

WEST VIRGINIA CODE: §15-9C-2

§15-9C-2. Creation of Sentencing Commission; purpose; composition.

(a) The West Virginia Sentencing Commission is hereby created as a subcommittee of the Governor's Committee on Crime, Delinquency, and Correction.

(b) The purpose of the commission is to promote a fuller understanding of this state's criminal justice sentencing system, and shall include the review and research of issues of sentence length imposed, actual sentence length served, parole eligibility, parole revocation, determinate or indeterminate sentences, availability of alternatives to incarceration for certain offenses, and the respective roles that each of these and other criminal sanction issues may play in the increased demand for prison bed space.

(c) The commission consists of the following members, who serve without compensation:

(1) The Secretary of the Department of Military Affairs and Public Safety, or his or her designee;

(2) Two prosecuting attorneys, or assistant prosecuting attorneys, from two different counties chosen by the President of the West Virginia Prosecuting Attorneys Association;

(3) Two public defenders, or assistant public defenders, or panel attorneys who primarily do court-appointed criminal representation, from two different judicial circuits chosen by the Director of the Public Defender Services;

(4) One representative from the West Virginia Chief of Police Association who shall be chosen by the executive director of that organization;

(5) One representative from the West Virginia Sheriff's Association who shall be chosen by the executive director of that organization;

(6) Two representatives from the West Virginia Judicial Association who are current or senior status circuit court judges and chosen by the executive committee of that organization, who shall serve as ex officio members;

(7) One member of the West Virginia Association on Alcoholism and Drug Abuse Counselors who shall be chosen by the president of the organization;

(8) Two members of the West Virginia Legislature, one chosen by the Speaker of the House and one chosen by the President of the Senate, who shall serve as ex officio members of the commission; and

(9) One professor of law with experience in the practice and teaching of criminal law appointed by the Dean of the West Virginia University College of Law.

(d) Each member serves a two-year term, except for the ex officio members who serve as long as they hold their respective offices.

(e) The chairperson of this commission shall be elected by the other members of the commission. The first meeting shall be chaired by the Director of the Division of Administrative Services of the Department of Military Affairs and Public Safety.

(f) Six members of the commission shall constitute a quorum.

(g) The Director of the Division of Administrative Services serves as executive director of the commission and the division shall provide administrative services to the commission.