

West Virginia Division of Juvenile Services

# James H. "Tiger" Morton Juvenile Center



## **The West Virginia Division of Juvenile Services Mission Statement**

The Division of Juvenile Services is committed to providing effective, beneficial services to youth in the Juvenile Justice system that promotes positive development and accountability, while preserving community safety and sustaining a work environment predicated upon principles of professionalism, with dignity and respect for all.

## Introduction

The James H. "Tiger" Morton Juvenile Center (TMJC) is both a hardware secure and staff secured juvenile facility. You have been admitted to this facility because you have been alleged to have committed an offense that would be a crime punishable by confinement in jail if it were committed by an adult, or your court of jurisdiction has decided that your best interest or the best interest of society would not be served by placing you in a less restrictive placement. It is the purpose of this handbook to let you know what the day to day activities are and what is and is not expected of you during your stay at this facility. The decisions that you make while here will help to determine whether or not your stay is a positive one.

## Guiding Principles We Are Committed To:

- Accomplishing our mission with integrity and ethical behavior while recognizing strength of diversity in employees and juveniles.
- Professionalism through competency accountability, staff development and pride in quality work.
- Promoting an environment in which all individuals are treated with dignity and respect.
- The on-going assessment and evaluation of all programs and services to ensure their effectiveness.
- The development of skills and juveniles and their re-socialization through the preservation of families and community collaboration.
- Open communication internally and externally to ensure employee and public understanding and support.

## Legal Rights

While at this facility you are provided with certain specific legal rights as mandated by West Virginia Code Chapter §49-5-16a and §49-5e-3. Your rights are as follows:

- 1) Not to be punished by physical force, corporal punishment, deprivation of nutritious meals, and deprivation of family visits or imposition of solitary confinement.
- 2) To participate in physical exercise each day.
- 3) Except for sleeping hours, to not be locked alone in a room unless he/she is not amenable to reasonable direction and control.
- 4) Provided with clean institutional-individualized clothing and basic hygiene items at no cost; items not prescribed by a medical doctor shall be at the expense of the juvenile.
- 5) Daily access to showers and toiletry, as well as other hygiene;
- 6) Mail and telephone access and privileges as specified in Division Policy Directive 509: Telephone, Mail, and Publications.
- 7) To not be discriminated against based on race, religion, national origin, gender or physical handicap.
- 8) To be adequately protected from personal abuse, personal injury, disease, property damage and harassment.
- 9) To receive visitors as scheduled, so long as visitation does not impede the operation and security of the facility.
- 10) Have immediate access to medical and dental care as needed.
- 11) Have access to education, including teaching, educational material and books as prescribed by the policies of the West Virginia Department of Education-Office of Institutional Education.
- 12) Have access to religious materials and services; and
- 13) Afforded a grievance procedure, including an appeal mechanism.
- 14) Have the right to access the courts.



## Resident Handbook

The facility will make available to all residents a TMJC Resident Handbook hereinafter referred to as the TMJC handbook, which defines rules of conduct for all TMJC residents. The handbook contains a listing of all classifications of offenses. In addition to the listing of offenses, the handbook clearly states the sanctions that may be imposed on any resident that is found to be in violation of a rule of conduct while at the TMJC. Offenses are classified as follows:

**Category I** – these are generally the most serious offenses. Category I offenses may include criminal acts that could result in charges being brought against a resident by a court of jurisdiction in the county in which the facility is located.

**Category II** – these offenses are usually less serious in nature than Category I offenses, but may be similar in nature. Category II offenses may include criminal acts that could result in charges being brought against a resident by a court of jurisdiction in the county in which the facility is located.

During the intake process, any resident being admitted to the TMJC must sign an acknowledgement form indicating that a handbook has been made available to him/her. This acknowledgement form will be completed in duplicate. One copy will be maintained in the resident's master file and one copy will be given to the resident. TMJC staff must offer assistance to any resident who has a problem reading or understanding any portion of the handbook. The handbook acknowledgement sheet is part of the standard TMJC intake process and participant record.

## Facility Programming

While you are here you will be provided with several programming elements, which may include but not be limited to, the following:

- 1) Medical Services
- 2) Mental Health Services
- 3) Various Assessments
- 4) Individual & Group Counseling
- 5) Voluntary Religious Services
- 6) Library Services
- 7) Recreational Groups & Activities
- 8) Additional Activities as Scheduled
- 9) Educational Services

## Educational Programming

The educational program is operated by the WV State Department of Education through the Office of Institutional Education. We consider the educational program to be one of our most important services.

***Note: Your participation in the educational program is mandatory. Failure to do so will result in loss of other privileges and assignment to a restricted behavioral level. The educational program will provide you with an opportunity to learn both traditional and life skills educational components. Educational assessment, classification and counseling services are available, in addition to the learning opportunities.***



## Food, Clothing, & Basic Care

### FOOD SERVICE

The food service program is designed to meet Federal Child Nutrition Standards. You will receive a minimum of three meals and a snack daily. Meals are based on prepared menus. You may suggest items to be added to the menu. Meals are served at scheduled times. You will be expected to eat your meal when it is served, unless you are out for court or another scheduled appointment. The following rules will be observed during meal periods:

- 1) Residents will be given the opportunity to say grace prior to the start of each meal. This is a voluntary activity and no one will be required to participate. Residents not participating in this activity will not be allowed to interfere or disrupt the activity.
- 2) Upon entering the dining area, residents are expected to line up against the wall until called to the serving window. When called to the serving window, residents are to go to the window, get their tray, utensils and food, and go to their table. Residents are to be seated upon instruction from staff.
- 3) Do not give food or take food from other residents.
- 4) A thank you to the cook is appreciated, but voicing complaints to the cook is not. However, complaints regarding food may be made through the Resident Grievance Procedure.
- 5) Residents must keep up with their utensils. No resident will be allowed to leave the dining area until all utensils are accounted for.
- 6) Residents may talk during meals, but it is expected that you use an appropriate volume level during conversations. Residents are prohibited from yelling or talking loudly to other residents sitting at other tables.
- 7) At the conclusion of each meal, staff will collect utensils. You will be called to the return window to return your tray and beverage container to the kitchen. After doing so, you are to return to your seat.
- 8) Residents will be asked to clean the tables. You will rotate with other residents at your table in helping to clean up after meals.

## **PERSONAL HYGIENE PERIODS**

You will have time after the lunch and dinner meal for hygiene to brush your teeth and take care of any other personal needs you may have. An officer will provide toothpaste, etc. for you. You will not be in your room any longer than necessary. You will have the opportunity to shower and shave as needed at hygiene at night. Haircuts will be provided every other week.

## **PERSONAL CARE ITEMS**

You will be provided with minimally the following items:

- 1) Toothbrush
- 2) Comb; Pick
- 3) Toothpaste
- 4) Storage Basket
- 5) Soap
- 6) Deodorant
- 7) Shampoo
- 8) Lotion

All personal care items will be stored in a storage container and kept in the unit closet. Abuse or misuse of any item will result in that item being removed from your possession.

## **FACILITY ISSUED CLOTHING**

You will be required to wear issued clothing and shoes that are the property of the TMJC. You will be issued items from the following list:

- 1) Shoes
- 2) Socks
- 3) T-shirt
- 4) Pants
- 5) Outer Shirt
- 6) Sweatshirt
- 7) Underclothing

You may be given an option between certain items. You will be expected to keep up with your clothing and wear them as instructed by TMJC Staff.

***Examples:***

- 1) If your pants are too long, you may be instructed to roll them up or tuck them in your socks. You will not be allowed to walk on the bottom of the legs.***
- 2) Pants must be pulled up to the waist.***
- 3) No clothing article will be worn in a style indicative of gang affiliation or membership.***
- 4) Any other extra clothing must be folded and placed by the door.***

Misuse, abuse, intentional damage or destruction of any article of clothing may result in the loss of use of that article.

***Example:***

***If you intentionally damage your issued clothing you will be required to wear an orange jumpsuit while at the TMJC.***

## **FACILITY ISSUED LINENS**

You will be issued the following linens:

- 1) Bottom Sheet
- 2) Top Sheet
- 3) Pillow
- 4) Pillow Case
- 5) Towel
- 6) Wash Cloth
- 7) 1 or 2 Blankets

You will be expected to keep up with your linens and use them for their intended purposes. Clean towels and wash cloths will be issued daily. You must turn in your old one to receive a clean one. Your bed must be neatly made and your room straightened up each morning. Any extra blankets and/or linens must be neatly folded and placed on the foot of your bed. Linens and bed clothes will be turned in to be washed at least once weekly as scheduled.

## Communication

### TELEPHONE USAGE

You will have access to a telephone, unless you are demonstrating threatening or out of control behavior during telephone hours and depending upon your phase level. You will be allowed the following two types of telephone calls:

***Personal Calls*** – these calls are to and from family listed on your approved call list. Your approved call list will consist of family members that you identify, including parents/guardians, grandparents, and/or aunts/uncles. You have the right to make and receive regular local phone calls without charge and one long distance phone call of at least fifteen (15) minutes duration to your family each week without charge. Additional calls may be allowed based on your behavior. Abuse of your telephone privileges may result in the loss of your telephone privilege and/or other privileges. Lying about the relationship you have with an individual and/or the telephone numbers on your call list is a direct violation of your telephone privilege and will result in the automatic loss of your phone privilege for one week as well as the loss of one phase level. Remember that the number of calls you can receive or make is limited. You are encouraged to be very selective in the calls you receive or make. All phone calls are subject to be taped. Outgoing and incoming phone calls from or to a family member who is incarcerated in an adult correctional facility or another DJS facility must have prior approval from the TMJC Facility Director and the other facilities Warden, Superintendent, or Facility Director.

***Legal Calls*** – these calls are to attorneys, social workers, probation officers, etc. However, if these calls are long distance, the TMJC will pay for one 10 minute call per week to a social worker or probation officer. Additional calls must be incoming or must be outgoing collect calls. When a call is made to an attorney, social worker, probation officer, etc. and a message is left for them to call you back, you will not be able to place a second call to that person during the same day. Residents may request to make a legal call by placing their name on the Legal Call Phone List the night before.



**Collect Calls** – these calls are made from the designated collect call phones located in the multipurpose room. A resident may make personal collect phone calls on the collect phones located in the multipurpose room in accordance with the following guidelines:

- 1) Collect phone use will be between 6:15 pm and 9:00 pm – Weekdays, Weekends, and Holidays.
- 2) Residents wanting to make a collect call will sign up the night before on the designated forms.
- 3) Residents may make one collect call each evening.
- 4) Collect phone calls will not exceed 10 minutes to ensure that other residents have an opportunity to place a call. This will be monitored by staff.
- 5) Collect phone use is a privilege and may be taken due to disciplinary action.

## **VISITATION**

While a resident of this facility, you are entitled to both personal and professional visitation. You will not be denied these visits unless you are demonstrating threatening or out of control behavior. All requests for visitation must be made at least 24 hours in advance to the facility. Your personal visits may be supervised or monitored. Professional visits will not be supervised or monitored unless your visitor requests it. All of your visitors will be searched prior to visiting by using the clothed body search and/or by the use of a hand-held scanning device. Any visitor violating a visitation rule may be banned from future visits. Any visitor bringing contraband into this facility will be subject to prosecution. No person under the age of eighteen (18), excluding lawful spouses, shall be permitted to visit a juvenile in a detention facility unless accompanied by a parent or legal guardian. All visitors must have positive identification. Visitors sixteen (16) years and older must have 2 pieces of identification with at least one picture identification. Social security cards cannot be used as a form of identification. Personal visits may be limited to 15 minutes in duration. If the volume of visitors is low, this time may be extended.

**Personal Visits** – visiting hours are from 2 p.m. – 3 p.m. and 3 p.m. - 4 p.m. on Saturday and Sunday. Special visitation hours may be made on holidays at the approval of the Facility Director. Special arrangements and times may be made under certain circumstances with the approval of the Facility Director. All visits outside regular visiting hours must have supervisory approval. All visitors must fill out a Visitation Request Form and pass a criminal background check before approval will be permitted. The first visit for the resident which can be up to three family members will be without the Visitation Request approval and are restricted to immediate family only: parent, grandparent, spouse, siblings, or resident child. If the Visitation Request Form isn't returned for approval, visitation will be denied. The Facility Director will review all Visitation Request and reserves to the right to deny any Visitation Request if they feel that the visitor may serve as a risk to security. If a visitor is accompanying a child below the age of two (2) years old during their visit, they must complete a Children's Acknowledgement Form prior to the visit. Visits involving children below the age of two will be scheduled outside the normal visitation hours. TMJC does permit visitors who are legally married to a resident. However, Visitation Requests from boyfriends/girlfriends and fiancés are not permitted. Lying about your relationship to a visitor may be considered an attempt to jeopardize the security of the facility and may result in the loss of your visitation privilege.

**Professional Visits** – these visits are from social workers, probation officers, attorneys, members of the clergy, etc. These visits are by appointment and may be scheduled on any day.

## CORRESPONDENCE

While at the TMJC, you will be provided access to writing materials. You may send and receive mail subjected to the following conditions:

**Personal Mail** – while at the TMJC, you will be able to send personal mail without limitation. The TMJC will provide you with ten (10) free stamps per month. Postage for legal correspondence will be provided by the facility and will not count as one of the ten monthly letters. You will not be allowed to send contest entries, order forms, etc. Incoming mail may not be read or censored unless there is a substantial reason to believe it to be a security risk. Outgoing and incoming mail from or to a family member who is incarcerated in an adult correctional facility or another DJS facility must have prior approval from the TMJC Facility Director and the other facilities Warden, Superintendent, or Facility Director.

Your mail may be opened in your presence and scanned for contraband. All postage stamps will be removed. Writing materials will be made available to you, but only at approved times when no other scheduled activities are in progress. You will be allowed to have three (3) personal letters and two (2) personal/family photographs in your room. There will be no writing materials allowed in a resident's room without expressed supervisory approval. No Polaroid photos are permitted.

**Professional Mail** – this type of mail is from and to attorneys, social workers, probation officers, members of the clergy, etc. Professional mailings may not be subject to the above conditions. Mail that is hand delivered by a process server or officer of the court will come under this category.

## Medical Services

While at the TMJC you are entitled to receive medical services as needed. As needed means that you are to receive the service indicated for the chronic or acute illness or injury that you may be experiencing. It does not mean that you will necessarily receive the service you want. **Example: a scraped knee on the basketball court requires cleaning and perhaps an antibiotic ointment. It does not require an ambulance ride.** These services are provided by our health care provider.

### ON-SITE MEDICAL SERVICES

While a resident of the TMJC, you will receive the following medical services:

**Initial Health Screening** – during the intake process you will be asked questions about your health and health history. This will help us determine if you are in need of any immediate care. It is important that you provide accurate information. If you think of something later, let one of the officers know. After your intake, a request for medical information will be mailed to your parent or guardian. In many cases we have been provided with some health history prior to your admission. This combination of information will be of valuable assistance to our health care provider.

**Physical Exam** – following your admission, it will be determined if you will need a physical. There are several factors that will help us make that decision. These factors include, but are not limited to the following:

- 1) Where you were admitted from
- 2) The date of your last physical
- 3) Availability of medical records
- 4) Known or suspected illnesses
- 5) Is there a planned release date
- 6) Is there a planned placement and where will it be

If it is decided that a physical exam is needed, one will be scheduled. The exam will include a minimum of the following:

- 1) General Health History and Systems Check
- 2) Vision Screening
- 3) Hearing Screening
- 4) Dental Screening
- 5) Tuberculosis Test
- 6) Mental Health Screening
- 7) HIV Testing (available)
- 8) STD Testing (available)

You may receive on-site treatment for any chronic or acute problems discovered during your exam or referrals may be made to other health care providers.

**Sick Call** – daily sick call will be held. An officer will ask if you need to see the health care provider. It is important that you make it clear what your ailment is. If it is something you are uncomfortable discussing with the officer, tell them so and ask to speak to someone else or ask for a Request for Medical Services Form, complete it and turn it in to medical staff.

**Prescribed Medications and Treatment** – you will be expected to follow the treatment plan prescribed for you. Your refusal to comply may result in loss of privileges. **Example: You request treatment for a sprained ankle. It is ordered that you wrap the ankle and soak it daily. You decide not to do this. You may not be seen for this ailment again and you may be prohibited from participating in activities such as basketball, volleyball, etc.**

**Referral Follow-up and Outside Medical Care** – when referrals for additional medical care are made by our health care provider, or another agency, a determination will be made as to the need for immediate follow-up or referral after your discharge from this facility.

## Mental Health Services

The following mental health services are available to residents at the TMJC:

***Screening and Intake Evaluation*** – based on information you provide during your admission and information obtained from other sources, you may be referred for a mental health or have an opportunity to request services. Services may be offered even though you do not request them.

***Individual Counseling and Treatment*** – these services may be offered or requested as a result of information obtained during the intake evaluation.

***Psychological Evaluations*** – psychological evaluations are provided on an as needed basis.

***Psychiatric Exams and Medication Therapy*** - these services are usually provided as a continuation of pre-existing conditions or service plans.

***Crisis Intervention*** – this service is available on an as needed basis.

***Substance Abuse Services*** – assessments, individual counseling, group counseling, referral and education services are available through this program.

## Religious Services

Religious programming is offered at the TMJC. These services are provided by community volunteers. Participation in religious based activities is not mandatory. You may choose not to participate in these activities. If you choose this option, you will be given another activity by TMJC staff to participate in, in another location of the facility.



## Recreational Activities

During your stay you will be offered at a minimum one (1) hour per day of large muscle Recreation as well as designated times for passive recreational activities. The TMJC offers a variety of indoor and outdoor recreational activities. Indoor activities and outdoor activities include, but are not limited to the following:

- 1) Board Games and Cards
- 2) Scheduled Group Activities
- 3) Basketball
- 4) Volleyball
- 5) Wiffleball
- 6) Flag Football
- 7) Soccer
- 8) Various Exercise Programs



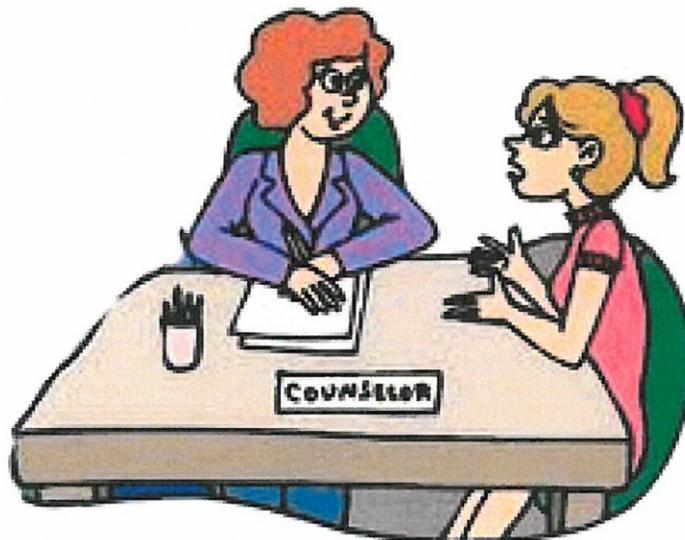
## Programs & Treatment

A variety of assessments are utilized in addition to the Psychosocial and Comprehensive

Service Plans. These include but are not limited to: MAYSI-2; LS/CMI; YLS/CMI; Initial Service Plan; Therapeutic Recreation and PREA Assessments. Residents will attend Group and Individual Counseling.

### WELLNESS CENTER

The Wellness Center serves youth who have been adjudicated and sentenced to the custody of the Division of Juvenile Services and require intensive interventions. Placement on the unit can occur for a variety of reasons ranging from a need for short-term treatment to full program admission due to specialized behavioral health needs. The unit team consists of case managers, correctional counselors, security staff, and mental health staff who work together to identify and treat the individual needs of these residents.



## Weekday Schedule

- 7:00 AM Wake-up/personal hygiene; Rooms must be prepared for inspections (*beds made, paper/books picked up, etc.*)
- 7:30 AM Breakfast; Clean up kitchen and dining area (*Residents volunteer to wash trays, cups, pots & pans and silverware, wipe down tables, sinks wiped dry, sweep and mop kitchen/dining area*)
- 8:00 AM School (*Short breaks are built into the schedule by Education*)
- 12:15 PM Hygiene
- 12:30 PM Lunch; Clean up dining area (*Residents volunteer to wipe down tables and sweep and mop dining area*)
- 1:00 PM School
- 2:50 PM Recreational Group (*Outdoors when weather permitting*)
- 3:50 PM Showers (*Residents volunteer to clean showers, sinks, and toilets*)
- 5:00 PM Dinner; Clean up kitchen and dining area (*Residents volunteer to wash trays, cups, pots & pans and silverware, wipe down tables, sinks wiped dry, sweep and mop kitchen/dining area*)
- 5:30 PM Group Counseling (*Detention Groups Monday, Tuesday, Thursday, Friday as assigned; Wellness Groups Monday and Thursday*)
- 6:15 PM Free Time Recreation (*NA/AA, Church on Wednesdays, phone calls, video and board games, television, haircuts, etc.*)
- 7:30 PM Snack
- 8:00 PM Bedtimes Start (*Level 1 – 8:00PM; Level 2 – 8:30PM; Level 3 – 9:00PM; Level 4 - 9:30PM; Level 5 – 10:00PM*)

## Weekend & Holiday Schedule

- 7:00 AM Wake-up/personal hygiene; Rooms must be prepared for inspections  
*(beds made, paper/books picked up, etc.)*
- 7:30 AM Breakfast; Clean up kitchen and dining area *(Residents volunteer to wash trays, cups, pots & pans and silverware, wipe down tables, sinks wiped dry, sweep and mop kitchen/dining area)*
- 8:30 AM Weekend Clean Up *(Residents volunteer to clean the serving all living areas, including dining area, multipurpose room, residents rooms, pods, and gymnasium.)*
- 10:30 AM Free Time Recreation or Church *(Sundays only)*
- 11:15 AM Recreational Group *(Outdoors when weather permitting)*
- 12:15 PM Personal Hygiene
- 12:30 PM Lunch; Clean up dining area *(Residents volunteer to wipe down tables and sweep and mop dining area)*
- 2:00 PM Visitation
- 4:00 PM Showers *(Residents volunteer to clean showers, sinks, and toilets)*
- 5:00 PM Dinner; Clean up kitchen and dining area *(Residents volunteer to wash trays, cups, pots & pans and silverware, wipe down tables, sinks wiped dry, sweep and mop kitchen/dining area)*
- 5:30 PM Free Time Recreation
- 9:00 PM Bedtimes Start *(Level 1 – 8:30PM; Level 2 – 9:00PM; Level 3 – 9:30PM; Level 4 - 10:00PM; Level 5 – 10:30PM) Depending on the overall behavior of the residents the Supervisor can revert weekend bedtimes back to weekday bedtimes.*

## Movement Rules

- No talking once the order to lineup is given.
- Lineup is to begin immediately after the order is given.
- T-shirts will be tucked into your pants and your pants will be pulled up to your waistline.
- Hands will be clasped behind your back.
- Form as straight a line with your head and body facing forward.
- No movements are permitted in line until directed by staff to proceed.
- When moving into the classroom there are to be no books, papers, magazines, or other items taken with you.
- When moving out of the classroom, proceed directly to the wall and prepare to be searched.
- When moving into the recreation room all residents will be seated first before any other movements are made.

## Fire & Other Emergency Drills

During a fire or emergency drill, you are to follow the instructions given to you by the staff. You will be expected to line up and follow staff directives in an orderly manner. You will be instructed as to which exit to use.



## Taking Care Of Your Room & Other Property

You are expected to take care of your own room and property. Your bed must be neatly made up and your room straightened up every time you leave it. Your room will be inspected daily. In addition to expecting your room to be neat and clean, it is expected to remain damage free. When you are assigned a room you should inspect it for damage and point any out to staff in damage that you may find to ensure they know that the damage was not created by you. The following is a partial list of things that will be looked for on a daily basis:

- 1) Tampering with or damaging any screens, vents or other room fixtures
- 2) Peeling or scraping any paint from the walls, ceiling, door or any other fixtures
- 3) Broken or removed floor tile
- 4) Scratching or writing on the walls, ceiling, door or any other fixtures
- 5) Anything smeared on the walls, ceiling, door, window screen, door vision panel, etc.
- 6) Damage to your window screen or door vision panel
- 7) Damage to any of your linens
- 8) Hidden items in your commode or sink
- 9) Any unauthorized item in your room

Room searches may be conducted at any time. After a room search, your linens will be folded and placed on the foot of your bed. Body searches are done upon intake and when deemed necessary. K-9 searches are done routinely or upon request. If you are found in possession of any unauthorized item, it will be considered as contraband and may result in the loss of privileges and/or phase level reduction.

You will be allowed to have a Bible, two books (paperback only), legal correspondence, two personal/family photographs and up to three personal letters in your room. You may also keep a list of addresses. Do not tear pages from magazines or books to post in your room. They will be removed and you may lose your library privileges for abuse of library materials.

## Category Offenses & Sanctions

### ***CATEGORY I OFFENSES***

Are the most serious violations that threaten life or limb, and breach facility security and/or public safety. A resident can be charged with the related Category I offense if they cause or create, attempt to cause or create, or attempt to enlist other resident(s) to violate a Category I Offense. The resident(s) must have the current capacity to carry through with a Category I Offense to be charged. Additional federal or state charges may be sought for Category I offenses.

***Escape:*** leaving or attempting to leave the facility, or the custody of any staff member of the Division; or not coming back from an off-grounds furlough at the assigned time.

***Inciting or participating in a riot:*** organizing, conducting or forcing (or being organized or coordinated into) participation in unauthorized activities that might substantially hurt others or damage property. A resident may not cause or create, attempt to cause or create, or attempt to enlist other resident(s) to cause or create a major disturbance. The resident(s) is not only encouraging a riot, but must have the current capacity to carry it through.

***Assault:*** physical attempt to harm others. A resident may not intentionally cause physical harm to another person, to include poisoning.

***Arson:*** A resident may not start any fire.

***Causing an explosion:*** A resident cannot cause an explosion or make anything explode.

***Sexual acts:*** A resident may not engage in sexual acts with another person or intentional touching of any breasts, buttocks and/or genitalia of another person even if that person has consented. A resident may not request such acts, or hire another person to perform these acts. A female resident may not expose her breasts nor any resident expose his/her genitals.

***Possession, manufacturing or use of controlled substances:*** possession of drug paraphernalia and possession of medication belonging to another resident are prohibited. A resident may not manufacture, possess, use, or be under the influence of: 1) mind or mood altering or intoxicating substances, i.e., inhalants, and 2) prescription drugs or medication not specifically prescribed for that resident or in manner not consistent with the prescription or the direction of medical staff or failure to provide a sample within two (2) hours for testing.

***Intentional damage or alteration of property - \$500 or more:*** destroying, damaging, altering or changing anything that is owned by the state or by another person.

***Possession or manufacture of weapons:*** having or making weapons. Residents may not have any item that is a weapon or is altered so it could be used as a weapon. A resident may not possess an item or material that may be used to make a weapon.

***Tampering with security/fire devices:*** a resident may not remove, destroy, change, damage or make inoperable any locking, security or fire device including, but not limited to, a door, window, equipment, furniture, fire extinguisher, fire sprinkler, vehicle or any other security/fire device at any time.

The Facility Director is authorized to establish additional rules as deemed necessary by the program, design, or operation of the facility to ensure that order is maintained and for the safety of residents, staff and the public. All rules will be presented in Basic English language to all residents and staff. If needed, other information will be provided in another language.

## ***CATEGORY I SANCTIONS***

### ***Room confinement:***

- 1) For not more than three (3) days per offense.
- 2) A violent offense can incur up to ten (10) days room confinement.
- 3) However, at no time will a resident serve more than ten (10) consecutive days.
- 4) Notification to the Division Director must occur for any sanction imposed that exceeds three (3) days.

### ***Transfer to another DJS facility.***

***Restitution,*** to include repair or replacement costs, related extra staff expenses, and other identifiable costs related to the offense. May be ordered to compensate another person, business, or the state.

- 1) Restitutions may be made by deductions from the guilty resident's account.
- 2) The Hearing Officer may make changes to a restitution plan as seen fit to expedite payment.
- 3) In no event shall restitution be ordered beyond replacement or repair costs.

***Loss of Phase Level(s)***

***Loss of some or all of the following privileges for not more than thirty (30) days.***

- 1) Loss of telephone privileges, provided the resident shall be permitted to make or receive one call per week to family members. This does not apply to calls to and from professional contacts.
- 2) Loss of reading library privileges.
- 3) Loss of organized recreation, not to include those rights afforded by law.
- 4) Loss of commissary privileges.
- 5) Loss of access to arts, crafts, and music rooms, video games, or television.
- 6) Modification or reduction in length of time, but no less than thirty (30) minutes per day, of visitation privileges.
- 7) Early bed time, not to exceed one (1) hour.
- 8) Loss of any facility-specific privileges or events.

***Imposition of:***

- 1) Writing assignment
- 2) Additional programming/treatment to include a behavioral modification plan

***CATEGORY II OFFENSES***

Are such offenses that tend to disrupt the normal operation of the facility or subvert the facility's systems of security and control. A resident can be charged with the related Category II offense if they cause or create, attempt to cause or create, or attempt to enlist other resident(s) to violate a Category II Offense. The resident(s) must have the current capacity to carry through with a Category II Offense to be charged.

***Circumventing Institutional Count:*** A resident may not be absent from any count without prior knowledge and approval by authorized staff. A resident may not hide, remain silent during name count, cause confusion or error at or during any count; leave the area assigned without the approval of authorized staff; leave assigned room; living unit; class; meeting; event; appointment or visit without the approval of institution of authorized staff.

***Tampering with Food/Drink:*** A resident may not put unsanitary items or substances in any food or drink item before, during or after preparation that could be consumed by another person.

***Making a False Report or Statement/Lying:*** A resident may not say or write something that is not true which causes harm, distress, or injury to another.

***Counterfeiting or Forgery:*** A resident may not make, change, fake or possess any document so that it appears as if it were made, signed, initialed or stamped by someone else, or at a different time.

***Contraband:*** Any item not issued or allowed by the facility, to include items altered from their original state.

***Contempt:*** No residents shall shout, act rudely, speak persistently out of turn, or otherwise disrupt proceedings at any disciplinary hearing.

***Threats/Intimidation/Tampering with Witness:*** Bullying. Saying or doing something to scare another person into thinking that person and/or property may be harmed. Bribing/convincing another resident to withhold information relating to a Category charge or a safety/security concern.

***Fighting:*** A mutual physical conflict between two or more residents. A resident may not engage in any physical contact with another resident to cause harm or inflict injury.

***Insubordination:*** A resident may not disregard or delay lawful instruction given by a staff member for any reason, including refusal to move to required location.

***Fraudulent Representation:*** Changing the physical, facial or vocal features without the knowledge or permission of staff in order to conceal or mislead staff as to the resident's identity.

***Gambling:*** A resident may not bet or wager in anyway, at anytime with another person for anything.

***Disruptive Conduct:*** A resident may not act in a way that causes disruption by using foul language, loud talking or making of loud noises, horseplay, making obscene gestures or similar conduct. No resident shall obstruct any person from performing their duties, nor shall a resident interfere with normal or free movement of any person.

***Intentional Damage or Alteration of Property under Five Hundred Dollars:*** Destroying, damaging, altering or changing anything that is owned by the state or by another person which is valued at less than five hundred dollars (\$500.00). This includes destruction of identification devices such as ID badges, ID wristbands, etc.

***Unauthorized Possession or Transfer of Property:*** A resident may not give, sell, lend, receive, take, buy, borrow, barter, or trade any item with another person.

***Misuse of Correspondence:*** Sending mail or other items to individuals with whom a resident is not permitted to correspond.

***Mutilation/Disfigurement of Yourself or Others:*** A resident may not cause or allow injury or damage to one's self or another person. Residents may not injure, tattoo, cut, pierce, mutilate, remove, discolor or disfigure any part of their bodies or the body of another person.

***Disrespect:*** A resident may not use name-calling, profanity, yelling, or any disrespectful act toward another person. A resident may not show disrespect to any person doing business for or visiting the facility.

***Gang-related Activities:*** Any attempt to organize, create, or participate in gang-related activity.

***Solicitation or Manipulation of Staff:*** 1) Pitting staff against each other; 2) Diverting staff attention to cover a facility violation; 3) Coercing or attempting to force staff, volunteers, contractors, or visitors to introduce contraband or engage in other infractions; 4) Attempting to buy anything from or sell to staff, volunteers, contractors, or visitors.

***Resident Handbook Rule Violations:*** Violations of resident handbook rules that have been approved by the Facility Superintendent/Director that meet the definition of a Category II offense.

***Unauthorized Presence:*** Being in an unauthorized area or leaving an assigned area without staff permission.

***Unauthorized Physical Contact/Exposure/Sexual Harassment:*** Holding hands, kissing, rubbing or massaging; a female resident may not expose her breasts nor any resident expose his/her genitals or buttocks. Repeated and unwelcome sexual advances, requests for sexual favors, or verbal or written comments, gestures, or actions of a derogatory or offensive sexual nature by one resident directed toward another.

***Aiding and Abetting:*** A resident may not aid or assist another resident in committing any Category offense.

Additional offenses may be added to this section at the discretion of the Facility Director as deemed necessary to address specific program or treatment requirements.

## ***CATEGORY II SANCTIONS***

### ***Reduction of one Phase level.***

***Restitution,*** to include repair or replacement costs, related extra staff expenses, and other identifiable costs related to the offense. May be ordered to compensate another person, business, or the state.

- 1) Restitutions may be made by deductions from the guilty resident's account.
- 2) The Hearing Officer may make changes to a restitution plan as seen fit to expedite payment.
- 3) In no event shall restitution be ordered beyond replacement or repair costs.

### ***Loss of up to three (3) privileges for not more than thirty (30) days each.***

- 1) Extra duty for residents performing tasks around the facility. Extra duty assignments shall not be imposed past the resident's regular bedtime.
- 2) Loss of telephone privileges, provided the resident shall be permitted to make or receive one call per week to family members. This does not apply to calls to and from professional contacts.
- 3) Loss of free time.
- 4) Loss of reading library privileges.
- 5) Loss of organized recreation, not to include those rights afforded by law.
- 6) Loss of commissary privileges.
- 7) Loss of access to arts, crafts, and music rooms, video games, or television.
- 8) Modification or reduction in length of time (but not less than thirty (30) minutes), of visitation privileges.
- 9) Early bed time, not to exceed one (1) hour.
- 10) Loss of any facility-specific privileges or events.

***Imposition of:***

- 1) Writing assignment
- 2) Additional programming/treatment

***OTHER TMJC CATEGORY I & II SANCTIONS***

- 1) Limited to one fifteen (15) minute phone call to anyone on the approved phone list
- 2) Loss of staff approved TV privileges
- 3) Loss of use of video games systems

***ADMINISTRATIVE SEGREGATION***

Depending on the severity of an offense or the frequency of offenses the Facility Director may request from the Division Director to place a resident on Administrative Segregation. If it is determined by the Division Director that the resident is a risk to the health and safety of themselves, other residents and/or staff or to the security of the facility, they may be placed on Administrative Segregation. Upon being placed on Administrative Segregation, a resident will remain in room confinement with very limited and sometimes restricted movements within the facility. A Behavior Modification Plan will be developed and reviewed with a resident on Administrative Segregation every seven (7) days. Based on how the resident has successfully or unsuccessfully completed or complied with the goals in the Behavior Modification Plan will determine if the resident is removed from or remains on Administrative Segregation. A resident on Administrative Segregation will be offered one (1) hour a day of recreation, the opportunity to shower, and education services either in their room or potentially on the Pod depending on the residents' behavior.

***HEARING OFFICER DUTIES & RESPONSIBILITIES***

If you are charged with a Category Offense a Hearing Officer will schedule a hearing for you as soon as practical.

- 1) The Hearing Officer will review the report.

- 2) Requirements of Resident Hearings: The initial hearing shall be held no sooner than twenty-four (24) hours and no later than seven (7) calendar days after notification is given to the resident. Every attempt should be made to conduct hearings at times which will not be detracted from a juvenile's educational or treatment plan activities or compromise facility staffing requirements to ensure the safe secure operation of the facility.
- 3) All hearings shall be recorded.
- 4) Residents charged with rule violations have the right to plead guilty and waive the hearing. The resident will sign his or her waiver on the Notice of Charges/Receipt of Incident Report/Waivers.
- 5) Residents also have the right to waive his or her right to be present prior to the hearing or at any point during the hearing. This waiver is also verified on the Notice of Charges/Receipt of Incident Report/Waivers.
- 6) The hearing officer reserves the right to restrict a resident's presence at his or her hearing if:
  - A) the resident is displaying negative or violent behavior, or
  - B) testimony from a witnessing resident must be given in confidence.
- 7) Residents must have an opportunity to make a statement and present documentary evidence at the hearings and can request witnesses on their behalf. The reasons for denying such request must be documented by the Hearing Officer.
- 8) A staff representative will be appointed by the Facility Director who shall designate staff members to assist residents in disciplinary hearings, as needed. A resident may waive his right to a staff representative by signing the Notice of Charges/Receipt of Incident Report/Waivers, but the Hearing Officer will assign a staff representative when it is determined that a resident is not capable of effectively collecting and presenting evidence on his/her own behalf.
- 10) The Hearing Officer's decision and the supporting reasons on the Disciplinary Hearing Report shall be given to the resident immediately after completion of the hearing, which the resident will sign. Any credit for time served will be noted.

## 10) Formal Hearing Procedures:

- A) The Hearing Officer will read the charges against the resident.
- B) The Hearing Officer will advise the resident that, if charged with a Category I offense, anything he/she says in the hearing could be used against the resident in subsequent criminal proceedings.
- C) Residents shall be informed of their right to plead guilty to charges and accept imposed sanctions. If the plea is guilty, the Hearing Officer will ask the resident if he/she has anything to add before sentence is imposed.
- D) If a resident pleads not guilty, the Hearing Officer will continue with the hearing.

### Testimony and Evidence:

- A) The resident may, but shall not be compelled to, testify on his/her own behalf.
- B) The resident or representative, if needed, may present witnesses on the resident's behalf as long as such an appearance would not be unduly hazardous on facility safety and security. Any other resident called as a witness may refuse to testify.
- C) Any contraband item or photograph of the contraband item used as evidence will be presented at the hearing.
- D) The Hearing Officer may excluded any evidence or testimony he/she deem to be irrelevant to the matter at hand.
- E) Disruption of Hearings: Any disruptive resident may be removed from the hearing and may be charged with contempt in accordance with the disciplinary rules. The Hearing Officer may continue the hearing in the absence of a resident who persists in disorderly behavior.

The finding shall be either guilty or not guilty based on a preponderance of evidence.

### ***REDUCTION OF SANCTIONS***

Only the Facility Director has the authority to reduce sanctions imposed by the Hearing Officer based on programming or facility needs.

## *APPEALS PROCESS*

Residents have the right to appeal decisions of the Hearing Officer.

- 1) The initial appeal is made to the Facility Director within fifteen (15) days of the receipt of the decision. The resident may request from any staff member that an Offender Appeal Submission Form. Resident will complete the form, sign and either place in Grievance Box or return to staff member for forwarding to Facility Director for review.
- 2) The Facility Director will review the resident's appeal statement, any Incident reports relating to the charge and any statements from the hearing. Additionally, he or she may speak with the resident and the hearing officer and if warranted, the reporting staff member, any witness pertinent to the appeal and listen to the audio tape recording of the hearing.
- 3) The Facility Director must respond to the appeal within ten (10) days and will ensure that all due process rights were adhered to. The Facility Director will print the Offender Appeal Decision Form and ensure the resident receives a copy.
- 4) If the resident has been transferred to another DJS facility prior to any appeal decision being rendered, the Facility Director will notify the receiving Facility Director that an appeal decision is complete for the resident to receive. The receiving Facility Director or designee will then print the appeal decision to give to the resident, which the resident will sign.
- 5) Category II appeals cannot be appealed beyond the facility level.
- 6) A resident who is unsatisfied with the appellate decision of the Facility Director may appeal to the Division Director or designee. This applies to Category I decisions only. The resident has up to fifteen (15) days to submit the appeal via the facility Grievance Box or regular US mail. The appeal to the Division Director or designee shall be answered within ten (10) days of receipt of the appeal. The Division Director's decision will be printed and given to the resident.

- 7) Upon consideration of an appeal, the Facility Director or Division Director or designee may:
- A) Affirm the guilty verdict.
  - B) Reverse the verdict and order the record deactivated from the resident's permanent file. The resident could not be retried if this order is given.
  - C) Order the Hearing Officer to conduct a new hearing or correct technical errors found within the hearing report.
  - D) Reduce the sanction.

### ***INFORMAL RESOLUTION***

Staff and resident may agree on a penalty for minor infractions of rules that bypasses the formal hearing process. If staff and resident are unable to agree on an adequate resolution, or if the resident fails to meet his or her obligation under the agreed upon informal resolution, the staff will submit an incident report of the original Category II violation. Informal resolutions will be documented in the shift log and will only include:

- 1) Loss of access to arts, crafts, and music rooms, video games, or television, but may not exceed one eight-hour period.
- 2) Loss of one instance of organized recreation, not to include those rights afforded by law.
- 3) Loss of any facility-specific privileges (not to include rights afforded by law) not to exceed one eight-hour period.
- 4) Extra writing assignment
- 5) Extra duty assignments shall not be imposed past the resident's regular bedtime and shall not interfere with programs or education. Extra duty should be supervised by the staff who imposed it and may not exceed two hours.
- 6) Early bed time, not to exceed one (1) hour. This sanction can be divided up between two days if the time cannot be served in a single evening but must be completed within twenty-four (24) hours.



## Resident Grievance Procedure

- 1) Upon admission to the facility a resident(s) shall be informed of their rights to file a grievance against any behavior or disciplinary action of staff or other residents.
- 2) Grievance Forms are available to all residents and are located in a designated tray in the multipurpose room.
- 3) A resident on room confinement shall receive a grievance form upon request. It should be noted that said request might be denied if a resident is out of control. The correctional officer will honor a resident's request as soon as they are calm.
- 4) Grievances shall be handled without threats to or reprisals against the grievant.
- 5) Grievances shall be placed in one of the designated Grievance Boxes located in the pods. Grievances will be reviewed in a timely manner.
- 6) Staff shall be trained and encouraged to try to resolve all grievances informally. If the resident needs assistance in completing the grievance request form, a staff member shall assist him/her.
- 7) You have the right to appeal the decision to the Facility Director.

## Rights vs. Privileges

***Rights*** – Your legal rights are mandated or guaranteed to you by law.

***Privileges*** – Privileges are not guaranteed by law; they must be earned by you. You will earn privileges at the TMJC by conducting yourself in an appropriate manner at all times. ***The TMJC, your attorney, and your family will help you protect your rights. You and you alone must protect your privileges.***

***Extra Privileges*** - In addition to the privileges afforded all residents at the TMJC, you will be given the opportunity to earn extra privileges, including but not limited to pizza and ice cream parties.



## Resident Transports

Officers from the TMJC may be required to transport you for medical appointments, court appearances, etc. TMJC transports are secure transports. Residents are required to wear orange jumpsuits and mechanical restraints during these transports. This is the policy of the Division of Juvenile Services and is not open to review.



## PREA

### Prison Rape Elimination Act

**The WV Division of Juvenile Services has zero tolerance for sexual abuse and sexual assault.**

#### What is Sexual Assault?

Sexual assault is defined as "Any contact between the sex organ of one person and the sex organ, mouth, or anus of another person or intrusion of any part of the body of the person, or of any object into the sex organ, mouth or anus of another person, by use of force." The offender uses sex as a weapon to assault the body, the mind psyche and spirit.

Sexual assault affects everyone, either directly or through the experiences of those we care about. It can affect any male or female of any age, race, ethnic group, socioeconomic status, sexual orientation or disability.

No resident or staff member ever has the right to ask you for a sexual favor or to have sex with you. Even consensual sex is illegal in our facilities.

#### How to avoid rape...

The only way rape can be prevented is when a potential rapist chooses NOT to rape. However, you may avoid an attack by keeping the following safety guidelines in mind:

- 1) Be aware of situations that make you feel uncomfortable.
- 2) Trust your instincts.
- 3) If it feels wrong, TELL A STAFF MEMBER THAT YOU TRUST.
- 4) Don't be afraid to say "NO" or "STOP IT NOW".

Walk and stand with confidence. Many rapists choose victims who look like they won't fight back or are emotionally weak.

Avoid talking about sex or being partially dressed. These things may be considered a come on, or make another resident believe that you have an interest in a sexual relationship.

Do not accept items or gifts from other residents. Placing yourself in debt to another resident can lead to the expectation of repaying the debt with sexual favors.

Avoid secluded areas. Position yourself in plain view of staff members. If you are being pressured for sex, report it to a staff person immediately.

### **What to do if you are assaulted...**

Although an attacker may threaten to harm you, **REPORT THE ATTACK TO A STAFF MEMBER IMMEDIATELY!** The longer you wait to report the attack, the more power you give to the perpetrator.

If you wait it will be more difficult to obtain the evidence necessary for an investigation.

Request to see the nurse for immediate medical attention. You may have serious injuries that you are not aware of, and any sexual contact can expose you to sexually transmitted diseases.

Do not shower, brush your teeth, use the restroom or change your clothes. You may destroy important evidence.

If you have been assaulted or witness an assault, but you are unwilling to report it to DJS staff, you may:

- 1) Fill out a grievance form
- 2) Write a note
- 3) Request to see the nurse or counselor
- 4) You may use the confidential PREA box that is **only** accessed by Central Office staff (checked every 14 days).

See your Counselor to call the **DJS Hotline @ 1-800-368-2780 ext. 2020**

**If you sexually assault another youth you should know...**

You will be issued disciplinary action and an investigation will take place. The State Police will be notified. You will face consequences from WV Division of Juvenile Services and you may face additional criminal charges. If you are found guilty, your time may be increased, you may face transfer to a more secure facility, and you could face life long reporting requirements after release. You may also face adult prison time.

Consider that unprotected sex increases your risk of HIV infection, along with exposing you to other sexually transmitted diseases.

If you have trouble controlling your actions, ask for help from your PREA Counselor, Treatment Staff or anyone you're comfortable with. Stay busy with positive activities like school, community service, letter writing or physical exercise.

**Did you know?.....**

- ◆ Rape and sexual assault happens to people of all ages.
- ◆ Rape and sexual assault can happen to males and females.
- ◆ Sexual assault is about power and violence. It is not about love.
- ◆ Sexual assault has nothing to do with sexual orientation.
- ◆ Victims and offenders may be either heterosexual or homosexual.
- ◆ The fact that a victim of sexual assault became sexually aroused does not mean they were not raped or that they gave consent. These are normal, involuntary reactions.
- ◆ Any sexual contact between staff and youth is against the law.
- ◆ It is common for survivors of sexual assault to have feelings of embarrassment, anger, guilt, panic, depression, and fear even several months or years after an attack.

Any effort to prevent a person from reporting an incident or retaliation by any staff or resident against any person reporting such activity will be dealt with through the disciplinary process.



Reduction/Education/Safety/Planning/Elimination/Compliance/Treatment

**West Virginia Division of Juvenile Services  
PREA Juvenile Offender Orientation for Newly Admitted Juvenile Residents**

Introduction: The Division of Juvenile Services (DJS) is committed to your safety and the safety of staff. You have the right to serve your sentence with dignity and free from sexual abuse, sexual harassment, and retaliation. The DJS has zero tolerance regarding sexual abuse and sexual harassment within its facilities. This means we DO NOT tolerate any level of sexual harassment, misconduct, or assault in the facilities. 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.

There is a federal law against sexual assault inside correctional systems called the Prison Rape Elimination Act (PREA). This law covers male and female individuals incarcerated in any type of correctional facility, as well as offenders on community supervision. This law also covers any form of sexual relationship between staff and offenders, even if they both consent to the relationship. We also have laws against custodial sexual misconduct. This is when a staff member becomes sexually involved with an offender. All of these types of offenses are felonies and any allegation shown to be true will be referred to law enforcement for prosecution.

When you first arrive here, you may want to find comfort and want to 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. We will work with you to do everything we can to ensure you remain safe.

What is sexual abuse?: There are two categories of sexual abuse – juvenile offender and juvenile offender or staff and juvenile offender. In either of these cases, it is not your fault if you were sexually abused or sexually harassed. These definitions are outlined in your orientation with your PREA Counselor. If after you read through it and have any other questions, you can ask any staff member for assistance.

During you stay at a DJS facility, consensual sexual relationships are prohibited. Consensual sexual relationships between juvenile offenders are against policy. Offenders who engage in these relationships will be charged with a major infraction with appropriate sanctions. Even though these types of relationships may be something that is desired by both people, they present medical and psychological issues which compromise your safety and the safety of other offenders and staff. The spread of sexually transmitted diseases, jealousy between participants and from other offenders, fear of homosexuality and other issues make consensual sex a threat to everyone's safety.

Prevention: How to prevent sexual abuse / harassment – Pay attention to where you are, situations that make you feel uncomfortable, special attention that someone may be giving you, who you tell private information to, accepting loans, offers of protection and do not let manners get in the way of keeping yourself safe. Everyone is vulnerable in these kinds of situations but they are less likely to happen if you follow some of the common sense rules outlined in the Resident PREA PowerPoint/guide. Staff are trained to look for behaviors of offenders which may indicate that some form of sexual abuse/sexual harassment may be occurring or offenders who are at risk for sexual victimization. Some of these include: Changes in routine, mood or behavior, to include eating, hygiene, and sleeping habits; avoiding staff members or staying too close to staff; staying out of the dining hall, yard or shower areas; irritability or mood swings; requesting housing changes; one offender getting lots of attention from other offenders, particular a younger or weaker offender; never having canteen items; and suicide attempts or threats.

Reporting and Investigations: What to do if you've been assaulted or if sexual misconduct has occurred. Offenders can participate in an investigation in many ways, including being the alleged victim, suspect, reporter, or witness. Reporting can be done several ways:

If you have been assaulted or witness an assault you have several options for reporting a PREA complaint, which includes, but is not limited to:

- 1) PREA Counselor,
- 2) Any staff member,
- 3) PREA Compliance Manager,
- 4) Request to see the nurse or counselor,
- 5) Locked PREA Box,
- 6) Grievance Box,
- 7) WV State Police
- 8) Child Abuse Hot Line (1-800-352-6513),
- 9) DJS Sexual Abuse toll-free hot-line (1-855-366-0015),
- 10) DJS Website (<http://www.djs.wv.gov>),
- 11) Supreme Court Juvenile Justice Commission via United States Mail (pre-addressed envelopes provided with postage pre-paid)
- 12) Report to anyone you trust, including fellow residents, staff members, family members, attorneys, and outside advocates, shall be permitted to assist residents in filing requests for administrative remedies relating to allegations of sexual abuse, and shall also be permitted to file such requests on behalf of residents.
- 13) Or See your Counselor to call the **DJS Hotline @ 1-855-366-0015; emailing at [DJSPREACoordinator@wv.gov](mailto:DJSPREACoordinator@wv.gov) or visiting <http://www.djs.wv.gov> .**

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.

DJS 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 on a need to know basis.

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.

Those individuals who fail or refuse to cooperate (except victim) or those who otherwise takes action to obstruct an investigation, including providing false or misleading information may be subject to disciplinary actions. Making false allegations hurts the process and those offenders who have been victimized. Also lying during an investigation doesn't allow the investigators to get to the truth, minimizing our ability to hold people who have engaged in misconduct accountable or provide services to those who have been victimized.

What to expect: We will work with you to keep you safe. If the allegation is substantiated, we will keep you separated from the perpetrator throughout your stay, either by unit or facility separation.

All staff are required to report the allegation / incident to the superintendent, which will start the investigation proves. This includes the medical and mental health providers

An investigation may include: a medical exam, a mental health referral and evidence collection. 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 juvenile 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:

### Did you know?

- Sexual assault usually does not happen spontaneously.
- Sex assault is a deliberate action against the victim.
- Sexual assault has nothing to do with the victim's present or future sexual orientation.

We want this facility to be a safe environment for staff and juvenile offenders. Correctional staff are trained in what to do if you report a sexual threat or assault. Each report is taken seriously. We will make every attempt to protect sexual assault victims from further harm. We will do everything we can to make sure all sexual aggressors are prosecuted.

Remember, we have zero tolerance regarding sexual abuse / sexual harassment within our facilities. This means that we do not tolerate any level of sexual harassment, sexual misconduct, or sexual assault. Every effort will be made to prevent sexual abuse / harassment from occurring. Every allegation will be investigated. Every perpetrator prosecuted and every victim will be provided services.

## TMJC Staff

### *ADMINISTRATION*

Mr. Dolin - Facility Director  
Lt. Murphy - Chief of Security  
Ms. Fulks - Supervisor III

### *SECURITY SUPERVISORS*

Sgt. Dunlap  
Sgt. Setter  
Cpl. Ambriz  
Cpl. Brown  
Cpl. Parsons  
Cpl./FTO Leonard

### *TREATMENT STAFF*

Ms. Rhodes - Case Manager  
Ms. Rardin - Correctional Counselor II  
Mr. Clark - Correctional Counselor I  
Ms. Parsons - Correctional Counselor I

### *PSIMED STAFF*

Ms. Smith - Therapist (Wellness Program)

