

GENERAL DISTRIBUTION

FILED

**WEST VIRGINIA
DIVISION OF CORRECTIONS
& REHABILITATION**

NUMBER: 700.00

2022 DEC 21 A 10:17

EFFECTIVE DATE:

10 January 2023
OFFICE OF THE ATTORNEY GENERAL
SECRETARY OF STATE

**SUBJECT: PAROLE SUPERVISION RULES
& REGULATIONS**

POLICY DIRECTIVE

PURPOSE:

To provide standardized rules, regulations, and conditions for offenders supervised by Division of Corrections and Rehabilitation (DCR) Parole Services.

REFERENCE:

WV Code §§15-12-1 *et. al.*; 15-13-1 *et. al.*; 15A-7-4; 60A-4-412; 61-7-7; 62-11D-2; and 62-12-17 and 18 U.S. Code § 922 (g).

RESPONSIBILITY:

No additional written instructions on this subject are required.

CANCELLATION:

Any previous written instruction on the subject including DCR Policy Directive 700.00, dated 21 October 2022.

APPLICABILITY:

All work units within the Division of Corrections and Rehabilitation (DCR) that supervise adult offenders who reside in the community. This Policy is available for general distribution and is to be made available for offender review upon the effective date.

DEFINITIONS:

Offender: Any person committed to the custody or supervision of the Division of Corrections and Rehabilitation (DCR) as an inmate or as an in-state or out-of-state probationer or parolee.

POLICY:

- I. In accordance with state code, the Commissioner of the Division of Corrections and Rehabilitation (DCR) shall supervise all persons released on parole and placed in the charge of a state parole officer and all persons released on parole under any law of this state. He or she shall also supervise all probationers and parolees whose supervision may have been undertaken by this state by reason of any interstate compact entered into pursuant to the uniform act for out-of-state probation and parolee supervision. DCR Parole Service staff is designated to supervise these offenders. The Commissioner shall prescribe rules for the supervision of probationers and parolees under his or her supervision and control.
- II. Release and supervision on parole of any person, including the supervision by the DCR of any person paroled by any other state or by the federal government, shall be upon the following conditions:
 - A. That the offender may not, during the period of his/her parole, violate any criminal law of this or any other state or of the United States;
 - B. That the offender may not, during the period of his or her parole, leave the state without the consent of the DCR;
 - C. That the offender complies with rules prescribed by the DCR for his or her supervision by the parole officer;
 - D. That in every case in which the parolee for a conviction is seeking parole from an offense against a child, defined in WV Code §§61-8-12, 61-8b-1 *et seq.* or 61-8d-1 *et seq.*, or similar convictions from other jurisdictions, the offender may not live in the same residence as any minor child nor exercise visitation with any minor child nor may he or she have any contact with the victim of the offense; and
 - E. That the offender, and all federal or foreign state probationers and parolees whose supervision may have been undertaken by this state, pay a fee, based on his or her ability to pay, not to exceed \$40 per month to defray the costs of supervision. *See WVDCR Policy Directive 700.05.*
 - F. In addition, the DCR may impose, subject to modification at any time, any other conditions which the division considers advisable.
 - G. The DCR may order substance abuse treatment as a condition or as a modification of parole, only if the standardized risk and needs assessment indicates the offender has a high risk of reoffending and a need for substance abuse treatment.
 - H. The DCR may impose, as an initial condition of parole, a term of reporting to a day report center or other community corrections program only if the standardized risk and needs assessment indicates a moderate to high risk of reoffending and moderate to high

criminogenic need. Any offender required to report to a day report center or other community corrections program is subject to all the rules and regulations of the center or program and may be removed at the discretion of the center's or program's director.

- III. The Rules and Regulations (**Attachment #1**) governing offenders under the supervision of Paroles Services shall be reviewed with and explained to each offender upon his or her intake to parole supervision. A signed copy will be provided to the offender and uploaded to the Offender Information System (OIS) Document Management.
- A. Special Conditions that are considered advisable by the supervising officer will be inserted in the appropriate section (**Attachment #1, Page 2**).
- B. Special Conditions suggested by Parole Officer I's and II's will be reviewed and approved by the appropriate Regional Director or other Parole Services supervisory staff before implementation.
- C. Sex Offender Special Conditions (**Attachment #2**) will be read and explained to all offenders upon intake who are convicted of an offense or an attempted offense requiring registration as a sex offender. A signed copy will be provided to the offender and uploaded to OIS Document Management.
- IV. Offenders will be provided a WVDCR Zero Tolerance pamphlet (**Attachment #3**) and a brief overview of sexual abuse/harassment and how it applies to an offender on parole and sign the Sexual Abuse/Harassment Confirmation for Parolees (**Attachment #4**). Signed confirmation forms will be uploaded to OIS Document Management.

ATTACHMENT(S):

- #1 Rules and Regulations (7 pages)
- #2 Sex Offender Special Conditions (2 pages)
- #3 WVDCR Zero Tolerance pamphlet (2 pages – may be printed 2-sided and/or in black & white)
- #4 Sexual Abuse/Harassment Confirmation for Parolees

APPROVED SIGNATURE: _____

Brad Douglas, Acting Commissioner

12/21/22
Date

**DIVISION OF CORRECTIONS & REHABILITATION
PAROLE SERVICES**

Name: _____

OID # _____

- ☐ Parole Supervision ☐ ICOTS Supervision ☐ Mandatory Supervision
☐ Conditional Release ☐ Non-Violent Offense Parole

RULES AND REGULATIONS

Offenders under supervision by Parole Services are required to abide by the laws governing their release and by the rules and regulations as provided by the Commissioner of the Division of Corrections & Rehabilitation. Probation/Parole Officers are required to ensure offenders abide by the terms, conditions and rules and regulations of their release. Probation/Parole Officers may arrest with or without a warrant or can cause the arrest by law enforcement for just cause.

Offenders under supervision by Parole Services will be required to execute a statement that they understand the following rules and regulations and agree to abide by them.

- A. When released, I will proceed directly to my approved release plan and report to my officer within 24 hours or the next business day unless otherwise instructed.
- B. I will obtain written permission from my officer before leaving my prescribed area of supervision.
- C. I will receive permission from my officer before changing my residence, phone number or employment.
- D. I will have suitable employment, remain gainfully employed, and support any dependents.
- E. I will maintain behavior that does not threaten the safety of myself or others or that could result in arrest or imprisonment.
- F. I will not own, carry, or possess firearms, ammunition, body armor, explosive devices, or any object or instrument which can be readily adapted or used to inflict bodily harm or serious injury or unlawful weapons of any kind.
- G. I will report within 24 hours to my officer any time I am arrested, detained, questioned by, or have any type of contact with any law enforcement agency.
- H. Between the first (1st) and tenth (10th) of each month I will make a complete and truthful written report to my officer of the previous month's activities.
- I. I will report in person as directed by my officer and be truthful and cooperative.
- J. I will not possess, use, or distribute any illegal drugs or paraphernalia or possess or consume alcoholic beverages and will only use drugs as prescribed by a licensed practitioner.
- K. I will not violate any municipal ordinances, laws of this state, any other state, or the United States.
- L. I will abide by any special conditions imposed upon me by my officer.
- M. I will pay a supervision fee of \$40 per month beginning the month after my release and by the tenth (10th) of each month. If unable to pay I may apply for a waiver or reduction of the fee and may be required to perform community service in lieu of payment.
- N. If being released from an offense against a child as defined in WV Code §§61-8-12, 61-8B-1 *et seq.*, 61-8D-1 *et. al.* or similar convictions from other jurisdictions, you must not live in the same residence as any minor child, visit with any minor child or have contact with the victim of the offense.

- O. If required by provisions of WV Code §15-12-2 "Sex Offender Registration Act," an offender must register with the WV State Police within three (3) business days of release.
- P. I will allow my officer to visit my place of residence or employment without obstruction.
- Q. I will submit to a search without warrant of my person, residence, or motor vehicle by my officer at any time during my supervision.
- R. If required by provisions of WV Code §15-13-2 "Child Abuse and Neglect Registration," an offender must register with the WV State Police within three (3) business days of release.
- S. I will not abscond from supervision by deliberately making my whereabouts unknown to Parole Services or failing to report to my supervising Parole Officer for the purpose to avoid supervision. If my whereabouts are unknown for a minimum of 72 hours and active efforts are made to locate me or parole services have credible information that I have left my area of supervision I will be considered an absconder and a warrant will be issued for my arrest which will result in a referral for parole revocation. And I freely, voluntarily, and intelligently waive any right I have to extradition if arrested outside of West Virginia.
- T. I will obtain permission from my supervising officer and facility approval before visiting any correctional facility. In addition, I will not loiter near any correctional facility while under supervision.

SPECIAL CONDITIONS

As provided in rule L. above, I agree to abide by the following special conditions:

- ☐ I will not enter any drinking establishment.
- ☐ I will observe curfew from 9:00 p.m. until 6:00 a.m. for _____ months by being at my approved residence; not to interfere with employment or treatment.
- ☐ I will participate in and complete any treatment, rehabilitation, or educational program as directed by Parole Services.
- ☐ I will pay court costs and restitution as required.
- ☐ 1. _____
- ☐ 2. _____
- ☐ 3. _____
- ☐ 4. _____

I have had the above rules and regulations and conditions of supervision reviewed with me and explained. I was given the opportunity to ask questions and have received clarification to the same. I understand these requirements as they pertain to my supervision and agree to abide by them.

Offender's Signature

Date

NOTIFICATION OF FEDERAL FIREARMS DISABILITY

Title 18; Section 922 (g) of the United States Code states: "It shall be unlawful for any person (1) who has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year; (2) who is a fugitive from justice; (3) who is an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)); (4) who has been adjudicated as a mental defective or who has been committed to a mental institution; (5) who being an alien – (A) is illegally or unlawfully in the United States; or (B) except as provided in subsection (y)(2), has been admitted to the United States under a nonimmigrant visa (as that term is defined in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26))); (6) who has been discharged from the Armed Forces under dishonorable conditions; (7) who, having been a citizen of the United States, has renounced his citizenship; (8) who is subject to a court order that – (A) was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate; (B) restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and (C)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or (ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or (9) who has been convicted in any court of a misdemeanor crime of domestic violence, to ship or transport in interstate or foreign commerce or possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce."

To possess the above-mentioned items constitutes a violation of Federal Law and may be punishable according to current federal guidelines.

Offender's Signature

Date

WEST VIRGINIA STATE CODE

§61-7-7. Persons prohibited from possessing firearms; classifications; right of nonprohibited persons over twenty-one years of age to carry concealed deadly weapons; offenses and penalties; reinstatement of rights to possess; offenses; penalties.

- (a) Except as provided in this section, no person shall possess a firearm, as such is defined in section two of this article, who: (1) has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year; (2) is habitually addicted to alcohol; (3) is an unlawful user of or habitually addicted to any controlled substance; (4) has been adjudicated to be mentally incompetent or who has been involuntarily committed to a mental institution pursuant to the provisions of chapter twenty-seven of this code or in similar law of another jurisdiction: Provided, that once an individual has been adjudicated as a mental defective or involuntarily committed to a mental institution, he or she shall be duly notified that they are to immediately surrender any firearms in their ownership or possession: Provided, however, that the mental hygiene commissioner or circuit judge shall first make a determination of the appropriate public or private individual or entity to act as conservator for the surrendered property; (5) is an alien illegally or unlawfully in the United States; (6) has been discharged from the armed forces under dishonorable conditions; (7) is subject to a domestic violence protective order that: (A) was issued after a hearing of which such person received actual notice and at which such person had an opportunity to participate; (B) restrains such person from harassing, stalking or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and (C)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or (ii) by its terms explicitly prohibits the use, attempted use or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or (8) has been convicted of a misdemeanor offense of assault or battery either under the provisions of section twenty-eight, article two of this chapter or the provisions of subsection (b) or (c), section nine of said article or a federal or state statute with the same essential elements in which the victim was a current or former spouse, current or former sexual or intimate partner, person with whom the defendant has a child in common, person with whom the defendant cohabits or has cohabited, a parent or guardian, the defendant's child or ward or a member of the defendant's household at the time of the offense or has been convicted in any court of any jurisdiction of a comparable misdemeanor crime of domestic violence. Any person who violates the provisions of this subsection shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$100 nor more than \$1,000 or confined in the county jail for not less than ninety days nor more than one year, or both.
- (b) Notwithstanding the provision of subsection (a) of this section, any person: (1) who has been convicted in this state or any other jurisdiction of a felony crime of violence against the person of another or of a felony sexual offense; or (2) who has been convicted in this state or any other jurisdiction of a felony controlled substance offense involving a Schedule I controlled substance other than marijuana, a Schedule II or a Schedule III controlled substance as such are defined in sections two hundred four, two hundred five and two hundred six, article two, chapter sixty-a of this code and who possesses a firearm as such is defined in section two of this article shall be guilty of a felony and, upon conviction thereof, shall be confined in a state correctional facility for not more than five years or fined not more than \$5,000, or both. The provisions of subsection (f) of this

section shall not apply to persons convicted of offenses referred to in this subsection or to persons convicted of a violation of this subsection.

- (c) Any person may carry a concealed deadly weapon without a license therefore who is: (1) at least twenty-one years of age; (2) a United States citizen or legal resident thereof; (3) not prohibited from possessing a firearm under the provisions of this section; and (4) not prohibited from possessing a firearm under the provisions of 18 U. S. C. §922(g) or (n).
- (d) As a separate and additional offense to the offense provided for in subsection (a) of this section, and in addition to any other offenses outlined in this code, and except as provided by subsection (e) of this section, any person prohibited by subsection (a) of this section from possessing a firearm who carries a concealed firearm is guilty of a felony and, upon conviction thereof, shall be confined in a state correctional facility for not more than three years or fined not more than \$5,000, or both.
- (e) As a separate and additional offense to the offense described in subsection (b) of this section, and in addition to any other offenses outlined in this code, any person prohibited by subsection (b) of this section from possessing a firearm who carries a concealed firearm is guilty of a felony and, upon conviction thereof, shall be confined in a state correctional facility for not more than ten years or fined not more than \$10,000, or both.
- (f) Any person prohibited from possessing a firearm by the provisions of subsection (a) of this section may petition the circuit court of the county in which he or she resides to regain the ability to possess a firearm and if the court finds by clear and convincing evidence that the person is competent and capable of exercising the responsibility concomitant with the possession of a firearm, the court may enter an order allowing the person to possess a firearm if such possession would not violate any federal law: Provided, that a person prohibited from possessing a firearm by the provisions of subdivision (4), subsection (a) of this section may petition to regain the ability to possess a firearm in accordance with the provisions of section five, article seven-a of this chapter.
- (g) Any person who has been convicted of an offense which disqualifies him or her from possessing a firearm by virtue of a criminal conviction whose conviction was expunged or set aside or who subsequent thereto receives an unconditional pardon for said offense shall not be prohibited from possessing a firearm by the provisions of the section.

Offender's Signature

Date

**DRUG TESTING NOTICE
WEST VIRGINIA STATE CODE**

§60A-4-412. Defeating drug and alcohol screening tests; penalties.

(a) Any person who:

- (1) Knowingly sells, gives away, distributes or markets any substance or product in this state or transports such a substance or product into this state with the intent that the substance or product will be used to defeat a drug or alcohol screening test;
- (2) Attempts to defeat a drug or alcohol screening test by the substitution of a false sample;
- (3) Knowingly advertises for sale or distribution any substance or product the advertised purpose or which is to defeat a bodily fluid screening test for drugs or alcohol;
- (4) Adulterates a bodily fluid sample with the intent to defeat a drug or alcohol screening test;
- (5) Knowingly possesses adulterants for the purpose of defeating a drug or alcohol screening test; or
- (6) Knowingly sells adulterants which are intended to be used to adulterate a urine or other bodily fluid sample for the purpose of defeating a drug or alcohol screening test.

(b) A person who violates a provision of subsection (a) of this section:

- (1) For a first offense is guilty of a misdemeanor and, upon conviction, shall be fined not more than \$1,000;
- (2) For a second offense is guilty of a misdemeanor and, upon conviction, be fined not more than \$5,000; and
- (3) For a third or subsequent offense is guilty of a misdemeanor and, upon conviction, be fined not more than \$10,000 or confined in the regional jail for not more than one year, or both.

(c) As used in this section, "adulterate" means a substance that is not expected to be in human fluids but that is a concentration so high that it is not consistent with human bodily fluids, including, but not limited to:

- | | |
|------------------------------|-------------------------------------|
| (1) Bleach; | (9) Iodine; |
| (2) Chromium; | (10) Nitrite; |
| (3) Creatinine; | (11) Peroxidase; |
| (4) Detergent; | (12) Potassium dichromate; |
| (5) Glutaraldehyde; | (13) Potassium nitrate; |
| (6) Glutaraldehyde/squalene; | (14) Pyridinium chlorochromate; and |
| (7) Hydrochloric acid; | (15) Sodium nitrite. |
| (8) Hydroiodic acid; | |

As provided in rule L. of the Rules and Regulations, I agree to abide by the following special conditions:

1. I will submit to alcohol and/or drug screening (urine samples and/or breath alcohol test, etc.) at the discretion of a Probation/Parole Officer.
2. Failure to submit to testing will result in a Probation/Parole Officer issuing a violation report against me.
3. Any attempt to alter or defeat the test is a violation of state law and I could face charges. At a minimum, a Probation/Parole Officer will issue a violation report against me.

Offender's Signature

Date

SECURITY CLASSIFICATION SYSTEM

- ☐ **Maximum** - Requires no less than 3 in person contacts with your Probation/Parole
(no less than 1 month) Officer each month.
*(no less than 6 months for sex offense cases)
- ☐ **Medium** - Requires no less than 2 in person contacts with your Probation/Parole
(no less than 4 months) Officer each month.
- ☐ **Minimum** - Requires no less than 1 in person contact with your Probation/Parole
(no less than 6 months) Officer each month.

My level of supervision may be upgraded, if necessary, at any time. Regardless of my level of supervision, I understand that I am required to report as directed by my supervising officer.

I have had this entire seven (7) page document reviewed with me and explained. I was given the opportunity to ask questions about each section and have received clarification to the same. I understand these requirements as they pertain to my supervision and agree to abide by them. I understand my signature in each section indicates my understanding and acceptance of the rules and regulations contained in this document.

Offender's Signature

Date

Probation/Parole Officer's Signature

Date

DIVISION OF CORRECTIONS & REHABILITATION

Name: _____

OID # _____

☐ Parole Supervision

☐ ICOTS Supervision

☐ Mandatory Supervision

☐ Conditional Release

☐ Non-Violent Offense Parole

SEX OFFENDER SPECIAL CONDITIONS

In compliance with Rule "L" of the Rules and Regulations Governing Supervision, I agree to abide by the following conditions:

- I will attend, actively participate in, not give cause to be terminated from, and successfully complete any counseling and or treatment program(s) as approved by my supervising officer. Said counseling and or treatment program(s) will be at my own expense unless otherwise stated.
- I waive all rights to confidentiality between myself and my treatment provider, and authorize my treatment provider to disclose to my supervising officer, the WV Parole Board, and/or hearing officer, information regarding my attendance and participation in any program I may be enrolled in or required to participate in.
- I will be required to undergo no less than 1 nor more than 5 polygraph examinations per year at my own expense. I understand that any violations of additional parole conditions placed on me as a result of an "incomplete" result on any required polygraph may lead to a request for revocation to the releasing authority. I will be advised before any polygraph what an "incomplete" polygraph result means. I will also be advised that the cost of each polygraph may be waived if I qualify for low-income assistance.
- I will not enter into, loiter or work within 1000 feet of any area or event frequented by people under the age of 18, including but not limited to, schools, daycare centers, children's hospitals, pediatricians, playgrounds, toy stores or places specially designed for the underage consumer such as restaurants with children's themes.
- I will not live in the same residence as any minor child, visit any minor child or have contact with any minor child until authorization is received from my supervising officer.
- I will not visit or socialize with anyone who has children under the age of 18 while those children are present.
- I will not purchase, possess, or use any sexually stimulating or sexually explicit material or device, nor enter into, loiter or work within 1000 feet of any place where such material or device is sold or presented as entertainment. This includes, but is not limited to, sexual toys, nude or sexually explicit photographs, adult magazines or movies, adult bookstores, sexually stimulating internet sites, television and or telephone services, sex shops, topless bars or public or private clubs, or establishments that involve adult entertainment to include, but not limited to nudity.

- I will not possess or have contact with any computer, electronic device, communication device or any device which is enabled with internet access unless granted authorization by Parole Services. I must request authorization for internet access via a computer or other device. Authorization will be given on a case-by-case basis and may be revoked. If Parole Services grants authorization for access to a computer or other device that can access the internet, I must be willing to allow Parole Services to search the computer or device at Parole Services discretion, at any time, and I must provide my username, password or login information for all devices. I may also be required to purchase at my own expense, software that allows tracking of inappropriate sites as directed by Parole Services in order to maintain authorization to have access to the internet.
- I may be subject to electronic monitoring. The cost of electronic monitoring may be at my own expense.

() _____

() _____

I have had the above conditions read and explained to me. I understand these conditions as they pertain to my supervision and agree to abide by them. I understand that my signature indicates my understanding and acceptance of the special conditions contained in this document.

Probationer/Parolee

Date

Staff Witness

Date

RIGHT TO REPORT

If you, or someone you know, are experiencing sexual abuse or sexual harassment, *West Virginia Division of Corrections and Rehabilitation* wants to know. We want you to report right away! Why?

- We want to keep YOU safe; it is our job! It is your right to be free from sexual abuse and sexual harassment.
- We want to investigate the reported incident.
- We want to hold the perpetrator accountable for his/her actions.
- We want to provide YOU with relevant information and support services.

How to Report

West Virginia Division of Corrections and Rehabilitation offers multiple ways to report sexual abuse and sexual harassment:

- Report to the PREA Compliance Office at **(304) 352-4698 or 1-855-366-0015**
- Report to the National Sexual Assault Hotline 1-800-656-4673
- Report to any staff or law enforcement
Tell a family member, friend, legal counsel, or anyone else outside the agency. They can report on your behalf by calling **(304) 352-4698 or 1-855-366-0015** or by emailing DCRPREA@wv.gov
- Written correspondence to
**DCR PREA Compliance Office
1409 Greenbrier Street
Charleston, WV 25311**
- You also can submit a report on someone's behalf using the ways listed above.

IF YOU ARE ABUSED

Support services are available.

What to Do If You Have Been Sexually Abused or are experiencing Abuse

- Tell a staff member/law enforcement as soon as possible.
- Seek medical attention BEFORE you shower, eat, drink, change clothing, brush your teeth, or use the bathroom.
- Share as much information as possible when answering questions to assist with the investigation.

NOTICE FOR FAILURE TO REPORT

Anyone who engages in, fails to report, or knowingly condones sexual harassment or sexual abuse of an offender shall be subject to disciplinary action and may be subject to criminal prosecution.

END THE SILENCE

Zero Tolerance for Sexual Abuse and Sexual Harassment



***West Virginia Division of
Corrections and Rehabilitation***

Office of PREA Compliance:

304-352-4698

Or

1-855-366-0015

ZERO TOLERANCE

West Virginia Division of Corrections and Rehabilitation has a zero-tolerance policy for sexual abuse and sexual harassment. What does this really mean? It means that YOU have the right to be free from sexual abuse and sexual harassment by anyone at the facility, including an offender, staff member, volunteer, or contractor. No one has the right to sexually abuse or sexually harass you. No one.

What Is Sexual Harassment?

- Repeated and unwelcome comments or gestures of a sexual nature, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.
- Repeated and unwelcome sexual advances; requests for sexual favors; or verbal comments, gestures, or actions of a derogatory or offensive sexual nature.

What Is Sexual Abuse?

- Forced or coerced sexual intercourse or sexual contact when the victim does not consent or is unable to consent or refuse. This may include the use of fear or threat of physical violence, psychological intimidation, bullying, and physical force.
- Sexual abuse also can include incidents of penetration by a foreign object.

What is staff voyeurism?

An invasion of privacy of an offender by a staff member, contractor, or volunteer for reasons unrelated to official duties.

Examples of Staff Voyeurism

- Watching you use the toilet (outside of normal job duties) or change clothes.
- Requiring you to show your buttocks, genitals, or breasts; when unrelated to job duties.
- Taking pictures of your naked body or toilet use.

Tips for Avoiding Sexual Abuse and Sexual Harassment

A victim is never to blame for being attacked, but these tips may help you lower your risk of sexual abuse or sexual harassment.

- Pay attention to your surroundings.
- Always carry yourself in a confident manner.
- Do not accept gifts or favors from others. They usually come with "strings attached" or future paybacks, including sexual favors.
- Do not accept an offer from anyone to be your protector or "friend."
- Find someone with whom you feel comfortable discussing your fears and concerns. Confide in him/her if you feel threatened; or see your Parole Officer for a list of local services.
- Be alert! Do not use contraband such as drugs or alcohol as they will weaken your ability to be alert and make good choices.
- Be direct and firm when others ask you to do things that you do not want to do.
- Do not give mixed messages to others regarding your wishes for sexual activity.
- Choose your acquaintances wisely.

NO
MEANS
NO

West Virginia Division of Corrections and Rehabilitation does not tolerate any form of sexual abuse or sexual harassment. The goal of this agency is the safety of the offenders. The agency will hold accountable any persons found to have committed any form of sexual abuse or sexual harassment against another person.

If any of the information presented here is confusing, or you have questions about something that may be happening to you, ask a staff person you trust or reach out to the PREA Compliance Office.

You also can contact the PREA Coordinator:

**West Virginia Division of Corrections and
Rehabilitation: PREA Compliance Office**

1409 Greenbrier Street

Charleston, WV 25301

OR

DCRPREA@wv.gov



Office of PREA Compliance
1409 Greenbrier Street Charleston, WV 25311

Sexual Abuse/Harassment Confirmation for Parolees

I have received the WVDCR Zero Tolerance pamphlet and a brief overview of the Sexual Abuse/Harassment and how it applies to me as an offender on parole. I understand that my failure to follow such guidelines could result in disciplinary actions and/or prosecution by local authorities and acknowledge that I have been made aware of the following information.

- ☒ I understand that there is ZERO-TOLERANCE policy of sexual abuse between both staff and offenders.
- ☒ I understand that allegations of sexual abuse or harassment will be taken seriously and investigated.
- ☒ I received information about how to report incidents of sexual abuse or harassment and understand that I can report.

Printed Offender Name

OID #

Offender Signature

Date

Information provided by:

Staff Printed Name:

Staff Signature:

Date: