

 <p style="text-align: center;">WEST VIRGINIA DIVISION OF JUVENILE SERVICES</p>	<p><u>POLICY NUMBER:</u></p> <p style="text-align: center; font-size: 2em;">331.00</p>	<p><u>PAGES:</u></p> <p style="text-align: center;">2</p>
	<p><u>CHAPTER:</u> Institutional Operations</p>	<p><u>REFERENCE AND RELATED STANDARDS:</u> WV Code Chapter §49-2-903</p>
<p><u>SUBJECT:</u> Prosecution of Residents</p>		
<p><u>DATE:</u> January 1, 2017</p>		

PURPOSE

The Division of Juvenile Services shall seek prosecution of residents if they commit a serious offense while in custody.

CANCELLATION

This policy has been revised and supersedes Policy 331.00 dated October 1, 2007.

APPLICABILITY

This Policy applies to all Division of Juvenile Services' Facilities.

PROCEDURES

1. The Division supports prosecution of residents who commits a serious offense while in the custody of the Division. This can be determined based upon:
 - a. The seriousness of the incident
 - b. An internal investigation
 - c. Outside law enforcement

2. For any outside charges taken against a resident, staff will notify their supervisor through the chain of command and charges should be pursued by the Division Director or his or her designee.

3. The results of an internal investigation developing out of the above action shall be presented to the Prosecuting Attorney of the county in which the offense occurred for his or her decision regarding prosecution.

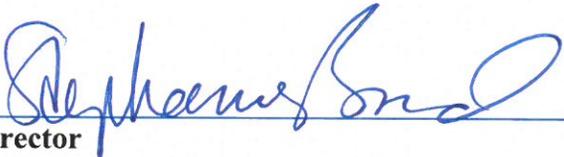
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4. If a resident receives additional charges while in DJS custody, the Facility Superintendent/Director will insure that the following people will be notified:
- a. Judge and Probation Officer from the resident's original county of Jurisdiction
 - b. Parent or legal guardian
 - c. Prosecutor and Defense Attorney
 - d. Magistrate of county of jurisdiction for new charge
 - e. Appropriate Regional Jail Administrator
5. This policy will be adopted in its entirety and no operational procedure will be developed.

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:



Director **Date** 1/1/17