



## **Vickie Douglas Juvenile Center**

### **Resident Handbook**

#### **Facility Director**

Mr. Adam Collis

#### **Security Staff**

Lieutenant A. Lewis

Sergeant S. Pruzensky

FTO Corporal D. Esposito

#### **Treatment Staff**

Mrs. Sharon L. Parsons Treatment Case Manager

Mrs. Kim Sturchio After Care Case Manger

#### **Counselors**

#### **PREA Compliance Manager**

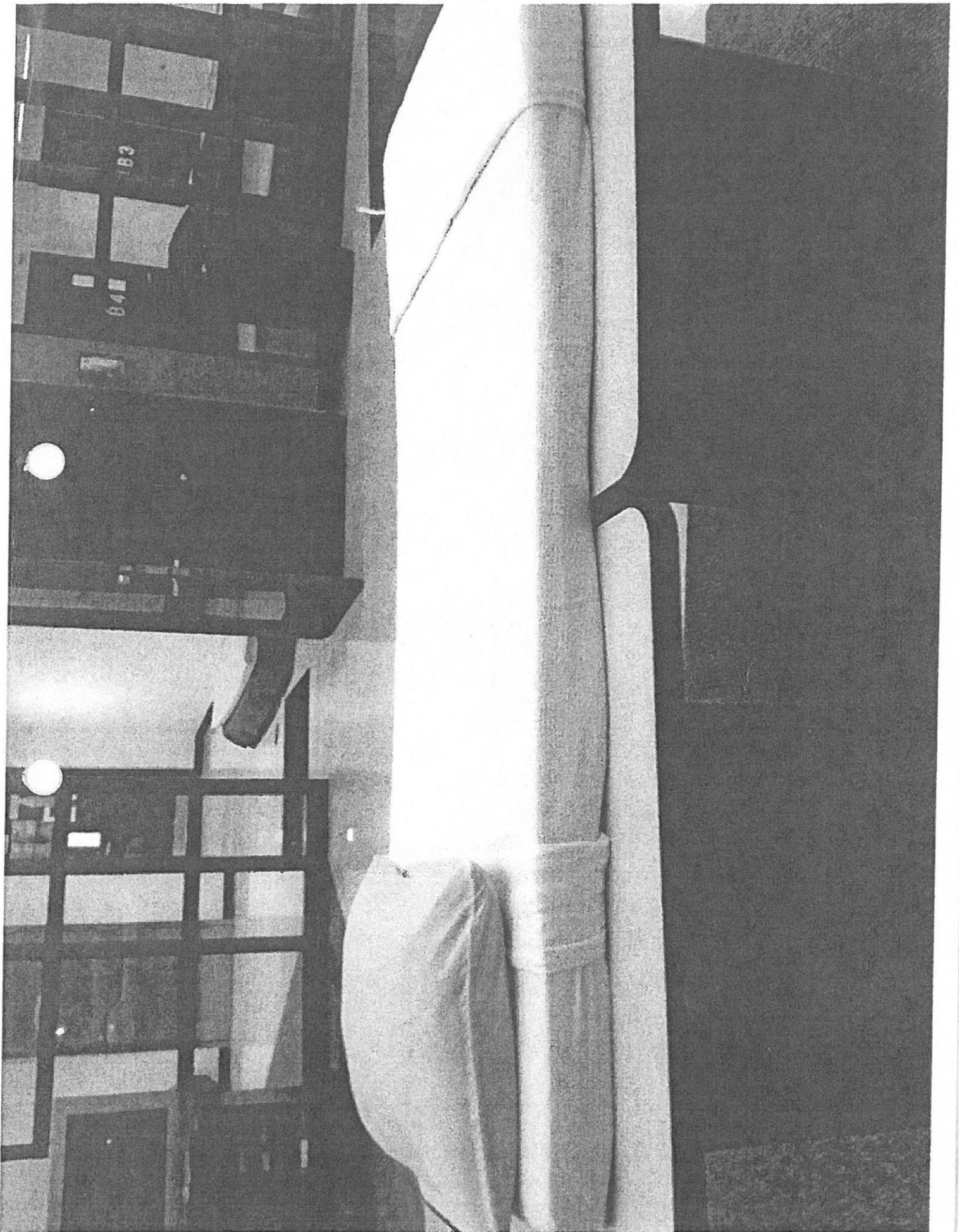
Sergeant S. Pruzensky

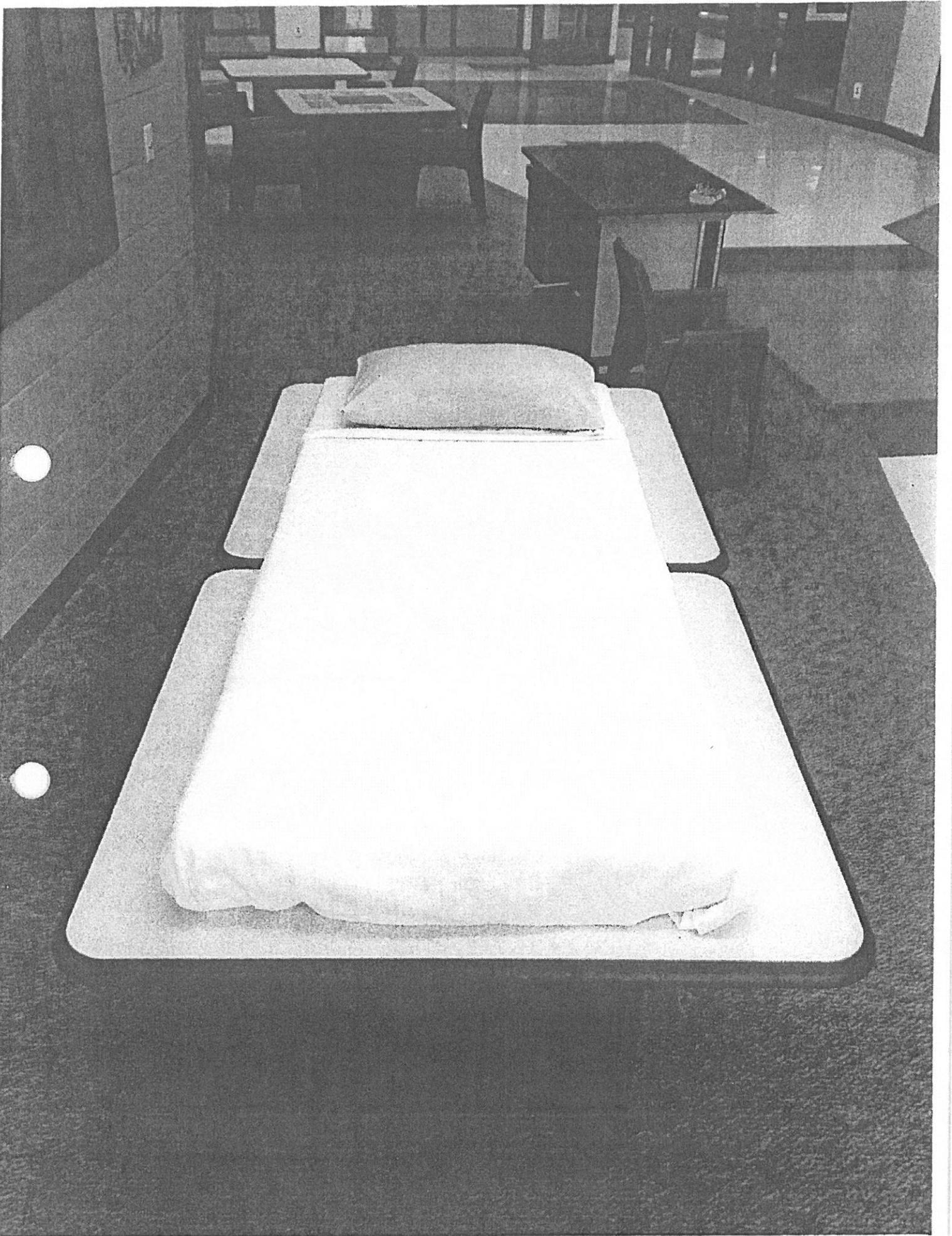
## Basic Facility Rules

Rules are a basic way of life every where you go and the Vicki Douglas Juvenile Center is no exception. The following list is a general list of rules that govern the standard operation of the facility. Every resident is expected to abide by these simple rules.

1. Follow staff directives at all times.
2. During fire drills or other emergencies, residents are to follow instructions by staff without question.
3. All residents are expected to sleep fully clothed with either sweat pants or shorts and a t-shirt on. Nothing is to be covering the residents head or face. Your shoes will remain outside of your room at all times. You may wear whatever article of clothing you wish (sweatpants, shorts or tan pants) along with a t-shirt INSIDE of your room but when you exit your room you will always be clothed correctly in undergarments, tan pants and whatever color t shirt you have been assigned. Doors to rooms will be closed at all times when you are not in your room.
4. You are expected to care for your assigned room and property. Your room should be straightened up every time that you leave it. Phase 4 & 5 residents will have their bed made as demonstrated in the pictures included in this handbook.
5. Residents are to shower daily (10 minutes) and brush teeth a minimum of once per day. Time is given after each meal to brush your teeth if you desire to do so. When complete please stand outside your door. Do not lean on the door. Top tier residents will stand in front of their door close to the glass. This will inform the officers that you are finished. Residents are to remain in their room, sitting on their bed during shower time until all showers in the facility are complete. There is to be NO talking while you are standing at your door.
6. Growing of beards, goatees and mustaches is not permitted; no facial hair is permitted to be grown. This includes sideburns. When you have been at the facility for 72 hours you will be required to shave off any facial hair.
7. Do not leave any articles in the showers or bathroom area such as soap, towels, wash clothes, clothing, etc.
8. All dirty laundry will be placed in the laundry cart, one piece of clothing at a time, right-side out, and unrolled. DO NOT PLACE ANY ARTICLE OF CLOTHING IN THE RAG BUCKETS. These are for rags ONLY.
9. Do not throw any towels, wash cloths or any articles of clothing in the trash cans and/or rag buckets.
10. Horseplay is not permitted in any part of the building to include recreation areas, this includes running up or down the steps or skipping steps when you are going up or down.
11. When in the dining area, seating will routinely be assigned. Talking shall be kept at a low volume at your table, not talking between tables. Residents are to raise their hand to get staff's attention. Residents will be given thirty (30) minutes to eat. Seating assignments will be changed by Sergeants and above only and must be documented on the board in the dining hall.
12. Residents are not to leave their room without staff permission. Never enter the room of another resident. Never enter an office of a staff member.
13. At wake-up time, residents will get up and prepare to leave the unit without hesitation.
14. Foul language, disruptive speaking and harassment of any persons are not permitted.
15. Threats toward staff or residents will not be tolerated.
16. Be ready for bed at your scheduled time.
17. There is to be no spitting in drinking fountains or trashcans.
18. Do not write or scratch on any painted surfaces or furniture.
19. Do not tamper with any switches, outlets, sprinklers or other fixtures.
20. When assigned work duties, complete the task to the best of your ability and in a timely manner.
21. No destruction or abuse of any recreational equipment.
22. No lying to staff.
23. No leaning in chairs. All 4 legs of the chair are to be on the floor at all times. Chairs without molded arms are for staff only.

24. No placing feet on chairs or tables, your feet need to be on the floor at all times. You may cross your ankles or legs at the knees.
25. Three (3) books, not including the Bible are allowed in your room. A total of ten (10) pieces of mail including pictures are allowed in your room. Other items are to be placed in your personal property bag.
26. Residents are not allowed to exchange any personal information (phone numbers, email addresses, addresses, etc.) You may not send or receive mail to anyone not on your approved contact list.
27. Residents are not allowed to have food or drink in their rooms.
28. Shirts must be tucked in and pants are rolled off of shoes. You may NOT layer your clothing with the exception of wearing your sweatshirt over your t-shirt.
29. Count when going through doors and walk with hands behind back at all times except when climbing stairs.
30. No touching or handling of electronic devices such as TV remotes.





## **Vicki Douglas Juvenile Center Juvenile Responsibilities**

**Along with Rights, come Responsibilities. Each Resident while at the Vicki Douglas Juvenile Center has the following Responsibilities....**

- To not be physically or verbally aggressive toward others
- To eat the meals and snacks provided
- To follow staff directives and facility rules
- To discuss with a staff member their concerns
- To maintain the cleanliness of their room, bathroom, unit, and living space
- Respect and not damage the clothing and shoes issued to them
- To stay within the required time limits for showers, telephone calls and visits
- Make contact by mail, telephone, and visits with family and friends that are on the approved list
- To be honest about their medical needs
- To follow the medical staff's treatment plan
- To take their prescribed medications as scheduled
- Participate in educational services
- To not damage facility property or the property of others
- Treat staff and visitors with dignity and respect
- Treat family and friends with dignity and respect

**Vicki Douglas Juvenile Center**  
**Rights of Juveniles**

The Division of Juvenile Services will ensure that all juveniles under its jurisdiction receive a copy of the following rights upon intake as provided by West Virginia Code §49-5-16a:

- a. A juvenile may not be punished by physical force, deprivation of nutritious meals, deprivation of family visits or imposition of solitary confinement;
- b. A juvenile shall be afforded an opportunity to participate in physical exercise each day;
- c. Except for sleeping hours, a juvenile in a state facility may not be locked alone in a room unless that juvenile is not amenable to reasonable direction and control;
- d. A juvenile shall be provided with his or her own clothing or individualized clothing which is clean and supplied by the facility, and shall also be afforded daily access to showers;
- e. A juvenile shall be afforded constant access to writing materials and may send mail without limitation, censorship or prior reading, and may receive mail without prior reading, except that mail may be opened in the juvenile's presence, without being read, to inspect for contraband;
- f. A juvenile may make and receive regular local phone calls without charge and long distance calls to his or her family without charge at least once a week, and receive visitors daily and on a regular basis;
- g. A juvenile shall be afforded immediate access to medical care as needed;
- h. A juvenile in a juvenile detention facility or juvenile corrections facility shall be provided access to education, including teaching, educational materials and books;
- i. A juvenile shall be afforded reasonable access to an attorney upon request; and
- j. A juvenile shall be afforded a grievance procedure, including an appeal mechanism.
- h. Basic hygiene items at no cost;
- i. To not be discriminated against based on race, religion, national origin, gender, or physical handicap;
- j. To be adequately protected from personal abuse, personal injury, disease, property damage, and harassment;
- k. Immediate access to emergency dental care;
- l. Have access to religious material and service;
- m. To be provided due process safeguards

## Phase System Overview

The following is a description of the Phase System that consists of five (5) levels. Your movement through the levels is determined by your behavior. Daily, you will have a point sheet where points are earned for positive and appropriate behavior. Those points are totaled at the end of the day and accumulated weekly to advance to a higher level. The points are also used to purchase commissary items. Each Monday, a level review is conducted of the points earned to determine your phase level for the next week, you will then have the opportunity to spend the points at commissary. You may bank points for commissary, however, banked points will **NOT** be considered when reviewing for level advancement.

## How the Phase System Works

- Staff will explain Phase System during intake.
- Residents new to DJS start at Phase Two upon entering the facility. Residents transferring from another facility may resume their previous level held if they have earned their points for their first 72 hours at VDJC.
- Levels are determined each Monday. Residents must have earned the required amount of points in order to advance to the next level. Residents must maintain the minimum amount of points specified per level to remain at that level.
- Points will be awarded each hour from 0630 to 2230 hours. The number of points earned is determined by the phase level of the resident, for example, level 2 residents earn 2 points per hour. Once the points are calculated to determine levels, they may be used for commissary.
- Loss in phases can result in the following ways: 1) A sanction of being found guilty of a Category offense and 2) not maintaining the required amount of points for that level. Residents have the opportunity to advance a level each week if their behavior warrants.
- When a resident is placed on Specialized Housing, then they will be Phase I.
- Residents may only use points to get things from commissary according to their phase.

## Vicki Douglas Juvenile Center PHASE SYSTEM

Update September 2015

	<b>Phase I</b>	<b>Phase II</b>	<b>Phase III</b>	<b>Phase IV</b>	<b>Phase V</b>
<b>Phone calls</b>	One, 15 min. call in and one 15 min. call out per week.	One, 15 min. call in and one 15 min. call out per week	One, 15 min. call in and one 15 min. call out per week	One, 15 min. call in and one 15 min. call out per week	One, 15 min. call in and one 15 min. call out per week
<b>Commissary</b>	Can only use points to get phase 1 items from commissary	Can only use points to get phase 1 & 2 items from commissary	Can only use points to get phase 1,2 & 3 items from commissary	Can only use points to get phase 1,2,3 & 4 items from commissary	Can use points to get ANY item from commissary
<b>Movies</b>	No movie	Sunday movie	Sunday movie	Saturday and Sunday night movies	Friday Night Movie & Snack, Saturday and Sunday Night Movies
<b>Bedtime</b>	School Night and Weekend 9:00 p.m.	School Night and Weekend 9:00 p.m.	School Night 9:30 p.m. Weekend 10:00pm	School Night 9:30 p.m. Weekend 10:00 pm	School Night 10:00 p.m. Weekend 11:00pm
<b>TV/Games</b>	No T.V. or game privileges	T.V., cards, ping pong, board games	TV, cards, ping pong, board games	T.V., cards, ping pong, board games, PlayStation 2	Same as previous levels, MP3 players, PlayStation 2, 3 & Wii
<b>Commissary points</b>	No commissary	Can earn up to 34 points daily for commissary	Can earn up to 51 points daily for commissary	Can earn up to 68 points daily for commissary	Can earn up to 85 points daily for commissary
<b>Visits</b>	Allowed visits one day each week & Holidays	Allowed visits one day each week & Holidays	Allowed visits one day each week & Holidays	Allowed visits one day each week & Holidays	Allowed visits one day each week & Holidays
<b>Level Advancement</b>	Takes a minimum of 94 points to advance to phase 2	Takes a minimum of 213 points to advance to phase 3	Takes a minimum of 337 points to advance to phase 4. Must maintain 320 points to maintain level	Takes a minimum of 456 points to advance to phase 5. Must maintain 440 points to maintain level	Highest level, best behavior is expected. Must maintain 575 points to maintain level

## Disciplinary Procedure

Each resident is expected to comply with the Vicki Douglas Juvenile Center and Division of Juvenile Services rules and any attempt to circumvent these rules will be subject to disciplinary action. The following is a description of the violations.

**CATEGORY I OFFENSES** - 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.

1.1(a) Escape or 1.1(b) Attempted 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.

1.2 Inciting or Participating in a Riot: Organizing, coordinating or forcing (or being organized or coordinated into) participation in unauthorized activities that might substantially hurt others, damage property, or create a major disturbance.

1.3 Assault: Physical attempt or substantial threat to harm others. A resident may not intentionally cause physical harm to another person, to include poisoning.

1.4 Arson: A resident may not start any fire.

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

1.6 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.

1.7 Possession, Manufacturing, or Use of Intoxicants: Possessing or using any unauthorized substance or drug paraphernalia, including controlled substance or intoxicants and/or medications that have been hoarded, not prescribed for the resident, or used in a manner not consistent with the prescription or direction of medical staff. This includes the failure to provide a sample within two (2) hours for testing.

1.8 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.

1.9 Possession or Manufacture of Weapons: Possessing an item or items that have been made or adapted for use as a weapon and may cause injury or bodily harm.

1.10 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 anytime.

2. **CATEGORY II OFFENSES** – Such offenses that tend to disrupt the normal operation of the facility or subvert the facility's systems of security and control. A resident may not 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.

2.1 Attempting to Circumvent 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.

2.2 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.

2.3 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.

2.4 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.

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

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

2.7 Threats/Intimidation: Bullying. Saying or doing something to scare another person into thinking that person and/or property may be harmed.

2.8 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.

2.9 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.

2.10 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.

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

2.12 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.

2.13 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.

2.14 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.

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

2.16 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.

2.17 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.

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

2.19 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.

2.20 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.

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

2.22 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.

**PROCESS:**

- Report is issued
- Resident is given notice of the violation(s)
- Hearing Officer will hold a hearing no sooner than 24 hours and no later than 7 days

3. **INFORMAL RESOLUTION:** An informal resolution will be known as a Category 3 write-up for the purpose of this procedure. It may be implemented if the resident consents to the penalty imposed due to a rule violation in order to avoid sanctions that may be imposed by the formal hearing process. Sanctions will be documented on a Category 3 document. 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.

Residents have the right to appeal decisions of the Hearing Officer. The initial appeal is made to the Facility Director within fifteen (15) days of the receipt of the decision. The resident shall complete a Resident Hearing Appeal Submission form with their basis of the appeal listed and forward it to the Facility Director to initiate the appeals process.

### **Fire Drill and Evacuation Procedures**

If you see fire or smoke or if the fire alarm sounds, you should:

- ❖ Remain calm and do not panic
- ❖ Not attempt to fight or control the fire
- ❖ Listen for instructions from staff members
- ❖ WALK, do not run
- ❖ GET DOWN and crawl if the smoke is thick
- ❖ Use the evacuation route(s) indicated on the maps posted in the facility
- ❖ Exit outside the building as directed by staff
- ❖ Not attempt to take personal belongings

Random drills will be conducted for practice of evacuation procedure.

### **Dress Code**

Your uniform is provided for you. It consists of undergarments, 2 t-shirts, sweatshirt, shorts, pants, sweatpants, socks and flip flops/crocs. Undergarments are worn at all times. T-shirt is to be worn at all times and tucked into your pants. Your pants are to be rolled up off of your shoes. Your sweatshirt may be worn over your t-shirt for warmth. Shorts may be worn to sleep in and/or for recreation (weather permitting). Sweatpants may be worn to sleep in but may not be worn with tan pants at any time. Socks are to be worn at all times. Sneakers are for recreational activities and flip flops/crocs are worn during the remainder of the time. You may keep your own sneakers. If you have your own sneakers, you may not request new ones be brought into the facility by calling your family. If you need new sneakers, your old ones will be inspected by staff and the Case Manager contacted who will then contact your family.

### **Hygiene**

Basic hygiene supplies are provided to you by the facility. If you need a replacement item, then provide the officer with the empty container and they will get your replacement. At least once per day you are expected to: shower, brush your teeth, apply deodorant, and comb your hair. On shave nights, you are expected to shave. Males are to have their face cleanly shaven. Females are to have their armpits cleanly shaven and may shave their legs from the knee down. Shaving other areas is not permitted to include eyebrows, sideburns, arms, private areas, etc. Haircuts will be provided as needed. You may have your hair cut and/or trimmed to your specifications as long as it is uniform and not an extreme look or a style that is spiking, covering your eyes, etc. Females will be provided all feminine products as needed.

### **Healthcare**

If you need to see the nurse, then complete a "Sick Call" form and place in the locked box in the dayroom with staff supervision. The nurse will see you as soon as possible or at least by Medication Time. The nurse will refer you to the physician if medically necessary. Medications

are dispensed as prescribed by the physician. The medical staff will determine if you need other medical consultations to include dental care. If you currently take medications for psychiatric concerns then the psychiatrist will see you to evaluate your medications.

### **Laundry**

Clean uniforms and shower items are provided daily to include, undergarments, t-shirts, pants, socks, towel and washcloth. Clean bed linens are provided upon your arrival and then each week. Clean shorts and sweat clothes are distributed as requested or at least weekly.

### **Allowable items**

You may have all items issued by the facility. You may have 3 library books and a bible in your room as long as your phase level allows. You may keep a total of 10 letters/cards/pictures that you have received. Inappropriate and/or unacceptable letters, pictures, cards, etc. will be stored in your personal belongings. The school and your living area to include your room will be searched randomly for contraband. You are subject to pat down and strip searches. The Division's K9 Unit makes unannounced searches as well.

### **Education Services**

Education services are provided at the facility by the Berkeley County School System. The Education team is made up of a Principal, two teachers and a counselor. You are expected to attend school daily.

### **Aftercare Services**

The courts may assign you to Aftercare Services. If so, then the Aftercare Case Manager will contact you.

### **Personal Property**

The items that you come into the facility with will be inventoried and documented on your Personal Property List which you will sign. You will maintain a copy as well. Your clothing will be laundered and stored in a personal property bag in the property room. Valuable items such as cell phone, jewelry, etc. will be maintained by the Case Manager. All items will be labeled to assure they are returned to you upon your release.

### **Recreational Services**

Recreational Services will be provided daily, behavior permitting. Residents who are not amenable to reasonable control and direction will not be permitted to participate in group recreational activities. Recreation time will be outside if the weather permits.

### **Religious Services**

Services are held by community volunteers. Religious services are voluntary and not a mandatory part of the schedule. When you attend the services, you are expected to be respectful to the volunteers and not disruptive to the group. If at any time you are not amenable to reasonable control and directions then you will be removed from the group for the remainder of the service. If you refuse to attend the church services provided, you will remain in your room until church service is complete.

### **Resident Mail**

You may send and receive mail to anyone who is listed on your approved list. The facility will provide you with 10 stamps per month. If you need additional stamps, a family member may send them to the Case Manager. The Case Manager will track all of your stamps and mail. Outgoing mail will be placed in an addressed envelope and given to the unit officer who will forward that mail to be processed and checked for contraband. On incoming mail, the postage stamp will be removed by the Case Manager prior to coming to your unit. Incoming mail will be distributed during shower time. You will open your mail in front of the unit officer, emptying the contents of the envelope for the officer to see but not reading your mail. If we suspect contraband, then the Case Manager will open the mail in your presence. If mail is received from someone not on your approved list, the Case Manager may place it into your personal property. If you attempt to send mail to someone not on your approved list, the Case Manager may place it into your personal property. If you would like to add someone to your contact list, you may make the request to the Case Manager.

### **Phone calls**

You will be given an intake phone call of 15 minutes to your legal guardian. That will be your outgoing phone call for your intake week. You may also contact your attorney. If you arrive after regular business hours, you may still contact your attorney and leave a voicemail. Each week thereafter, you will be given at least one weekly phone call of 15 minutes to a person on your approved list. The phone call will be supervised by a staff member. You may also receive one incoming phone call each week. All phone calls are made between the hours of 7pm – 9pm daily. Weekly phone calls are monitored by staff. Legal phone calls are not monitored by staff.

### **Visitation**

Visitation is held on weekends and holidays. You will be eligible for at least one 30 minute visitation time each week but up to a 2 hour visit. Three people may visit as long as they are on your approved visitor list and have successfully completed a background check conducted by the Division.

### **Food Services**

You will be served three meals and a snack daily. You will ALWAYS sit at your assigned seats. Any Resident sitting in a seat they are not assigned to will receive a disciplinary sanction. You may use the hand sanitizer when it is your turn to get your tray. You must ask for and receive permission from a staff member first. For Dinner you may have either the entrée that is served OR a peanut butter sandwich. If you get a second helping, those who had peanut butter sandwiches will receive a second peanut butter sandwich and those who had the entrée will receive seconds from the entrée. **NO EXCEPTIONS.**

### **Protective Custody**

You have the right to request protective custody based on your perception that you are in danger of being harmed by another resident.

### **Daily Schedule**

Your daily schedule is posted in your unit.

**Vicki Douglas Juvenile Center**  
**Resident Grievance Procedure**

There is a three step grievance procedure available to all residents in the custody of the Division of Juvenile Services. These steps include relevant staff member, Facility Director and the Division Director.

a. Grievance Process

- i. Any issue that is unresolved by staff to a resident's satisfaction can result in a formalized grievance procedure. Residents shall not be required to discuss any grievance with any staff involved or unit staff prior to filing a grievance.
- ii. A resident may submit a written and signed grievance form to be placed in a locked Grievance Box located in the dayroom. This box can only be opened by the Facility Director or the Grievance Coordinator.
- iii. Any resident who has difficulty writing shall receive assistance in preparing their grievance.
- iv. A resident may appeal any decision of the Facility Director to the Division Director via privileged mail.

**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.

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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.

**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 your comfortable with. Stay busy with positive activities like school, community service, letter writing or physical exercise.

DJS PREA Hotline 1-855-366-0015

**West Virginia  
Division of Juvenile Services**

1200 Quarrier Street, 2nd Floor  
Charleston, WV 25301

Phone: (304) 558-9800  
Toll Free: 1-800-368-2780  
Fax: (304) 558-6032

Website: [www.wvdjs.state.wv.us](http://www.wvdjs.state.wv.us)



**PREA  
Prison Rape Elimination Act**

**WHAT YOU  
SHOULD KNOW  
ABOUT SEXUAL  
ABUSE AND  
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.

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

## 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:

- ◆ Be aware of situations that make you feel uncomfortable. Trust your instincts. If it feels wrong, **TELL A STAFF MEMBER THAT YOU TRUST.**
- ◆ 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 fill out a grievance form, write a note, request to see the nurse or counselor; or you may use the Confidential PREA box that is **only** accessed by Central Office staff (checked every 14 days); or see your Counselor to call the **DJS Hotline @ 1-855-366-0015**



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 your 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:

- a. 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:
  - i. PREA Counselor,
  - ii. Any staff member,
  - iii. PREA Compliance Manager,
  - iv. Request to see the nurse or counselor,
  - v. Locked PREA Box,
  - vi. Grievance Box,
  - vii. WV State Police
  - viii. Child Abuse Hot Line (1-800-352-6513),
  - ix. Division's Sexual Abuse toll-free hot-line (1-855-366-0015),
  - x. DJS Website (<http://www.djs.wv.gov>),
  - xi. Supreme Court Juvenile Justice Commission via United States Mail (pre-addressed envelopes provided with postage pre-paid)
  - xii. 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.

- xiii. Or See your Counselor to call the **DJS Hotline @ 1-855-366-0015**; emailing at [DJSPREACoordinator@wv.gov](mailto:DJSPREACoordinator@wv.gov) or visiting [www.wvdjs.state.wv.us](http://www.wvdjs.state.wv.us) .

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 process. 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.

**Report abuse, sexual abuse or sexual harassment by calling**

**1-855-366-0015, emailing [DJSPREACoordinator@wv.gov](mailto:DJSPREACoordinator@wv.gov) or visiting  
[www.wvdjs.state.wv.us](http://www.wvdjs.state.wv.us)**

It is important to Division of Juvenile Services that you remain safe and free from all types of abuse during your reformation. The DJS Hotline was created for everyone to report concerns regarding safety, abuse or youth rights issues confidentially to our PREA Coordinator Office.

If you have been, or know someone who may have been abused or harmed, tell a trusted adult immediately or call the DJS Hotline.

**PLEASE NOTE:** Reports of abuse are taken very seriously. If you choose to make a false report of abuse against anyone, it will be discovered. Anyone making a false report will be held accountable. This includes loss of privileges and possibly new charges.

When you have a concern that does not relate to abuse, ask yourself:

- Have I tried to talk with the staff/persons involved?
- Have I tried to talk with the Shift supervisor, CM, and/or upper management?
- Have I completed a Resident Grievance form and waited the 14 days for the process to be completed?

When leaving a Hotline message:

- Speak clearly
- Give your first and last name (Tell us if you want to remain anonymous)
- Tell us where you are – Facility
- Tell us the names of the people involved and any staff or youth witnesses
- Tell us the date/time and location of incident
- Give a brief summary of the issue/concern. Be respectful and communicate your concern effectively.

Staff will allow you to call the DJS Hotline regarding safety and abuse issues as soon as possible from the time you tell staff you want to make the call. Here are times you will need to wait for the call because of other things going on in the facility – for example med pass, meals and other activities. When you make a request, you must follow staff directives and should normally receive the call before the staff you asked leaves for the day. If you are not following staff directives, you will not get to make the call until you are complying and the staff feels it is safe. If the staff is not able to give you the call before they leave s. Their shift, they will ask another staff to give you the call. Your case manager may tell you they are calling the DJS Hotline for you when they cannot give you the phone because they feel you are being unsafe.