

Agency Regulatory Review Report Format

Executive Order Number 3-18, Regulatory Review, signed by Governor Justice on January 10th, 2018, requires executive agencies with rule-making authority to provide a regulatory review report to the Governor's Office and the Legislative Rule-Making Review Committee. Please provide the following information in said report on or before November 1, 2018.

I. DESCRIPTION OF EACH RULE UNDER THE AGENCY'S JURISDICTION.

The Division of Juvenile Services has only one rule in place at this time concerning our operations. The rule is 101 CSR1 which is Title 101 Juvenile Facilities Standards Commission-Series 1 WV Minimum Standards for Structure, operation, and maintenance of Juvenile detention and correctional facilities.

The scope of this legislative rule establishes minimum standards and procedures for juvenile detention and correctional facilities under the jurisdiction of the West Virginia Division of Juvenile Services. These standards apply to juvenile detention and correctional facilities completed after January 1, 2003, but shall serve as guidelines for any facility in operation before that date.

A. Include the date of first promulgation. The effective date of this rule is May 5, 2003.

B. Subsequent modifications. No modifications have been made since inception.

II. RECOMMENDATION OF WHETHER THE RULE SHOULD BE UNCHANGED, MODIFIED OR REPEALED.

There is no significant need to change, modify or repeal this rule although some nuances in the rule could be changed to better reflect the intention of the rule.

III. REASONS FOR THE RECOMMENDATION BY THE AGENCY.

Initially the Division proposed that the rule reflect that the American Corrections Association would be one of the guides for the establishment of policies and procedures along with other sources of national standards, but when the rule was passed it had evolved into "The Director's written policy will adopt, at a minimum, the American Correctional Association's Standards for Juvenile Detention Facilities, as amended from time to time. This has not been a problem in that the Division does generally use the ACA standards as a guideline for applicable policies.

IV. IF RECOMMENDATION IS FOR MODIFICATION OR REPEAL, IDENTIFY STAKEHOLDERS AFFECTED. NA

