

WEST VIRGINIA CODE: §15-9C-3

§15-9C-3. Powers and duties of the commission.

(a) The Sentencing Commission established pursuant to this article:

(1) May request information, data, and reports from any officer or agency of the state government, as required by the commission and as may be produced consistent with other laws;

(2) Issue invitations requesting the attendance and testimony of witnesses and the production of any evidence that relates directly to a matter with respect to which the commission or any member of the commission is empowered to make a determination under this article;

(3) Shall establish a research and development program within the commission for the purpose of:

(A) Serving as a clearinghouse and information center for the collection, preparation, and dissemination of information on sentencing practices; and

(B) Assisting and serving in a consulting capacity to state courts, departments, and agencies in the development, maintenance, and coordination of sound sentencing practices;

(4) Shall collect data obtained from studies, research, and the empirical experience of public and private agencies concerning the sentencing processes;

(5) Shall publish data concerning the sentencing process;

(6) Shall collect and disseminate information concerning sentences actually imposed;

(7) Shall collect and disseminate information regarding effectiveness of sentences imposed;

(8) Shall make recommendations to the Legislature concerning modification or enactment of sentencing and correctional statutes which the commission finds to be necessary and advisable to carry out an effective, humane, and rational sentencing policy;

(9) Shall establish a plan and timetable to collect and disseminate information relating to incapacitation, recidivism, deterrence, and overall effectiveness of sentences imposed;

(10) Shall provide recommendations to the Legislature for the creation of programs and establishment of facilities in the state that provide how the state can best shift its expenditures in a revenue-neutral fashion away from incarceration to treatment programs, facilities, and related services;

(11) Shall conduct a comprehensive review and study of national and local trends and programs that have proven successful in addressing and overcoming addiction and identifying the nature of the causes of addiction and criminal behavior related to drug addiction; and