

GENERAL DISTRIBUTION

**WEST VIRGINIA
DIVISION OF CORRECTIONS
& REHABILITATION**

NUMBER: 400.02

EFFECTIVE DATE: 03 April 2024

**SUBJECT: INMATE PHOTOGRAPHS &
IDENTIFICATION (ID) CARDS**

POLICY DIRECTIVE

PURPOSE:

To provide standardized guidelines and procedures for inmate photographs and identification cards (inmate ID cards, temporary identification cards for released inmates and employment identification cards for work release status inmates) and mandate the process for updating such photographs and identification cards.

REFERENCE:

WV Code §17B-2-1c.

RESPONSIBILITY:

No additional written instructions on this subject are required.

CANCELLATION:

Any previous written instruction on the subject including DCR Policy Directive 400.02, dated 07 June 2021.

APPLICABILITY:

All adult facilities within the Division of Corrections and Rehabilitation (DCR). This Policy is available for general distribution and is to be made available for inmate review upon the effective date.

DEFINITIONS:

None.

POLICY:

- I. All intakes, including parole violators, will be photographed (on an 18% grey background) on the LiveScan device during the intake process.

- A. Three (3) photographs (also known as “mugshots”) will be taken; front view, left profile, and right profile. These photographs will be immediately uploaded in the Offender Information System (OIS).
 - B. The front view will be the only photograph used for inmate identification (ID) cards and OIS header.
 - C. There will be no height chart or placard used for these photographs.
- II. Each of these three (3) photographs will be repeated on the third (3rd) year after the inmate’s intake anniversary date and every three (3) years thereafter and/or upon a significant change in an inmate’s physical appearance.
- III. A full set of scars, marks, and tattoos (SMT) photographs will be taken and immediately uploaded into OIS during the intake process and updated, as necessary.
- A. Photographs of SMTs 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).
 - B. The location of the SMT shall be precise and clearly noted in the description field of OIS.
 - C. 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.
- IV. One (1) photograph (front view only) shall be taken of an out-of-state parolee or probationer, initially reporting to a Parole Officer, and maintained in the Parole Office.
- V. All inmates upon intake/reception to a DCR facility will be issued a horizontal Inmate Identification Card (ID Card).
- A. All Inmate ID Cards shall be standardized throughout the DCR utilizing the format as contained on OIS and printed on PVC cardstock with clear coat only. Each Inmate ID Card shall contain the following information:

West Virginia Division of Corrections & Rehabilitation
Most Current Photo (front view)
Full Name, OID #, Date Issued
 - B. Inmates are required to have their ID Card in their possession and present it upon request from staff, unless security reasons dictate otherwise.
 - C. Inmate ID Cards will be transferred with the inmate anytime an inmate is transferred to another DCR facility.

- D. A new or replacement Inmate ID Card will only be issued if it meets one of the following criteria.
1. A lost ID Card will be re-issued to an inmate at no cost to the inmate in the event the inmate's Unit Manager and/or Chief of Security are satisfied that the loss of the identification card is due to an act or omission of an employee and not the inmate.
 2. A new or re-issued ID card is required by policy. There will be no charge to the inmate.
 3. If it is determined that a lost ID Card is the fault of the inmate, or if the inmate willfully damages, destroys, or defaces the ID Card, a \$5.00 replacement fee will be automatically deducted from the inmate's trustee account and a new identification card will be re-issued.

VI. The DCR will issue a temporary identification card to an eligible inmate who has served a felony sentence at no cost to the inmate, no more than seven (7) days prior to the inmate's release from the Division's custody. An identification card issued pursuant to this section shall be valid for one hundred and eighty (180) days after the date of issuance.

- A. To be eligible, the inmate cannot be in possession of a valid West Virginia identification card or driver's license, which expires more than thirty (30) days after the inmate's date of release from the DCR, or if the inmate is not a citizen of the United States.
- B. A valid identification card issued pursuant to this section shall have the same force and effect as a standard identification card issued by the WV Division of Motor Vehicles (DMV).
- C. The DMV shall accept a valid identification card issued pursuant to this section as sufficient proof of identity, age, and residency of a person applying for an identification card or driver's license.
- D. If the DMV is unable to verify the person's social security number by another means, the DMV shall contact the DCR to verify the social security number provided by such person. The DMV shall accept verification by the DCR as sufficient documentation of the person's social security number for the purpose of issuing such person an identification card or driver's license.
- E. Temporary identification cards for released inmates shall be standardized throughout DCR utilizing the format as contained on OIS and printed on PVC cardstock with clear coat only. Each temporary identification card shall contain the following information:

West Virginia Division of Corrections & Rehabilitation
Most Current Photo (front view)
Full Name, OID #

Date of Birth, Height, Weight, Race, Sex, and Eye Color
Physical Address where releasing inmate will be residing
Questions Call: [*Releasing Facility Name*]
Attn: Records Department [*phone number*]
Date Released
Card Expires one hundred and eighty (180) days from date of release

- F. Releasing inmates that refuse to provide a physical address will not be issued an identification card.
- VII. Work release status inmates who are unable to acquire or provide necessary and appropriate documentation in order to receive a state identification card for employment purposes may be issued an Employment Identification Card. The inmate shall pay five dollars (\$5.00) for the issuance of such card. All employment identification cards for work release status inmates shall be standardized throughout the DCR utilizing the format as contained on OIS and printed on PVC cardstock with clear coat only. Each employment identification card shall contain the following information:

West Virginia Division of Corrections & Rehabilitation
Most Current Photo (front view)
Full Name, OID #
Date of Birth, Height, Weight, Race, Sex, and Eye Color
Address [*facility address*]
Questions Call: [*facility name*]
Attn: Records Department [*phone number*]
Work Release Inmate, Date Issued

- VIII. Staff will not under any circumstance issue internal letters or memorandums “vouching for the identification” of an inmate.

ATTACHMENT(S):

None.

APPROVED SIGNATURE: William K. Marshall III April 3, 2024
William K. Marshall III, Commissioner Date