

**GENERAL DISTRIBUTION**

WEST VIRGINIA  
DIVISION OF CORRECTIONS  
& REHABILITATION

NUMBER: 151.00

EFFECTIVE DATE: 01 January 2024

SUBJECT: **OFFENDER RECORDS**

# POLICY DIRECTIVE

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**PURPOSE:**

To provide uniform guidelines for the establishment and maintenance of records for offenders within the Division of Corrections and Rehabilitation.

**REFERENCE:**

WV Code §§15A-4-14, and 49-5-101 *et seq.*

**RESPONSIBILITY:**

No additional written instructions on this subject are required.

**CANCELLATION:**

Any previous written instruction on the subject including DCR Policy Directive 151.00, dated 01 May 2023; and DCR Commissioner's Instruction #DCR23-02, dated 01 March 2023.

**APPLICABILITY:**

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

**DEFINITIONS:**

**Offender:** For the purposes of this Policy, shall include all adult inmates and juveniles residents.

**POLICY:**

- I. Upon receipt of an offender, the receiving facility shall conduct a search for the offender's social security number in the Offender Information System (OIS) to determine if any previous records of incarceration exist. If no record is found, or the offender's social security number is not available, search the offender's first, middle and last name and/or

date of birth for prior incarcerations. The offender shall retain the Offender Identification Number (OID#) as found in OIS. If no record is found, a new record will be established by recording the offender's personal data.

- A. The offender's name shall be entered as listed on the committing document (e.g., court order, CDR, federal remand, etc.). If the facility confirms the offender's legal name is different than listed name, attempt to advise committing entity in order to correct committing document.
  - B. For all adult inmates, three (3) photographs (front view, left profile and right profile) will be taken on the LiveScan device in accordance with DCR Policy Directive 400.02. The front view will be the only photograph used for the OIS header.
  - C. For juveniles, a photograph of the offender's face (front view) will be uploaded to OIS.
  - D. Detailed descriptions of juvenile's scars, marks and tattoos (SMT) will be entered in OIS.
  - E. A full set of scars, marks, and tattoos (SMT) photographs will be taken and immediately uploaded into OIS for adult inmates. Photographs shall be close-up to provide as much detail of the SMT as possible (taking a picture of the body part that does not provide details of the SMT will not comply with this requirement). The location of the SMT shall be precise and clearly noted in the description field of OIS. The existence of SMTs in an inmate's intimate areas shall be noted. **NO** photographs will be taken of an inmate's intimate areas, to include genitalia, pubic area, anus, and female breasts.
- II. All paper classification files shall be scanned into OIS in accordance with established procedures.
- A. In adult facilities, all documents as specified in OIS Documents List (**Attachment #1**) will be entered and/or uploaded to OIS.
  - B. BJS Resident File Specifications (**Attachment #2**) lists the documents to be uploaded to OIS and where they are uploaded to. All medical and mental health records are maintained in the resident's electronic medical record.
- III. A legal file (also referred to as a booking file) shall be prepared for each offender upon each new "booking." Each file shall contain a folder label and be filed in alphabetical order in a designated secure location of the facility easily accessible to the records staff.
- A. Legal files shall contain paper copies of the following documents:
    - 1. Document legally holding/incarcerating the offender (e.g., court order, magistrate order, CDR, federal remand, parole revocation order, jail credit memo, etc.).
    - 2. All time sheets/sentence calculations. (If applicable)

3. National Crime Information Center (NCIC) report. (If applicable)
  4. Detainers/holds/notifications, including Interstate Agreement on Detainers (IAD). (If applicable)
  5. Offender Information Report including an offender photograph.
  6. Releasing documents (e. g., court ordered release, Order of Release, discharge certificates/FDRs, death certificates and release checklists) and court documents on any charges the offender is being held on the current booking. (If applicable)
  7. Prisons, community corrections, and juvenile facilities will place driver's licenses, Social Security cards, COVID vaccination cards and other forms of identification/licenses in legal files pending release of the offender.
  8. Jail inmates who receive a felony prison sentence and have thirty (30) days from the date of sentence notification to dispose of personal property will have their driver's licenses, Social Security cards, COVID vaccination cards and other forms of identification/licenses placed in legal files also.
- B. All files shall utilize a sign in/out procedure that ensures each file is accountable to a specific staff member at all times, when not in the secure, specified location.
- C. All files issued to a staff member shall remain under the direct supervision and control of the using staff member. No unauthorized person will have access to offender records.
- D. The legal file will be transferred with the offender on each change of facility within the Division of Corrections and Rehabilitation (DCR) and the "File Facility" field in OIS will be updated to show the correct location. The only exceptions to this are young adult offenders; Charleston Correctional Center and Jail (CCC&J); and Beckley Correctional Center and Jail (BCC&J); see details below.
1. Every effort should be made to transfer all files at the same time the offender is transferred. If the files cannot be transferred with the offender, they should be sent to the receiving facility within seventy-two (72) hours of the transfer by registered mail or an alternate method that provides proof of delivery.
  2. Legal files of young adult offenders will be retained by Anthony Correctional Center with copies of the court order, short unfit letter or program completion letter being transferred with offender if sent to another DCR facility.
  3. Legal files for inmates transferred to Charleston Correctional Center and Jail (CCC&J) and Beckley Correctional Center and Jail (BCC&J) will be sent to Parkersburg Correctional Center and Jail (PBCC&J) where they will be maintained.

4. The destruction of legal files will be in accordance with DCR Policy Directive 105.08 and the records retention and destruction schedule.
- IV. Central office files will be maintained on all offenders containing the same documents required in legal files. In accordance with state code, files for adult and juvenile offenders will be maintained in separate secure locations.
  - V. Administrative closure of an offender's record is the removal of the record from active storage/rosters/counts/databases, etc. The record may be reactivated at any time if the situation warrants. Administrative closure does not signify any change in the offender's time served or time still owed. Administrative closure happens in two different circumstances.
    - A. For offenders who have escaped from custody and remain at large for a period of five (5) years or more and have no known active warrants filed in the NCIC database, the following procedure will occur.
      1. Prior to administrative closure, a letter will be sent to the current Prosecuting Attorney in the county of escape describing the offender's information and circumstances and urging the Prosecutor to file an active warrant in NCIC so that if the offender is apprehended, he or she will be returned to DCR custody to serve the remainder of his/her sentence. The letter will specify that if no response is received within sixty (60) calendar days, the offender's record will be administratively closed.
      2. If the Prosecuting Attorney responds with a reactivated warrant or newly issued warrant, the offender will remain on active counts, databases, and escape lists. If the Prosecutor responds negatively or no response is received within the time frame, the offender's record will be administratively closed via memorandum to the record from the Commissioner or designee.
      3. If at any time following the administrative closure of an offender's record, the Prosecuting Attorney files a warrant for the offender, the offender's record will be returned to active status.
    - B. Files of offenders who are paroled to an U.S. Immigration and Customs Enforcement (ICE) detainer and are deported will also have their files administratively closed.

**ATTACHMENT(S):**

- #1 OIS Documents List (6 pages)
- #2 BJS Resident File Specifications (4 pages)

**APPROVED SIGNATURE:****William K. Marshall III, Commissioner****Date**

# OIS Documents Management

## OIS Documents List

Record	Folder	Document Uploaded
Booking	Booking Secured	Booking Secured
		Supervision Revocation Preliminary Evidence
		Supervision Revocation Preliminary Summary & Recommendation
		Supervision Sanction Hearing Evidence
		Supervision Sanction Hearing Evidence Summary & Recommendation
Booking	Classification	Administrative Review Forms/Letters
		Administrative Segregation Documents
		Appeals regarding Classification
		Application/Contract for Work Release
		CARE Forms
		Classification Forms (includes ACC clearance & phase forms)
		Correspondence/Memos as related to Classification
		Letters to and from Judges and Prosecutors
		Medical Clearance as related to Classification
		Notification of Hearings/Waiver - Classification
		Risk Assessments, Factors Sheets and other related Documents (NOTE: Now called Placement Evaluations)
		Score Sheets
		Special Attention/Special Needs Information Sheet
Special Management/General Population Forms (includes Single/Double Cell Form)		
Booking	Disciplinary Hearings (Includes Corrections Hearing Officer and Unit Behavior Management Teams)	Commitment/Release from Segregation
		Continuance
		Correspondence/documents related to incident/violation reports or appeals (includes hearing waivers & detention reports)
		Hearing Reports
		Violation Reports
Booking	Documents for Parole Hearings	Data Sheet
		FBI-CBI Report
		LS/CMI (Profile Report)
		Post-Sentence Investigation Report
		Pre-Sentence Investigation Report
		Psychological Report/Evaluation (includes mental health assessment & MH intake assessment)
		Receipt for Parole Document (Gold Sheet)
Booking	Documents for Parole Hearings Secured	Cheat Sheet
		Official Sentiment
		Victim Letters/Responses

## OIS Documents Management

### OIS Documents List

Booking	Intake Documents	DD 214 Form
		Employment History
		General Information Form
		Infectious Disease Ed. Acknowledgment
		Institution Orientation Packet/Documents
		Marriage/Divorce Documents <i>(includes Inmate Marriages forms - Waiver of Liability, Facilitation Form, Inmate Notification of Superintendent's Decision)</i>
		Medical Information/Intake Screen
		Memos for the Record (regarding Intake)
		Offender History Form
		Orientation Documents
		Other <i>(includes Motivational Interview Guide, Admission Process Checklist)</i>
		Personal Inquiry Waiver
		Prior Incarceration Information/Question
		Receipt of Rules/Regulations and Policy Directives
		Social Admission Report (SAR)
Unit Orientation Packet		
Booking	Jail Specific Documents <i>(Includes Jails &amp; Short Term Holding Facilities)</i>	Booking Packet
		Jail Processing Fee Notice
		Inmate Personal Property Inventory <i>(PD 400.01 Attachment #1)</i>
		Failure to Meet Medical Guidelines Upon Arrival
		Booking/Movement to Population Record
		Personal Data Sheet
		Information to Defendant: Initial Appearance Via Video
		Affidavit: Eligibility for Appointed or Public Defender Counsel
Inmate Issue Form <i>(PD 400.01 Attachment #7)</i>		
Booking	Legal	Correspondence <i>(includes GOALS Referral Form, GOALS Informed Consent/Refusal Form, Mandatory Post-Release Supervision Procedural Letter to Inmate)</i>
		Court Orders <i>(Commitment and Sentencing Order - Prison Sentences)</i>
		Court Orders - Jail Orders
		Detainer/Warrant/Hold
		Discharge Document
		DNA
		Documents relating to Securing Identification for the Offender Upon Release <i>(includes Social Security Card, Birth Certificate)</i>
		Escape/Apprehension Report <i>(includes duty officer report for absconder/apprehension)</i>
		Final Disposition Report <i>(includes Youthful Offender (ACC) and Diagnostic Documents )</i>
		Fingerprint Card
		Good Time-related Document
		Grievance
		Notification and Sentiment
		Notification for Child Abuse

## OIS Documents Management

### OIS Documents List

		Notification for Sex Offender
		Optional Documents (includes Medical Power of Attorney, Human Registry, Restitution, Video/phone Hearing Request, Tattoo Sheets, Audit Sheets, Authorization for Release of Information, Release of Information Request, Authorization for Release of Health Information, Authorization for Release of Confidential Substance Use Disorder "SUD" Patient Records, Medical Respite documents)
		Power of Attorney
		Receipts for Legal Mail
		Restoration of Good Time
		Time Sheet (includes supporting documentation - directly behind the timesheet on the same scan)
		Transport Order
		Wanted Notice/Cancellation
		Writ
Booking	Miscellaneous	Accident Report
		Cell Inspection Form
		Correspondence or documents that are not specified for other sections (includes Old IR's, Seg Logs, Property Receipt/Inventory, Notification of Rejected Publication, Religious Accommodation Request Form, Religious Special Diet Request and Authorization Form, Tablet Program Acknowledgement Form)
		Death Bed/Humanitarian/Funeral Visit documents
		Interview Request
		Lay-Ins
		Medical Information (includes Medicaid Application, Nursing Home Pre-Admission Screening Forms, ADA Forms, Work Release Medication Log, KOP Orientation)
		Medical Visits/Authorization (includes Work Release Medical Request Forms)
		Memo for the Record, as appropriate (includes media waivers)
		Paternity/Client Authorization
		Property Seizure Form (S-1)
Urinalysis/Alco Sensor (includes Voluntary Admissions)		
Visitor Changes/Additions		
Booking	Offender Victim Secured	Victim Correspondence
Booking	Offender Visitor Secured	Visitor Application
		Visitor Approval (includes Juvenile Visitation Form)
		Visitor Identification
Booking	Parole Board Secured	Decision Summary (includes Parole Board "Decision Sheet" aka Interview Sheet)
		Evidence (final revocation hearing)
		Executive Clemencies
		Follow-up Letters
		General Correspondence
		Legal Letter
		Signed Releases
Visitor Logs		

## OIS Documents Management

### OIS Documents List

		Witnesses
Booking	Parole Documents (includes all Community Supervision Types - Parole, Mandatory Supervision, Conditional Release, Non-Violent Parole Release, ICOTS, Probation (in the case of ACC - Youthful Offenders))	Accelerated Parole Applications
		Administrative Revocation Order
		After Care Plan
		Application for Parole
		Charges Held in Abeyance
		Community Service Log
		Conditions of Parole
		Decision (Parole Board Letter) (includes Parole Board Decision Summary with Offender's signature)
		EM Enrollment (includes Request for Electronic Monitoring)
		EM Fee Waiver
		EM Status Form
		Fee Waiver
		Financial Statement (Parole Only and includes Affidavit: Eligibility for Appointment of Public Defender)
		Hearing Request
		Informing of Rights
		Jail Credit Memo
		Jurisdiction Letters
		Lifting Bar
		Miscellaneous Document
		Noncompliance form
		Notice of Appearance
		Notice of Contingent
		Notice of Deferred
		Notices (Acknowledgement of Receipt, Deliver Letter, Notice of Hearing, Rescheduling Notices, Denials, Fax Coversheets, Status Hearings, and Void & Null Notices) (includes the Sexual Abuse/Harassment Confirmation for Parolees)
		Open/Closed Hearing Form
		Order of Reinstatement
		Order of Revocation
		Order to Hold
		Order to Release
		Parole Agreement
		Parole Board Recommendation
		Parole Field Report (Home & Employment)
		Parole Matrix
		Parole Revocation
PED Memos		
Pre-Parole Reports		
Proposed Release Plan (includes Parole Release Plans, Youthful Offenders (ACC) H&E's, and Extended Supervision Release Notification Release Plan)		
Receipt of Charges		



## OIS Documents Management

### OIS Documents List

		Referral
		Reinstatements
		Reporting Instructions
		Rescinding Waiver
		Rescission Hearing
		Status Hearing
		Subpoenas
		Summary
		Supervision Form
		Travel Permit
		Voluntary Admission 1
		Voluntary Admission 2
		Waiver of Attorney
		Waiver of Final
		Waiver of Hearing
		Waiver of Order of Revocation
		Waiver of Prelim
		Waiver of Sanction
		Waiver, Rescind
		Waivers of Interviews (includes Nonviolent Offense Parole Program Waiver)
Booking	Programs	Certificates, copies (includes Nonviolent Offense Parole Program Certificate of Completion of Rehabilitation Treatment Program)
		Job Contracts
		Letters of Appreciation/Commendation
		LS/CMI Case Management Protocol (Sections 9, 10, & 11) (includes Reentry Forms, IRPP's, Case Management Report)
		Memos/Correspondence Related to Programming (includes Work Release EM, Furlough, ET, Electronic Monitoring, Work Release Agreements, all other Work Release Forms)
		Notification/Placement of Enrollment in Programs
		Performance Ratings/Inmate Job Evaluations
		Program Letters to Parole Board
		Report Cards
		Resource Referral Forms
		RSAT Contracts (includes all RSAT Documents)
		Sex Offender Program Participation Report
		Terminations
		Vocational/Academic Education
		Work Crew Supervisor's Performance Report Evaluation
		Work Lay-In Review
Booking	Security Forms	Continuing Restraints Log
		Full Body Scanner - Pre-Scanning Questionnaire
		PREA Forms

## OIS Documents Management OIS Documents List

Booking	Testing and Assessments Instruments	BETA III
		Ed/Voc/Rec Interview Questionnaire
		MMPI-2 RF Score Sheet and Profile
		MnSOST-R - Male Only
		Other <i>(includes Meigs)</i>
		Static 99R - Male Only
		Suicide Probability Sheet
		TCUD-II <i>(includes TCUD-V)</i>
		Trails
		WRAT IV

NEVER upload an NCIC report

**BJS Resident File Specifications**  
***Documents to be uploaded to OIS and where to upload them:***

**FACILITY MANAGEMENT**

**Grievances:**

Resident Grievance Forms (copy of original with responses)  
Resident Grievance Appeal Information

**Disciplinary Hearings:**

Notice of Charges/Receipt of Incident Report/Waivers (Resident signed copy)  
Disciplinary Hearing (Resident signed copy)  
Resident Hearing Appeal Submission  
Evidence (pictures)  
Video/Audio Recordings

**Incident Reports:**

Emergency Restraint Chair Authorization  
Shift Commander Videotape Briefing  
Room Entry Debriefing

**Specialized Housing:**

Notice to Resident of Consideration for Placement on Segregated Housing  
Segregation Daily Activity Form

**OFFENDER MANAGEMENT**

**Orders:**

Adjudicatory  
Bails/Bond Set  
Capias/Emergency Pick Up Order  
Commitment/Placement/Interstate Compact  
Continuance/Re-Scheduling Hearing  
Criminal Complaint  
Detention  
Diagnostic  
Drug Court  
Habeas Corpus  
Juvenile Petition  
Preliminary Hearing  
Programming/Education  
Referral from Probation  
Release Order/Nolle Prosequi  
Search Warrant  
Summons

**Movements:**

Transport Orders

**COUNSELING**

**Assessments**

Abel  
A-DES

AIM - 2  
AOD SCREENING  
ASAP-20  
ASI  
BDI-II  
CAFAS  
CANS  
CAPS  
CASEY Life Skills  
Clinical Polygraph Authorization  
Collateral Interview  
Drug Court Assessment  
ERASOR  
HAS  
Incomplete Sentence blank  
In-Program Behavioral Assessment  
JASAE  
JESNESS  
J-SOAP  
KBIT – II  
LEC  
MAYSI – II  
MMPI  
MMPI-A  
MSE  
MSI  
PCL-C  
PIY  
RADS - 2  
SASSI  
SAVRY  
SVAS  
WISC  
Woodcock Johnson

**LS/CMI or YLS/CMI:**

LS/CMI Interview Guide  
LS/CMI Profile Report  
YLS/CMI Interview Guide  
YLS/CMI Profile Report

**Interactions:**

Birth Certificate  
Certificates  
Collateral Information from Other Agencies/Providers  
Completed Offender Information Report  
Confidentiality Agreement  
Drug Court Summary  
Educational Information  
Exit Survey  
Food Tray Inventory  
Humanitarian Request Form  
MDT Notice  
Non-Residential Discharge Letter/Summary  
Non-Residential Intake Meeting  
Notice of Administrative Transfer

Observation Form  
Parent/Guardian Letter/Questionnaire  
Pass/Furlough/Off Campus Visit sign-out  
Phase Actuarial Form  
Probation Report/PSI/Social History  
Placement Referral Letter  
Receipt and Release Receipt of Personal Property  
Release of Information (all forms)  
Report Cards  
Resident Rights Form  
Social Summary  
Special Request (w/resident and Supt. Signature/date)

*Information required to be entered into OIS*

Facility Management

Resident Grievances  
Incident Reports/Checklist for the use of the WRAP  
Disciplinary Hearings/Violations/Sanctions/Continuous/Appeal Decisions  
Resident Hearing Reports (Notice of Hearing, Incident Report, Waiver and Segregation Prior to Hearing form will be uploaded)  
Resident Related Non-Category Incident Reports Summary  
Specialized Housing assignments/changes  
Bed Assignments  
Resident Grievances  
Drug tests

Offender Management

Bookings  
Suicide Assessment  
Court orders  
Detainers  
Charges  
Aliases  
Interactions (documents sent/received, phone calls, collateral information received, resident mail)  
Movements  
Bed Assignments  
PREA Training  
Phase Levels

Contact Management

Contacts  
Visitors  
Visits

Counseling

Case management

Assessment Scores  
Psychosocial  
COE Form (Detention only)  
LS/CMI  
YLS/CMI  
Individual Treatment/Service Plan  
Case Management Plan and Reviews

**Mental Health Screening (Intake)**

Interactions (documents sent/received, phone calls, collateral information received, resident mail)

Individual Counseling Notes

Group Counseling Notes

Progress Behavioral Report (Detention only)

Classification of Residents (commitment only)

Progress Letter (as sent to the courts, Corrections only) (Regular and Sex Offender)

Rubenstein Center Referral (Rubenstein Center Only)

Referral Decisions (Rubenstein Program only)

Classification Scoring Table (work crews and Rubenstein Center Referrals)

Behavior Modification Plan/Contracts

Aftercare Pre-Release Plan (Rehabilitation only)

Intent to Release (commitment only)

**Mental Health**

Suicide Intake Form

Referral for Psychological

Referral for Individual Therapy

Psychiatric Referral (place on psych-line)

Wellness Center Referral (Commitment only)

Comprehensive Diagnostic Packet (Diagnostic Only)

**Aftercare**

Progress Review (Aftercare only)

Outcome Measures (Aftercare only)

Re-entry Interview (Aftercare only)

Aftercare Post-Release Plan (Non-Residential only)

**Jobs**

Community Services