WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1972

ENROLLED

HOUSE BILL No. 1108

(By Mr. Siebert)

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
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 jurisdiction may suspend the imposition of sentence of any male youth convicted of or pleading guilty to a criminal offense, other than an offense punishable by life imprisonment, who has attained his sixteenth birthday but has not reached his twenty-first birthday at the time of the commission of the crime, and commit him to the custody of the West Virginia commissioner of public institutions to be assigned to a forestry camp. The period of confinement in the forestry camp shall be for a period of one year, or
longer if it is deemed advisable by the camp superinten-
dent, but in any event such period of confinement shall
not exceed two years. If, in the opinion of the superin-
tendent, such male offender proves to be an unfit person
to remain in such a camp, he shall be returned to the
court which committed him to be dealt further with ac-
cording to law. In such event, the court may place him
on probation or sentence him for the crime for which he
has been convicted.
In his discretion, the judge may allow the defendant
credit on his sentence for time he has spent in the forestry
camp. When, in the opinion of the superintendent, any
boy has satisfactorily completed the camp training pro-
gram and the term for which he was assigned has ex-
pired, such male offender shall be returned to the juris-
diction of the court which originally committed him. He
shall be eligible for probation for the offense with which
he is charged, and the judge of the court shall immedi-
ately place him on probation. In the event his probation
is subsequently revoked by the judge, he shall be given
the sentence he would have originally received had he not
been committed to the camp and subsequently placed on
probation. The court shall, however, give the defendant
credit on his sentence for the time he spent in the camp.
Any male youth between the ages of ten and eighteen
committed by the judge of any juvenile or domestic re-
lations court of competent jurisdiction for any of the
causes, and in the manner prescribed in article five, chap-
ter forty-nine of this code, may, if such youth is or has
attained the age of sixteen, be placed in a forestry camp
or transferred from the industrial school or like facility
to a forestry camp and back to such facility by the com-
missioner of public institutions, if he deems it proper for
the youth's detention and rehabilitation.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signatures]
Chairman Senate Committee

Originated in the House.

In effect ninety days from passage.

[Signatures]
Clerk of the Senate

[Signatures]
Clerk of the House of Delegates

[Signatures]
President of the Senate

[Signatures]
Speaker House of Delegates

The within ______________ approved this the __________ day of __________, 1972.

[Signature]
Governor
PRESENTED TO THE
GOVERNOR

Date 3/16/72
Time 2:10 p.m.