PUBLISHED IN CONJUNCTION WITH THE WEST VIRGINIA DEPARTMENT OF HUMAN SERVICES
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PURPOSE OF PLAN

The purpose of this plan is to take an initial step in formalizing and promulgating the philosophy, mission and goals of the West Virginia Coalition Against Domestic Violence. This state plan provides a previously unpublished history of the Coalition and establishes a direction for the future. It will help ensure that the members of the Coalition move in a concerted manner toward providing adequate protection for victims of domestic violence and empowering those victims to take charge of their lives and to be violence free.

This plan provides a framework for services statewide and is an initial effort to publish comprehensive data about services to victims of domestic violence in West Virginia. It includes data from funding sources, law enforcement agencies, and Coalition members themselves.
HISTORY OF THE WEST VIRGINIA COALITION AGAINST DOMESTIC VIOLENCE

In the last half of the 1970's grass-roots organizations concerned about the issue of domestic violence began appearing across the state. This coincided with a movement across the nation to begin helping those women, children and men who were victims of abuse and violence in their own homes.

Public and private human service agencies previously had provided stop-gap services to these victims. In West Virginia victims were seen by family service and other counseling agencies, mental health centers and by social workers at the state Department of Welfare. Community resources, other than counseling, were limited to mostly seedy cheap hotels for shelter and to peace warrants that typically were of no use in restraining the batterer.

Grass-roots organizations made up of concerned professionals, church related individuals, and most importantly, victims of domestic violence became viable agencies and shelters were established. Active groups were functioning in Charleston, Huntington, Lewisburg, Martinsburg, Morgantown, Wheeling, Petersburg, Elkins and Beckley by the end of the seventies. The outstanding characteristic of these groups and the newly established shelters was the large number of volunteers who actually provided services to victims. Since solid funding was not yet established for these services, the grass-roots organizations assured that the movement would survive.

In 1979 a state network began to evolve as these organizations and shelters formed themselves into a coalition. WVCADV was established to work for the elimination of domestic abuse in West Virginia, to insure improved provision of services to families who are the victims of domestic violence, and to provide a statewide forum for support, training and resources for domestic violence service providers.

Geographic, cultural, political and historical realities made evident the need for shelters to coalesce in order to strengthen and support each member program as well as to provide a state-wide voice for battered women and their children. During its history, WVCADV has been active in the development of a state regionalization plan to establish, develop, and support shelter programs; it has provided education and staff training at a variety of levels in areas related to domestic violence and family abuse; it has both lobbied for and helped implement family protection legislation; and it has provided a community-based voice for shelter programs and for battered women at state and regional levels.

The Coalition has been active in the enactment and implementation of the Prevention of Domestic Violence law (WV Code 48-2A - effective July 1, 1979) and the enforcement of protection orders under that law; the enactment of an amendment to the Criminal Identification Bureau Act of 1971 in July, 1981, which calls for the monthly collection of data on domestic violence by law enforcement personnel to be included in the Uniform Crime Report for
West Virginia; and the passage of the Family Protection Shelter Support Act, (WV Code 4B-2C - effective July 1, 1981), which raised the marriage license fee by $15.00 for the purpose of funding shelters for victims.

The effectiveness of the Coalition has been limited by several factors: the geography and roads of West Virginia make travel difficult; the programs serve multi-county areas with high needs and limited resources; local program survival often seems a top priority; the state's limited economic base and political climate have slowed the network's growth; Coalition leadership is provided on a part-time volunteer basis by those already over-committed as full-time program directors.

In spite of the limitations the Coalition has recently completed an eighteen month leadership development training program titled the Advocacy Project, and the development and implementation of compliance standards for domestic violence programs.
WEST VIRGINIA COALITION
AGAINST
DOMESTIC VIOLENCE

PHILOSOPHY STATEMENT

WVCADV is open to community based, non-profit agencies which have
primary programs focused on providing services for the victims and potential
victims of domestic violence. These services include crisis intervention,
advocacy, and education.

Because domestic violence hurts us all, our educational programs are
directed to the general public, including not only those who have suffered
violence personally, but also the friends and family of victims, and those
whose quality of life suffers because of the fear of potential violence.

WVCADV views domestic violence as a means of power, control or
manipulation of others, often as an expression of anger and other
destructive emotions. In opposition to this abuse, WVCADV supports the
efforts of individuals to maintain power and control over their own lives.
We aid victims in their efforts to regain control in the aftermath of
domestic violence by offering emotional support to them and those close to
them; legal and medical information; and referral to other services. Part
of an adult victim's regaining control over their own life is making their
own decisions about what to do after the violence.

WVCADV is dedicated to the eradication of domestic violence in our
society. Prevention of domestic violence must be addressed on a variety of
levels. The most immediate level is in the protection of the victim. WVCADV
members seek to provide education in methods of avoiding potential domestic
violence. Major social changes are necessary for prevention on the broadest
scale -- ending domestic violence altogether. To achieve this end, our
educational programs also seek to change social attitudes and understanding
of domestic violence.

WVCADV supports the right of victims to have access to quality
information and training and the right to use such knowledge and skills in
their lives.

As a public service, WVCADV is committed to providing education in the
prevention of domestic violence. Such education also gives us an
opportunity to explore domestic violence as a social phenomenon, and to work
toward changing the social climate that encourages unequal roles between
women and men, believing that positive changes will, in turn, reduce
domestic violence.
PURPOSE
of
WEST VIRGINIA COALITION
AGAINST
DOMESTIC VIOLENCE

The purpose of the WVCADV is to provide services to victims of domestic violence and their children, and through systemic change, to work toward elimination of domestic violence in our society.

MISSION STATEMENT
AND
PRINCIPLES OF UNITY

WVCADV is an organization whose mission is the elimination of domestic violence and the empowerment of victims of domestic abuse and their children.

This mission is necessary because violence against victims of abuse and their children in the home is pervasive in our society and is detrimental to all members of society. WVCADV affirms the following:

- We believe that abuse is a societal configuration and not an individual psychological dysfunction.
- We concur that oppressions such as racism, sexism and classism contribute to the perpetuation of violence.
- We are building a non-profit coalition among domestic violence service providers to promote communication, support, and networking to ensure comprehensive quality services.
- We are an advocate for social change at all levels of the community.
- We encourage the development of model programs.
- We support implementation of projects with regional focus.
- We agree that a priority of resources shall be to ensure that victims of domestic violence, both within and without shelters shall have access to adequate direct and preventive services.
- We recommend that abusive partners be referred to adequate and appropriate programs.
- WVCADV does not seek to interfere with or curtail the autonomy of local programs.
We agree that WVCADV and its member programs shall not discriminate against any person on the basis of race, color, gender, religion, sexual preference, national origin, handicap, age, marital status, or any other basis prohibited by law.

We agree that WVCADV will function as a member of the National Coalition Against Domestic Violence.

Active membership in the Coalition is open to any organization that has a primary function of providing direct services to survivors of domestic violence and that adheres to the WVCADV statement of mission and principles of unity. Supporting membership is open to individuals and groups that pay dues and affirm the WVCADV mission statement and principles of unity.
CHARACTERISTICS OF DOMESTIC VIOLENCE IN WEST VIRGINIA

Generally speaking, characteristics of domestic violence in West Virginia are the same as those all over the nation. There are, however, other unique characteristics that seem to be related to the geography of West Virginia. These characteristics include a lack of public transportation, a natural isolation from resources, pockets of culture that accept and encourage violence as a norm, religious fundamentalism that sometimes allows for oppressive, and in some cases, violent control of women and children by the husband and father, personal support systems that are made up of women who are experiencing the same types of violence in their own lives, law enforcement systems that are controlled by untrained males who believe that domestic violence is normal behavior, and a lack of confidentiality in small rural isolated communities.

Public transportation in West Virginia is limited to the few larger cities in the state. This means that victims are frequently unable to leave violent situations because the husband takes the only source of transportation when he leaves the home. Therefore, the geography of the state creates a natural isolation of victims. Resources for victims, for the most part, are located in cities, meaning that those living in smaller rural communities have very little access to assistance or secure shelter.

Another unique characteristic is the existence of communities which have developed within geographic pockets in the mountain regions of the state. These pockets are most typically formed by members of one, two, or three extended families. It is within these small communities that violence becomes a way of life, including child and spousal abuse. Since these isolated pockets are not often exposed to larger communities and their resources, violent behavior can be passed down generation after generation.

Much of West Virginia is also a part of the southern Bible belt which means that a great number of West Virginians are a part of the fundamentalist movement. The legalistic nature of this movement can allow both child and spouse abuse by male members of families because of its biblically based emphasis on the male's authority in a family and the wife's submission to that authority.

The isolation of small communities also means that victims build their emotional and personal support systems on women who are experiencing the same type of abuse. Victims, therefore, are only able to get empathy, not productive assistance, in breaking a cycle of violence and abuse.

Small rural communities frequently have law enforcement systems that are made up of males who see violence as a way of life and who are sometimes untrained in equitable enforcement policies. Additionally, the police in a small rural or isolated community are often related to or a friend of the abuser.
Confidentiality is also a major problem in rural communities. Essentially nothing occurs in small West Virginia towns and communities that is not soon known by virtually everyone in the community. It is, therefore, very difficult for a victim to receive or seek help without the abuser hearing about it.

The uniqueness of domestic violence in West Virginia calls for creative and locally adaptive responses. The thirteen programs currently within the state are now providing a variety of services through shelters and outreach offices in order to effectively meet the needs of battered persons and their children throughout West Virginia.
Mission Statement

The National Coalition Against Domestic Violence (NCADV) is dedicated to the empowerment of battered women and their children and therefore is committed to the elimination of personal and societal violence in the lives of women and their children.

The NCADV believes violence against women and children results from the use of force or threat to achieve and maintain control over others in intimate relationships, and societal abuses of power and domination in the forms of sexism, racism, homophobia, classism, anti-semitism, able-bodyism, ageism, and other oppressions. The NCADV recognizes that the abuses of power in society foster battering by perpetuating conditions which condone violence against women and children. Therefore, it is the mission of the NCADV to work for the major societal changes necessary to eliminate both personal and societal violence against all women and their children.

The NCADV's work includes: Coalition building at the local, state, regional and national levels; support for the provision of community-based, non-violent alternatives - such as safehome and shelter programs - for battered women and their children; public education and technical assistance; policy development and innovative legislation; focus on the leadership of NCADV's caucuses and task forces developed to represent the concerns of organizationally underrepresented groups; and efforts to eradicate social conditions which contribute to violence against women and children.

The West Virginia Coalition as an active member of the NCADV supports the Mission Statement of that Organization.
Section II

POINTS OF VIEW
- a statistical analysis -
## FUNDING FOR DOMESTIC VIOLENCE PROGRAMS

**FY' 86-87**

<table>
<thead>
<tr>
<th>PROVIDER</th>
<th>DEPARTMENT OF HUMAN SERVICES*</th>
<th>GOCDC**</th>
<th>OTHER FEDERAL AND STATE+</th>
<th>OTHER LOCAL++</th>
<th>TOTALS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Branches</td>
<td>$ 52,782</td>
<td>$ 18,766</td>
<td>$ 25,865</td>
<td>$ 44,380</td>
<td>$ 141,793</td>
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<td>35,600</td>
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<td>137,743</td>
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<td>29,835</td>
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<td>-0-</td>
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<td>58,999</td>
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<td>Women's Resource Center</td>
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<td>YWCA Charleston</td>
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<td>71,244</td>
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<td>YWCA Wheeling</td>
<td>10,103</td>
<td>14,747</td>
<td>16,800</td>
<td>7,529</td>
<td>49,179</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$390,494</strong></td>
<td><strong>$193,696</strong></td>
<td><strong>$179,191</strong></td>
<td><strong>$620,353</strong></td>
<td><strong>$1,386,734</strong></td>
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</table>

* Title XX Block Grant Funds

** Governor's Committee on Crime, Delinquency and Corrections

Marriage License Surcharge $15.00/ per license

+ Includes Victims of Crime Assistance Funds
   Family Violence Prevention Funds
   FEMA
   USDA - Child Nutrition Funds
   Community Development Block Grants
   Other DHS Programs - CWEP and Comodities

++ Includes United Way

Local Government Funds
Foundation Funding
Local Fund Raising
In-Kind Contributions
Regions Served By Domestic Violence Programs
### DOMESTIC VIOLENCE PROGRAMS
### SHELTER CAPACITY/NUMBER SERVED/POLULATION OF REGIONS SERVED
### FY' 86-87

<table>
<thead>
<tr>
<th>PROVIDER</th>
<th>NUMBER* SERVED</th>
<th>NUMBER SHELTERED ADULT</th>
<th>NUMBER SHELTERED CHILDREN</th>
<th>SHELTER CAPACITY</th>
<th>POPULATION OF REGIONS SERVED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Branches</td>
<td>584</td>
<td>118</td>
<td>130</td>
<td>12</td>
<td>241,757</td>
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<tr>
<td>Family Crisis Center</td>
<td>200</td>
<td>65</td>
<td>35</td>
<td>7</td>
<td>70,251</td>
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<tr>
<td>Family Crisis Intervention</td>
<td>956</td>
<td>108</td>
<td>145</td>
<td>15</td>
<td>179,564</td>
</tr>
<tr>
<td>Family Refuge Center</td>
<td>450</td>
<td>71</td>
<td>106</td>
<td>10</td>
<td>60,457</td>
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<tr>
<td>RDVIC</td>
<td>585</td>
<td>89</td>
<td>104</td>
<td>10</td>
<td>143,942</td>
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<td>S.A.F.E.</td>
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<td>57</td>
<td>48</td>
<td>Safe Homes</td>
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<tr>
<td>Shenandoah Women's Center</td>
<td>733</td>
<td>115</td>
<td>124</td>
<td>12</td>
<td>87,788</td>
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<tr>
<td>Task Force on DV &quot;HOPE&quot;</td>
<td>543</td>
<td>75</td>
<td>93</td>
<td>11</td>
<td>178,079</td>
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<tr>
<td>Tug Valley Recovery Shelter</td>
<td>749</td>
<td>134</td>
<td>204</td>
<td>10</td>
<td>88,015</td>
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<tr>
<td>Women's Aid in Crisis</td>
<td>333</td>
<td>69</td>
<td>96</td>
<td>8</td>
<td>103,614</td>
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<tr>
<td>Women's Resource Center</td>
<td>663</td>
<td>176</td>
<td>282</td>
<td>36</td>
<td>298,620</td>
</tr>
<tr>
<td>YWCA Charleston</td>
<td>782</td>
<td>117</td>
<td>188</td>
<td>14</td>
<td>273,126</td>
</tr>
<tr>
<td>YWCA Wheeling</td>
<td>271</td>
<td>271</td>
<td>106</td>
<td>6</td>
<td>174,532</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>7099</strong></td>
<td><strong>1465</strong></td>
<td><strong>1661</strong></td>
<td><strong>151</strong></td>
<td><strong>1,949,644</strong></td>
</tr>
</tbody>
</table>

* Number Served indicates the total number of persons (adults and children) who received any service from the program during the FY 86-87.
DOMESTIC VIOLENCE

The increasing incidents of abuse between family members prompted the enactment of House Bill 802. This bill mandated the collection of domestic violence statistics. Information on spouses, persons living as spouses, persons who formerly resided as spouses, parents, children, and stepchildren, or other persons related by blood marriage is collected.

Abuse: The occurrence of one or more of the following acts between family or household members who reside together or who formerly resided together.

1. Attempting to cause or intentionally, knowingly or recklessly causing bodily injury with or without a dangerous or deadly weapon.
2. Placing by physical menace another in fear of imminent serious bodily injury.
3. Sexually abusing a person under the age of 18 years.

The following information on Domestic Violence is in compliance with House Bill 802. Collecting the information on Domestic Violence began on July 1, 1981.

Law enforcement agencies reported they received a total of 1,375 complaints on Domestic Violence for 1986. This represented a 4.5% increase over the 1985 figure of 1,316. They investigated 1,060 (77.1%) of these complaints. Of the complainants who were victims, 108 (9.8%) were male, 997 (90.2%) female, and 311 (28.1%) of them had filed a previous complaint. Repeated Abuse Victims suffered 223 Simple Assaults and 1 Felonious Assault. Protection Orders were violated in 15 (1.4%) cases.

<table>
<thead>
<tr>
<th>Victim</th>
<th>Offender</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,161 Females</td>
<td>1,221 Males</td>
</tr>
<tr>
<td>163 Males</td>
<td>106 Females</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Weapons Used</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Hands/Fists</td>
<td>971 (82.3%)</td>
</tr>
<tr>
<td>Guns</td>
<td>81 (6.9%)</td>
</tr>
<tr>
<td>Clubs</td>
<td>78 (6.6%)</td>
</tr>
<tr>
<td>Knives</td>
<td>50 (4.2%)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Extent of Abuse</th>
<th>Action Taken On Total Complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>Simple Assault</td>
<td>939 (70.3%)</td>
</tr>
<tr>
<td>Felonious Assault</td>
<td>100 (7.5%)</td>
</tr>
<tr>
<td>Homicide</td>
<td>20 (1.5%)</td>
</tr>
<tr>
<td>Other</td>
<td>276 (20.7%)</td>
</tr>
</tbody>
</table>

The average offender was 32, while the youngest was 11 and the oldest was 78. Average victim age was 30, the youngest was a year old, and the oldest was 99. Average response time was 19.76 minutes.
Relationships
Victim To Offender

<table>
<thead>
<tr>
<th>Relationship</th>
<th>Number (Percentage)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wife</td>
<td>819 (61.4%)</td>
</tr>
<tr>
<td>Common Law Wife</td>
<td>112 (8.4%)</td>
</tr>
<tr>
<td>Ex-Wife</td>
<td>70 (5.2%)</td>
</tr>
<tr>
<td>Husband</td>
<td>55 (4.1%)</td>
</tr>
<tr>
<td>Daughter</td>
<td>47 (3.5%)</td>
</tr>
<tr>
<td>Mother</td>
<td>43 (3.2%)</td>
</tr>
<tr>
<td>Son</td>
<td>39 (2.9%)</td>
</tr>
<tr>
<td>Sister</td>
<td>33 (2.5%)</td>
</tr>
<tr>
<td>In-Law</td>
<td>24 (1.8%)</td>
</tr>
<tr>
<td>Brother</td>
<td>21 (1.6%)</td>
</tr>
<tr>
<td>Step Daughter</td>
<td>14 (1.0%)</td>
</tr>
<tr>
<td>Father</td>
<td>12 (0.9%)</td>
</tr>
<tr>
<td>Common Law Husband</td>
<td>8 (0.6%)</td>
</tr>
<tr>
<td>Ex-Husband</td>
<td>7 (0.5%)</td>
</tr>
<tr>
<td>Cousin</td>
<td>7 (0.5%)</td>
</tr>
<tr>
<td>Step Sister</td>
<td>5 (0.4%)</td>
</tr>
<tr>
<td>Niece</td>
<td>5 (0.4%)</td>
</tr>
<tr>
<td>Aunt</td>
<td>3 (0.2%)</td>
</tr>
<tr>
<td>Step Father</td>
<td>3 (0.2%)</td>
</tr>
<tr>
<td>Nephew</td>
<td>2 (0.1%)</td>
</tr>
<tr>
<td>Grand Daughter</td>
<td>2 (0.1%)</td>
</tr>
<tr>
<td>Step Mother</td>
<td>2 (0.1%)</td>
</tr>
<tr>
<td>Other Family</td>
<td>1 (0.1%)</td>
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Day of Week

<table>
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<tr>
<th>Day</th>
<th>Number (Percentage)</th>
</tr>
</thead>
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<td>Sunday</td>
<td>214 (15.6%)</td>
</tr>
<tr>
<td>Monday</td>
<td>176 (12.8%)</td>
</tr>
<tr>
<td>Tuesday</td>
<td>171 (12.4%)</td>
</tr>
<tr>
<td>Wednesday</td>
<td>188 (13.7%)</td>
</tr>
<tr>
<td>Thursday</td>
<td>185 (13.5%)</td>
</tr>
<tr>
<td>Friday</td>
<td>193 (14.0%)</td>
</tr>
<tr>
<td>Saturday</td>
<td>248 (18.0%)</td>
</tr>
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Month

<table>
<thead>
<tr>
<th>Month</th>
<th>Number (Percentage)</th>
</tr>
</thead>
<tbody>
<tr>
<td>January</td>
<td>122 (8.9%)</td>
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<tr>
<td>February</td>
<td>115 (8.4%)</td>
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<tr>
<td>March</td>
<td>123 (8.9%)</td>
</tr>
<tr>
<td>April</td>
<td>104 (7.6%)</td>
</tr>
<tr>
<td>May</td>
<td>127 (9.2%)</td>
</tr>
<tr>
<td>June</td>
<td>117 (8.5%)</td>
</tr>
<tr>
<td>July</td>
<td>128 (9.3%)</td>
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<tr>
<td>August</td>
<td>107 (7.8%)</td>
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<td>September</td>
<td>110 (8.0%)</td>
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<td>October</td>
<td>108 (7.9%)</td>
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<td>November</td>
<td>111 (8.1%)</td>
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<tr>
<td>December</td>
<td>103 (7.5%)</td>
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Section III

PROGRAM STANDARDS AND ACCOUNTABILITY

A SUMMARY
PROGRAM STANDARDS AND ACCOUNTABILITY

From its inception, WVCADV has worked to provide quality services to victims of domestic violence in West Virginia. Member programs share the belief that combined efforts enhance the ability to provide help to those in need of services throughout the Mountain State. The Coalition was established on the tradition of helping sister programs through technical assistance, in-service training, and networking. West Virginia shelter programs throughout the state have persevered despite limited resources and are as diverse as the areas they serve. By 1986 all thirteen domestic violence programs had reached the state of development that made the establishment of Shelter/Program Standards possible to assure that domestic violence victims receive quality services whenever they are sought in West Virginia.

The West Virginia Shelter/Program Standards Steering Committee was called together by the West Virginia Department of Human Services and was comprised of representatives of that Department, the Governor's Committee on Crime, Delinquency, and Correction, and WVCADV. The Committee worked intensively to develop standards by the end of FY 86-87. The completed standards were adopted by state and federal funding sources as a prerequisite for program support in West Virginia. In FY 87-88, WVCADV will complete program monitoring to assure compliance with these standards using a peer evaluation system. In FY 88-89 the peer evaluation process may be refined and maintained by WVCADV or may become the responsibility of the Department. A complete copy of the Shelter/Program Standards may be found in Appendix C.
Section IV

PRIORITIES AND PROJECTIONS
FOR STATEWIDE
SERVICES TO VICTIMS OF DOMESTIC VIOLENCE
THROUGH WVCADV
From March 1985 through June 1987, the West Virginia Coalition Against Domestic Violence programs engaged in an extended leadership development program -- the Advocacy Project. With funding from the Chicago Resource Center, the Benedum Foundation, and the Eastman Foundation, WVCADV brought national trainers to the state in a concentrated effort to build a strong shelter network. One goal of that project was the development of this document -- a summary of statewide shelter services and a projection of priorities and needs for providing quality services throughout the state's fifty-five counties. At the June 1987 meeting of the Coalition the following priorities were identified by member programs:

1. Increased staffing with competitive salaries and benefits.

2. Expanded service programs that include the following:
   - children's programs;
   - expanded volunteer programs;
   - prevention programs, especially in the schools;
   - batterers' programs;
   - victim witness programs;
   - child care educational programs;
   - second stage/transitional housing;
   - increased options for economic development;
   - outreach to underserved areas through safe homes and satellite centers;
   - accessibility of services to people of color; and
   - assurance that programs are available to all members of the community.

3. More adequate transportation services.

In order to implement these priorities, WVCADV projects the following needs:

1. Within the next three years existing programs need to move toward an annual budget of $250,000 in order to maintain and to increase quality services for all West Virginia persons who experience domestic violence.

2. A state office needs to be established in order to facilitate shelter program development; this will require an annual budget of $75,000 and two or three staff persons.

3. A serious study and analysis of current data is needed in order to identify geographic areas which are underserved and sites for outreach and safe home programs.
4. Programs need to become intentionally inclusive of all members of the community.

The development of a state office includes these projections:

1. Fiscal research and development leading toward paid staff and volunteers.

2. On-going Coalition membership development and recruitment of volunteers to provide long term support through dues, donations, and in-kind labor.

3. Program and service development in the following areas:
   - resources and information sharing;
   - technical assistance;
   - a statewide shelter newsletter;
   - a computerized data base and analysis;
   - a lobbying base, legislative information and action;
   - statewide community education;
   - a state conference - training;
   - networking with other agencies;
   - fund-raising and grantwriting.
   - intentional efforts to address demographic population changes.
WEST VIRGINIA STATE CODE
Chapter 48-2A  Prevention of Domestic Violence
Chapter 48-2C  Family Protection Shelter Support Act
ARTICLE 2A.
PREVENTION OF DOMESTIC VIOLENCE.

§ 48-2A-1. Purpose.

The purpose of this article is to prevent continuing abuse of one family or household member at the hands of other family or household member. Nothing contained in this article shall be construed as affecting the abused party's rights of action or claims which are otherwise provided for in this Code or by common law. An abusing party will remain subject to a damage claim or charges of criminal conduct. It is the intent of the legislature to provide temporary and immediate relief for an abused party so that he or she may make rational decisions regarding their future, thus enabling them to initiate procedures for appropriate permanent remedies. It is further intended that no proceeding under this article shall be initiated during the pendency of a divorce action between the person seeking relief under the provisions of this article and the alleged defendant. (1979, c. 34.)


As used in this article, unless the context clearly requires otherwise:
(a) "Abuse" means the occurrence of one or more of the following acts between family or household members who reside together or who formerly resided together:
(1) Attempting to cause or intentionally, knowingly or recklessly causing bodily injury with or without a dangerous or deadly weapon.
(2) Placing by physical menace another in fear of imminent serious bodily injury.
(3) Sexually abusing a person under the age of eighteen years.
(b) "Family or household members" means spouses, persons living as spouses, persons who formerly resided as spouses, parents, children and stepchildren, or other persons related by consanguinity or affinity.
(c) "Sexual abuse" shall have the same meaning as the definitions of "sexual assault" and "sexual abuse" in article eight-B [§ 61-8B-1 et seq.], chapter sixty-one of this Code. (1979, c. 34.)
§ 48-2A-3. Jurisdiction; effect of complaining party leaving residence; priority of petitions filed under this article.

Circuit courts and magistrate courts, as constituted under chapter fifty of this Code, shall have concurrent jurisdiction over proceedings under this article. The complaining party's right to relief under this article shall not be affected by his or her leaving the residence or household to avoid further abuse. Any petition filed under the provisions of this article shall be given priority over any other civil action before the court except actions in which trial is in progress, and shall be docketed immediately upon filing. (1979, c. 34.)


(1) A person may seek relief under this article for himself or herself, or any parent or adult household member may seek relief under this article on behalf of a minor child, by filing a verified petition alleging abuse by the respondent.

(2) The West Virginia supreme court of appeals shall prescribe the form to be used for preparing a petition under this article, and shall distribute such forms to the clerk of the circuit court of each county within the State.

(3) The respondent named in any petition alleging abuse may file a counterclaim or raise any affirmative defenses. (1979, c. 34.)

§ 48-2A-5. Temporary orders of court; hearings.

(1) Upon filing of a verified petition under this article, the court may enter such temporary orders as it may deem necessary to protect the complainant or minor children from abuse, and, upon good cause shown, may do so ex parte without the necessity of bond being given by the plaintiff. Clear and convincing evidence of immediate and present danger of abuse to the complainant or minor children shall constitute good cause for purposes of this section. If the defendant is not present at the proceeding, complainant or complainant's legal representative shall certify to the court in writing, the efforts which have been made to give notice to the defendant or just cause why notice should not be required. Following such proceeding, the court shall order a copy of the petition to be served immediately upon the defendant, together with a copy of any protective order issued pursuant to the proceeding, notice setting forth the time and place of the full hearing and a statement of the right of the defendant to be present and to be represented by counsel. Such initial protective order shall remain effective until a full hearing is held.

(2) Within five days following the issuance of the court's temporary order, a full hearing shall be held at which the complainant must prove the allegation of abuse by a preponderance of the evidence, or such petition shall be dismissed. At such hearing, the court may make any protective order or approve any consent agreement authorized by this article.

(3) If a hearing is continued, the court may make or extend such temporary orders as it deems necessary. (1979, c. 34.)


(1) The court may grant any protective order it deems necessary to bring about a cessation of abuse of the complainant or minor children, which may include:

(a) Directing the defendant to refrain from abusing the complainant or minor children:
(b) Granting possession to the complainant of the residence or household to the exclusion of the defendant when the residence or household is jointly owned or leased by the parties;

(c) When the defendant has a duty to support the complainant or minor children living in the residence or household and the defendant is the sole owner or lessee, granting possession to the complainant of the residence or household to the exclusion of the defendant or by consent agreement allowing the defendant to provide suitable alternate housing;

(d) Awarding temporary custody of or establishing temporary visitation rights with regard to minor children;

(e) Ordering the defendant to pay to the complainant a sum for temporary support and maintenance of the abused party. This order is of a temporary nature and, on the thirtieth day following issuance of the order, that portion of the order requiring the defendant to pay support, becomes void unless the beneficiary of that order has filed a petition for divorce with a prayer for temporary support and maintenance under section thirteen (§ 48-2-13), article two, chapter forty-eight of this Code or has initiated an action for separate maintenance under section twenty-eight (§ 48-2-28), article two, chapter forty-eight of this Code. When there is a subsequent ruling on a petition for support under section thirteen (§ 48-2-13), article two, chapter forty-eight of this Code, that portion of the order requiring the defendant to pay support shall become void.

(2) Any protective order shall be for a fixed period of time not to exceed thirty days. The court may amend its order at any time upon subsequent petition filed by either party.

(3) No order under this article shall in any manner affect title to any real property.

Certified copies of any order made under the provisions of this article shall be issued to the plaintiff, the defendant and any law-enforcement agency having jurisdiction to enforce the order or agreement, including the city police, the county sheriff’s office or local office of the state police. (1979, c. 34.)

Cross reference. — Enforcement of orders.
§ 48-2A-10.


(1) Upon violation of any order issued pursuant to this article, the court shall upon the filing of appropriate pleadings by or on behalf of any aggrieved party, issue an order to show cause why the person violating any provisions of the court’s order should not be held in contempt of court and set a time for a hearing thereon within five days of the filing of said motion.

(2) Notwithstanding any other provision of law to the contrary, any sentence for contempt hereunder may include imprisonment up to thirty days and a fine not to exceed one thousand dollars or both. (1979, c. 34.)

§ 48-2A-8. Testimony of husband and wife.

Husband and wife are competent witnesses in such proceedings and cannot refuse to testify on the grounds of the privileged nature of their communications. (1979, c. 34.)

(a) Each law-enforcement agency shall maintain records on all incidents of family or household abuse reported to it, and shall monthly make and deliver to the department of public safety a report on a form prescribed by the department, listing all such incidents of family or household abuse. Such reports shall include:

1. The age and sex of the abused and abusing parties;
2. The relationship between the parties;
3. The type and extent of abuse;
4. The number and type of weapons involved;
5. Whether the law-enforcement agency responded to the complaint and if so, the time involved, the action taken and the time lapse between the agency's action and the abused's request for assistance;
6. Whether the complaining party reported having filed complaints with regard to family or household abuse on any prior occasion and if so, the number of such prior complaints; and
7. The effective dates and terms of any order of protection issued prior to or following the incident to protect the abused party: Provided, That no information which will permit the identification of the parties involved in any incident of abuse shall be included in such report.

(b) The department of public safety shall tabulate and analyze any statistical data derived from the reports made by law-enforcement agencies pursuant to this section, and publish a statistical compilation in the department's annual uniform crime report, as provided for in section twenty-four (§ 15-2-24), article two, chapter fifteen of this Code.

(c) The statistical compilation shall include, but is not limited to, the following:
1. The number of family violence complaints received;
2. The number of complaints investigated;
3. The number of complaints received from alleged victims of each sex;
4. The average time lapse in responding to such complaints;
5. The number of complaints received from alleged victims who have filed such complaints on prior occasions;
6. The number of aggravated assaults and homicides resulting from such repeat incidents;
7. The type of police action taken in disposition of the cases; and
8. The number of alleged violations of orders of protection.

(d) As used in this section, the terms "abuse" and "family or household members" shall have the meanings given them in section two (§ 48-2A-2), article two-A, chapter forty-eight of this Code; and the term "law-enforcement agency" shall include the West Virginia department of welfare in those instances of child abuse reported to the department which are not otherwise reported to any other law-enforcement agency.

(e) Nothing in this section shall be construed to authorize the inclusion of information contained in a report of an incident of abuse in any local, state, interstate, national or international system of criminal identification pursuant to section twenty-four (§ 15-2-24), article two, chapter fifteen of this Code: Provided, That nothing in this section shall prohibit the department of public safety from processing information through its criminal identification bureau with respect to any actual charge or conviction of a crime. (1981, c. 78.)
§ 48-2A-10. Enforcement procedure for temporary and protective order.

(1) Upon issuance of a temporary order as provided in section five [§ 48-2A-5] of this article, and service thereof upon the defendant, or under relief granted in a protective order as provided in subsections (a) and (b) [subdivisions (a) and (b) of subsection (1)], section six [§ 48-2A-6(1)(a) and (1)(b)] of this article of which the defendant has notice, a copy of such order shall, no later than the close of the next business day, be delivered to a local office of the city police, the county sheriff, and the West Virginia department of public safety, where it shall be placed in a confidential file, with access provided only to the law-enforcement agency and the respondent named on said order: Provided, That upon the expiration of any order issued pursuant to section five or six [§§ 48-2A-5 or 48-2A-6] of this article, any such law-enforcement agency which has any such order on file, shall immediately expunge its confidential file of any reference thereto and destroy all copies of such order in its possession, custody or control. A sworn affidavit may be executed by the party awarded exclusive possession of the residence or household, pursuant to an order entered under subsection (b) subdivision (b) of subsection (1), section six [§ 48-2A-6(1)(b)] of this article, and delivered to such law-enforcement agency simultaneously with any such order, giving his consent for a law-enforcement officer to enter such residence or household, without a warrant, to enforce such protective order or temporary order.

Any person who observes a violation of such order or the violated party may call a local law-enforcement agency, which shall verify the existence of a current order, and shall direct a law-enforcement officer to immediately investigate the alleged violation.

Where a law-enforcement officer observes a violation of a valid order he may immediately arrest the subject of the order. In cases of violation of such orders occurring outside the presence of the investigating officer, the complainant may apply to a court in session for a warrant of arrest. If the court finds probable cause to believe that a valid order has been violated, the court shall issue such warrant for the arrest of the subject of the order wherever he may be found.

Where there is an arrest, the officer shall take the arrested person before a court or the magistrate assigned to be available at such time and upon a finding of probable cause to believe a violation of an order has taken place, the court or magistrate shall set a time and place for a hearing, to take place within five days, and serve forthwith upon the alleged violator an order to show cause why he or she should not be held in contempt for violation of the prior order, which unless waived by the defendant shall be by trial by a jury of six persons. The remedies provided by this section shall be limited to violations of a temporary order or protective order entered pursuant to [subsection (a) or (b) of subsection (1)], section six [§ 48-2A-6(1)(a) or (1)(b)] of this article. (1981, c. 79.)

Editor's note. — This section was enacted with only one subsection designation.
ARTICLE 2C.
FAMILY PROTECTION SHELTER SUPPORT ACT.

§ 48-2C-1. Purpose.

The legislature hereby declares its intent to assist local communities in maintaining shelters to provide services and to house and care for, on a temporary basis, victims of domestic violence or abuse and their children. (1981, c. 74.)


As used in this article, unless the context clearly requires otherwise:
(a) "Family protection program" or "program" means a program offered by a locally controlled organization comprised of concerned individuals organized primarily for the purpose of providing shelter and services to victims of domestic violence or abuse and their children;
(b) "Family protection shelter" or "shelter" means a facility created for the purpose of receiving, on a temporary basis, persons who are victims of domestic violence or abuse and their children and for providing services to them, which services may include counseling services where appropriate;
(c) "Family protection subcommittee" or "subcommittee" means that subcommittee of the governor's committee on crime, delinquency and correction established pursuant to section three of this article; and
(d) "Governor's committee" means the governor's committee on crime, delinquency and correction established as a state planning agency by the provisions of section one [§ 15-9-1], article nine, chapter fifteen of this Code. (1981, c. 74.)

§ 48-2C-3. Family protection subcommittee.

(a) A subcommittee of the governor's committee on crime, delinquency and correction shall be created and assigned primary responsibility for review and administration of programs for the funding of family protection shelters and programs. The subcommittee shall be comprised of five members of the governor's committee who represent consumers or the public-at-large. At least three of the members of the subcommittee shall be persons identified in their separate communities across the State for past and continuing involvement in local activities promoting local family protection shelters and programs.
(b) The subcommittee shall elect a chairperson and a vice-chairperson. Special meetings may be held upon the call of the chairperson or of a majority of the subcommittee members. A majority of the members of the subcommittee constitutes a quorum for the transaction of business. (1981, c. 74.)
§ 48-2C-4. Duties of governor's committee.

It is the duty of the governor's committee, upon recommendation of the family protection subcommittee:

(a) To receive and consider applications for the development and maintenance of shelters and to approve or reject the same within forty-five days after receipt of applications;

(b) To facilitate the formation and operation of the family protection subcommittee;

(c) To distribute funds to a shelter within forty-five days after approval of its proposal;

(d) To evaluate annually each shelter to determine its compliance with the goals and objectives set out in its original application for funding;

(e) To seek appropriate additional funding to supplement the state appropriations for shelters and programs; and

(f) To award to shelters for each fiscal year a total sum equal to no less than ninety-five percent of the total funds collected and paid over during that fiscal year to the special revenue account established pursuant to section twenty-four (§ 48-1-24), article one of this chapter and to expend during said period a sum not in excess of five percent of said funds for costs of administering the provisions of this article. (1981, c. 74.)

§ 48-2C-5. Funding application requirements.

(a) A shelter or program may apply to the governor's committee for a grant of funds as provided by this article. The application shall include all of the following:

(1) Evidence that the organization submitting the application is incorporated in this State as a nonprofit corporation;

(2) A list of the incorporators of the corporation and a list of the officers and the board of directors;

(3) The proposed budget of the shelter or program for the following fiscal year;

(4) A summary of the services proposed to be offered in the following fiscal year by the shelter or program;

(5) An evaluation of local needs for a shelter or program; and

(6) An estimate of the number of people to be served by the shelter or program during the following fiscal year.

(b) In order to qualify for a grant of funds under this article, each family protection shelter or program shall:

(1) Provide or propose to provide a facility which will serve as temporary shelter to receive, care and provide services for persons who are victims of domestic violence or abuse and their children;

(2) Be incorporated in this State as a nonprofit corporation;

(3) Have a board of directors which represents the racial, ethnic and socioeconomic diversity of the community to be served, including at least one person who is or has been a victim of domestic violence or abuse;

(4) Receive at least sixty-five percent of its funds from sources other than funds distributed under this article. These sources may be public or private and may include contribution of goods or services; and
(5) Require persons employed by or volunteering services to the shelter or program to maintain the confidentiality of any information which may identify individuals served by it.

(c) A family protection shelter or program may not be funded initially if it is shown that it discriminates in its services on the basis of race, religion, age, sex, marital status, national origin or ancestry. If such discrimination occurs after initial funding, the shelter or program may not be refunded until the discrimination ceases.

(d) A family protection shelter program may not be refunded if its original application projected the provision of residential services and such services were not provided in the first six months following disbursement of the original funds under this article: Provided, That upon a subsequent showing that the funds were used in the manner proposed in the original application, the shelter or program is not barred from subsequent funding. (1981, c. 74.)

§ 48-2C-6. Award provisions.

Grants made pursuant to this article shall be awarded on the basis of the following criteria:

(a) Demonstration of local need for proposed services;

(b) Merit of project as proposed;

(c) Demonstration of local control of the shelter or program;

(d) Administrative design and efficiency of the project; and

(e) No portion of the award granted shall be used for salaries, wages or personal services. (1981, c. 74.)

§ 48-2C-7. Annual reports of shelter and programs.

A shelter or program receiving funds pursuant to this article shall file an annual report with the subcommittee by the thirty-first day of each October for the prior fiscal year. The report shall include statistics on the number of persons served, the relationship of the victim to the abuser, services provided to the abuser, the number of referrals made for medical, psychological, financial, educational, vocational, child care or legal services and shall include the results of an independent audit. No information contained in the report may identify any person served by the shelter or enable any person to determine the identity of any such person. (1981, c. 74.)

§ 48-2C-8. Governor's committee annual reports.

By the first day of January of each year, the subcommittee shall submit to the governor and, upon request to members of the legislature, a report which shall contain, but not be limited to, the following information:

(a) A summary of the work and activities of the governor's committee and the subcommittee relating to administration of this article during the preceding fiscal year;

(b) The number of persons treated or assisted by shelters receiving funding through the governor's committee; and

(c) A listing of services or efforts organized to prevent the potential for domestic violence or abuse as identified by the subcommittee, the estimated annual costs of services to prevent the potential for domestic violence, identification of possible funding sources for such services and the projected benefits of providing such services. (1981, c. 74.)

§ 48-2C-9. Referral to shelters.

Where shelters are available, any law-enforcement officer or any public authority investigating an alleged incident of domestic violence shall advise the person subject to abuse of the availability of the family protection shelter to which such person may be admitted. (1981, c. 74.)
LIST OF DOMESTIC VIOLENCE PROGRAMS
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COMPLIANCE STANDARDS
for
DOMESTIC VIOLENCE SHELTERS/PROGRAMS
QUALITY OF LIFE

Shelters shall be organized in such a manner as to assure basic safety, safety from violence, confidentiality and a healthy environment in which to temporarily live.

I. The shelter shall have a written statement of philosophy which maintains the rights of women to make their own decisions, to retain the responsibility of their children, and to be free of violent behavior.

II. The shelter shall have, and enforce, a written policy that preserves the individual's right of confidentiality and complies with all federal and state privacy laws.

III. The shelter shall have written evidence that it meets all state and local fire and health regulations.

IV. The shelter shall have house rules against weapons, violence and drug or alcohol use within the shelter. A copy of the house rules shall be supplied to and signed by residents to acknowledge agreement to adherence to those rules.

V. Shelters shall report all cases involving child abuse or child abandonment to the Department of Human Services.

VI. Shelter staff shall have knowledge of the Prevention of Domestic Violence Law (Section 48-2A-1, West Virginia State Code) and impart that information to those residents to whom it applies.

VII. Shelter staff shall help resident adults understand that they are autonomous and will be free to make their own decisions as to their future course of action, and that they will remain responsible for their children while at the shelter. These policies should be included in the house rules.

VIII. Shelters shall, at a minimum, offer case management, advocacy, information and referral to other community resources and nutritious meals that meet USDA standards. Counseling may be provided within the shelter or arranged with other community agencies.

IX. Individual shelters shall establish policies regarding acceptance into the shelter, length of stay, extended stay and/or future re-entry based on the capabilities of the shelter and sensitivity to the needs of the resident.
ADMINISTRATION AND ORGANIZATION

The shelter shall have a governing body (Board of Directors) which is responsible for and has authority over the policies and activities of the shelter, and which is broadly representative of the community served.

I. The Board shall adopt, and review on a bi-annual basis, written by-laws and policies that define the powers and duties of the governing body, its committees, the Executive Director(s), and advisory group, where one exists. Copies of the Articles of Incorporation and the By-Laws shall be maintained by the Board.

II. A shelter shall have a written statement specifying its purposes, program orientation and describing both short and long term goals. The statement should identify the types of services provided and the persons to be served by the program. The statement of purpose shall be available to the public upon request.

III. The Board shall be responsible for ensuring the shelter's continual compliance and conformity with the terms of all leases, contracts, or other legal agreements to which the shelter is a party.

A. A shelter shall ensure that all purchase of service agreements are in writing. Those agreements shall contain all terms and conditions required to define the persons to be served, the services to be provided, the procedures for payment and the payment plan.

B. A shelter shall have copies of all leases into which the agency has entered. These leases shall include the location of the property involved, the monthly or annual rent, the ownership of the property, the useable square footage and the term of the lease.

C. Board directors, members of the immediate family of directors, staff, and members of the immediate family of staff shall not have financial interest in any property rented by the shelter without a full disclosure of the nature and extent of the financial interest and identifying the party and/or parties having the interest.

IV. The Board shall be responsible for ensuring a shelter's continual compliance and conformity with the provisions of the shelter's charter.

V. The Board shall be responsible for ensuring the shelter's compliance with all relevant laws and/or regulations,
whether federal, state, local or municipal, governing the operation of the shelter.

VI. The Board shall designate a person(s) to act as chief administrative officer(s) of the shelter and shall delegate authority to such person(s) as to manage the affairs of the shelter effectively.

VII. The Board shall ensure that the shelter is adequately funded and fiscally sound. To this end, the board shall be responsible for the following:

A. Assessing the adequacy of sufficient operating funds for at least six months, i.e., reserves, guarantee of loans or other funds and fees, and developing a fund-raising strategy when necessary.

B. The review and approval of the shelter's annual budget.

C. An annual audit of all accounts by an independent certified public accountant not in the employ of the shelter nor a member of the Board.

D. Disbursement of all funds shall be made in accordance with the program objectives specified by the Board.

E. A shelter shall maintain adequate bonding for staff, volunteers and board members as necessary. All persons delegated the authority to sign checks or manage funds shall be bonded at the agency's expense.

VIII. The Board shall develop an affirmative action plan which shall include a statement of compliance with Title VI of the Civil Rights Act and Section 504 of the Rehabilitation Act. The plan must include reference to referrals and services to residents as well as to employees.

IX. The responsibilities of the Board shall be clearly defined.

X. The Board shall meet on a regular basis and have written minutes of all meetings, including committee meetings.

XI. The Board shall maintain a current listing of its members. The listing shall indicate the name, the position, the term of membership (if applicable), and the term of office (if applicable).

XII. A shelter shall not permit public funds to be paid or committed to be paid to any corporation, firm, association, or business in which any of the members of the board, the executive personnel, or members of the
immediate families of members of the board or executive personnel have any direct or indirect financial interest, or in which any of these persons serve as an officer or employee, unless the services or goods involved are provided at a competitive cost or under terms favorable to the shelter. The shelter shall have a written disclosure of any financial transaction with the shelter in which any member of the board or her/his immediate family is involved.

XIII. No employee, or member of the immediate family of an employee, of any public agency which regulates or purchases services from a shelter shall be a member of the Board of the shelter.

XIV. A shelter shall carry adequate insurance covering fire and liability for persons in residence. In addition, the shelter shall have insurance which covers liability to third parties or persons in residence arising through the use of any vehicle, whether owned or not owned by the facility, used by any of the facility's staff or agents on shelter business.

XV. A written record shall be maintained for each person who receives services from the shelter. The record shall contain an application form which includes identifying data, eligibility factors, rights and responsibilities, signature, disposition of decision, staff signature.

XVI. The case record shall include administrative, service, and educational data from the time of admission until the time the resident leaves the facility and when follow-up services are delivered for shelter residents and at the point of delivery of services for other individuals.

XVII. A case record shall include a service plan which has been developed specifically for the client. The service plan shall be developed with the active participation of the resident and it must be completed prior to the beginning of the provision of services, except in crisis situations.

XVIII. A shelter shall have a written description of its referral process, admission policies, exit interview, and follow-up procedures.

XIX. A shelter shall complete a service plan, or treatment plan by qualified staff, for each resident and it must be filed in the resident's case record. The service plan shall include the following:

A. Presenting Problem or needs of the resident shall be
described in either her/his own terms or the diagnostic language of the staff.

B. Shelter and/or resident objectives shall be written in operational terms with a timetable and be very concrete so that they can provide a basis for evaluation.

C. Delivery of service shall be described by specifying the activity involved in the provision of service, e.g., individual counseling.

D. Update of service plan shall be completed in accordance of changes in the resident's circumstances. All case activity shall relate directly to the service plan.

XX. A shelter shall complete an annual evaluation which would include consideration of the following:

A. Frequency of and reasons for denial of services and/or eviction of residents.

B. Staff turnover rate

C. General staff effectiveness in relation to stated goals and community needs

D. Unduplicated number of individuals served

E. Number and type of services provided

F. Method of follow-up
HUMAN RESOURCES

The Board shall adopt and implement written personnel policies which insure sufficient and qualified personnel, and which apply to both paid and volunteer staff.

I. Personnel policies shall pertain to all paid staff, volunteers and Board members.

II. Personnel policies shall include the extent of advertising and recruitment efforts, affirmative action consideration, selection procedures, orientation, on-going staff development and training, and termination of employment.

III. Personnel policies shall list, in definitive terms, all benefits that are available to staff, volunteers and Board members. They also shall spell out eligibility for benefits, cost to staff (if any) for benefits, and any continuity after separation.

IV. Personnel policies shall specify eligibility for vacation, personal leave and adjusted work week, including rates of earning, yearly carry-over and accumulation, approval procedures, and payment upon termination.

V. Employees shall be made aware of the employer's rules of conduct such as appropriate attire, work hours, confidentiality, insubordination, misuse of authority or equipment, absences without leave, falsification of records, etc.

VI. The personnel policies shall include actions that will be taken by the agency if an employee fails to comply with employee guidelines. These policies shall include the following: Written notification of the nature of misconduct or poor performance, the discipline being taken, the effective date of the discipline, future consequences for reoccurrence, and appeal rights. Policies shall also allow for the opportunity to respond to the charges of misconduct or poor performance before a disciplinary decision is made.

VII. The written policies shall include the agency's procedures for employee grievances including grievable issues, steps of appeal, required time frames and who has the authority of resolution.

VIII. The personnel policies shall delineate the lines of authority within the agency. They shall also outline the authority of the supervisor(s) regarding personnel activities (promotions, discipline, leave approval, performance evaluations, grievance handling, assignment of
work and training).

IX. The personnel policies shall assure that all staff, including administrative and supervisory staff, will receive performance evaluations at least on an annual basis. There shall be evidence that evaluations have been discussed with the staff person and that they have become a part of the permanent personnel record. Policies shall provide that the staff person receives a written copy of the evaluation and signs the evaluation to demonstrate agreement or disagreement with the results of the evaluation. Policies shall assure that any written response from the staff person is included in the permanent personnel file.

The shelter shall have a written schedule that assures that the shelter is covered either by a trained staff person or trained volunteer when a resident is in the facility.

XI. Personnel policies shall include job descriptions and position qualifications for each position within the shelter. They shall also include descriptive titles, duties and functions.

XII. When an shelter provides professional or therapeutic counseling, and/or professional social work, the personnel policies shall ensure that individuals have appropriate credentials and are licensed when applicable.

XIII. All of the following functions shall be addressed in at least one job description within the agency policies.

A. Administration and supervision of the program
B. Program direction to provide overall development
C. Coordination of personnel and facilities
D. Volunteer activites
E. Case supervision
F. Direct resident services
G. Case management
H. Record keeping
I. Community education activities
PHYSICAL ENVIRONMENT AND SAFETY

A shelter is a place where victims of family violence, their children and dependents can seek temporary and secure refuge twenty-four (24) hours a day, seven (7) days a week, three hundred sixty-five (365) days a year.

The following standards apply to shelter, safe homes, and commercial lodgings used in connection with residential services.

I. A shelter shall meet the applicable Federal, State and local fire, health, and safety standards, including, but not limited to:

A. Smoke detectors shall be located on each floor. Placement of these detectors must include the sleeping area(s), the kitchen and the furnace areas.

B. Shelters shall have a window or access to a fire escape from the sleeping areas.

C. At least one fire extinguisher shall be located on each floor of the shelter, specifically one located in the kitchen area.

D. Shelters shall have clear exits for escape in case of fire.

E. Shelters shall not use lead paint on the walls, floors, doors, furniture, cabinets, windows, stairs, and porches.

F. Dead bolts used on shelter doors shall not be double-keyed. It must be possible to release dead bolts from the inside without a key to allow for escape in case of fire.

G. Flammable, poisonous and caustic materials located in the shelter shall be stored separately, away from the reach of children.

H. Electrical outlets not in use shall contain childproof covers. Electrical cords and plugs shall be in good condition with no exposed or frayed wiring.

II. A shelter shall have arrangements for the provision of nutritional and adequate meals which meet USDA standards, adequate food storage, cooking facilities, refrigeration, utensils, and equipment.

III. A shelter shall have adequate dining areas which are clean and well ventilated.
IV. A shelter shall have bathing, lavatory and toilet facilities available on the premises which allow for individual privacy. These facilities must be maintained in good operating condition and must be cleaned on a regular basis.

V. A shelter shall have sleeping beds available for each resident. Cribs or playpens shall be available for infants and toddlers.

VI. A shelter shall provide centrally located secure storage for medications belonging to residents.

VII. A shelter shall provide residents access to telephone communications.

VIII. A shelter shall provide that all external entrances or exits, including doors, windows, skylights, cells, etc., are securable.

IX. A shelter shall provide a comfortable environment in which to reside that includes heat, ventilation, and cleanliness. A shelter shall have enough heating equipment to be comfortably warm during the cold months and adequate ventilation during the warm months. Heaters and/or fireplaces with open flames shall not be used. Doors and windows which are open in warm weather shall have insect screening.

X. A shelter shall have supplies for personal hygiene available for residents. This policy must be included in the intake form.

XI. A shelter program shall provide a safe play space for children. Any playground equipment shall be located, installed and maintained in such a manner as to ensure the safety of children.

XII. A shelter shall provide a space(s) which is/are distinct from the living area to serve as an administrative office and/or a private counseling office.

XIII. A shelter shall ensure that all structures and grounds of the facility are maintained in good repair and are free from reasonable danger to health and safety.

XIV. A shelter shall provide non-combustible covered containers when garbage and rubbish is stored outside. Garbage shall be removed at least weekly.

The following additional standards shall apply to all safe homes and commercial lodgings.
XV. A shelter shall assure the following if safe homes are used.

A. A written process for the selection and continued evaluation of safe homes.

B. Adequate and appropriate training for the safe home providers.

C. A written statement of the rights and responsibilities provided by the shelter program.

D. Sleeping privacy for guests and access to bathing and laundry facilities, food and telephone.

XVI. A shelter program shall assure that residents of a safe home system or commercial lodging have equal access to all core services including daily contact by staff or trained volunteers. For permanent residential services to assure quality service delivery.