

GENERAL DISTRIBUTION

**WEST VIRGINIA
DIVISION OF CORRECTIONS
& REHABILITATION**

NUMBER: 129.04

EFFECTIVE DATE: 05 October 2023

**SUBJECT: BANNING INDIVIDUALS
FROM DCR
GROUNDS/FACILITIES**

POLICY DIRECTIVE

PURPOSE:

To maintain the appropriate guidelines and procedures concerning the banning of individuals from Division of Corrections and Rehabilitation grounds/facilities.

REFERENCE:

WV Code §15A-3-4.

RESPONSIBILITY:

No additional written instructions on this subject are required.

CANCELLATION:

Any previous written instructions on this subject including DCR Policy Directive 129.04, dated 01 April 2019.

APPLICABILITY:

All facilities within the Division of Corrections and Rehabilitation (DCR). This policy is available for general review.

DEFINITIONS:

None.

POLICY:

- I. There will be times when it becomes appropriate and necessary to ban individuals from the grounds/buildings of Division of Corrections and Rehabilitation facilities. When appropriate, the Superintendent will complete a Recommendation to Ban form

(Attachment #1) and submit along with a copy of the individual's driver's license (for identification purposes) and any supporting documentation to the Deputy Commissioner and their respective Assistant Commissioner.

- II. The Deputy Commissioner/designee will review and evaluate the information and if the request is granted, issue a memorandum advising all Superintendents of the banning of the individual from the grounds and buildings of all facilities. Copies will also be sent to Executive Leadership and other staff as appropriate.
 - A. The requesting Superintendent will ensure a copy of the memorandum is placed in a file pertinent to the individual being banned (e.g., if an inmate visitor is being banned, the memorandum should be placed in the appropriate inmate visiting file; if an ex-employee is being banned, the memorandum should be placed in the ex-employee's personnel file; if a volunteer is being banned, the memorandum should be placed in the volunteer's file, etc.)
 - B. The requesting Superintendent will also ensure the banning of an individual is notated in the Offender Information System (OIS), as appropriate.
- III. All Superintendents will receive a copy of the memorandum (including facilities that did not originate the recommendation for banning form) and will maintain a logbook of those individuals that have been banned from all DCR facilities. This logbook will be maintained by designated staff and will be accessible to appropriate staff to ensure the individual is not permitted access.

ATTACHMENT(S):

- #1 Recommendation to Ban an Individual from WV Division of Corrections & Rehabilitation Grounds/Facilities

APPROVED SIGNATURE: _____

William K. Marshall III

William K. Marshall III, Commissioner

Oct. 5, 2023

Date

**Recommendation to Ban an Individual
from WV Division of Corrections & Rehabilitation
Grounds/Facilities**

TO: _____
Deputy Commissioner

FROM: _____
Superintendent

DATE: _____

RE: Recommendation to Ban: _____
[Name]

[Address]

[Date of Birth] [Driver's License Number – attach copy if available]

I am hereby recommending that the above-named individual be banned from:

[Name of Facility]

and all other Division of Corrections & Rehabilitation grounds/facilities due to:

cc: Assistant Commissioner