

West Virginia Community Corrections Act FY 2016 Annual Report



Submitted by the
Governor's Committee on Crime, Delinquency and Correction
Pursuant to §62-11C-3(c)

September 30, 2016

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. 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. Opportunity for offenders to make restitution to victims.
4. Operate programs specifically designed to meet the needs of offenders.
5. Sentencing alternatives to reduce recidivism.
6. Community based programs to address local Criminal Justice needs.
7. Ensure space is available in regional jails and correctional facilities for offenders deemed to be most dangerous.
8. Promote accountability of offenders to their community.

Administration and Staffing

The West Virginia Community Corrections Subcommittee provides policy direction and funding decisions to the Division of Justice and Community Services. They provide assurance that West Virginia 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.
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:

John David Smith
Professor, Concord University

Marcia Boyles-Bowyer
Victim Advocate, Lewis County Sheriff's Department

Steve Canterbury
Administrative Director, West Virginia Supreme Court of Appeals

James Casey
Attorney at Law

Patricia L. Hamilton, Chair
Executive Director, West Virginia Association of Counties

Stephanie Bond
Director, West Virginia Division of Juvenile Services

Tonia Thomas
Team Coordinator, West Virginia Coalition Against Domestic Violence

David Farmer
Executive Director, West Virginia Regional Jail Authority

James J. Rowe
Senior Status Judge

James Rubenstein
Commissioner, West Virginia Division of Corrections

Robert E. Wilkinson
Chief Public Defender, 6th & 24th Judicial Circuits

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

Mike Lacy
Director of Probation, West Virginia Supreme Court of Appeals

Victoria Jones
Commissioner, WV DHHR: Bureau for Behavioral Health and Health Facilities

Rodney A. Miller
Director, West Virginia Sheriff's Association

The West Virginia Division of Justice and Community Services have been assigned to staff and administer the Community Corrections Fund and to fulfill the requirements of the Community Correction Act. Staff is responsible for administering grant funds, providing technical assistance to communities, and education to the courts regarding fees to be collected pursuant to the WV Code.

Division of Justice and Community Services Staff:

W. Richard Staton, Director
 Jeffrey D. Estep, Chief Deputy Director
 Leslie S. Boggess, Deputy Director
 Jason W. Metzger, Senior Justice Programs Specialist
 Kyle M. McGee, Justice Programs Specialist
 Marty A. Hatfield, Justice Programs Monitor

Collection and Expenditure Summary

A total of \$1,572,446.14 was collected during State Fiscal Year (FY) 2016. Figure 1.1 shows the collections by month for FY 2016 beginning July 2015. Figure 1.2 documents the total collections received from FY 2003 through FY 2016. There has been a steady decrease in collections over the last several years and this can possibly be attributed to a number of issues within each county individually. Funds collected during FY 2015 were awarded for the FY 2016 grant funding cycle which began on July 1, 2015 and concluded on June 30, 2016.

Community Correction Collections Fiscal Year 2016 Overview	
July 2015	\$130,263.83
August 2015	\$132,048.05
September 2015	\$125,538.13
October 2015	\$135,693.36
November 2015	\$122,945.76
December 2015	\$109,365.98
January 2016	\$107,994.41
February 2016	\$106,745.23
March 2016	\$182,152.53
April 2016	\$161,366.80
May 2016	\$148,398.81
June 2016	\$109,933.25
Total	\$1,572,446.14

Figure 1.1 FY 2016 Collections Overview

The Community Corrections Subcommittee awarded \$1,413,016.00 in FY 2016 funds to eight (8) approved Community Correction programs. Localities which received funding were:

Community Correction Collections Fiscal Year 2003 – 2015	
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

- ↵ Braxton County Commission
- ↵ Doddridge County Commission
- ↵ Fayette County Council
- ↵ Greenbrier County Commission
- ↵ Hampshire County Commission
- ↵ Harrison County Commission
- ↵ Jefferson County Commission
- ↵ Kanawha County Commission

Figure 1.2 Summary of Collections

In addition to FY 2016 collections, \$4.9 million in general revenue was made available by the Governor and Legislature. The Community Corrections Subcommittee awarded these funds to nineteen (19) additional community correction programs. Localities which received funding were:

- ↵ Logan County Commission
- ↵ Marion County Commission
- ↵ Marshall County Commission
- ↵ Mason County Commission
- ↵ McDowell County Commission
- ↵ Mercer County Commission
- ↵ Mineral County Commission
- ↵ Monongalia County Commission
- ↵ Nicholas County Commission
- ↵ Preston County Commission
- ↵ Putnam County Commission
- ↵ Raleigh County Commission
- ↵ Randolph County Commission
- ↵ Summers County Commission
- ↵ Tucker County Commission
- ↵ Upshur County Commission
- ↵ Wayne County Commission
- ↵ Wood County Commission
- ↵ Wyoming County Commission

Offender Case Management System & Community Correction Information System

The WV Community Corrections Act specifies that all programs funded by the State are required to conduct an evaluation that will determine the program's effectiveness. In order to fulfill this requirement, the Community Corrections Subcommittee has required that all grant funded programs utilize the West Virginia Supreme Court's Offender Case Management System (OCMS) in order to track offenders. Programs are still required to utilize the Community Corrections Information System (CCIS) for all clients that are not entered in to OCMS. These databases are designed to capture the information necessary to complete an evaluation of a single program, compare programs to each other, and examine multiple programs simultaneously.

Level of Service/Case Management Inventory

Pursuant to West Virginia State Code and the standard 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 Corrections has approved and requires the use of the Level of Service/Case Management Inventory User (LS/CMI) for all community corrections programs funded by West Virginia Community Corrections grant and administered by the West Virginia Division of Justice and Community Services. 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 DJCS. Policies have been drafted by the Division's Office of Research and Strategic Planning regarding user and trainer certification for the LS/CMI, and were distributed to programs during the FY 2014 period.

Common Offenses for Admission

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

- Drug Related Offenses (e.g. Possession of Controlled Substance, 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 correction services. In addition, established programs would be able to create more re-entry services for parolees in the state.

Summary of Activities

From July 1, 2015 through June 30, 2016, funding was provided to support twenty-seven (27) local community correction programs. Many programs have taken on more of a “regional” approach when providing services. As a result, the community correction programs provided services to fifty-one (51) counties in West Virginia. Map 1.1 (See Attached) illustrates the counties that received services during this time frame.

All grant funded community correction programs are required to complete an assessment on each offender entering the program to determine the level of risk and level of services which are needed. In Fiscal Year 2016, the grant funded programs reported 181 direct sentence offender admissions into Community Corrections Information System. Probation officers reported another 1,915 direct sentence admissions into Offender Case Management System. This results in a grand total of 2,096 offender admissions in FY 2016.

Additionally, this year during the annual Community Corrections Grant Review, a motion was made and passed requiring all Community Corrections Programs to initiate the process of being able to bill Medicaid for eligible services that are currently being provided within their programs. There are two benchmarks that have been designated for the programs. The first is that all programs must submit an inventory of programs and classes and note which are eligible to bill Medicaid for and which are not. The second is that when applying for Fiscal Year 2018 grant funds, programs must document how they plan to bill Medicaid and the measurable steps they have already taken to reach that goal.

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

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

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
- County car washes
- Building renovations (by skilled workers in the program)