated by a county commission pursuant to section seven, article eleven-b of this chapter, or any other provision of this code and all funds provided by the governor's committee for approved community corrections programs in the community criminal justice fund. Funds in the community criminal justice account are to be expended by order of the designated county's commission upon recommendation of the community criminal justice board in furtherance of the operation of an approved community corrections program.

(b) A county commission representing the same county as a community criminal justice board may require the community criminal justice board to render an accounting, at intervals the county commission may designate, of the use of money, property, goods and services made available to the board by the county commission and to make available at quarterly intervals an itemized statement of receipts and disbursements, and its books, records and accounts during the preceding quarter, for audit and examination pursuant to article nine, chapter six of this code.

§62-11C-9. Use of community corrections programs for those not under court supervision.

(a) Subject to the availability of community corrections programs in the county, a written pretrial diversion

agreement, entered into pursuant to the provisions of section twenty-two, article eleven, chapter sixty-one of this code, may require participation or supervision in a community corrections program as part of the prosecution and resolution of charges.

(b) Any pretrial diversion program for a defendant charged with a violation of the provisions of section twenty-eight, article two, chapter sixty-one of this code, subsection (b) or (c), section nine of said article where the alleged victim is a family or household member or the provisions of section two, article five, chapter seventeen-c of this code is to require the person charged to appear before the presiding judge or magistrate and either acknowledge his or her understanding of the terms of the agreement or tender a plea of guilty or nolo contendere to the charge or charges. Upon the defendant's motion, the court shall continue the matter for the period of time necessary for the person charged to complete the pretrial diversion program. If the person charged successfully completes the pretrial diversion program, the matter is to be resolved pursuant to the terms of the pretrial diversion agreement. If the person charged fails to successfully complete the pretrial diversion program, the matter, if no plea of guilty or nolo contendere has been tendered, is to be returned to the court's docket for resolution. If the person charged has tendered a plea of guilty or nolo contendere and fails to successfully complete the pretrial diversion program, the court shall accept the tendered plea of guilty or nolo contendere and proceed to sentencing.

(c) No provision of this article may be construed to limit the prosecutor's discretion to prosecute an individual who has not fulfilled the terms of a written pretrial diversion agreement by not completing the required supervision or participation in a community corrections program.

(d) Notwithstanding any provision of this code to the contrary, any person whose case is disposed of by entering into a pretrial diversion agreement, pursuant to the provisions of section twenty-two, article eleven of this chapter, shall be liable for any applicable court costs. Payment of the court costs shall be made a condition of the pretrial diversion agreement.

Note: Code updated with legislation passed through the 2008 2nd Extraordinary Session

Appendix B

Title 149 Series 4
Community Corrections Standards

TITLE 149
LEGISLATIVE RULE
GOVERNOR'S COMMITTEE ON CRIME, DELINQUENCY AND CORRECTION
SERIES 4
COMMUNITY CORRECTIONS STANDARDS

§149-4-1. General.
1.1. Scope. -- This legislative rule establishes minimum standards for community corrections programs. This rule also creates a mechanism for communities to implement and maintain community corrections programs designed to provide the judicial system with sentencing alternatives for those offenders that may require less than institutional custody.
1.2. Authority. -- W. Va. Code §62-11C-3.
1.3. Filing Date. -- June 27, 2003
1.4. Effective Date. -- July 1, 2003

§149-4-2. Definitions.
2.1. "Community Corrections Act" refers to the provisions of West Virginia Code § 62-11C-1 et seq.
2.2. "Community Corrections Program" means the plan or system of diversion services of a unit of government outlined in the Community Corrections Act. A program may be organized by the local community criminal justice board or by application of a local chief probation officer, with the written approval of the chief judge of the circuit, with a showing of local community and local criminal justice system involvement in the program.
2.3. "Community Corrections Subcommittee" means the group, established in West Virginia Code § 62-11C-2, that is charged with developing standards and assisting the Governor's Committee on Crime, Delinquency and Correction in administering the Community Corrections Act.
2.4. "Community Criminal Justice Board" means the board, established by West Virginia Code § 62-11C-6, that is charged with establishing, coordinating, overseeing and maintaining community corrections programs at the local level.
2.5. "Proposal Application" means the document developed by the Community Corrections Subcommittee to be completed by the applicant. The proposal application conveys appropriate information to review local community corrections programs whether they are seeking approval of the program, or state funding of the program.
2.6. "Special Conditions and Assurances" means those conditions and assurances listed on the proposal application which the applicant certifies it will comply with if approval of the proposal application is granted by the Community Corrections Subcommittee on behalf of the Governor's Committee on Crime, Delinquency and Correction.
2.7. "State Funds" means the funds collected and placed in a special revenue account, established by West Virginia Code § 62-11C-4, that are to be disbursed, as they are available, by the Governor's Committee on Crime, Delinquency and Correction. This term does not apply to local participation fees provided for in the Community Corrections Act.

§149-4-3. Community Corrections Programs Standards.
3.1. The purpose of this section is to establish the minimum standards of a community corrections program for adult offenders. The Community Corrections Subcommittee will utilize these standards as criteria to determine if a community corrections program is eligible for approval and funding.

3.2. Core Elements. -- Community corrections programs shall include the following four (4) core elements.

3.2.a. Intake and Risk and Needs Assessment. -- Community corrections programs shall utilize a research based intake and risk and need assessment tool that addresses the following elements:
3.2.a.1. Drug and alcohol screening.
3.2.a.2. Criminal history.
3.2.a.3. Known associates.
3.2.a.4. Community support system.
3.2.a.5. Education needs.
3.2.a.6. Treatment needs.
3.2.a.7. Mental health needs.
3.2.a.8. Employment needs.
3.2.a.9. Substance abuse history.
3.2.a.10. Established criteria to remove an offender from the Community Corrections Program.

3.2.b. Services. -- Based upon community corrections program type, necessity and community availability, community corrections programs shall consider the following services:
3.2.b.1. Case management.
3.2.b.2. Individual and group treatment.
3.2.b.2.A. Alcohol and drug treatment through a state certified provider(s).
3.2.b.2.B. Domestic violence counseling through a licensed provider(s).
3.2.b.2.C. Sex offender treatment through an educated, experienced and reputable provider(s).
3.2.b.2.D. Anger management counseling.
3.2.b.2.E. Financial management counseling.
3.2.b.3. Education.
3.2.b.3.A. General Educational Development preparation.
3.2.b.3.B. College preparation.
3.2.b.3.C. Vocational and technical training.
3.2.b.4. Community service and restitution.
3.2.b.5. Victim and offender mediation that meets national standards.
3.2.b.6. Cognitive restructuring.
3.2.b.7. Mental health services that utilizes a community mental health center or a trained mental health services provider.
3.2.b.8. Drug and alcohol screening.
3.2.b.9. Monitoring of court ordered medications.
3.2.b.10. Home-placement services.

3.2.c. Reentry and Aftercare -- Community corrections programs may link with a local workforce investment board or similar entity that provides one or more of the following types of services:
3.2.c.1. Job and vocational training.
3.2.c.2. Job placement.
3.2.c.3. General Educational Development testing.
3.2.c.4. Treatment services

3.2.d. Community Corrections Program Evaluation. -- A written plan shall be developed

which measures the success of a community corrections program that includes the following elements:
3.2.d.1. Goals.
3.2.d.2. Objectives.
3.2.d.3. Data to be captured regarding each offender utilizing standardized forms or web based applications to be developed by the Community Corrections Subcommittee to include but not be limited to the following:
3.2.d.3.A. Offender full name and aliases (if applicable).
3.2.d.3.B. Offender date of birth.
3.2.d.3.C. Offender race.
3.2.d.3.D. Offender ethnicity.
3.2.d.3.E. Offender gender.
3.2.d.3.F. Offender home county and state at time of offense.
3.2.d.3.G. Highest grade completed by offender at time of offense.
3.2.d.3.H. Convicted offense(s) of offender.
3.2.d.3.I. Classification of offense(s) (misdemeanor or felony).
3.2.d.3.J. Sentencing county.
3.2.d.3.K. Sentencing court (magistrate or circuit).
3.2.d.3.L. Method of disposition.
3.2.d.3.M. Sentence.
3.2.d.3.N. Sentencing date.
3.2.d.3.O. Date the offender entered the community corrections program.
3.2.d.3.P. Date the offender failed the community corrections program (if applicable).
3.2.d.3.Q. Date the offender completed the community corrections program (if applicable).
3.2.d.3.R. Services received by the offender.
3.2.d.3.S. Certificates (achievement, completion, etc) obtained by offender.
3.2.d.3.T. Assessment scores received by the offender.

§149-4-4. Administrative Procedures.
4.1. The purpose of this section is to establish the administrative procedures that a community corrections program must follow in order to be considered for approval and funding.

4.2. General Community Corrections Programs Approval. -- Community corrections programs applicants shall adhere to the following guidelines for both community corrections program approval and funding approval:
4.2.a. A community or communities seeking community corrections program approval from the Community Corrections Subcommittee must submit an official community corrections program proposal application and follow all special conditions and assurances in the proposal application. This proposal application must be submitted by those communities seeking funding as well as those communities not seeking funding.
4.2.b. Proposed community corrections programs shall meet the Community Corrections Programs Standards as established in §149-4-3 of this rule.
4.2.c. A county commission shall serve as an applicant for a community corrections program. In those incidences where the county commission is unable to serve as the applicant, the West Virginia Supreme Court of Appeals may serve as the applicant representing chief circuit judges and chief probation officers.
4.2.d. A community corrections program shall be developed by a local community criminal justice board, or a chief probation officer, with approval of the chief circuit judge.

4.2.e. The applicant must demonstrate how the local community and local criminal justice system are involved with the community corrections program development and implementation. Applicants are encouraged to submit letters of support from all individuals involved in the development and implementation process.

4.3. Approval of community corrections program with no request for state funds. -- Should a community corrections program applicant request community corrections program approval from the Community Corrections Subcommittee and not request state funds for the implementation of that community corrections program, the following guidelines shall be applicable:
4.3.a. Proposal applications may be submitted to the Community Corrections Subcommittee at anytime. These proposal applications will be reviewed and considered for approval by the Community Corrections Subcommittee on behalf of the Governor's Committee on Crime, delinquency and Corrections at the next scheduled Community Corrections Subcommittee meeting.
4.3.b. Should a proposal application be approved by the Community Corrections Subcommittee, said approval will remain in effect for a period of three years.
4.3.c. Should a community corrections program be modified following an approval from the Community Corrections Subcommittee yet prior to the end of the established 3-year period, new approval shall be requested from the Community Corrections Subcommittee.
4.3.d. Approved applicants shall submit quarterly progress reports approved by the Community Corrections Subcommittee.
4.3.e. Approved applicants shall submit an annual progress report approved by the Community Corrections Subcommittee.
4.3.f. Approved applicants shall collect and submit quarterly, data pursuant to the requisites of §149-4-3.2.d.3. of this rule.

4.4. Approval of community corrections program with state funding. -- Should a community corrections program applicant request community corrections program approval from the Community Corrections Subcommittee and request state funds for the implementation of that community corrections program, the following guidelines shall be applicable:
4.4.a. The Community Corrections Subcommittee will distribute proposal application information during the months of January – March of each year. The distribution list will include the following:
4.4.a.1. County Commissions;
4.4.a.2. Circuit Judges;
4.4.a.3. Probation Offices;
4.4.a.4. Class I and II Municipalities; and
4.4.a.5 Prosecuting Attorneys.
4.4.b. Proposal application submission deadline will be a set date during the months of April through May. This date will be established each year by the Community Corrections Subcommittee.
4.4.c. Proposal applications approved for funding will begin community corrections program implementation on July 1 and conclude community corrections program implementation June 30 of the following year.
4.4.d. Funding awards will be for a one-year period on a competitive basis.
4.4.e. Funding decisions will be made based on the criteria in the proposal application and applicants may be required to orally present their application to the Community Corrections Subcommittee.
4.4.f. There shall be a minimum 10% local cash match requirement on each funded community corrections program.

4.4.g. State funds will be disbursed to the applicants through a monthly reimbursement of expenses.
4.4.h. During the administration of a proposal application award, applicants shall submit all administrative paperwork approved by the Community Corrections Subcommittee. The paperwork may include, but is not limited to the following:
4.4.h.1. Award contract.
4.4.h.2. Award resolution.
4.4.h.3. Monthly progress reports.
4.4.h.4. Monthly financial reports with supporting documentation.
4.4.h.5. Monthly request for reimbursement documents.
4.4.h.6. Annual progress report.
4.4.h.7. Monthly data pursuant to the requisites of §149-4-3.2.d.3. of this rule.

Appendix C

FY 2010 WVCC Grant Application

(Please refer to attached PDF file on CD entitled WVCC FY 2011 Application)

Appendix D

West Virginia
Community Corrections Grant
Program Guidelines

Division of
CRIMINAL
JUSTICE
SERVICES

Revised: January 2010

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SECTION 1: GENERAL INFORMATION

1.1. The West Virginia Community Corrections Act

The West Virginia Community Corrections Act (Chapter 62, Article 11C of the West Virginia State Code) was originally passed by the West Virginia Legislature in 2001 and was then amended and signed into law during the 2002 Legislative Session. The Act provides a mechanism for communities to develop, establish and maintain community-based corrections programs to provide the judicial system with sentencing alternatives for those adult offenders who may require less than institutional custody.

1.2. Special revenue account

The West Virginia Community Corrections Act created a special revenue account in the state treasury. The West Virginia Division of Justice and Community Services (DJCS) has been designated by Code as the state agency responsible for the administration of the community corrections fund for the State of West Virginia.

1.3. Beginning the process

Applications for funds by eligible agencies are initiated by completing a West Virginia Community Corrections (WVCC) proposal application for a project and submitting it to DJCS. The same process is applicable to programs applying for approval without a request for state funds. Application should be submitted to the following:

West Virginia Division of Justice and Community Servicess
1204 Kanawha Blvd. East
Charleston, WV 25301

1.4. Community corrections program goals.

The following goals have been identified for the State of West Virginia Community Corrections Grant Program:

- Flexibility and involvement. Allowing individual counties or combinations of a county, counties and Class I and II municipalities greater flexibility and involvement in responding to the problems of crime in their communities.

- Community protection. Providing more effective protection of society and promoting efficiency and economy in the delivery of correctional services.

- Opportunities. Providing increased opportunities for offenders to make restitution to victims of crime through financial reimbursement.

- Accountability. Promoting accountability of offenders to their community

- Ensure bed space for dangerous criminals. Diverting offenders from the state regional jail and/or correctional facilities by punishing them with community-based sanctions, thereby reserving space in state regional jail and correctional facilities for those offenders who are deemed to be most dangerous to the community

- Local criminal justice needs. Permitting counties or combinations of a county, counties and Class I and II municipalities to designate community-based programs to address local criminal justice needs

- Rehabilitative programs. Permitting counties or combinations of a county, counties and Class I and II municipalities to operate programs specifically designed to meet the rehabilitative needs of offenders

- Recidivism reduction. Providing appropriate sentencing alternatives with the goal of reducing the incidence of repeat offenders

SECTION 2: PROGRAM STANDARDS

2.1. Community corrections program core elements.

All community corrections programs must include the following core elements:

2.1.a. Intake and risk and needs assessment.

Programs shall utilize a research-based intake and risk/needs assessment tool that addresses **(1)** drug and alcohol screening; **(2)** criminal history; **(3)** known associates; **(4)** community support system; **(5)** education needs; **(6)** treatment needs; **(7)** mental health needs; **(8)** employment needs; and **(9)** substance abuse history.

The West Virginia Community Corrections Subcommittee of the Governor's Committee on Crime, Delinquency and Correction has approved and required the use of the Level of Service/Case Management Inventory (LS/CMI) for all community corrections programs funded by the West Virginia community corrections grant program funds. Details regarding the process for becoming certified as a LS/CMI user can be obtained by contacting the WV Division of Justice and Community Services.

2.1.b. Services.

Based on program type, necessity and availability, programs must provide the following services: case management, individual and group treatment, education, community service and restitution, victim/offender mediation, cognitive restructuring, mental health services, drug/alcohol screening, monitoring of court-ordered medications, and home-placement services.

2.1.c. Re-entry and aftercare.

Programs may link with a local workforce investment board or similar entities that provide one or more of the following types of services: job and vocational training, job placement, GED testing, and treatment services.

2.1.d. Program evaluation.

A written plan shall be developed which measures the success of the program. The plan should include the following elements: goals, objectives, and data to be captured regarding each offender utilizing standardized forms. This offender data should include all of the information listed in Legislative Rule 149-4-3.2.d.3.A through T.

SECTION 3: OTHER ELIGIBILITY REQUIREMENTS

In order to be eligible for WVCC funding or program approval, a program must be designed to provide a sentencing alternative for local judicial systems <u>and</u> meet the following requirements:

3.1. Record of effective services.

Programs must demonstrate a record of providing effective services. This includes having the support and approval of its services by the community, a history of providing direct services in a cost-effective manner, and financial support from other sources.

3.2. New programs.

Those programs that have not yet demonstrated a record of providing services may be eligible to receive WVCC funding, if the program can demonstrate that a minimum of 10% of its financial support comes from local community sources. It is important that programs have a variety of funding sources in order to ensure their financial stability.

3.3. Promote community efforts

Programs must promote, within the community, coordinated public and private efforts to assist and support the project. Coordination may include, but is not limited to, serving on state, federal, or local, task forces, commissions, working groups, coalitions, and/or multi-disciplinary teams. Coordination efforts may also include developing written agreements that contribute to better and more comprehensive services. Coordination efforts qualify an organization to receive WVCC funds and are also activities that can be supported with said funds. It is strongly recommended that each project develop a local community corrections board that includes all key community leaders.

3.4. Resolutions.

Programs must have obtained a resolution, passed by the governing body that authorizes the president of the county commission (local governments) or the administrative director (WV Supreme Court of Appeals) to act on its behalf to make an application for WVCC funding.

3.5. Compliance with rules regulating grants.

Programs shall comply with State of West Virginia rules regulating grants. These rules include maintaining appropriate programmatic and financial records that fully disclose the amount and disposition of WVCC funds received. This includes, but is not limited to, financial documentation for disbursements; daily time and attendance records specifying time dedicated to providing allowable services under the WVCC program; client files; that portion of the project supplied by other sources of revenue; job descriptions; contracts for services; and other records which facilitate an effective audit.

3.6. Compliance with additional state criteria.

Programs must abide by any additional eligibility or service criteria as established by the State of West Virginia including submitting upon request, statistical and programmatic information of the use and impact of WVCC funds. The most current additional state criteria include the following:

3.6.a. Client eligibility criteria

This includes a written, formal agreement between the local courts and the local community criminal justice board (or local community corrections program, if there is not a local board in place), which details requirements for client eligibility into the local community corrections program. These criteria must be signed by both parties and kept on file with the local program.

3.6.b. Eligibility criteria for individual service components.

This includes a written, formal guideline/policy that describes client eligibility requirements for individual service components offered by the local community corrections program. These criteria must be kept on file with the local program.

3.6.c. Victim safety planning component.

This includes a written, formal guideline or policy that describes the steps taken by the local program to provide victim safety planning to victims of clients being served by local community corrections programs. This victim safety planning component should incorporate the collaboration of the local victim services provider <u>and</u> the local licensed domestic violence program. These criteria must be signed by the local program administrator, the local victim service provider and the local domestic violence program representative and should be kept on file with the local program.

3.6.d. Statistical information maintenance.

Programs shall maintain statistics required by code on offenders serviced and services offered by the community corrections project, within the timetable established by DJCS; and permit reasonable access to its books, documents, papers, and records regarding these statistics.

The WV Community Corrections Subcommittee has approved and <u>required</u> the utilization of the Community Corrections Information System (CCIS) for

all community corrections programs funded by the WV community corrections grant program funds. Details on how to get a program account in the CCIS can be obtained by contacting the Division of Justice and Community Services.

3.6.e. Promotion of increased participation on a local level.

Local participation and support is a vital component to the operation of a successful community corrections program. In order to promote increased local participation, programs should strive to become self-sustaining, which includes increased county support through cash matching funds requirements.

3.6.f. Criteria for removal of an offender.

Criteria for removal of an offender must follow general principles of accountability, structure, and supervision. Lack of offender participation and/or performance must result in a progressive form of discipline. Such progressive consequences for non-compliance must be predictable and consistently implemented by supervising agents and program staff.

SECTION 4: APPLICATION AND RECEIPT OF FUNDS

4.1. Eligible applicants

An agency must provide sentencing alternatives to local judicial systems, provide direct services to offenders ordered to the program, and must be a county commission applying on behalf of a county or a combination of counties or a combination of a county and a municipality, or the State Supreme Court of Appeals, in order to be eligible to receive WVCC funding.

4.2. Ineligible applicants

4.2.a Federal agencies.

Federal “agencies” are ineligible to receive WVCC funds.

4.2.b. Private, For-Profit and Non-Profit Agencies.

The intent of WVCC program is for local units of government, in cooperation with community organizations, to provide sentencing alternatives for the judicial system. **Private agencies are encouraged to be a part of the grant project and can receive a portion of grant funds for services provided**, but they are not intended to serve as fiscal or applicant agencies.

SECTION 5: ELIGIBLE/INELIGABLE PROJECTS

5.1. Eligible projects.
These projects may include, but are not limited to the following:

- Probation Supervision
- Day Fines
- Community Service Restitution
- Home Incarceration
- Substance Abuse Treatment
- Sex Offender Containment
- Licensed Domestic Violence Offender Treatment
- Day Reporting Centers
- Educational or Counseling Services
- Drug Courts

5.2. Ineligible projects

These projects may include, but are not limited to the following:

- Juvenile Programs
- Pre-Trial Diversion Domestic Violence Programs

SECTION 6: MATCHING FUNDS REQUIREMENTS

6.1. Graduated cash matching funds.

Beginning in Fiscal Year 2008, the requirement for matching funds will increase by 5% each year for the first three (3) years and 10% the fourth (4th) year in order to encourage programs to become more self-sufficient as well as to increase each county's commitment and financial participation. The year of funding refers to the number of years the applicant county has received funding from the community corrections grant program, whether the applying county received those funds as a direct award or through a different fiscal agency (i.e. applying agency received grant funds in previous years through a multi-county project). The following formula will be used when calculating required cash matching funds:

One County	Two or More Counties
1st Year – 10%	1st Year – 10%
2nd Year – 15%	2nd Year – 15%
3rd Year – 20%	3rd Year – 20%
4th Year – 30%	4th Year – 30%

*Each individual county that is recommended for funding by the Community Corrections Subcommittee, whether the county is part of a multi-county project or is establishing its own project, will be required to contribute a minimum 10% cash

match funding in order to qualify for state funding. Counties must demonstrate a fiscal commitment to supplement the project.

6.2. Multi-county projects, cooperative agreements and fiscal agent appointments.

Where a group of counties combine and submit a joint application for funds, such application shall contain a cooperative agreement indicating each jurisdiction's willingness to collaborate and describing in detail each counties role and responsibility to the project.

Such multi-county applications shall provide for the appointment of one (1) fiscal agent to coordinate the financial activities of the grant award.

6.3. Expending matching funds.

The grantee matching share must be expended in the same manner and proportion as budgeted in the proposal application. The grantee share must also be expended in the same time frame (grant period) as the state funds are expended.

6.4. Records of matching funds.

Since the requirement for grantee matching funds is mandatory, accurate records must be maintained which demonstrate the amount and timing of these contributions. These records are subject to audit in the same manner and to the same extent as books and records dealing with the receipt and expenditure of WVCC funds.

SECTION 7: ALLOWABLE COSTS

7.1. General principles.

Community corrections funds are to be used to provide flexibility and involvement in responding to crime at the community level. The funded projects are to provide effective protection of society and efficiency in the delivery of correctional services. These community-based programs shall be designed to address the local criminal justice needs which include sentencing alternatives to reduce recidivism, promoting accountability of offenders in the community, providing an opportunity for offenders to make restitution to their victims, and providing programs specifically designed to meet the needs of offenders. Activities unrelated or only tangentially related to the provision of these services are not eligible for support.

7.2. Basic guidelines.

The basic guidelines for determining allow ability of costs will be the extent to which these costs contribute to the purpose and execution of state-assisted programs. In general, project costs are "all necessary charges made by a grantee to accomplish the objectives of a project during the grant period." It will be assumed that

- Applicant agencies will each bear their appropriate share of allocated costs as

allowable under federal, state and local law or regulation;

- DJCS and its grantees have the primary responsibility for employing whatever form of organization and management techniques necessary to assure proper and efficient fiscal administration and cost allocation, including accounting, budgeting, reporting, auditing and other review controls;

- Costs pertinent to carrying out any unrelated functions (*e.g.*, unrelated to programs receiving grant support) are not allowable and therefore cannot be recognized of "profit" or increment above true costs in executing grants.

7.2. Direct services.

The following services are considered direct service project expenses:

7.3.a. Personnel costs.

Personnel costs are those that are directly related to providing administration and direct services, such as staff salaries and fringe benefits, including malpractice insurance, the cost of advertising to recruit WVCC funded personnel, and the cost of training paid and volunteer staff.

7.3.b. Special services.

Special services are those necessary to operate an effective community corrections program and meet the core elements of the program guidelines. These special services include intake and risk/needs assessment tools; direct services such as offender therapy and treatment, education programs, restorative justice, mental health services, and home-placement services; reentry and aftercare services such as job training and placement; and program evaluation.

7.3. Other allowable costs.

The services, activities, and costs listed below are not generally considered direct services, but are often necessary and essential components to ensure that quality direct services are provided. Before these costs can be supported with WVCC funds, the state grantee and subrecipient must agree that direct services to offenders or the community cannot be offered without support for these expenses, that the subrecipient has no other source of support for them, and that only limited amounts of WVCC funds will be used for these purposes. The following list provides examples of such items:

7.4.a. Skills training for staff.

WVCC funds designated for training are to be used exclusively for developing the skills of direct service providers, including paid staff and volunteers, so that they are better able to offer quality services to offenders, the criminal justice system and the community. **All** trainings must be approved by the Division of Justice and Community Services prior to attending any training by submitting to DJCS a written request for training approval.

7.4.b. Training materials.

WVCC funds can be used to purchase materials such as books, training manuals, and videos for direct service providers within the funded organization and can support the costs of a trainer for in-service staff development. Staff from other organizations can attend in-service training activities that are held for the subrecipient's staff.

7.4.c. Training related travel.

WVCC funds can support costs such as travel, meals, lodging, and registration fees to attend training within the state or a similar geographic area. This limitation encourages programs to look first for available training within their immediate geographical areas, since travel costs should be minimal. However, when necessary training is unavailable within the immediate geographical area, funds may be used to support training outside of the geographical area. All travel expenses must adhere to State of West Virginia travel regulations.

7.4.d. Equipment and furniture.

WVCC funds may be used to purchase furniture and equipment that provides or enhances direct services to offenders and the community, as demonstrated by the WVCC program.

Funds cannot support the entire cost of an item that is not used exclusively for community corrections activities. However, WVCC funds can support a prorated share of such an item. In addition, subrecipients cannot use funds to purchase equipment for another organization or individual to perform services that are not related to the community corrections program. Examples of allowable costs may include beepers, computers, printers, video camera, two-way mirrors, and other equipment and furniture necessary for the program.

NOTE: Any one item that costs $1,000.00 or more is considered equipment for purposes of this grant program.

7.4.e. Purchasing or leasing vehicles.

Recipients may use WVCC funds to purchase or lease vehicles if they can demonstrate to DJCS that such an expenditure is essential to delivering services to a community corrections program. The DJCS must give prior approval for all such purchases.

7.4.f. Advanced technologies.

At times, computers and other advanced technologies such as TTY/TDD machines may increase a program's ability to reach and serve the criminal justice system and the community. In order to receive a grant for advanced technologies, each subrecipient must meet the program eligibility requirements set forth in this document. In making such expenditures, WVCC programs must describe to DJCS how the advanced technology will enhance services to the program and/or the community; how it will be integrated into and/or enhance the subrecipient's current system; and how these additional costs will be supported. Property insurance is an allowable expense as long as WVCC funds support a share of the cost of the insurance payments.

7.4.g. Contracts for professional services.

WVCC funds generally should not be used to support contracts for professional services. At times, however, it may be necessary for a recipient to use a portion of its grant to contract for specialized services. Examples of these services include mental health services, perpetrator intervention and prevention programs, or sign and/or interpretation for deaf/speech impaired offenders of for offenders whose primary language is not English.

NOTE: Programs are prohibited from using a majority of WVCC funds for contracted services, which contain administrative, overhead, and other indirect costs included in the hourly or daily rate.

7.4.h. Operating costs.

Operating costs are allowable under the WVCC Program. Examples of allowable operating costs include supplies; equipment use fees, when supported by usage logs; printing, photocopying, and postage; brochures which describe available services; and books and other program-related materials. Funds may support administrative time to complete WVCC-required time and attendance sheets and programmatic documentation and statistics as well as to maintain required client records and program reports.

7.4.i. Supervision of direct service providers.

DJCS may provide WVCC funds for supervision of direct service providers when it is determined that such supervision is necessary and essential to provide direct services to the community corrections project. For example, DJCS may determine that using WVCC funds to support a coordinator of staff and volunteers is a cost-effective way of serving more offenders.

7.4.j. Repair and/or replacement of essential items.

WVCC funds may be used for repair or replacement of items that contribute to maintaining a healthy and/or safe environment for clients,

staff, and the community. In the event that a vehicle is purchased with WVCC funds, related items such as routine maintenance and repair costs and automobile insurance are allowable.

7.4.k. Public presentations.

WVCC funds may be used to support presentations that are made in the community, to criminal justice professionals, or other public forums, and that are designed to identify needs of the community and the local criminal justice system and provide or refer them to needed services. Specifically, activities and costs related to such programs including presentation materials, brochures, and newspaper notices can be supported by WVCC funds.

SECTION 8: UNALLOWABLE COSTS

8.1. List of unallowable costs

Some services, activities, and costs cannot be supported with WVCC funds. These include, but are not limited to, the following:

- Activities determined to be outside the purposes and activities specifically covered by the approved program description and project budget.
- Lobbying, Legislative and Administrative Advocacy. WVCC funds cannot support corrections legislation or administrative reform, whether conducted directly or indirectly.
- Fundraising Activities. Fundraising is an unallowable expense.
- Indirect Organizational Costs. For example, capital improvements, security guards and bodyguards, property losses and expenses, real estate purchases and construction may not be supported with WVCC funds.
- The purchase of real estate.
- Bad debts.
- Contingencies.
- Contributions or donations.
- Entertainment.
- Fines and penalties.
- Interest and other financial costs
- Prior obligations.
- Under-recovery of costs under grant agreements.

- Legislative expenses.

- Relocation Expenses. WVCC funds cannot support relocation expenses such as moving expenses, security deposits on housing, ongoing rent, and mortgage payments for offenders or program staff.

- Development of Protocols, Interagency Agreements, and Other Working Agreements. These activities benefit programs, but they are considered examples of the types of activities that programs undertake as part of their role as a community corrections services organization.

- Unlicensed domestic violence perpetrator intervention or batterer's intervention prevention programs.

SECTION 9: PROGRAM APPLICATION PROCESS

9.1. Application steps.

Applications for the WV Community Corrections grant program funds are submitted and reviewed on a competitive annual basis. There is no guarantee of funding beyond an initial one year award period. The application process consists of the following steps;

9.1.a. Requests for proposals

Requests for proposals (RFPs) will be mailed to all county commissions, circuit judges, probation offices, Class I and Class II municipalities, and prosecuting attorneys in the state. If an agency is interested in an application kit, a section of the RFP will be returned to DJCS with appropriate mailing and contact information.

9.1.b. Application kits.

An application kit will be mailed to all current WVCC project directors during the same period the RFPs are distributed. Application kits will also be mailed to anyone completing and submitting an RFP request form. The application kits will include the new fiscal year proposal application and program guidelines as well as DJCS contact information and the proposal application deadline date.

9.1.c. Acknowledgement of receipt of applications and initial review.

Applications will be promptly acknowledged upon receipt and reviewed for completeness by DJCS staff. The applicant will be immediately contacted if omissions appear.

9.1.d. Staff assessment.

Staff will assess the merit and overall need of the project as well as evaluate how the specific project will satisfy state goals and objectives. Comments and/or recommendations will be attached and the application

will be forwarded to the West Virginia Community Corrections Subcommittee for consideration. Staff assessment may be based on, but will not necessarily be limited to the following:

- Compliance of the proposed project application with the priority programs described in the state code, legislative rule, and grant program guidelines.
- Organization of the project, including eventual assumption of costs by the applicant agency (plan of sustainability).
- Probability that the grant will achieve its stated goals and objective(s).
- Adequate fiscal responsibility and resources.
- Coordination of efforts with other local jurisdictions, particularly local criminal justice systems, to include resources and financial support.
- Need for the project.
- Reasonableness of the proposed budget, clearly itemized budget, and total sources of funding for the project.
- Geographic area(s) to be served.
- Record of effective services.
- Determination that the program does contain the stipulated core elements.
- Coordination of efforts between counties in developing a multi-jurisdictional or multi-county program in order to effectively serve a broader community.
- Ability to adequately assess and address the needs of the population to be served.
- Legislative support/intent

9.1.e. Applicant presentation.

A representative(s) of the applicant agency who is familiar with the proposed project will be requested to attend the West Virginia Community Corrections Subcommittee meeting to make a brief presentation and/or answer any questions regarding the proposal.

9.1.f. Funding recommendations.

§62-11C-2.(a) of the West Virginia State Code designates the Community Corrections Subcommittee as the entity responsible for “making recommendations

as to the disbursement of funds for approved community corrections programs." The Subcommittee will make one (1) of the following four (4) recommendations:

1. Approve the application.

2. Approve the application with conditions, budget adjustments, or amendments to the application

3. Return the application for revision: the required revision will be appended to the application

4. Denial.

9.1.g. Funding decisions.

Staff will take the necessary actions to affect the Subcommittee's recommendations which include conveying those recommendations to the Governor via a predetermined format.

Authority to make grant awards is vested only in the Governor of the State of West Virginia. Staff and Subcommittee recommendations are advisory only and should not, at any time, be considered indicative of the final action by the Governor.

NOTE: Applications for program approval **without** funding requests will receive approval of denial of the program proposal directly from the West Virginia Community Corrections Subcommittee.

9.2. Award limitations.

Enhanced programs (*i.e.*, enhanced home confinement, enhanced supervision) or programs providing minimal services as determined by the West Virginia Community Corrections Subcommittee will receive funding for one (1) to three (3) years, depending on the type of program and at the discretion of the Subcommittee. Recipients will be notified of the maximum years possible to receive WVCC funds for that particular program at the time the initial award is made. A recipient may be eligible for extended funding if the enhanced program broadens the scope of the original program to the degree that it includes additional services, such as GED or mental health services.

9.3. Funding preferences.

When reviewing an application for funding, preference may be given to programs that have community corrections fee collection programs in place. When reviewing fee collection programs, the committee will take into account the adequacy and effectiveness of the program.

Programs which have well developed, committed and active local community criminal justice boards and demonstrate good community support for the community corrections program may be given funding preference.

Preference may also be given to those programs demonstrating coordination of efforts with several counties to develop a multi-jurisdictional program in order to effectively serve a broader community.

9.4. Requirements regarding time-frame for a program to be operational following an award.

Each approved project not operational within sixty (60) days of the approved starting date of the grant period must report by letter to DJCS the steps taken to initiate the project, the reasons for delay, and the expected starting date.

If a project is not operational within ninety (90) days of the original starting date of the grant period, the grantee must submit a second statement to DJCS explaining the implementation delay. Upon receipt of the ninety-day letter, DJCS may cancel the project and redistribute the funds to other project areas or, under extenuating circumstances, extend the project period.

SECTION 10: APPROVAL OF PROGRAMS

10.1. Community corrections program approval requirement.

The West Virginia Community Corrections Act mandates that all Community Corrections programs in the State of West Virginia meet specific guidelines and be approved by the Community Corrections Subcommittee, regardless of whether or not the program requires subsidy from the Community Corrections fund to function.

This circumstance creates two separate "approval tracks" – (1) those programs which are requesting approval, but **are not requesting** state funding to function; and (2) those programs which are requesting approval and **are requesting** state funding to function.

Regardless of whether a community is requesting approval with or without state funding, an official community corrections program proposal application must be submitted to the Community Corrections Subcommittee through DJCS. All applicants must follow all special conditions and assurances in the proposal application as well as meet all program standards established by Legislative Rule 149-4-3.

10.2. Approved process: Programs requesting approval **without** a request for state funding

Those community corrections programs requesting approval without a request for state funding shall adhere to the following process/guidelines:

- Proposal applications may be submitted to the WVCC Subcommittee at any time. The proposal application will be reviewed and considered at the next regularly scheduled Subcommittee meeting.

- The approval will remain in effect for a period of three years from the date of the WV Community Corrections Subcommittee approval.

- Programs that are modified following approval prior to the end of the three-year approval period must submit a new request for approval to the Subcommittee.

- Approved programs must submit quarterly progress reports.

- Approved programs must submit an annual progress report.

- All approved programs must collect statistical data and submit the data on a quarterly basis.

10.3. Approval process: Programs requesting approval **with** a request for state funding

Those community corrections programs requesting approval, accompanied by a request for state funding for the implementation of the program, shall adhere to the following process/guidelines:

- Proposal applications must be submitted to the WVCC Subcommittee on or before application deadline.

- The proposal application will be reviewed and considered during the scheduled Subcommittee meeting in which grant reviews take place.

- All applicants will be required to present their application to the Subcommittee.

- The grant, upon approval, will begin on July 1 and end on June 30.

- Funding awards will be for a one-year period on a competitive basis.

- Programs must provide a minimum of 10% local cash match as well as adhere to all other graduated matching requirements explained herein.

- Applicants must submit all administrative paperwork including the award contract, an award resolution, a certification of debarment, and an Equal Opportunity Employer certification.

- State funds will be disbursed to the applicants through a monthly reimbursement system.

- Applicants must submit monthly progress reports.

- Applicants must collect statistical data and submit the data on a monthly basis.

- Applicants must submit an annual progress report.

SECTION 11: LOCAL COMMUNITY CRIMINAL JUSTICE BOARDS

11.1. Local community criminal justice board requirement.
Each county seeking to establish a community-based corrections program must establish a community criminal justice board unless established by the chief probation officer of the county (with the approval of the chief judge of the circuit).

Any program which chooses to operate without a community criminal justice board shall be subject to the regulations and requirements established by the community corrections subcommittee and the governor's committee

Although an official community corrections/criminal justice board is not required for programs established under the chief probation officer and who utilizes the WV Supreme Court of Appeals as the fiscal agent for state community corrections funding, the Community Corrections Subcommittee of the Governor's Committee on Crime, Delinquency and Correction **strongly encourages and recommends** such programs to establish and maintain a community corrections board to serve as an advisory board to the chief probation officer.

11.2. Local community criminal justice board composition.

A local community criminal justice board shall include no more than fifteen (15) voting members, who are all residents of the county or counties represented in the proposal. These members should include, but not be limited to, the following members:
Sheriff(s) or Chief(s) of Police

- Prosecutor(s)
- Public Defender(s)
- Representative from Board(s) of Education
- Representative from local Mental Health service provider(s)
- Two (2) Crime Victims Rights Organization/Program Representatives, with preference given to:

  1. Local licensed domestic violence program; and
  2. Mother's Against Drunk Driving or other related program for victims of the crime of driving under the influence

- Three (3) at large representatives

Additionally, the local board may include a Judge(s), a Magistrate(s), and a Probation Officer, but these members shall not have voting privileges. They serve as ex officio members.

If a community criminal justice board represents more than one county, the appointed membership of the board, excluding ex officio members, must have an equal number of members from each county, unless the county commission of each county agrees to something different in writing.

11.3 Minimum governance standards for local community criminal justice boards

Standards for the function of local community criminal justice boards are set by West Virginia Code and by guidelines adopted by the West Virginia Community Corrections Subcommittee.

11.3.a. During the establishment period of new community corrections programs.

The following are minimum standards set forth in WV Code for the local community criminal justice boards during the establishment period, which in general, is prior to the submission of an application for state community corrections grant funding:

- Provide for the purchase, development and operation of community corrections services;
- Coordinate with local probation departments in establishing and modifying programs and services for offenders;
- Evaluate and monitor community corrections programs, services and facilities to determine their impact on offenders; and
- Develop and apply for approval of community corrections programs by the governor's committee on crime, delinquency and correction

11.3.b. After the establishment period

- Once the board has been established and a community corrections program has been developed, the following minimum standards apply to the local board for implementation of the program:
- A community corrections program shall be governed by a local community criminal justice board (known as local board) which shall be responsible for and have authority over the policies of the local program, and which is broadly representative of the community served as described in §62-11C-6 of the WV Code.
- The local board shall adopt, and review on a bi-annual basis, written and detailed by-laws and policies that define the powers and duties of the governing body, its committees, the executive director, and advisory group(s), where they exists. Copies of the by-laws shall be maintained by the local board.
- The local board is responsible for ensuring the program's continual compliance and conformity with:

    a. Provisions of the program's mission;

    b. All federal, state and local laws, rules and regulations governing the operation of the program; and

    c. Terms of all leases, contracts, or other legal agreements to which the program is a party as a political subdivision as defined in **§29-12A-3(c)** of the WV Code**.**

- The local board may appoint an executive committee consisting of the elected officers of the board. The only action of the executive committee to take place outside of regular board meetings is in emergency or crisis situations and only in close consultation with the executive director of the community corrections program. Key reasons for emergency/crisis meetings of the executive committee include: 1) situation causing harm to client(s); 2) situation causing harm to the program and/or program staff; and 3) immediate financial crisis. NOTE: All actions of the executive committee must be brought before the full board at the next regularly scheduled meeting for confirmation.

- The local board shall designate an individual to act as executive director and shall delegate necessary authority to such individual to manage the day-to-day affairs of the program(s).

- The local board will require the program director to submit a written programmatic and financial report at each board meeting.

- Every member of the local board shall disclose in writing any financial transactions with the program in which any member of the board or her or his immediate family is involved. The local board must approve any contract or transaction where financial interests of this nature have been made.

- The local board shall establish internal operating procedures, including by-laws and meeting dates.

- The local board shall meet at a minimum on a quarterly basis and shall keep written or electronic minutes of all meetings, including attendance and whether or not a quorum was present, and make those meeting minutes available to the public. If a quorum is not present no binding decisions can be made during the meeting. Quorum should be defined in the approved by-laws of the local board, but should not be less than one-third (1/3) of the fifteen (15) voting members.

- Local board meetings are subject to all conditions of the Open Governmental Proceedings Act which requires the meetings be open to the public, unless a specific statutory exception applies. The Act applies to all state, county, and municipal administrative or legislative units of government, including their departments, agencies, committees, boards and commissions. Every public board is required to give advance notice to the public and news media of the date, time, place and agenda of all regular meetings and the date, time, place and purpose of all special meetings, except in case of an emergency requiring immediate action. Meeting minutes must include all measures proposed and the results of all votes taken.

- The Open Governmental Proceedings Act does not require non-State agencies to register public meeting notices on the WV Secretary of State's Register; however, the WV Community Corrections

Subcommittee does require all local community criminal justice boards to register their meetings on the State Register. Public meeting notices can be registered online by visiting the WV Secretary of State's website at http://www.wvsos.com/meeting-notices/index.aspx.

- The local board shall maintain a current listing of its members, including the name, the position, and the term of membership (if applicable) for each member.

- The local board shall ensure that the program is adequately funded and fiscally sound. To this end, the local board is responsible for the following:

  a. Reviewing and approving the program's annual budget and community corrections grant applications;

  b. Monitoring collections and disbursement of all funds on a quarterly basis to assure that they are made in accordance with the program's objectives as specified by the local board;

  c. Assuring that the program maintains liability insurance and bond for all staff, volunteers and members of the local board;

  d. Providing a financial bond for all individuals delegated the authority to sign checks or manage funds. The bond shall assure the full operation of the community corrections program for a period of thirty (30) days should those individuals misappropriate or mismanage the program's funds or assets or engage in any illegal act which results in the loss of funds or assets.

- The local board shall adopt and monitor implementation of written personnel policies that shall, at a minimum:

  a. Pertain to all paid staff;

  b. Include requirements for equal employment opportunity, selection procedures, orientation, on-going staff development and training, and termination of employment;

  c. List, in definitive terms, all benefits that are available to staff and volunteers, including specifics of any insurance program;

  d. Specify eligibility for vacation, personal leave and adjusted work week, yearly carry-over and accumulation, approval procedures, and payment upon termination;

  e. Specify actions that will be taken by the agency if an employee fails to comply with employee policies, including written notification of the nature of misconduct or poor performance, the discipline being taken, the effective date of the discipline, future consequences for reoccurrence, and appeal rights. The policy shall allow the

employee the opportunity to respond to the charges of misconduct or poor performance before a disciplinary decision is made;

f. Specify grievance procedures for the employees, including grievable issues, steps of appeal, required time frames and who has the authority for resolution;

g. Delineate the lines of authority within the agency, and outline the authority of the supervisor(s) regarding personnel activities such as promotion, discipline, leave approval, performance evaluations, grievances, assignment of work and training;

h. Include job descriptions and position qualifications for each position within the program;

i. Set forth, in written form, rules of conduct which include such topics as appropriate attire, work hours, confidentiality, insubordination, misuse of authority or equipment, absences without leave and falsification of records;

j. Require that individuals providing professional or therapeutic counseling, and/or professional social work have appropriate credentials and are licensed when applicable.

SECTION 12: ROLES AND RESPONSIBILITIES OF COMMUNITY CORRECTIONS PARTNERS

12:1 Standard Role/Responsibility of Local Community Criminal Justice Board

The following are minimum standards for the role of the local community criminal justice board:

- Serve as a governing board to the local community corrections program.
- Operate as a political subdivision pursuant to §29-12A-3(c) of the WV Code
- Establish, maintain, and oversee: 1) client eligibility and fee structure; and, 2) the hiring, disciplinary action, and evaluation of the Executive Director of the local community corrections program.
- Oversee personnel and budgetary issues
- Appoint committees and workgroups under the local board (as needed)
- Designate Executive Director and delegate necessary authority to Executive Director to manage affairs of the program in an effective manner

12:2 Standard Role/Responsibility of Executive Director of the Community Corrections Program

The following are minimum standards for the role of the executive director of the local community corrections program:

- Provide comprehensive oversight of day-to-day operation of the community corrections program
- Report directly to the local community criminal justice board
- Act as primary contact for the WV Division of Justice and Community Services
- Hire, take disciplinary action, and evaluate community corrections program staff
- Secure appropriate funding sources for program
- Provide continued assessment of the program operation and makes
- recommendations to the local board regarding any necessary changes
- Assure program compliance with all grant requirements, standards, guidelines and recommendations
- Coordinate public relations and serve as liaison between community and court system

12:3 Standard Role/Responsibility of Fiscal Agent (County Commission or WV Supreme Court)

The following are minimum standards for the role of the fiscal agency for the local community corrections program:

- Serve as fiscal agent for grant application and awards which includes:

  a. Review and sign grant application and awards and other related paperwork for the local community criminal justice board

  b. Maintain funding source for local board and maintain separate community corrections account or line item in the county budget

  c. Cover on a reimbursement basis, expenditures associated with payroll and benefits for community corrections program staff

- Appoint three (3) members-at-large to serve on the local community criminal justice board

SECTION 13: GUIDANCE FOR PROGRAMS ACCEPTING PAROLEES

13:1 General guidance for community corrections programs accepting parolees

All programs receiving a state community corrections grant award should assess whether or not the individual programs have the physical, staffing, and financial capacity to accept parolee clients for re-entry services. The West Virginia

Community Corrections Subcommittee strongly encourages programs who determine they can provide such services to do so and to collaborate with the local parole services office to establish a referral process that meets the needs of the community corrections program and parole services.

For new programs considering this practice, a suggested starting place is the acceptance of parole technical violators to offer them an alternative program for services instead of a parole revocation and re-incarceration. Such technical violations would include failed drug treatment, failure to maintain employment, and/or minor infractions of parole requirements that are not deemed a new criminal offense.

13:2 Minimum standards for program accepting parolees

Community corrections program must establish a written memorandum of understanding (MOU) between the local community corrections program and the state parole services office (with a signed copy provided to the local parole office) which addresses at minimum the following:

- Formal process/procedure for referral of a parolee client to the community corrections program from the local parole services office.

- Criteria of clients to be accepted at the community corrections program.

- The local community corrections program has the authority to set the criteria for the types of offenders/offenses they are willing to accept at their individual centers/programs. However, the WV Community Corrections Subcommittee has stipulated that <u>the violent crimes of murder, kidnapping/abduction, and sexual offenses</u> (unless the community corrections program has a sex offender treatment program licensed by the WV Department of Health and Human Resources and approved by the WV Community Corrections Subcommittee) are prohibited from community corrections program.

- Evaluation/assessment process by the community corrections program for the clients referred to the program from the local parole services office.

- The local community corrections program has the right to deny a referred client based on the results of the evaluation conducted by the community corrections program. It should be the responsibility of both the community corrections case manager/day report officer <u>and</u> the parole officer to collect collateral information and share information from pre-sentence investigation (PSI) reports, institutional records, arrest records, any other criminal history reports and the LS/CMI to ensure a thorough and complete evaluation/assessment is conducted to determine risk level and need level of each client.

- Determine services available to the clients.

  When a parolee client is accepted for services into a community corrections program a case plan for the services must be developed and provided to the client, the parole officer and the community corrections case manager/day report officer. Services provided may or may not need to be separate from

other clients (i.e. alternative sentencing clients) in the community corrections program. This is a determination that will be made by the individual community corrections programs.

Services available may include, but are not limited to: substance abuse treatment, educational programming, job skills training, job placement, basic life skills, financial management, batterer's intervention prevention program, anger management, etc.

- Termination and/or completion of program by clients.

  In the event a parolee client is terminated from the community corrections program due to a failed case plan or some other violation, the community corrections program must notify the local parole office and/or assigned parole officer in writing and provide details regarding the area(s) the client failed to comply.

  In the event a parolee client completes the services and/or programs in their case plan, written notification of their completion should be sent to the local parole office and/or assigned parole officer.

SECTION 14: PROGRAM REQUIRMENTS AND GUIDANCE REGARDING STATE LICENSED DOMESTIC VIOLENCE PROGRAMS AND PERPETRATOR INTERVENTION PROGRAMS

14.1. Inclusion of a local licensed domestic violence program.

It is strongly recommended that all community corrections grant programs include a local licensed domestic violence program on their community criminal justice board and include them in the community network. Applicants should be advised, however, that a community corrections program is **not required** to provide services to perpetrators of domestic violence.

14.2. Local licensed perpetrator intervention program requirement.

14.2.a. Although perpetrator intervention services (also known as batterer's intervention prevention programs or BIPP) are not a requirement, they may be a service option. In the event that a community corrections program would provide an educational/treatment services for perpetrators of domestic violence, then it is **required** that the program enter into a contractual agreement with the local **licensed** perpetrator intervention program.

14.2.b. Applicants who do not have a local licensed perpetrator intervention program within their county or within fifty (50) miles of their community corrections program may request training funds in their community corrections grant to send a facilitator for appropriate training and to purchase the intervention program curriculum. However, the training and curriculum received must meet all the requirements of licensed perpetrator intervention programs in the State of West Virginia. Specific requirements

for licensed programs can be found in Title 191, Series 3 of the Legislative Rule for the Family Protection Services Board.

Additionally, any community corrections program that uses community corrections grant funds to pay for training of perpetrator intervention facilitator(s) and/or program curriculum must work with the West Virginia Family Protection Services Board through the application process to obtain a licensed perpetrator intervention program. The Community Corrections Subcommittee will not support the use of unlicensed perpetrator intervention programs.

The Community Corrections Subcommittee also recommends that all facilitators participate in the statewide quarterly meetings of facilitators of perpetrator intervention programs coordinated by the West Virginia Coalition Against Domestic Violence (WVCADV). Programs should contact the WVCADV for information regarding these meetings and additional training opportunities.

14.3. Monitoring requirement for services provided to offenders of domestic violence.

All community corrections programs providing services to offenders of domestic violence crimes **must closely monitor and report** the activity of each offender during their involvement in the intervention program. Community corrections programs must monitor the attendance, the participation level, progress and completion of the intervention program. It is the responsibility of the community corrections program to supervise the perpetrator as well as ensure victim safety planning. It is also the responsibility of the community corrections programs to require offenders to fully complete the intervention program as a condition of their community corrections program. This will require a cooperative agreement between the community corrections program, the licensed domestic violence program, and the licensed perpetrator intervention program.

14.4. Guidance regarding the differences between domestic violence and anger control issues.

It is imperative that all community corrections programs understand the difference between domestic violence and the issue of anger control. The key factor in domestic violence is **the use of a "pattern coercive violence"** as a means of power and control over an intimate partner (and many times his/her children). This violence may include physical, sexual, verbal, emotional and economic abuse. (A domestic violence perpetrator uses coercion and/or intimidation to keep the victims of his/her violence in a state of fear.)

Anger management treatment/services are not appropriate for offenders who fit the profile of a perpetrator of domestic violence. For purposes of the community corrections programs, a domestic violence perpetrator includes any offender who is currently charged with a crime involving domestic violence and/or has a history of criminal conviction(s) involving domestic violence or who has admitted to the court system and/or community corrections program personnel that he/she has committed domestic violence act(s). Anger management methods are never appropriate for use in perpetrator intervention services because they do not

properly reveal or address the cause of domestic violence. Anger management programs do not involve accountability by the offender and may misrepresent the depth of the problem in the community.

Perpetrator intervention programs are specifically designed to work with domestic violence offenders. These programs require perpetrators to accept responsibility for their violent actions and to admit that domestic violence is a behavior that they have chosen. Perpetrator intervention services place a very high priority on victims' safety, empowerment and rights as well as community safety.

Community corrections programs should be advised that if offenders do not meet the criteria of a domestic violence perpetrator, then anger management services may be provided.

SECTION 15: ACCOUNTING BOOKS AND RECORDS

15.1. Generally accepted accounting procedures

Grantees must maintain accounting records in accordance with generally accepted accounting procedures.

15.2. Special accounting procedures.

In addition to complying with its regular accounting procedure, the grantee must keep special accounting records, which will accomplish the following:

- Account for the receipt of state funds approved for each grant project.
- Account for the expenditure of state and matching funds approved for each grant project by the broad budget categories set forth below:
  - Personnel/Contractual: Salaries, employee benefits, and contracts for hiring of consultants. Consultant services require advance DJCS approval.
  - Travel/Training: Lodging, transportation, registration fees, and subsistence expenses for project personnel. Training projects require advance DJCS approval. Expenses may not exceed ceiling established by West Virginia state travel regulations.
  - Equipment: Computers and software and advanced technologies over the amount of $1,000.00.
  - Other: Allowable expenses not otherwise classified. *Please note that computer, software, and printer purchases under $1,000 are allocated to this category; however, an equipment listing form must be completed for all computer purchases regardless of the amount*.

15.3 Program audits.

All agencies will be subject to annual audit reviews by the State of West Virginia Auditor's Office. All irregularities reported during these audit reviews must be

issued in full to the Division of Justice and Community Services within thirty (30) days of receiving the formal audit report and findings.

SECTION 16: TRAVEL REGULATIONS AND RATES

16.1. State of West Virginia travel regulations.

Project travel expenses are to be determined in accordance with the State of West Virginia travel regulations and rates, unless the grantee's travel regulations are more restrictive; then its regulations will govern. **Reimbursement is limited to actual expenses incurred**. A complete copy of the current state rates and regulations can be found at www.state.wv.us/admin/purchase/Travel. A copy of the most current *per diem* rates can be found at www.dtic.mil/perdiem/pdrates**.**

16.1.a. Meal allowance.

Costs are **ONLY** allowable for overnight stay travel and at 75% maximum on the first and last day of travel. **Please refer to the State of West Virginia Travel Regulations and nationwide *per diem* rates.**

16.1.b. Motor vehicle.

Reimbursement for the use of an employee's personal car in connection with grant business will be based on the State Government rate. Such reimbursement rates shall apply between the employee's headquarters and any designated location of work as approved by the project director. There will be no reimbursement of expense for commuting purposes other than in cases where an employee has completed his/her workday and is called out to return to his/her headquarters.

16.1.c. Duplicate reimbursements.

Not withstanding any provision of these rules and regulations to the contrary, no official or employee shall be permitted to receive reimbursement for any expenses incurred in instances in which such expenses have been paid or are to be paid by any person, firm, corporation, partnership, association or any other third party. No official or employee shall receive reimbursements for any expense incurred in instances in which such expenses have been paid or are to be paid by DJCS as part of registration fee.

16.1.d. Registration fees.

Registration fees for conferences and/or seminars must be supported by receipts and attached to the attendee's expense report. Lodging and/or food that are included in the registration should be indicated on the expense report. Additional reimbursement will not be made for lodging or food that is included in registration fees.

SECTION 17: PROJECT INCOME

17.1. General rules of project income.

Project income is defined to be "gross income earned by grant supported activities." The following general rules apply to project income:

- All other program income earned during the grant period shall be retained by the grantee and, in accordance with the grant agreement, shall be
  - Added to funds committed to the project by the grantor and grantee and be used to further eligible program objectives; or
  - Deducted from the total project costs for the purpose of determining the net costs on which the state share of costs will be based.
- Programs must maintain and follow accounting guidelines which address the collection and remittance process of any program fees and other program funding, such as multiple grant resources, private foundation funding, and program donations
- All agencies will be subject to annual audit reviews by the State of West Virginia Auditor's Office

SECTION 18: MONITORING

18.1. Annual on-site visits.

Each project receiving state grant funds will be subject to an annual on-site visit by DJCS staff to monitor the performance of grant-supported activities. Monitoring visits will be conducted to

- Determine progress made toward achieving project objectives;
- Determine compliance with terms, conditions, and purpose of grant;
- Identify technical assistance needs; and,
- Provide guidance of future design or funding of similar projects.

Appendix E

LS-CMI Requirements

Level of Service/Case Management Inventory

Pursuant to West Virginia State Code and the standard Community Corrections Program Guidelines all programs shall utilize a research based intake and risk/needs assessment tool that addresses the following: drug and alcohol screening, criminal history, known associates, community support system, education needs, treatment needs, mental health needs, and substance abuse history. The West Virginia Community Corrections Subcommittee of the Governor's Committee on Crime, Delinquency and Corrections has approved and **required** the use of the a Level of Service/Case Management Inventory User (LS-CMI) for all community corrections programs funded by the West Virginia Community Corrections grant program funds administered by the West Virginia Division of Justice and Community Services.

The process for becoming certified as a Level of Service/Case Management Inventory User (LS-CMI) has recently been changed by Multi-Health Systems (MHS) to make absolutely certain that everyone will be qualified not only to administer the assessment properly, but also to learn how to interpret the results in a meaningful way. Be advised all new users must complete the basic training based on the newly standardized curriculum and complete all LS-CMI User certification requirements (see below). Only persons officially certified as a LS-CMI User by DJCS are eligible to administer the instrument.

To become officially certified as an LS-CMI User, you must meet the following criteria:

	LS-CMI User Certification
Who you can train	N/A
Required Qualifications	Complete a LS-CMI User training and pass the associated tests
Training	3-4 day User training
Previous Experience	N/A
Content Test	Written test after training. Marked by trainer. The minimum passing grade recommended is 75%.
Rating Test	Written test after training, using QuikScore form. Marked by trainer. The minimum passing grade recommended is 75%.
Certificate	A letter of completion to be issued by the trainer after passing all requirements. This can be used as proof when purchasing LS-CMI materials.

If you have attended the LS-CMI basic training in the past AND have received a letter/certificate, you do not have to re-take the training and you are officially certified as a LS-CMI User. You can use your certificate as proof when ordering LS-CMI materials from Multi-Health Systems. It is important to note, however, that you are NOT certified to train others on the instrument (even in your own facility, program, or center).

If you have attended the LS-CMI training in the past AND did NOT receive a letter/certificate, you do NOT have to re-take the LS-CMI training. However, you must complete both the content and rating tests and receive the recommended passing grade to receive a certificate/letter of completion as a LS-CMI User. Each person will receive two (2) opportunities to receive a passing grade for each test. This certification does NOT qualify you to train others on the instrument (even in your own facility, program, or center). If you have attended the training in the past, but do not feel fully confident in passing the required tests, it is recommended that you participate in additional LS-CMI workshops prior to taking the examinations.

DJCS will notify programs each year of all LS-CMI training opportunities provided in the state.

Appendix F

Community Corrections Information System

Community Corrections Information System

Background

The West Virginia Community Corrections Subcommittee of the Governor's Committee on Crime, Delinquency and Corrections and the West Virginia Division of Justice and Community Services has approved and **required** the utilization of the Community Corrections Information System (CCIS) for all community corrections programs funded by the West Virginia Community Corrections grant program funds administered by the West Virginia Division of Justice and Community Services.

The Division of Justice and Community Services (DJCS) is responsible for the administration of community corrections programs funded under the Community Corrections Act. As part of the Division of Justice and Community Services, the Criminal Justice Statistical Analysis Center (CJSAC) is charged with the task of overseeing the development and deployment of a centralized database system (referred to as the Community Corrections Information System or CCIS) that will capture information related to the minimum standards of programs funded under the Act and the administration of these programs.

Introduction to the Community Corrections Information System

The Community Corrections Information System (CCIS) is an online interface in which DRC programs throughout the state can input information regarding offenders admitted to their DRC program. Once the intake screening is completed, the CCIS is accessed routinely by staff to update information related to the supervision and treatment of offenders.

The CCIS is also structured so that staff at each DRC as well as staff working at the Criminal Justice Statistical Analysis Center can view up-to-date reports on the status of individual programs and even the case loads of individual intake officers as well as report profiles on individual offenders admitted to the system.

System Requirements

The Community Corrections Information System is accessible from any PC with an internet connection. It is highly recommended that the web browser used to access the CCIS online application is Microsoft Internet Explorer versions 6.0 and 7.0 and that the computer itself meets the basic system requirements of the particular web browser of choice. Usage of any other web browser may lead to errors in the format and display of the website.

Although it is accessible through any internet connection, it is recommended that at least a low-level broadband connection (cable or DSL) is utilized to prevent any lag in performance during the editing and saving of admission records as well as the generation of the stock reports.

Accessing the CCIS

To access the Community Corrections Information System, make sure you are connected to the Internet and then open up your web browser. In the address, bar type in the address to the CCIS website https://www.wvdcjs.org/ccis and hit Enter. You should then come to a web page that looks like the image to the right.

This is the publicly viewable side of the CCIS application. The front page describes the Community Corrections Grant Program, as well as providing relevant links to other Criminal Justice Services websites. A copy of the User Manual can be downloaded from front page.

Logging In

For anybody to be able to access the centralized database of admission records, proper security credentials must be supplied. For a user to login to the CCIS, a valid Login ID and password must be given. If you do not have a login or password, consult with the director of your DRC program or contact the Criminal Justice Statistical Analysis Center

Appendix G

Office and Computer Equipment Listing Form

West Virginia Community Corrections Grant Program Division of Justice and Community Services STATE OF WEST VIRGINIA	**OFFICE AND COMPUTER EQUIPMENT LISTING**
SUBGRANTEE:	PROJECT #:
	PROJECT TITLE:
PREPARED BY: (Name, Address, Phone and Fax #)	FOR PERIOD FROM: THROUGH:
	REPORT #: DATE PREPARED:

DESCRIPTION OF EQUIPMENT	FROM WHOM PURCHASED	TOTAL COST	DATE PURCHASED	SERIAL NUMBER	CONDITION	LOCATION

CERTIFICATION: I hereby certify (1) that the above equipment listing is accurate and true, and (2) that the equipment will continue to be used consistent with those objectives authorized for support by the Division of Justice and Community Services.

Typed Name and Title

Signature

Date

REVISED 8/96

OFFICE & COMPUTER EQUIPMENT LISTING FORM
INSTRUCTIONS

This form should be completed by subgrantee for any office equipment, including: computers, printers, fax machines, copiers, projectors, lab equipment, phone systems, etc. is purchased using CC grant funds.

The following instructions should be observed when preparing equipment listings:

DUE DATES: **Monthly**, within twenty (20) days after the end of the month in which equipment was purchased.

SUBGRANTEE:	Enter the name of the Agency or Unit of Local Government that is designated as the grant recipient.
PREPARED BY:	Type the name, address, phone and fax number of the person preparing this report, and sign.
GRANT #:	Enter the number assigned by the Division of Justice and Community Services.
PROJECT TITLE:	Enter the same title of the project that was used in the grant application.
FOR PERIOD FROM/THROUGH:	Enter the period of time covered by this report.
REPORT #:	Assign consecutive numbers as each report is submitted.
DATE PREPARED:	Enter the date this report was prepared.
DESCRIPTION OF EQUIPMENT:	Enter a concise but complete description of each piece of equipment purchased in whole or in part with grant funds.
FROM WHOM PURCHASED:	Enter the name of the vendor the equipment was purchased from.
TOTAL COST:	Enter the total funds used to purchase the equipment including federal and subgrantee funds.
DATE PURCHASED:	Enter the date the equipment was ordered.
SERIAL NUMBER:	Enter the serial number of the manufacturer. If none is available, enter the model number.
CONDITION:	Enter either new or used depending on status at time of order.
LOCATION:	Enter the exact location of the equipment.

Appendix H

Monthly Grant Report Forms

WEST VIRGINIA Division of Justice and Community Services	Request for Reimbursement

RECEIVED (For DJCS Use Only)	Subgrantee:
	Address:
	Project #:
	FEIN#:
	Funds are hereby requested to cover expenditures FROM: TO:

PROJECT CASH EXPENDITURES

Account #	Amount
TOTAL	

CERTIFICATION:

I certify that this report presents actual receipts and expenditures of funds for the period covered and for the total grant budget to date, made in accordance with the approved budget for this grant.

All documentation is available at our office.

BY: _____
TYPED NAME & TITLE
(Authorized Official or Grant Financial Officer ONLY)

_____
SIGNATURE DATE

DJCS USE ONLY

ADMINISTRATIVE APPROVAL:

This request is approved in the amount of $ _____ _____ _____
Initials Date

Pursuant to the authority vested in me, I certify that this request is correct and proper for payment.

_____ _____
Date **Program Accountant**

WEST VIRGINIA Division of Justice and Community Services	Project Financial Report Final Report ☐ Page _____ of _____ Report #: _____

Subgrantee: _____ Address: _____ _____	Prepared By: _____ Phone #: _____ FAX #: _____	For Period _____ to _____ Date Prepared: _____ ***Signature:*** _____	Project #: _____

CATEGORY	APPROVED BUDGET (If Applicable to Program)			EXPENDED THIS PERIOD (If Applicable to Program)			EXPENDED TO DATE (If Applicable to Program)			UNPAID OBLIGATIONS
	Grant Funds	Cash Match	In-Kind Match	Grant Funds	Cash Match	In-Kind Match	Grant Funds	Cash Match	In-Kind Match	Grant Funds ONLY
Personnel/ Contractual										
Travel/ Training										
Equipment										
Other										
TOTALS										

INSTRUCTIONS

The following instructions should be observed when preparing a Project Financial Report:

DUE DATES: Reports are due in the Division of Justice and Community Services by the C.O.B. on the 20th day of the month following the period of this report.

SUBGRANTEE: Enter the name and address of the State Agency, Unit of Local Government, or Non-Profit Agency that is designated as the grant recipient.

PREPARED BY: Type the name and phone number (including extension) of the person preparing this report. The preparer must sign in the space provided.

FOR PERIOD _____ to_____: Enter the month(s) covered by this report.

FINAL REPORT: Check this block if this is the last report.

DATE PREPARED: Enter the date this report was prepared.

PROJECT #: Enter the number assigned by the Division of Justice and Community Services.

APPROVED BUDGET: Enter the latest approved project budget.

EXPENDED THIS PERIOD: Enter expenditures made during this reporting period. Expenditure information should be based on actual disbursements and should not be rounded.
Copies of the appropriate documentation supporting this period's expenditures must be attached to this form.

REPORT #: Assign consecutive numbers as each report is submitted.

EXPENDED TO DATE: Enter cumulative expenditures to date based on actual disbursements and not rounded.

UNPAID OBLIGATIONS: Enter all obligations that have been incurred during this reporting period that have not been paid.

Submit **original** report to:

Tim Hanna
Justice Programs Specialist
Division of Justice and Community Services
1204 Kanawha Boulevard, East
Charleston, West Virginia 25301

WEST VIRGINIA COMMUNITY CORRECTIONS GRANT PROGRAM	FINANCIAL RECAP PAGE
GRANTEE:	***PROJECT #***
PREPARED BY:	**MONTH:**

PERSONNEL/CONTRACTUAL CALCULATION

NAME _____
Total Salary/Wages $_____
Total Fringe Benefits $_____ HLTH INSURANCE $_____
(_____%)FICA $_____ LIFE INSURANCE $_____
(_____%)W/C $_____ RETIREMENT $_____
(_____%)U/C $_____ OTHER $_____
TOTAL **$_____**

NAME _____
Total Salary/Wages $_____
Total Fringe Benefits $_____ HLTH INSURANCE $_____
(_____%)FICA $_____ LIFE INSURANCE $_____
(_____%)W/C $_____ RETIREMENT $_____
(_____%)U/C $_____ OTHER $_____
TOTAL **$_____**

NAME _____
Total Salary/Wages $_____
Total Fringe Benefits $_____ HLTH INSURANCE $_____
(_____%)FICA $_____ LIFE INSURANCE $_____
(_____%)W/C $_____ RETIREMENT $_____
(_____%)U/C $_____ OTHER $_____
TOTAL **$_____**
TOTAL *PERSONNEL/CONTRACTUAL* CHARGED TO WVCC THIS MONTH **$_____**

TRAVEL/TRAINING CALCULATION

Name(s) Amount
_____ $ _____
_____ $ _____
_____ $ _____
_____ $ _____
TOTAL *TRAVEL/TRAINING* CHARGED TO WVCC THIS MONTH **$_____**

EQUIPMENT ($1,000 +) CALCULATION

Item(s) Amount
_____ $ _____
_____ $ _____
_____ $ _____
_____ $ _____
TOTAL *EQUIPMENT* CHARGED TO WVCC THIS MONTH $

CATEGORY "OTHER" CALCULATION

Explanation/Purchases Amount
_____ $ _____
_____ $ _____
_____ $ _____
_____ $ _____
_____ $ _____
TOTAL *"OTHER"* CHARGED TO WVCC THIS MONTH **$_____**

TOTAL AMOUNT REQUESTED FOR REIMBURSEMENT THIS MONTH (Should match the total amount requested on front reimbursement page)	$_____

WEST VIRGINIA DIVISON OF JUSTICE & COMMUNITY SERVICES	West Virginia Community Corrections Grant Program Monthly Progress Report
Grantee:	**Project Number:**
Address:	**Report Period:**
	Prepared By:
Fax Number:	**Telephone Number:**

Describe activity, progress, achievements, and difficulties encountered related to EACH of the goals and objectives stated in your approved grant. Attach corresponding meeting minutes for the local criminal justice board (and applicable County Commission meetings) and the monthly statistical data to the progress report. Delinquent progress reports will result in a delay in the processing of requests for reimbursement. Financial reports will not be processed without progress reports.

Due by the 20th day of each month. Attach additional pages as necessary.

Appendix I

SAMPLE
Annual Report

PROGRAM OVERVIEW

The Lee Day Report Center (LDRC) is a community-based correctional program derived from the philosophy of Community Restorative Justice. Community Restorative Justice seeks to provide a means by which victim, offender, and community address the problem of crime. Community Restorative Justice does not attempt to dictate to a community how crime should be addressed; it attempts to provide structure and processes that enable the victim, the offender, and the community to address the crime problem in their particular community from their respective social and cultural perspectives.

The Lee Day Report Center began operations on January 2, 2001 as the day report center pilot project in West Virginia. During the first six months of operation services were provided only at the Weirton (Hancock County) site with the Wheeling (Ohio County) site becoming operational on July 1, 2001. We expanded to a third site in Moundsville (Marshall County) which started providing services on July 18, 2005.

The Lee Day Report Center has three sites. However, counseling services are provided only at the Weirton and Moundsville sites. The Weirton office provided services to clients from Hancock and Brooke Counties while the Moundsville Office provided services to clients from Ohio, Marshall and Wetzel Counties. Clients from Wheeling are provided transportation to the Moundsville site.

Weirton Site	Wheeling Site	Moundsville Site
3549 Main Street	Magistrate Court Annex	324 - 7th Street, Room 120
Weirton, WV 26062	26 – 15th Street	Moundsville, WV 26041
Phone: 748-8043	Wheeling, WV 26003	Phone: 845-6951
Fax: 748-4175	Phone: 234-6445	Fax: 845-6953
	Fax: 234-6447	

There are two class schedules operated daily:

- Morning schedule: 8:00 a.m. to 12:00 p.m.
- Evening schedule: 5:30 p.m. to 9:30 p.m.

- Client's schedule is determined by employment status: unemployed clients attend in the morning while those who are employed attend in the evening. However, those who work the afternoon shift can also attend the morning schedule.

Implementation of the Drug Court Program

During the month of September 2005 the Lee Day Report Center began providing services to the Northern Panhandle Drug Court Program, which was West Virginia's first adult drug court program. Services provided included conducting assessments on all drug court referrals and, if accepted into the drug court program, providing substance abuse counseling and conducting random drug testing.

During FY 2007 there were 49 offenders referred for services from the Drug Court Program, of which 38 entered the LDRC and 11 were for assessment only.

The following table provides a breakdown of the status of those referrals.

DRUG COURT REFERRALS
JULY 1, 2006 THROUGH JUNE 30, 2007

COURT/AGENCY	ENTERED	ACTIVE	COMPLETED	REVOKED	ASSESSMENT ONLY	PENDING
Brooke Circuit	10	8	0	2	0	0
Brooke Magistrate	0	0	0	0	1	0
Hancock Circuit	4	4	0	0	1	0
Hancock Magistrate	1	0	0	1	1	0
Marshall Circuit	0	0	0	0	1	0
Marshall Magistrate	2	2	0	0	1	0
Ohio Circuit	2	1	0	1	0	0
Ohio Magistrate	19	15	1	3	4	0
Weirton Municipal	0	0	0	0	1	0
Wetzel Circuit	0	0	0	0	0	0
Wetzel Magistrate	0	0	0	0	1	0
TOTALS	**38**	**30**	**1**	**7**	**11**	**0**

Drug and Alcohol Testing

Drug Testing

Throughout their sentence to the Lee Day Report Center, clients are required to submit to random drug and/or alcohol tests. Drug testing is done through a combination of urine testing, oral swabs or by PharmChem's sweat patch. Urine testing is conducted by sending the urine samples to a certified laboratory, Kroll/Scientific Testing Laboratories, Inc. (Kroll), located in Richmond, Virginia. Kroll conducts both our preliminary and GC/MS confirmation testing. The oral swabs being used are called "Intercept Oral Fluid Drug Screening" and they are also sent to Kroll for testing.

Sweat patch testing is done by utilizing the PharmChem Drugs of Abuse Patch. The patch is worn on the upper arm or can be placed on an alternate site such as the lower midriff or lower back. The adhesive film of the patch is a semipermeable barrier that allows oxygen, carbon dioxide and water vapor to pass through so that the skin can breathe normally. Larger molecules (such as drugs) are trapped in the absorption portion pad portion of the patch. Contaminants from the environment cannot penetrate the adhesive barrier from the outside, so the patch can be worn during normal activities, including bathing, swimming and athletics. Confirmation testing is done by GC/MS. The patch tests for cocaine, opiates, amphetamines, PCP and marijuana.

Although total abstinence from drugs or alcohol is promoted, the LDRC realizes that relapse is a normal part of the recovery process. An offender is not terminated from LDRC programming if

he/she tests positive on the initial drug screen taken during their initial intake assessment. However, a subsequent positive test results subjects all offenders to be returned to court. The court makes the decision as to whether or not a client is removed from the LDRC program. In most cases, graduated sanctions are imposed rather than termination from the treatment program.

Please see *Attachment A* for a summary of the drug testing conducted during FY 2007. The following data are highlights from the table:

- Weirton conducted 1,442 urine tests and 62 oral swab tests
- Moundsville conducted 836 urine tests and 91 oral swab tests
- A total of 2,278 urine and 153 oral tests were administered (2,431 total)
- There were 2,026 negative test results (84% rate)
- There were 386 positive test results (16% rate) accounting for 485 drugs
  - 268 drugs were illegal and 217 were prescriptions
  - Marijuana positives were 115
  - Cocaine positives were 95
  - Heroin positives were 54
  - Methadone positives were 45

Note: due to some clients testing positive for more than one drug in a single specimen, the number of drugs identified (485) will total more than the number of positive tests (386)

Home Incarceration and Community Service

Home Incarceration is a monitoring mechanism used at the Lee Day Report Center. The LDRC encourages the courts to place offenders on home incarceration when utilizing the LDRC as a sentencing option. Home Incarceration Officers stop at the LDRC periodically throughout the week to conduct alcohol testing with PBT's and to meet with home incarceration clients. Having LDRC clients on home incarceration enables those clients to be monitored 24 hours per day, seven days per week.

The community service sanction provides the client with a way to pay back the community for the harm he/she has committed against the community. Lee Day Report Center clients who are employed are required to perform 8 hours of community service per week while unemployed clients perform up to 28 hours per week. The LDRC works to build a rapport with local government entities as well as non-profit and faith-based organizations. Community service projects usually involve street sweeping, litter pick-up, vacuuming and overall building clean-up, grass cutting, park maintenance and snow removal. In addition, when appropriate, offenders with specialized skills are matched with a community service project where their skills can be best utilized.

SERVICES PROVIDED

Assessments

The goal of the Lee Day Report Center is to assist the offender in acquiring skills that will lead to a healthy and productive life style. Upon referral to the LDRC, offenders are administered the following assessments in order to determine their programming needs:

- Level of Service/Case Management Inventory (LS/CMI)

The Community Corrections Subcommittee of the Governor's Committee on Crime, Delinquency and Correction requires the LS/CMI be used by day report centers. The Lee Day Report Center began using the LS/CMI in August 2005. All full-time staff at the Lee Day Report Center have been certified to administer the LS/CMI.

The LS/CMI is a detailed survey of risk and needs factors. It includes considerations aimed at enhancing the quality of case management, treatment planning and service delivery. There are eight major risk factors that are scored: antisocial cognition, antisocial associates, a history of antisocial behavior, antisocial personality pattern, family/marital, school/work, leisure/recreation and substance abuse.

Each of the eight risk factors are assigned a level of risk designation of Very Low, Low, Medium, High or Very High. Delivery of services are planned based upon the LS/CMI score.

- Substance Abuse Subtle Screening Inventory (SASSI-3)

  The SASSI identifies individuals with a high probability of having a substance dependence disorder, even if those individuals do not acknowledge substance misuse or symptoms associated with it. The SASSI identifies substance dependence disorder with an empirically tested accuracy rate of 94% and it also has a 93% accuracy rate at identifying those who do not have a substance dependence disorder.

- Psychiatric Diagnostic Screening Questionnaire (PDSQ)

  The PDSQ is a self-administered screening instrument that screens for the following 13 disorders: Major Depressive, Posttraumatic Stress, Bulimia/Binge-Eating, Obsessive/Compulsiveness, Panic, Agoraphobia, Social Phobia, Alcohol Abuse/Dependence, Drug Abuse/Dependence, Generalized Anxiety, Somatization, and Hypochondriasis. Depending on the scoring results, the client may be referred to the LDRC's contractual psychologist for a more in-depth psychiatric evaluation.

  A client's programming may change based upon the report submitted by the psychologist. Individual counseling sessions at the Lee Day Report Center are used or a referral to an outside agency may be made to address the disorder identified by the psychologist.

- Tests of Adult Basic Education (TABE)

  This is the national standardized GED test which covers the five subject areas of Science, Social Studies, Language Arts-Reading, Language Arts-Writing, and Mathematics. The TABE is administered to clients referred to the LDRC who do not have a high school diploma or a GED.

- Problem Gambling Questionnaire

  This is a twenty question questionnaire that asks questions pertaining to gambling. If seven or more questions are answered yes, the client is referred to the Problem Gamblers Network for a more in-depth evaluation.

- Random Urine Drug Testing

Each client is given a urine drug screen during the intake process. Clients are then tested randomly on a weekly basis and periodically are tested two times a week. All positive test results are reported to the appropriate supervising authority (e.g., probation officer, prosecuting attorney, home incarceration officer, parole officer, etc.)

- Psychological Testing

  The Lee Day Report Center retains a contractual psychologist to perform psychological evaluations at the request of the courts, prosecuting attorneys or defense counsel to assist in the pretrial stage or dispositional stage of a case. During FY 2007, 60 psychological evaluations were conducted.

- Pre-Plea and Pre-Dispositional Assessments

  The LDRC provides substance abuse, cognitive, educational and psychological assessments at the request of the courts, prosecuting attorneys, and defense counsel. These assessments are used to assist in determining the appropriateness of a plea as well as provides assistance in setting conditions of a dispositional sentence.

Counseling Component

The Substance Abuse Counseling Component of the Lee Day Report Center (LDRC) was designed to address the individual treatment needs of clients referred to the facility. The LDRC operates within the confines of the disease concept of addiction; therefore, total abstinence from alcohol and drugs is promoted. Furthermore, offenders are taught not to substitute one drug for another in order to overcome addiction. The objectives of the LDRC's Substance Abuse Component are: (1) Promote personal responsibility for changing behaviors related to the abuse of alcohol and drugs; (2) Promote the awareness of the link between substance abuse and criminal behaviors; (3) Provide opportunity for exposure to the supportive, motivating influences of other recovering persons; and (4) Teach the recovery process and the systematic process to rational thinking.

Individual counseling sessions attempt to help the client identify irrational behavior and thought processes that lead to substance abuse and ultimately criminality. Rational Cognitive Therapy (RCT) is conducted to systematically build rational thought process. The goal is to address the cycle of thinking, feeling, and behaving. In order to prevent relapse, the individual sessions attempt to identify symptoms of relapse (the actual behaviors that lead to relapse) and relapse triggers. The individual sessions also build problem-solving skills that relate to overcoming the clients' addition.

The Lee Day Report Center utilizes group therapy not only for its effectiveness and economy of scale, but for its powerful curative forces that are not always experienced by the client in individual therapy such as affiliation, support and peer confrontation (Substance Abuse and Mental Health Services Administration, *Substance Abuse Treatment: Group Therapy,* Treatment Improvement Protocol # 41, 2005). In addition, group therapy is effective in treating problems that accompany addiction such as depression, isolation and shame.

Based upon results of the assessments, offenders are placed in the following counseling components:

Substance Abuse Group: The Lee Day Report Center utilizes a treatment curriculum titled *"Criminal Conduct and Substance Abuse Treatment: Strategies for Self-Improvement and Change."* The curriculum comes with a Providers Guide and a

Participant Workbook. This program was developed specifically for the substance abusing criminal offender population.

The curriculum is designed to deliver a long-term (nearly one year) intensive, cognitive-behavioral oriented treatment program to *adult substance abusing offenders.* The recommended client age is 18 years or above. The program is sensitive to the diverse needs across gender, race, culture and age.

The treatment protocol and curriculum is divided into a three-stage model: *Challenge to Change, Commitment to Change* and *Taking Ownership of Change*. The themes of the treatment curriculum are:

- Building trust within and rapport with the client;
- Enhancing motivation and readiness for treatment involvement;
- Developing knowledge about the process of change and about drug abuse, criminal conduct and the cycles of drug abuse and criminal conduct;
- Enhancing self-awareness through self-assessment and self-disclosure;
- Enhancing self-awareness through the assessment of others and feedback; and
- Developing and strengthening the basic skills for coping with and managing intrapersonal and interpersonal relationships and problems, engaging in pro-social behavior and community responsibility, moral reasoning and values, preventing relapse and recidivism and developing a healthy lifestyle.

The Participant Workbook was written to accommodate a reading level of about the seventh grade. The content of the workbook is an extraction of the most relevant material from the Provider's Manual and is often restated in more simplistic terms. Each session in the workbook includes the objectives for the session, session content, written exercises, classroom and homework assignments and thought reports.

The curriculum integrates both substance abuse and cognitive theory into each session. This group meets five times per week for 1.5 hours per session. This group is scheduled to last one year in order to complete all components.

Relapse Prevention Group: The goal of this group is to prevent relapse to alcohol and drug use and to criminal behaviors. This group is guided by "The Relapse Prevention Workbook for the Criminal Offender." The first section of the workbook provides an overview of relapse prevention and its role in avoiding renewed problems with both substance abuse and criminal behaviors. The second section provides simplified self-assessment forms for substance abuse, criminal thinking and criminal behavior. The third section provides exercises for coping with warning signs before a return to substance abuse or criminal behaviors. The fourth, and last section, provides a step by step guide to the development of a recovery plan.

Although clients work in a workbook, there is a counselor who facilitates the work and who works with each client on an individual basis. This group meets one time per week for two hours. The workbook takes an average of 4-6 months to complete.

Big Book/Basic Text Group: In this group the clients take turns reading out loud from the following books: Alcoholics Anonymous, Narcotics Anonymous, the Twelve Steps and Twelve Traditions of AA and the Twelve Steps and Twelve Traditions of NA. This group is facilitated by a counselor who makes sure the passages are read and that the discussion is appropriate and focused on the material.

This group meets one time per week for one hour. It is a continuously running group, but clients enter and exit the program on an on-going basis dependent on the length of their sentence.

Drug and Alcohol Education I & II: This is an intensive 24 weeks (each section is 12 weeks) of in-depth education on drugs and alcohol and how they affect the client's mental and physical well-being, the impact on families, identification of stressors, familiarization with various coping skills, developing healthy relationships, anger and communication, self-evaluation, and living without drugs and alcohol. (These are a few of the many topics covered.)

Interactive Journaling®: Clients are given some time each week to work in their own workbook called *My Personal Journal*. Interactive Journaling® is an effective method for applying change and motivation strategies with clients. It is a guided, personal and permanent tool that clients can utilize to achieve their change goals.

Batterer's Intervention Prevention Program: Teaches participants to take responsibility for their actions and to learn communication skills so that personal conflicts are resolved non-violently. The BIPPs facilitator is provided by the YWCA Family Violence Prevention Program, which is the locally licensed domestic violence provider. This group meets one day per week for 1.5 hours per day for thirty-two (32) weeks (total of 48 hours).

Education Component: Stresses the link between education and employment. Participants receive instruction in basic computer skills, written and oral communication as well as math for the workplace and for everyday situations. Participants without a high school diploma receive instruction to help them obtain their GED.

Parenting Program: A research based program to help parents make their homes more peaceful, enjoyable and safe for the whole family. Participants learn how to reduce family stress, support success in school, enrich their relationship with their child, reduce problem behavior, diminish yelling and fighting, and increase their confidence as well as their child' confidence. Meets one day per week for two hours for six weeks (12 hours total).

Work4WV Career Center: Participants are referred to the Center for assessment of job development skills. A program is designed to meet the individual needs of each offender to prepare them for the workforce. The Center also provides assistance in finding employment or providing assistance in helping an offender enter college or a vocational skill. Financial assistance is provided.

Division of Rehabilitation Services-The LDRC makes referrals to DRS for clients who may have a disability. DRS conducts an assessment and provides services as needed.

DRC has made referrals to DRS, which resulted in the client being deemed eligible for DRS services.

Problem Gamblers Counseling: The LDRC works in conjunction with the WV Problem Gamblers Help Network to provide counseling to persons whose offense is related to problem gambling. As part of the assessment process, the LDRC administers a twenty question gambling questionnaire to all persons referred to the LDRC. If a gambling problem is indicated then the LDRC makes a referral to an appropriate counselor.

Except for the job skills training and Division of Rehabilitation Services, Lee Day Report Center full-time and contractual counselors provided the above listed counseling groups on-site at the Weirton and Moundsville day report center sites.

GOALS OF THE DAY REPORT CENTER

1. To expand the continuum of community based sanctions and various treatment options available to courts.

2. To provide a safe and cost effective method of reintegrating non-violent offenders into the community.

3. To provide a broad spectrum of structured reintegration services to non-violent offenders serving commitments in the regional jail.

4. To reduce the daily census of pre-trial inmates in the regional jail.

5. To provide highly structured supervision, sanction, and services coordinated from a central location.

6. To serve as a clearinghouse for offender treatment programs and services.

STATISTICAL DATA

During FY 2007 there were 226 offenders referred to the Lee Day Report Center. Of that number; 130 entered the program, 64 were for assessment only and 32 were pending at the end of the fiscal year. The following table provides a breakdown of the offenders referred by county and court.

CLIENTS REFERRED TO THE LDRC
JULY 1, 2006 – JUNE 30, 2007

COURT/AGENCY	ENTERED	ACTIVE	COMPLETED	REVOKED/ REMOVED	ASSESSMENT ONLY	PENDING
Brooke Circuit	10	8	1	1	8	1
Brooke Magistrate	12	9	2	1	10	5
Hancock Circuit	24	16	1	7	13	5
Hancock Magistrate	10	7	3	0	6	2

Marshall Circuit	2	2	0	0	1	1
Marshall Magistrate	6	6	0	0	0	3
Ohio Circuit	2	2	0	0	1	2
Ohio Magistrate	6	4	0	2	2	1
Family Court	6	5	0	1	3	1
Weirton Municipal	1	1	0	0	1	0
DHHR	1	0	0	1	0	0
Mental Health Court	0	0	0	0	1	0
Drug Court	45	37	0	8	11	6
Wood Magistrate	1	0	1	0	0	0
Wetzel Magistrate	1	1	0	0	0	0
DOC Parole	3	2	0	1	7	5
TOTALS	**130**	**100**	**8**	**22**	**64**	**32**

A variety of offenses were committed by those offenders referred to the Lee Day Report Center. The following table provides a breakdown of the offenses most frequently referred to the day report center.

PREDOMINATE OFFENSES OF CLIENTS REFERRED TO THE DRC
JULY 1, 2006 THROUGH JUNE 30, 2007

COURT	DUI-1st	DUI-2nd	DUI 3rd	Domestic Assault / Battery	Possession and/or Delivery of Controlled Substance	Other[1]
Brooke Circuit	0	1	1	0	9	11
Brooke Magistrate	1	0	0	3	4	6
Hancock Circuit	0	1	3	3	10	13
Hancock Magistrate	1	4	0	3	2	1
Marshall Circuit	0	0	0	0	2	3
Marshall Magistrate	0	0	0	1	4	2
Ohio Circuit	0	0	0	0	1	1
Ohio Magistrate	3	6	0	0	3	7
Wetzel Circuit	0	0	0	0	0	0
Wetzel Magistrate	0	0	0	1	0	0
Weirton Municipal Court	0	0	0	0	0	3
Family Court – Brooke	0	0	0	2	0	0

COURT	DUI-1st	DUI-2nd	DUI 3rd	Domestic Assault / Battery	Possession and/or Delivery of Controlled Substance	Other[1]
Family Court – Hancock	0	0	0	3	0	0
Parole – Brooke County	0	0	0	0	0	2
Parole – Ohio County	0	0	0	0	0	1
Parole – Hancock County	0	0	0	0	1	0
TOTALS	**5**	**12**	**4**	**16**	**36**	**50**

1. The "Other" types of offenses include, but are not limited to, destruction of property, public intoxication, fleeing from a police officer, carrying a concealed weapon, underage consumption of alcohol, breaking and entering, nighttime burglary, daytime burglary, petit larceny, grand larceny, uttering, forgery, receiving stolen goods, child abuse/neglect, reckless driving, battery, shoplifting and credit card fraud.

The following two tables provide a breakdown of the race and gender of the offenders referred to the LDRC.

RACIAL AND GENDER BREAKDOWN OF OFFENDERS REFERRED TO THE LEE DAY REPORT CENTER DURING FY 2007

MONTH	MALE WHITE	MALE BLACK	MALE OTHER	TOTAL MALE		FEMALE WHITE	FEMALE BLACK	FEMALE OTHER	TOTAL FEMALE	TOTAL M & F
July 2006	13	0	0	13		7	0	0	7	20
August	8	0	0	8		4	0	0	4	12
September	7	0	0	7		8	0	0	8	15
October	10	2	0	12		3	1	0	4	16
November	10	2	0	12		2	1	0	3	15
December	14	0	1	15		5	0	0	5	20
January 2007	13	0	0	13		4	0	0	4	17
February	12	3	0	15		5	0	0	5	20
March	21	0	0	21		5	1	0	6	27
April	9	0	0	9		6	0	0	6	15
May	9	2	1	12		5	0	0	5	17
June	12	0	0	12		4	0	0	4	16
TOTAL	**138 (93%)**	**9 (6%)**	**2 (1%)**	**149 (71%)**		**58 (95%)**	**3 (5%)**	**0**	**61 (29%)**	**210**

BREAKDOWN BY RACE OF MALE AND FEMALE CLIENTS

GENDER	BLACK	CAUCASIAN	OTHER	TOTAL
Female	3	58	0	61
Male	9	138	2	149
TOTAL	**12 (6%)**	**196 (93%)**	**2 (<1%)**	**210**

Between January 2, 2001 (when the Lee Day Report Center first began operations) and June 30, 2007, there have been 1,101 offenders referred to the Lee Day Report Center. There have been 867 offenders who have entered the program, 202 who were for assessment only and 32 were pending at the end of the 2007 fiscal year. Of the 867 who entered the program, 430 have been classified as completed, 312 had been revoked and 125 were active at the end of fiscal year 2007.

The following table lists the number of clients referred to the DRC from the first day the DRC opened on January 1, 2001 through the end of the 2007 Fiscal Year:

ALL CLIENTS REFERRED JANUARY 1, 2001 – JUNE 30, 2007

COURT/AGENCY	ENTERED	ACTIVE	COMPLETED	REVOKED/ REMOVED	ASSESSMENT ONLY	PENDING
Brooke Circuit	96	10	54	32	25	1
Brooke Magistrate	173	12	112	49	45	5
Hancock Circuit	188	14	89	85	30	5
Hancock Magistrate	77	7	46	24	17	2
Marshall Circuit	28	2	16	10	1	1
Marshall Magistrate	23	6	8	9	1	3
Ohio Circuit	50	3	26	21	8	2
Ohio Magistrate	49	4	31	14	10	1
Family Court	36	6	17	13	20	1
Weirton Municipal	12	1	5	6	5	0
DHHR	21	0	5	16	4	0
Mental Health Court	29	0	15	14	1	0
Drug Court	78	56	5	17	28	6
Wood Magistrate	2	0	1	1	0	0
Wetzel Magistrate	2	2	0	0	0	0
DOC Parole	3	2	0	1	7	5
TOTALS	**867**	**125 (14.4%)**	**430 (49.6%)**	**312 (36.0%)**	**202**	**32**

Appendix J

Example Timesheet

WV COMMUNITY CORRECTIONS PROGRAM

Employee / Contractor Time Sheet

Name:	**Agency:**
Month/Year:	**Project Number:**

DATE:	HOURS WORKED REG	/ OT	TIMES HOURLY RATE REG	/ OT	AMOUNT DUE
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
TOTAL					

The undersigned certifies that the above named employee / contractor was paid for the above hours worked.

FRINGES *(list separately)*	
FICA	$
WORKERS COMP	$
UNEMPLOYMENT	$
INSURANCE	$
RETIREMENT	$
TOTAL Compensation / Fringes	$

EMPLOYEE / CONTRACTOR SIGNATURE:

SUPERVISOR SIGNATURE:

Appendix K

Example Travel Expense Form

STATE OF WEST VIRGINIA
TRAVEL EXPENSE ACCOUNT SETTLEMENT

Name:		**Title**		**FIMS Vendor No:**			
Address:				**Social Security No.**			
City/State Zip:		**Headquarters:**		**Normal Work Hours:**		**to**	
Department:		**Division**		**Section:**	Community Corrections		
Purpose of Travel:							

DATE	TIME	CITY/STATE	MILES	AMOUNT	AIR	CAR RENTAL	MEALS	LODGING	OTHER	TOTAL
		Total								

AGENCY ACCOUNTING INFORMATION						Less Cash Advance (WVFIMS ID# _____)	
Fund	Area	Org	Object	Sub Obj	Amount	**X Due Employee** ☐ **Due State**	

Traveler must attach copies of direct billed receipts or invoices, i.e., airline, registration, lodging, etc.

OTHER EXPENSES		
DATE	**ITEMS**	**AMOUNT**

EXPENSES DIRECT BILLED TO THE STATE	
DATE	**ITEM AND VENDOR**

I certify that these costs incurred were in connection with my assigned duties, are true, accurate and actual, and do not reflect any costs or expenses reimbursed or to be reimbursed from any other source.

I certify that I have personally examined and approved this Travel Expense Account Settlement. The terms of expense are reasonable and correspond to the assigned duties of the traveler. The terms of expense further meet all State of West Virginia Travel Regulations and are within the budget of this spending unit.

Traveler's Signature _____ Date _____

Approval Supervisory/Department Head _____ Date _____

Approval Agency Head/Designee _____ Date _____

Appendix L

SAMPLE
Budget Adjustment Request Letter

(This letter must be submitted by a grant officer, request letters from any other individual will not be accepted)

Little County Day Report Center
Post Office Box 1000
Littletown, West Virginia 10000

July 1, 2009

Mr. Tim Hanna
WV Division of Justice and Community Services
1204 Kanawha Boulevard East
Charleston, West Virginia 25301

RE: Project Number {insert current grant project number}

Dear Mr. Hanna:

This letter is to formally request an adjustment of our Community Corrections grant budget. There is $500 budgeted for the printing of program materials under the "other" category; however, I would like to request the remaining $250 be transferred to the "travel/training" category to allow our CC Program Coordinator, Jake Snake, to attend the 13th Annual Restorative Justice Conference in Bigville, WV on July 29, 2009. A copy of the conference agenda is attached for your review.

Please adjust our grant budget as follows:

Category	Approved Budget	Requested Adjustment	Adjusted Budget
Personnel/Contractual	$13,000	-0-	$13,000
Travel/Training	$0	+250	$250
Equipment	$0	-0-	$0
Other	$3,000	-250	$2,750
TOTAL	$16,000	-0-	$16,000

The following expenses are requested for approval for reimbursement under the grant:

- Registration Fee $100
- Travel Mileage $40
- Parking $10
- Lodging $100

Thank you for your consideration of this request. Please let me know if you have any questions or concerns regarding this request.

Sincerely,

{Grant Project Director}

Appendix M

Grant Adjustment Notice (GAN) Form

(This form is to be completed by WVDJCS in response to a grant adjustment request)

Division of Justice and Community Servicess

1204 Kanawha Boulevard East
Charleston, WV 25301

Telephone (304) 558-8814
FAX (304) 558-0391

GRANT ADJUSTMENT NOTICE (GAN)

West Virginia Community Corrections Grant Program	**Page 1 of 1**
Grantee Name and Address:	**Project Number:**
	Adjustment Number:
Authorized Official:	**Date:**
Project Title:	**Nature of Adjustment:**

Section I – Supplemental Awards and Deobligation

Previous Grant Award Amount	**$**
Adjustment	**$**
Adjusted Award Amount	**$**

Section II – Changes

Change Authorized Official:	From:		To:	
Change Project Director:	From:		To:	
Change Fiscal Officer:	From:		To:	
Change Grant Period:	From:		To:	

Section III – Other Adjustments and Information

Typed Name and Title of Program Manager: Tim P. Hanna Justice Programs Specialist	**Signature of Program Manager:**

Appendix N

WV Community Corrections Subcommittee Membership List

COMMUNITY CORRECTIONS SUBCOMMITTEE

James Lee
Brooke County Probation Office

Dale Humphreys
WV Division of Juvenile Services

Virginia Mahan
WV House of Delegates

Phyllis Stewart
Monongalia County Probation Office

Patricia Hamilton
WV Association of Counties

Sue Julian
WV Coalition Against Domestic Violence

The Honorable James Rowe
Greenbrier County Circuit Judge

Robert Wilkinson
Cabell County Chief Public Defender

Terry Miller
WV Regional Jail Authority

James Rubenstein
WV Division of Corrections

Steve Canterbury
WV Supreme Court of Appeals

Christopher Chiles
Cabell County Prosecuting Attorney

Marcia Boyles
Lewis County Victim Assistance

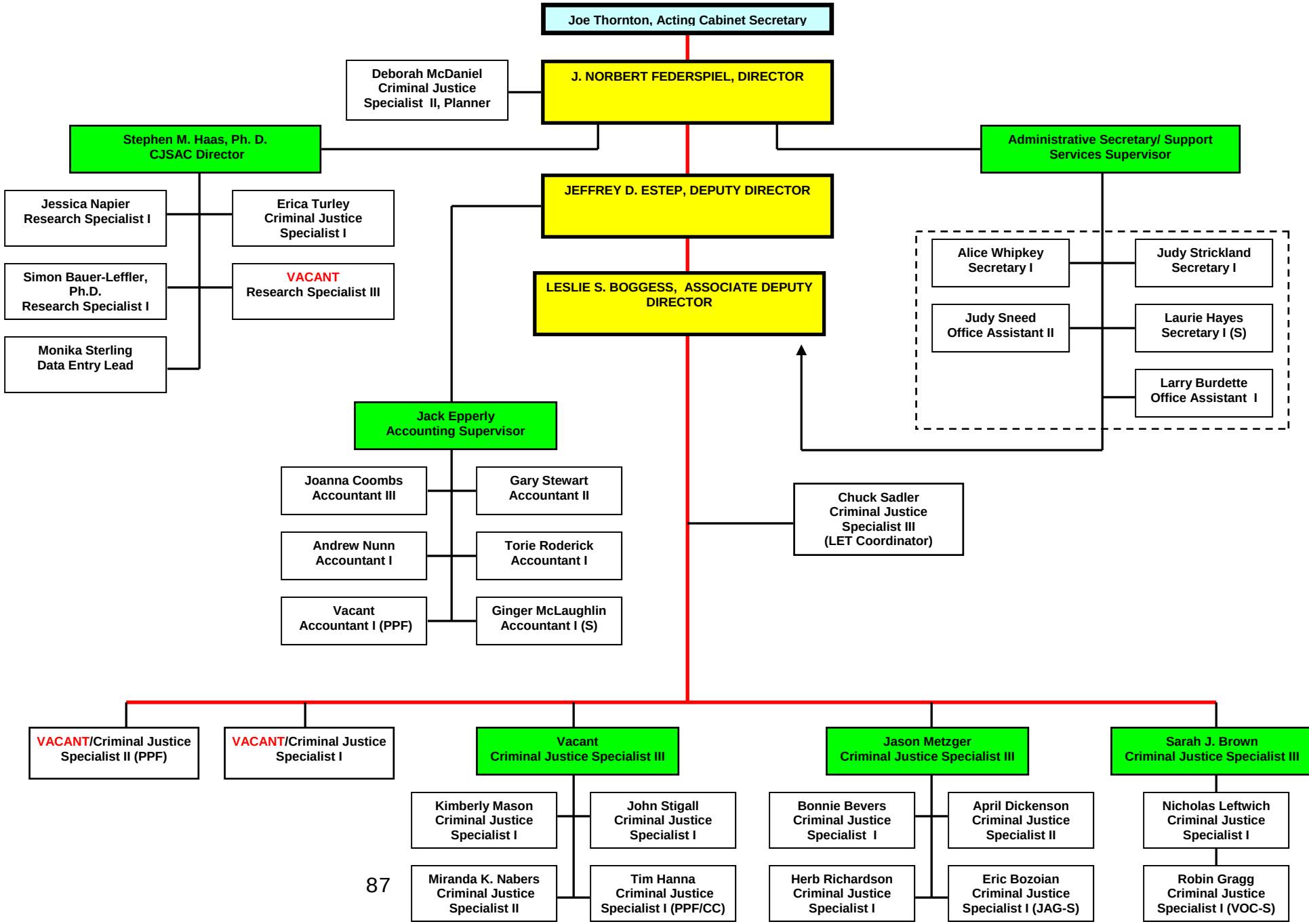
James Casey
Attorney at Law

Don Barger
Member At-Large

Invited Guests

Dennis Foreman
West Virginia Parole Board

David Bailey
West Virginia Prevention Resource Center

Mike Lacy
West Virginia Supreme Court of Appeals Division of Probation

WEST VIRGINIA DIVISION OF CRIMINAL JUSTICE SERVICES