

A SYNOPSIS

CRIMINAL JUSTICE PROGRAMS IN THE STATE OF WEST VIRGINIA



FY 1976

GOVERNOR'S COMMITTEE ON CRIME DELINQUENCY AND CORRECTION

ARCH A. MOORE, JR.
GOVERNOR

42815

THE GOVERNOR'S COMMITTEE ON CRIME,
DELINQUENCY & CORRECTION

A Synopsis - 1976



NCJRS
AUG 1977
ACQUISITIONS

THE ANNUAL ACTION PROGRAM
TO PREVENT & CONTROL CRIME

ARCH A. MOORE, JR.,
GOVERNOR

GERALD S. WHITE
EXECUTIVE DIRECTOR

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STATE OF WEST VIRGINIA
OFFICE OF THE GOVERNOR
CHARLESTON 25305

ARCH A. MOORE JR.

The goal of reducing crime and improving the criminal justice system in West Virginia will be realized through the cooperative effort of all levels of government to develop unique and innovative ideas into a workable plan. The West Virginia Comprehensive Criminal Justice Plan represents that effort. The plan contains a statement of policies and standards, an assessment of law enforcement needs in the State, an evaluation of immediate priorities and a description of programs. My Committee on Crime, Delinquency and Correction, pursuant to its delegated authority as West Virginia's Law Enforcement Planning Agency, has approved this plan.

Due to the size of the plan, this publication is an abbreviated version and is only a synopsis of West Virginia's 1976 plan. The 1976 programs are available to criminal justice personnel and the fund allocations from which subgrants will be made have been so designated.

With the combined efforts of all major areas of criminal justice and the citizenry which they serve, we will achieve the goal of developing a truly responsive criminal justice system.

Sincerely,

A handwritten signature in cursive script that reads "Arch A. Moore, Jr.".

Arch A. Moore, Jr.
Governor

SYNOPSIS
INTRODUCTION

The Governor's Committee on Crime, Delinquency and Correction of West Virginia has received \$4,856,000.00 from the United States Department of Justice, Law Enforcement Assistance Administration (LEAA) for 1976 to control crime and improve the State's criminal justice system. These block grant funds were awarded to West Virginia on the basis of the annual Comprehensive Criminal Justice Plan, a document submitted by the Committee for LEAA review and approval. The 1976 State Plan contains programs designed to effectively deal with major problem areas and progress toward the key objectives of police, courts, corrections, juvenile delinquency, community crime prevention, and community relations throughout the State.

The programs described in this publication were developed as a result of months of research, analysis and planning at both local and state levels. The input from each level was directed toward a single end--the synthesis of a comprehensive and meaningful plan for the safety and security of all West Virginians.

The purpose of this booklet is to provide the reader with a synopsis of the 1976 Action Programs.

SUPERVISORY
BOARD

THE STATE OF WEST VIRGINIA

Arch A. Moore, Jr.
Governor

Governor's Committee on Crime, Delinquency and Correction

| | |
|---|--|
| Dr. Harold N. Kerr Chairman | Gerald S. White Executive Director |
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| Gordon Faulkner, Director Division of Correction | Frank Shumaker, J. D. Supervisor Department of Welfare |
| Michael C. Gretchen Community Representative | Gene Sigman, Director of C.J. Parkersburg Community College |
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| Mrs. Edgar Heermans Community Representative | Thomas Tinder, Commissioner State Department of Welfare |

Mrs. George Hoylman, Past Pres.
State Woman's Club

Carl Weimer, Former Grant County
Sheriff and State Fire Marshall

Oliver D. Kessel, Former Judge
W. Va. Supreme Court of Appeals

Earl W. Wolfe, Executive Asst. Director
Division of Vocational Rehabilitation

THE STATE PLANNING AGENCY

ORGANIZATION
AND
ADMINISTRATION

Prior to the establishment of the Governor's Committee on Crime, Delinquency and Correction, comprehensive planning for the criminal justice system was non-existent. At its inception in 1966, this program called for the strengthening of law enforcement capabilities in West Virginia, developing means to deal with the root causes of crime and processes for stopping the development of careers in crime. The Committee was charged with the responsibility of studying the entire criminal justice system.

The Governor's Committee on Crime, Delinquency and Correction was formally created by Executive Order in August, 1968. Designated as the State Planning Agency, it was charged with the development of a comprehensive, statewide plan for the improvement of criminal justice and reduction of crime throughout West Virginia. The Committee which meets monthly, is representative of the various components of the entire criminal justice system in West Virginia. Operating under the guidelines of the Omnibus Crime Control and Safe Streets Act, this diverse representation gives a multi-disciplined approach to the definition, development and correlation of problems, goals, priorities, and programs to improve justice and reduce crime. The members of the Committee are appointed by the Governor, receive no salary, and take time from their personal employment to perform their Committee function.

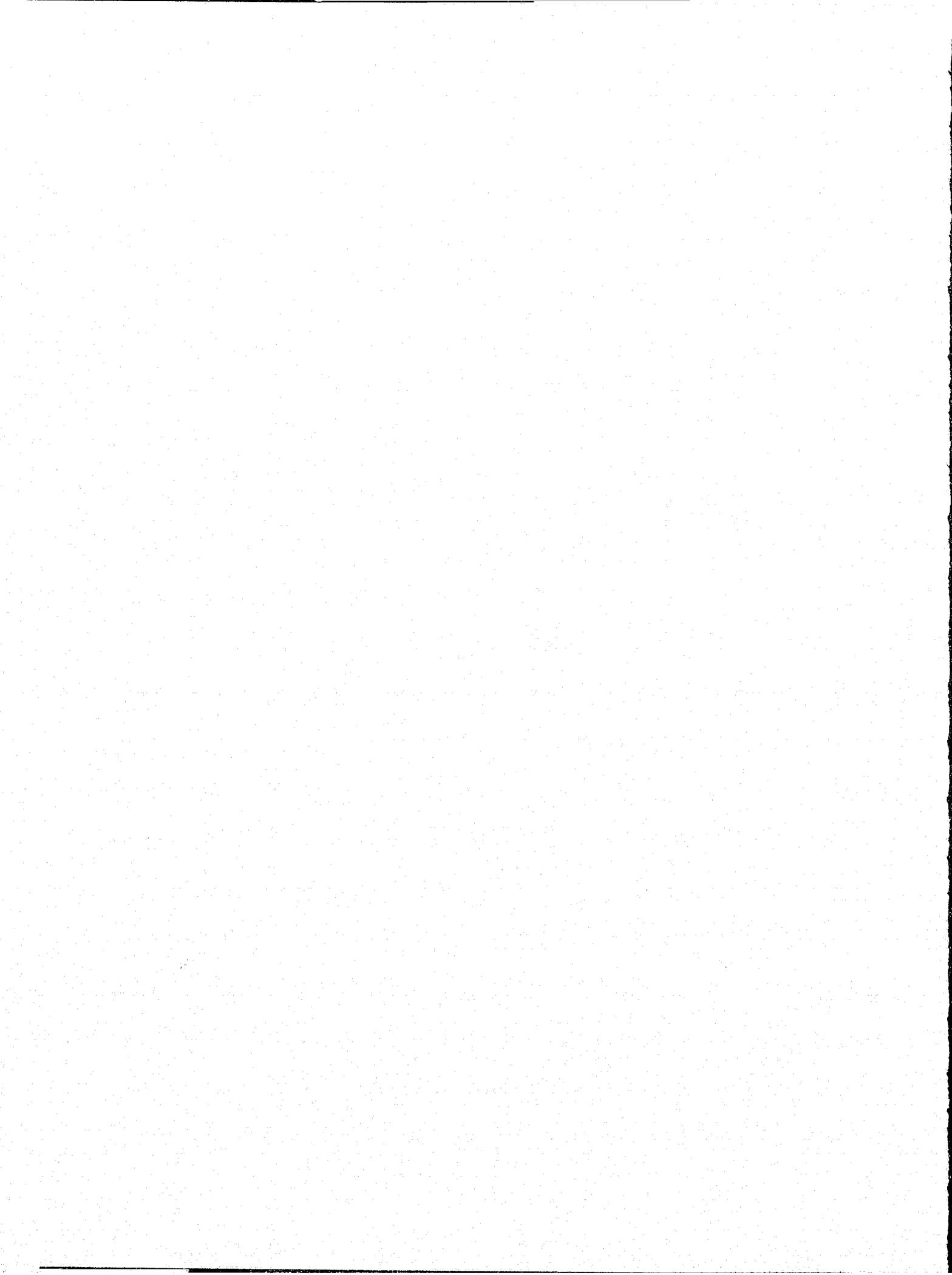
The Governor's Committee, at its monthly meetings, reviews applications, approves projects, and awards funds to State agencies and local units of government under the appropriate program areas, as set forth in the State Plan.

A professional staff is available to assist you in the development of programs under this Plan. Please feel free to contact this office at 304-348-8814 for that assistance or information.

1976

ANNUAL ACTION PROGRAMS

- A. Manpower Development
- B. Crime Prevention
- C. Detection, Investigation
- D. Deterrence and Apprehension
- E. Diversion
- F. Adjudication
- G. Adult and Juvenile Treatment and Rehabilitation
- H. Criminal Justice Information, Processing,
Research and Evaluation



A. Manpower Development

1. General Statement
2. Needs and Problems
3. Annual Action Programs

1. General Statement

West Virginia has stressed training programs and has supported educational programs, since the inception of LEAA, for all components of the Criminal Justice system. Future programs will continue this emphasis on training. Academic programs are now largely self supporting, with one program in the final year of funding and another in the second funding year of a three year program. In the past, recruitment, selection and retention of personnel have been regarded as outside the province of the CPA. It has been considered the responsibility of the various criminal justice agencies and/or their respective Civil Service Commission because the law is specific. However, assistance will be provided where possible under the law to meet any existing need.

A variety of training programs are provided to local police agencies including basic, inservice and specialized with the first and last giving it a centralized location. Future programs will provide short term in-service training programs at regional locations to meet a growing need. Correctional training must be expanded and a program will be developed and implemented when construction at the State Police Academy is completed in 1976.

Efforts will again be made to establish a Standards and Training Commission affecting police and correctional personnel. The educational incentive program will be continued and a program to develop and validate a job related test for police and correctional personnel will be provided. Existing programs provide for orientation training and short term educational programs for judges and prosecuting attorneys and other court personnel.

2. Needs and Problems
(Law Enforcement)

A. Needs and Problems:

Basic training is a continuing need. Vacancies in police departments occur from many causes. Death, retirement, dissatisfaction with pay and working conditions are the most common ones. Larger departments grow in size as revenues increase. In either event training is required for the new personnel. They must develop reasonably good skills in a number of areas. They must know their authority and the limits imposed on it; the types of crimes, laws of arrest, self defense, investigation of crime, reporting, motor vehicles law, accident investigation, traffic control and many other areas. Basic training is general in nature because most of the police in the state are generalists and not specialists.

Only one municipal police agency provides basic training for its personnel. All other municipal and all county sheriff's agencies rely on the program funded by the Governor's Committee on Crime, Delinquency and Correction for basic training. At the state level, the Law Enforcement Division of the Department of Natural Resources lacks financial resources to provide basic training for its personnel.

The need for basic training will always exist. Until a training commission is established to meet this need the Governor's Committee on Crime, Delinquency and Correction must continue to provide funds for this purpose.

B. Needs and Problems:

Basic training equips personnel at the patrol level to function adequately and in-service training can keep all personnel current in their working assignments. Training is needed, and not provided by either of the above types, to prepare personnel for both higher level and specialized assignment. Training for supervisors, for middle management, instructors, investigators and technicians are but some of the types needed. Training programs of this type are designated as Specialized Training. Training of this type can sometimes be provided to a group within the state but sometimes is only available outside the state and then for a very small number of officers. There is a continuing need for specialized training for police personnel at both the state and local level to qualify those assigned to positions of increasing responsibility or requiring technical skills to perform.

C. Needs and Problems:

In-service or refresher training is inadequate. As in the case of basic training many local agencies cannot provide short term training needs. The training academy cannot provide this type of training and because of the number involved it must be given locally as a matter of both convenience and economy. Such programs, covering a broad variety of subjects, could be given in half day or full day sessions and be within the reach of every law enforcement agency. There is a need to establish in at least eight regions training programs which would be co-sponsored by a state or local agency, and a local college, or by both, to provide regional training programs to meet local or regional police and correctional needs.

D. Needs and Problems:

There is no requirement for training law enforcement and correctional officers. Participation is now voluntary for all personnel except deputy sheriffs in twenty-three of the most populous counties, who are required to meet standards established by the GCCDC for basic training. Participation in all other training is voluntary. Consequently a number of agencies do not participate at all or irregularly. There is a need for a Mandated Standards and Training Commission to establish minimum standards for all levels of training. West Virginia is one of four states which do not have such a commission.

E. Needs and Problems:

West Virginia had no criminal justice academic programs prior to passage of the Crime Control and Safe Streets Act. Between 1969 and 1973 four colleges and one university developed and implemented academic programs with SPA assistance. The colleges includes two community colleges which provide associate degree programs and two undergraduate colleges which provide both associate and undergraduate programs. The univeristy provides associate and undergraduate degrees and a graduate program. Degrees are offered in both corrections and law enforcement and, at some institutions, in criminal justice. These five institutions provide reasonably good geographic distribution, which is improved by off campus offerings by three of the colleges. West Virginia State, through arrangement through the Board of Regents, will offer third and fourth year courses at one of the community colleges. A sixth institution is offering an associate degree, without SPA assistance, which will start in the fall of 1975. This program will further improve the geographic distribution.

Attention is now being focused on the improvement of the quality of these programs, the standardization of curricula and complete transfer of credits.

The state has no Criminal Justice research center and this lack is a detriment to improving the criminal justice system.

F. Needs and Problems:

Few police departments have written policy statements to guide employees in making decisions. Almost all rely on unwritten, handed down policies which are the result of long standing practices. No written policy results in misunderstanding and encourages the development of individual policies which may not be in harmony with the needs of the community. Unwritten policy provides less protection to the person who makes a decision and their proceeds on a course of action. Lack of written policy creates doubt and uncertainty and results in a lack of uniformity of enforcement action. Only the larger departments have procedures manuals and regulations to guide enforcement in their official duties and personal conduct.

There is a need to develop, print and distribute to all local police departments a policy and procedures manual in sufficient number for each officer to be provided a copy.

G. Needs and Problems:

The recruitment and selection of personnel for municipal police departments and county sheriff's departments under Civil Service is a responsibility of municipal and County Civil Service Commissions. Both recruitment and selection processes constitute problems but the one addressed here is the selection process. Once recruited, the applicants are given physical examinations, written tests, an oral interview and subjected to other screening processes. These may vary from place to place in quality but the basic processes are common.

Members of the Civil Service Commissions serve without pay or with very nominal pay and the time they can devote to the screening process is limited. They lack the time and expertise to develop written tests to be used and the practice has been to obtain tests from other civil service commissions or police agencies outside the state. These tests are usually intelligence tests of one type or another and have been generally accepted despite the fact they may have little or no relationship to tasks performed. The procedure briefly outlined has been in general use for many years, not only in West Virginia but in many other states also.

In recent years the use of these tests has become the basis of suits in the Federal Courts alleging they are discriminatory unless they are job related and validated. Such tests are not available in West Virginia and must be developed and made available to police agencies to permit compliance with court rulings. No suits have been brought in the state but opinions handed down in other states will bear heavily on the outcome of suits when they are initiated.

There is an obvious and even a pressing need for local criminal justice agencies to have available written tests that are specifically related to job performance and are culturally unbiased. A further requirement is that such tests be validated, i.e., that they measure what they are intended to measure. No single agency has either the ability or means to develop such testing devices. They have two alternatives, the first is to abolish written tests; the second is to obtain proper tests. If written tests are to be used they must be developed and made available to Civil Service Commissions or administered by an acceptable single state agency. Each Civil Service Commission is responsible for preparing its own rules and procedures and has the authority to accept or reject assistance. Obviously, the approval of Civil Service Commissions must be obtained in advance of test development.

There are fifteen Class I and Class II, and at least that number of Class III, municipalities that have Civil Service Commissions. Twenty three of the fifty five counties have County Civil Service Commissions with almost identical responsibilities and autonomy. Acceptance by a fraction of this total would justify assistance in improving the selection of police personnel and certainly, others would utilize it as they become convinced of its value to them.

H. Needs and Problems:

Traditional promotional procedures often result in the selection of supervisors, command and management personnel whose service is longest but whose qualifications for advancement are limited. There is a need to establish a periodic evaluation system consisting of oral interviews and job related tests that would enable the agency to identify personnel in terms of their potential to fill positions of greater responsibility. The selection of personnel for advancement should be based on criteria that relate specifically to

the responsibilities and duties of the higher position and not on a seniority system. This situation is typical of both police and correctional agencies.

1. Needs and Problems:

Upgrading personnel is a constant need and can be accomplished in a number of ways. One of these is by increasing the educational level of individual officers. There is no unanimity of opinion on what is an acceptable educational level but interest shown in criminal justice education by in-service personnel indicates dissatisfaction with only a high school education. Low salaries severely hamper recruiting efforts and offer no encouragement to in-service personnel to improve their educational qualifications. On the contrary, moonlighting is often necessary, and, in some agencies required to maintain a reasonable living standard. Local units of government are almost invariably reluctant to raise salaries of only one agency because of fears of being accused of discriminatory treatment. As a result, small across the board raises are given to all employees and this discourages the more desirable applicants. Incentive pay programs for police provides more adequate pay, overcomes the across the board raise problem, reduces the need for moonlighting, reduces turnover and encourages applications from the better qualified. The existing incentive pay program should be continued and expanded by encouraging more Class II agencies and larger sheriffs departments to participate in it.

2. Needs and Problems
(Courts)

A. Needs and Problems:

(At the present time, the state has no public defender or magistrate system. It is anticipated, however, that a public defender system will be operational on a limited basis during the lifetime of this plan, and the magistrate system will come into existence January 1, 1977, as a result of the Judicial Reorganization Amendment. Inherent needs and problems relative to these two system components will become apparent as the public defender system and magistrate courts begin operation, and provisions should now be made as regards the goals, standards, priorities, and action programs of each for inclusion in this subsequent sections for the multi-year plan, where appropriate.)

As expressed by the National Advisory Commission on Criminal Justice Standards and Goals, "the tasks of judging have special requirements and demands that are best conveyed through an organized educational program. Changing social and legal conditions also call for a structured program of continuing judicial education". The Commission goes on to recommend that all judges attend orientation as well as graduate or refresher courses during their tenure on the bench.

The State of West Virginia presently provides no orientation training for newly elected or appointed judges and their support personnel. The West Virginia Judicial Association, with some assistance from the Governor's Committee on Crime, Delinquency and Correction, annually conducts a training seminar for circuit judges, however, and these seminars are attended by approximately eighty percent of the judges within the state. In addition, a limited number of judges have been able to travel out of state to attend basic and refresher training courses conducted by the national judicial educational organizations.

The Supreme Court of Appeals is required to provide all newly elected magistrates with instruction in elementary principles of law and procedure, and to provide all magistrates with further instruction at least once every other year. While the Supreme Court of Appeals has general supervisory responsibility over the state's circuit courts, it is not required or specifically empowered to provide training for the circuit judges or their support personnel.

*There is a need for all Supreme Court Justices, circuit judges and their support personnel, including circuit clerks, to attend basic as well as refresher training courses.

*There is a need for all newly elected or appointed Supreme Court Justices and circuit judges to attend a state orientation training seminar as well as a national level orientation course.

*There is a need to continue the West Virginia Judicial Training Seminar and to conduct a similar state-level seminar for municipal judges.

*There is a need to develop a state judicial training college which would be responsible for conducting orientation training and in-state specialized subject matter programs (such as the Judicial Training Seminar) for judges, magistrates, and related personnel.

*There will develop a need to provide orientation training and subsequent specialized subject matter programs for magistrates:

*There exists a need for the West Virginia Supreme Court of Appeals to establish and implement standards for training and education as regards the circuit judges, magistrates, and all other personnel under the general supervision and authority of the Supreme Court of Appeals.

Regarding prosecution and defense, the National Advisory Commission on Criminal Justice Standards and Goals states that "the traditional assumption that any licensed attorney is capable of handling any type of case is no longer valid, as indicated by increasing specialization within the legal profession". In addition to proficiency in the courtroom and public defenders must be prepared to cope with their responsibilities in the areas of administration and law enforcement. The Commission recommends that all prosecuting attorneys, public defenders and their professional staff personnel attend orientation training, continuing educational courses, and in-service training in order to meet the need for professional specialization.

There is presently no orientation training available in West Virginia for prosecutors and their support personnel, nor has any such training been contemplated for a proposed public defender system. The Attorney General for West Virginia is responsible for conducting training seminars for prosecuting attorneys, and with the assistance of the GCCDC, sponsors three to four such seminars each year. There is no state level training or educational program for prosecution or defense staff personnel.

*A need exists for prosecutors, defenders and their professional support personnel to attend orientation training, refresher courses, and in-service training in order to meet the need for professional specialization.

*There is a need to continue and improve the semi-annual prosecuting attorney seminars conducted by the Attorney General.

*A need exists for the creation by the State Legislature of a commission with the authority to develop and implement standards for training and education of prosecuting attorney, public defenders, and related staff personnel.

2. Needs and Problems
(Juvenile Delinquency)

A. Needs and Problems:

Training is an extremely important function of any organization. Its importance lies in the fact that every agency or organization has at least some special skills that must be developed to fit specific job requirements of the agency. Society's ever increasing rate of social and economic change has caused many acts of anti-social and disruptive behavior among juveniles. Many agencies and organizations rely on traditional methods of training which may tend to be unresponsive to the current trends of modern society. Therefore new training methods must be developed and utilized to effectively improve the capabilities of staff who function within the juvenile justice system.

Recent discussions with several agencies and personnel working within the juvenile system revealed that there is a definite need for training and that it should be a top priority item to be included within the Comprehensive Plan. Thus the essential elements for initial and continuous development of staff expertise include orientation, continuous in-service, specialized supervisory and management training.

Presently the Department of Welfare in administering the supervision of 40 probation officers has designated one person in each of the 27 area offices as staff training specialist. This individual is responsible for periodic in-service training sessions in areas relevant to social work functions. The frequency and topics of these training sessions are dependent upon the discretion of the staff training specialist and the desires of the other probation staff. Specialized training programs initiated by state level supervisors are conducted periodically. For example specialized training in reality therapy was provided by the Department of Welfare over a one week period in 1974.

Regarding training for houseparents, at least one detention center holds monthly staff meetings, a portion of each is devoted to training. A special topic is selected and presented by the supervisor. Also, through cooperation with the Regional Education Service Agency, training was provided to houseparents of Wood County Detention facility one day a week for six weeks, an example of which was discussion of communication skills.

Personnel who are under supervision of the West Virginia Department of Welfare, (probation officers and detention personnel of the Wood County Detention Facility) are afforded the opportunity to training experiences as described above. However, not all training sessions are mandatory.

The Department of Welfare as well as other agencies and organizations providing delinquency prevention and treatment services may well provide some type of staff training but the need is recognized for on-going training in order to acknowledge modern techniques and keep abreast of innovations.

Therefore there is a need to provide at least orientation, in-service, and specialized training to all personnel in agencies dealing with juveniles, including probation officers, counselors, houseparents, supervisors, volunteers, and staffs of community based programs and detention centers. The subject matter may vary according to personnel and agency responsibilities, but the content should contain some material which would be equally applicable

throughout the system. Consideration should be given to providing major segments of needed training in regional training programs.

B. Needs and Problems:

Because of the lack of uniformity in recruitment and selection criteria and procedures for respective job responsibilities, coupled with the lack of adequate provision of training and educational opportunities, there is a need for a coordinated and comprehensive system to provide the necessary delivery vehicle for the improvement of all juvenile justice personnel.

Therefore there is a need for the establishment of a Minimum Standard and Training commission which would have the responsibility and authority to set forth and mandate standards and training programs for young persons. The establishment of such a commission would necessarily entail the passage of legislation and would therefore be beyond the authority of the State Planning Agency.

2. Needs and Problems
(Corrections)

A. Need and Problems:

Correctional Officer Training: At the present time in West Virginia there exist two types and a multitude of levels of correctional officers. These types are: (1) state institution based corrections officers and (2) county detention/correction center based officers. The levels are as follows: there exist two civil service classifications of state employed correctional officers and minimum training and experience requirements are, (1) "any combination of education and full-time paid experience equivalent to ten years with the ability to pass a physical examination".

In addition, in-service and specialized training for state level correctional officers is limited to basic security techniques and some correctional/rehabilitative philosophy.

To satisfy the Part E requirements pertaining to correctional officer training, it must be stated that if West Virginia is to prioritize goals and standards then the DEAA mandated minimum of 80 hours basic training for correctional officers is a top priority goal. Yet, the base pay for correctional officers tend to maintain employment long enough to reach a certain job experience level and then leave for better employment resulting in a very few officers receiving salary grade increases. Efforts to correct this situation have unveiled a catch twenty two way of thinking between the West Virginia legislature and the State Civil Service System; the legislature will not appropriate more monies for those officers pay until Civil Service changes the pay classification and salary scale; Civil Service in turn refuses to act because the legislature has not appropriated monies to effect the change.

Current efforts to upgrade correctional officers educational levels are taking place at those correctional institutions which offer secondary education courses as a part of the rehabilitative program. As soon as facilities are expanded at the State Police Academy at Institute, West Virginia, a basic training curriculum and program will be developed and put into effect. The completion date for said facilities improvement has been set for July 1, 1976.

(1) To secure an effective working relationship between the West Virginia Legislature and the West Virginia Civil Service System.

(2) To develop a curriculum for basic training at a minimum of 80 hours for state employed correctional officers and to put that curriculum into effect.

(3) To expand an on-going in-service training program for all correctional personnel to expose those persons to a minimum of 20 hours of in-service training a year.

Local level correctional work is primarily concerned with the secure and safe detention of prisoners/suspects and persons sentenced to the county institution. The over-riding problem associated with local corrections manpower is the lack of formal training available to those persons.

A roadblock to realizing a formal training procedure or any training

for that matter is the availability of local correction/detention officers for training.

There exists a need for the development and enactment of a training program which would complement and benefit the work related efforts of all local correctional/detention personnel.

Prior to fulfilling the above stated need, the SPA foresees difficulties in implementing such a program in one locale only. Such a training program should probably be done on a regional basis, enabling local correction/detention personnel to take full advantage of such training. Until such time there needs to be an effort directed toward establishing a training program for local correctional/detention personnel at the Department of Public Safety (State Police) Academy at Institute, West Virginia.

B. Needs and Problems:

Academic programs for criminal justice personnel are available through several colleges and one university. Participation in these programs has been very good. Initially this was attributed to LEEP funds for tuition, registration fees and books. Incentive pay programs, later developed, gave added impetus to this participation but without LEEP funds, or funds from another source, working criminal justice personnel would be financially unable to continue in this educational program. Improvement of the police service will be gradual but certain. Educational programs, if successful and continued, will contribute more to the improvement of the police service than the majority, if not all, of manpower development programs.

LEEP funds which have been sufficiently available, although within limiting priorities, for advanced education are being substantially reduced. This will prevent new in-service personnel from participating in these academic programs and, if further reductions occur, these educational programs will have little applicability to working criminal justice personnel. There is a need for a continuing source of funds to assist law enforcement and correctional personnel to continue in higher education programs that will improve their ability to perform, supervise and manage tasks, programs and agencies.

3. Annual Action Programs

Title: Training and Education Program (Local) SPA CODE: A01

Relationship to Problem Analysis and to Multi-Year Budget Forecast:

This program is directly related to the Analysis section because of its major role in improving the quality of criminal justice services. It will be a part of all future state plans until a Standards and Training Commission is established and funded by the Legislature.

Objectives:

To provide basic training for 120 to 160 local police officers.

To provide continuing in-service training for criminal justice personnel.

To provide juvenile justice personnel with pre-service or orientation and specialized training.

To provide prosecutorial personnel with specialized training and education.

To improve police-community relations through training programs.

To continue existing incentive pay programs and make them available to additional agencies.

To develop regional criminal justice training centers.

To generally upgrade the local criminal justice system through a broad range of manpower development programs.

Relationship to Standards and Goals:

Directly and significantly related because it is designed to meet the needs outlined and by doing so, contribute to the attainment of goals of local level training programs.

General Strategy for Implementation:

This program conceivably involves every local criminal justice agency in the state as it includes all types of training programs and limited training materials. These training programs are available to all local agencies that are interested in participating in them.

Funds will be provided for basic training for local police officers. At least three classes of 40 officers each will be conducted. The number of classes is limited by available manpower. Additional classes can be conducted and some simultaneously if manpower is available. The state's largest municipality, Huntington, conducts its own basic program with local

funds. In-service or refresher programs will be conducted on a regional basis. These will be of short duration and will be programmed to meet local needs. Subject areas will include criminal law, law of arrest, fingerprinting, patrol methods, report writing, community relations, etc. Specialized training programs will be conducted at a central location for a number of agencies and will include such areas as criminal investigation, crime scene search, supervision and instructor training.

Specialized training programs outside the state will continue to be available. High crime areas are major participants in training. Over 12% of FY-74 funding to high crime areas was devoted to training programs.

At least half of the states one hundred and ten prosecutors and assistants will attend in-service and specialized training and educational programs. In-service training will be provided by the Office of the Attorney General, as required by law. Specialized training and education programs are those sponsored by the National Prosecuting Attorneys Association.

Juvenile justice personnel would be provided with pre-service or orientation training relating to the responsibilities of their work and with specialized training in any needed areas. An example of the type is training in treatment modalities. These programs could be conducted at either regional or central locations.

In-service training programs are planned for a number of regional locations for police. Because of the number involved six to eight locations are contemplated. Vocational schools, local colleges, municipal or county buildings within reasonable commuting distances would serve as these locations or centers. Similar locations could serve juvenile justice training needs. Costs of these training programs will be nominal and would include training materials and some instruction costs.

Incentive pay programs will be continued. These programs are intended to encourage better qualified personnel to enter the criminal justice field to encourage present employees to improve their education and to improve the salaries of those now employed who have completed applicable college credits, i.e., those meeting LEEP requirements. This program provides for an increase in pay of \$1.00 per undergraduate college credit hour and \$2.00 per hour for graduate credit up to the masters degree. LEAA funds are used to cover half of the cost and the employing agency paying the other half. This program is open to correctional agencies but at present, only seven police agencies participate in it. Three of these are high crime police agencies.

Subgrant Data:

A single subgrant, as in the past, will be made to the Department of Public Safety for basic training funds. This subgrant will be in the \$148,000 to \$160,000 range. Incentive pay subgrants will number from seven

to nine and will range from \$500 to \$37,000 in federal funds for a total of approximately \$90,000. Subgrants will be made to Class I and Class II cities (15) for specialized training and additional subgrants will be made to County Commissions for Sheriff's agencies, prosecuting attorneys offices and juvenile justice personnel. Subgrants will range from 80 to 100.

Budget:

| | LEAA | State, Local or Other | Percentage of State or Local Match |
|-------------------------|------------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$ 328,000 | \$ 126,445 | 10% |
| 2. Part E Block Support | \$ 0 | 0 | 0% |
| 3. Program Total | \$ 328,000 | \$ 126,445 | 10% |

Title: Training and Education Program (State) SPA CODE: A02

Relationship to Problem Analysis and to Multi-Year Budget Forecast:

The need to upgrade criminal justice personnel is emphasized in the analysis section although it is so obvious as to scarcely need emphasis. As it is a continuing need, it has direct bearing on the multi-year forecast.

Objectives:

To provide in-service training for criminal justice personnel.

To provide specialized training for criminal justice personnel.

To provide supervisory and management training for criminal justice personnel.

To provide in-service and specialized training and education programs for the courts of the state.

To initiate the development of a Criminal Justice Research Center at the university level.

To provide criminal justice academic programs for criminal justice personnel.

Relationship to Standards and Goals:

Directly related to goal of upgrading the system. Only indirectly related to crime control. Research, over a period of time, might be directly related to crime prevention and/or control.

General Strategy for Implementation:

This program is broad and involves specialized and in-service training as well as Academic and Research programs. It will provide training for all state level areas of the criminal justice system along with training and educational materials. Agencies affected are the Department of Public Safety, the Law Enforcement Division of the Department of Natural Resources, the Division of Corrections, the State Court System, and Public Defenders, The Division of Welfare (probation officers and detention center personnel) and Marshall University. Specialized and in-service training will involve all agencies named except Marshall University which is now in the second year of funding for its academic program. FY-76 will complete funding for the Bachelor Degree program but to develop the Criminal Justice Research Center will require additional funds. It is unlikely that technical assistance will be required unless the Research Center would require it. In such an event, Marshall University would use sources available to it in the academic field.

Subgrant Data:

A number of subgrants would be made for specialized and in-service training programs which would range from a few hundred dollars in most instances to one of \$20,000 to the Department of Public Safety to cover costs of a number of training programs. As in the case of several larger municipalities this single grant would reduce administrative costs.

A single subgrant will be made to Marshall University for the final year of funding for the Bachelor Degree program. One and possibly two subgrants would be made for the Research Center. Geographic distribution of academic programs is reasonably good. A possibility exists that an additional one might become necessary but it will not be funded with FY-76 funds.

Budget:

| | LEAA | State, Local or Other | Percentage of State or local match |
|-------------------------|-----------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$150,000 | \$16,667 | 10% |
| 2. Part E Block Support | \$ 0 | \$ 0 | 0% |
| 3. Program Total | \$150,000 | \$16,667 | 10% |

Title: Establishment of a Criminal Justice Standards and Training Commission
SPA CODE: A03
Relationship to Problem Analysis and to Multi-Year Budget Forecast:

One of the first projects undertaken by the Governor's Committee on Crime, Delinquency and Correction was to develop and establish by Legislative Act a Standards and Training Commission for the police of West Virginia. The proposed act failed to pass in 1969 and in 1973 a second unsuccessful attempt was made. This lack is still a problem and West Virginia is one of four states that lack such a commission. The Analysis section points to this problem and notes that there are no requirements for training police officers, except deputy sheriffs in twenty-three counties granting tenure. All other training for police is on a voluntary basis. There are no requirements for correctional officers at either the state or local level. Except for educational requirements there are no training standards for court, prosecution, probation parole, detention and house parents personnel.

Objective:

To secure legislation by 1977 which would establish a State Standards and Training Commission with authority to set minimum training standards of training for all classifications of Criminal Justice personnel at both state and local levels.

Relationship to Standards and Goals:

The establishment of Standards and Training Commission has been a goal of the SPA since its inception. Law enforcement cannot be upgraded adequately without it.

General Strategy for Implementation:

Implementation of this program would require passage of legislation providing for the establishment of a commission, appointed by the Governor of the state, which would develop minimum training standards for all criminal justice personnel and providing general revenue funds to defray all or a part of training costs for local and state officers.

This program will be state wide in scope and would apply to all criminal justice personnel except those classes specifically excluded, i.e., village police officers. Once established the program will be continuous and would require annual legislative appropriation to maintain it.

No technical assistance would be required other than that required to draft legislation. The Model Minimum Standards and Training Commission Act would be used as a guide in drafting legislation along with legislative acts of a number of states with well established programs.

Subgrant Data:

No subgrants will be provided or necessary until needed legislation is secured. At that time some financial assistance might be necessary, depending upon legislative appropriation.

Budget:

| | LEAA | State, Local or Other | Percentage of State or Local Match |
|-------------------------|--------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$ -0- | \$ -0- | -0-% |
| 2. Part E Block Support | \$ -0- | \$ -0- | -0-% |
| 3. Program Total | \$ -0- | \$ -0- | -0-% |

Title: Written Police Policy and Procedures SPA CODE: A04

Relationship to Problem Analysis and to Multi-Year Budget Forecast:

The analysis section outlines the need for written policies for all police agencies and the almost general lack of such policy statements. The relationship to problem analysis is direct. Some budgetary assistance will be required in the future to develop Phase 2 of the program.

Objectives:

To obtain more consistent and uniform enforcement by providing decision making guidelines.

To provide direction and control in the use of discretion in law enforcement situations.

To provide specific written instructions to guide personnel in the conduct of their work.

To provide written rules of personal conduct for the guidance and control of all employees.

Relationship to Standards and Goals:

This program is directly related to the goal of upgrading the system.

Implementation:

This program will be developed in two phases. Phase 1 involves the development, adoption, printing and binding or the purchase of loose leaf covers and the distribution to all interested police agencies in sufficient numbers for each officer to have a copy. Policies were developed from those of the Los Angeles Police Department found in Report of the National Commissioner on Standards and Goals (Police) and those developed by the College of Law, Arizona State University under a Police Foundation Grant. Appropriate amendments and deletions have been made by the West Virginia Chiefs of Police Association to meet the needs of small departments. Approval of local governing bodies is required for official adoption.

Phase 2 involves the development, adoption, printing and distribution of procedural rules and personnel regulations for the same local departments. This phase will be completed in FY-1977 or FY-1978. It is the consensus of opinion that such procedural rules and regulations can be developed that will have application to all or almost all of West Virginia municipal police departments.

Subgrant Data:

A single subgrant of approximately \$10,000 will be made to a local agency or to a state agency with local authorization to accomplish Phase 1. Additional funds will be required in FY-1977 or FY-1978 to complete Phase 2.

Budget:

| | LEAA | State, Local or Other | Percentage of State or Local Match |
|-------------------------|-----------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$ 10,000 | \$ 1,112 | 10% |
| 2. Part E Block Support | \$ -0- | \$ -0- | 0% |
| 3. Program Total | \$ 10,000 | \$ 1,112 | 10% |

B. CRIME PREVENTION

1. General Statement
2. Needs and Problems
3. Annual Action Programs

1. General Statement

Crime prevention, a much sought after but elusive ideal, is the goal of all Criminal Justice Planning Agencies. It is well established that crime prevention is the responsibility of every citizen and prevention programs cannot be successful without public support. Obtaining acceptance of such responsibility by the citizens is not easy.

Crime prevention programs in West Virginia have primarily been concerned with public education in one form or another. Attempts to county drug abuse were initially focused on drug education programs in the public schools, supported by increased training and activity by police agencies. Drug education and treatment programs are now the responsibility of the Department of Mental Health. Criminal justice curricula programs in a number of counties were provided to increase the understanding, support and respect for the criminal justice system on the part of the youth. A state-wide criminal justice curriculum will be implemented in Sept., 1976, by the State Department of Education as a result of the success of the local programs. Programs to reduce delinquency have centered on community based counseling services, Boy's Clubs, Big Brother type programs and guidance and referral services.

The prevention of burglary and larceny, the most prevalent crimes, have been attempted by surveys of commercial buildings and private dwellings to improve security and reduce loss. Tactical squads have been provided in high crime areas to apprehend, deter and deny opportunity to commit these crimes. A number of police community relations programs have been undertaken to bring about a better relationship between police agencies and their communities. Claims of success are made but cannot be objectively determined and are not reflected in UCR data.

A major program, resulting in the establishment of a mandatory Uniform Crime Reporting System, now reveals the extent of reported crime and data generated by it can now be used to measure or estimate the value of some crime prevention programs with much greater confidence.

Crime prevention programs for the coming years will involve interaction between the various elements of the criminal justice system, improve community education and support and expanded efforts to reduce delinquency.

2. Needs and Problems

A. Needs and Problems:

A major trend in corrections and rehabilitation is to develop necessary services at the community level to meet the social, personal, educational, psychological and vocational needs of people. This approach to helping people overcome and/or adjust to problems of living should be designed to prevent or to treat maladjustments through education, tutoring, counseling, family involvement, job placement, and related services. There are not enough programs in the state to provide youth a broad range of services during their formative years to assist them in developing healthy attitudes, habits and behaviors.

Presently, ten youth service centers exist throughout West Virginia serving the following areas: Charleston, Huntington, Parkersburg, Wheeling, Ceredo-Kenova, Jackson County, Berkeley County. (Refer to existing systems section.)

Many communities in West Virginia are unable to meet the needs of their youth population. First of all, there is a void of services geared to the positive development of youth for delinquency prevention and treatment purposes. On the other hand, in areas where such resources exist there is duplication and fragmentation of services. Therefore, youth centers should be developed to provide presently non-existing services. In areas where several fragmented services are available the youth center should be implemented as a means of coordinating existing resources, eliminating duplication of identical services, and providing a means for the creation of additional services based on the specific needs of the individual community.

At the present time it is unknown what services are available in individual communities, how they are or are not related or duplicated, which areas need to be developed or expanded. Therefore, communities need to be thoroughly examined to determine what educational, social, recreational, psychological, vocational, medical and other related services exist and what additional services need to be developed.

The youth service center can be a means whereby a central resource for accepting and making referrals to and from law enforcement agencies, courts, schools, and community agencies such as mental health facilities, Department of Welfare, drug centers, counseling agencies, etc., can be established.

On the other hand if the youth center is a direct service agency it can provide needed vocational, recreational, educational, job placement individual, group, and family counseling, and other relative services.

B. Needs and Problems:

Community mental health facilities are not available in every West Virginia county. In areas where these public services are not available or where the demand exceeds the capacity of local programs to produce, the only recourse for the client is to purchase needed mental health services from private practitioners. The fees for such services frequently exceed the ability of many to purchase them.

To date there are eight operational comprehensive community mental health centers. However, these centers cannot adequately meet the state-wide need for mental health services.

The West Virginia Department of Mental Health has taken the responsibility for provision of mental health services at the local level. The philosophy that every patient deserves and should have immediate care, as close to his home as possible and with maximal use of community facilities, has been adopted as the basic philosophy statement for the Department of Mental Health. This indeed summarizes the purpose of the Division of Community Services which is charged with the responsibility for implementing services and facilities, improving and monitoring their activities and providing leadership in their improvement as needed.

The Division of Community Services focused upon three basic goals: deinstitutionalization of all persons inappropriately hospitalized; intensified community involvement in mental health activities; the provision of services to mentally retarded citizens.

Although the responsibility for the establishment of community mental health resides with the Department of Mental Health, the Governor's Committee on Crime, Delinquency and Correction recognizes the need for mental health services in every county. These services should complement probation, parole, police, courts, school and welfare services in their efforts to prevent, control and treat delinquency.

C. Needs and Problems:

Alcohol and drug abuse are problems of major concern, although alcoholism is accepted almost as a part of life. In one way or another it touches every family. Alcohol is easily available to everyone and drugs are available to those who want them. Hard drug usage has apparently decreased because of decreasing interest in it and a number of pusher arrests. Use of other drugs and particularly marijuana, is believed to be increasing.

Public intoxication is a misdemeanor offense and arrests for it in 1974 constituted 55% of all Part II arrests and 38% of all arrests. Being under the influence of drugs is not an offense and enforcement against it is comparable to enforcement efforts under the Prohibition Act. Enforcement efforts toward alcohol abuse have not been successful and a new approach is needed. Public intoxication should be removed from the criminal code unless accompanied by disorderly or other behavior and detoxification centers established in lieu of confinement. The considerable time used in arresting, transporting and processing those arrested can be used for much better purposes. The Department of Mental Health is the state agency responsible for education and treatment program for alcohol and drug abusers. It must be assisted by all branches of government to be successful. The SPA and the Department of Mental Health will continue liaison to assure coordination of efforts to cope with these social problems.

D. Needs and Problems:

The image the public has of the police service ranges over a wide spectrum and is subject to rapid change. Often the image is inaccurate. Criticism is sometimes generated because the police do not act or act promptly enough. At other times, the charge is that they react too quickly or over-react. Criticism may be deserved and needed, but all too frequently is due to a lack of understanding, caused by a lack of information. We are constantly reminded by the media and the literature that the police are isolated from the community they serve. As a result, community relations programs have been developed and funded in West Virginia, that were based on nationwide generalizations. These programs were only moderately successful. Community relations efforts are sometimes image builders and sometimes a reaction to a crisis situation that is short lived. A new direction in police community relations programming is needed. Police departments should determine if police-community problems do exist, determine their nature, extent and cause, then develop programs to overcome them. The entire department needs to be informed of the problem, the program to resolve it and support the effort fully. The problem might be simple or complex and the programs could range from training or personnel re-assignment to more complex ones, including additional sworn personnel, and community service officers.

E. Needs and Problems:

The prevention of crime is as difficult as its causes are many, varied and complex. It is beyond the capability of the police, or any other agency or combination of agencies. The whole hearted support of the public must be secured to support practical prevention programs. If crime is to be appreciably reduced, the public must become actively involved through interested citizens and community groups educated in basic methods of crime prevention and actively involved in crime prevention programs.

The police and community groups need to be brought together so the public can learn about police problems and the police learn regarding community expectations, then work cooperatively in developing programs to reduce crime.

A second problem is what appears to be the general acceptance of crime, in whatever level it occurs, as something that little can be done about it. Increases in crime, particularly in Part I offenses, are so commonplace they become expected. Any reported decrease, while hoped for, might well be regarded with skepticism.

There is no doubt that some crimes can be prevented or deterred with the application of reasonable effort. Breaking and entering, including burglary, is the states' second most prevalent crime. It is probably the most prevalent felony because it is outnumbered only by larceny, a category which includes both felony and misdemeanor larceny.

In 1974, a total of 9,358 breaking and enterings occurred, an increase of 32% over the previous year. Thirty percent of all Part I crimes were of this type. (UCR reports do not separate burglary from breaking and entering. Under West Virginia law burglary involves dwellings.) These crimes are difficult to solve because of their furtive nature and unsolved crime tends to encourage other crime.

Over 16,000 larcenies, exclusive of auto theft, occurred in 1974, an increase of 15.6% over 1973. This includes shoplifting which would account for a considerable percentage of the total. For this same twelve month period, 2,229 automobiles were stolen, again an increase over the year before by more than 18%.

Many of these crimes can be prevented. Buildings can be made more secure; losses can be prevented or reduced; property can be made more easily identified, increasing the probability of recovery and case clearance; auto theft can be prevented rather simply in many situations and some crimes against the person can be prevented. All that is necessary to effect reduction is to involve the public. The greater the involvement, the greater the reduction. Police agencies need to develop and establish programs that will actively involve the public in crime prevention or reducing losses due to crime. These programs could cover a broad range, from enacting minimum building standards ordinances to simple public information programs.

F. Needs and Problems:

Improvement of the criminal justice system requires the support of young citizens as well as adults. To obtain their support, and compliance with our laws, they must first gain an understanding of the system, its aims, functions and limitations. Improved understanding will result in improved support. This understanding has been sought through a number of local level criminal justice curricula, introduced into a dozen county school systems. This did not meet a state-wide need and funds were provided the State Department of Education to develop a curriculum for introduction into the entire school system. This curriculum has been developed and will be introduced in ten pilot counties in September, 1975. It will be evaluated, amended as necessary, and be initiated in all junior and senior high schools in the state in September, 1976.

Criminal Justice personnel, and particularly the police at all levels, need to be informed of this curriculum, know its purpose and realize its potential in improving the understanding and attitude of the youth. Carefully selected personnel aware of and sensitive to the attitudes and problems of youth, should work in this program at every opportunity.

3. Annual Action Programs

Title: Youth Service Centers SPA Code: B01

Relationship to Problem Analysis and to Multi-Year Budget Forecast:

The Youth Service Center program addresses the need for local delinquency prevention projects and coordination of existing youth services as stated earlier in the needs and problems section. The Governor's Committee on Crime, Delinquency and Correction continues to address this need as adequate state and local funds are not available.

Objectives:

Youth service centers are intended to serve one of two purposes or a combination of both. First of all this program provides direct services to youth which would otherwise be lacking in the particular community, including educational, recreational, vocational, counseling, and other related services. Secondly, this program will provide a means whereby a central resource for coordinating existing youth services can be established and maintained. Youth Service Centers will serve boys and girls in the 8 to 18 age group who are referred by law enforcement agencies, courts, schools, families, community social service agencies, churches, self, or other individuals.

Relationship to Standards and Goals:

This program is designed to address the goals previously stated in the multi-year plan. The standards which are also previously set forth will provide a mechanism toward meeting the intended goals and objectives.

General Strategy for Implementation:

During fiscal year 1976 funding will be available for the continuation of six existing youth service centers and the establishment of two additional center.

The services anticipated in this program are intended for young people who have not had formal contact with law enforcement and court officials but are identified as being in serious danger of becoming delinquent and for youth who have had law enforcement or court contact but do not pose a serious threat to public safety.

The problem of each individual referred will be assessed to determine immediate needs which require attention. If the project cannot adequately meet the youth's need he will be referred to the most appropriate available agency or community resource.

Groups and individual counseling services will be established to assist young people to solve their problems and to establish realistic goals for themselves. Counseling is a medium that will be utilized to interrelate the individual's total milieu, i.e., family, peer group, school, church, community resources and the criminal justice system.

Educational and training opportunities will be made available to those who are interested in furthering their academic and vocational development. These academic and vocational programs will, when possible, complement ongoing Department of Labor, Department of Health, Education and Welfare, local school and agency, Office of Educational Opportunity and other programs. The service center may also serve as a clearinghouse for referrals to and from other resources.

Recreational programs may also be established as a component to the services center, however, recreational programs will, in most cases, serve as an incentive for young people to take advantage of other available programs; thus, recreation will serve more as a means to an end, rather than an end unto itself.

Staffing for the Community Service Center will include a director, full or part-time guidance and vocational counselors, vocational and academic instructors and recreational assistants. Equipment will include primarily that which is required for training in academic, pre-vocational and vocational skills which will vary from project to project.

Youth from approximately 8 to 18 would use the centers and it is anticipated that approximately 2,000 youths would benefit from them. It is hoped that the centers will aid youth to develop healthy interpersonal relations and to develop productive work skills. Future funding of this program for the next three years is anticipated.

Youth service centers can also serve as a means whereby a central resource for coordinating existing youth services can be established and maintained. The function of this type of center is to coordinate fragmented services, combine or modify duplicated services, provide impetus for the establishment of additional services.

If a youth service center provides this service only and does not provide direct vocational, educational, recreational and other related services as previously described, staffing would include a full-time director who would be responsible for coordination of services and a professional counselor who would be responsible for intake of all referrals to determine what community can best assist the youth in meeting his needs. Follow-up and feedback are essential components of the staff responsibilities.

Subgrant Data:

Funding for youth service centers will be available to Class I and Class II cities and to county governments with priority given to areas with the greatest delinquency activity.

Funds will be available for continuation of youth service centers previously awarded to the cities of Huntington, Parkersburg, Charleston, and Wheeling during FY-1976 at 65% of the FY-1975 level of funding. During FY-1977 these subgrantees will be reduced by an additional 50%.

In addition funds will be available during FY-1976 for continuation of youth service centers previously awarded to Jackson and Berkeley County Commissions at 75% of the FY-1975 level of funding. During FY-1977 and FY-1978 these subgrantees will be reduced by an additional 25% each year.

The Governor's Committee on Crime, Delinquency and Correction will also provide for the establishment of two additional youth service center during FY-1976. The perspective applicant will be required to comply with standards as set forth in the multi-year plan.

Budget:

| | LEAA | State or Local or Other | Percentage of State or Local Match |
|-------------------------|-----------|----------------------------|---------------------------------------|
| 1. Part C Block Support | \$230,000 | \$25,556 | 10% |
| 2. Part E Block Support | \$ -0- | \$ -0- | -0% |
| 3. Program Total | \$230,000 | \$25,556 | 10% |

TITLE: Community Crime Prevention SPA CODE: B02

Relationship to Problem Analysis and to Multi-Year Budget Forecast:

The analysis section establishes the need for this program. Crime reduction programs will be included in future plans because of crime's damage to society through its prevalence, its huge psychological and financial costs and because of the probability of the programs success. Future budgets will be affected through funding requirements.

Objectives:

To reduce the crime of breaking and entering by 6% or 250 offenses in Class I and Class II municipalities.

To assist one Class I and three Class II municipalities with the highest incidence of this crime to enact minimum security ordinances affecting new construction.

To reduce the number of larcenies by 3% or approximately 475 offenses.

To reduce auto thefts by 3.5% or 75 offenses.

To reduce the overall financial loss due to crimes against property.

To reduce the number of crimes against the person by 1% or 240 offenses.

NOTE: These objectives pose estimates based on the adoption of some type of crime preventive program by five Class I and Class II municipalities, including the three high crime areas. Estimated reductions presented in the objectives would obviously be unrealistic in the absence of vigorous prevention programs.

Relationship to Standards and Goals:

The relationship is direct. The stated goal is to reduce crime. Standards outline ways that goals are to be accomplished--through the cooperative efforts of the police and the community. Standards are general in nature but are intended to obtain community support in the prevention/reduction of crime and the delivery of police services.

General Strategy for Implementation:

Class I and Class II municipalities will be provided funds to develop crime prevention programs involving the public. These would include but not be limited to neighborhood meetings, seminars, discussion groups composed of representatives of business, service, fraternal, social, educational and

religious organizations and the news media to secure public involvement.

Enacting minimum security standards ordinances, as a practical matter could not be accomplished in more than four municipalities within the life of this plan. Only one of the states two largest municipalities now has such an ordinance. The remaining one and the large Class II areas will be target goals.

Efforts will be made to involve all of the fifteen largest cities in some type of crime reduction program. Community support will always be needed but future funding should be of short duration. Agencies not participating in FY-76 could be funded in FY-77 or FY-78.

Technical assistance should not be necessary because each community has the ability to develop programs to meet its own needs. The Burglary Prevention Seminar, at Wheeling in 1973, is one source of assistance for programs in that specific crime category. A model ordinance can be used as a guide in developing minimum security standards ordinances. Another source is the ordinance enacted by the City of Charleston.

Subgrant Data:

Modest sub-grants will be available to the fifteen Class I and Class II municipalities. The nature of the programs is such that large amounts are not needed. Subgrants will range from \$3000 in the smaller cities to \$8000 in the high crime areas. Programs of considerable range will be encouraged that will address only one or two crimes in the particular area. No subgrants will be made to any one city during a single fiscal year to attack all Part I offenses.

Budget:

| | LEAA | State, Local or Other | Percentage of State or local match |
|-------------------------|-----------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$ 50,000 | \$ 5,556 | 10% |
| 2. Part E Block Support | \$ -0- | \$ -0- | -0-% |
| 3. Program Total | \$ 50,000 | \$ 5,556 | 10% |

C. DETECTION, INVESTIGATION,
DETERRENCE AND APPREHENSION

1. General Statement
2. Needs and Problems
3. Annual Action Programs

1. General Statement

The complexity and diversification of crime in West Virginia today requires the utilization of advanced techniques needed in the approach to crime control. Therefore programs have been established to provide for protective investigative equipment, criminalistic laboratory systems, etc., with the overall goal to improve detection, investigation, deterrence and apprehension capabilities in order to reduce crime in West Virginia.

Police operations would be tied to effective revitalization of manpower and coordination with other components of the criminal justice system and would be a more effective deterrent. Police resources would be accessible to all citizens of the state regardless of geographic area. Police response time would be greatly improved through such mechanisms as improved dispatching, communications and helicopter patrol units. In all but a few cases related to sparseness of population and geography the time between a dispatcher receiving a request for assistance and police arrival would be minutes.

In major crime incidence areas deterrence and detection capabilities would be improved through the use of such techniques as crime control teams.

Investigation and apprehension activities would be greatly enhanced through the statewide criminal justice information system, full investigative services being within or available to all agencies, improved manpower allocation, through analysis of incidents reported, and a full crime laboratory available to all departments. In addition, such innovations as team policing, combined with improved citizen cooperation would dramatically improve current clearance rates. It is anticipated that the clearance rate for Part I crimes contained within the Uniform Crime Report will be increased substantially under this system. Improved police methods, training and a 24 hour availability of trained legal advisors will contribute to increase the conviction rate of those cases brought to trial.

2. Needs and Problems

A. Needs and Problems:

Law enforcement agencies in the state using radio communications include the State Police, Department of Natural Resources, Fire Marshal, Fifty-five (55) County Sheriff departments and all 175 municipalities. Police radio communications systems are on separate frequencies limiting communication to agencies using the same frequency. This prevents direct communication between State, County and Municipal levels of law enforcement. In normal operations this problem is not significant but in emergency situations it is of major proportions. Lack of ability for interagency communication slows response and confuses efforts. There is a need for existing radio communication systems be modified by the installation of scanning and monitors on both high and low frequencies to permit interagency communication. An alternate method would be to provide an emergency statewide frequency network. This method would eliminate system overload and retain individual control of agency network. The latter method would provide the backup system needed in cases of emergency.

B. Needs and Problems:

Police agencies, whether large or small, have a myriad of duties to perform but which can be placed in two broad categories. The basic role of the police has been the protection of life and property or crime control. The other involves all duties other than crime related ones and previously referred to as keeping the peace but is now described as "providing social services". Duties performed in the latter category requires certain types of equipment that is common to all police agencies and has application to all police activity. Included are personal and individual equipment, transportation and communication. Crime Control involves additional equipment which is needed by all departments and requires replacement from time to time.

The investigation of crime involves equipment used to identify, collect secure and analyze evidence. Equipment needed includes that used at crime scenes, i.e., magnifiers, lighting, metal detection, underwater retrieval equipment, fingerprinting and photographic equipment, storage receptacles and casting and laboratory equipment. Every police agency that investigates crimes should have equipment necessary for the task. Smaller departments need less equipment and less sophisticated equipment than the larger ones but they cannot perform unless their basic needs are met.

Another problem which involves another type of equipment is the apprehension and transportation of dangerous offenders. Here the safety of the officers, the citizens and the offender is a factor of major concern. The offender may be intoxicated, under the influence of drugs or emotionally unstable and armed or he may be barricaded in a building or other place of refuge. Equipment for such situations could include bulletproof vests, shields, bull horns, tear gas and masks to reduce, as far as possible, apprehension risks. Once apprehended safe transportation must be provided and protective vehicle shield minimize possibilities of personal injury. As departments increase the number of patrol vehicles the number of needed protective shields increases also.

Without investigative equipment crimes go unsolved and crime clearance rates are now low. Without protective equipment the apprehension process is more dangerous and difficult and units of government may be civilly liable and the police may become both civilly and criminally liable. The need for this type of equipment is constant but once purchased only replacement of worn out equipment or exhausted supplies is necessary. Many local units cannot provide funds for initial purchases.

C. Needs and Problems:

The average high crime incidence/activity and special problem area need to exert special efforts into controlling and reducing the incidence of specific Part I and II offenses. Parkersburg, Charleston and Huntington have been identified as high crime areas in West Virginia.

The police must continue to address its high level of crime and the need to increase clearance rates by developing as much efficiency in their operations as possible. The efficient allocation of police resources is dependent not only on the administrator's ability to organize, but also on his ability to formulate sound plans. The lone prerequisite for the effective and efficient allocation of the patrol forces is a sound data base. Statistical information pertaining to the location of a crime or other called for police service should be recorded. This record should include factors about the incident, such as type, location, date and time, and methods used to accomplish the act, as well as data on the sex and age of the victims. It appears that the majority of police agencies without a comprehensive data base tend to allocate manpower based on past crime history (when it occurred in the past) instead of where it will occur in the future. Agencies should begin to use such techniques as prediction and simulation to try to assign manpower for future needs instead of past needs. It is essential that all police agencies assure that officers are assigned to patrol beats which have been designated through a systematic analysis of workload.

Major reductions of burglaries, larcenies and general street crimes can occur through increased patrol efforts, development of tactical squads or prevention patrol units or the reallocation of man power. Operational methods may be changed or improved by providing personnel whose sole function is crime control.

D. Needs and Problems:

The use and abuse of drugs in West Virginia is of serious concern to almost every citizen. It is generally accepted that there is a direct relationship between narcotic and drug offenses and other criminal activity, particularly theft and possibly robbery. A major law enforcement problem facing most police agencies is the unlawful sale of narcotics. This poses a challenge to many police departments. Review of arrest and laboratory statistics indicates a considerable and growing increase over the past few years. Even after considering that improved police training and reporting procedures may account for a part of this increase, there is still adequate reason to believe the problem is still growing. This is particularly true in the use of marijuana, amphetamines and barbiturates. Hard drugs usage may have leveled off and may be declining but the others are on the increase.

What was once regarded as an urban problem is now general in nature and there are few places, either urban or rural, that do not experience the effect of unlawful drug sale and abuse.

The major law enforcement effort has been provided by the Department of Public Safety's Criminal Intelligence and Narcotics and Dangerous Drug Unit (CINDD) which was established in 1972 with its basic responsibility that of drug enforcement. The unit may work independently of but usually in cooperation with local police agencies. An additional responsibility, that of collecting and disseminating information relating to major crime, was assigned this unit early in its operation. In this capacity, personnel in liaison with all levels of law enforcement collect information and work covertly in the investigation of major criminal activity.

All police agencies do not have the ability to conduct drug or major crime investigations. Their need is met by the CINDD unit which is available to assist all local enforcement agencies.

E. Needs and Problems:

The problem posed by organized predatory criminal groups is based on weakness in intelligence gathering and the exchange of information.

Intelligence, in the police sense, is awareness. Awareness of community conditions, potential problems, and criminal activity--past, present and proposed.

Police administrators have recognized for many years that criminals do not limit their activities to a confined geographic boundary, however, the police efforts are sometimes restricted to confines for which they have jurisdiction. This has led to an old police adage "a policeman is only as good as his source of information."

Confidential records should be guarded carefully. Above all, every individual's right to privacy must be protected. Informants should be secure in their anonymity and should be assured that their covert contributions will not be revealed. Similarly, unsubstantiated material concerning suspects, or other intelligence that would not be admissible in a court, should be restricted exclusively to officers needing such information and should not be disseminated nor compromised. Specific safeguards should be built into the police intelligence system to prevent any information from being disseminated to unauthorized persons, or to any person for uses not consistent with the role of the police agencies maintaining or participating in the system.

F. Needs and Problems:

The State of West Virginia, until recently, had not had statutory provisions for professional post-mortem examinations and related services. All crimes or suspected crimes that had resulted in a death were referred to the county coroner for findings. The county coroner, usually a justice of the peace, would then rule upon the cause of death. If necessary, the coroner would hold an inquest where the evidence was placed before a jury and a determination could be made. If expert and professional tests, etc. were needed, the services would be contracted to reliable professionals by the local prosecuting attorney. This informal and uncoordinated system was highly inadequate considering the state of the art in scientific investigations to resolve the causes of death.

The Legislature realized the shortcoming of the existing system and corrected the situation with the statutory creation of the Medical Examiner Program. This program, when implemented, is expected to increase the scientific information on causes of deaths that is available to all circuit courts. Moreover, the improved technical evidence available to prosecutors, defenders and law enforcement agencies in general will help insure that justice is achieved in all cases involving a death. Upon notification of any unnatural death in a county, the medical examiner will "take charge of the dead body," make necessary tests, etc. and submit a report of all findings to the chief medical examiner and "the prosecuting attorney of such county . . . and to any attorney of record in any criminal proceedings."

There is a need to provide necessary funds to continue the employment of required types of staff to effect the essential duties of the Office of Medical Examinations. (Funds for initial implementation of this program were included in the FY-1975 Comprehensive Criminal Justice Plan. The program is becoming operational as of July, 1975.)

G. Needs and Problems:

Law enforcement agencies have historically been confronted with an extremely difficult problem. They must interpret the latest court decisions, understand legal processes, prove probable cause in minor courts, safeguard individual rights, and maintain an adequate knowledge of criminal law without the benefit of law school training, legal reference materials and law clerks. While these tasks have been the subject of much debate and many court decisions, it is generally accepted as an impossible undertaking in modern America and metropolitan areas of this state. Criminal law has become extremely complex, court decisions too numerous and the extent of individual rights too detailed for anyone to reasonably believe that a law enforcement officer can "keep-up".

In all areas of the state, the prosecuting attorney serves as a legal advisor to law enforcement agencies in general. Moreover, an assistant prosecutor will usually aid a police department in writing warrants, conducting searches of major crime scenes, etc. However, as noted in the existing systems' section, the workload of prosecutors and their small staffs in the major metropolitan areas of West Virginia is extremely large, thereby reducing the amount of time they can devote to local law enforcement agencies. While efforts are made to effect progressive changes in the prosecutors office, it is necessary to maintain and increase the legal advice available to these larger police departments.

To assure the ability of local law enforcement agencies to function without causing undue hardships on the local prosecutors and their staffs, full-time police legal advisers should be employed by local police departments.

To maintain the prosecutors' important function and the ability to perform his constitutional duties, each police legal adviser should actively coordinate the police departments' efforts with those of the prosecutor.

Prosecuting attorneys are confronted with a problem that has become increasingly difficult to manage. The volume of cases reviewed by justices of the peace has grown to a very significant number and prosecuting attorneys do

not have time or staff to be aware of these cases unless they are appealed or bound over to a grand jury. By this time, the important case developments have already taken place. For example, the warrant for arrest or search and seizure has already been written, issued and executed. If there was a mistake in the warrant preparation and/or execution, the case may already be lost. Moreover, the ability of law enforcement agencies to meet those wishes or expectations of the local prosecutor are controlled by the degree of legal advice available, specialized training and departmental capabilities.

A need exists in West Virginia to provide police legal advisers to all law enforcement agencies whose problems, crime rates and staffing patterns may require such assistance.

H. Needs and Problems:

Fragmentation is a term which denotes a situation where a number of different police agencies are providing services within the same geographically defined area. It is generally considered a less desirable method of providing police service for reasons relating to cost and efficiency. Several agencies operating separately but within the same jurisdiction, are certainly more costly to the general public, and more importantly, create problems associated with coordinating police services within the jurisdiction in emergency and interjurisdictional crime situations. In the State of West Virginia fragmentation is a major cause of inadequate police service to the citizens. The problem of determining what level of overall police services is adequate is difficult. Inadequacy can quite readily be determined in some areas when basic minimum levels of service are determined as desirable and necessary. If the public decides that police services should be available at all times, then failure of a police department to provide 24 hour per day, 7 day per week coverage is inadequate. However, simply providing at least one man on duty at all times may not mean that he is providing adequate services. Such other forces as the availability of back up services, the officers ability to perform, and the volume of services needed must be considered. The number of police agencies in the state is proof the law enforcement system is "fragmented." The greater the number the more difficult coordination becomes. Each agency is completely autonomous and except in case of crisis or emergency, works independently of all the others. Efforts of municipal police and those of the County enforcement agency are often not united or coordinated even in matters of mutual interest. This is also true of state and county agencies. In rural areas police effort, because of lack of coordination, is often duplicated and wasted resulting in waste of tax dollars and ineffective enforcement. Almost all counties are without 24 hour police service. There is a need for coordination and liaison between all levels of enforcement in order to provide effective and efficient 24 hour law enforcement services to all areas of the state.

3. Annual Action Programs

Title: Communications, Protective and Investigative Equipment (Local) SPA Code: COL

Relationship to Problem Analysis and to Multi-Year Budget:

This program is addressed in the analysis section. Programs funded in the past have been effective. This program is necessary because local agencies lack necessary funds to provide much needed equipment. Some continuation funding will be required to replace equipment as improved equipment results from increased technology.

Objectives:

This program has three primary objectives:

1. To improve communications between agencies of the criminal justice system by

- (a) Providing each of the fifty-five counties with a CRT terminal to facilitate crime reporting and case disposition and to receive and disseminate criminal justice information.
- (b) Providing each of the state's fifteen largest municipal police department with CRT terminals for use as outlined in (a) above.
- (c) Providing CRT terminals to a limited number of Class III municipalities whose need can be firmly established.
- (d) Providing voice communication equipment to local law enforcement agencies to develop and/or maintain a high level of operational efficiency.

2. To improve the investigative and apprehension capability of local police agencies by providing crime detecting and evidence gathering equipment.

3. To maximize the safety of law enforcement personnel in the apprehension and transportation of dangerous offenders by providing protective equipment designed for that purpose.

Relationship to Standards and Goals:

Directly related to standards and goals as outlined in the analysis section. The need for communications is obvious. Investigative equipment is essential to crime solving and protective equipment decreases personal hazards involved in police work.

General Strategy for Implementation:

Funds will be provided to each of the fifty-five counties, the fifteen largest municipalities and the larger Class III municipalities which can establish a need to obtain CRT terminals, in conformity with guidelines established by the State Planning Agency.

All local police agencies will be eligible, conditionally, to obtain base radio stations, mobile and portable units. Multi-county (regional) and multicounty projects will be given priority.

All local agencies will be considered eligible, again conditionally, for investigative and protective equipment, exclusive of general police equipment such as uniforms, weapons, vehicles, etc.

Future funding will be necessary because time will be required to complete the CRT system and for local units to obtain funds to pay costs involved as well as the ever increasing changes in advance technology relating to equipment used in the broad field of law enforcement operations.

Subgrant Data:

Subgrants will be provided to municipal and county law enforcement agencies in widely varying amounts. Small amounts will provide protective and investigative equipment while communications equipment subgrants would involve relatively large amounts.

Approximately \$220,000 will be used for the continuation of existing CRT's and also to support the cost of others that will be added to the current system. Approximately \$25,000 will be used for the purchase of protective and investigative equipment and \$55,000 for radio equipment.

Projects funded for voice communications equipment will be reviewed by the Department of Public Safety's Communications Engineer who is also frequency coordinator for the State of West Virginia. All voice equipment will be obtained through competitive bidding through the Division of Purchases, Department of Finance and Administration of the State of West Virginia.

Budget:

| | LEAA | STATE, LOCAL or Other | PERCENTAGE of STATE or Local Match |
|-------------------------|-----------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$237,508 | \$ 26,390 | 10% |
| 2. Part E Block Support | \$ 0 | \$ 0 | 0 |
| 3. Program Total | \$237,508 | \$ 26,390 | 10% |

Title: Communications, Protective, Investigative and Laboratory Equipment
(State) SFA Code: C02

Relationship to Problem Analysis and to Multi-Year Budget:

This program is addressed in the analysis section. Programs funded in the past have been effective. This program is necessary because State law enforcement agencies lack necessary funds to provide much needed equipment. Some continuation funding will be required to replace equipment as improved equipment results from increased technology.

Objectives:

This program has three primary objectives:

1. To improve communications between agencies of the criminal justice system by
 - (a) Providing CRT terminals to facilitate crime reporting and case disposition and to receive and disseminate criminal justice information.
 - (b) Providing voice communication equipment to State law enforcement agencies to develop and/or maintain a high level of operational efficiency.
2. To improve the investigative, analytical and apprehension capability of state and enforcement agencies by providing crime detecting, laboratory and evidence gathering equipment.
3. To maximize the safety of law enforcement personnel in the apprehension and transportation of dangerous offenders by providing protective equipment designed for that purpose.

Relationship to Standards and Goals:

Directly related to standards and goals as outlined in the analysis section. Equipment provided is essential to efficient operations in crime control and the delivery of police services.

General Strategy for Implementation:

Funds will be provided to the State level law enforcement agencies to obtain CRT terminals in conformity with guidelines.

State level law enforcement agencies will be eligible, conditionally, to obtain base radio stations, mobile and portable units based upon justification of need.

State law enforcement agencies will be considered eligible, based upon justification of need, to purchase investigative, analytical and protective equipment, exclusive of general police equipment such as uniforms, weapons, vehicles, etc.

Future funding will be necessary due to the ever increasing changes in advance technology relating to equipment used in the broad field of law enforcement operations.

Subgrant Data:

Subgrants will be provided to State law enforcement agencies in widely varying amounts. Small amounts will provide for protective, analytical and investigative equipment while communications equipment subgrants would involve relatively large amounts.

Out of \$100,000 to be used for communications and Protective Investigative equipment, \$75,000 will be used for CRT's and \$25,000 for protective investigative equipment and the Department of Public Safety's Crime Laboratory.

Projects funded for voice communications equipment will be reviewed by the Department of Public Safety's Communications Engineer who is also frequency coordinator for the State of West Virginia. All voice equipment will be obtained through competitive bidding through the Division of Purchases, Department of Finance and Administration of the State of West Virginia.

Budget:

| | LEAA | State, Local or Other | Percentage of State or Local Match |
|-------------------------|-----------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$100,000 | \$ 11,112 | 10% |
| 2. Part E Block Support | \$ -0- | \$ -0- | 0% |
| 3. Program Total | \$100,000 | \$ 11,112 | 10% |

Title: Narcotic and Dangerous Drug Control (CINDD) SPA Code: C03

Relationship To Problem Analysis and To Multi-Year Budget:

This program is directly related to the Needs and Problems Analysis Section. The drug problem is of major concern and previous programs have been directed to it. This program was originally funded under a discretionary grant and more recently with block grant funds. Future funding will be required.

Objectives:

The immediate objective is to provide police agencies with drug enforcement capability, directed primarily toward suppliers, pushers and clandestine manufacturers. A second objective is to reduce crimes that have drugs as root causes, i.e., larceny, breaking and entering and robbery.

Relationship to Standards and Goals:

There is a direct relationship to the Standards and Goals outlined. This program will provide local law enforcement agencies with investigative capability to control narcotic and drug law violations.

General Strategy for Implementation:

In an effort to facilitate the attack on the illegal use and/or sale of narcotics and dangerous drugs, the Governor has established, by Executive Order, a State Criminal Intelligence/Narcotics and Dangerous Drugs Unit within the Department of Public Safety (State Police).

Federal funds allocated to the program will be used by the aforementioned unit in its attack on the illegal use and/or sale of drugs at the local level. A majority of the drug problem is centered in the state's high crime incidence areas: Huntington - Cabell County, Parkersburg - Wood County, and Charleston - Kanawha County. In addition to high crime incidence areas, Morgantown - Monongalia County and Wheeling - Ohio County have a high incidence of drugs and narcotic traffic. Therefore, enforcement efforts must be concentrated in the aforementioned areas. However, should a drug problem arise in another area of the state, not previously mentioned, federal funds may be used by the Criminal Intelligence/Narcotics and Dangerous Drugs Unit in that area.

The Criminal Intelligence/Narcotics and Dangerous Drugs Investigation Unit may utilize funds allocated to this program for personnel, equipment, such as drug identification kits, certain allowable surveillance gear, etc. and information and "buy" money at the local level.

Probably one of the most important resources of any drug enforcement unit is the information and "buy" money. Therefore, a strict accounting procedure governing the use of said funds must be maintained for auditing purposes by the Criminal Intelligence/Narcotics and Dangerous Drugs Investigation Unit. The director of this unit will assign a number and

obtain receipts from informants when federal money is used to buy information. In addition, only the superintendent of the Department of Public Safety will have the authority to issue federal money that is to be used in making a "buy." Further regulations as set forth by the Law Enforcement Assistance Administration governing the use of information and "buy" money must be complied with.

The Criminal Intelligence/Narcotics and Dangerous Drugs Investigation Unit will:

- (1) Initiate investigations involving violations of narcotic and dangerous drug laws and other related criminal activities;
- (2) Render assistance upon request to any Sheriff, Chief of Police or other chief law enforcement office in the State of West Virginia in the investigation and detection of crime and in the enforcement of the criminal laws of the state as they relate to narcotics and dangerous drugs;
- (3) When assistance is requested by any prosecuting attorney, the Criminal Investigation/Narcotics and Dangerous Drug Unit, may, upon approval of the Superintendent of the Department of Public Safety, assist said prosecuting attorney in preparing the prosecution of any criminal case in which the unit had participated in the investigation;
- (4) Employ all the assistance possible from city and county law enforcement officers presently assigned from representative agencies for narcotic and drug investigations;
- (5) Utilize all lawful procedures and policies, secure information, establish and maintain fingerprint, intelligence, and other identification files and records, and arrange for scientific laboratory services for assistance to law enforcement agencies involved in combating the illegal use of narcotics and dangerous drugs.

Subgrant Data:

The Department of Public Safety will be the sole subgrantee, functioning and funded as it has in the past. Funds will be used to pay expenses involved in the conduct of drug investigations. This subgrant will be in the amount of \$100,000.00.

Budget:

| | LEAA | State, Local or Other | Percentage of State or Local Match |
|-------------------------|-----------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$100,000 | \$11,112 | 10 % |
| 2. Part E Block Support | \$ -0- | \$ -0- | 0 % |
| 3. Program Total | \$100,000 | \$11,112 | 10 % |

Title: Police Patrol Operations SPA Code: C04

Relationship to Problem Analysis and Multi-Year Budget:

This program is directly related to the analysis section. It is pointed out there that the allocation of manpower is made from a narrow data base. Data is inadequate and efforts must be made to expand this base to properly allocate resources that will improve deterrence and apprehension capability. Future funding will be required.

Objectives:

To improve apprehension capability through stakeouts, surveillance and surreptitious patrol activity.

To reduce burglaries of commercial and residential buildings, larcenies and general street crime.

To improve response time to crimes in progress.

To deter street crime through increased visible patrol.

These objectives are to be accomplished through improved operations techniques and effective allocation and use of manpower.

Relationship to Standards and Goals:

Directly related to the goal of crime reduction and to the standards established to accomplish it. The standards are general in nature but have a specific purpose--the improvement of police operations as a measure of controlling, or deterring crime.

General Strategy for Implementation:

All Class I and Class II municipal police departments will be eligible to participate in this program. Priority will be given to the high crime areas, followed by those where crime incidence is next highest.

The cities of Clarksburg, Fairmont, Morgantown, Bluefield and Weirton will establish special prevention patrols with emphasis on saturation patrol activity and the reallocation of manpower on a continuing basis to insure adequate response to anticipated crime problems.

Subgrant Data:

Subgrants will be provided to the fifteen Class I and Class II municipal police departments. The high crime areas will be given the larger subgrants with others on decreasing basis as conditions authorize.

Budget:

| | LEAA | State, Local or Other | Percentage of State or Local Match |
|--------------------------|-----------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$400,000 | \$ 44,445 | 10% |
| 2. Part E. Block Support | \$ 0 | \$ 0 | 0% |
| 3. Program Total | \$400,000 | \$ 44,445 | 10% |

Title: Medical Examiner Program SPA Code: C05

Relationship to Problem Analysis and to Multi-Year Budget Forecast:

When implemented, this project will begin to address the need that now exists for post-mortem examinations by a qualified forensic pathologist. Although the West Virginia Legislature has approved legislation which created the statutory foundation for a medical examiner program, that body has not appropriated sufficient funds necessary for implementation of such a program.

Objectives:

The objective of this program is to continue a statewide program of Medical Examiners for the purpose of providing qualified professional post-mortem information to the police, prosecution and defense attorneys, and circuit courts of the state in the event of each accidental or unattended death which occurs in West Virginia.

Relationship to Standards and Goals:

This program will address the standard as stated in the section on criminal justice standards by providing a source of medical expertise that, through liaison with police, prosecution, defense, and courts, can contribute to effective and efficient performance beyond the capabilities of agency employees. Further, agencies should be encouraged to establish liaison with professionals in business, trade, industry, education, behavioral science and religion.

General Strategy for Implementation:

Funds allocated under this program will be utilized to continue the employment of a full-time staff on the state level which will include the following: a chief medical examiner, one deputy-chief medical examiner, one toxicologist, one histology technician, an investigator, an administrator and clerical staff. At the local level, deputy medical examiners will be appointed on a county or regional basis (the number of deputies is yet to be determined) and will be paid on a fee basis. The resources of the Department of Public Safety Crime Laboratory and West Virginia University School of Medicine will also be utilized. During the second phase of the program, a second deputy-chief medical examiner and other staff personnel will be added. It is anticipated that future funding will be requested.

The following time frame is being followed in the implementation of the project:

Phase I -- Phase I includes an initial start-up period of six months (May to October, 1975) and the critical first months of operation (November, 1975, to June, 1976).

Phase II -- Phase II is a three year period (July 1, 1976 to June 30, 1979) which will be required to gradually build the expertise, capabilities and facilities of the Medical Examiner to such a level so as to provide maximum services.

Phase III -- Phase III will be the time period during which the maximum operating level of the Medical Examiner is realized and all costs become the annual recurring type of cost. All facilities, procedures and equipment will have been acquired, planned, promulgated or purchased.

Subgrant Data:

The sole subgrantee under this program will be the Commission on Post-Mortem Examinations.

Budget:

| | LEAA | State, Local or Other | Percentage of State or local match |
|-------------------------|-----------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$271,000 | \$ 30,112 | 10% |
| 2. Part E Block Support | \$ 0 | \$ 0 | 0% |
| 3. Program Total | \$271,000 | \$ 30,112 | 10% |

Title: Police Legal Advisers SPA Code: C06

Relationship To Problem Analysis and To Multi-Year Budget Forecast:

This program is addressing the need for police legal advisers as expressed in the problems and needs section of this plan. No other funds are available for police legal advisers other than those provided through the Governor's Committee on Crime, Delinquency and Correction.

Objectives:

To provide police legal advisers to two or three of the State's largest law enforcement agencies (other than the Charleston, Huntington and Parkersburg departments which presently have such officers). The addition of police legal advisers is intended to increase the expertise of law enforcement agencies, the rapport between the departments and their local prosecutors, the effectiveness and validity of warrants prepared by the local agency and overall departmental professionalization and effectiveness as it interrelates with local courts prosecution and defense.

Relationship To Standards and Goals:

The standards as expressed by the Statewide Criminal Justice Standards section of the multi-year plan have been addressed to the extent that police legal advisers have been employed by three of the state's largest police departments. The subgrants which provided funding for these three legal advisers included provisions for employment qualifications, organization, and operation as expressed in the "standards".

General Strategy for Implementation:

Two or three of the state's largest police departments (other than the Charleston, Huntington and Parkersburg departments) will each employ a police legal adviser who will be under the direct supervision of his respective chief of police and will handle those duties as prescribed by that chief. The projects should include the following duties for the police legal advisor:

- (1) Development and presentation of in-service legal training,
- (2) Assistance in the preparation of warrants and the execution of those warrants in the field,
- (3) Legal research,
- (4) Assistance in the area of departmental policies development,
- (5) Consultation with individual officers on cases,
- (6) Coordination of police department and prosecutorial efforts, and
- (7) Serve as counsel for officers and administration in interdepartmental matters.

It is anticipated that this program be continued for one additional year with expansion to other cities as the need may arise.

Subgrant Data:

Two to three subgrants, each approximately \$9,000.00 will be awarded to two or three of the state's largest municipal police departments. Only cities with a population of 20,000 or more will be considered for funding.

Budget:

| | LEAA | State, Local or Other | Percentage of State or local match |
|-------------------------|----------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$30,000 | \$3,334 | 10% |
| 2. Part E Block Support | \$ 0 | \$ 0 | 0% |
| 3. Program Total | \$30,000 | \$3,334 | 10% |

D. DIVERSION

1. General Statement
2. Needs and Problems
3. Annual Action Programs

1. General Statement

West Virginia recognizes the need for the development of alternatives to the traditional criminal and juvenile justice system in order to allow for departure from heretofore procedural norms. In addressing this need individuals have been able to avoid certain areas of conventional criminal justice practices.

Historically, law enforcement officials have taken measures to eliminate entry into the system through informal handling and station adjustments. Through the release on recognizance program individuals have been afforded the opportunity for pretrial release without being subject to the immediate provision of bond. Also, the development of group homes has provided an alternative to institutionalization for juvenile offenders who do not require secure incarceration.

The diversion of status offenders has to this point not been addressed; however, juvenile justice advocates are presently directing efforts toward the establishment of shelter facilities to avoid secure detention, holding and incarceration of these non-criminal offenders.

The goal of diversionary measures is to exclude those offenders who do not pose a threat to themselves or the community from involvement and/or exposure to traditional practices of the criminal and juvenile justice system.

Continued emphasis will be placed upon existing diversionary programs for expansion to other areas of the State. Additional diversion techniques will be implemented especially in relations to alternative handling of status offenders.

2. Needs and Problems

A. Needs and Problems:

In West Virginia there are a few alternatives available for the proper dispositional placement of juvenile offenders. Basically, these alternatives are incarceration in a secure institution, returning the youth to his family with or without formal probation, or placing the offender in a group home.

Incarceration in an institution such as West Virginia Industrial Home for Girls, West Virginia Industrial School for Boys, Davis Center, Leckie Center and Anthony Center, isolates the offender from his respective community as well as his family. Many times, youth are incarcerated for status offenses as a result of a lack of other sentencing alternatives. Thus status offenders and severely delinquent youths are placed in the same setting. (Available information indicated that during 1974 the number of children committed to institutions for the commission of status offenses increased 1% from that of 1973).

Upon release from the institution the youth must become readjusted into the community from which he came. Returning the youth to his family is often an inappropriate method of handling since it may be unable to meet the child's needs and therefore further foster his maladjustments.

The only appropriate alternative for placement of a youth who should not be placed in an institution or back in his home would be in a group home. Presently, there are 6 such facilities which are operative in the State. Total capacity for all 6 is 38 children.

Placement within a group home not only allows a child to remain in close proximity to his community, family, school and friends but also eliminates the security factor which would be characteristic in an institutional setting.

The existing group home facilities provide services to youth from any county but priority is given to accepting youths from the area in which the group home is located. Thus, the only counties which have priority in the utilization of the group homes are Mercer, Fayette, Raleigh, Barbour, Taylor, Brooke and Hancock. The counties which constitute the high crime areas, Kanawha, Cabell and Wood, do not have immediate access to this type of alternative.

Therefore, there is a need to establish county or regional group homes to which every county would have access. Regarding counties which cannot justify the single utilization of such a facility, the regional concept should be incorporated.

B. Needs and Problems:

One of the most common offenses committed by juveniles is that of running away and statistics show it is increasing steadily. During 1974, 1202 juveniles were arrested in West Virginia as runaways, compared to 1118 in 1973 and 890 in 1972. Thus, over a three year period arrests for runaways have increased 35%. The above figures, however, only represent a portion of the total number of runaways as many times there is no police contact or the offense is not reported.

Of those offenses which are reported, 587 referrals were made to juvenile courts for runaway during 1974 as compared to 611 in 1973 and only 360 in 1972.

Shelter facilities are nearly non-existent throughout the State and as a result runaways are frequently held in the local detention facilities.

Therefore, shelter facilities should be established in all areas which justify a need for runaway housing. These facilities should offer both residential and non-residential services to assist runaways and their families and should have a staffing pattern to allow for routine home management, professional counseling, medical services. The facility should house a maximum of 10 youths on a short term basis. The program should be designed as a diversion technique as an alternative to secure detention and formal court processing and shall act as a buffer agent between the youth and his family.

The Runaway Youth Act, Title III of the Juvenile Justice and Delinquency Prevention Act of 1974, gives responsibility for the housing and assistance to runaways to the Department of Health, Education and Welfare. Therefore, the Governor's Committee on Crime, Delinquency and Correction does not have the authority to implement programs for runaways; however, it does recognize the need for this service.

C. Needs and Problems:

The three areas of high crime incidence/activity in West Virginia are Kanawha, Wood and Cabell Counties. Each of these three counties maintains a combined city-county jail which, for the most part, is filled with indigents who cannot produce the necessary bond to be released before trial.

All three of these counties operate limited release on personal recognizance programs. The shortage of support staff available to each of these three criminal courts impedes the ability of the existing programs to function at a full capacity without some assistance from an outside source, however. The Governor's Committee on Crime, Delinquency and Correction is providing funds for the operation of a full time release on personal recognizance project for Cabell County, and there is a need to expand funding to include such projects in Wood and Kanawha Counties. The release on personal recognizance projects will ensure that no one is needlessly detained in those respective local detention facilities, and that a favorable environment which lends itself to local rehabilitation programs is established along with a reduction in the average daily number of inmates.

There is a need to develop pilot release on personal recognizance projects in both of the state's areas of high crime incidence/activity which have not yet implemented such a project (Kanawha and Wood Counties). There is also a need to continue the release on personal recognizance project in Cabell County, the state's third area of high crime incidence/activity. After appropriate evaluation, these programs should be expanded to cover all local correctional facilities in West Virginia and supply necessary personnel to the criminal courts of this state to implement release on recognizance programs.

D. Needs and Problems:

Juvenile authorities in West Virginia are currently faced with an increasing number of status offenders who are appearing before the court, are being detained in local detention centers or are committed to state correctional institutional centers. Current philosophy regarding the handling of status offenders reveals that these youths are non-criminal offenders and therefore should not be handled in the same manner as are criminal type juvenile offenders. This philosophy was also generated with the passage of the Juvenile Justice and Delinquency Prevention Act of 1974 which calls for deinstitutionalization of status offenders, and elimination of the detention of status offenders in local detention facilities.

The State Statute does not define what type of child is considered a status offender or what offenses are considered as status offenses. However, a generally accepted definition of status offense is one which would not be considered an offense if committed by an adult. Furthermore the State Statute does not prohibit the detention or incarceration of status offenders in detention facilities or institutions.

In order to divert status offenders from the conventional practice of short and long term placement in detention facilities and institutions, it is necessary to develop non-secure short term shelter facilities in high crime areas and other areas which exhibit the greatest delinquency problem. The establishment of such a center would necessarily require cooperation with juvenile courts, law enforcement officials, detention center supervisors and eventual legislation which would prohibit placing status offenders in detention facilities and institutions.

In the three detention centers located in Cabell, Kanawha, and Wood counties 680 youths were detained in 1974 for running away, truancy and incorrigibility.

A breakdown of this figure for year 1974 is as follows:

One Youth Center, Cabell County detained a total of 297 youths. Of this number, 69 were detained for running away, 23 for truancy, and 63 for incorrigibility.

Kanawha Home for Children, Kanawha County detained a total of 801 youths. Of this number 230 were detained for running away, 97 for incorrigibility, and 47 for truancy.

West-Central Regional Detention Facility, Wood County detained a total of 332 youth. Of this number 128 were detained for running away, 17 for incorrigibility and 6 for truancy.

Therefore 48% of all the youth detained in these three detention centers during 1974 were considered status offenders.

In reference to institutionalization of status offenders a preliminary survey of commitments to Boys Industrial School, Industrial Home for Girls, Anthony Center, Davis Center and Leckie Center revealed that at least 84 youths

are presently (July 1975) under committment for reasons of running away, incorrigibility or truancy.

It would be unrealistic at the present time to provide alternatives through the use of shelter facilities for all juveniles who are subject to secure detention, and incarceration. This would require a large amount of construction, facility purchasing and land acquisition costs as there are no existing facilities which could be used for this purpose.

However, the Governor's Committee on Crime, Delinquency and Correction and juvenile authorities do recognize the need to provide the impetus for the establishment of shelter facilities. A logical beginning stage would be the establishment of shelter facilities to avoid secure holding of juveniles in local detention centers which would serve as models for eventual creation of additional facilities statewide.

The need for provision of alternative to institutionalization of status offenders is presently being addressed on a small scale through the development and usage of group homes which is discussed in another portion of this section.

The use of shelter facilities in lieu of secure detention for juveniles would serve an additional purpose, that of diverting these youth from formal court processing. When applicable, many times status offenders are unnecessarily exposed to the Court process, justification of which stems from the fact that many status offenders were released without further dispositional handling. The elimination of these less serious offenders from traditional court processing will serve two immediate purposes. First of all, efforts and duties of court officials can be transferred to other areas which require judicial handling, specifically the more serious behavioral problems. More importantly it will eliminate the inevitable stigma which is attached to a youth as a result of exposure to the court process.

3. Annual Action Programs

Title: Pre-Trial Investigations to Determine Releases on Personal Recognizance
SPA CODE: D01

Relationship to Problem Analysis and to Multi-Year Budget Forecast:

This program meets the need for full-time release on personal recognizance programs in the state's three high crime incidence/activity areas by providing funds to those three counties for the purpose of employing staff sufficient to operate those programs.

Objectives:

The objective of this program is to reduce by five percent the indigent population in the three high crime incidence/activity (city/county) jails by initiating or expanding selective pre-trial investigations to determine releases of indigents on personal recognizance in lieu of the bail/bond presently required.

Relationship to Standards and Goals:

This program addresses the standards and goals as expressed in the "Criminal Justice Standards" section in that provision is made for release on the defendant's own recognizance using the criteria set forth in the adopted ABA standards.

General Strategy for Implementation:

A full-time investigator will be employed as an authorized probation officer by the criminal courts of this state's high crime incidence/activity areas. This investigator will do selective pretrial investigations of indigents detained in the respective city/county jails, who cannot meet bail/bond requirements and will be detained until trial. Adequate funds will be allocated to provide office space, equipment and travel expenses as well as the investigator's salary and fringe benefits.

It is anticipated that this investigator will develop a relatively uncomplicated interview form which will be personally completed for each indigent "booked" into the city/county jail. The investigator will then investigate that information and in turn present this material to the criminal court judge who will grant or deny the personal recognizance release. Through implementation of this project, it is anticipated that the indigent population in these city/county jails can be reduced by five percent.

The accomplishments of these projects should be two-fold: indigent defendants who cannot meet bail/bond requirements but will appear for trial will not be detained, and the average daily populations in these city/county jails should be reduced, thereby insuring more effective local rehabilitation efforts and better security measures.

Subgrant Data:

Three subgrants ranging to \$17,000 will be awarded to the high--crime incidence/activity areas. Future funding is anticipated as this program will be developed in additional areas of the state in the future.

Budget:

| | LEAA | State, Local or Other | Percentage of State or local match |
|-------------------------|----------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$30,000 | \$ 3,334 | 10% |
| 2. Part E Block Support | \$ 0 | \$ 0 | 0% |
| 3. Program Total | \$30,000 | \$ 3,334 | 10% |

Title: Community Residential Centers SPA CODE: D02

Relationship to Problem Analysis and Multi-Year Budget Forecast:

The development of Community Residential Centers (Group Homes/Shelter Facilities) addresses the need for assurance of proper placement and dispositions of juvenile offenders. Specifically it applies to the needs, stated previously in the multi-year plan, for additional alternatives to judges in placing adjudicated delinquents and for alternatives to secure detention for status offenders and where possible diversion from court appearance.

Presently shelter facilities are non-existent in the State of West Virginia and no funds have been budgeted for this purpose. Several group homes have been established; however, these facilities are dependent upon State Planning Agency as adequate state or local monies are not available.

Objectives:

Group homes provide residential treatment and rehabilitation in a home-like environment to a maximum of light pre-delinquent and delinquent youth ages 12 to 18 within their original county or region. Group homes are utilized as an alternative to secure incarceration in a state correctional institution for troubled youth whose normal home environment is not conducive to their rehabilitation but who do not require secure detention.

A shelter facility provides an alternative to secure custody of status offenders in local detention facilities. Furthermore, this program allows for diversion from normal court processing for status offenders.

Relationship to Standards and Goals:

This program will address goals and standards previously set forth in the Multi-year plan. Implementation of the stated standards will provide for uniformity in group home principles as an assurance of proper utilization toward reaching the goals and objectives.

General Strategy for Implementation:

Group homes

During fiscal year 1976, funds will be available for the continuation of all existing group homes and for the establishment of two additional group homes with priority given to areas of greatest delinquency activity. Funds will be available to local units of government which can justify the need for a group home either on a county or regional basis.

A group home should serve a maximum of 8 youths between the ages of 12 and 18 who have been adjudicated by a court of juvenile jurisdiction. The largest group will be those youth who do not require incarceration in a state correctional institution, but on the other hand do not have a home environment which is conducive to their specific needs resulting from delinquent or problem behavior.

It is anticipated that approximately 38 youths will be served by the existing group homes at any one time. The establishment of two new facilities will allow for up to 16 additional youths to participate at any given time. Future funding of this program is anticipated for the next 4 fiscal years. Future federal funding required is described in the multi year forecast.

Group home program will be designed to allow its residents to maintain a non-secure status within the community setting. Staffing and program components shall include administration, case planning, group/family living and specialized treatment functions.

Shelter facilities:

During fiscal year 1976 funds will be available for the establishment of one shelter facility as a pilot project with priority given to an area of high crime activity. Funds will be available to a local unit of government which justify the continuous need for such a facility either on a county or regional basis.

It is anticipated that a shelter facility will serve youth who would otherwise be placed in a local detention facility for commission of an offense which would not be considered an illegal act if committed by an adult.

The facility should provide short term, non-secure housing for a maximum of eight youth between the ages of 10 and 18. Establishment of the facility will require the cooperation of law enforcement, court and detention officials in the areas of utilization of the facility as an alternative to secure custody and diversion where possible from exposure to court processing.

As a diversionary measure the youth will be provided with assistance from community resources in lieu of official court appearance. The facility will act as a liason between child, family, and school system in order to facilitate better relationships.

A staffing pattern will be established to insure adequate full-time child care liason between the facility, the court(s) involved, the family, and the school, professional counseling, intake supervision, and follow-up.

Subgrant Data:

Subgrantees shall be units of local government which can justify the continuous need for a group home/shelter facilities. Priority shall be given to the establishment of additional facilities in the high crime areas and regional facilities in other areas. Grants previously awarded to the county commissions of Hancock, Raleigh, Fayette, Mercer (2) and to the City of Philippi are anticipated for continuation group home funding. Two additional subgrants are anticipated in relation to group home programs.

One subgrant is anticipated in the establishment of a shelter facility.

Funds may be made available for staff, rent, travel, equipment, minor renovations, (consultant assistance), and educational arts and crafts, recreational and other supplies necessary for program operation. No funds may be used for new construction or for acquisition of real estate or land.

Subgrants for group homes will equal approximately \$25,000 each. All group home applicants will be required to comply with the standards set forth in the multi-year plan.

A subgrant for shelter facility establishment may range from \$15,000 to \$40,000.

Budget:

| | LEAA | State, Local or Other | Percentage of State or local match |
|-------------------------|-----------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$240,000 | \$ 26,667 | 10% |
| 2. Part E Block Support | \$ 0 | \$ 0 | 0% |
| 3. Program Total | \$240,000 | \$ 26,667 | 10% |

E. ADJUDICATION

1. General Statement
2. Needs and Problems
3. Annual Action Programs

1. General Statement

The recent unification of the court system in West Virginia is presently having a tremendous impact upon the state's criminal justice system. While a centralized administration of the courts provides a vehicle for sound management, court problems still remain, as do problems with the other components of the system, prosecution and defense. The overriding problem with the State's criminal justice system is the length of time it takes to adequately adjudicate a criminal or juvenile case. This is primarily due to the following: inadequate facilities, lack of sufficient support personnel and a general failure to utilize modern techniques and procedures in the administration of justice. The Governor's Committee on Crime, Delinquency and Correction has committed itself to a series of programs which will ultimately have a profound effect upon our system of adjudication. In the area of providing adequate counsel to indigent defendants, West Virginia has set as its goal a system which will provide every indigent defendant and inmate with adequate counsel for all pre-trial and post-trial stages. This goal will be reached primarily through the support and development of a public defenders office within each of the state's high-crime incidence/activity areas (Charleston, Huntington and Parkersburg). Further expansion of the improvement of judicial and prosecutorial services is planned through the provision of funds for legal research and recording equipment resources, expansion of support personnel and various other facets which will provide efficient and accurate means of improving prosecution, defense and the courts.

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1 OF 2

2. Needs and Problems

A. Needs and Problems:

(As was explained in the "Existing Systems" section of this document, the West Virginia Supreme Court of Appeals is presently responsible for the administration of the circuit courts in the state. For the first time, efforts are underway to accurately assess the needs and problems of the court system in West Virginia through a court management study contracted by the Supreme Court of Appeals. The results of this study will be limited to recommendations for a magistrate system, the development of a caseload reporting system, and a recommended personnel system, but the results of the study will not be available until July, 1976. In addition, efforts are being undertaken by the Governor's Committee on Crime, Delinquency and Correction to analyze thoroughly precise information gathered through questionnaires, interviews, and records examination in an effort to better assess those problems and needs for purposes of preparing the FY-1977 Comprehensive Criminal Justice Plan.

Until the two undertakings described above are completed, the assessment of the needs and problems of the court system will be based on limited interviews with selected court personnel, feedback from in-house field representatives and the analysis of two questionnaires, one circulated by the Governor's Committee on Crime, Delinquency and Correction and the other circulated by the Commission on the Establishment and Rearrangement of the Judicial Circuits.)

The 1974 Judicial Reorganization Amendment provided the circuit courts in West Virginia with a vehicle for improving their management functions--a unified court system. This statewide system is intended to remove the impediment of disunity which for so many years has prevented or discouraged the development of sweeping, comprehensive improvement programs for the courts. In order to minimize confusion and costly mistakes, the Supreme Court of Appeals plans to follow a well-planned, phased implementation scheme in providing improvements to the system. This scheme, basically, is as follows: (1) identify the primary needs of the courts and establish goals, (2) prioritize those goals, (3) conduct studies to survey and analyze the system in order to better define each problem area and propose a course of action to compensate that need, (4) implement the proposals in accordance with the goals of the system as prioritized, and (5) conduct evaluative efforts of new projects/systems to assess their value.

At present, the Supreme Court of Appeals has identified the primary needs of the court system in West Virginia, established overall goals for change, and established priorities for achieving those goals. The basic needs of the courts, as identified by the Supreme Court, are based on the following problems which generally plague the circuit courts in the state.

At present, a high volume of cases are handled by various means in each court as constitutions, statutes, and established procedures allow. This general condition becomes a problem, given the following:

- (1) Insufficient staff personnel to adequately handle court workloads;
- (2) Insufficient equipment and legal reference resources;

(3) Inadequate facilities housing courtrooms and related work areas;
and

(4) Insufficient management practices, especially in regard to probation services and jury usage.

All of the above factors contribute to the length of time it takes to process a case, and this, combined with increasing workloads, results in a backlog of cases. As a result, cases may be dismissed or plea bargained that would not be otherwise, and justice, ideally, is not served.

In light of these problems, the following needs of the state court system have been identified as those which are most immediate with regard to the present court system.

A need exists for survey studies of the existing court facilities, resources and management practices and analyses of that information to accurately assess the problems and needs of the state court system. These studies would consist of the following:

(a) A survey and analysis of all existing county law libraries. (This study would inventory the books in each library, survey the users and make recommendations regarding additional volumes and publications that may be needed).

(b) A survey and analysis of existing courtroom facilities. (This study would (a) accurately inventory the courtroom amplification and recording equipment used in each courtroom. It would also include technical recommendations regarding the installation of amplification and recording equipment where courtroom acoustics are poor and no such equipment is present. This study would also (b) make technical recommendations regarding the remodeling of specific courtrooms to improve courtroom security, provide for more efficient use of space, and to provide new space or upgrade existing facilities for jury assembly and deliberation, public and witness waiting, etc.).

(c) A survey and analysis of probation services being provided by the Supreme Court of Appeals. (This study would make recommendations regarding standardized forms for probation reports, equalization of workloads, and other related needs)

(d) A jury usage study. (This study would survey existing management practices throughout the state regarding jury usage and would make recommendations as to improving the cost-efficiency of jury management).

There is a need to implement such recommendations as are offered as a result of the aforementioned studies.

B. Needs and Problems:

The prosecutorial function in West Virginia is a fragmented effort. Each of the fifty-five counties elects a local prosecuting attorney, and fifty-three

of these prosecutors are, by statute, part-time officials, with full-time, part-time or no support staffs. Generally low county populations, limited tax bases and other pressing governmental needs severely limit the local funds that are available for the professional development of this office. (See profile of prosecutors in "Existing Systems" section.)

As outlined in the existing systems section of this plan, poor case flow management, the lack of adequate support staff, modern resources and reference materials, as well as the volume of non-prosecution related work, contributes to the handicap under which a local prosecutor toils, and as a result, many prosecutors are experiencing tremendous case backlogs.

While improvements to and for this entire system of prosecution are planned and projected, it is imperative that we respond to the aforementioned existing problems by alleviating the obvious shortcoming of the present system. The need for effective and efficient prosecution is significant today as never before. The noticeable absence of independent investigative capabilities, legal research resources, inadequate prosecutorial assistance, and poor case flow management must be overcome. Moreover, the void in available resource and modern reference materials and various types of equipment must be filled.

While the lack of manpower, resource and reference materials, research capabilities, etc., may logically give rise to the development of several separate improvement programs, it should be noted that an attempt is always made to deal with the local part-time prosecutor and his function in the aggregate and each single project, regardless of its direct objective, is designed to improve that total function. A diversity of programs and projects available would simply lead to further fragmentation and subsequent project failures. One full-time assistant and a specific type of investigative equipment will significantly increase the abilities and efficiency of a prosecutor's office, and should, therefore, be considered as one project.

Finally, appropriate study and plan development should be undertaken to outline the needs and requirements attendant to a state district attorney system. This system could provide adequate and well staffed prosecution to all citizens of the state.

C. Needs and Problems:

As noted in the existing systems section of this plan, legal research capabilities are not available to the fifty individual courts and the fifty-five prosecuting attorney's offices. As the legal limits within which these offices must operate becomes extremely technical and the volume of higher court decisions which affect the operations in both offices continues to increase, it becomes very important and necessary for each court and prosecuting attorney to have legal research capabilities. Moreover, with research studies being undertaken by various departments and agencies throughout the state, it is necessary to maintain a central resource center around which these various studies can revolve.

Criminal law and subsequent court decisions have made noticeable impact upon local law enforcement efforts, local corrections and the lower court system in West Virginia. Adequate local legal advice is not available on a full-time basis to these three important components of the criminal justice system. The local prosecuting attorney now serves as the main source of legal advice for these three agencies. This advice is usually not available on a full-time basis due to the prosecutor's part-time function.

A limited number of judges and prosecutors and very few of the law enforcement agencies, local correctional facilities and lower courts have the workload to justify full-time legal advice and assistance. The law library at the West Virginia University College of Law is the most comprehensive resource of its kind in West Virginia. It is essential that law enforcement and criminal justice agencies and personnel in the state be able to utilize the law library and its auxiliary resources, when full-time legal assistance is not available or justified.

In addition to the problems connected with the inavailability of adequate legal research, there is a need in West Virginia to encourage law students to seek careers in criminal justice as well as to instill in them a greater concern for the administration of justice.

D. Needs and Problems:

It can be estimated that between 55% and 75% of all persons charged with criminal offenses in West Virginia could be classified as indigent individuals, therefore becoming eligible for state provided counsel. In the past, defense counsel has only been appointed in those cases reaching the circuit or statutory courts, after the initial stage of questioning by the police and preliminary examination before a justice of the peace (except in more serious crimes where counsel may be appointed shortly following arrest).

This system of appointing attorneys has many advantages and disadvantages. However, the need for counsel to represent indigents becomes frequent and massive in the densely populated areas of the state. The appointment of attorneys becomes a cumbersome task in those courts experiencing heavy case-loads.

Presently, most individuals charged with misdemeanors are tried before a justice of the peace where no provisions for appointment of attorneys have been made. A Supreme Court ruling (Argersinger vs. Hamlin) requires that all individuals charged with any type of criminal offense that may result in imprisonment for any period of time must be represented by an attorney. This may necessitate counsel for all indigents in Justice of the Peace Courts where previously no counsel was required. It would seem that the present system of appointing attorneys will be incapable of responding to the latest Supreme Court decisions and subsequent demands for adequate defense counsel in our system of justice.

There is a need, therefore, in West Virginia for a program of adequate counsel to represent indigent persons accused of crimes, delinquency and neglect of children, providing for time necessary to investigate and prepare cases in court appearances and appropriate appellate actions, be undertaken by this state. It should be clearly established that it is the responsibility of the state and not the Bar alone to provide counsel for indigent persons accused of crimes, delinquency or neglect of children.

3. Annual Action Programs

Title: Improvement of the Judicial Process SPA CODE: E01

Relationship to Problem Analysis and to Multi-Year Budget Forecast:

This program addresses the needs as expressed in the "Problems and Needs" section by providing funds for conducting (a) a probation services study; (b) a jury usage study; and (c) a courtroom physical plant study. It is anticipated that the county law library study and the courtroom equipment study will be completed and their recommendations partially implemented prior to implementation of the FY-1976 Comprehensive Criminal Justice Plan. If not, this program will be expanded to include such efforts, as necessary. Implementation of recommendations made by the probation services study, the jury usage study, and the courtroom physical plant study could be undertaken under the FY-1976 Plan as time and funds allow, but such projects will most probably be undertaken with funds from the FY-1977 Plan.

Objectives:

The objectives of this program are the reduction of actual case processing time, the reduction of case backlogs in the courts, and a reduction in the number of cases that are dismissed, plea bargained, etc. as a result of inadequate resources. These objectives will be achieved by improving court resources, facilities and management practices as a result of appraisal and analysis of court needs and subsequent programs that will meet those needs.

Funding for the projects under this program will be provided to the Supreme Court of Appeals, and the specific nature of such projects will be described in detail in subsequent sections of this program description.

Relationship to Standards and Goals:

The standards as regards the court system have not been developed as of this date. The one standard that has been adopted is concerned with management practices that do not require programming. This program is directly related to the achievement of the goal as previously stated.

General Strategy for Implementation:

This continuing program will implement projects that are within the scope of the program objectives.

These projects will be funded directly to the Supreme Court of Appeals and will consist of:

(a) A survey and analysis of probation services being provided by the Supreme Court of Appeals. (This project will make recommendations regarding standardized forms for probation reports, equalization of workloads and other related needs).

(b) A jury usage study. (This project will survey current practices and

procedures being followed throughout the state regarding jury usage and will make recommendations as to improving the cost-efficiency of jury management).

(c) A survey and analysis of existing courtroom and related facilities. (This project will survey the court-related space in each courthouse and will make technical recommendations regarding the remodeling of specific courtrooms to improve courtroom security, provide for more efficient use of space, and to provide new space or upgrade existing facilities for jury assembly and deliberation, public and witness waiting, etc.).

(d) Projects to provide legal resource material for county law libraries as determined by a study that is to be carried out with funds from the FY-1975 Comprehensive Criminal Justice Plan.

(e) Projects that will provide courtroom amplification and courtroom recording equipment as determined by a study to be conducted with funds from the FY-1975 Comprehensive Criminal Justice Plan. If these studies cannot be conducted with FY-1975 funds, funds from this program may be used.

(f) If the courtroom equipment survey and the county law library survey are not conducted with FY-1975 funds, funds for those surveys may be used from this program.

Technical assistance may be requested from the Governor's Committee on Crime, Delinquency and Correction, LEAA and other sources in preparing Requests for Proposals (RFP's) for the purpose of soliciting bid-proposals for the court studies previously described.

Subsequent comprehensive plans, beginning with the FY-1977 Comprehensive Criminal Justice Plan, will include programs and funding in order to implement the recommendations that result from the studies conducted under the FY-1976 program. As time and funding allows, such projects may be partially funded with monies from this (FY-1976) program, although the nature of such projects will not be known until the studies are completed.

Subgrant Data:

All subgrants will be provided directly to the Supreme Court of Appeals for the purpose of implementing the aforementioned projects. The amount of each subgrant will be determined by, as in the case of the studies, the degree of work involved, or, as in the case of the reference material and equipment, by the amount of such material and equipment that is needed.

Budget:

| | LEAA | State, Local or Other | Percentage of State or local match |
|-------------------------|------------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$ 200,000 | \$ 22,223 | 10 % |
| 2. Part E Block Support | \$ -0- | \$ -0- | -0- % |
| 3. Program Total | \$ 200,000 | \$ 22,223 | 10 % |

Title: Improvement of Prosecutorial Services SPA CODE: E02

Relationship to Problem Analysis and To Multi-Year Budget Forecast:

This program will meet the needs as expressed in the "Needs and Problems" section by implementing the projects that are enumerated in the "Implementation" section.

Since prosecuting attorneys in West Virginia hold county office, each county is responsible for fulfilling the needs of its prosecutor. These individual counties cannot provide funds which are adequate for carrying out the various projects outlined in this program.

Objectives:

To accelerate the development and increase the effectiveness of the local prosecutorial function by:

(1) Expansion of staff capabilities within local offices commensurate with local workloads and needs of those offices.

(2) Provision of necessary resource and reference materials to insure adequate and efficient case preparation.

(3) Conduction of caseload management studies and subsequent projects to improve caseload management.

Relationship to Standards and Goals:

This program addresses the standards for prosecution adopted by the Governor's Committee on Crime, Delinquency and Correction by providing equipment, research and manpower resources to prosecuting attorneys for the improved operation of their respective offices.

General Strategy for Implementation:

This program will provide funds designed to improve local prosecutorial ability and effectiveness. Thirty to forty projects are contemplated. These projects will include the addition of assistant prosecutors and investigators to insure adequate staff resources pursuant to local workloads. Projects may also include the purchase of adequate dictating and transcribing equipment necessary for conducting crime scene investigations, taking statements and generally increasing case processing time; however, no types of standard office equipment may be purchased under this program. Because up-to-date reference and resource materials are necessary for the effective operation of this office, projects designed to furnish these types of materials may be considered.

Projects may also be considered that deal with improved caseload management, i.e. case screening, diversion, and similar projects where significant justification is made.

It is anticipated that through implementation of these projects, case processing time and caseload per assistant will be reduced, and investigative capabilities will be improved in twenty to thirty local prosecutorial offices.

Subgrant Data:

Thirty to forty subgrants are anticipated. These subgrants will be based on documented need and anticipated results, and will have a funding range of \$200.00 to \$15,000.00, except in the states three high-crime incidence/activity areas where larger projects are anticipated.

Budget:

| | LEAA | State, Local or Other | Percentage of State or local match |
|-------------------------|------------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$ 200,000 | \$22,223 | 10% |
| 2. Part E Block Support | \$ 0 | \$ 0 | 0% |
| 3. Program Total | \$ 200,000 | \$22,223 | 10% |

Title: Legal Resource Center SPA CODE: E03

Relationship to Problem Analysis and To Multi-Year Budget Forecast:

This program meets the need for legal research assistance through the creation of the Legal Resource Center. No other source of funds for this project exists.

Objectives:

The objective of this program is to establish a legal resource center at West Virginia University college of law which will:

- (a) Maintain a full-time and part-time legal research staff that will provide 20 to 30 written memoranda per month to requesting authorities;
- (b) Maintain a toll free telephone that will provide access to the research team by all criminal justice agencies in the state;
- (c) Encourage careers in criminal justice endeavors by placing law students in prosecutors' and judges' offices during the summer months (approximately 25 as prosecutorial assistants and 15 as law clerks); and
- (d) Handle all research problems, disseminate findings and promote legal in-service training for criminal justice agencies throughout West Virginia.
- (e) Publication of a monthly newsletter apprising prosecutors and judges of recent developments in criminal justice case law as well as provide a list of subject matter of recently requested memoranda prepared by legal resource center.

Relationship to Standards and Goals:

No formal standards regarding the Legal Resource Center have been developed or adopted by the Governor's Committee on Crime, Delinquency and Correction. The program does, however, address the goal of providing a central source of legal research to the state's prosecuting attorneys, judges, and law enforcement personnel that may require such research.

General Strategy for Implementation:

This program will:

- (a) Employ one part-time director of the Legal Resource Center from within the faculty of the West Virginia University College of Law;
- (b) Employ a research staff of law students (3 during summer months and 3 during school year);
- (c) Maintain a toll-free telephone number that will offer judges, prosecutors, and law enforcement personnel ready access to legal research services;

(d) Maintain an on-going program of placing 25 student interns in selected prosecuting attorneys' offices and 15 in judges' offices during the summer months;

(e) Develop in-service training programs for criminal justice agencies;

(f) Offer legal research capabilities to those worthy projects which may be developed in the future, and

(g) Publish a criminal justice newsletter which will primarily inform prosecutors and judges in West Virginia of the latest developments in criminal justice case law.

This program should exist in West Virginia as long as there is a need for such service. Funding levels should remain relatively stable with a small increase expected for salary increases.

Subgrant Data:

One subgrant will be awarded to West Virginia University in the amount of \$85,000.00

Budget:

| | LEAA | State, Local or Other | Percentage of State or local match |
|-------------------------|----------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$85,000 | \$ 4,445 | 10% |
| 2. Part E Block Support | \$ 0 | \$ 0 | 0% |
| 3. Program Total | \$85,000 | \$ 4,445 | 10% |

Title: Public Defender System

SPA CODE: E04

Relationship to Problem Analysis and Multi-Year Budget Forecast:

This program is intended to meet the need as expressed in the "Needs and Problems" section. No funds are available to implement a public defender system other than funds provided for this program.

Objectives:

The objective of this program is to implement a statewide public defender system in West Virginia thereby providing competent counsel to indigent defendants.

Relationship to Standards and Goals:

This program addresses the standards and goals as expressed herein by providing for the implementation of a public defender system which will provide full time public legal representation to indigent defendants.

General Strategy for Implementation:

At the present time, an assigned counsel system is being utilized in West Virginia. It is believed that this system is inadequate in light of recent Supreme Court decisions and in view of the demands placed upon the existing system.

It is anticipated that the core beginnings of a Public Defender System will be operational at the time the FY-1976 Plan becomes effective. Lacking legislation, the system will be created through executive order and will consist of the appointment of a Public Defender Commission and the development of policies and selection of staff necessary to provide adequate defense counsel for indigents, taking into consideration the actual caseloads to be handled.

It is anticipated that the office of the Public Defender will be located in Charleston, and satellite offices will be located in each of the state's high crime incidence/activity areas: Wood, Cabell and Kanawha Counties. The local public defender offices will be administered by the State Public Defender and will serve as pilot projects for a possible statewide system to be implemented later through legislative action.

If legislation is approved prior to the effective date of this Plan, this program will be combined with legislative authority and appropriations.

The support of the local courts, prosecuting attorneys, bar association, community and law enforcement agencies will be utilized to ensure the success of these projects.

Subgrant Data:

One subgrant is anticipated to the State of West Virginia, which may be combined with state appropriations, to fund the establishment of a statewide public defender system.

Budget:

| | LEAA | State, Local or Other | Percentage of State or local match |
|-------------------------|----------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$89,038 | \$ 9,894 | 10% |
| 2. Part E Block Support | \$ -0- | \$ -0- | -0- |
| 3. Program Total | \$89,038 | \$ 9,894 | 10% |

F. ADULT AND JUVENILE TREATMENT AND REHABILITATION

1. General Statement
2. Needs and Problems
3. Annual Action Programs

1. General Statement

Treatment and Rehabilitation of offenders encompasses a variety of programs and services within at least two general settings; within the institution and without. The ideas and aspirations set forth herein reflect generally held beliefs about treatment and rehabilitation methodology (and to a certain extent, secure detention) in and without West Virginia's correctional institutions.

Programs and services without the institution or pre-institution are classed as follows: Rehabilitation efforts in this setting show impetus toward redirecting behavior, attitudes and lifestyles in the direction of productive citizenship through the following sub-programs:

1. Pre-sentence investigation; to determine treatment and possible placement of offender within institutional sphere, inclusive of alternatives to institutionalization.
2. Probation; a period of time in which an offender is conditionally released and resources of the supervising agency are utilized to develop responsible behavior patterns.
3. Work/Study Release; Takes place outside the institutional setting yet is distinct from other non-institutional programs in that it occurs after an institutional experience.

Programs and services within the institutional setting cover a gamut of immediate and long term inmate needs. Those needs are determined for the most part by diagnosticians at an institution intake time and place.

As the correctional system exists in West Virginia, there are services and programs offered within the institution, examples of which are security, health, detention, medical, recreation, counseling and education.

There does exist a program at the state level which operates within and without the institution; Volunteers in Correction (see existing systems for description of Volunteers in Correction).

2. Needs and Problems

A. Needs and Problems:

Treatment and Rehabilitation efforts within State controlled correctional institutions (Department of Public Institutions, Division of Corrections) has reached the point where efforts need to be directed toward making rehabilitation programs (education and training) available to all those correctional institution based offenders that are desirous and/or in need of such.

In order to "match" the offender with the most appropriate correctional setting, diagnosis and classification of offenders (inmates) takes place (at Huttonsville Center for adults and Industrial School for Boys for juveniles) when the offender is received from the sentencing body. Psychological profiles and identifiable needs of inmates are measured and analyzed with the intent of where the inmate should be placed and what treatment and rehabilitation methodology available would benefit that person.

Due to the staff size and a commitment on the part of the Diagnosis and Classification Centers to perform pre-sentence investigations for courts when requested to do so very little time and attention can be devoted to re-examining and evaluating inmates after exposure to institutional treatment and rehabilitation programs occur. There is a need to maintain and, where possible, expand diagnosis and classification efforts for all offenders.

B. Needs and Problems:

Educational opportunities as they are presented to the offender in the institutional setting can be headed in the following manner: Arts and sciences and vocational. Arts and sciences is meant to involve general and special education; remedial, basic elementary, secondary and college level.

Earlier Comprehensive Plans for West Virginia have touched upon and dealt with, where possible, the general inmate problem of "too much time on their hands and too little to do." One way in which this problem has been approached is to offer the inmate population a range of educational opportunities.

The way in which educational opportunities are presented to the general population has been limited primarily by budget constraints. Available space is not a problem in that recent remodeling efforts have attempted to incorporate plans for expansion of education and training programs.

Support for all aspects of institutional training and education is needed to insure that those efforts will be ongoing. Subgrant data contained in current grants from the SPA to the State agency responsible, outline projected growth in training and education programs within the institutions.

Specifically, program efforts should include or allow for increased personnel, supplies and where necessary, equipment for the continuation and expansion of training and education programs inclusive of a counseling aspect.

A problem associated with the manner and time of availability of educational programs at correctional institutions is that if and when an inter-institutional inmate transfer occurs there is a small likelihood that that inmate will be able to pick up where he left off in an educational program.

There is a need to coordinate education and training from institution to institution to allow for continuity of programs in order that inmates being transferred will not be denied immediate admittance into education and training programs.

Treatment within correctional institutions also covers a gamut of physiological and psychological health services. (Treatment and Rehabilitation are not operationally separate, rather they are part of the total of the institutional services.) Such services include medical, recreation, psychiatric and alcohol and drug counseling some of which, depending upon the institution, are administered within a certain group treatment modality.

Specifically, transactional and group counseling in addition to individual counseling is offered, on a limited basis, to offenders within adult institutions. Those persons identified by court officers or corrections diagnosticians as having alcohol or drug abuse problems are offered psychological counseling and when needed, medical treatment.

Offenders with drug and alcohol problems constitute a majority of persons taken into the criminal justice system. In West Virginia, totals for the years 1972 through 1974 show 4,609 arrests by police for narcotics and drug law violation and 104,398 arrests for drunkenness. The great majority of those persons arrested for those offenses are treated and released at the municipal or county level of governmental functions. At the present time those county correction/detention facilities which can philosophically accept and budgetarily allow are attempting to establish drug and alcohol detoxification centers and counseling services. Referrals by police and courts can be and are made to hospitals and regional mental health centers for detoxification and counseling services. Such referrals are dependent upon the offenders status (felon or misdemeanor) and the attitude of law enforcement officers and officials of the court. There is a need then to determine once and for all how society and its instruments of justice shall deal with drug and alcohol abusers.

Institutions and institutional services beginning with diagnosis and classification are hard put to provide the facilities and personnel necessary for drug and alcohol detoxification and counseling purposes yet efforts are undertaken to provide these services. In addition to all the other programs and services corrections attempts to provide the inmate with, drug and alcohol detoxification and counseling puts that much more strain on a system which historically has been ignored and given little support.

Therefore, instead of correctional institutions for the actual violators of public drunkenness laws, appropriate laws and medical facilities are needed which will provide medical treatment instead of incarceration. The same hold true for the drug abuser to the extent that the abuser is just that and not a manufacturer and/or distributor/dealer of dangerous drugs and controlled substances.

Irrespective, the fact remains that tremendous amounts of time, expense, and manpower are dedicated toward the apprehension, adjudication and incarceration of persons who, at least, can be identified as victims of their own actions and attitudes.

Another treatment modality which is in effect is the guided group interaction concept. This particular methodology involves a small group decision making process which attempts to impart those positive attitudinal qualities of the group to the individuals of the group. As a treatment mode, guided group interaction is dependent upon a positive group leader, counselors and administrative personnel.

As with other manpower problems in the Division of Correction, guided group interactions impact upon a correctional setting is limited by the amount of staff which can be dedicated to the program.

At the present time, guided group interaction is in effect at selected juvenile correctional institutions. Basis for this setting is found in the held belief that positive peer influence or any peer influence for that matter, guided group interaction is dependent upon a positive group leader, counselors and administrative personnel.

As with other manpower problems in the Division of Correction, guided group interactions impact upon a correctional setting is limited by the amount of staff which can be dedicated to the program.

At the present time, guided group interaction is in effect at selected juvenile correctional institutions. Basis for this setting is found in the held belief that positive peer influence or any peer influence for that matter, is a social phenomena associated with adolescent socialization.

The need as relates to positive peer or guided group interaction within institutions is that of personnel necessary to continue and expand that treatment methodology within the juvenile correctional setting. However, expansion beyond present juvenile correctional settings will be dependent upon evaluation results.

A problem which confronts correction administrators and which relates to all services (treatment and rehabilitation) offered is that of salaries and the persons recruitable within salary ranges. A definite need exists to reassess selection standards and pay and rank structure for certain types of workers in the correctional sphere, i.e., correctional officers, parole officers, speech and hearing therapists, clinical psychologists and dietitians to mention a few. Those particular positions are within the West Virginia Civil Service System. The problem lies in the failure of administrators to regularly review recruitment and selection standards and pay and rank grades to at least reflect current educational and achievement demands and values placed upon workers.

C. Needs and Problems:

There are few detention facilities for juveniles in the State. Presently facilities exist in Cabell, Kanawha Marion and Wood Counties. An additional detention center is being constructed in Mercer County, scheduled to be completed in October, 1975. The Wood and Mercer County facilities were established on a regional basis with the Wood County center serving the counties of Calhoun, Jackson, Pleasants, Ritchie, Roane, Tyler, Wetzel and Wood and the Mercer County Center serving the counties of Fayette, Greenbrier, McDowell, Mercer, Monroe, Raleigh, Summers and Wyoming.

There is a need to establish additional juvenile detention centers to serve the other 34 counties in order to eliminate the usage of local jails to detain juveniles who require secure custody, which is defiance of State Statute.

According to the West Virginia Code as amended by House Bill 1406, Chapter 49, Article 5, Section 13:

"...except that any child over fourteen years of age who has been committed to an industrial home or correctional institution may be held in the juvenile department of a jail while awaiting transportation to the institution."

There are discrepancies in the West Virginia Code in two areas regarding the detention of juveniles. First, Chapter 49, Article 5, Section 2, defines a "child" as a person under the age of eighteen years; the section of the West Virginia Code previously cited does not prohibit committing youth ages 16 to 18 to jail facilities.

Secondly, 49-5-13 contradicts Chapter 28, Article 3, Section 6 which states that a girl who has been committed to the Industrial Home for Girls shall not be lodged in any jail or lock-up.

"Whenever a girl is committed to the industrial home, to Fairmont Emergency Hospital, Huntington State Hospital or Welch Emergency Hospital, by any of the courts hereinbefore named, it shall be the duty of the clerk of the court before whom the trial was held to prepare the commitment papers in the case and forward the same by mail without delay to the superintendent of the industrial home, or to the superintendents in charge of the Fairmont Emergency Hospital, as the case may appear to demand. On receipt of such commitment papers, the superintendent of the home, if the commitment is found by her to conform to the provision of this article, and there is room in said home, shall promptly so advise the authority making the commitment, who shall at once send the girl so committed to the home, under escort of a discreet woman of mature age. Such escort shall be designated by the authority by whom the commitment was made, and her compensation, which shall be fixed by the same authority and shall not exceed three dollars per day of twenty-four hours, and her expenses, and the girl's necessary traveling expenses, fully itemized and sworn to by the escort, shall be paid out of the treasury of the county from which the

commitment was made, by the county court thereof. No girl committed to said industrial home shall be lodged in any jail or lockup; but the authority committing her shall designate an officer of other proper person, preferably a woman, in whose custody she will be kept until she is delivered to the person duly authorized to conduct her to said home. The expense of keeping such girl shall be paid like any other expense of the hearing or trial." (1921, c.144, Sec. 175b; Code 1923, c.45, Sec. 175b; 1969, c.58) (Emphasis Supplied)

In addition, a similar discrepancy occurs in Chapter 28, Article 1, Section 4, concerning prohibition against holding a boy committed to the Industrial School for Boys.

"As soon as practicable after a youth, on any account, is committed to the custody of the state commission of public institutions, the papers in the case shall be ailed to the superintendent of the receiving youth facility, and such youth shall remain in the custody of the court pronouncing such commitment until he be delivered to an officer of the receiving youth facility, who shall be sent without delay and duly authorized by the superintendent to conduct such youth by the most direct and convenient route to said facility, but no youth committed to any facility shall be lodged in any jail or lockup, if he be under the age of sixteen years. The superintendent of a facility shall, insofar as is consistent with the safe conveyance of youths to the facility, cause as many youths as may be committed from the same or several counties to be conducted to the facility at the same time. The expense incurred in conducting a youth to a youth facility, including transportation and other necessary traveling expenses of the youth and of his conductor, shall be paid by the county court out of the treasury of the county from which the youth was committed to the facility, and a written statement of such necessary expenditures, fully itemized and sworn to by the officer making such expenditures, and attested by the superintendent of the facility, when presented to any county court, shall be a bill against such court, to be paid to the receiving facility and credited to that fund of the facility from which the original expenditure was made; but when two or more youths shall be so conducted from more than one county, the necessary expenditure on the personal account of the conductor shall be apportioned among the counties concerned in due proportion to the mileage traveled by the youths from their respective counties." (1893, c.5, Sec. 16; 1904, c.22, Sec. 16; 1908, c.27, sec. 249; 1913, c.70, sec. 7; 1919, c.2, Sec. 165; Code 1923, c.45, Sec. 165; 1971, c.128) (Emphasis Supplied)

"Effect of amendment of 1971 - The amendment substituted custody of the state commissioner of public institutions' for 'industrial school' near the beginning of the section and throughout the remainder of the section substituted references to 'receiving youth facility,' 'youth facility,' 'facility,' or the like for references to the industrial school and substituted references to the superintendent of such a facility for references to the superintendent of the industrial school."

During 1974, 64% of the youth requiring secure detention were held in jail facilities while only 36% were placed in non-jail detention. Furthermore, not all of these holding facilities are equipped to separate juveniles from adults.

The scarcity of juvenile detention centers is a result of several immediate problems. Many counties are limited financially in relation to construction and land acquisition costs, which are not allowable for funding by the State Planning Agency. Also many counties do not have a sufficient population base to support a center with maximum usage. Therefore, in the 34 counties which do not have a juvenile detention facility available, priority should be given to the establishment of regional centers.

In order to establish regional detention facilities, however, cooperative agreements must be arranged with each of the respective counties for implementation and operation. The Department of Welfare, through financial assistance from the State Planning Agency, has cooperated with the Wood County facility by providing staff and administering the program. Upon completion of the Mercer County Facility similar arrangements will be made with the Department of Welfare.

D. Needs and Problems:

The responsibility for delivery of adult and juvenile probation and parole services lies with three separate agencies, all of which provide similar and inter-related services. Adult and juvenile parole responsibilities are performed by the Division of Correction. Juvenile probation services are provided by the Department of Welfare. Adult and juvenile probation services are also provided by the Supreme Court.

The fragmentation often results in discontinuity of philosophies, methodologies and administrative prerogatives which may directly effect the clientele for whom these agencies have responsibility.

Therefore, there is a need to eliminate the existing fragmentation of responsibility for and delivery of probation and parole services.

E. Needs and Problems:

Another major problem of correction is the continuity of treatment or follow-up treatment. Often, the person within the purview of the correctional process receives only temporary professional help and is then compelled to meet social and community demands alone. No effort is made to follow his progress or to offer assistance once he has been discharged from the jurisdiction of the system. Records of recidivism indicate that many people who have been processed through the correctional system have returned to society still in need of professional treatment. This treatment has not been and is not now available. Furthermore, many juveniles who come into the correctional system return to this same system as adult offenders.

In an attempt to redirect emphasis from institutionalization and to establish and maintain a humane system of correction which places emphasis upon the dignity and respect of the individual human being, increased efforts in treatment program and rehabilitation-oriented community programs are required. Presently there is a need for alternatives to incarceration of adult offenders. Community-based facilities are needed to assist persons in making adequate adjustments after release or parole from prison.

There is a need for continuity of treatment at the professional level in institutional and community facilities with a view toward effecting complete rehabilitation. In addition, there is a need to maintain and expand pre-release, work and study release, employment procurement programs and community residential facilities.

Adjusting to the environmental changes from institution to home can become a most frightening and frustrating situation if the youth is unprepared for the transition or if the change occurs too rapidly. In these cases, the youth requires a short period of time in which to make the transition successfully.

Recidivism rates for those released from state juvenile correctional institutions are generally quite high. It is believed that part of the reason for this is that some youth are not able to cope with the many changes that confront that person upon release from secure incarceration. All too often, the strain becomes too much of a burden and the youth again finds himself in a state of indecision and in conflict with society.

Presently no facilities exist to assist the youth in this period of transition. Therefore, there is a need to establish short term post institutional group homes for youth who have been released from institutions but who are not ready to re-enter their original homes and communities. In this manner, the youth will not only be exposed to the family and community environment but he will also be provided with professional assistance in reintegration back to the community setting.

The establishment of post-institutional group homes can also decrease the length of stay in state institutions.

F. Needs and Problems:

An equally important function of the Juvenile Justice System is that performed by probation services. Traditionally, efficient performance of probation responsibilities has had positive effects on the probability of terminating juvenile delinquency careers before they proceed beyond a point of systematic institutionalizations. In the State of West Virginia, delinquency probation duties are shared by both the Department of Welfare and the circuit courts. However, dual responsibilities in this area does not adequately provide sufficient probation coverage for increasing numbers of delinquent probationers. As a consequence, probation officers of both of the above origins are forced to operate with unreasonably high caseloads.

Presently the average caseload per probation officer is approximately 45. (See existing systems section for deployment of probation staff) Caseload level, however, should not be considered equal to workload level which would be much higher, as probation personnel perform numerous other tasks, i.e., provision of diagnostic services such as medical, psychological, and social examinations, services including preparation, analysis and presentation of information pertinent to dispositional alternatives for the court's consideration; supervision of children placed on probation following court action; ongoing casework services for children and their families in need of services by reason of action by the juvenile court; and supportive services that help establish effective linkages, between existing community social agencies or services, and children in need of such services.

Probation is one of the most frequently used dispositional alternatives by the courts. In 1974, 1079 youths were placed on formal probation, 844 for commission of criminal offenses and 235 for commission of status offenses.

In view of the number of youths being placed on probation and the numerous tasks and responsibilities of probation officers, there is a need to lessen the workload through the provision of adequate probational personnel to every court.

G. Needs and Problems:

In the area of state level responsibilities for adult probation and parole, two primary problems exist. First, because of limited salaries, the Division of Correction has not been able to hire and keep the most qualified professional personnel. Secondly, because the Division of Correction is responsible for both adult probation and parole activities upon request from the courts and parole case assignments from the Board of Probation and Parole it is mandatory that at least one officer be assigned to each of the fifty-five counties of the State. At the present time, there are approximately thirty full-time probation and parole officers and a caseload and geographical problem exists at the state level.

There exists a need to expand the Statewide correctional services by employing additional probation and parole officers.

An effective probation/parole system must be coordinated with law enforcement officials, jails, courts and correctional institutions. To provide for coordinated planning and development, it should be operated from a central point. This would be more economical and relieve counties which are now required to support court probation departments. At the same time, comprehensive program planning for probationers/parolees would be available at any time. Policies, procedures and philosophies would be more uniform while program evaluation would be more effective. This would lead to an overall increase in effectiveness in probation. Finally, duplication of efforts and records would be eliminated. Furthermore, this will improve the efficiency of probation and parole services to the local courts.

Without taking into account substantial domestic relations caseloads and caseloads of probationers from other states being supervised by state probation officers, the current probation caseload is approximately 50.

H. Needs and Problems--West Virginia Supreme Court of Appeals Probation Services:

Provision of probation services in the State of West Virginia is, and has been, the statutory responsibility of the Department of Welfare (juvenile probation services) and the Division of Corrections (adult probation services). The individual caseload per probation worker in many counties has exceeded the recommended levels of between 35 and 45 probationers per worker, and in the past, these counties have employed additional workers to augment the services being provided by the Department of Welfare and the Division of Corrections, thereby reducing the caseloads to the recommended levels. GCCDC funds were frequently used to employ these additional workers.

The 1974 Judicial Reorganization Amendment provided that county employed probation officers be transferred to the supervision and employment of the West Virginia Supreme Court of Appeals. As GCCDC funding expired, the Supreme Court assumed the entire expense of employing the additional workers and at the present time all are under the employ of the Supreme Court of Appeals, with no funding assistance being provided by the GCCDC.

As caseloads per worker increase beyond the recommended levels, and the Department of Welfare and the Division of Corrections are unable to employ sufficient personnel to reduce those heavy caseloads, it will be the responsibility of the Supreme Court of Appeals to employ the additional probation workers.

I. Needs and Problems:

In the field of corrections the planning process includes outlining a series of priorities for improvement based upon a number of assessments; choosing from various alternatives; and adopting strategies.

Assessments as such are derived from problem analysis. Problem analysis in terms as presently conducted is done from a standpoint of immediate need gratification of the State correctional system with a limited view or concern for future (10 - 20 years) needs. This is mainly due to a staff size and workload among correctional administrator which precludes staff involvement with in-depth analysis and problem solving technique.

Past efforts to initiate planning and research capabilities within the Division of Correction were hampered by personnel turnover that has been overcome by starting anew in the middle of 1975.

The need is to continue support for this program and provide technical and evaluative assistance when needed.

J. Needs and Problems:

In the areas of probation, parole and after-care services, three primary problems exist in corrections in West Virginia. First, because

of limited salaries, the individual offender does not receive the best possible services because his counselor generally has more cases than the thirty-five caseload recommended by the President's report "Challenge of Crime in a Free Society." Secondly, because of small probation staffs in the United States, only one-third of those convicted in juvenile or criminal courts are placed on probation. Third, there is a lack of assistance at the community level for the offenders who are released. Inadequate citizen participation in assisting ex-offenders to make the transition between the institution and the community is prevalent.

To establish a volunteer program under the Division of Correction which will initiate community response and involvement to the ex-offender as he begins his reintegration back into society. To increase the awareness and interest of the citizens of West Virginia in what corrections is doing and what it is about.

K. Needs and Problems:

Corrections at all levels of governmental purview is characterized by a common function; incarceration is dependent upon money available, age and type construction of plant facility, attitude, training and involvement of administrators and service personnel, attitude and involvement of community, and legal allowances.

The greatest emphasis of programs dealing with renovation and construction of detention facilities has been and continues to be at the local level specifically county detention facilities which are plagued by problems associated with age and type of construction. This program emphasis is given because immediate impact and results are desirous and somewhat attainable. The units of government responsible for staffing and maintaining these local institutions are faced with two alternatives: (a) abandoning old facilities and constructing new, or (b) modifying and modernizing existing facilities. Budget constraints rule out the former choice and set the level at which the latter can be undertaken.

No part of the corrections system is weaker than the local facilities that handle persons awaiting trial and serving short sentences. Many, if not all, of West Virginia's jails are in dire need of improvement in security, lighting, recreation, medical services, heating, ventilation, electrical and sanitation areas. Limited resources of West Virginia's cities and counties have limited improvement efforts to date.

The deplorable conditions of the state's county and city jails must be eliminated and a more effective means of detention devised. By updating the fifty-five county jails, and by consolidating jail rehabilitation programs into perhaps three to five regional facilities, economic waste will be reduced. Competent, professional custodial and treatment personnel could be acquired for the operation of the jails and effective retraining and rehabilitation programs could be instituted. In relation to work release programs, minimum security type facilities could be constructed in the regional jail facility to house penitentiary inmates from the area who are participating in that region. Thus, the inmate could remain gainfully employed, continue to support his family and be a contributive member of his community.

There is a need to upgrade and improve West Virginia's local detention facilities and programs with a long-range goal involving development of regional detention and evaluation centers. To continue and encourage in all possible areas a cooperative effort on the part of all appropriate federal, state and local agencies to the end that local correctional programs be upgraded to a maximum degree.

L. Needs and Problems:

A separate Department of Correction should be created to be headed by an appointee of the Governor. Under the present law, the Commissioner of Public Institutions, who is not required to have any qualifications or experience in the correctional field, is charged with the responsibility of approving all the programs and functions undertaken by the Director of the Division of Correction. Approximately ten years ago, the West Virginia Council on Crime, and Delinquency with funds supplied first by a grant from the Ford Foundation and later by a grant from the Benedum Foundation, along with resources supplied by the National Council on Crime and Delinquency, drafted a Model Correction Act for West Virginia which was first submitted to the West Virginia Legislature on February 8, 1963; however, the bill was not enacted. In 1966, the National Council on Crime and Delinquency prepared and published a Standard Act for State Correctional Services. This Act is a refinement of the 1963 Act and the Committee feels that a superior correctional program would be possible with its enactment.

There is a need then, for an act to establish a State Department of Correction. The purpose of this act is to establish an agency of state government to provide for the custody, care, discipline, training, treatment, and study of persons committed to state correctional institutions or on probation and parole and to assist in the treatment, training, and study of persons in local correctional and detention facilities, so that such persons may be prepared for release, after-care and supervision in the community.

3. Annual Action Programs

Title: Development and Expansion of Local Juvenile Detention Centers

SPA CODE: FO1

Relationship to Problem Analysis and to Multi-Year Budget Forecast:

This program addresses the need for additional local detention centers for juveniles as stated previously in the multi-year plan. The Governor's Committee on Crime, Delinquency and Correction continues to address this need as no other adequate funds are available on the state or local level.

Objectives:

Development of additional local detention centers will reduce the number of youths detained in jail facilities and eventually eliminate this practice. Expansion of existing facilities and development of additional centers will ensure the safety and protection of children requiring secure detention.

These centers will provide short term custody for children ages 6 to 18 requiring pre-adjudication care and when necessary children requiring post-dispositional care (i.e., awaiting transportation to a dispositional location). Population capacity of each center will range from 7 to 30 youth.

Relationship to Standards and Goals:

This program will address goals previously stated in the multi-year plan. The standards, also previously set forth, will insure proper utilization of detention.

General Strategy for Implementation:

During FY 1976 funds will be available for the continuation of existing detention centers with provisions for minor expansions, and the establishment of one additional facility.

Detention facilities receiving funds under this program category should reflect a philosophy of providing secure custody, protection and/or diagnosis & evaluation for youngsters requiring pre-adjudication care and, if necessary, short term post-dispositional care (i.e., awaiting transportation to a dispositional location). Such a facility is, in many cases, a youngster's first exposure to an "institution". The initial experience of law enforcement apprehension in conjunction with overnight confinement with other delinquents is most often a traumatizing event for first offenders; a competent and professional staff, therefore, is essential.

Funding will be available to employ professional tutoring, guidance, recreational and administrative personnel in order to formulate a comprehensive program that will meet individual needs of each youth. Treatment emphasis will be directed towards the development of social, academic and personnel skills; understanding of self, alteration of negative attitudes and acceptable social interaction should be primary goals of the overall program. Communication and counseling with youngsters and their families, staff and probation personnel will be an integral component. Supplies, renovations and equipment necessary to accomplish program objectives will be allowable (ex. - education supplies, audio-visual equipment, arts and crafts supplies, recreation equipment and minor renovations).

Funding of this program is anticipated for the next three fiscal years.

Subgrant Data:

A. Subgrantees shall be units of local government presently operating local centers and those local units of government who can substantiate a constant need for such a center. No funds will be used for new construction or land acquisition; however, and existing facility may be remodeled as necessary.

Priority will be given to the establishment of regional facilities.

Continuation funding is anticipated for Cabell County Youth Center, West Central Regional Detention Facility, Mercer Co. Regional Detention Center.

Budget:

| | LEAA | State, Local or Other | Percentage of State or local match |
|-------------------------|------------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$ 200,000 | \$22,223 | 10% |
| 2. Part E Block Support | \$ 0 | \$ 0 | 0% |
| 3. Program Total | \$ 200,000 | \$22,223 | 10% |

Title: Statewide Probation Services SPA CODE: F02

Relationship to Problem Analysis and to Multi-Year Budget Forecast:

This program as concerns juvenile probation addresses the need to provide probation service to every court.

Probation costs under the administration of the State Supreme Court of Appeals will be assumed totally by that agency and therefore will not be addressed in this "section".

Objectives:

To continue to expand juvenile probation services to all courts exercising juvenile jurisdiction. This program will allow for the assignment of at least 40 probation officers throughout the state.

Relationship to Standards and Goals:

This program will allow for continuation of provision of probation services to every court of juvenile jurisdiction in West Virginia.

The interrelationship of standards and goals and states priorities and the difficulties surrounding realization of goals bear upon the success of this program; equitable selection, classification and pay structures for all types of probation and parole officers. Though there exists a problem as far as turnover among adult probation and parole officers until such time that that particular problem can be remedied this program will address the single goal of providing additional probation and parole staff when and where needed and allowable.

General Strategy for Implementation:

Funds are being made available to continue a discretionary grant previously awarded to the Department of Welfare. This program continues the salaries of juvenile probation personnel as well as providing services to juvenile offenders.

Juvenile probation services will begin at the intake phase of the courts operation. Children who are retained by the court for official processing will receive services of a diagnostic nature including medical, psychological and social evaluations. They will also receive evaluation services in order to select appropriate measures which will be consistent with the child's behavior, his correction and rehabilitation as well as providing for the protection of the community.

In addition, services will include preparation, analysis and presentation of information pertinent to dispositional alternatives for the court's consideration; supervision of children placed on probation following court action; ongoing casework services for children and their families in need of services by reason of action by the juvenile court;

and supportive services that help establish effective linkages, between existing community social agencies or services, and children in need of such services.

Funding is expected to continue for a three-year period.

Subgrant Data:

One subgrant is anticipated to the Department of Welfare:

| | | |
|--------------|---|--------------|
| One subgrant | West Virginia Department of Welfare Juvenile Probation Officers | \$410,000.00 |
|--------------|---|--------------|

Budget:

| | LEAA | State, Local or Other | Percentage of State or Local Match |
|-------------------------|-----------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$ -0- | \$ -0- | -0-% |
| 2. Part E Block Support | \$410,000 | \$45,556 | 10% |
| 3. Program Total | \$410,000 | \$45,556 | 10% |

Title: Improvement of Community Correctional Facilities SPA CODE: F03

Relationship to Problem Analysis and to Multi-Year Budget Forecast:

This program addresses the need for assistance by providing for the establishment or expansion of vocational, educational or treatment programs as well as construction, renovation, remodeling or expansion of county jails. As mentioned in the problem statement (Multi-Year Section) availability of funds continues to hamper efforts to modernize and provide programs in county detention facilities. This program attempts to satisfy that need.

Objectives:

To provide federal assistance to county commissions for construction, renovation, remodeling or expansion of county jails. In addition, funds will be available for the establishment or expansion of vocational, educational or treatment (i.e., counseling, etc.) programs which lend themselves to modern correctional philosophy.

Relationship to Standards and Goals:

Standards and Goals development for local correction/detention facilities will take place during FY-1977. This is to be accomplished through a series of discussion between the SPA and persons actively involved in local detention/corrections concerning where, programmatically, local corrections/detention should be and when change is to occur.

General Strategy for Implementation:

The President's Commission on Law Enforcement and Administration of Justice has stated that "No part of corrections is weaker than the local facilities that handle persons awaiting trial and serving short sentences". Many of West Virginia's detention facilities are in dire need of improvement in security, recreation, medical services, heating, ventilation, electrical, plumbing and sanitation areas as well as vocational, educational and treatment programs. Funds were, and are continuing to be, utilized to upgrade fifty county detention facilities in the state. Applications will be prepared and planners are submitted to the State Planning Agency for funding.

Limited resources of West Virginia's cities and counties have prompted efforts by the State Planning Agency for consolidation of the county-city detention facilities. However, additional time is necessary if this agency is to establish a firm consolidation program of detention services.

Subgrant Data:

The State Planning Agency will utilize FY-1976 funds in the amount of \$200,000 to continue to upgrade jail facilities within the state in an effort to bring them within a standard that is acceptable by the Federal Bureau of Prisons for housing federal prisoners. It is anticipated that five to fifteen subgrants ranging from \$5,000 to \$25,000 will be awarded under this program area. Grants will be contingent upon priorities, conditions, inmate population, and surveys conducted by this agency in regard to the overall improvement program on a state-wide basis. It is

anticipated that approximately 85 percent of the aforementioned monies will be used for construction or renovation purposes, and thereby matched on a 50-50 basis. However, vocational/educational and treatment programming may be expanded or established within county jails where renovations have been completed.

budget:

| | LEAA | State, Local or other | Percentage of State or Local Match |
|-------------------------|-----------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$163,454 | \$141,661 | 50 10% |
| 2. Part E Block Support | \$ -0- | \$ -0- | -0-% |
| 3. Program Total | \$163,454 | \$141,661 | 10% |

Relationship to Problem Analysis and to Multi-Year Budget Forecasts:

This program meets the needs as expressed in the Problems and Needs section insofar as the SPA can provide the resources necessary to effect diagnosis and classification of offenders. Actual need fulfillment via this program is relative to this program providing resources that enable the continuation and needed expansion of diagnosis and classification abilities of state level corrections.

This program will address the developmental and operational needs of treatment and rehabilitation programs within correctional institutions.

Objectives:

The objectives of this program are:

The appropriate placement of offenders within the correctional setting.

To make available to courts, pre-sentence investigations and reports when called upon to do so.

The re-examination and evaluation of institutional placed offenders to determine if offenders' needs are being met.

To continue and expand the remedial, basic elementary, secondary and college level educational programs and provide for, continue and expand vocational, medical, psychiatric, drug and alcohol counseling and recreational programs within correctional institutions.

To continue and expand treatment programs encompassing individual and group treatment/therapy modalities.

Alcohol and drug abuse treatment from a physiological standpoint will be a part of medical/health services available within the correctional institution.

Relationship to Standards and Goals:

This program is directly related to and committed to the Standard Statement contained in the Multi-Year Plan Section.

General Strategy for Implementation:

Implementation is a misnomer in that this program is a continuation project. However, the long range strategy is to make Diagnosis and Classification a viable part of the correctional setting which contributes toward and is instrumental in the decisions made concerning offender placement and to a certain extent the treatment and rehabilitation of that person.

Treatment and rehabilitation at state correctional institutions has been and continues to be incrementally changed and hopefully improved. Strategy as such for implementation will entail research projects by the Department of Public Institutions, Division of Correction, Planning and Research Unit, evaluation of projects by the Governor's Committee on Crime, Delinquency and Correction and as a result of those efforts, appropriate subgrants will evolve.

Subgrant Data:

Approximately five (5) subgrants will be awarded to the West Virginia Department of Public Institutions, Division of Correction from the State portion of the Part E Block grant.

| | |
|---|--------------|
| 1. West Virginia Penitentiary Inmate Training and Treatment Programs | \$ 42,000.00 |
| 2. Industrial School for Boys Inmate Education and Treatment Programs | \$ 15,000.00 |
| 3. Industrial Home for Girls Inmate Education and Treatment Programs | \$ 12,000.00 |
| 4. Leckie Center : 2 Inmate Vocational Training | \$ 15,500.00 |
| 5. Anthony Correctional Center Inmate Vocational Training | \$ 15,500.00 |

Budget:

| | LEAA | State, Local or Other | Percentage of State or Local Match |
|-------------------------|-----------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$ -0- | \$ -0- | -0-% |
| 2. Part E Block Support | \$100,000 | \$ 11,112 | 10% |
| 3. Program Total | \$100,000 | \$ 11,112 | 10% |

Relationship to Problem Analysis and to Multi-Year Budget Forecasts:

This program will attempt to address the operational needs of treatment and rehabilitation programs within correctional institutions. Particularly so as concerns counseling and inmate training programs.

Objectives:

The objectives of this program are:

The re-examination and evaluation of institutional placed offenders to determine if offender's needs are being met.

To continue and expand the remedial, basic elementary, secondary and college level educational programs and provide for, continue and expand vocational, medical, psychiatric, drug and alcohol counseling and recreational programs within correctional institutions.

To continue and expand treatment programs encompassing individual and group treatment/therapy modalities.

Alcohol and drug abuse treatment from a physiological standpoint will be a part of medical/health services available within the correctional institution.

Relationship to Standards and Goals:

This program is directly related to and committed to the Standard Statement contained in the Multi-Year Plan Section.

General Strategy for Implementation:

Treatment and rehabilitation at state correctional institutions has been and continues to be incrementally changed and hopefully improved. Strategy as such for implementation will entail research projects by the Department of Public Institutions, Division of Correction, Planning and Research Unit, evaluation of projects by the Governor's Committee on Crime, Delinquency and Correction and as a result of those efforts, appropriate subgrants will evolve.

Subgrant Data:

Two subgrants will be awarded to the West Virginia Department of Public Institutions, Division of Correction.

One subgrant in the amount of \$85,000 will be awarded to the Huttonsville Correctional Center for adult inmate diagnosis and classification services and treatment and rehabilitation programs.

The second subgrant will be awarded to the State Prison for Women for treatment and rehabilitation program needs.

Treatment and rehabilitation at state correctional institutions has been and continues to be incrementally changed and hopefully improved. Strategy as such for implementation will entail research projects by the Department of Public Institutions, Division of Correction, Planning and Research Unit, evaluation of projects by the Governor's Committee on Crime, Delinquency and Correction and as a result of those efforts, appropriate subgrants will evolve.

Subgrant Data:

Approximately five (5) subgrants will be awarded to the West Virginia Department of Public Institutions, Division of Correction from the State portion of the Part E Block grant.

| | |
|---|-------------|
| 1. West Virginia Penitentiary Inmate Training and Treatment Programs | \$42,000.00 |
| 2. Industrial School for Boys Inmate Education and Treatment Programs | \$15,000.00 |
| 3. Industrial Home for Girls Inmate Education and Treatment Programs | \$12,000.00 |
| 4. Leckie Center Inmate Vocational Training | \$15,500.00 |
| 5. Anthony Correctional Center Inmate Vocational Training | \$15,500.00 |

Budget:

| | LEAA | State, Local or Other | Percentage of State or Local Match |
|-------------------------|----------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$ -0- | \$ -0- | -0-% |
| 2. Part E Block Support | \$79,000 | \$ 8,778 | 10% |
| 3. Program Total | \$79,000 | \$ 8,778 | 10% |

Relationship to Problem Analysis and to Multi-Year Budget Forecast:

The need for additional vocational, educational counseling and treatment and probation and parole personnel has been identified in the Multi-Year section of the Plan. This program is directed toward meeting that need.

Objectives:

To improve and expand the correctional services of the Division of Correction by providing additional personnel for adult and juvenile offenders. This is to be accomplished in the areas of vocational and educational and counseling and treatment programs and probation and parole services.

(a) To provide approximately fifteen additional vocational, educational counselors, or probation and parole personnel in the correction system.

(b) To improve and increase the various counseling, educational and vocational programs within the state's institutions by providing approximately ten full-time qualified instructors.

(c) Expand probation and parole services by assigning approximately five new probation and parole officers to counties who do not presently have residential officers assigned to their county.

Relationship to Standards and Goals:

Vocational and education programs and instructors and probation and parole services provided by this program will be directly related to Standards contained in the Multi-Year section.

General Strategy for Implementation:

The need for counselors, vocational, educational and probation and parole personnel has been pointed out by the President's Committee Report on Crime and Delinquency and has been given state emphasis by the Governor's Committee on Crime, Delinquency and Correction; therefore, this program provides for the addition of approximately fifteen full-time vocational, educational or probation and parole officers. The placement and caseload of this personnel will be at the discretion of the Division of Correction. It is anticipated that future funding will be requested to continue this program that was developed in the FY-1973 Plan.

Subgrant Data:

Part E Block Grant Support in the amount of \$312,000 will be made available at the state level through the Department of Public Institutions, Division of Corrections.

Budget:

| | LEAA | State, Local or Other | Percentage of State or Local Match |
|-------------------------|-----------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$312,000 | \$34,666 | 10% |
| 2. Part E Block Support | -0- | -0- | -0- |
| 3. Program Total | \$312,000 | \$34,666 | 10% |

Relationship to Problem Analysis and to Multi-Year Budget Forecast:

At this time, this program offers a treatment methodology which prior to 1971 was unavailable to imprisoned adult public offenders. This program will provide support to those community release centers which are still eligible for federal support and will assist in establishing a community based post-institutional group home.

Objectives:

To continue to maintain, expand and develop new community release centers for adult offenders and to establish one post-institutional group home for juvenile offenders.

Relationship to Standards and Goals:

This program in conjunction with standards and programs as concerns vocational education addresses standards as set forth in the "Multi-Year Section".

Further Standards are to be developed and included in the 1977 fiscal year plan.

General Strategy for Implementation:

This program entails the continued development, expansion, improvement or remodeling of facilities for community-based residential programs. Such new endeavors as work-release, educational placement, personal and social adjustments are new and different approaches and confront the community more directly and completely than most other correctional programs. This program is expected to produce a decrease in criminal recidivism when fully implemented.

Assistance will be provided for the continuance of the community residential centers previously established plus funds will be provided for approximately two or three additional centers to be located strategically and geographically throughout the state for inmates who are six to nine months away from release. This will provide the necessary time for an inmate to obtain marketable skill which will allow for his effective reintegration into society as a productive citizen.

Each center will handle approximately twenty to twenty-five inmates at any given time and will include the following personnel: a consulting psychologist-psychiatrist, house officers, cook, probation and parole counselors, employment counselors and the necessary clerical personnel to insure its effective operation. This program complements recent additions in the areas of classification, training and treatment programs thus providing a comprehensive correctional system for the State of West Virginia.

Funds allocated under this program will be used to employ the necessary personnel as previously mentioned, furniture, operational supplies

and equipment (i.e. beds, mattresses, ovens, stoves, typewriters, etc.) and remodeling certain areas as deemed necessary. This program will become an integral part of the state's correctional system with additional funding being required to aid in the establishment of additional community residential centers over the next five to ten-year period.

Funds will be available in fiscal year 1975-1976 to the Division of Correction for the establishment of one post institutional group home.

The home will serve a maximum of eight youths who have been released from a state correctional institution. Placement will be made and supervised by the Division of Correction.

The home will be staffed by houseparents, and professional counselors. The home will provide for assistance in finding employment, continuing educations, strengthening relationships with parents and other family members, overcoming personal problems in adjusting to community life.

Average length of stay will equal approximately 5 months.

Subgrant Data:

One subgrant is anticipated to the Division of Correction: \$100,000.

Budget:

| | LEAA | State, Local or Other | Percentage of State or Local Match |
|-------------------------|-----------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$100,000 | \$11,112 | 10% |
| 2. Part E Block Support | \$ -0- | \$ -0- | 0% |
| 3. Program Total | \$100,000 | \$11,112 | 10% |

Title: Planning, Research and Development Unit, Department of Public Institutions, Division of Corrections SPA CODE: F08

Relationship to Problem Analysis and to Multi-Year Budget Forecast:

This program addresses the support needs of State level Corrections as concerns planning and research capabilities.

Objective:

To continue and expand the planning, research and development unit within the Division of Correction

- (a) To develop program areas and research capabilities which lend themselves to effective treatment and rehabilitation of delinquent and criminal behavior.
- (b) Development of a statistical data base which will be adaptable into a proposed criminal justice data system for the state.
- (c) To administer and coordinate federal grant applications, project contracts, and maintain liaison with institutional units so that maximum benefit of all federal and state dollars might continue to be achieved.

Relationship to Standards and Goals:

One of the stated objectives of the Planning and Research Unit of the Division of Correction is to draft standards for Corrections in West Virginia. An integral part of those standards will be standards developed for planning and research capabilities and objectives. This is to be accomplished in correlation with SPA-s efforts to develop Standards.

General Strategy for Implementation:

Funds under this program will be provided to the Division of Correction for the salary of a statistician, two planners, accountant and clerical personnel as necessary to insure the continuous effective operation of this unit.

The unit will provide the data base for planning and development in program areas dealing with problems in juvenile and adult correction. It is anticipated that this unit will be of direct benefit to every convicted male, female and juvenile offender who is presently serving their sentence within West Virginia's institutions. Future funding is anticipated for an additional year with the Division of Correction assuming the total cost of this program.

Subgrant Data:

The funds for this project will be allocated to the Division of Correction, Department of Public Institutions. Block grant support in the amount of \$50,000 will be made available at the state level.

Budget:

| | LEAA | State, Local or Other | Percentage of State or local match |
|-------------------------|-----------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$ 50,000 | \$ 5,556 | 10% |
| 2. Part E Block Support | \$ -0- | \$ -0- | -0-% |
| 3. Program Total | \$ 50,000 | \$ 5,556 | 10% |

Title: Volunteers in Correction SPA CODE: F09

Relationship to Problem Analysis and to Multi-Year Budget Forecasts:

This program attempts to provide the means by which volunteer resources can be secured and probation and parole services can be improved.

Support via this program will be for one year.

Objectives:

To continue and expand the volunteer program within the Division of Correction.

- (a) To initiate community response and involvement by providing information and assistance to the ex-offender as he begins his reintegration back into society.
- (b) To continue to recruit and train approximately 200 volunteers to assist the Division of Correction.
- (c) To provide a means of increased agency cooperation, community involvement and citizen participation in assisting ex-offenders to make the transition between the institution and the community.

Relationship to Standards and Goals:

This program draws upon Standards and Goals set forth as the criteria for program funding and is therefore committed to, directly related to Standards set forth.

General Strategy for Implementation:

The Division of Correction will continue in the development of a basic structure from which to work in an effort to designate several areas of correctional tasks for volunteers so that the objectives as defined may be met. This re-direction will allow tasks now being performed by professional probation and parole officers to be reassigned to volunteers, thereby freeing the professionals to handle other areas requiring greater skill, training and experience, such as pre-sentence investigations, parole progress reports and re-release planning opportunities and various inmates.

Volunteers will be screened and selected in accordance with criteria established by the Division of Correction. The volunteers will perform a variety of services ranging from clerical assistance to actual counseling work depending on the volunteer's background, experience and capability.

Subgrant Data:

This is a continuation program developed in the 1973 State Comprehensive Plan with additional federal funds being allocated to the Division of Correction, Department of Public Institutions. Part C Block Grant support in the amount of \$ -0- will be made available at the state level.

Budget:

| | LEAA | State, Local or Other | Percentage of State or local match |
|-------------------------|--------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$ -0- | \$ -0- | -0-% |
| 2. Part E Block Support | \$ -0- | \$ -0- | -0-% |
| 3. Program Total | \$ -0- | \$ -0- | -0-% |

G. CRIMINAL JUSTICE INFORMATION, PROCESSING,
RESEARCH AND EVALUATION

1. General Statement
2. Needs and Problems
3. Annual Action Programs

1. General Statement

Grant information on the size, cost, workload and capacity of West Virginia's system of criminal justice is absolutely necessary to any management, planning or evaluation efforts. The inability to uniformly obtain timely and accurate information on criminal justice operations remains as one of the most critical problems in formulation of multi-year plans. This problem is compounded by the inability of CJS agencies to utilize information that is available. Moreover, there is an absence of adequate information systems, manual and automated, to deliver information to CJS managers.

The absence or non-use of criminal justice information also severely limits the type of criminal justice research which can be undertaken. It is impossible to research or evaluate a parole program when we currently have no formal system for tracking offenders once placed on parole. The SPA is currently developing a Comprehensive Data System to remedy a majority of the foregoing problems.

The areas of criminal justice information, research and development have been clouded for the past several years in regards to the security and privacy of information which is stored in any information system on individuals. Detailed security and privacy regulations and statutes are currently being developed in West Virginia to solve this pressing problem.

Pursuant to all of the foregoing areas of concern the West Virginia SPA has developed this functional category which is a combination of similar needs, problems, goals and priorities in the areas of:

- (1) Criminal Justice Information Systems (Manual or Automated);
- (2) Security and privacy of information stored in such systems;
- (3) Effective utilization of criminal justice information;
- (4) Research studies which indicate new processes for collecting and analyzing criminal justice information;
- (5) Research studies which broaden our understanding of crime and crime related problems, and
- (6) Research studies which indicate new procedures for managing the criminal justice system.

2. Needs and Problems

A. Needs and Problems:

In excess of 8,000 Part I offenses were reported to law enforcement agencies during 1974. For an analysis of these crimes to assist crime reduction efforts, data on the actual offenses must be uniformly collected. The information one department collects on a particular crime may be vastly different than the information collected by another department investigating a similar crime. Modus operandi information could be extremely valuable in planning and developing crime prevention programs but this information is rarely collected and no procedures exist for interpreting that data which is collected. Uniform data on offenders is not collected; therefore it is impossible to develop good profiles and statistical data in regards to offenders. Excepting name, age, and address, no information is gathered which describes the victims of crime.

The above examples indicated that a knowledge of the numbers of crimes (Uniform Crime Reporting) is inadequate for sound comprehensive planning efforts. The criminal justice system requires Uniform Crime offender and victim information to be collected and analyzed for each crime that is committed.

B. Needs and Problems:

Local law enforcement agencies record and gather a great deal of information in regards to crimes, offenders, and victims. A portion of this information is reported to the Department of Public Safety for Uniform Crime Reporting purposes. Another portion of this information is utilized for management purposes. On the most part, however, this information only occupies file space in law enforcement agencies. This fact is realized because local law enforcement agencies do not have the resources to analyze crime data and utilize such analysis in the allocation of resources or planning of crime prevention programs.

C. Problem and Needs:

There are many areas of research that must be completed before we will become aware of why humans commit crimes, or why people lend themselves to an environment or behavioral pattern, which allows them to become the victim of a crime. Basic research has not been started or is incomplete that indicates which crimes can be prevented and which crimes cannot be prevented. Lastly, an insignificant amount of applied research has been finalized which supplies criminal justice managers with sound indicators for new approaches to solving criminal justice deficiencies.

D. Problem and Needs:

The funding of projects by the SPA and the effective evaluation of those projects impacts significantly upon the ability of the SPA to plan successful projects. On occasion, certain grants are too complicated or require more resources for evaluation than the SPA may be able to allocate. Therefore, the SPA needs to have access to part C funds for certain evaluation efforts.

E. Needs and Problems:

The Law Enforcement Assistance Administration has promulgated new procedures governing the security and privacy of information stored in any information systems on offenders or people who have come into contact with criminal justice system. Moreover, Federal legislation governing this same information will be enacted shortly. Each state will be required to promulgate regulations and enforces those regulations in this regard. At the present time, no state agency or law exist for this type of operation. The State needs to develop and implement a security and privacy plan to insure that all applicable regulations and statutes are followed.

F. Needs and Problems:

The effective allocation and response to crime problems is dependent, in part, on an effective coordinated law enforcement communication system. Moreover, with the development of high speed transmission of information via the Department of Public Safety's WEAPON System, effective communication system is required to transmit important information to law enforcement officers in the field. No state-wide communications plan exists for the State of West Virginia. There is a need to design a communications system, throughout the state, which is compatible with the CJIS under design.

3. Annual Action Programs

TITLE: Establishment of a Criminal Justice Information System SPA CODE: G01

Relationship to Problem Analysis and Multi-Year Budget Forecast:

The problems and needs section, which preceded this program area, discussed the need for the development of a criminal justice information system within West Virginia and the standards which will guide the development of this system. This program area has provided and will continue to provide for the phased implementation of a criminal justice information system in West Virginia.

Objectives:

To facilitate the collection, security, accuracy, dissemination and analysis of criminal justice information and data relating to the operation of that system, through the continuing support and implementation of a criminal justice information system.

Relationship to Standards and Goals:

The continuing support of this effort will enable the state to achieve those standards relating to criminal justice information system.

General Strategy for Implementation:

This program has provided for the development and maintenance of a Uniform Crime Reporting Program and the initial efforts of converting criminal history information into a computerized processable format to insure rapid transmission of such information. It has also provided the funds for system design, implementation and testing of an automated law enforcement telecommunication system to insure rapid communications between individual law enforcement agencies and related state and federal information systems. It will provide for the continuing support and enhancement of the foregoing activities. Pending completion of an OBTS plan and Court Disposition Reporting (CDR) program funds will be utilized to complete these steps in the development of a total information system.

Regulations to insure system security and individual privacy have been and will continue to be implemented.

A technical assistance capability is being refined at the state level to respond to individual agency problems in meeting system requirements or in developing local systems. Technical assistance from LEAA and other national concerns will still be required for the foreseeable future.

Funding will continue in this program until a total and comprehensive state and local information system is developed, tested, evaluated and finalized. Particular support for each step in the process may cease as agencies are capable of assuming component costs.

Subgrant Data:

Several grants will be awarded to the Department of Public Safety for continuation of existing efforts and support for new implementation efforts. Funds will be utilized to continue CCH development and CDR development. Funds will provide technical and support personnel, computer time, hardware and software purchases, and development of necessary forms, instructions and training.

Budget:

| | LEAA | State, Local or Other | Percentage of State or local match |
|-------------------------|------------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$ 260,000 | \$ 28,889 | 10% |
| 2. Part E Block Support | \$ 0 | \$ 0 | 0% |
| 3. Program Total | \$ 260,000 | \$ 28,889 | 10% |

Relationship to Problem Analysis and Multi-Year Budget Forecast:

The preceding discussion of problems and needs indicated basic needs and priorities in the following areas:

- (1) lack of uniform offense information,
- (2) lack of crime analysis capabilities,
- (3) lack of criminal justice research,
- (4) lack of an OBTS plan
- (5) lack of a comprehensive communications plan
- (6) lack of total evaluation capabilities with the SPA staff,
- (7) the absence of security and privacy regulations.

This program has been developed to respond, over a period of years, to the above problems. Moreover, this program will supplement certain existing efforts which are being undertaken with other LEAA funds, e.g., security and privacy and evaluation. Lastly, this program is coordinated with the other annual action program in this functional category in that basic research in the areas of an OBTS system and communications may be conducted within this program while project implementation will occur within another program.

Objectives:

To implement a minimum of three research and development projects in the areas of crime data analysis, offender based transaction system, and program effectiveness.

Relationship to Standards and Goals;

The continuing efforts of this program will ensure the ability of the SPA to achieve those standards outlined in the preceding section as well as those additional standards which are to be developed. For example, funding a research project for the development of an OBTS will assist the SPA in achieving the standards relating to data elements in OBTS and CCH so that all adult offenders be tracked and all agencies be served by an information system.

General Strategy for Implementation:

A minimum of three subgrants will be awarded to agencies capable of conducting or managing the conduction of such research and development efforts. Projects to be considered for funding include; development of a uniform offense reporting form, development of an OBTS Plan, evaluation of selective projects, preparation of communications plan, and selected research into the area of crime and crime analysis. Technical assistance may be necessary in the area of RFP development. Such technical assistance may be requested from the LEAA regional office.

that consultant services may be required for certain types of undertakings.

Budget:

| | LEAA | State, Local or Other | Percentage of State or Local Match |
|-------------------------|-----------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$ 50,000 | \$ 5,556 | 10% |
| 2. Part E Block Support | \$ -0- | \$ -0- | -0-% |
| 3. Program Total | \$ 50,000 | \$ 5,556 | 10% |

TITLE: Research, Development and Evaluation (Local) SPA CODE: G03

Relationship to Problem Analysis and Multi-Year Budget Forecast:

The preceding discussion of problems and needs indicated basic needs and priorities in the following areas:

- (1) lack of uniform offense information,
- (2) lack of crime analysis capabilities,
- (3) lack of criminal justice research,
- (4) lack of a comprehensive communications plan,
- (5) lack of total evaluation capabilities within the SPA staff

This program has been developed to respond, over a period of years, to the above problems at the local level of government. Moreover, this program will supplement certain existing efforts which are being undertaken with other LEAA funds, e.g., security and privacy and evaluation. Last this program is coordinated with the other annual action programs in the basic research may be conducted within this program while project implementation will occur within another program.

Objectives:

To implement a minimum of two research and development projects in the areas of crime data analysis, management studies and program effectiveness at the local level of government.

Relationship to Standards and Goals:

The continuing efforts of this program will ensure the ability of this SPA to achieve those standards outlined in the preceding section as well as those additional standards which are to be developed.

General Strategy for Implementation:

A minimum of two subgrants will be awarded to local agencies capable of conducting or managing the conduction of such research and development efforts. Projects to be considered for funding include; development of a uniform offense reporting form, development of a personnel system, evaluation of selective projects, preparation of communications plan, and selected research into the area of crime and crime analysis. Technical assistance may be necessary in the area of RFP development. Such technical assistance may be requested from the LEAA regional office.

This will be a continuing program in that many research efforts must be undertaken to supplement SPA knowledge and understanding of criminal justice operations and future requirements.

Subgrant Data:

A minimum of two subgrants will be awarded to local agencies for the types of research indicated herein. These agencies must demonstrate the capacity and capabilities for such research efforts. It is anticipated

This will be a continuing program in that many research efforts must be undertaken to supplement SPA knowledge and understanding of criminal justice operations and future requirements.

Subgrant Data:

A minimum of three subgrants will be awarded to State Agencies for the types of research indicated herein. These agencies must demonstrate the capacity and capabilities for such research efforts. It is anticipated that consultant services may be required for certain types of undertakings.

Budget:

| | LEAA | State, Local of Other | Percentage of State or Local Match |
|-------------------------|------------|--------------------------|---------------------------------------|
| 1. Part C Block Support | \$ 150,000 | \$ 16,667 | 10 % |
| 2. Part E Block Support | \$ -0- | \$ -0- | -0- % |
| 3. Program Total | \$ 150,000 | \$ 16,667 | 10 % |

END