

*Denmar Correctional Center & Jail  
Regulations Rules Handbook & Guide*



*West Virginia Division of Corrections*

*4319 Denmar Road, Hillsboro WV 24946*

## *Denmar Correctional Center & Jail History*

In February 1917, West Virginia State legislature formed the State Colored Tuberculosis Sanitarium for African Americans diagnosed with tuberculosis. West Virginia State legislature tasked the West Virginia Board of Control to construct such a facility. Denmar located on the Greenbrier River in Pocahontas County, West Virginia was selected for the location. The West Virginia Board of Control acquired 185 acres of land belonging to Maryland Lumber Company. The new tuberculosis sanitarium admitted its first patients on January 31, 1919. In 1937 the West Virginia Legislature appropriated funding to construct a larger hospital which was completed in 1939. Development of the drug streptomycin led to a dramatic decline in tuberculosis rates and deaths in the United States. In 1957, State Colored Tuberculosis sanitarium was desegregated and renamed the Denmar State Hospital as a means to serve chronically ill patients. Pinecrest Sanitarium in Beckley, West Virginia became the permanent Residence for the remaining tuberculosis patients.

In 1990, Denmar State Hospital closed and the legislature appropriated funding for the conversion to Denmar Correctional Center in 1993. In 1995, Warden Stephen Yardley along with the staff at Denmar Correctional Center, compiled a list of 277 names of sanitarium patients who are to be believed to be buried on the site of Denmar Correctional center & jail. Pocahontas County Historical Society scoured the county death records from 1923-1946 and made many corrections and additions to the original list. Denmar Correctional Center expanded in 1998 adding a new multi-purpose, correctional industries, and vocational structure. The Correctional Industries provides roughly 8,000 offenders, men & women, prison uniforms housed within the prisons in the state of West Virginia. Offenders are required to go through an application process and only well-behaved offenders are given the chance to enter the program. Offenders are required to have either a high school diploma or GED.



# *Denmar Correctional Center & Jail*

## *Mission Statement*

*The mission of Denmar Correctional Center & Jail is:*

*To provide inmates, Staff, and the Public with a Secure and Safe Environment: To Promote Responsibility to One's self and society: To Enhance the Skills necessary for self-development, serving to maintain a positive and productive style of Living.*





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### **Section 1 Admissions**

Denmar Correctional Center & Jail (DCCJ) accepts adult male felons with a classification level of III or below.

### **Section 2 Intake and Orientation**

Each Inmates will undergo the following intake and orientation process:

1. Strip search and property search.  
    \*Full Body Scan\*
2. Photos of all tattoos and scars.
3. Showered and treated for the possibility of lice.
4. Initial medical and dental assessment.
5. Initial clothing necessities issued.
6. Records photo and fingerprints taken. Photo identification cards made.
7. Assignment to the appropriate housing unit.
8. All Inmates With Outside Clearance Is Subject To Full Body Scan.

### **Section 3 Inmate Accountability**

Each inmate will be held responsible for his own accountability during count times. Formal counts are conducted at the following times:

- 12:00 midnight
- 2:00 am
- 4:00 am
- 6:00am
- 7:00 am \*Standing Formal Count\*
- 12:00 \*Noon\*
- 4:30 pm
- 9:00 pm \*Standing Formal Count\*

Each inmate is personally responsible for being at their proper, assigned location for each formal count. All inmate movement stops during formal counts, unless authorized by the Operations Officer or Senior Management. No inmate will be in the day room during a formal count. Informal counts are counts, which are not a part of the regular schedule of the facility. Informal counts will be conducted frequently by officers and work supervisors. Emergency counts will be announced over the public address system. Unless otherwise instructed by the Operations Officer or Senior Management, each inmate will report back to their housing unit immediately when



an emergency count is called. All inmate movement stops until emergency count is cleared. Each inmate is to be on their bed or sitting in their chair beside their bed during formal and emergency counts. Any inmate who confuses count, escapes, or attempts to escape or takes any action which violates or attempts to violate the counts system will face disciplinary action.

#### **Section 4 Unit Management**

DCC&J operates upon the principles of Unit Management and direct supervision. Unit Management is a multidisciplinary style of inmate management which emphasizes interaction between the inmate and the staff that are assigned to the housing unit. Housing units at DCC&J are staffed by a Unit Team consisting of a Unit Manager, Case Managers, Correctional Counselors, Correctional Officers. DCC&J also provides Job Supervisors, Substance Abuse Therapists, Education, Mental Health, or other staff may assist the team. The Unit Team and Institutional Parole Officer will assist inmates as they prepare for re-entry.

#### **Section 5 Classification**

The Division of Corrections is principally committed to maintaining each inmate in a restrictive security setting and custody status necessary for the protection of the public, the safety and well-being of staff and inmates, and the safe and efficient operation of each facility. The classification process aids in determining custody, appropriate work assignments, housing, programs, and other needs of the inmates residing in various housing units. The classification process plays a major role in implementing the missions of the DOC and DCC&J. There are three (3) classification custodies at DCC&J:

Level I custody

Level 2 custody

Level 3 custody

Level I custody is the least restrictive. Custody Levels I and 2 are eligible for outside clearance. DCR classifications guidelines are set forth in Operational Procedure #2.03 — Classification Manual. DCC&J Policy Directive #401.01 — Classification Guidelines sets forth criteria for advancement, transfer, appeals, assignment, etc. for every inmate housed at DCC&J. Inmates at DCC&J will be classified within thirty days of reception from a DCR facility. From this point, every inmate is reclassified in six (6) month or one (1) year cycles, depending on the length of time the inmate is from possible release.

#### **Section 6 Rules of Conduct**

Policy Directive #325.00, Discipline of Inmates, establishes rules of conduct for all adult male committed to DCR facilities under the Commissioner of Corrections. DCC&J also establishes procedural guidelines governing the disciplinary process and imposition of disciplinary sanctions.

#### **Section 7 Inmate Grievance Procedure**

The grievance procedure provides an inmate with an opportunity to bring a complaint to the attention of staff, including the Superintendent. Inmates and staff are urged to resolve complaints at the lowest level authorized. Inmates should first discuss a complaint with a member of their Unit Management team.

If the inmate is not satisfied with the response or action taken, the next step is to file a Grievance Form, which is available on each housing unit and/or in the law library. The inmate should place the completed Grievance Form, in the inmate request box, located on each housing unit. The Unit Manager or Supervisor will retain a copy of the grievance and will return the original and a copy to the inmate for their records.

Response time for grievance forms is five (5) days, excluding weekends and holidays.

If the complaint is not resolved at the Unit Manager level, the inmates should then forward the grievance to the Superintendent. The Superintendent will respond within five (5) days, excluding weekends and holidays.

If the inmate feels the Superintendent's response is not adequate, they have five (5) days, excluding weekends and holidays to mail an appeal to the Commissioner of Corrections. After receiving the appeal, the Commissioner has ten (10) days to respond to the inmate, excluding weekends and holidays. If the Commissioner decides to order an investigation, the inmate shall be notified as such. A final reply to the inmate will then be issued within sixty (60) days, excluding weekends and holidays. A copy of Operational Procedure #3.35, Grievance Procedure, is available in each housing unit and the Law Library.

### **Section 8 DNA Data Bank**

All inmates are subject to providing blood samples for the purpose of DNA analysis. The inclusion in the centralized DNA Databank operated by the WV State Police as required by section 15-2B-1 of WV Code and Division of Corrections & rehabilitation Policy Directive #410.01 — DNA Data Bank. If an inmate refuses to voluntarily submit to the requirements, force may be used, pursuant to court order, to obtain an appropriate DNA sample.

### **Section 9 Good Time**

Policy concerning Computation of Good Time is Distributed by the Commissioner of Corrections, pursuant to West Virginia Code 285-7 and 62-13-4.

Every inmate who was in the custody of the Commissioner of Corrections on or after 30 March 1984, except those who are serving a life sentence, will have their good time computed on a day of good time for each day of physical incarceration, whether in a penal institution or jail. This time is credited to their sentence or sentences as imposed by the committing Court, or the Board of Probation and Parole in the event of Parole revocation. Each inmate shall have received a new minimum discharge date as if they had served the full time necessary to expire the sentence computed. Good Time may be forfeited and revoked by the Warden in accordance with rules of discipline Distributed and approved by the Commissioner. The inmate will be notified in writing of any change of the minimum discharge resulting from this forfeiture within thirty (30) days. Any Good Time forfeited/revoked may be restored under the conditions and guidelines set for in Policy Directive #151.02 — Computation/Restoration of Inmate Good Time. This process shall be handled through the Unit Team.



## **Section 10 Dress Code/Hygiene/Grooming**

### **Dress Code:**

**Official Facility Uniform** — The official issued uniform for offenders at DCC&J is khaki colored shirt, long or short sleeve depending on weather and choice, khaki colored pants, red colored jacket when applicable, orange toboggan when applicable, issued or other work boots or tennis shoes, and belt.

**Recreational Clothing** — Recreational clothing includes t-shirts, shorts, sweatpants, sweatshirts, baseball caps, and tennis shoes.

**Housing Area Clothing** — T-shirts, shorts, sweatpants, sweatshirts, baseball caps, and tennis shoes, but also includes shower shoes, do rags.

**Special Authorized Apparel** — Clothing to be worn for protection from elements or materials encountered while working, such as coveralls, welders' gloves, raincoats, shop aprons, hard hats, goggles, etc.

Official Facility Uniform will be worn when the offender leaves their housing unit area to go anywhere, with the following exceptions:

1. Housing Unit
2. Recreation Yard
3. Job site where specialized clothing is authorized; or
4. Special Permission has been otherwise obtained from an appropriate authority.

### **Khaki Shirt (long or short sleeve):**

Shirt tails are to be tucked in the waistband of the trousers (not required if worn during recreation); buttoned up with the exception of the collar button; sleeves may be rolled up on the long-sleeved shirts only, but, if worn down, they are to be buttoned.

Trousers are to be fastened at the waist and the fly zipped. Legs are not to be rolled up. Trousers are to be worn as is or in place of shorts. Pants may be cuffed; service is available in the State Shop to finish hems. Belts may be worn and must be fastened appropriately to serve the purpose for which they are intended. Sagging pants are forbidden. Jackets may be work open or zipped. All inmates will be required to wear full shoes or boots when they leave the housing area. Shower shoes will not be permitted to be worn outside the housing area without a waiver from the Medical Department the inmates must carry on their person.

**NOTE: ANY AND ALL CLOTHING WORN AS AN OUTER GARMENT MUST BE LEGIBLY AND CLEARLY STAMPED "DCR" AND WORN WITH "DCR" IN PLAIN VIEW. ISSUED CLOTHING MAY**

NOT BE ALTERED FROM ITS ORIGINAL DESIGN AND ANY SUCH ALTERATIONS COULD RESULT IN DISCIPLINARY ACTION.

**Hygiene:**

DCC&J will provide each inmate with the following hygiene items if needed:

- 1) Soap -- 2
- 2) Toothbrush -- 1
- 3) Shampoo — 4

Hygiene requests can be obtained, completed, and submitted to the Office on each housing area.

**Grooming:**

**Hair** — An inmate is required to keep their hair neat and clean. An inmate/ resident may have a shaved head or long hair. Hair will be cut without design, logos or words cut into it. Inmates will be required to wear a cap and or hair/beard net while working in food service. The Superintendent shall not restrict hair length of inmates unless there is a demonstrated security or hygiene purpose. The Superintendent may impose restrictions or exceptions for documented medical reasons. **The barbershop is the only area designed for the purpose of cutting hair.**

**Facial Hair** — All inmates are permitted to have facial hair, provided it is kept neat and clean. Facial hair cannot be stylized in a manner which jeopardizes or subverts the safe, secure, orderly running of the facility. Inmates with beards will be required to wear beard coverings when working in food service or where a beard could likely result in a work injury. The Superintendent will make the determination as to whether an inmate's facial hair style meets this guideline.

**Section 11 Sanitation**

In accordance with policy, DCC& J will maintain a high level of sanitation throughout the facility. The Unit Manager is responsible to ensure that living areas are inspected on a weekly basis. Inspections will be held at unit staff's discretion and can take place at any time day or night. Inmates will comply with the following rules:

1. All inmates should be out of their bunks during inspection.
2. Living quarters are always to be clean and neat. Each inmate is responsible for their own living area.
3. Beds are always to be neatly made. One blanket is to be tucked in on all sides and the second blanket is to be folded and placed at the foot of the bed. Only one mattress per bed. NO items shall be stored under the mattress.
4. One (1) family photo can be visible, per inmate assigned to their living area.
5. Shoes are to be neatly placed under the inmate's bed.
6. Laundry bags and hygiene bags are to place behind the door, on provided hooks neatly. Towels and wash cloths are to be neatly hung on the inmate's respective door hooks.
7. Clean clothing will be stored in the locker box. Dirty clothing will be placed in the laundry bag. One set of clothing may be folded neatly and placed on the inmate's chair during sleeping hours. Coats will be hung on the back of the inmate's chair and on the wall hook when the chair is absent.



8. Clean clothing will be kept in the inmate's locker box Dirty clothing will be placed in the laundry bag provided by DCC&J. Clothes will be hung on the back of an inmate's door on the door hook. Inmate locker boxes must be locked when they are out of their living area.
9. All items, clothing, commissary items, ect. will be kept in the inmate's locker box, except for those items to be stored on the hanger hooks on the back of the doors. Inmate locker box must be locked when inmate is out of their living area.
10. Store call items will be stored in inmate locker box. Inmate locker boxes must be locked when inmate is out of their living area.
11. Locker boxes will be closed, and locked when not in use. Locks are to be secured to the locker box. Boxes will be lengthwise with the lock being visible.
12. No items will be set in windowsill, and or heaters. Curtains will be cleaned and untied.
13. Trash cans must not be more that  $\frac{3}{4}$  full.
14. No cardboard boxes are allowed on the living area.
15. No clothing, towels, wash cloths, soap or hygiene articles will be left in the dayroom, washroom, or shower room.
16. Hats and coats will be hung on door hooks, in inmate's room.
17. All cleaning supplies are to be kept in the cleaning closet. The cleaning closet will always be kept clean and orderly. Mop buckets will be emptied, and mops and brooms hung up. Cleaning materials will be kept in their proper containers. A sign out sheet will be maintained for all cleaning supplies issued. The cleaning supplies will be issued by a supply clerk janitor.
18. Trash cans (in inmate rooms) will be emptied when  $\frac{3}{4}$  full.

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### **Section 12 Food Service**

It is the responsibility of DCC&J to ensure that inmates are provided meals which offer adequate nutrition standards established by the State of West Virginia. It is the policy of DCC&J to provide inmates nutritious meals in a sanitary manner. DCC&J will provide inmates who have a legitimate medical or religious basis for a special diet to fulfill those needs. Medical diets may be prescribed by a physician or dentist as part of the inmate's treatment. The Religious diet may be provided upon the written authorization of the Chaplain or Religious Services.

Approximate dining times:

Breakfast	5:30 am
Lunch:	10:30 am
Supper	4:45 pm

After receiving your tray, you have approximately twenty (20) minutes to finish your meal due to time constraints. No lagging.

### **Section 13 Health Care**

The Medical Department at DCC&J is located on the 3<sup>rd</sup> floor. Pill lines are held at 5:00 am, 11:00 am, 3:45 pm and 9:00 pm. Diabetic inmates are at 6:00 am and 4:30 pm; after scheduled formal count has cleared. Inmates are required to pay a medical co-payment for services provided. This co-payment will not be used to deny an inmate access to medical services because of an inability to pay for such services. Adjustments are also made for



chronic medical conditions. Upon the appointment with the doctor and/or nurse, the inmate shall sign the appropriate forms indicating the amount(s) charged for services and medications. This amount will be deducted from the inmate's drawing account. A copy of Policy Directive #424.01 — Inmate Medical Co-Payments is available on each housing unit and in the Law Library. Inmates that miss their scheduled pill line will not be able to make it up.

#### **Section 14 Mail**

All incoming mail is opened in the Post Office for searching. Every envelope and contents will be searched page by page for contraband. After being searched, the envelope and contents are photocopied, and the photocopies are given to the inmate. No cash or personal checks will be accepted. Family and friends who want to send funds to an inmate can access the website [www.connectnetwork.com](http://www.connectnetwork.com). A copy of Policy Directive #503.00 — Mail Privileges for inmates is available on each housing unit and in the Law Library.

#### **Section 15 Personal Property Purchase**

Inmates at DCC&J are permitted to receive one (1) package every 3 months from the Keefe Commissary Access Catalog provided. Limit of spending is \$100.00 per package. Unauthorized packages will be refused and returned to sender. Any items received in an unauthorized package which cannot be readily searched for contraband or any unauthorized items will be returned to the sender at the inmate's expense or destroyed within a specified time limit. Excess and unauthorized property (except contraband, weapons, drugs, property of another inmate, etc.) will be mailed at the inmate's expense or destroyed.

#### **Section 16 Inmate Phone System**

The inmate phone system at DCC&J is provided by ICS SOLUTIONS. To place a call, take the phone off the hook and follow the voice prompts. Calls will last fifteen (15) minutes. There will be two (2) messages warning you that the call is about to terminate automatically. An initial message at the beginning of the call will inform the recipient that the call is placed from a correctional facility. Telephone rules and regulations are posted above the telephones in each living area, 3-WAY CALLING IS PROHIBITED. It will result in disciplinary action.

#### **Section 17 Recreation**

Recreation yard is open daily, weather permitting. Tennis shoes, and or footwear is required when on the recreation yard. The recreation yard may be closed at any time at the discretion of the Shift Commander or Senior Management. Inmates may only go to the recreation yard during designated times. Any inmate seen damaging, defacing, misusing property or violating any Recreation Department rule or posted procedure will face disciplinary action. Inmates must sign out on the sign out sheet, located on each housing unit, when going to the recreation yard.

#### **Section 18 Trustee Accounts**

Ten percent (10%) of the total pay is taken and placed in the inmate's mandatory savings account. Each inmate has a voluntary savings account into which they can place or remove money at will. Money may be moved to and from this account by filling out the standard voucher. No vouchers from one inmate to another will be accepted and will result in a disciplinary action. Vouchers instructing the Trustee Clerk to write a check and send it out must be accompanied by a stamped addressed envelope in which to mail the check. Funds may be disbursed from

an inmate's account to discharge lawful debts, such as, but not limited to fines, court costs, restitution costs, filing fees, child support and postage.

### **Section 19 Tablets**

Tablets are available to inmates and are located behind the officer's desk on each housing unit. Inmates are to sign them out and return them within 2 hours. Visitation by tablet is a scheduled visit located in the visitation building and must be by request and approved. All applications to visit in person and or tablet are subject to background checks and revised by Chief of Security prior to being admitted visiting. Visitors must follow guidelines, no nudity, excessive skin, no lewd behavior, no hand gesturing, signing, or sexually expressive behavior, no drug or alcohol. All visits are subject to monitoring, recording, and reviewing. Inmates who break a tablet through their irresponsible behavior will be responsible for the replacement of that tablet along with disciplinary actions.

### **Section 20 Religious Services**

Religious services are made available from the Religious Services Coordinator, Chaplain, and various volunteers from different denominations/beliefs. Religious services are held on Thursday evenings, when available. To attend religious services, general population inmates must wear state issued uniforms at the scheduled time, to services they wish to attend. Inmate families calling with emergencies within the family are forwarded and verified through the Chaplain and/or Unit Manager. All death bed visits, and funeral trips are coordinated through Unit Management and approved by the Superintendent.

### **Section 21 State Shop**

The State Shop is responsible for issuing clothing, linen, and bedding items to inmates. It is the inmate's responsibility to complete a request form located on the housing unit. The State Shop will fulfill the request, upon receipt. Items will be issued only if the inmate is eligible. Inmates will sign receipts for all state issued items and these items will be returned upon the inmate's departure from DCC&J. If the inmate cannot produce state property that was issued to him, they will be held accountable by signing an DCC&J voucher for the price of the missing item(s). Inmates arriving at DCC&J will be issued appropriate clothing and supplies by the State Shop Supervisor as it pertains to the in-cell possession limits and the items the inmate has in their personal possession upon admission. Copies of the in-cell possession limits are available to inmates on each housing unit.

### **Section 22 DCC & J Commissary**

The DCC&J Commissary delivery takes place on the ground floor of the facility, near the state shop. Commissary orders must be made by phone. Orders are delivered twice a week. All Inmates are Responsible for knowing the Limits of Commissary Per-Policy. The Commissary does not deliver on weekends and all state holidays. Prices are subject to change without notice. All personal property (catalog orders) MUST be ordered through the



Commissary. All reading material (newspapers, magazines, books, and ect) must be mailed from approved vendors.

### **Section 23 Barber Shop**

Basic barber services are provided to the inmates at no cost. Barbering services will only be provided in the Barber Shop. Inmates are prohibited from altering their appearance in any manner which would prevent them from being immediately identified at any time.

### **Section 24 Reading & Law Libraries**

The Reading and Law Libraries are open to inmates when a librarian is present. Such items available in the libraries are fiction and non-fiction books, reference material (for use in library only), local and state newspapers and magazines (for in library use only), State and Federal legal material reference books (for in library use, typewriters and computer service of appropriate legal material. Copies may be obtained by submitting a request form. A fee for a copy is the responsibility of the inmate.

### **Section 25 Laundry**

Inmates are always required to wear clean clothing, except when their job assignment or recreational activity may cause soiling. Laundry services will be provided weekly. Inmate clothing is required to be laundered on a weekly basis and bed linens are required to be laundered at least once a month. Any personal clothing that is lost in the DCC&J laundry is the responsibility of the inmate. All inmates are to place their khaki clothing and white clothing in separate laundry bags provided by DCC&J. Laundry bags are to be tied. If not, they will be returned unwashed.

Tuesday—2<sup>nd</sup> Floor Laundry

Blankets—1<sup>st</sup> Monday of the Month—2<sup>nd</sup> Floor

Wednesday—RSAT & 3<sup>rd</sup> Floor Laundry

Blankets—2<sup>nd</sup> Monday of the Month--RSAT

Thursday—4<sup>th</sup> Floor Laundry

Blankets—3<sup>rd</sup> Monday of the Month—3<sup>rd</sup> Floor

Blankets—4<sup>th</sup> Monday of the Month—4<sup>th</sup> Floor

### **Section 26 Education**

Inmates are DCC & Jail may enroll in educational classes by contacting the Education Department located on third floor. Members of the Unit Team also have enrollment forms available to inmates. The following is a list of classes offered by the Education and Programs Departments:

Education Classes:

#### **Academic**

HSED Preparation

Adult Basic Education

#### **Vocational Education**



OSHA  
Building Maintenance & Operations  
Electricity Class  
Enrichment Activities  
Community  
Resources/Presentation  
Workplace Safety Training

**Program Classes:**

Anger Management  
CBISA--- Cognitive  
Behavioral  
Interventions for  
substance abuse

AA/NA

(BIPP)-Batterer  
Intervention &  
Prevention Program

(CVA)-Crime Victim Awareness  
Sex Offender Programming  
RSAT (Residual Substance Abuse Treatment)  
Relapse Prevention  
Thinking for a Change  
Parenting

**Section 27 Searches**

Searches are necessary and required to maintain facility and public safety. All persons (inmate, staff, and visitors), vehicles and items are subject to search upon entering, exiting and while upon grounds in the facility. Aiding in escape, trafficking weapons or intoxicants and/or introduction of contraband into DCC & Jail is a violation of State Code. Violators will be prosecuted. Inmate and living area searches will be conducted on a continuous basis. The inmate will receive an S-1 Evidence/Property Seizure Receipt when any item is confiscated from their cell or person. An inmate does not have the right to be present when his area is being searched.

**Section 28 Fire Evacuation and Safety**

Fire evacuation maps are located on walls throughout the facility and housing units, with the proper evacuation route displayed on each map. All inmates, visitors, etc. should become familiar with the fire evacuation routes throughout the Facility. Fire drills will be conducted on a Randomly basis. Inmate workers will be trained in their area of work pertaining to the use of material, equipment, and safety devices. Any inmate not following this instruction and creating an unsafe work environment may be terminated from their employment. Inmates assigned to work in the Main Dining room may be subject to a complete physical on yearly basis.

### **Section 29 Modification or Suspension**

The West Virginia Code provides statutory authority to the Superintendent for the operation and administration of the facility. The Superintendent may modify in whole or in part this handbook, related operational procedures, rules, or inmate privileges. In the event of an emergency, any or all portion of this handbook may be suspended by the Superintendent of designee.



**YOU HAVE THE RIGHT TO BE SAFE FROM SEXUAL ABUSE AND HARASSMENT!!!**

Sexual abuse and custodial sexual misconduct are against the law.

The WV Division of Corrections is committed to  
your safety and the safety of the staff.

Sexual abuse and harassment compromises everyone's safety.

The WV Division of Corrections has a  
ZERO TOLERANCE Policy of sexual  
assault, meaning that the Division is  
committed to Investigating.

EVERY allegation, getting  
services to EVERY victim and  
punishing EVERY perpetrator.







**Office of PREA Compliance  
1409 Greenbrier Street Charleston, WV 25311**

## **Prison Rape Elimination Act Orientation for Adult Offenders**

### **INTRODUCTION**

The West Virginia Division of Corrections and Rehabilitation's Office of PREA Compliance and the Bureau of Prisons and Jails is committed to your safety. You have the right to serve your sentence with dignity and respect, free from sexual abuse, sexual harassment, and retaliation. DCR has zero tolerance regarding sexual abuse and sexual harassment within its facilities.

DCR will not tolerate any level of sexual abuse or harassment. Every effort will be made to prevent sexual abuse and harassment from occurring, every allegation will be investigated, every perpetrator punished, and every victim offered services.

The Prison Rape Elimination Act is a federal law that addresses sexual assault inside correctional systems. This law protects all offenders incarcerated in any type of prison, as well as offenders on community supervision. This law also addresses any form of sexual relationship between staff, volunteers, contractors, and offenders. Offenders in DCR custody cannot consent to sexual relationships, there are laws and facility rules against custodial sexual misconduct. Any staff member, volunteer, or contractor that becomes sexually involved with an offender is guilty of a felony and will be referred to law enforcement for prosecution.

When you first arrive, you may want to find comfort and develop relationships with others. All of this is normal, but there are a variety of relationships that might be harmful. Most staff are here to help you and most offenders want to do their time, like you, without feeling pressure from other offenders. Not all offenders will try to sexually abuse or sexually harass you. Our goal is to keep you safe and we hope to accomplish that by focusing on the prevention, detection and response to sexual abuse and harassment.



**Office of PREA Compliance  
1409 Greenbrier Street Charleston, WV 25311**

## **WHAT IS SEXUAL ABUSE?**

Sexual abuse is when someone forces or pressures another person into sexual activity, physical or non-physical. Physical sexual activities may include fondling genitals, masturbation, oral-genital contact, digital penetration, vaginal intercourse, or anal intercourse. If you are the victim, request immediate medical attention. Do not shower, brush your teeth, use the restroom, or change your clothing. You may destroy valuable physical evidence. Non-physical sexual activities may include unhealthy sexual exposure, voyeurism, and pornography. Many people consider forced physical sexual activity abuse but are surprised to find out that non-physical activities like showing sexually explicit material, indecent exposure, or creating child pornography are also forms of sexual abuse. Within the correctional system there are two categories of sexual abuse, offender on offender or staff on offender. It is likely that you already know someone who has been sexually abused. Studies show that one in four females—and one in six guys—experience some form of sexual abuse before they turn 18. Many never tell anyone what happened. A perpetrator can be anyone, in fact, three out of four sexual assaults are committed by someone the victim knows.

## **PREVENTION**

Sexual abuse or sexual harassment is not your fault. There are some things you can do to keep yourself safe and help prevent sexual abuse or harassment.

Be aware of your surroundings and who is around. Pay attention to situations that make you feel uncomfortable, trust your gut. Be aware of special attention that someone may be showing you. Be cautious of who you share private information with. Accepting loans and offers of protection often lead to sexual abuse or sexual harassment.

Never allow someone to persuade you to doing something you do not want to do. Everyone is vulnerable in these kinds of situations, but they are less likely to happen if you follow some of these commonsense rules. Staff are taught to look for behaviors which may indicate sexual abuse or sexual harassment and then take action to ensure your safety.

## **NO MEANS NO**



**Office of PREA COMPLIANCE**

**1409 Greenbrier Street Charleston, W.V. 25311**

**SEXUAL ABUSE MYTHS AND FACTS**

**MYTH:** It was not sexual abuse if you did not have intercourse.

**FACT:** If you did not agree to the sexual activity, it was sexual abuse. Even if there was no or very little physical contact, if you felt like you had no other choice. If the person threatened you, it was sexual abuse.

**MYTH:** If you are abused by somebody who is the same sex as you, it means you are gay.

**FACT:** Sexual abuse is a crime. It is about power and control, not desire. The sex of the perpetrator does not say anything about whether the victim is straight or gay.

**MYTH:** Of you thought it was fun and you liked the attention, it was not sexual abuse.

**FACT:** Perpetrators often engage others in inappropriate sexual interactions in a gradual and playful manner. As a result, the victim may enjoy the attention and bodily sensations they experience and may not object to the ongoing abusive activities. This is still sexual abuse, and it is not your fault no matter how you respond to the abuse.

**MYTH:** If you were high or drunk when it happened, it was your own fault.

**Fact:** Getting drunk or high does not mean you deserve to be sexually abused. Even though it is important to be aware of where you are and what you are doing to keep safe, the perpetrator is always at fault.

**MYTH:** If you are not physically hurt, it is not really abuse.

**FACT:** Emotional pressure (including threats) can be just as bad as physical force. If you were made to do something sexual that you did not want to do, it is sexual abuse—no matter what kind of force the perpetrator used.





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## **INVESTIGATIONS**

DCR will ensure that an administrative or criminal investigation is completed on **ALL** allegations of sexual abuse and sexual harassment. Information gathered during the internal inquiry and investigation will be limited to those individuals who have a need to know. Those individuals who fail or refuse to cooperate (except victim) or those who otherwise take action to obstruct an investigation, including providing false or misleading information may be subject to disciplinary actions. Making false allegations or blatantly lying hurts the process and those offenders who have been victimized and causes delays in the investigative process. It also affects our ability to hold those who have engaged in misconduct accountable. An investigation may include: a medical exam, a mental health referral and evidence collection.

WVDCR will accept and attempt to investigate all third-party reports of abuse and harassment. Offenders shall receive assistance in filing requests for administrative remedies relating to allegations of sexual abuse upon request and shall also be permitted to file such requests on behalf of other offenders.

## **RETALIATION MONITORING**

Retaliation against offenders who participate in PREA investigations can take many forms, including threats, harassment, infractions, loss of privileges, or asking others to harass or intimidate the offender. Retaliation by staff or other offenders due to reporting an allegation or participating in an investigation is prohibited and will also be investigated. OPC staff monitor each case of sexual abuse or harassment for up to 90 days or longer if needed to ensure retaliation does not occur.





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## **REPORTING**

Offenders can be a participant in an investigation in many ways, including being the alleged victim, suspect, reporter, or witness. If you have been assaulted or sexual misconduct has occurred, you or anyone else can report in the following ways.

- Report the information to any one you trust, staff member, facility PREA Compliance Manager, family members, attorneys or outside advocates.
- Request to see medical or mental health.
- Submit a written complaint.
- Notify outside law enforcement, local, county or state.
- Call the Office of PREA Compliance 304-558-2036
- Mail the complaint to DCR Office of PREA Compliance 1409 Greenbrier Street, Charleston WV 25311
- You can also visit <https://dcr.wv.gov/aboutus/Pages/prea.aspx>
- Email your complaint to [dcrrprea@wv.gov](mailto:dcrrprea@wv.gov)





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## **WHAT TO EXPECT**

Our priority is to keep you safe. We will make every effort to keep you separated from your perpetrator throughout your stay, either by unit or facility. All staff are required to report allegations, which will start the investigation process. The medical and mental health providers will also be involved to provide the necessary services. We will do our best to keep the information you report as confidential as we can while conducting the investigation. We expect the same of all offenders involved in the investigation (alleged victim, suspects, and witnesses). We will also ensure that victims receive a referral to mental health services for treatment and counseling. It is common for victims of sexual abuse to have feelings of embarrassment, anger, guilt, panic, depression, and fear for several months or years after the incident. Other common reactions include loss of appetite, nausea or stomach aches, headaches, loss of memory and/or trouble concentrating and changes in sleep patterns. Seek medical support or support from a counselor or other staff person if you need help managing any of these or other reactions.

## **SUMMARY**

The West Virginia Division of Corrections and Rehabilitation is committed to your safety. To be successful, we want you to help us put the pieces together. Help us prevent, detect, and respond to sexual abuse and harassment within our facilities. Sexual abuse is not ok, if you see something, say something, speak up and report abuse. We have zero tolerance for those who victimize others and commit acts of sexual abuse and harassment.

We want you to be able to live in a safe environment and can focus on rehabilitation. Correctional staff are taught what to do if you report sexual abuse or harassment. Each report is taken seriously. We will make every attempt to protect sexual assault victims from further harm and do everything we can to make sure all sexual aggressors are prosecuted.





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## **Orientación PREA para delincuentes adultos**

### **Introducción**

La Oficina de Cumplimiento de PREA de la División de Correcciones y Rehabilitación de Virginia Occidental y la Oficina de Prisiones y Cárceles de Virginia Occidental está comprometida con su seguridad. Usted tiene el derecho de cumplir su sentencia con dignidad y respeto, libre de abuso sexual, acoso sexual y represalias. DCR tiene tolerancia cero con respecto al abuso sexual y el acoso sexual dentro de sus instalaciones.

DCR no tolerará ningún nivel de abuso sexual o acoso. Se hará todo lo posible para evitar que se produzcan abusos sexuales y hostigamiento, se investigará cada denuncia, se castigará a todos los autores y todas las víctimas ofrecieron servicios.

La ley de Prisiones y Cárceles de Virginia Occidental es una ley federal que aborda la agresión sexual dentro de los sistemas correccionales. Esta ley protege a todos los delincuentes encerrados en cualquier tipo de centro penitenciario, así como a los infractores en supervisión comunitaria. Esta ley también aborda cualquier forma de relación sexual entre el personal, voluntarios, contratistas y delincuentes. Los delincuentes bajo custodia de DCR no pueden consentir las relaciones sexuales, hay leyes y reglas del centro contra la mala conducta sexual de custodia. Cualquier miembro del personal, voluntario o contratista que se involucre sexualmente con un delincuente es culpable de un delito penal y será remitido a las fuerzas del orden para su procesamiento.

Cuando llegues por primera vez, tal vez quieras encontrar consuelo y desarrollar relaciones con los demás. Todo esto es normal, pero hay una variedad de relaciones que podrían ser dañinas. La mayoría del personal está aquí para ayudarle y la mayoría de los delincuentes quieren hacer su tiempo, como usted, sin sentir la presión de otros delincuentes. No todos los delincuentes intentarán abusar sexualmente o acosarte sexualmente. Nuestro objetivo es mantenerlo a salvo y esperamos lograrlo centrándonos en el prevenir, detectar y responder a abuso sexual y acoso.

### **¿QUE ES EL ABUSO SEXUAL?**

El abuso sexual es cuando alguien fuerza o presiona a otra persona para que se convierta en actividad sexual, física o no física. Las actividades sexuales físicas pueden incluir acariciar genitales, masturbación, contacto oral-genital, penetración digital, relaciones sexuales vaginales o relaciones sexuales anales. Si usted es la víctima, solicite atención médica inmediata. No se duche, cepíllese los dientes, use el baño o cambie su ropa. Puede destruir pruebas físicas valiosas. Las actividades sexuales no físicas pueden incluir exposición sexual poco saludable, voyeurismo y pornografía. Muchas personas consideran el abuso de la actividad sexual física forzada, pero se sorprenden al descubrir que las actividades no físicas como mostrar material sexualmente explícito, la exposición indecente o la creación de pornografía infantil también son formas de abuso sexual. Dentro del sistema correccional aquí hay dos categorías de abuso sexual, del delincuente en el delincuente o personal en el delincuente.

Es probable que ya conozcas a alguien que ha sido abusado sexualmente. Los estudios muestran que una de cada cuatro mujeres —y uno de cada seis chicos— experimenta algún tipo de abuso sexual antes de cumplir 18 años.



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Muchos nunca le dicen a nadie lo que pasó. Un perpetrador puede ser cualquier persona, de hecho, tres de cada cuatro agresiones sexuales son cometidas por alguien que la víctima conoce.

## **Prevención**

Sexual abuso o acoso sexual no es su culpa. Hay algunas cosas que puede hacer para mantenerse seguro y ayudar a prevenir el abuso sexual o el acoso.

Ten en cuenta tu entorno y quién está cerca  
Presta atención a situaciones que te hagan sentir incómodo, confía en tu instinto  
Tenga en cuenta la atención especial que alguien puede estar dándole  
Tenga cuidado con con quién comparte información privada  
Unaccepting préstamos y ofertas de protección a menudo conducen a abuso sexual o acoso sexual

Nodejes que tus modales se dediquen a mantenerte a salvo. No significa que no nunca permitas que alguien te hable para hacer algo que no quieres. Todo el mundo es vulnerable en este tipo de situaciones, pero son menos propensos a suceder si se siguen algunas de las reglas desentido común. Se enseña al personal a buscar comportamientos que puedan indicar abuso sexual o acoso sexual y luego tomar medidas para garantizar su seguridad.

## **MITOS Y HECHOS DE ABUSADO SEXUAL**

**MITO:** No fue abuso sexual si no tenías relaciones sexuales.

**HECHO:** Si no aceptaste la actividad sexual, fue abuso sexual. Incluso si no había contacto físico o muy poco, si sentías que no tenías otra opción. Si la persona te amenazó, era abuso sexual.

**MITO:** Si eres abusado por alguien que tiene el mismo sexo que tú, significa que eres gay.

**HECHO:** El abuso sexual es un crimen. Se trata de poder y control, no de deseo. El sexo del perpetrador no dice nada sobre si la víctima es heterosexual o gay.

**MITO:** Si pensabas que era divertido y te gustaba la atención, no era abuso sexual.

**HECHO:** Los perpetradores a menudo involucran a otras personas en interacciones sexuales inapropiadas en un y la manera lúdica. Como resultado, la víctima puede disfrutar de la atención y las sensaciones corporales que experimentan y no puede oponerse a las actividades abusivas en curso. Esto sigue siendo abuso sexual y no es culpa del niño no importa cómo responda al abuso.

**MITO:** Si estabas drogado o borracho cuando sucedió, fue tu culpa.

**HECHO:** Emborracharse o drogarse no significa que merezcas ser abusado sexualmente. A pesar de que es importante ser consciente de dónde estás y lo que estás haciendo para mantenerte a salvo, el perpetrador siempre tiene la culpa.

**MITO:** Si no estás físicamente herido, no es realmente abuso.





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**HECHO:** La presión emocional (incluidas las amenazas) puede ser tan mala como la fuerza física. Si te hicieron hacer algo sexual que no querías hacer, es abuso sexual, sin importar el tipo de fuerza que usó el perpetrador.

## **Investigaciones**

DCR se asegurará de que se complete una investigación administrativa o penal sobre TODAS las denuncias de abuso sexual y acoso sexual. La información recopilada durante la investigación interna y la investigación se limitará a aquellas personas que tienen una necesidad de saber. Aquellos individuos que no cooperen o se nieguen a cooperar (excepto la víctima) o aquellos que de otra manera toman medidas para obstruir una investigación, incluyendo proporcionar información falsa o engañosa pueden estar sujetos a acciones disciplinarias. Hacer denuncias falsas o mentir descaradamente perjudica el proceso y a aquellos delincuentes que han sido víctimas y causan retrasos en el proceso de investigación. También afecta su capacidad para hacer que aquellos que han participado en conductas indebidas sean responsables. Una investigación puede incluir: un examen médico, una referencia de salud mental y la recolección de evidencia.



## **RETALIATION MONITORING**

Las represalias contra los delincuentes que participan en investigaciones de PREA pueden tomar muchas formas, incluyendo amenazas, acoso, infracciones, pérdida de privilegios, o pedir a otros que acosen o intimiden al delincuente. Las represalias por parte del personal u otros delincuentes debido a la denuncia de una denuncia o a la participación en una investigación están prohibidas y también serán investigadas. El personal de la OPC supervisa cada caso de abuso sexual o acoso durante un máximo de 90 días o más si es necesario para garantizar que no se produzcan represalias.

## **Informes**

Offenders puede ser un participante en una investigación de muchas maneras, incluyendo ser la supuesta víctima, sospechoso, reportero o testigo. Si te han agredido o ha ocurrido una mala conducta sexual, tú o cualquier otra persona puedes reportar de las siguientes maneras.

- Reporte la información a cualquier responsable de quien confíe, miembro del personal, instalación PREA Compliance Manager, familiares, abogados o defensores externos
- Solicitud para ver salud médica o mental
- Presentar una queja por escrito
- Notificar fuera de las fuerzas del orden, locales, condados o estatales
- Llame a la Oficina de Cumplimiento de PREA 304-558-2036
- Envíe la queja a la Oficina de Cumplimiento de PREA 1409 Greenbrier Street, Charleston WV 25311
- También puede visitar <https://dcr.wv.gov/aboutus/Pages/prea.aspx>
- Envíe su queja por correo electrónico a [dcrprea@wv.gov](mailto:dcrprea@wv.gov)
- Y otros métodos descritos en su manual de delincuentes





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WVDCR aceptará e intentará investigar todos los terceros de abuso y acoso. Offenders recibirá una demanda de asistencia en la presentación de solicitudes de recursos administrativos relacionados con denuncias de abuso sexual previa solicitud y también se le permitirá presentar dichas solicitudes en nombre de otros delincuentes.



## **QUÉ ESPERAR**

Nuestra prioridad es mantenerte a salvo. Haremos todo lo posible para mantenerlo separado de su perpetrador durante su estancia, ya sea por unidad o instalación. Todo el personal está obligado a reportar las denuncias, lo que iniciará el proceso de investigación. Los proveedores de salud médica y mental también participarán para proporcionar los servicios necesarios. Haremos todo lo posible para mantener la información que usted reporta tan confidencial como podamos mientras lleva a cabo la investigación. Esperamos lo mismo de todos los delincuentes involucrados en la investigación (presunta víctima, sospechosos y testigos). También nos aseguraremos de que las víctimas reciban una derivación a los servicios de salud mental para recibir tratamiento y asesoramiento. Es común que las víctimas de abuso sexual tengan sentimientos de vergüenza, ira, culpa, pánico, depresión y miedo durante varios meses o años después del incidente. Otras reacciones comunes incluyen pérdida de apetito, náuseas o dolores de estómago, dolores de cabeza, pérdida de memoria y / o problemas para concentrarse y cambios en los patrones de sueño. Busca apoyo médico o apoyo de un consejero u otra persona del personal si necesitas ayuda para manejar cualquiera de estas u otras reacciones.

## **Resumen**

La Oficina de Cumplimiento de PREA de la División de Correcciones y Rehabilitación de West Virginia está comprometida con su seguridad. Para tener éxito, necesitamos que nos ayudes a juntar las piezas. Ayúdanos a prevenir, detectar y responder al abuso sexual y el acoso en nuestras instalaciones. El abuso sexual no está bien, si ves algo, dices algo, habla y denuncia el abuso. Tenemos tolerancia cero con aquellos que victimizan a otros y cometen actos de abuso sexual y acoso.

Queremos que puedas vivir en un entorno seguro y que te concentres en la rehabilitación. Al personal correccional se le enseña qué hacer si usted denuncia abuso sexual o acoso. Cada informe se toma en serio. Haremos todo lo posible para proteger a las víctimas de agresión sexual de más daños y haremos todo lo posible para asegurarnos de que todos los agresores sexuales sean procesados.