

GENERAL DISTRIBUTION

WEST VIRGINIA
DIVISION OF CORRECTIONS
& REHABILITATION

NUMBER: 401.03

EFFECTIVE DATE: 16 August 2023

SUBJECT: YOUNG ADULT OFFENDER
CLASSIFICATION

POLICY DIRECTIVE

PURPOSE:

To provide the regulations and procedures governing the classification of young adult offenders.

REFERENCE:

WV Code §25-4-1 *et seq.*

RESPONSIBILITY:

The DCR Director of Classification is responsible for maintaining an agency Classification Manual containing the requirements of this Policy.

CANCELLATION:

Any previous written instruction on the subject including DOC Policy Directive 401.03, dated 01 July 2010.

APPLICABILITY:

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

DEFINITIONS:

Classification: A process for determining the needs and requirements of those for whom confinement has been ordered and for assigning them to housing units and programs according to their needs and existing resources.

Classification Review: A formal meeting with the offender to assign the appropriate custody level and security placement of that offender.

Young Adult Offenders: As defined by state code, an offender who has attained his eighteenth (18th) birthday but has not reached his or her twenty-fourth (24th) birthday at the time the offense was committed, may have his or her sentence suspended upon conviction or guilty plea to a felony offense (other than offenses punishable by life imprisonment) and be committed to the custody of the Commissioner of the Division of Corrections and Rehabilitation for assigned to a center for young adult offenders.

POLICY:

- I. Young adult offenders committed to the custody of the Division of Corrections and Rehabilitation (DCR) are classified to the most appropriate level of custody both at admission and upon review of their status. This system also gives the young adult offender the opportunity to have responsibility for his/her program, the opportunity for reformation, and the encouragement of self-discipline to facilitate and enhance successful daily functioning.
 - A. The classification plan for young adult offenders including specific criteria will be maintained in the DCR Classification Manual.
 - B. The DCR Director of Classification will review/audit all classification procedures and practices as needed.
- II. The classification plan utilizes the following three (3) general classification/security custodies for young adult offenders committed to the DCR.
 - A. **LEVEL III (Maximum)**
 1. The most severe and restrictive custody relating to housing and movement.
 - B. **LEVEL II (Medium)**
 1. A custody that permits offenders to function somewhat freely within the confines of a facility.
 2. Offenders classified as Level II custody are not eligible to work outside of the confines of a facility.
 - C. **LEVEL I (Minimum)**
 1. A custody classification that allows offenders to function more freely within the confines of a facility.
 2. Offenders in Level I classification are eligible for selection to an outside work crew.

- III. Young adult offenders will be classified upon intake and assigned to a staff member to ensure supervision and personal contact; the unit management team may perform this function. Classification status reviews will occur a minimum of once every three (3) months until reaching the lowest custody (Level I) at which time classification status reviews will occur every six (6) months.
- IV. The offender will receive written notice of his/her appearance for his/her classification hearing at least forty-eight (48) hours prior. The offender may waive such notice in writing. Security, or other substantial reasons, may preclude the offender from attending the hearing.
- A. An offender may request and be permitted to speak for him or herself and offer facts and information on his/her own behalf at the review or waive her/her appearance, in writing for the classification review.
- B. An offender's appearance for his/her classification review will be documented on the appropriate classification forms as provided in the DCR Classification Manual. The offender will be required to show his/her identification card at the time of the review.
- C. The Classification Committee shall consist of three (3) designated DCR staff members who have the responsibility and authority to determine custody and housing needs.
- D. Classification staff will regularly confer with education staff concerning the offender's educational levels and needs as well as the available programs and their requirements. The Classification Committee may address the following areas during the classification review:
1. Custody level
 2. Housing assignment
 3. Work performance
 4. Education/vocational programming participation
 5. Medical needs
 6. Special needs
 7. Behavior/conduct expectations
- A. The young adult offender will receive a written decision within five (5) business days of the review date. The decision will indicate the offender's:
1. Custody level

2. Housing assignment
 3. Behavioral expectations
 4. Specific reasons for the classification decision
- B. The offender may appeal the Committee's decision in writing within five (5) days of receipt of the decision to the Superintendent.
- C. All completed classification forms will be uploaded to the appropriate files in the Offender Information System (OIS).

ATTACHMENT(S):

None.

APPROVED SIGNATURE: William K. Marshall, III 08/16/2023
William K. Marshall, III Commissioner Date