1	Senate Bill No. 457
2	(By Senators Cookman, Miller, Laird, Plymale, Kessler (Mr.
3	President), Tucker and Snyder)
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5	[Introduced January 31, 2014; referred to the Committee on the
6	Judiciary; and then to the Committee on Finance.]
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11	A BILL 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.
- (a) The Division of Corrections may develop and implement a cognitive behavioral program to address the needs of inmates detained in a regional jail, but committed to the custody of the Commissioner of Corrections. The program shall be developed in consultation with the Regional Jail and Correctional Facility Authority, and may be offered by video teleconference or webinar technology. The costs of the program shall be paid out of funds appropriated to the Division of Corrections. The program shall be covered by the rehabilitation plan policies and procedures adopted by the Division of Corrections under subsection (h), section thirteen, article twelve, chapter sixty-two of this code.
- (b) In addition to the program established in subsection (a)

  of this section, the Division of Corrections shall make available

  to each inmate in the custody of the commissioner being detained in

  a regional jail facility prior to transfer to a Division of

  Corrections facility such program and classes as are determined by

  the risk and needs assessment mandated by section thirteen, article

  twelve, chapter sixty-two of this code necessary to prepare the

  inmate for parole. The programming and courses shall be provided

- 1 by the Division of Corrections personnel or designees of the
- 2 commissioner.
- 3 (c) The Regional Jail and Correctional Facility Authority
- 4 shall provide at each of its facilities or, if such can be agreed
- 5 to by the Regional Jail and Correctional Facility Authority and the
- 6 Commissioner of Corrections, certain agreed to facilities, such
- 7 space and equipment as is necessary to effectuate the purposes of
- 8 ths section.

(NOTE: The purpose of this bill is to require that inmates in a regional jail, but committed to the custody of the Commissioner of Corrections, have available the same classes and programs that are offered in Division of Corrections facilities.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.)