

## GENERAL DISTRIBUTION

WEST VIRGINIA  
DIVISION OF CORRECTIONS  
& REHABILITATION

NUMBER: 202.06

EFFECTIVE DATE: 04 September 2024

SUBJECT: SINGLE-OCCUPANCY  
CELLS/ROOMS

# POLICY DIRECTIVE

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### PURPOSE:

To provide policy and procedure requiring single-occupancy cells/rooms are available when indicated.

### REFERENCE:

WV Code §15-12-2a; ACA Expected Practices 5-ACI-2C-02, 5-ALDF-2A-32, 4-JCF-5B-03, and 3-JDF-2C-02-1; Prison Rape and Elimination Act (PREA) §§115.42 and 115.342; and *State ex rel. Berry v. McBride*.

### RESPONSIBILITY:

No additional written instructions on this subject are required.

### CANCELLATION:

Any previous written instruction on the subject, including DCR Policy Directive 202.06, dated 01 June 2021.

### APPLICABILITY:

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

### DEFINITIONS:

**Cell:** A room which is a component of a housing unit separated by walls and lockable doors. The term “cell” does not refer to dormitory style housing.

**Multiple-Occupancy Cell or Room:** A cell or room that houses more than one inmate or resident.

**POLICY:**

- I. The housing of adult inmates and juvenile residents in multiple-occupancy cells/rooms is permitted unless there is a need for single-occupancy cells/rooms for an inmate or resident in one of the groups listed below.
- II. Single-occupancy cells/rooms shall be available, when indicated, for the following. The caveat “when indicated” refers to determinations made by the classification system, medical diagnosis, or other professional conclusion. All determinations shall be entered into the Offender Information System (OIS).
  - A. Inmates or residents with severe medical disabilities and inmates or residents suffering from serious mental illness.
    1. Healthcare or mental health staff (as appropriate), based on a review of the inmate’s/resident’s medical/mental health record and assessment of the inmate/resident, will present information which justifies a single-occupancy cell/room assignment to the Chief of Security/Chief Correctional Officer for appropriate determination and document this information in the inmate’s/resident’s healthcare record.
    2. Healthcare staff will also document an inmate’s/resident’s medical condition or disabilities that preclude an upper bunk assignment in the inmate’s/resident’s healthcare record and notify the Chief of Security/Chief Correctional Officer.
  - B. Sexual predators.
    1. As determined by the PREA Screening Assessment (attachment to the DCR PREA Manual), a Sexual Predator will never be housed in the same cell with a Potential Victim or Victim. Nor shall a Sexual Predator be housed in dormitory style housing. (Any logistical issues will be presented on a case-by-case basis to the DCR Director of PREA Compliance for determination.)
    2. An inmate whom a court of competent jurisdiction has determined is a sexually violent predator as required by WV Code §15-12-2a. will be housed in a single-occupancy cell/room.
  - C. Inmates or residents likely to be exploited or victimized by others.
    1. An inmate/resident with a substantiated and documented pattern of being victimized by other inmates/residents resulting in serious physical injury or sexual assault may require a single-occupancy cell/room assignment.

2. This information, when determined, will be presented by appropriate staff (e.g., booking, counseling, classification, etc.) to the Chief of Security/Chief Correctional Officer for appropriate determination.

D. Inmates or residents who have other special needs for single housing.

**ATTACHMENT(S):**

None.

APPROVED SIGNATURE: \_\_\_\_\_

*William K. Marshall III*

William K. Marshall III, Commissioner

*Sept. 4, 2024*

Date