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OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1972



ENROLLED

HOUSE BILL No. 1108

(By Mr. Seibert)



PASSED March 9 1972

In Effect 90 days from Passage



FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 3-28-72

1108

ENROLLED
House Bill No. 1108
(By MR. SEIBERT)

[Passed March 9, 1972; in effect ninety days from passage.]

AN ACT to amend and reenact section six, article four, chapter twenty-five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to assignment of offenders to camp, period of camp confinement, return to court, sentence or probation, revocation of probation and transfer of inmates by commissioner of public institutions.

Be it enacted by the Legislature of West Virginia:

That section six, article four, chapter twenty-five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

**ARTICLE 4. FORESTRY CAMPS FOR HOUSING YOUTHFUL MALE
LAW OFFENDERS.**

§25-4-6. Assignment of offenders to camp; period of camp confinement; return to court; sentence or probation; revocation of probation; transfer of inmates by commissioner of public institutions.

1 The judge of any court with original criminal jurisdic-
2 tion may suspend the imposition of sentence of any male
3 youth convicted of or pleading guilty to a criminal offense,
4 other than an offense punishable by life imprisonment,
5 who has attained his sixteenth birthday but has not
6 reached his twenty-first birthday at the time of the com-
7 mission of the crime, and commit him to the custody of
8 the West Virginia commissioner of public institutions to
9 be assigned to a forestry camp. The period of confinement
10 in the forestry camp shall be for a period of one year, or

11 longer if it is deemed advisable by the camp superinten-
12 dent, but in any event such period of confinement shall
13 not exceed two years. If, in the opinion of the superin-
14 tendent, such male offender proves to be an unfit person
15 to remain in such a camp, he shall be returned to the
16 court which committed him to be dealt further with ac-
17 cording to law. In such event, the court may place him
18 on probation or sentence him for the crime for which he
19 has been convicted.

20 In his discretion, the judge may allow the defendant
21 credit on his sentence for time he has spent in the forestry
22 camp. When, in the opinion of the superintendent, any
23 boy has satisfactorily completed the camp training pro-
24 gram and the term for which he was assigned has ex-
25 pired, such male offender shall be returned to the juris-
26 diction of the court which originally committed him. He
27 shall be eligible for probation for the offense with which
28 he is charged, and the judge of the court shall immedi-
29 ately place him on probation. In the event his probation
30 is subsequently revoked by the judge, he shall be given
31 the sentence he would have originally received had he not
32 been committed to the camp and subsequently placed on
33 probation. The court shall, however, give the defendant
34 credit on his sentence for the time he spent in the camp.

35 Any male youth between the ages of ten and eighteen
36 committed by the judge of any juvenile or domestic re-
37 lations court of competent jurisdiction for any of the
38 causes, and in the manner prescribed in article five, chap-
39 ter forty-nine of this code, may, if such youth is or has
40 attained the age of sixteen, be placed in a forestry camp
41 or transferred from the industrial school or like facility
42 to a forestry camp and back to such facility by the com-
43 missioner of public institutions, if he deems it proper for
44 the youth's detention and rehabilitation.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Russell H. Beall
Chairman Senate Committee

Stephens J. Rutledge
Chairman House Committee

Originated in the House.

In effect ninety days from passage.

Howard W. Carson
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

E. Hans McCourt
President of the Senate

Lewis H. McNamee
Speaker House of Delegates

The within approved this the 27th
day of March, 1972.

Arch A. Moore, Jr.
Governor



PRESENTED TO THE
GOVERNOR

Date 3/16/72

Time 2:10 p.m.