

1 **ENROLLED**

2 **Senate Bill No. 457**

3 (BY SENATORS COOKMAN, MILLER, LAIRD, PLYMALE, KESSLER (MR. PRESIDENT),
4 TUCKER AND SNYDER)

5 _____
6 [Passed March 6, 2014; in effect ninety days from passage.]
7 _____

8
9
10
11 AN ACT to amend and reenact §31-20-5h of the Code of West Virginia,
12 1931, as amended, relating to programs for inmates committed
13 to state correctional facilities; requiring programs offered
14 in regional jails to be the same as those offered in a
15 Division of Corrections facility; requiring Division of
16 Corrections employees or designees of the Commissioner of
17 Corrections to provide said courses and classes; and
18 authorizing the Regional Jail and Correctional Facility
19 Authority and Division of Corrections to agree to designate
20 certain facilities where said classes and programs are to be
21 provided.

22 *Be it enacted by the Legislature of West Virginia:*

23 That §31-20-5h of the Code of West Virginia, 1931, as amended,

1 be amended and reenacted to read as follows:

2 **ARTICLE 20. WEST VIRGINIA REGIONAL JAIL AND CORRECTIONAL FACILITY**
3 **AUTHORITY.**

4 **§31-20-5h. Programs for inmates committed to prison.**

5 (a) The Division of Corrections may develop and implement a
6 cognitive behavioral program to address the needs of inmates
7 detained in a regional jail, but committed to the custody of the
8 Commissioner of Corrections. The program shall be developed in
9 consultation with the Regional Jail and Correctional Facility
10 Authority, and may be offered by video teleconference or webinar
11 technology. The costs of the program shall be paid out of funds
12 appropriated to the Division of Corrections. The program shall be
13 covered by the rehabilitation plan policies and procedures adopted
14 by the Division of Corrections under subsection (h), section
15 thirteen, article twelve, chapter sixty-two of this code.

16 (b) In addition to subsection (a) of this section, the
17 Division of Corrections shall make available, to each inmate in the
18 custody of the commissioner who is detained in a regional jail
19 facility awaiting transfer to a Division of Corrections facility,
20 those programs and courses, as are determined by an inmate's risk
21 and needs assessment mandated by section thirteen, article twelve,
22 chapter sixty-two of this code, necessary to prepare the inmate for
23 parole. Such programming and courses shall be provided by the

1 Division of Corrections personnel or the commissioner's designees.

2 (c) The Regional Jail and Correctional Facility Authority
3 shall provide the necessary facilities and equipment to effectuate
4 this section or, upon the agreement of the Regional Jail and
5 Correctional Facility Authority and the commissioner, other
6 facilities may be utilized.