

 <p style="text-align: center;"><b>WEST VIRGINIA DIVISION OF JUVENILE SERVICES</b></p>	<p><b><u>POLICY NUMBER:</u></b></p> <p style="text-align: center; font-size: 2em;"><b>165.00</b></p>	<p><b><u>PAGES:</u></b></p> <p style="text-align: center;">4</p>
<p><b><u>CHAPTER:</u></b> <b>Administration and Management</b></p>	<p><b><u>REFERENCE AND RELATED STANDARDS:</u></b> <b>WV Code Chapter §§ 49-2-903 &amp; 49-5-101; ACA 3-JDF-1E-01 thru 1E-08</b></p>	
<p><b><u>SUBJECT:</u> Offender Records</b></p>		
<p><b><u>DATE:</u> January 1, 2018</b></p>		

**PURPOSE**

It is the policy of the West Virginia Division of Juvenile Services to ensure establishment, upkeep, disposition, transfer, confidentiality, release and security of offender records.

**CANCELLATION**

This policy has been revised and supersedes Policy 165.00 dated. January 1, 2017.

**APPLICABILITY**

This policy applies all Division of Juvenile Services’ facilities and centers.

**DEFINITIONS**

1. **Offender** – For the purposes of this policy, offender shall mean any resident in DJS custody or participant in DJS community based programs or former resident or participant.
2. **Offender File** – An electronic file which includes a medical/mental health file for offenders.
3. **Redacted** – To edit or revise by 1) copying a document, 2) blacking out information to be edited on the copy and 3) recopying the redacted document. The recopied document is the document that may be released.

**PROCEDURE**

1. **Offender File:** The file established for each offender upon intake to the West Virginia Division of Juvenile Services. All documents as specified in Attachment #1 - DJS Resident File Specifications and Attachment #2 – WVDJS Community Based Services File Specifications, will be entered and/or uploaded to the Offender File.

Chapter	Subject	Policy #	Page
Administration and Management	Offender Records	165.00	2 of 4

a. Offender Information System (OIS)

- i. Upon intake, search for the offender's name in OIS to determine if the offender has previously been issued an Offender number. If not, begin a new intake.
- ii. The offender's name shall be listed as on the court order. Upon receipt of offender's birth certificate, that information will be listed as an alias.
- iii. Photographs of offender's face must be uploaded.
- iv. Descriptions of any identifying marks (i.e. tattoos, birthmarks, brands and scars) are to be entered into OIS under Scars, Marks, and Tattoos.

b. The contracted medical/mental health vendors will use OIS to enter any offender information.

- i. Medical information, as applicable, about the offender will be maintained according to National Commission on Correctional Health Care (NCCHC) guidelines.
- ii. Off-site medical care information and documentation will be maintained in OIS.
- iii. If the medical vendor requires staff to maintain paper files, those files will be returned to the vendor for destruction or secure storage upon the resident's release from DJS custody.

2. Release of Offender Records

a. Records and files maintained by the Division on individual offenders, including psychological, treatment records and medical records, shall, upon receipt of a notarized written request, (Attachment #3 – Request and Consent for Release of Information) be released to:

- i. The former offender (if 18 or older);
- ii. The child's legal parent or guardian; or
- iii. The child's attorney.

b. Any document contained in the record of the offender whose record is requested that includes the name of another offender will have the other offender's name redacted prior to release.

c. Payment for the record request:

- i. The cost of paper copies will be thirty cents per page.
- ii. The cost for a digital copy will be \$10.00.
- iii. Upon request, the record may be picked up by the requesting person at the Division of Juvenile Services Central Office, 1200 Quarrier Street, Charleston, WV 25301.

Chapter	Subject	Policy #	Page
Administration and Management	Offender Records	165.00	3 of 4

- iv. Any record not picked up in person will be sent via United States Postal Service, certified, Return Receipt Request.
  - v. Payment for the record may be made by personal check or money order payable to the Division of Juvenile Services at the time of pick-up or prior to mailing.
- d. Records and files maintained by DJS facilities on individual offenders, including school records, psychological evaluations, treatment records, and medical records, shall be released to other state agencies, schools and treatment facilities and organizations only with:
- i. A court order,
  - ii. Written, signed consent to release from the offenders' legal parent or guardian,
  - iii. Written signed consent to release from an offender who is 18 or older, or
  - iv. Written signed consent from the Director of the Division of Juvenile Services.
- e. A copy of the court order or written consent to release must be uploaded into the offender's file with a description of all records subsequently released.
- f. Anything documented about an offender is a "record" and subject to disclosure.
- g. Any request received from an offender, his/her parent or from his/her attorney while any lawsuit brought by the offender or his/her parent is possible or pending against the Division or any of its employees will be referred to the Attorney General's Office for reply.
- h. Court orders requiring the release of records and subpoenas shall be honored. However, any facility staff who receives such an order or subpoena shall notify the Facility Superintendent or Director who shall then notify the Division's Legal Department.
- i. Any questions requiring an interpretation of this Policy or regarding the Freedom of Information Act shall be referred to the Division's legal department.
- j. Refer to Policy 143.00 – Confidentiality of Information for all release of information requests.
3. For standardization purposes, the altering of any format to any Division policy attachment is prohibited, other than to complete the information required on the form itself.

Chapter	Subject	Policy #	Page
Administration and Management	Offender Records	165.00	4 of 4

4. Each facility will adopt this policy in its entirety and no Operational Procedure will be developed.

**RIGHTS RESERVED**

The Director reserves the right to modify, suspend or cancel any provision herein in part or entirety, without advance notice, unless prohibited by law.

**APPROVED:**

*William K. Marshall*

Director

*Jan 1, 2018*

Date

## **DJS Resident File Specifications**

*Documents to be uploaded to OIS and where you are to upload them:*

### **FACILITY MANAGEMENT**

#### **Grievances:**

Resident Grievance Forms (copy of original with responses)  
Resident Grievance Appeal Information

#### **Disciplinary Hearings:**

Notice of Charges/Receipt of Incident Report/Waivers (Resident signed copy)  
Disciplinary Hearing (Resident signed copy)  
Resident Hearing Appeal Submission  
Evidence (pictures)  
Video/Audio Recordings

#### **Incident Reports:**

Emergency Restraint Chair Authorization  
Shift Commander Videotape Briefing  
Room Entry Debriefing

#### **Specialized Housing:**

Notice to Resident of Consideration for Placement on Segregated Housing  
Segregation Daily-Activity Form

### **OFFENDER MANAGEMENT**

#### **Orders:**

Adjudicatory  
Bails/Bond Set  
Capias/Emergency Pick Up Order  
Commitment/Placement/Interstate Compact  
Continuance/Re-Scheduling Hearing  
Criminal Complaint  
Detention  
Diagnostic  
Drug Court  
Habeas Corpus  
Juvenile Petition  
Preliminary Hearing  
Programming/Education  
Referral from Probation  
Release Order/Nolle Prosequere  
Search Warrant  
Summons

#### **Offenders**

Previous Psychological Evaluations  
Current Signed Psychological Evaluations

#### **Movements:**

Transport Orders

## COUNSELING

### Assessments

Abel  
A-DES  
AIM - 2  
AOD SCREENING  
ASAP-20  
ASI  
BDI-II  
CAFAS  
CANS  
CAPS  
CASEY Life Skills  
Clinical Polygraph Authorization  
Collateral Interview  
Drug Court Assessment  
ERASOR  
HAS  
Incomplete Sentence blank  
In-Program Behavioral Assessment  
JASAE  
JESNESS  
J-SOAP  
KBIT – II  
LEC  
MAYSI – II  
MMPI  
MMPI-A  
MSE  
MSI  
PCL-C  
PIY  
RADS - 2  
SASSI  
SAVRY  
SVAS  
WISC  
Woodcock Johnson

### LS/CMI or YLS/CMI:

LS/CMI Interview Guide  
LS/CMI Profile Report  
YLS/CMI Interview Guide  
YLS/CMI Profile Report

### Interactions:

Authorization for Medical Treatment or Service  
Birth Certificate  
Certificates  
Collateral Information from Other Agencies/Providers  
Completed Offender Information Report  
Confidentiality Agreement  
Drug Court Summary  
Educational Information  
Exit Survey  
Food Tray Inventory  
Humanitarian Request Form

MDT Notice  
Non-Residential Discharge Letter/Summary  
Non-Residential Intake Meeting  
Notice of Administrative Transfer  
Observation Form  
Parent/Guardian Letter/Questionnaire  
Pass/Furlough/Off Campus Visit sign-out  
Phase Actuarial Form  
Probation Report/PSI/Social History  
Placement Referral Letter  
Receipt and Release Receipt of Personal Property  
Release of Information (all forms)  
Report Cards  
Resident Rights Form  
Social Summary  
Special Request (w/resident and Dir./Sup. Signature/date)  
Suicide Consultation Form

**Mental Health**

Suicide Watch Authorizations  
    Resident Consultation Team Form  
Reassessment/Change in Suicide Observation Levels  
    Resident Consultation Team Form  
    Interview of Suicide Ideation Intent

***Information required to be entered into OIS***

**Facility Management**

Resident Grievances  
Incident Reports/Checklist for the use of the WRAP  
Disciplinary Hearings/Violations/Sanctions/Continuous/Director Appeal Decisions  
Resident Hearing Reports (Notice of Hearing, Incident Report, Waiver and Segregation Prior to Hearing form will be uploaded)  
Resident Related Non-Category Incident Reports Summary  
Specialized Housing assignments/changes  
Bed Assignments  
Resident Grievances  
Drug tests

**Offender Management**

Bookings  
Suicide Assessment  
Court orders  
Detainers  
Charges  
Aliases  
Interactions (documents sent/received, phone calls, collateral information received, resident mail)  
Movements  
Bed Assignments  
PREA Training  
Phase Levels

**Contact Management**

Contacts  
Visitors  
Visits

## Counseling

### Case management

Assessment Scores

Psychosocial

COE Form (Detention only)

LS/CMI

YLS/CMI

Individual Treatment/Service Plan

Case Management Plan and Reviews

Mental Health Screening (Intake)

Interactions (documents sent/received, phone calls, collateral information received, resident mail)

Individual Counseling Notes

Group Counseling Notes

Progress Behavioral Report (Detention only)

Classification of Residents (commitment only)

Progress Letter (as sent to the courts, Corrections only) (Regular and Sex Offender)

    Rubenstein Center Referral (Rubenstein Center Only)

Referral Decisions (Rubenstein Program only)

Classification Scoring Table (work crews and Rubenstein Center Referrals)

Behavior Modification Plan/Contracts

Aftercare Pre-Release Plan (Rehabilitation only)

Intent to Release (commitment only)

### Mental Health

Suicide Authorization

Suicide Reassessment

Suicide Special Management Plan

Suicide Intake Form

Referral for Psychological

Referral for Individual Therapy

Psychiatric Referral (place on psych-line)

Wellness Center Referral (Commitment only)

Comprehensive Diagnostic Packet (Diagnostic Only)

### Mental Health Provider

Mental Health Assessment (Commitment only)

Psychological Evaluations

Therapy Discharge Form

### Aftercare

Progress Review (Aftercare only)

Outcome Measures (Aftercare only)

Re-entry Interview (Aftercare only)

Aftercare Post-Release Plan (Non-Residential only)

### Jobs

Community Services



# WVDJS – COMMUNITY BASED SERVICES FILE SPECIFICATIONS

## Section 1 - Admission Information & Consents

### Enter into OIS

DJS Offender Information Report (*can be printed out of OIS if needed*)  
Student PREA Training  
Medical Information & Emergency Contacts  
Self-Administering Medication to participants  
Phase Levels  
Transportation Agreement

### Upload Document into OIS

Consent to Exchange Information  
PSIMED Limits of Confidentiality/Consent – show how to do  
Transportation Agreement

## Section 2 – Legal Correspondence

### Enter into OIS

Court Orders

### Upload Document into OIS

Discharge Summary  
Exit Survey  
Progress Reports to Service Providers (*will be a form in OIS soon, upload to interactions until then*)  
Initial Assessments Report (*will be a form in OIS soon, upload to interactions until then*)  
Collateral Information from other Agencies/Providers (MDT notices, terms of probation, school reports, etc.)  
Court Orders (uploaded to the Order you create in OIS)

## Section 3 – Case Management

### Enter into OIS

Case Management Notes

### Upload Document into OIS

Outside Referrals & Recommendations for Additional Services (Added JD# after charges)  
Collateral Information from other Agencies/Providers

## Section 4 – Assessments

### Enter into OIS

YLS/CMI  
Psychosocial  
CAFAS  
JASAE  
Other completed assessments (such as SASSI, CAGE, Becks, Wechsler's, K-Bit, psychological etc.)

## Upload Document into OIS

YLS/CMI (scoring sheet on top of actual assessment form to the YLS/CMI you created in OIS)

Parent Questionnaire (Create Interaction and upload Document to Interaction)

CAFAS (To the Assessment that you created in OIS)

JASAE (To the Assessment that you created in OIS)

Other completed assessments (SASSI, CAGE, Becks, Wechsler's, K-Bit, psychological etc.) To the Assessment that you created in OIS

## Section 5 – Treatment Planning

### Enter into OIS

Case Management Plan (The Case Management Plan is to be updated routinely and this acts as the Review)

Initial Service Plan

### Upload Document into OIS

Behavior Management Plans/Behavior Contracts (*will be a form in OIS soon, upload to interactions until then*)

## Section 6 – Programs & Therapeutic Services (this section will be sub-divided with tabs)

### Enter into OIS

Individual Counseling Notes (includes PSIMED Therapy Notes and Refusal of Services)

### Upload Document into OIS

Community Treatment Provider Notes (if outside services are utilized)

## Section 7 – Drug Screening Information

### Enter into OIS

Drug Screens

Voluntary Admission/Refusal

Positive and Negative Drug Screen Results

### Upload Document into OIS

Positive Drug Screen Results (if documentation is provided is to be uploaded to that Offender's Drug Screen)

## Section 8 – Daily Observation Reports

### Enter into OIS

Incident Reports

### Upload Document into OIS

Documentation for Absences (Doctors slips, parent notes, etc) (Upload Documentation to the Interaction you created in OIS)

