

GENERAL DISTRIBUTION

**WEST VIRGINIA
DIVISION OF CORRECTIONS
& REHABILITATION**

NUMBER: 335.03

EFFECTIVE DATE: 26 November 2025

SUBJECT: JUVENILE RESIDENT RIGHTS

POLICY DIRECTIVE

PURPOSE:

To ensure juvenile residents are provided a copy of their statutory rights.

REFERENCE:

WV Code §49-4-721; and CIYJ Outcome Measures Justice 04 and 06.

RESPONSIBILITY:

No additional written instructions on this subject are required.

CANCELLATION:

Any previous written instruction on the subject.

APPLICABILITY:

All Bureau of Juvenile Services (BJS) residential facilities within the Division of Corrections and Rehabilitation (DCR). This Policy is available for general distribution and is to be made available for juvenile resident review upon the effective date.

DEFINITIONS:

None.

POLICY:

- I. As required by WV Code §49-4-721, the Bureau of Juvenile Services (BJS) will ensure that each resident under its jurisdiction is furnished with a copy of the rights provided by state code and listed on the Bureau of Juvenile Services Resident Rights/Handbook Acknowledgement (**Attachment #1**). Each resident will sign the acknowledgement and signed forms will be uploaded into the Offender Information System (OIS).

- II. BJS has also assured the following rights are provided to residents under its jurisdiction:
- A. Basic hygiene items at no cost;
 - B. To be free from discrimination based on race, religion, national origin, gender, or physical handicap;
 - C. To be adequately protected from personal abuse, personal injury, disease, property damage, and harassment;
 - D. Immediate access to emergency dental care;
 - E. Access to religious material and service; and
 - F. To be provided due process safeguards as outlined in DCR Policy Directive 325.07.
- III. Each Superintendent is authorized to provide other privileges to all residents in his/her custody based on the purpose, mission and/or program of the facility to ensure that each resident is afforded quality care services.

ATTACHMENT(S):

- #1 Bureau of Juvenile Services Resident Rights/Handbook Acknowledgement

APPROVED SIGNATURE:

 10/29/2025

David L. Kelly, Commissioner

Date

Bureau of Juvenile Services Resident Rights

BY YOUR ADMISSION INTO A JUVENILE DETENTION OR CORRECTIONAL FACILITY, AS PURSUANT TO WV STATE CODE §49-4-721, THE FOLLOWING ARE YOUR RIGHTS:

1. A juvenile may not be punished by physical force, deprivation of nutritious meals, deprivation of family visits or imposition of solitary confinement;
2. A juvenile shall be afforded an opportunity to participate in physical exercise each day;
3. 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;
4. 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;
5. 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;
6. 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 on daily and on a regular basis.
7. A juvenile shall be afforded immediate access to medical care as needed;
8. A juvenile in a juvenile detention facility or juvenile corrections facility shall be provided access to education, including teaching, educational materials and books;
9. A juvenile shall be afforded reasonable access to an attorney upon request; and
10. A juvenile shall be afforded a grievance procedure, including an appeal mechanism.

By signing below acknowledges you have read/had read to you the above rights. You understand to follow all facility rules to the best of your abilities during your stay with the Bureau of Juvenile Services.

Resident signature: _____

Date: _____

Staff signature: _____

Date: _____

Handbook Acknowledgement

I, _____, do hereby affirm that I received a resident handbook.

Resident signature: _____

Date: _____