

WEST VIRGINIA
SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #3

Do Not Mark In this Box

FILED

1988 SEP 20 PM 2:23

SECRETARY OF STATE

NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE
AND
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

AGENCY: Department of Corrections TITLE NUMBER: 90

CITE AUTHORITY WV Code §62-13-2

AMENDMENT TO AN EXISTING RULE: YES ☐ NO ☒

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: 2

TITLE OF RULE BEING PROPOSED: Rules and Regulations governing
parole supervision.

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

A. V. Dodrill, Jr. by TRM
A. V. Dodrill, Jr.
Commissioner

FILED

1988 SEP 20 PM 2:26

TITLE 90
—LEGISLATIVE RULES
DEPARTMENT OF CORRECTIONS
SERIES 2

OFFICE OF THE ATTORNEY GENERAL
SECRETARY OF STATE

RULES AND REGULATIONS GOVERNING PAROLE SUPERVISION

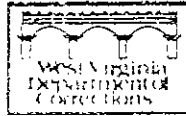
§ 90-2-1. General.

- 1.1. Scope. - The legislative rule establishes rules and regulations governing the conduct of inmates released on parole and of parolees whose supervision has been undertaken by this State by reason of any interstate compact.
- 1.2. Authority. - W. Va. Code § 62-13-2.
- 1.3. Filing Date. - July 26, 1988.
- 1.4. Effective Date. - July 26, 1988.

§ 90-2-2. Conditions.

- 2.1. All parolees supervised by the parole authorities of the West Virginia Department of Corrections shall be required to execute a statement that he or she understands the following conditions and agrees to abide by them:
 - a. When released, you must proceed directly to the place to which you have been paroled and report to your parole officer within 24 hours unless otherwise instructed.
 - b. You are to have written permission of your parole officer before you leave the prescribed area of supervision to which you are paroled.
 - c. You are to notify your parole officer of any change of residence or employment within 72 hours.
 - d. You are required to have suitable employment, remain gainfully employed, and support any dependents to the best of your ability.
 - e. You are required to maintain behavior that does not threaten the safety of yourself or others or that could result in imprisonment.

- f. You must not own, carry or possess firearms or unlawful weapons of any kind.
- g. You must report within 72 hours to your parole officer each time you are arrested or questioned by officers of any law enforcement agency.
- h. Between the first and tenth of each month you must make a complete and truthful written report to your parole officer of your previous month's activities on forms provided and report in person as directed by your parole officer.
- i. You are not to possess, use, or have in your possession any illegal drugs, or paraphernalia.
- j. You shall not violate any municipal ordinances or laws of this state, any other state, or the United States.
- k. You will abide by any special written requirements imposed upon you by your parole officer.



Office of the Commissioner

ARCH A. MOORE, Jr.
Governor

A.V. DODRILL, Jr.
Commissioner

112 CALIFORNIA AVE
STATE CAPITOL COMPLEX
CHARLESTON, WEST VIRGINIA 25305

TO: Debra Graham, Associate Counsel
Legislative Rule-making Review Committee

FROM: Timothy R. Murphy, Attorney ^{RM}
Department of Corrections

DATE: September 19, 1988

RE: Comments regarding proposed rule (90 CSR 2)

Only one comment was received on the proposed rules regarding the supervision of parolees, and the suggestion was incorporated into the final approved rule. In Section 90-2-2, the heading was changed from "Rules and Regulations" to "Conditions".

TRM/kmh

FISCAL NOTE
(Submit 4 copies)

HD NO. _____ DRAFT NO. _____

EXPLAIN IN A CLEAR, CONCISE MANNER WHAT EFFECT THIS MEASURE WILL HAVE ON THE COSTS AND REVENUES OF STATE GOVERNMENT.

FISCAL NOTE TO Proposed Agency Rule (90 CSR 2) Parole Supervision

(GIVE BILL OR RESOLUTION NUMBER WHEN AVAILABLE. OTHERWISE IDENTIFY
BY SUBJECT, CODE REFERENCE, ETC.)

This rule will have no financial impact on the Department of
Corrections budget.

DATE

9-19-88

AGENCY

Corrections

AUTHORIZED REPRESENTATIVE

T. R. [Signature]