

GENERAL DISTRIBUTION

**WEST VIRGINIA
DIVISION OF CORRECTIONS
& REHABILITATION**

NUMBER: 100.00

EFFECTIVE DATE: 06 May 2025

SUBJECT: WRITTEN INSTRUCTIONS

POLICY DIRECTIVE

PURPOSE:

To provide policy establishing a coordinated system of written instructions through which the Division of Corrections and Rehabilitation communicates its management philosophy, intent, and expectations to employees, offenders, and the public.

REFERENCE:

WV Code 15A-3-4; ACA Expected Practices 5-ACI-1A-05, 06, and 12 through 14; 5-ACI-3A-04 and 05; 5-ALDF-7D-08 through 10; 5-JCF-2A-07, 5-JCF-7A-08 and 17, 5-JCF-7D-02; 3-JDF-1A-13, 21 and 22, 3-JDF-3A-05 and 06; 1-JDTP-1A-06, 10, and 16; 2-CO-1A-05, 07, and 15 through 17; 1-CTA-1A-03, 11 and 12; and 4-APPFS-3D-05 through 07.

RESPONSIBILITY:

Superintendents and work unit supervisors and directors as appropriate shall be responsible for enacting Operational Procedures to ensure compliance with this Policy Directive.

CANCELLATION:

Any previous written instructions on this subject including DCR Policy Directive 100.00, dated 15 March 2019.

APPLICABILITY:

All facilities and work units within the Division of Corrections and Rehabilitation (DCR). This Policy is available for general distribution.

DEFINITIONS:

Distribution Point: Areas (may be physical location or electronic format) within facilities and work units where copies of written instructions are available.

Employee: For the purposes of this Policy, any person who works at DCR Central Office, a correctional facility, or other work unit within the Division of Corrections and

Rehabilitation. Includes, but is not limited to full-time, part-time, temporary, provisional, probationary, and permanent status employees of the State of West Virginia; contractors and their employees; and volunteers.

General Distribution: A document that may be shared with any person or entity without posing a threat to the safety and security of the public, employees, or offenders.

Offender: For the purposes of this Policy, it includes adult inmates, young adult offenders, juvenile residents, Youth Reporting Center (YRC) participants, and those individuals supervised by Parole Services.

Restricted Access: A document that, if shared with anyone other than employees, could pose a direct threat to the public, employees, or offenders; documents so designated **ARE NOT** to be shared with anyone other than employees without the authorization of the Commissioner or designee.

Work Unit: An office or work site, other than a residential correctional facility, at which Division of Corrections and Rehabilitation employees (e.g., Central Office, Youth Reporting Centers, Training Academy, Parole Offices, etc.) are stationed.

POLICY:

- I. The policies and procedures for operating and maintaining the Division of Corrections and Rehabilitation (DCR) are specified in a manual that is accessible as follows.
 - A. All DCR Commissioner's Instructions, Policy Directives, and Protocols are maintained on a shared drive accessible to all employees.
 - B. DCR Policy Directives, with the exception of those designated as Restricted Access, are available to the public on the DCR public website.
- II. Superintendents and work unit supervisors and directors as appropriate are responsible for ensuring written instructions are maintained appropriately and for ensuring all employees within their facility or work unit acknowledge their review and understanding of all written instructions by signing a Certificate of Understanding (**Attachment #1**).
 - A. Each Superintendent and work unit supervisor or director will designate an employee at his/her facility or work unit who is responsible for maintaining completed Certificates of Understanding for archival purposes. These are not to be maintained in Personnel or Training Files.
 - B. Superintendents and work unit supervisors or directors will specify in their operational procedures the distribution process for all written instructions; and the distribution points (physical location or electronic format).

1. At a minimum, one (1) copy of agency-issued written instructions shall be maintained in paper format at all facilities and work units in the event of interrupted access to the DCR shared drive.
 2. Agency-issued written instructions should not be repeated on facility-specific shared drives to adhere to storage limits and ensure up-to-date information.
 3. Facility or work unit issued written instructions will be placed in distribution points to be readily available to all employees (e.g., shared drive, manuals, etc.).
 4. General Distribution Policy Directives will be available for inmate viewing on DCR-issued tablets in adult facilities.
 5. Written instructions marked **RESTRICTED ACCESS** will be placed in distribution points that are **only available to employees**.
- III. **Commissioner's Instructions** are temporary written instructions issued in memorandum format and signed by the Commissioner to immediately address critical or urgent issues when there is not adequate time to develop or update a Policy Directive or Protocol.
- IV. **Policy Directives** are a course or line of action adopted and pursued by the DCR that guides and determines present and future decisions and actions. Policies indicate the general course or direction of an organization within which the activities of the personnel must operate. They are statements of guiding principles that should be followed in directing activities toward the attainment of objectives. Attainment leads to compliance with standards and the overall goals of the agency.
- A. Policy Directives are established by the Commissioner as authorized by WV Code. Superintendents and work unit supervisors and directors as appropriate are responsible for the implementation of the governing authority's approved policies and procedures.
 - B. Policy Directives may contain specific operational requirements or include instructions as to whether a Protocol or Operational Procedure supporting the Policy is necessary.
 - C. For standardization purposes, the altering of any Policy Directive attachment is prohibited, other than to complete the information required on the form itself. This does not prohibit the form from being converted to an electronic format as long as the information required remains the same.
- V. **Protocols** are a written set of technical and/or professional guidelines from a Deputy Commissioner, Assistant Commissioner, or Chief of Staff that set forth the way Policy Directives are to be implemented, within that person's area of authority.
- A. Protocols should be consistent with existing Policy Directives, but not repeat or duplicate information from any Policy Directive.

- B. Protocols will include instructions as to whether an Operational Procedure supporting the Protocol is necessary.
 - C. Protocols will be formatted in accordance with **Attachment #2**.
- VI. **Operational Procedures** provide detailed and sequential actions that must be executed to ensure that a Policy or Protocol is fully implemented at a particular facility or work unit. It is the method of performing an operation or a manner of proceeding on a course of action. It differs from a policy in that it directs action in a particular situation to perform a specific task within the guidelines of policy.
- A. Operational Procedures are authorized by a Superintendent or work unit supervisor or director as appropriate and should not repeat or duplicate information from a Policy Directive or Protocol.
 - B. Operational Procedures should be formatted in accordance with **Attachment #3** and numbered as specified by the Superintendent or work unit supervisor or director.
- VII. **Post Orders** are written operational orders that state the duties and responsibilities for each assigned position in the facility or work unit. The Post Order specifies what the job entails and the procedures to be followed to carry out the assignment. This written description provides for continuity in the event of personnel changes. Copies of Post Orders should be available for all employees. Personnel read the appropriate post order each time they assume a new post and sign and date the post order.
- A. Post Orders are developed and authorized by appropriately designated supervisory personnel, as established by the facility's Superintendent or work unit supervisor or director.
 - B. Post Orders are formatted in accordance with the requirements of the facility or work unit. At a minimum, the format should include the title, a distinctive numbering system, the post(s)/position(s) to which the Post Order applies, the effective date of the Post Order, a detailed narrative, the written instruction(s) it complies with, and the signature of the authorizing staff.
 - C. Post Orders should be consistent with existing written instructions, but not repeat or duplicate information from any Policy Directive, Protocol, or Operational Procedure.
- VIII. All written instructions as defined in this Policy will be reviewed at least annually, on the effective date anniversary by the authorizing party/designee. The authorizing party is to ensure necessary revisions are made and enacted in a timely manner. The office of the authorizing party will retain the original, signed copies of all past and current written instructions for archival purposes.
- IX. If a Superintendent or work unit supervisor or director wishes to be waived from the applicability of a written instruction, the following process will be followed:

- A. The request to be waived will be submitted in writing to the Commissioner via the requesting party's chain of command; each level shall signify acceptance or rejection of the request – if rejected at any level, the request shall go no further. The request will include the written instruction from which a waiver is being requested, the reason for the request, as well as the beginning and end date of the requested waiver.
- B. Except in exigent circumstances, waivers will only be approved if:
1. The written instruction does not currently apply to the area's operation.
 2. The requesting area has developed an alternate procedure or process which meets the requirements of the written instruction.
 3. The requesting area is seeking temporary relief from a requirement for which it does not have sufficient resources to achieve compliance.
- C. Upon receipt, the Commissioner will review and approve or deny the request, and forward the decision to the Deputy Commissioners, Assistant Commissioners, Chief of Staff, and the requesting party.
- X. Employees, related community agencies and other outside entities (such as citizen groups, volunteers, contractors, etc.) have the opportunity to participate in the formulation or development of written instructions. Requests for written instructions to be developed or revised should be in writing and clearly describe the purpose, topic, area of responsibility, and requirements for content; the request may include a complete draft, an outline, or general guidelines.
- XI. No written instruction shall be interpreted or construed to supersede any applicable federal, state or local law or ordinance; in the case of any inconsistencies, the statutory and regulatory provisions shall prevail.
- XII. The Commissioner or designee shall have the authority to suspend any of these written instructions due to emergencies.

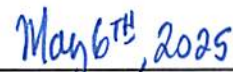
ATTACHMENT(S):

- #1 Certificate of Understanding
- #2 Protocol Format (2 pages)
- #3 Operational Procedure Format (2 pages)

APPROVED SIGNATURE:



William K. Marshall III, Commissioner



Date

[illegible]

GENERAL DISTRIBUTION/RESTRICTED ACCESS

West Virginia Division of Corrections & Rehabilitation

Bureau of Training and Staff Development

PROTOCOL

NUMBER: BTSD – 100

EFFECTIVE DATE:

Effective Date

SUBJECT: TITLE

PURPOSE:

A brief statement describing the intent of the Protocol.

REFERENCE:

US Code; WV Code; Case Law; Policy Directive; ACA Expected Practices; PREA Standards; etc.

RESPONSIBILITY:

Whether an Operational Procedure supporting the Protocol is necessary and who is responsible for enacting.

CANCELLATION:

Specific written instruction(s) and effective date which this Protocol is cancelling.

DEFINITIONS:

Terms, words, or phrases in the Protocol that require further explanation or definition for purpose of clarity.

APPLICABILITY:

To which facilities or work units the Protocol will apply.

PROTOCOL:

- I. A clear, concise, complete, and accurate description of the expectations and guidelines.
- II. Written in standard “Roman Numeral Outline” format.

ATTACHMENT(S):

List of documents/forms attached to the Protocol.

APPROVED SIGNATURE: _____
Name, Title and Date

GENERAL DISTRIBUTION/RESTRICTED ACCESS

**WEST VIRGINIA
DIVISION OF CORRECTIONS
& REHABILITATION**

NUMBER:

(FACILITY OR WORK UNIT NAME)

EFFECTIVE DATE:

OPERATIONAL PROCEDURE

SUBJECT: TITLE

PURPOSE:

A statement describing the intent of the Procedure.

REFERENCE:

US Code; WV Code; Case Law; Policy Directive; Protocol; ACA Expected Practice; etc.

RESPONSIBILITY:

Who is responsible for enacting Post Orders to ensure compliance with the Operational Procedure.

CANCELLATION:

The most recent version of Operational Procedure.

APPLICABILITY:

To which departments/areas within the facility the Operational Procedure will apply, as well as if the Operational Procedure is to be made available for inmate/resident review.

DEFINITIONS:

Terms, words, or phrases in the Operational Procedure which require further explanation or definition for purpose of clarity.

PROCEDURE:

- I. A clear, concise, complete, and accurate description of the Superintendent's/Work Unit Supervisor's or Director's expectations and guidelines.
- II. Written in standard "Roman Numeral Outline" format.

ATTACHMENT(S):

List of documents/forms attached to the Operational Procedure.

APPROVED SIGNATURE: _____
(NAME), Superintendent/Work Unit Supervisor Date