

STATE OF WEST VIRGINIA

At CHARLESTON

EXECUTIVE ORDER NO. 5-22

By the Governor

WHEREAS, the number of correctional officers available to staff juvenile and adult detention and correctional facilities is less than what is recommended to operate the State's juvenile and adult detention and correctional facilities; and

WHEREAS, any shortage of correctional officers limits the ability to properly supervise the State's incarcerated individuals; and

WHEREAS, without proper supervision of incarcerated individuals, there may be a danger to the public, a danger to the correctional officers and administrative staff, and a danger to incarcerated individuals themselves; and

WHEREAS, excessive amounts of overtime for existing correctional officers are not conducive to safe working practices and environments; and

WHEREAS, the Secretary of Homeland Security, the Adjutant General of the West Virginia National Guard, and the Division of Personnel have worked to find a solution that helps provide the needed workforce; and

WHEREAS, it is imperative to properly staff and control this State's juvenile and adult detention and correctional facilities, and until there is proper staffing to achieve a safe environment within our juvenile and adult detention and correctional facilities, a State of Emergency exists; and

NOW, THEREFORE, I, JIM JUSTICE, by the authority vested in me as the Governor of the State of West Virginia, do hereby **ORDER** that:

1. A State of Emergency exists in West Virginia as it pertains to the staffing level of our juvenile and adult detention and correctional facilities; and
2. The Adjutant General is hereby ordered to support the Department of Homeland Security with National Guard personnel sufficient to alleviate staffing shortages at adult and juvenile correctional and detention facilities; and
3. The Adjutant General and the Secretary of the Department of Homeland Security are empowered to enter into any agreement, lasting not more than one year, to ensure the proper deployment of National Guard personnel. While the Adjutant General will continue to exercise overall command and control of National Guard personnel, the Secretary of the Department of Homeland Security will provide direction as to the general or specific mission to be accomplished; and
4. Any agreement between the Adjutant General and the Secretary of the Department of Homeland Security may, by agreement, extend the period beyond one year should staffing shortages persist.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



By the Governor

DONE at the Capitol, in the City of Charleston, State of West Virginia, this Eleventh Day of August, in the Year of our Lord, Two Thousand Twenty-Two, and in the One Hundred Sixtieth Year of the State.


GOVERNOR


SECRETARY OF STATE