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AGENCY REVIEW

DEPARTMENT OF MILITARY AFFAIRS AND PUBLIC SAFETY DIVISION OF CORRECTIONS

AUDIT OVERVIEW

Many Inmates of the Division of Corrections Remain Incarcerated Longer Than Necessary Because the Agency Cannot Complete All Requirements to Hold Parole Hearings

The Division of Corrections Needs to Develop Additional Performance Measures

The Division of Corrections Website Needs Improvement In User-friendliness and Transparency



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CONTENTS

Executive Summary 5

Issue 1: Many Inmates of the Division of Corrections Remain Incarcerated Longer Than Necessary Because the Agency Cannot Complete All Requirements to Hold Parole Hearings..... 7

Issue 2: The Division of Corrections Needs to Develop Additional Performance Measures21

Issue 3: The Division of Corrections Website Needs Improvement in User-friendliness and Transparency29

List of Tables

Table 1: Parole Hearings FY 2008 to FY 2010..... 10

Table 2: Reasons for Further Consideration FY 2009 12

Table 3: Reasons for Further Consideration FY 2010 12

Table 4: Disposition of Inmates Who Only Needed Home Plans FY 2008-2010 13

Table 5: DOC Parole Hearings FY 2010 15

Table 6: Parole Hearings Held for Inmates in Regional Jails FY 2010..... 15

Table 7: Status of Inmates Placed on Further Consideration..... 17

Table 8: Delayed Hearings for Those Granted Parole FY 2008 to FY 2010 18

Table 9: DOC Bed Capacity Per Facility FY 2008 through FY 2010..... 24

Table 10: Programming Completions within the DOC FY 2009 Through FY 2010 26

Table 11: Division of Corrections Website Evaluation Score 29

Table 12: Division of Corrections Website Evaluation Score 30

List of Figures

Figure 1: Parole Board Hearing 9

List of Appendices

Appendix A: Transmittal Letter to Agency 33

Appendix B: Objective, Scope and Methodology 35

Appendix C: Reasons for Further Consideration FY 2008 to FY 2010..... 37

Appendix D: Website Criteria Checklist and Points System 39

Appendix E: Agency Response 43

Appendix F: Agency Comments and Our Evaluation..... 45

EXECUTIVE SUMMARY

This performance review of the West Virginia Division of Corrections (DOC) is part of the agency review of the Department of Military Affairs and Public Safety, as authorized by *West Virginia Code* §4-10-8(b)(4). The Legislative Auditor conducted a review of the DOC's process of preparing inmates for parole hearings, performance measures, and website. The Legislative Auditor found that inmates remain incarcerated past their parole eligibility dates, without a parole decision, because the DOC is unable to complete all necessary requirements for a parole decision to be made. The effects are the human cost of remaining imprisoned longer than necessary, the impact the parole delays have on overcrowded correctional facilities, and the additional costs to the State in paying for prisoners to remain in a regional jail for a longer period of time.

Report Highlights:

Issue 1: Many Inmates of the Division of Corrections Remain Incarcerated Longer Than Necessary Because the Agency Cannot Complete All Requirements to Hold Parole Hearings.

- From fiscal year 2008 to 2010 there were 2,914 inmates who were eligible for a parole hearing, but a decision could not be made because required information was not completed by the Division of Corrections.
- As of May 2011, there were 992 inmates of the 2,914 who eventually received a parole hearing and were granted parole. On average they remained incarcerated 4 months after their initial parole eligibility date.
- If the 992 inmates were paroled more timely, space would have been available at a DOC facility to receive inmates from regional jails, thus alleviating some overcrowding and reducing DOC's cost for having prisoners held at a regional jail.
- The additional cost for the DOC to house 992 prisoners at regional jails for four months is over \$5.8 million.
- The primary reason for parole hearing delays is DOC's inability to timely arrange for suitable home plans for inmates who are eligible for parole.

Issue 2: The Division of Corrections Needs To Develop Additional Performance Measures.

- The Division of Corrections supplied one performance measure for the *Operating Detail* of the FY 2011 Executive Budget.
- The Division of Corrections has various performance goals relating to the safety

and security of DOC facilities. The use of information from the previous year can help to illustrate where potential problems are and provide the agency with a benchmark for improvement.

- While the measures that the DOC tracks reflect safety and security aspects of operation, they do not address the DOC's responsibilities related to processing requirements for inmates eligible for a parole decision, parolees, or rehabilitation efforts of the division.

Issue 3: The Division of Corrections Website Needs Improvement In User-friendliness and Transparency.

- The DOC website received 9 points out of a possible 18 points in user-friendliness and 14 out of 32 points in transparency.
- The transparency of the DOC's website can be improved by adding budgetary information, performance measures, and other information that facilitates accountability and knowledge of its operation.

Recommendations

1. *The Division of Corrections should consider placing permanent staff at each of the ten regional jails to facilitate the processing of inmates eligible for parole.*
2. *The Division of Corrections should take steps to complete more psychological evaluations within the regional jails.*
3. *The Division of Corrections should attempt to create a transitional housing facility pilot program.*
4. *The Division of Corrections should consider developing a performance measure related to reducing the number of inmates, committed to DOC custody, who are housed within facilities operated by the Regional Jail Authority.*
5. *The Division of Corrections should consider developing a performance measure with the goal of reducing the number of parole-eligible inmates who are placed on Further Consideration status due to missing or incomplete documentation from the DOC.*
6. *The Division of Corrections should consider developing a performance measure related to the educational attainment and the remedial programming needs of inmates housed within the DOC.*
7. *The Division of Corrections should consider adding recommended features to its website to improve both user-friendliness and transparency.*

ISSUE 1

Many Inmates of the Division of Corrections Remain Incarcerated Longer Than Necessary Because the Agency Cannot Complete All Requirements to Hold Parole Hearings.

Issue Summary

From fiscal year 2008 to 2010 there were 2,914 inmates who were eligible for a parole hearing but the hearing could not be held because required information was not completed by the Division of Corrections (DOC). Given that on average the Parole Board grants parole around 50 percent of the time, many of these inmates had to remain incarcerated for several months until all necessary requirements were completed to hold a parole hearing. The requirements that go uncompleted are a combination of a suitable home plan, a psychological evaluation, a criminal inventory background, or a post-sentence investigation. However, the primary incomplete requirement that prevents a parole hearing from being held is not having a suitable place for the inmate to reside (home plan) if paroled. A primary cause of these delays in parole hearings is that many inmates are in regional jails, where the DOC has limited staff to complete the necessary requirements. The agency attempts to transition inmates from regional jails to a DOC facility in order to facilitate the processing work; however, in hundreds of cases there is still inadequate time to have the information ready for a parole hearing. The effects of delayed parole hearings are the human cost of remaining incarcerated longer than necessary, and the State having to pay several million more to regional jails to house DOC inmates. It is the Legislative Auditor's opinion that the Division of Corrections should consider pursuing transitional housing opportunities for paroled inmates without suitable home plans, place DOC staff within regional jails to facilitate processing of inmates eligible for parole, and work to increase the amount of parole processing requirements completed within regional jails.

...the primary incomplete requirement that prevents a parole hearing from being held is not having a suitable place for the inmate to reside (home plan) if paroled.

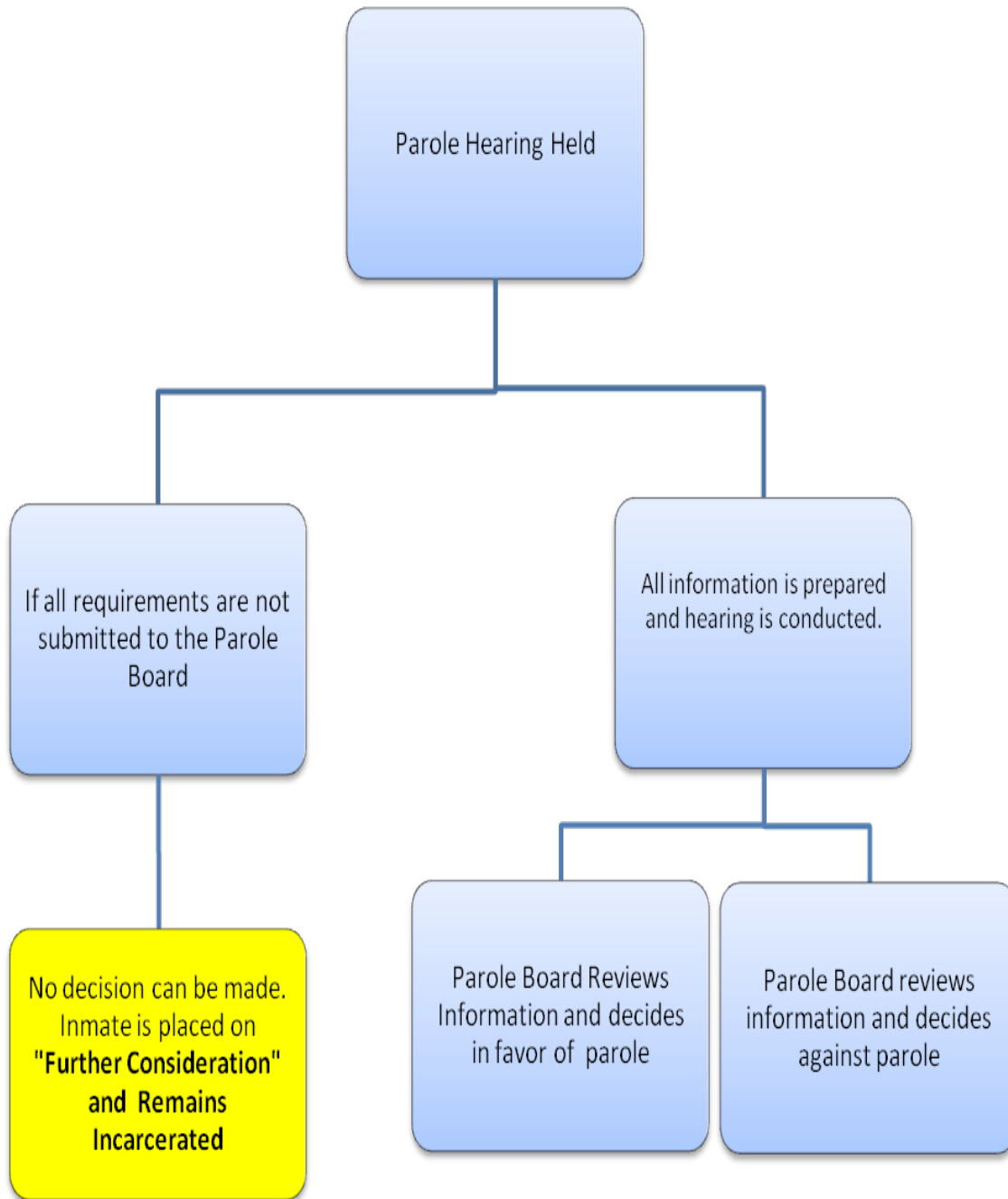
The agency attempts to transition inmates from regional jails to a DOC facility in order to facilitate the processing work; however, in hundreds of cases there is still inadequate time to have the information ready for a parole hearing.

Parole Hearing Requirements and Process

West Virginia Code § 62-12-13(d) charges the Parole Board with considering a person's parole as soon as he or she becomes eligible. The *Code of State Regulations § 92-1-1-5.1.a* requires the Parole Board to have a parole hearing in the month an inmate becomes eligible. While the hearings may be held, decisions from the hearings can be delayed. Whenever an inmate's parole decision is delayed, the Parole Board places that person on Further Consideration (FC).

There are four requirements that must be completed before the Parole Board can make a decision on whether or not an inmate should be paroled. These requirements are an approved Home Plan (HP), a Criminal Inventory Background (CIB), a Post-Sentence Investigation (PSI), and a Psychological Evaluation (PSY). A CIB is provided by the State Police while the other three requirements are completed and documented by the Division of Corrections (DOC). If any of these requirements have not been met, the inmate's case is placed upon Further Consideration status. Therefore the Parole Board will have a hearing in order to be in compliance with law, but a decision cannot be made due to a lack of required information. Figure 1 below explains the process for determining if a parole decision can be made.

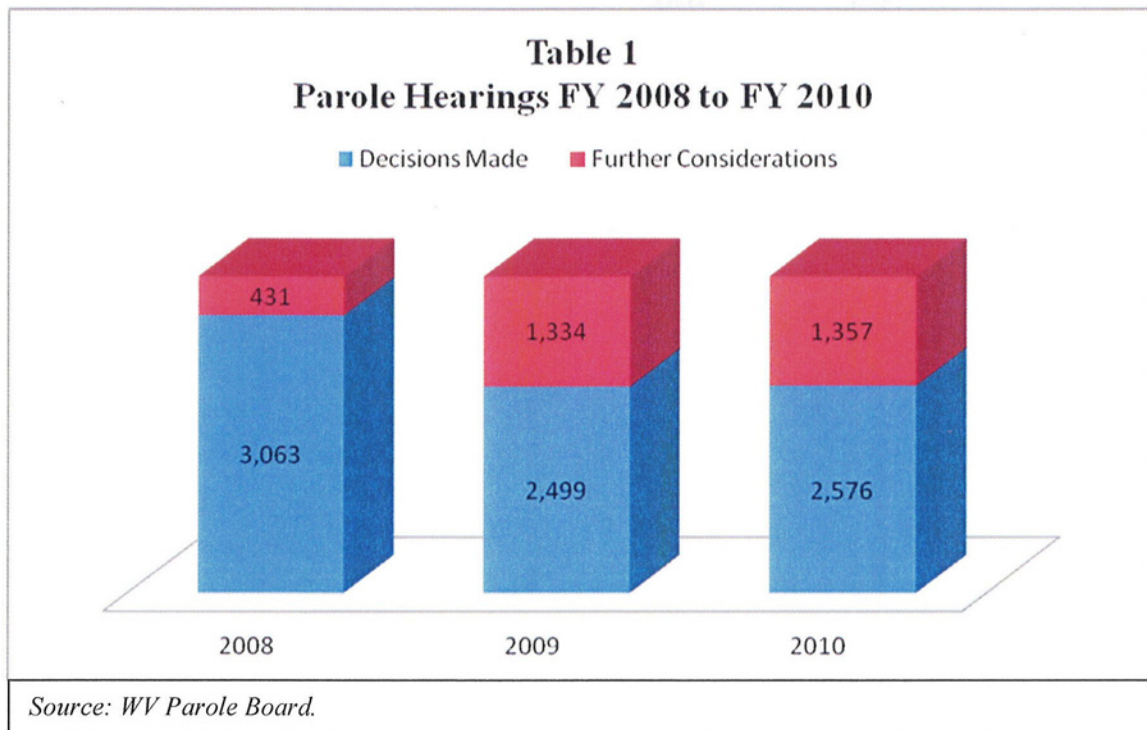
Figure 1
Parole Board Hearing Process



Change in Procedure Highlights True Number of Inmates Awaiting Parole Decisions

From FY 2008 to FY 2010, there were 2,914 inmates placed in Further-Consideration status because all required information was not made available by the DOC in order for a parole decision to be made.¹ Table 1 below illustrates that in both FY 2009 and FY 2010 over 1,300 inmates were placed on FC status.

From FY 2008 to FY 2010, there were 2,914 inmates placed in Further-Consideration status because all required information was not made available by the DOC in order for a parole decision to be made.



The number of FCs in 2008 is misleading partly because the Parole Board changed its procedures. Prior to 2009, the DOC was responsible for creating and approving home plans. An inmate could be granted parole, but not have a completed or approved home plan as required by Code. The result was a situation called “pocket parole” where inmates were approved for parole but remained incarcerated due to an incomplete or unapproved home plan. The inmates then remained in correctional custody until a home plan could be created and approved by the DOC. **The Parole Board estimates that over 700 inmates were in pocket-parole status in FY 2008 in addition to 431 inmates placed on further consideration status.** Therefore, in FY 2008 the number of inmates in

¹There were 3,122 cases delayed from FY 2008 to FY 2010 but some inmates were placed on FC status in more than one year. The 3,122 cases represent 2,914 inmates.

further-consideration status is estimated at more than 1,131, which is consistent with 2009 and 2010.

In 2009, the Parole Board became statutorily responsible (WVC §62-12-13(D)(iv)(4)) for approving home plans created by the DOC. However, the DOC continued to have difficulties in establishing home plans either because it was unable to do so in time for parole hearings or inmates had no suitable place to reside if released on parole. The lack of approved home plans was the most frequent reason for delayed parole hearings. The Legislative Auditor found that inmates were placed on FC status for the following reasons:

1. lack of approved Home Plans – 1,614 cases,
2. lack of Home Plans and PSY - 615 cases,
3. lack of PSY – 203 cases,
4. lack of PSI, Home Plans, and PSY – 202 cases, and
5. lack of PSI and PSY – 91 cases.

The lack of approved home plans was the most frequent reason for delayed parole hearings.

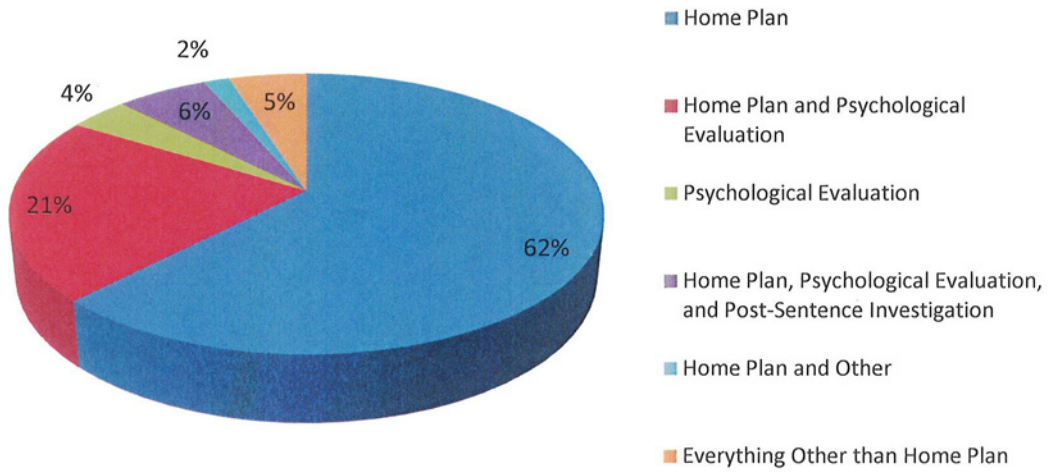
Lack of Approved Home Plans Leads to Delays in Releasing Inmates

Home plans for inmates have several requirements that must be met for approval. Parole cannot be granted without a home plan approved by the Parole Board. Two major considerations are that a parolee cannot be housed near victims or in a household with other ex-convicts.

Some inmates do not have any place to go once they are eligible for parole. They may not have families that want to be involved with them. A family member may have been their victim. Landlords may also be reluctant to allow an ex-convict to be housed in their property. For parole-eligible inmates with no suitable place to live, West Virginia's prison system is serving as home for these inmates. From FY 2008 to FY 2010, a total of 2,489 inmates were on FC status for 16,334 months with an incomplete home plan being at least one reason for FC status. Tables 2 and 3 show that the lack of an approved home plan, at least in part, accounted for more than 90 percent of FCs during FY 2009 and FY 2010.

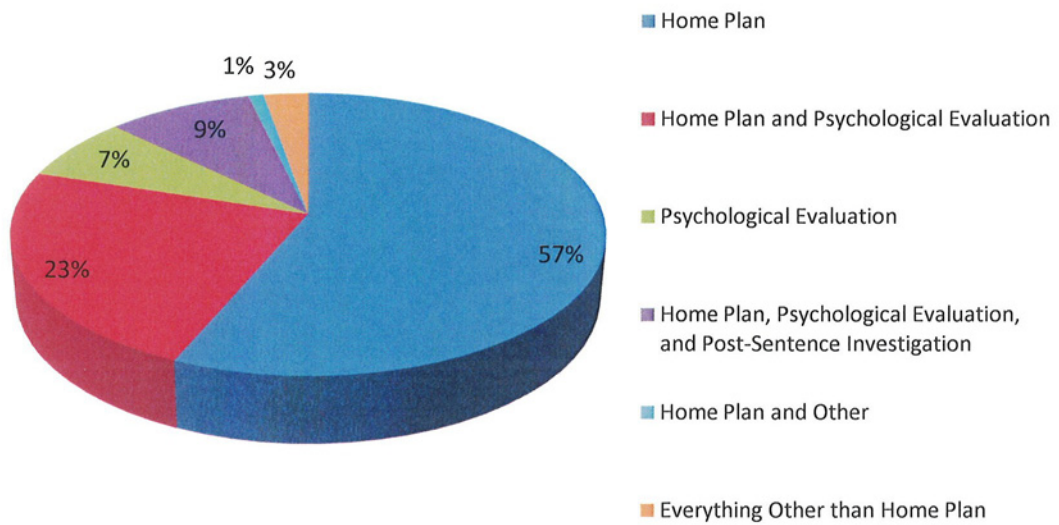
For parole-eligible inmates with no suitable place to live, West Virginia's prison system is serving as home for these inmates.

Table 2
Reasons for Further Consideration FY 2009



Source: WV Parole Board.

Table 3
Reasons for Further Consideration FY 2010



Source: WV Parole Board.

When an inmate is placed on FC status it doesn't necessarily mean that it took the DOC several months to complete all requirements. A psychological evaluation can be completed within a month (or less) while inmates wait several months for a home plan to be completed and approved. Neither the Parole Board, nor the DOC tracks the reasons for an inmate continuing to be on FC status after being placed there. Because of this, the Legislative Auditor could not determine the total months of delay for home plans after other requirements were completed.

When an inmate is placed on FC status it doesn't necessarily mean that it took the DOC several months to complete all requirements.

Table 4 shows the disposition of inmates on FC status who only needed home plans established. From FY 2008 to FY 2010, 113 inmates ended up serving their full sentence while waiting for approved home plans. In addition, 588 inmates received a delayed parole decision due to home plans. They had been placed on FC status due to non-approved home plans. Table 4 illustrates the number of persons placed on further consideration status for incomplete home plans that were either granted parole, completed their sentence before a parole decision was made, or are still incarcerated while on FC status.

<p align="center">Table 4 Disposition of Inmates Who Only Needed Home Plans FY 2008-2010 (As of May 2011)</p>			
Status of Inmates	Number of Inmates Affected	Total Additional Months Served After Initial Parole Eligibility Date While Waiting for Home Plan	Average Number of Months Served Beyond the Date of Parole Eligibility
Home Plans Were Eventually Created and Parole Was Granted.	588	2,515	4 months
Full Sentence Was Served Because of no Home Plan.	113	1,010	8 months
Still Incarcerated Because of no Home Plan.	74	1,375	18 months
Total	775	4,900	6 months
<i>Source: Legislative Auditor Analysis of Parole Board Information</i>			

West Virginia's lack of transitional housing contributes to delayed parole decisions. Transitional housing could create more housing opportunities for inmates. If suitable housing is available, it would reduce the number of inmates on FC status due to an unapproved home plan. The DOC is exploring the possibility of creating a transitional housing facility. The division's initial plan is to create a 50 bed facility that would be used as a pilot. The DOC anticipates that it would have a need for between three and five of these facilities.

There Is A Higher Probability of Inmates Being Placed on Further Considerations Who Are Still Housed in Regional Jails

In addition to creating home plans, the Legislative Auditor found the Division of Corrections has difficulty in completing the other processing requirements necessary for parole decisions. The location where the inmates are housed affects how quickly psychological evaluations (PSY) and post-sentence investigations (PSI) can be completed. The DOC uses Regional Jail Authority (RJA) facilities to house some inmates but the DOC does not have staff in the regional jails to provide PSY evaluations and PSIs. Because of the overcrowding situation within the DOC, inmates enter the correctional system through a RJA facility and are then moved to a DOC facility when beds open. **As of November 2011, there were 1,686 DOC inmates housed within facilities operated by the RJA.**

The Legislative Auditor conducted a review of the current status of all persons committed to the DOC as of November 4, 2011. Sixty-three percent (1,068) of the inmates housed within the regional jails were found not to have a completed psychological evaluation, compared to 3 percent (175) housed in DOC facilities. Additionally, 24 percent (408) of the inmates committed to the DOC in the regional jails have not had a PSI completed.

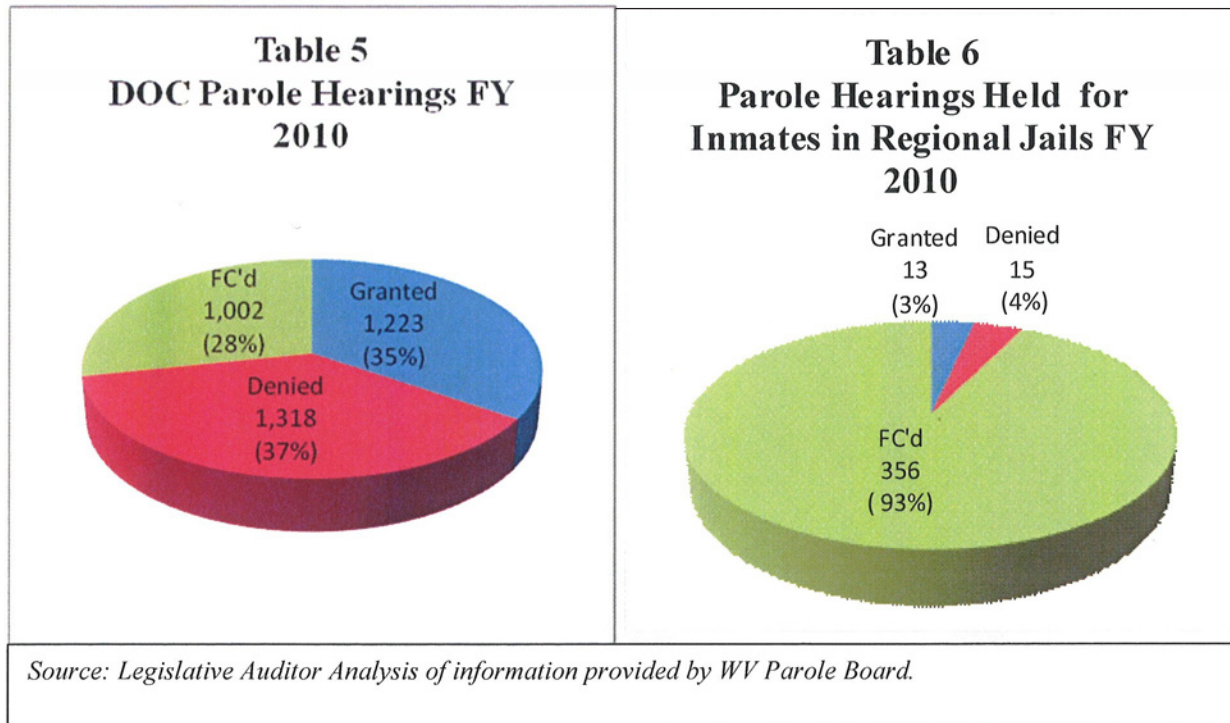
During FY 2010, inmates housed in the regional jails accounted for less than 10 percent of all total parole hearings. However, 93 percent of all parole hearings held for inmates housed in regional jails resulted in an inmate receiving further consideration, because the DOC did not complete all processing requirements (see Table 6). Inmates held in regional jails and considered for parole accounted for 26 percent of all FCs, while inmates housed in DOC facilities accounted for 74 percent of all FCs. While inmates housed within DOC facilities accounted for more FCs, those inmates were more than 90 percent of all parole hearings and had a FC rate of 24 percent. Although it is not always possible, the DOC works on a daily basis to move inmates with imminent parole hearings into DOC facilities to improve access and to allow DOC staff to complete

West Virginia's lack of transitional housing contributes to delayed parole decisions.

Sixty-three percent (1,068) of the inmates housed within the regional jails were found not to have a completed psychological evaluation, compared to 3 percent (175) housed in DOC facilities.

required documentation. Generally speaking, once an inmate is in a DOC facility, most requirements are completed within 90 days. However, in some cases the amount of time an inmate has been transferred from a regional jail to a DOC facility may provide enough time for the agency to prepare the required information for a parole hearing, in which case the inmate will have to be placed on Further Consideration.

... once an inmate is in a DOC facility, most requirements are completed within 90 days.



In FY 2009, the DOC inmates housed in the regional jails had a further consideration rate that was slightly lower than the FY 2010 rate. The FC rate for inmates housed in regional jails in FY 2009 was 88 percent. Due to the way data is maintained, the Legislative Auditor was unable to determine what documentation was incomplete for inmates within the regional jails who were placed on FC status.

DOC staff is challenged in trying to process PSIs and provide psychological evaluations for inmates in RJA facilities.

The DOC Has Limited Access to Prisoners In Regional Jails

DOC staff is challenged in trying to process PSIs and provide psychological evaluations for inmates in RJA facilities. The DOC does not have staff located in the regional jails, so staff must travel from DOC

facilities to the RJA facilities. The DOC does not have staff dedicated solely to preparation for parole hearings. DOC staff may have other duties such as case management, security, supervision; programming and inmate classification related tasks, as well as general day-to-day operations. According to the DOC *“there is no way to easily quantify the percentage of time staff spent preparing inmates for parole hearings. . .”*

The DOC must first complete a post-sentence investigation (PSI) before psychological evaluation can begin. As part of the psychological evaluation process, the DOC must conduct an intelligence test as well as tests to determine an inmate’s mathematical and reading abilities. The psychological testing generally takes two to three days. The DOC estimates that any staff person called upon to assist in the regional jails spends 7 to 10 percent of their time on the task. Because DOC staff and psychologists must travel to the regional jails, inmates are scheduled in advance for testing and interviews. Numerous events may cause an inmate not to be available when DOC staff arrives. Some examples are a recent relocation, time spent in court, medical issues, or disciplinary actions resulting in solitary confinement. Space limitations within the regional jails limit the testing to only 20 inmates per session. Generally, DOC staff does not return to the RJA facility for 90 days. Placing DOC staff permanently within each of the regional jails could assist the DOC in completing documents in a timelier manner by providing improved access to persons housed within the RJA facilities.

Limited Funding Leads to Fewer Psychological Evaluations Completed In Regional Jails

The final step of the psychological evaluation process involves an inmate meeting with a licensed psychologist. The DOC has two different contracts with vendors for psychological evaluations within the regional jails and within DOC facilities. While the contract for psychological evaluations to be completed within the DOC is open-ended, the contract for psychological evaluations within the regional jails is limited by funding. Originally, the DOC had funding to allow for 600 psychological evaluations per year to be conducted within the regional jails. This year the DOC received additional funding to increase the number of psychological evaluations completed in the regional jails to 850 at a total cost of \$170,000. This increase may not be enough to address current prisoner intake. In FY 2010, the DOC had a prisoner intake of 2,915. Because inmates enter into the regional jails before DOC facilities, this means that more than 2,000 inmates could not begin psychological testing

The DOC does not have staff dedicated solely to preparation for parole hearings.

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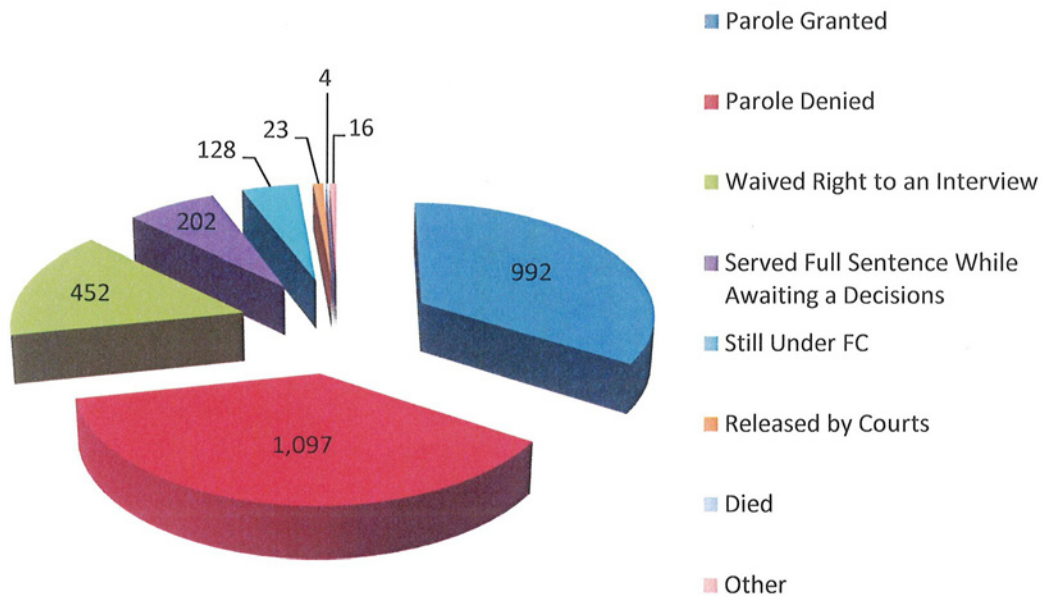
while in the regional jails. It is the Legislative Auditor’s opinion that the Division of Corrections should allow for more psychological evaluations to be completed within the regional jails.

Of the 2,914 inmates who were placed on further consideration, 992 were eventually granted parole....

Housing Inmates Past Their Parole-Eligibility Dates Has Personal and Financial Costs

A total of 2,914 inmates were placed on FC status from FY 2008 to FY 2010. Table 7 details the disposition of these inmates. As of May 1, 2011, these inmates accounted for 17,797 months spent in correctional facilities past their initial parole eligibility date.

**Table 7
Status of Inmates Placed on Further Consideration**



The primary cost to the State from delayed parole hearings is the amount the DOC pays the RJA to house DOC prisoners. For example, of the 2,914 inmates who were placed on further consideration, 992 were eventually granted parole after paperwork was completed as of May 2011. These prisoners stayed incarcerated in a regional jail or a DOC facility on average more than four months after their initial parole eligibility date. If these inmates had received parole when first eligible, some would have been released directly from the regional jail or, for those in a DOC facility,

the DOC would have had room to transfer several hundred inmates from a regional jail to a DOC facility. In either case, the timely parole of these 992 inmates would have relieved some of the overcrowding at regional jails and reduced DOC costs of housing inmates in regional jails. The RJA charges the DOC \$48.80 per day to house an inmate. **In this case, housing 992 inmates at regional jails for four months beyond parole eligible dates cost the State over \$5.8 million in payments to the RJA** (\$48.80 * 120 days * 992 inmates). In total, the DOC pays the RJA between \$25 million to \$30 million to house DOC inmates. In addition, having more inmates in a DOC facility as opposed to them being in a regional jail would improve the timeliness of processing inmates for parole hearings, further reducing the human and financial costs of delayed parole hearings. Table 8 illustrates the reasons and the number of months for delay for the 992 persons who were later granted parole.

The RJA charges the DOC \$48.80 per day to house an inmate. In this case, housing 992 inmates at regional jails for four months beyond parole eligible dates cost the State over \$5.8 million in payments to the RJA.

Reason for Delay	Number Of Inmates Delayed	Months of Delay
Criminal Inventory Background	1	7
Home Plan	588	2,515
New Charges	2	9
Notification	7	24
Notification and Post Sentence Investigation	1	1
Notification and Psychological Evaluation	2	6
Post Sentence Investigation	39	82
Post Sentence Investigation and Criminal Inventory Background	1	4
Post Sentence Investigation and Home Plan	17	122
Post Sentence Investigation and Psychological Evaluation	33	162
Post Sentence Investigation, Psychological Evaluation, Criminal Inventory Background, and Home Plan	1	4
Post Sentence Investigation, Psychological Evaluation, and Home Plan	66	319
Psychological Evaluation	83	205
Psychological Evaluation and Home Plan	149	792
Write-Ups	2	12
Total	992	4,264

Source: Legislative Auditor Calculation of information provided by WV Parole Board.

From FY 2008 to FY 2010, four inmates died while waiting for a parole decision. During this time period, 23 inmates were ordered released by the courts and 202 inmates served their full prison sentence before a parole decision could be made. Additionally, as of May 2011, 128 inmates are still awaiting a parole decision. If these inmates had all received parole decisions when scheduled, assuming a 50 percent rate of paroles granted, the DOC would have opened 178 beds.

Housing inmates past their parole-eligibility date has numerous costs. *West Virginia Code § 62-12-13(D)(iv)(5)(d)* states “it is the duty of the (parole) board, as soon as a person becomes eligible, to consider the advisability of his or her release on parole.” These individuals are not getting an opportunity, as required by Code, to receive a parole decision when first eligible. These delayed parole decisions adversely affect the lives of inmates that want to become productive members of society. Delayed decisions also impact the families of incarcerated inmates. Social, financial, and mental health issues may arise from inmates spending more time than necessary in a correctional facility.

In addition, inmates who were incarcerated past their parole eligibility date without parole decisions contribute to overcrowding. These inmates occupy much needed bed-space within both the regional jails and the DOC while awaiting a parole decision. Housing inmates within the regional jails also has costs for the DOC. Expediting the speed in which inmates can have parole decisions rendered by the Parole Board could serve to ease overcrowding while reducing the amount the DOC pays regional jails for housing DOC inmates.

Conclusion

The need to house prisoners within the regional jails has led to a situation where the Division of Corrections has limited access to prisoners. Parole eligible inmates are forced to wait for paperwork to be completed so that parole decisions can be made. Housing persons eligible for parole is not only costing the State money, but also contributing to prison overcrowdedness. The estimated cost to the State as a result of delayed parole hearings from the case study of this report is over \$5.8 million in payments to the Regional Jail Authority.

Placing DOC staff within regional jails, increasing the number of psychological evaluations completed within the jails, and pursuing transitional housing opportunities could serve to help alleviate prison-overcrowding by reducing the number of parole decisions that are delayed.

During this time period, 23 inmates were ordered released by the courts and 202 inmates served their full prison sentence before a parole decision could be made. Additionally, as of May 2011, 128 inmates are still awaiting a parole decision.

Expediting the speed in which inmates can have parole decisions rendered by the Parole Board could serve to ease overcrowding while reducing the amount the DOC pays regional jails for housing DOC inmates.

Recommendations

1. *The Division of Corrections should consider placing permanent staff at each of the ten regional jails. The DOC estimates this recommendation to cost \$514,407 annually.*
2. *The Division of Corrections should take steps to complete more psychological evaluations within the regional jails. The DOC anticipates it would cost \$700,000 annually to conduct 3,000 psychological evaluations in the regional jails.*
3. *The Division of Corrections should attempt to create a transitional housing facility pilot program. The DOC estimates that the pilot program would cost \$1.2 million annually.*

ISSUE 2

The Division of Corrections Needs To Develop Additional Performance Measures.

Issue Summary

The Division of Corrections supplied one performance measure for the *Operating Detail* of the FY 2011 Executive Budget. The division tracks numerous statistics and standards relating to safety inside of correctional facilities but did not supply any of these measures to the Executive Budget. However, there are other aspects of operations; the division does not have performance measures related to inmate programming or to its responsibilities related to parolees. The Division of Corrections is in need of performance measures related to recidivism and its ability to meet inmate programming needs.

The Division of Corrections is in need of performance measures related to recidivism and its ability to meet inmate programming needs.

The Division of Corrections Mission Statement Is Consistent with West Virginia Code

State agencies are required to submit division-level performance measures for the *Operating Detail* of the State's Executive Budget as part of the appropriation request process. Other information reported includes the agency's mission statement, goals, and objectives. Although legislative appropriations are not based on performance measures submitted by state agencies, performance measures are required in order to promote accountability before the Legislature and the public, and to encourage agencies to become result-oriented in their operations.

The Legislative Auditor has observed that many state agencies have not provided adequate performance goals or measures in the *Operating Detail* of the State's Executive Budget. In some cases, the performance measures are not strongly tied to the agency's overall mission, while in other cases the list of performance measures is incomplete. In addition, state agencies often do not provide goals or benchmarks for their performance measures. Without a performance goal or benchmark, a performance measure does not indicate whether performance is good or needs improvement. The Division of Corrections stated its mission as follows:

**Division of Corrections
Mission Statement**

To enhance public safety by providing safe, secure, and humane correctional facilities, operating an effective system of offender re-entry and community supervision, reducing offender recidivism, and assisting victims of crime.

The Legislative Auditor examined the agency’s mission statement to determine if the agency’s focus is statutorily supported. The performance of an agency is tied to what the agency considers its mission. Therefore, the mission should be clearly understood by the agency and it should not be more or less than what is statutorily required. The Legislative Auditor determines that the agency’s mission statement is consistent with its enabling statute as shown in the following table.

The Legislative Auditor determines that the agency’s mission statement is consistent with its enabling statute.

The Division of Corrections’ mission statement is:	
fully supported by statute.	X
not supported by statute.	
is less than statutorily required.	
is more than statutorily mandated.	
is determined administratively as allowed by statute.	

Mission Statement Sources

The DOC’s mission statement is supported by Chapter 25, Article 1, and Chapter 62, Article 12 of *West Virginia Code*.

- **§25-1-1a:** *The primary purpose of the division of corrections is to enhance public safety by providing for the incarceration and care of convicted offenders who have been sentenced by courts of proper jurisdiction to serve terms of incarceration.*

- §62-12-15:** *Each state parole officer shall investigate all cases referred to him or her for investigation by the commissioner of corrections and shall report in writing thereon. . . He or she shall keep informed concerning the conduct and condition of each person under his or her supervision and shall report thereon in writing as often as the commissioner of corrections may require. He or she shall use all practicable and suitable methods to aid and encourage persons on parole and to bring about improvement in their conduct and condition.*

This measure is relevant to the core problem of the division because it addresses the need to increase bed capacity within the DOC.

The Division of Corrections (DOC) is responsible for providing safe, secure, and humane correctional facilities (*WVC* §25-1-1a). The Division is also responsible for operating an offender re-entry and supervision program with the goal of reducing recidivism (*WVC* §62-12-15). The statement “assisting victims of crime” is seemingly derived from the duty of the Division of Corrections to provide funds to the Crime Victims Compensation Fund (*WVC* §25-7-14).

The Division of Corrections Provided a Single Performance Measure

The Division of Corrections supplied the following performance measure for the FY 2011 *Operating Detail*:

Fiscal Year	Actual 2007	Actual 2008	Estimated 2009	Actual 2009	Estimated 2010	Estimated 2011
Obtain funding for, finish, and fill the 300-bed addition at St. Mary’s, as well as two additional 48-bed work camps by the end of FY 2011.						
Total bed capacity*	4,931	5,017	5,113	5,113	5,113	5,509
* All of the bed capacity actuals and estimates include the 13 correctional facilities listed on the next page. The FY 2011 estimate includes a 300-bed addition to St. Mary’s Correctional Center pending funding approval through the West Virginia Regional Jail and Correctional Facility Authority, as well as two 48-bed work camps.						

This measure is relevant to the core problem of the division because it addresses the need to increase bed capacity within the DOC. As of November 2011, there were 1,686 inmates housed within facilities operated by the Regional Jail Authority because the DOC does not have adequate bed-space for them. The DOC tracks prison capacity as bed-space on a facility-by-facility basis. Table 9 below shows the capacity of DOC facilities FY 2008 through FY 2010. The capacity has increased by 98 beds during this period of time. Although the addition of 300 beds at St. Mary’s is important, there are other aspects of operation that the agency should utilize to measure its performance.

Table 9
DOC Bed Capacity Per Facility FY 2008 through
FY 2010

Facility Name	2008	2009	2010
Anthony Correctional Center	220	220	220
Beckley Correctional Center	68	78	78
Charleston Work Release Center	66	66	66
Denmar Correctional Center	210	216	216
Huntington Work Release Center	66	66	66
Huttonsville Correctional Center	1,118	1,138	1,138
Lakin Correctional Center	455	455	455
Martinsburg Correctional Center	120	120	120
McDowell Country Correctional Center	445	445	445
Mt. Olive Correctional Complex	1,000	1,020	1,020
Northern Correctional Center	253	253	253
Ohio County Correctional Center	60	67	68
Pruntytown Correctional Center	359	369	369
St. Mary's Correctional Center	530	554	554
Slayton Work Camp	48	48	48
Totals	5,018	5,115	5,116

Source: Division of Corrections data.

A second performance measure to reduce the number of DOC inmates in regional jail facilities by a certain time frame would address alleviating the parole delay issues discussed in Issue 1....

According to DOC officials, all facilities within the DOC were at full inmate capacity from FY 2008 through FY 2010. A second performance measure to reduce the number of DOC inmates in regional jail facilities by a certain time frame would address alleviating the parole delay issues discussed in Issue 1, and also move the agency toward compliance with the legislative intent to house inmates within the DOC, not within regional jails.

DOC Tracks Some Safety Indicators But Has Not Developed These As Performance Measures

The DOC sets performance goals for each correctional facility based on averages from the previous fiscal year. The following are some examples of items that the DOC tracks:

- the number of inmate-on-staff assaults,
- the number of inmate-on-inmate assaults,
- the number of tobacco-finds,

- the hours of employee overtime worked,
- the number of grievances filed by inmates,
- the number of weapon-finds,
- the number of use-of-force incidents,
- the number of employee separations, and
- the number of violation reports sent to hearing officers.

The listed performance goals utilized by the DOC are varied and provide a good idea of what is happening within correction facilities. The DOC tracks this information month to month and annually. The month-to-month information has immediate operational implications for the agency. The use of information from the previous year can help to illustrate where potential problems are and provide the agency with a benchmark for improvement. This information could be used to develop progress toward pre-defined safety performance measures.

The listed performance goals utilized by the DOC are varied and provide a good idea of what is happening within correction facilities.

Facility Size and Staff Training Contribute to Safety

The DOC does not track square footage per inmate but all DOC facilities are now accredited by the American Correctional Association (ACA) and four DOC facilities gained initial ACA accreditation in CY 2010. One ACA standard requires that facilities provide at least 25 square feet of space per inmate. The ACA is a private, nonprofit organization that provides the only national accreditation process for correctional facilities. Nationally, about 80 percent of all state departments of corrections and youth services participate in the ACA. In addition, programs and facilities operated by the Federal Bureau of Prisons, the U. S. Parole Commission, and the District of Columbia are also involved in the accreditation process. The accreditation process offers these agencies the chance to evaluate their operations against national standards, remedy deficiencies, and upgrade the quality of correctional programs and services.

The DOC does not track square footage per inmate but all DOC facilities are now accredited by the American Correctional Association (ACA) and four DOC facilities gained initial ACA accreditation in CY 2010.

The DOC also tracks employee training completions. According to the DOC, training serves to “*enhance job performance, sharpen skills, and improve the overall professionalism of the WVDOC.*” In FY 2010 the DOC saw 1,662 staff complete required training while 140 did not.

DOC Does Not Have Performance Goals Related to Parole Eligibility, Paroled Inmates or Rehabilitation

While the items that the DOC tracks reflect safety and security aspects of operation, they do not address the DOC’s responsibilities related to processing requirements for inmates to be eligible for a parole decision, parolees or rehabilitation efforts of the division. The DOC is

responsible for the supervision of parolees once they are released on parole, and providing rehabilitation courses during the time inmates are incarcerated.

Since the processing of inmates for parole decisions is tied to the delay in release and the issue of overcrowding, the DOC should establish a performance measure relating to processing inmates for parole hearings. Such performance measures should include a performance goal. As discussed in the first issue of this report, the DOC has had some difficulty completing required documents that are necessary for a parole decision to be made. From FY 2008 through FY 2010 there were 2,914 inmates who received delayed parole decisions due to the DOCs inability to complete documentation in a timely manner. The Parole Board tracks the percentage of FCs and has set a goal of 15 percent, but has limited ability to reduce that number itself. In both FY 2009 and FY 2010 over 35 percent of parole hearings resulted in an inmate being placed on FC status. The DOC could track the number of inmates who are placed on further consideration status (FC) and establish a benchmark for FCs.

Measuring rehabilitation efforts within the DOC is also important. While the DOC tracks the number of inmates who complete courses, it does not measure educational attainment. For example, Table 10 below demonstrates that in FY 2010 a total of 253 GED classes were completed but the reader cannot determine the number of inmates who earned a GED.

Measuring rehabilitation efforts within the DOC is also important. While the DOC tracks the number of inmates who complete courses, it does not measure educational attainment.

Table 10
Programming Completions within the DOC FY 2009
Through FY 2010

Class Category	FY 2009	FY 2010
Affective Social Programs	3,457	3,801
Computer Classes	355	421
Crime Specific Classes	207	149
Sex Offender Classes	112	132
Education Classes	546	1126
ABE/GED Classes	220	253
College Courses	544	462
Pre-Release Preparation Classes	1,760	428
Life Skills Classes	2,280	2,929
Substance Abuse Classes	2,546	1,570
Vocational Classes	550	1323
Total Classes Completed	12,577	12,594

Many inmates within West Virginia's prisons have drug-related pasts. Drug rehabilitation courses are instrumental in preparing them for life outside of prison. Unfortunately, due to prison overcrowding, some inmates do not have the opportunity to complete drug rehabilitation courses because there are limited programs within regional jails. The Legislative Auditor reviewed one inmate's files that were placed on a waitlist for needed programming four different times. The DOC tracks completion of classes related to rehabilitation and parole, but it does not track inmates who are awaiting the opportunity to participate in courses. **It is the opinion of the Legislative Auditor that the DOC should begin tracking the number of inmates who do and do not complete courses within correctional facilities.**

...due to prison overcrowding, some inmates do not have the opportunity to complete drug rehabilitation courses because there are limited programs within regional jails.

Relating to parolees, the DOC does track recidivism and parole revocations, but does not have a specific goal outlined. Some performance measures to reduce recidivism could be tracking parolee employment data and requiring full updates on the location and status of parolees.

Conclusion

Having relevant and reliable performance measures help determine if an agency is achieving its mission. While the Division of Corrections has numerous output measures that give a good idea of the level of safety in correctional facilities, no performance measures were provided in the Operating Detail for safety and security aspects of its operation. Also, the agency did not provide measures that address remediation or parole efforts or measures that provide a true picture of the current overcrowding situation faced by the division. The Division of Corrections has an important role in assisting inmates through rehabilitation and remediation efforts. When an inmate is able to successfully re-integrate into society, it is beneficial to society. Successful re-integration saves the State money, frees bed space in DOC facilities, and protects the public. Because of this, performance measures relating to remediation efforts, through programming and education, should be of paramount importance to the Division of Corrections.

The Division of Corrections has an important role in assisting inmates through rehabilitation and remediation efforts.

Recommendations

4. *The Division of Corrections should consider developing a performance measure related to reducing the number of inmates, committed to DOC custody, who are housed within facilities operated by the Regional Jail Authority.*

5. *The Division of Corrections should consider developing a performance measure with the goal of reducing the number of parole-eligible inmates who are placed on Further Consideration status due to missing or incomplete documentation from the DOC.*
6. *The Division of Corrections should consider developing a performance measure related to the educational attainment and the remedial programming needs of inmates housed within the DOC.*

ISSUE 3

The Division of Corrections Website Needs Improvement In User-friendliness and Transparency.

Issue Summary

The Legislative Auditor conducted a literature review on assessments of government websites and developed an assessment tool to evaluate West Virginia’s state agency websites (see Appendix D). The assessment tool lists several website elements. Some elements should be included in every website, while other elements such as social media links, graphics and audio/video features may not be necessary or practical for certain agencies. Table 11 indicates that the Division of Corrections integrates 46 percent of the checklist items in its website. This measure shows that the DOC needs to increase efforts to improve the user-friendliness and transparency of its website.

Table 11 Division of Corrections Website Evaluation Score			
Substantial Improvement Needed	More Improvement Needed	Modest Improvement Needed	Little or No Improvement Needed
0-25%	26-50%	51-75%	76-100%
	DOC 46%		
<i>Source: The Legislative Auditor’s review of the Division of Corrections’ website.</i>			

The DOC Needs Improvement In Both User-friendliness and Transparency

In order to actively engage with an agency online, citizens must first be able to access and comprehend information on government websites. Therefore, government websites should be designed to be user-friendly. A user-friendly website is understandable and easy to navigate from page to page. Government websites should also provide transparency of an agency’s operation to promote accountability and public trust. A website that promotes transparency provides sufficient information about an agency’s budget, organization and performance.

The Legislative Auditor reviewed the DOC website for both user-friendliness and transparency. Table 12 demonstrates that the DOC website needs more improvement in both areas.

Government websites should also provide transparency of an agency’s operation to promote accountability and public trust.

Table 12
Division of Corrections
Website Evaluation Score

Category	Possible Points	Agency Points	Percentage
User-Friendly	18	9	50
Transparent	32	14	44
Total	50	23	46

Source: Legislative Auditor's assessment of the Division of Corrections website.

The DOC Website Can Be More User-Friendly

The DOC website is easy to navigate as every page is linked to the agency's homepage, as well as a search tool and site map that acts as an index of the entire website. The website also displays a Frequently-Asked-Questions (FAQ) section that allows users to immediately obtain answers to the most common questions. Overall, the DOC website allows for the public to easily navigate the website, but several omitted features prevent it from being more user-friendly.

User-Friendly Considerations

The following are a few improvements that could lead to a more user-friendly website:

- **Foreign language accessibility**- A link to translate all webpages into languages other than English.
- **Site Functionality**- The website should include buttons to adjust the font size and resizing of text should not distort site graphics or text.
- **Mobile Functionality**- The agency's website is not available in a mobile version and the agency has not created mobile applications.
- **Feedback Options**- A page where users can voluntarily submit feedback about the website or a particular section of the website.
- **RSS Feeds**- RSS stands for "Really Simple Syndication" and allows subscribers to receive regularly updated work (i.e. blog posts, news stories, audio/video, etc.) in a standardized format.

The DOC website is easy to navigate as every page is linked to the agency's homepage, as well as a search tool and site map that acts as an index of the entire website.

The DOC Website Needs Transparency Improvements

A website that is transparent will have elements such as email contact information, the location of the agency, the agency's phone number, as well as public records, the budget and performance measures. A transparent website also allows interaction between the agency and citizens concerning a host of issues. The Division of Corrections' website has several of the core elements that are necessary for a general understanding of the division. Items such as email contact information, the phone number of the department, and a mission statement allow members of the public to understand the function of the division and to contact it. The DOC website also contains information about pursuing a career in corrections and previous reports released by the DOC. The DOC's transparency score can be improved by adding budgetary information, performance measures, a complaint form, or other information related to the agency's operation.

Transparency Considerations

The following are a few attributes that could be beneficial to the Division of Corrections in increasing its transparency:

- **Public Records**- The agency's website should contain applicable public records such as Statutes, Rules and/or Regulations, contracts, audits, grants, and meeting minutes.
- **Calendar of Events**- The agency's website should contain information on events, meetings, etc. ideally imbedded using a calendar program.
- **Organizational Chart**- The agency's website should contain a narrative describing the agency organization, preferably in a pictorial representation such as a hierarchy/organizational chart.
- **Complaint Form**- A specific page that contains a form to file a complaint, preferably an online form.
- **Budget**- Budget data should be available at the checkbook level, ideally in a searchable database.
- **FOIA Information**- The agency's website should contain information on how to submit at FOIA request, ideally with an online submission form.
- **Performance Measures/Outcomes**- A page linked to the homepage explaining the Departments performance measures and outcomes.

The DOC's transparency score can be improved by adding budgetary information, performance measures, and information concerning how to submit a FOIA.

- **Website Updates-** The website should have a website update status on screen and ideally for every page.
- **Job Postings-** The agency should have a section on its homepage for open job postings and a link to the Division of Personnel's application page.

Conclusion

The current Division of Corrections website is in need of additional features to improve user-friendliness and transparency. Website users can find a search tool, a sitemap, contact information, and a FAQ section on a functional and readable website. However, users of the DOC website cannot find budget information, agency performance measures, a complaint form or other relevant information. Providing website users with this information would greatly improve transparency. It is the Legislative Auditor's opinion that in order to increase transparency and public accountability, the Division of Corrections should consider recommended additions to the website in order to improve transparency and user-friendliness.

Recommendation

7. *The Division of Corrections should consider adding recommended features to its website to improve both user-friendliness and transparency.*

Appendix A: Transmittal Letter

WEST VIRGINIA LEGISLATURE *Performance Evaluation and Research Division*

Building 1, Room W-314
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0610
(304) 347-4890
(304) 347-4939 FAX



John Sylvia
Director

January 4, 2012

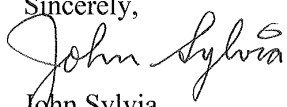
Mr. Jim Rubenstein, Commissioner
West Virginia Division of Corrections
1409 Greenbrier Street
Charleston, WV 25311

Dear Commissioner Rubenstein:

This is to transmit a draft copy of the Agency Review of the West Virginia Division of Corrections. This report is scheduled to be presented during the January 9, 2012 interim meeting of the Joint Committee on Government Operations, and Joint Committee on Government Organization between 4-6 p.m in the House Chambers. It is expected that a representative from your agency be present at the meeting to orally respond to the report and answer any questions the committees may have.

If you would like to discuss the report or have any changes that you feel need to be made before the presentation please contact us. We need your written response to the report by noon on Friday, January 6, 2012 in order for it to be included in the final report. If your agency intends to distribute additional material to committee members at the meeting, please contact the House Government Organization staff at 340-3192 by Thursday, January 5, 2012 to make arrangements.

We request that your personnel not disclose the report to anyone not affiliated with your agency. Thank you for your cooperation.

Sincerely,

John Sylvia

Enclosure
cc: Joseph C. Thornton, Cabinet Secretary DMAPS
Christine F. Morris, Deputy Cabinet Secretary DMAPS

Joint Committee on Government and Finance

Appendix B: Objective, Scope and Methodology

Objective

This report on the West Virginia Division of Corrections is part of the departmental review of the West Virginia Department of Military Affairs and Public Safety pursuant to *West Virginia Code* §4-10-8(b)(4). The objective of this review was to evaluate the Division of Corrections processes related to preparing inmates for parole hearings, performance measures, and website. Our specific objectives were to determine:

Parole Hearing Process

- the process of parole hearings,
- how the Division of Corrections prepares inmates for parole hearings, and
- areas where the process could be improved.

Performance Measures

- if the Division of Corrections had relevant performance measures to govern the agency, and
- if appropriate performance measures that can be controlled and monitored by the agency for future use.

Website

- if the agency hosted a website, and
- what content would be appropriate for the agency to post on a website.

Scope

The scope of this review consisted of reviewing the various processes involved in completing required documentation for parole hearings and the agency's performance measures. The timeframe covers FY 2008 through November 2011. This review does not cover agency expenditures or financial statements. While we did review contracts with outside vendors relating to inmate testing, we did not review the contracts in detail. This review did not determine if contractors were meeting the terms of the contract or how the Division of Corrections administers the contract.

Methodology

This report utilizes information compiled from the West Virginia Parole Board and the Department of Corrections. Information was also obtained from *West Virginia Code*, the *Code of State Regulations*, and the *Operating Detail of the Executive Budget*.

To develop an understanding of the parole process, we reviewed *West Virginia Code* and *the Code of State Regulations*. We then interviewed with Division of Corrections and West Virginia Parole Board staff and sat in on several parole hearings. One issue noticed was that a number of parole hearings were being delayed due to missing or incomplete paperwork. We then reviewed the results of all parole hearings from FY 2008 to FY 2010 and placed emphasis on the decisions that were delayed and the various reasons for delay. We decided that the power to reduce the number of delayed parole decisions lied within the Division of Corrections. We then reviewed inmate files and attempted to determine what difficulties the Division of Corrections was having in completing necessary documentation and why these difficulties were occurring.

To achieve our objectives related to performance measures, we interviewed DOC staff, and reviewed the agency's policies and procedures of the agency as well as the *Operating Detail*. This information was then used to create suggestions for agency performance measures.

In regard to the website, we spoke with DOC staff and reviewed the agencies website using a website scoring tool that was developed internally. The website evaluation tool was then used to suggest areas for improvement in user-friendliness and transparency.

We conducted our performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Appendix C: Reasons for Further Consideration FY 2008 to FY 2010

Reasons for Further Consideration FY 2008 to FY 2010		
Reason	Number	Months of Delay
Criminal Inventory Background (CIB)	1	7
Home Plans (HP)	1,614	10,054
Post-Sentence Investigation (PSI)	75	182
PSI and CIB	3	29
PSI and HP	53	413
PSI and Psychological Evaluation (PSY)	91	503
PSI, PSY, and HP	202	1,284
PSY	203	499
PSY and HP	615	4,540
Other	57	286
Totals	2,914	17,797
<i>Source: PERD Calculation of Information Provided by the West Virginia Parole Board.</i>		

Appendix D: Website Criteria Checklist and Points System

Website Criteria Checklist and Points System Division of Corrections			
User-Friendly	Description	Total Points Possible	Total Agency Points
Criteria	The ease of navigation from page to page along with the usefulness of the website.	18	9
		Individual Points Possible	Individual Agency Points
Search Tool	The website should contain a search box (1), preferably on every page (1).	2 points	2 points
Help Link	There should be a link that allows users to access a FAQ section (1) and agency contact information (1) on a single page. The link's text does not have to contain the word help, but it should contain language that clearly indicates that the user can find assistance by clicking the link (i.e. "How do I...", "Questions?" or "Need assistance?")	2 points	2 points
Foreign language accessibility	A link to translate all webpages into languages other than English.	1 point	0 points
Content Readability	The website should be written on a 6 th -7 th grade reading level. The Flesch-Kincaid Test is widely used by Federal and State agencies to measure readability.	No points, see narrative	Yes
Site Functionality	The website should use sans serif fonts (1), the website should include buttons to adjust the font size (1), and resizing of text should not distort site graphics or text (1).	3 points	1 point
Site Map	A list of pages contained in a website that can be accessed by web crawlers and users. The Site Map acts as an index of the entire website and a link to the department's entire site should be located on the bottom of every page.	1 point	1 point
Mobile Functionality	The agency's website is available in a mobile version (1) and/or the agency has created mobile applications (apps) (1).	2 points	0 points
Navigation	Every page should be linked to the agency's homepage (1) and should have a navigation bar at the top of every page (1).	2 points	2 points

Website Criteria Checklist and Points System Division of Corrections			
FAQ Section	A page that lists the agency's most frequent asked questions and responses.	1 point	1 point
Feedback Options	A page where users can voluntarily submit feedback about the website or particular section of the website.	1 point	0 points
Online survey/poll	A short survey that pops up and requests users to evaluate the website.	1 point	0 points
Social Media Links	The website should contain buttons that allow users to post an agency's content to social media pages such as Facebook and Twitter.	1 point	0 points
RSS Feeds	RSS stands for "Really Simple Syndication" and allows subscribers to receive regularly updated work (i.e. blog posts, news stories, audio/video, etc.) in a standardized format. All agency websites should have a RSS link on their websites.	1 point	0 points
Transparency	Description	Total Points Possible	Total Agency Points
Criteria	A website which promotes accountability and provides information for citizens about what the agency is doing. It encourages public participation while also utilizing tools and methods to collaborate across all levels of government.	32	14
		Individual Points Possible	Individual Agency Points
Email	General website contact.	1 point	1 point
Physical Address	General address of stage agency.	1 point	1 point
Phone Number	Correct phone number of state agency.	1 point	1 point
Location of Agency Headquarters	The agency's contact page should include an embedded map that shows the agency's location.	1 point	1 point
Administrative officials	Names (1) and contact information (1) of administrative officials.	2 points	2 points
Administrator(s) biography	A biography explaining the administrator(s) professional qualifications and experience.	1 point	1 point

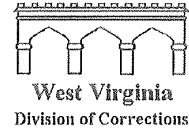
<p align="center">Website Criteria Checklist and Points System Division of Corrections</p>			
Privacy policy	A clear explanation of the agency/state’s online privacy policy.	1 point	1 point
Public Records	<p>The website should contain all applicable public records relating to the agency’s function. If the website contains more than one of the following criteria the agency will receive two points:</p> <ul style="list-style-type: none"> • Statutes • Rules and/or regulations • Contracts • Permits/licenses • Audits • Violations/disciplinary actions • Meeting Minutes • Grants 	2 points	0 points
Complaint form	A specific page that contains a form to file a complaint (1), preferably an online form (1).	2 points	0 points
Budget	Budget data is available (1) at the checkbook level (1), ideally in a searchable database (1).	3 points	0 points
Mission statement	The agency’s mission statement should be located on the homepage.	1 point	1 point
Calendar of events	Information on events, meetings, etc. (1) ideally imbedded using a calendar program (1).	2 points	0 points
e-Publications	Agency publications should be online (1) and downloadable (1).	2 points	2 points
Agency Organizational Chart	A narrative describing the agency organization (1), preferably in a pictorial representation such as a hierarchy/organizational chart (1).	2 points	0 points
Graphic capabilities	Allows users to access relevant graphics such as maps, diagrams, etc.	1 point	1 point
Audio/video features	Allows users to access and download relevant audio and video content.	1 point	0 points
FOIA information	Information on how to submit a FOIA request (1), ideally with an online submission form (1).	2 points	0 points

Website Criteria Checklist and Points System Division of Corrections			
Performance measures/outcomes	A page linked to the homepage explaining the agencies performance measures and outcomes.	1 point	0 points
Agency history	The agency's website should include a page explaining how the agency was created, what it has done, and how, if applicable, has its mission changed over time.	1 point	1 point
Website updates	The website should have a website update status on screen (1) and ideally for every page (1).	2 points	0 points
Job Postings/links to Personnel Division website	The agency should have a section on homepage for open job postings (1) and a link to the application page Personnel Division (1).	2 points	1 point

Appendix E: Agency Response



**STATE OF WEST VIRGINIA
DEPARTMENT OF MILITARY AFFAIRS AND PUBLIC SAFETY
DIVISION OF CORRECTIONS**



EARL RAY TOMBLIN
GOVERNOR

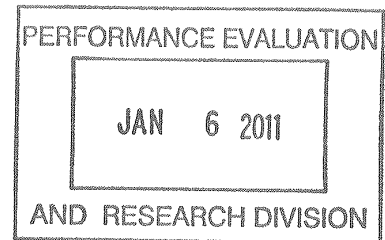
JIM RUBENSTEIN
COMMISSIONER

JOE THORNTON
SECRETARY

Office of the Commissioner
1409 Greenbrier Street
Charleston, WV 25311
(304) 558-2036 Telephone - (304) 558-5934 Fax

January 6, 2012

John Sylvia, Director
Performance Evaluation & Research Division
State Capitol Complex
Building 1, Room 314W
Charleston, West Virginia 25305



Dear Mr. Sylvia;

The West Virginia Division of Corrections has received and reviewed your preview copy of our audit and would like to offer a few suggestions:

- Issue 1: The recommendations offered on page 12 of the report are initiatives that the WVDOC has been pursuing for some time. Cost estimates have been developed but funding has not yet been allocated. We would like to respectfully request that you include these funding estimates in your recommendations.
 - Permanent Staff at the Regional Jails: \$514, 047 Annually for 11 additional staff (10 Correctional Counselor II's and 1 Office Assistant II)
 - Psychological Evaluations in the Regional Jails: \$700,000 Annually (Includes costs for 3,000 psychological evaluations and other required testing)
 - Transitional Housing Pilot: \$1.2 Million Annually
- Issue 2:
 - The Mission Statement included on page 14 is our old mission statement. We adopted the following a few years ago: The mission of the West Virginia Division of Corrections is to enhance public safety by providing safe, secure, and humane correctional facilities, operating an effective system of offender re-entry and community supervision, reducing offender recidivism, and assisting victims of crime.
 - Near the top of page 17, we believe "the number of violation reports sent to parole officers" should be "the number of violation reports sent to hearing officers" which refers to our staff that oversee the institutional disciplinary process.

Thank you for giving us the opportunity to review and offer suggestions. If we can be further assistance please let me know.

Sincerely,

Brad Douglas, Director of Research & Planning
West Virginia Division of Corrections

Appendix F: Agency Comments and Our Evaluation

We provided a draft copy of this report to the Division of Corrections (DOC) for comment. The DOC provided written comments which are reprinted in Appendix B. In commenting on the content of this report, the DOC suggested that we include the following in our report:

- Issue 1: The recommendations offered on page 12 of the report are initiatives that the WVDOC has been pursuing for some time. Cost estimates have been developed but funding has not yet been allocated. We would like to respectfully request that you include these funding estimates in your recommendations.
 - Permanent Staff at the Regional Jails \$514,047 Annually for 11 additional staff (10 Correctional Counselor II's and 1 Office Assistant II)
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- Issue 2:
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 - Near the top of page 17, we believe “the number of violations reports sent to parole officers” should be “the number of violation reports sent to hearing officers” which refers to our staff that oversee the institutional disciplinary process.

All of these changes have been incorporated into the report on pages 6, 20, 22 and 25.

In addition, the report will be available at <http://www.legis.state.wv.us/Joint/PERD/perd.cfm>.

If you or your staff members have any questions about this report, please contact me at (304) 347-4895 or jsylvia@mail.wvnet.edu.

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Director



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