WEST VIRGINIA DIVISION OF JUVENILE SERVICES	POLICY NUMBER: 317.00	PAGES: 3
CHAPTER: Institutional Operations	**REFERENCE AND RELATED STANDARDS:** WV Code §§ 49-5-16a and 49-5E-1 et seq.; ACA 3-JTS-4C-43; ACA 3-JDF-4C-41; and ACA 3-JCRF-4C-23/24	
SUBJECT: Substance Abuse Testing, Treatment and Sanctions for Residents		
DATE: January 1, 2008		

POLICY

This policy is to establish guidelines for the Division of Juvenile Services regarding testing to assist in controlling illegal drug and intoxicant abuse within its facilities.

CANCELLATION

This policy has been reviewed and supersedes Policy 317.00 dated October 1, 2007.

APPLICABILITY

This Policy applies to **ALL** Division of Juvenile Services' facilities.

DEFINITIONS

1. **Detoxification**: The process by which a resident is gradually withdrawn from a drug or alcohol addiction.

2. **Drug Testing**: Chemical analysis of body temperature urine sample, breath or saliva sample from a resident for the detection of drugs and/or alcohol and/or tobacco products.

PROCEDURES

1. **Drug Testing**

    a. There are four types of substance abuse testing categories used by the Division:

        i. Probable Cause Testing- This type will be done whenever a violation of facility rules on alcohol/controlled substances occurs or whenever reliable information is received concerning resident alcohol/substance use.

ii. Facility Directed Testing- This type allows collection of urine, breath or saliva samples from the resident or group of residents who return from a pass, furlough, family visit or session, work detail or when a resident returns from escape status.

iii. Treatment Testing- Any resident who is participating in the substance abuse treatment program will be tested upon intake or at the request of the juvenile's Probation Officer.

iv. Court Ordered- Any order from any Circuit Judge ordering the facility to conduct alcohol/controlled substance testing.

b. Each resident will be told that it is possible that they may have to provide more than one urine sample monthly for drug testing regardless of the testing premise.

2. **Drug Treatment/Intervention**

a. **Facility Programs**

i. The Division shall require all in-coming residents, with a need, to participate in substance abuse programming and also offer individual counseling and both discussion and therapy groups for those residents who are identified as needing substance abuse programming.

b. **Section Criteria**

i. All correctional residents, as part of their Individual Treatment Plan (ITP), are required to participate in substance abuse education classes following assignment to a specific facility.

ii. Residents are selected and referred for individual or group counseling/therapy programs based upon the following factors:

1. Court order and/or nature of the crime.

2. Psychiatric/psychological evaluations, substance abuse assessments and recommendations.

3. Personal interviews focused on the use of drugs/alcohol at the time the offense was committed. The need to commit the offense in order to obtain money for drugs; family history of drug/alcohol addiction;

and self-report of substance abuse or addiction.

4. Self-disclosure of history of dealing, selling or trafficking alcohol or drugs.

5. Self or parental disclosure that close family member(s) have placed resident at a higher risk for alcohol or drug use.

c. **Sanctions**

i. The Division has zero tolerance for the use of drugs, alcohol, inhalants, or tobacco products by the residents in its facilities.

ii. The application of sanctions will be consistent with Division Policy 330.00 – Resident Discipline.

d. **Other Drug Detection Methods**

i. Methods used for drug detection other than those articulated in Section ii including the use of passive indicating drug dogs to search work and living areas, the sharing of information between Division facilities, and an agency task force on substance abuse programming and intervention.

RIGHTS RESERVED

The Director reserves the right to modify, suspend or cancel any provision herein in part or entirety, without advance notice, unless prohibited by law.

APPROVED: Dale Humphreys — January 1, 2008

Director **Date**