

# WEST VIRGINIA CODE: §62-11C-6

## §62-11C-6. Community criminal justice boards.

- (a) Each county or combination of counties or a county or counties and a Class I or II municipality that seek to establish community-based corrections services shall establish a community criminal justice board. Any county which chooses to operate without a community criminal justice board is subject to the regulations and requirements established by the subcommittee.
- (b) A community criminal justice board shall consist of no more than fifteen voting members.
- (c) All members of a community criminal justice board shall be residents of the county or counties represented.
- (d) A community criminal justice board shall consist of the following members:
- (1) The sheriff or chief of police or, if the board represents more than one county or municipality, at least one sheriff or chief of police from the counties represented;
  - (2) The prosecutor or, if the board represents more than one county, at least one prosecutor from the counties represented;
  - (3) If a public defender corporation exists in the county or counties represented, at least one attorney employed by any public defender corporation existing in the counties represented or, if no public defender office exists, one criminal defense attorney from the counties represented;
  - (4) One member to be appointed by the local board of education or, if the board represents more than one county, at least one member appointed by a board of education of the counties represented;
  - (5) One member with a background in mental health care and services to be appointed by the commission or commissions of the county or counties represented by the board;
  - (6) Two members who can represent organizations or programs advocating for the rights of victims of crimes with preference given to organizations or programs advocating for the rights of victims of the crimes of domestic violence or driving under the influence;
  - (7) One member with a background in substance abuse treatment and services to be appointed by the commission or commissions of the county or counties represented by the board; and
  - (8) Three at-large members to be appointed by the commission or commissions of the county or counties represented by the board.

(e) At the discretion of the Supreme Court of Appeals, any or all of the following people may serve on a community criminal justice board as ex officio, nonvoting members:

- (1) A circuit judge from the county or counties represented;
- (2) A magistrate from the county or counties represented; or
- (3) A probation officer from the county or counties represented.

(f) Community criminal justice boards may:

- (1) Provide for the purchase, development and operation of community corrections services;
- (2) Coordinate with local probation departments in establishing and modifying programs and services for offenders;
- (3) Evaluate and monitor community corrections programs, services and facilities to determine their impact on offenders; and
- (4) Develop and apply for approval of community corrections programs by the Governor's Committee on Crime, Delinquency and Correction.

(g) If a community criminal justice board represents more than one county, the appointed membership of the board, excluding any ex officio members, shall include an equal number of members from each county, unless the county commission of each county agrees in writing otherwise.

(h) If a community criminal justice board represents more than one county, the board shall, in consultation with the county commission of each county represented, designate one county commission as the fiscal agent of the board.

(i) Any political subdivision of this state operating a community corrections program shall, regardless of whether or not the program has been approved by the Community Corrections Subcommittee of the Governor's Committee on Crime, Delinquency and Correction, provide to the subcommittee required information regarding the program's operations.