

WEST VIRGINIA COMMUNITY CORRECTIONS ACT

July 1, 2023 – June 30, 2024

ANNUAL REPORT



**State of West Virginia
Jim Justice, Governor**



**Department of Homeland Security
Mark A. Sorsaia, Cabinet Secretary**



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Introduction

As a requirement of the West Virginia Community Corrections Act, an annual report must be submitted by the Governor's Committee on Crime, Delinquency and Correction (GCCDC). This report includes activities for the previous year and an accounting of fees collected and funds disbursed from the special revenue account.

The goal of the Community Corrections Act is to provide a means for communities to develop, establish and maintain community-based corrections programs in order to provide the judicial system with sentencing alternatives for offenders who may require less than institutional custody. Specific objectives related to the Community Corrections Act are as follows:

1. Flexibility and involvement in responding to crime at the community level.
2. Effective protection of society and efficiency in the delivery of correctional services.
3. Operate programs specifically designed to meet the needs of offenders.
4. Sentencing alternatives to reduce recidivism.
5. Community based programs to address local criminal justice needs.
6. Ensure space is available in regional jails and correctional facilities for offenders deemed to be most dangerous.
7. Promote accountability of offenders to their community.

Administration and Staffing

The West Virginia Community Corrections Subcommittee provides policy direction and funding decisions to the Justice and Community Services (JCS) Section of the West Virginia Division of Administrative Services (DAS). It provides assurance that the State is meeting the standards outlined in the West Virginia Community Corrections Act. Specific duties include:

1. Promulgate rules for funding recommendations, standards for approval of programs and reporting requirements, fee adjustments, and carrying out the purpose and intent of the Act.
2. Provide funding for approved programs, as available.
3. Maintain records of community corrections programs.
4. Assist in securing funding from other sources.

The members of the Community Corrections Subcommittee are appointed according to statute. The members of the Community Corrections Subcommittee include:

Robert E. Wilkinson, Chair
Attorney-at-Law

Philip W. Morrison
Executive Director
West Virginia Prosecuting Attorney's Institute

William K. Marshall III
Commissioner
West Virginia Division of Corrections and Rehabilitation

Marvin C. Plumley
Assistant Commissioner
West Virginia Division of Corrections and Rehabilitation

Misty D. Adams
Director of Offender Services
West Virginia Division of Corrections and Rehabilitation

Tonia Thomas
Team Coordinator
West Virginia Coalition Against Domestic Violence

Samuel "Raymie" White
Legal Services Coordinator
West Virginia Coalition Against Domestic Violence

Christina R. Mullins
Deputy Secretary of Mental Health & Substance Use Disorders
West Virginia Department of Human Services

Chuck Zerkle
Sheriff
Cabell County, West Virginia

David Blair Couch
President
Wood County Commission

Brett M. Ferro
Chief Public Defender
2nd Judicial Circuit

Joseph Armstrong
Administrative Director
Supreme Court of Appeals of West Virginia

The Honorable James J. Rowe
Senior Status Circuit Judge
Supreme Court of Appeals of West Virginia

Kaylee Dickenson
State Drug Court Coordinator
Supreme Court of Appeals of West Virginia

The JCS Section has been assigned to staff and administer the Community Corrections Fund and to fulfill the requirements of the Community Corrections Act. Staff members are responsible for administering grant funds, providing technical assistance to communities, and education to the courts regarding fees to be collected pursuant to the West Virginia Code.

Collection and Expenditure Summary

A total of \$1,118,215.89 was collected during State Fiscal Year (FY) 2024. Figure 1.1 shows the collections by month for FY 2024, beginning July 2023. Figure 1.2 documents the total collections received from FY 2003 through FY 2024. Collections have fluctuated over the last several years and this can be attributed to a number of issues within each individual county. Funds collected during FY 2023 were awarded for the FY 2024 grant funding cycle, which began on July 1, 2023 and concluded on June 30, 2024.

Community Corrections Collections Fiscal Year 2024 Overview	
July 2023	\$94,309.22
August 2023	\$89,791.04
September 2023	\$90,659.75
October 2023	\$88,027.88
November 2023	\$89,970.99
December 2023	\$84,324.80
January 2024	\$67,126.49
February 2024	\$83,360.86
March 2024	\$125,796.79
April 2024	\$117,135.17
May 2024	\$93,567.90
June 2024	\$94,145.00

Figure 1.1 – FY 2024 Collections Overview

Community Corrections Collections Fiscal Year 2003 – 2024	
FY 2003	\$401,291.19
FY 2004	\$525,000.00
FY 2005	\$650,000.00
FY 2006	\$650,411.00
FY 2007	\$1,450,693.72
FY 2008	\$1,828,816.71
FY 2009	\$1,840,733.36
FY 2010	\$1,752,387.92
FY 2011	\$1,743,294.08
FY 2012	\$1,736,411.44
FY 2013	\$1,578,000.32
FY 2014	\$1,630,798.20
FY 2015	\$1,602,423.60
FY 2016	\$1,572,446.14
FY 2017	\$1,364,401.06
FY 2018	\$1,392,752.02
FY 2019	\$1,407,842.15
FY 2020	\$1,199,915.14
FY 2021	\$1,177,611.76
FY 2022	\$1,146,495.67
FY 2023	\$1,098,035.27
FY 2024	\$1,118,215.89

Figure 1.2 – Summary of Collections

Using FY 2023 collections and a general revenue appropriation by the Governor and Legislature, the Community Corrections Subcommittee awarded funds to thirty (30) community corrections programs. Localities which received funding were:

- ✎ Berkeley County Council - \$244,000.00
- ✎ Doddridge County Commission - \$52,500.00
- ✎ Fayette County Commission - \$196,280.00
- ✎ Greenbrier County Commission - \$295,000.00
- ✎ Hampshire County Commission - \$190,000.00
- ✎ Harrison County Commission - \$100,000.00
- ✎ Jefferson County Commission - \$155,000.00
- ✎ Kanawha County Commission - \$155,000.00
- ✎ Logan County Commission - \$475,000.00
- ✎ Marion County Commission - \$120,000.00
- ✎ Marshall County Commission - \$300,000.00
- ✎ Mason County Commission - \$134,522.00
- ✎ McDowell County Commission - \$125,000.00
- ✎ Mercer County Commission - \$287,500.00
- ✎ Mineral County Commission - \$190,000.00

- ✚ Monongalia County Commission - \$190,000.00
- ✚ Morgan County Commission - \$120,000.00
- ✚ Nicholas County Commission - \$103,982.00
- ✚ Pocahontas County Commission - \$51,000.00
- ✚ Preston County Commission - \$100,000.00
- ✚ Putnam County Commission - \$130,000.00
- ✚ Raleigh County Commission - \$192,277.00
- ✚ Randolph County Commission - \$100,000.00
- ✚ Summers County Commission - \$135,000.00
- ✚ Taylor County Commission - \$120,000.00
- ✚ Tucker County Commission - \$148,000.00
- ✚ Upshur County Commission - \$161,500.00
- ✚ Wayne County Commission - \$450,000.00
- ✚ Wood County Commission - \$320,500.00
- ✚ Wyoming County Commission - \$130,000.00

Figure 1.3 below summarizes the total award allocations from FY 2010 through FY 2024.

Community Correction Awards Fiscal Year 2010 – 2024	
FY 2010	\$5,146,248.00
FY 2011	\$5,261,504.00
FY 2012	\$6,791,353.66
FY 2013	\$6,381,938.00
FY 2014	\$6,499,079.00
FY 2015	\$6,613,774.00
FY 2016	\$6,311,801.00
FY 2017	\$5,445,808.00
FY 2018	\$5,700,000.00
FY 2019	\$5,427,500.00
FY 2020	\$5,417,239.00
FY 2021	\$5,417,239.00
FY 2022	\$5,417,239.00
FY 2023	\$5,417,061.00
FY 2024	\$5,472,061.00

Figure 1.3 – Summary of Awards

Summary of Activities

From July 1, 2023 through June 30, 2024, funding was provided to support thirty (30) local community corrections programs. Many programs have taken on more of a “regional” approach when providing services. As a result, the community correction programs provided services to forty-nine (49) counties in West Virginia. Map 1.1 below illustrates the counties that received services during this time frame.

Common Offenses for Admission

The most common offenses for those admitted to local community correction programs include:

- Drug-related offenses, such as possession and/or manufacturing of a controlled substance;
- Larceny
- Embezzlement, Fraudulent Schemes, and Forgery
- Driving Under the Influence
- Domestic Battery
- Property Crimes (e.g., Destruction of Property, Breaking and Entering)
- Public Intoxication
- Fleeing/Obstructing an Officer

If additional funds were made available, more counties could provide community corrections services. In addition, established programs would be able to create more re-entry services for parolees in the state.

Common Services Provided

- Substance Abuse/Addiction Counseling
 - Relapse Prevention
 - Alcoholics Anonymous
 - Problem Gamblers Counseling
 - Narcotics Anonymous
 - Dual Diagnosis Treatment (mental health and substance abuse)
 - Sober Parenting
 - Family and Marital Counseling
- Batterer's Intervention Prevention Program (BIPPs)
- Domestic Violence Education
- Anger Management
- GED/Adult Basic Education Classes
- Job Training/Placement
- Computer Literacy Classes
- Life Skills Classes
- Financial Budgeting Classes
- Healthy Living Skills
- Smoking Prevention Programs
- Drug Screening/Observation
- Transportation
- Case Management
- Electronic Monitoring
- Services for Adult Drug Court Participants

Some programs provide more specific services such as:

- Pre-Sentence Assessments
- Re-Entry Services
- Faith-Based Support Groups
- Women's Issues
- Youthful Offender Programs (ages 18-24)
- Services for Parolees
- College level courses
- Peer Recovery Support Services
- Services for Juvenile Drug Court Participants
- Services for Family Treatment Court Participants
- Services for Military Service Members Court Participants

The majority of community corrections programs also provide community service assignments to their offenders as a way to give back to the community in which they committed their offense. Below is a list of the types of community service projects that have given back to their communities:

- Litter Pick-up (with their county's Solid Waste Division)
- Election set up and clean up
- Volunteer work at local nursing homes
- Snow removal
- Landscaping/Lawn care for local government offices
- Building renovations (by skilled workers in the program)

Offender Information System

In FY 2020, JCS staff began collaborating with the West Virginia Office of Technology (WVOT) on the CCIS-OIS transition project. The primary goal of this project is to incorporate the existing CCIS functionality into the Offender Information System (OIS). By using the OIS database, each community corrections program will have the ability to manage their caseload and enhance their capacity to meet programmatic supervision and treatment responsibilities and/or requirements. Use of OIS will further improve the capacity of program staff to maintain adequate levels of supervision and monitoring of offenders on their respective caseloads and to ensure high levels of quality and consistency in service delivery. Ultimately, OIS will enhance program services, identify successful practices, justify program existence, and save money with an initial program proposal investment. Effective July 1, 2022, all statewide community corrections programs began utilizing OIS.

Level of Service/Case Management Inventory

Pursuant to West Virginia State Code and the Community Corrections Program Guidelines, all programs shall utilize a research-based intake and risk/needs assessment tool that addresses the following: drug and alcohol screening, criminal history, known

associates, community support system, education needs, treatment needs, mental health needs, and substance abuse history. The Community Corrections Subcommittee of the Governor's Committee on Crime, Delinquency and Correction has approved and requires the use of the Level of Service/Case Management Inventory (LS/CMI) for all community corrections programs funded by West Virginia Community Corrections grant and administered by the JCS Section. At least one user training event per fiscal year has been provided to staff of the local community corrections programs since July 2006 to ensure all new staff and programs receive proper training on the utilization of the assessment instrument. LS/CMI information is also collected in the CCIS for each funded program and is available for review and monitoring by local program directors and administration of JCS. Policies have been drafted by the West Virginia Office of Research and Strategic Planning (ORSP) regarding user and trainer certification for the LS/CMI and were distributed to programs during 2014.

Martin J. Gaughan Award for Excellence in Community Corrections

In FY 2013, the Community Corrections Subcommittee created an annual award to both honor the work of Judge Martin Gaughan in helping to create the Community Corrections program in West Virginia and to recognize an outstanding day report center in the state. The criteria used to nominate programs include but are not limited to 1) the program's understanding and implementation of the four core elements as stated in Title 149 Legislative Rule; 2) the administrative performance of the program; 3) the use of an active local criminal justice board; 4) innovative efforts; 5) quality assurance; and 6) leadership. During its first quarterly FY 2025 meeting, the Community Corrections Subcommittee presented the FY 2024 Judge Gaughan Award to the Western Regional Day Report Center.

Past Martin J. Gaughan Award Recipients Fiscal Year 2013 – 2024	
FY 2013	Greenbrier County Day Report Center
FY 2014	Western Regional Day Report Center
FY 2015	Tucker County Community Corrections Program
FY 2016	Southwestern Regional Day Report Center
FY 2017	Greenbrier County Day Report Center
FY 2018	Raleigh County Community Corrections Program
FY 2019	Jefferson Day Report Center
FY 2020	Berkeley Day Report Center
FY 2021	Jefferson Day Report Center
FY 2022	Southwestern Regional Day Report Center
FY 2023	Nicholas County Community Corrections Program
FY 2024	Western Regional Day Report Center

Figure 1.4 – Previous Judge Gaughan Award Recipients

Community Corrections Subcommittee Grant Award Framework

In 2019, the Community Corrections Workgroup and JCS staff developed a grant award framework. The grant award framework is a data-driven approach that provides Subcommittee members with a more objective mechanism for reviewing the effectiveness of statewide day report centers when making award recommendations to the Governor. Currently, the grant award framework consists of the following three areas:

1. Program Effectiveness – 45 points
 - a. Evidence-Based Correctional Program Checklist (CPC)
 - b. Reporting Practices & Compliance
 - c. Staff Credentials
2. Financial Capabilities/Capacity – 45 points
 - a. General County Ledger/Audit Report
 - b. Costs vs. Benefits Analysis
 - c. Local Funds Committed
 - d. Financial Need
3. Discretionary – 10 points

Apart from the areas identified in this framework, Subcommittee members will not consider, investigate, or discuss any other focus before or during the grant award meeting. If at the end of the meeting, a member would like to have a particular focus area added to the spreadsheet for the next grant award meeting, they may request that the chair entertain a motion to do so.

Assessing Program Quality Using the Correctional Program Checklist

The Evidence-Based Correctional Program Checklist (CPC) is a tool developed by the University of Cincinnati Corrections Institute (UCCI) for assessing correctional intervention programs. The CPC is designed to evaluate the extent to which correctional intervention programs adhere to evidence-based practices (EBP) including the principles of effective interventions. The CPC is divided into two basic areas: capacity and content. Capacity measures whether a correctional program has the capability to deliver evidence-based interventions and services for justice involved participants. There are three domains in the capacity area including: Program Leadership and Development, Staff Characteristics, and Quality Assurance. The content area includes the Offender Assessment and Treatment Characteristics domains. This area focuses on the extent to which the program meets certain elements of the principles of effective interventions. The CPC is comprised of a total of 73 indicators, worth up to 79 possible points. Each domain,

each area, and the overall score are tallied and rated as either Very High Adherence to EBP (65% to 100%); High Adherence to EBP (55% to 64%); Moderate Adherence to EBP (46% to 54%); or Low Adherence to EBP (45% or less).

The CPC assessment process requires a site visit to collect various program traces. These include but are not limited to interviews with executive staff (e.g., program director and clinical supervisor), direct service delivery staff, and key program staff; interviews with program participants; observation of direct services; and review of relevant program materials (e.g., participant files, program policies and procedures, treatment curricula, handbooks, etc.). Once the information is gathered and reviewed, assessors score the tool. When the program has met a CPC indicator, it is considered an area of strength for the program. When the program has not met an indicator, it is viewed as an area in need of improvement. For each area in need of improvement, the assessors craft a practical recommendation to help the program develop a plan to better align with current research.

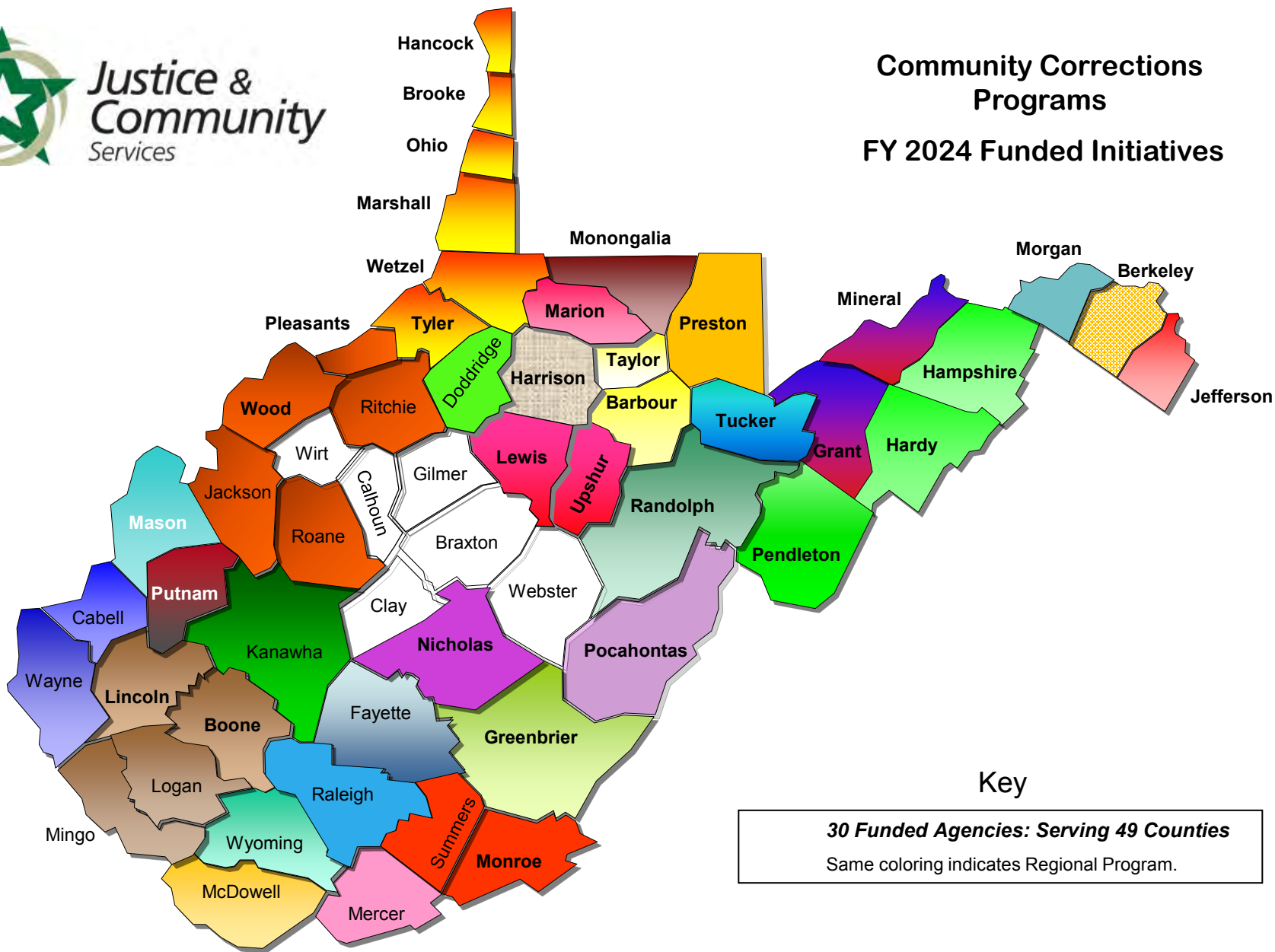
All of the assessment results are compiled into a report where program scores are also compared to the average scores across all programs that have been assessed with the CPC. The report is first issued in draft form and feedback from the program is sought. Once feedback from the program is received and considered, a final report is submitted. Unless otherwise discussed, the scores and report are the property of the program/agency requesting the CPC and UCCI will not disseminate the results without prior program approval. The scores from each program assessed are added to our CPC database, which we use to update scoring norms. Initial assessments have been conducted on twenty-eight (28) programs to date. DAS/JCS is currently in the process of certifying eight (8) additional staff in the CPC assessment. It is anticipated that the remaining two (2) initial assessments will be conducted and twenty-eight (28) reassessments by March 31, 2025.



**Justice &
Community**
Services

Community Corrections Programs

FY 2024 Funded Initiatives



Key

30 Funded Agencies: Serving 49 Counties

Same coloring indicates Regional Program.