

	WEST VIRGINIA DIVISION OF JUVENILE SERVICES	<u>POLICY NUMBER:</u> 	<u>PAGES:</u> <p style="text-align: center;">5</p>
<u>CHAPTER:</u> Juvenile Services	<u>REFERENCE AND RELATED STANDARDS:</u> WV Code Chapter §49-2-903; 3-JDF-5A-15; Prison Rape Elimination Act (PREA) §115.316		
<u>SUBJECT:</u> Resident Handbook			
<u>DATE:</u> July 1, 2016			

PURPOSE

This Policy provides requirements for the resident handbook in order to give residents a clear understanding of their rights and responsibilities while in the custody of the Division of Juvenile Services.

CANCELLATION

This policy has been revised and supersedes Policy 500.04 dated April 1, 2014.

APPLICABILITY

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

PROCEDURES

1. At a minimum, the Resident Handbook shall include or provide information on the following:
 - a. Resident's right to be free of personal abuse, corporal punishment, personal injury, disease, property damage, and harassment.
 - b. Resident's right to access the courts.
 - c. Information regarding Prison Rape Elimination Act (PREA). (Refer to Attachment #1 Resident PREA Orientation, of Policy 151.00-PREA.)
 - d. Resident's right to request protective custody based on their perception that they are in danger of being harmed by another resident.

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- e. Resident's right against discrimination based on race, religion, national origin, sex, disability, or political views when making administrative decisions and when providing access to programs. Resident's right of equal access to programs and services for male and female residents in co-ed correctional facilities.
- f. Phase system.
- g. Fire prevention and safety information and instruction for fire drills.
- h. Daily schedule.
- i. Behavior expectations for all areas of the facility.
- j. Dress code for all areas of the facility.
- k. Personal hygiene.
 - i. Residents are allowed freedom in personal grooming, except when valid interest justifies otherwise.
 - ii. Articles necessary for maintaining proper personal hygiene are provided to all residents on an as needed basis.
 - iii. Areas covered:
 - 1) Showering
 - 2) Shaving
 - 3) Hair care/cuts
 - 4) Feminine hygiene
- l. Residents are afforded unimpeded access to health care.
 - i. Doctor sick call
 - ii. Nurse sick call
 - iii. Dispensing medication
 - iv. Outside medical consultations
 - v. Hospitalization
 - vi. Dental care
 - vii. Psychological or psychiatric care
- m. The resident grievance procedure that is made available to all residents including type and availability of appeal.
- n. Laundry schedule and operations.

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- o. Summary of Resident Discipline and Procedures as listed in Policy #330.00
 - p. Informal Resolution procedures as related to resident disciplinary actions.
 - q. Control of Contraband and Allowable Items.
 - i. Body Searches
 - ii. Room Searches
 - iii. K-9 Searches
 - r. Facility Programs and Treatment.
 - s. Education Services/Expectations.
 - t. Aftercare Services.
 - u. Control, safeguarding and storage of resident personal property.
 - v. Athletic, recreational, and leisure-time activities.
 - w. Resident involvement in community groups.
 - x. Voluntary participation in religious programs and counseling.
 - y. Resident Mail Procedures and Limitations.
 - i. Facility rule on access to publications
 - ii. Access to postage and writing materials
 - z. Telephone Calls Procedures and Limitations.
 - aa. Visitation.
 - i. Visiting hours
 - ii. Background checks
 - iii. Visitor lists
 - bb. Pre-release orientation and planning.
 - cc. Food Services.
2. Resident handbooks shall not include specific information on:

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- a. Surveillance equipment.
 - b. The storage of security equipment.
 - c. The facility security manual.
 - d. Maintenance of security devices.
 - e. Vehicle searches or sallyport operations.
 - f. The use of physical force or restraints, except that residents have the right to medical treatment after application.
 - g. The use of chemical weapons.
 - h. Storage and accountability of dangerous tools and equipment.
 - i. Transporting residents.
 - j. Procedures for major disturbances and hostage situations.
 - k. Drug testing procedures for residents.
 - l. Key control procedures.
 - m. Emergency plans and evacuation procedures, except that practice drills (such as fire drills) will be conducted.
 - n. Emergency power and communications.
 - o. Escape procedures.
 - p. Suicide management, except that residents will be free to talk to staff; as well as the availability of psychological treatment.
 - q. Hunger strike procedures.
 - r. Canine Procedures.
3. New residents shall receive written orientation materials or translations in their own language who are limited English proficient (LEP). When a literacy problem exists, a staff member assists the resident in understanding the material.

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4. A signature sheet shall be given to the resident to verify that he or she has received the handbook during intake and each time the handbook has been revised. The signature sheet will be uploaded into OIS.
5. Each facility will develop an operational procedure for this policy.

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** 7/1/16