

GENERAL DISTRIBUTION

**WEST VIRGINIA
DIVISION OF CORRECTIONS
& REHABILITATION**

NUMBER: 457.11

EFFECTIVE DATE: 24 March 2025

**SUBJECT: EXTENDED SUPERVISED
RELEASE NOTIFICATION**

POLICY DIRECTIVE

PURPOSE:

To ensure appropriate notifications and documentation are provided to the West Virginia Supreme Court of Appeals prior to the discharge of a sex offender/child abuse offender.

REFERENCE:

WV Code §62-12-26.

RESPONSIBILITY:

No additional written instructions on this subject are required.

CANCELLATION:

Any previous written instruction on the subject including DCR Policy Directive 457.11, dated 01 December 2020.

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:

LS/CMI: The Level of Service/Case Management Inventory (LS/CMI) is a fully functioning case management tool and assessment that measures the risk and need factors of an offender.

Supervised Release: A period of supervision presided over by the West Virginia Supreme Court of Appeals Division of Probation Services beginning upon the expiration of any period of probation, the expiration of any sentence of incarceration or the expiration of any period of parole supervision imposed or required of the offender so convicted, whichever expires later.

POLICY:

- I. Pursuant to state code, any offender convicted of a violation of the following criminal offenses defined in state code shall, as part of the sentence imposed at final disposition, be required to serve, in addition to any other penalty or condition imposed by the court, a period of supervised release of up to fifty (50) years.
 - A. **Incest** as defined in §61-8-12
 - B. Felony violations of **Sexual Offenses** as defined in §61-8B-1 *et. seq.*
 - C. Felony violations of **Filming of Sexually Explicit Conduct of Minors** as defined in §61-8C-1 *et. seq.*
 - D. Felony violations of **Child Abuse** as defined in §61-8D-1 *et. seq.*
 - E. Provided, that the period of supervised release imposed by the court for an offender convicted after 01 October 2006 of a violation of §61-8B-3 **Sexual Assault in the First Degree** or §61-8B-7 **Sexual Abuse in the First Degree** shall be no less than ten (10) years.
 - F. Provided, that an offender designated after 01 October 2006 as a sexually violent predator pursuant to §15-12-2a shall be subject, in addition to any other penalty or condition imposed by the court, to supervised release for life.
 - G. Provided further, that an offender convicted after 24 May 2021 of a violation of §61-8A-2 **Distribution and Display to Minor of Obscene Matter**; §61-8A-4 **Use of Obscene Matter with Intent to Seduce Minor**; or §61-3C-14b **Soliciting, etc. a Minor via Computer; Soliciting a Minor and Traveling to Engage the Minor in Prohibited Sexual Activity** is subject to supervised release.
- II. Facility Record Clerks, ninety (90) days prior to the release of an offender convicted of the criminal offenses listed above, shall notify via email the Director of the Division of Probation Services or designee.
 - A. The email shall include the offender's name, sentencing county, date of intended release, where the offender will be residing and the name of the Parole Officer.
 - B. The following documentation shall be attached to the email.

1. A completed copy of the Extended Release Home Plan for child abuse and sexual offenses (**Attachment #1**).
 2. All disciplinary rule violations including the actual violation report and hearing report.
 3. Subject to receipt of a duly executed inmate release of information authorization form, which will first be sought by Division of Corrections and Rehabilitation (DCR) through the facility, any reports, records, notes, or other documentation regarding mental or physical health issues of concern for supervised release. If the offender is unwilling to sign the release of information authorization form, the DCR will notify the Division of Probation Services, which will then be responsible for securing the necessary authorization or other process allowing release of such records.
 4. A copy of all assessments conducted on the offender (the *Offender Services Field Guide for Adult Offenders* provides information on which assessments are appropriate for which offenders).
 5. A copy of a recently conducted LS/CMI assessment (LS/CMI Comparative Report). This report should have been completed within twelve (12) months of the ninety (90) day notification period.
- C. Notification and documentation will be provided to the Director of the Division of Probation Services or designee in a similar manner by DCR Parole Services when an offender previously convicted of the criminal offenses listed above discharges parole supervision. (These procedures are detailed in the Parole Officer Manual.)

ATTACHMENT(S):

- #1 Supreme Court of Appeals – Division of Probation Services, Extended Release Home Plan

APPROVED SIGNATURE:



William K. Marshall III, Commissioner

03/24/2025

Date

SUPREME COURT OF APPEALS of WV - DIVISION OF PROBATION

WVDCR Policy Directive 457.11

24 March 2025

Attachment #1

GENERAL DISTRIBUTION

EXTENDED RELEASE HOME PLAN for child abuse and sexual offenses

Name: _____	OID#: _____	Race: _____	Gender: _____	Facility: _____
Alias: _____	DOB: _____	SSN#: _____		
County Sentenced: _____	County Released To: _____			
Scheduled Release Date: _____	Sentencing Judge: _____			

HOME /RELEASE PLAN

Primary Homeowner/Lessee: _____	Relationship: _____
Address: _____	
City: _____	State: _____ Zip: _____
Phone: _____	Alternative Phone Number: _____
Location/Directions to Home: _____	
Who Resides in Home (names and ages): _____	

EMPLOYMENT/EDUCATION PLAN

Proposed Employment: _____	Anticipated Start Date: _____
Address: _____	
City: _____	State: _____ Zip: _____
Phone: _____	Contact Person: _____ Title: _____
Proposed Educational Plan: _____	Registered? _____
School Name: _____	Anticipated Start Date: _____

TO BE FILLED OUT BY DCR STAFF

Any Write-ups While Incarcerated and What Were They? _____

Is There Any Information About Inmate That Supervising Entity Should Know? _____

Mental Health and Medications? _____
Physical Health and Medications? _____
<i>I have advised the defendant s/he shall not leave the state without prior approval from the Supreme Court of Appeals Probation Department</i>
Name of DCR Personnel Completing Form: _____

TO BE FILLED OUT BY INVESTIGATING PROBATION OFFICER

Residence Verified Prior to Release: _____
Approved: _____
Denied: Reason: _____

Probation Officer : _____ Date: _____