

WEST VIRGINIA CODE: §15A-4A-4

§15A-4A-4. Eligibility; Funding.

- (a) An offender is eligible to participate in the work release program if he or she:
- (1) Is 18 years of age or older;
 - (2) Is physically and psychologically able, as determined by the commissioner, to participate in the program: *Provided*, That offenders with medical conditions or disabilities shall be eligible for work release placement.
 - (3) Is directed by the Commissioner of Corrections to participate in the work release program; and
 - (4) Meets other criteria as the commissioner of the Division of Corrections and Rehabilitation may direct.
- (b) The expansion of work release authorized by this article is subject to funds being appropriated by the Legislature therefor or appropriated funds being redirected thereto.

§15A-4A-5. Limitations on eligibility for work release participation.

The following persons may not participate in the work release program:

- (1) An offender who requires inpatient psychological or psychiatric treatment;
- (2) An offender who refuses to participate in the Offender Financial Responsibility Program;
- (3) An offender who refuses to participate in the Institution Release Preparation Program; and
- (4) An offender determined by the commissioner, in his or her sole discretion, to pose a threat to the safety of another or to the community or to be an otherwise inappropriate candidate for participation in the program.