

**OPPOSITION Response to HB 4222**  
**Relating generally to probation and parole**

**January 23, 2024**

House Jails & Prisons Committee:

[West Virginians for Rational Sexual Offence Laws \(WVRSOL\)](#) is a West Virginia non-profit association and an affiliate of the [National Association for Rational Sexual Offence Laws \(NARSOL\)](#), which advocates for society's segment that is adversely affected by the sex offender registry. We help families impacted by the registry, seek ways to maintain and improve public safety, recommend prudent use of state funding in this area, and work to ensure that proposed legislation is constitutional.

WVRSOL joins the ACLU of WV in **support** of HB 4222 because it allows people on probation and parole to earn credits to shorten their period of supervision; however, as written, we also **oppose** it since it carves out an exception for those convicted of sexual offenses.

**HB 4222 – proposed changes**

1. The updates proposed to section §62-12-30 significantly improve the probation and parole policy, incentivize those affected to participate, better themselves as citizens, and help facilitate effective and successful re-entry. However, the proposed changes carve out exceptions for those on probation and parole with convictions for §61-2-1 et seq., §61-3E-1 et seq., §61-8B-1 et seq., and §61-8D-1 et seq.

**Opposed to: carved-out exceptions**

1. The proposed changes exclude ~31% of the current 5,842 prison population. (Marshall, 2022)
2. One could, and we do argue, that those proposed to be excluded are actually the supervised population we should be targeting to offer these incentives to, not EXCLUDE.
3. How does excluding ~31% of the supervised population reduce the supervision roles, associated costs, and human resources hours?
4. What logical reasoning/purpose do the bill sponsors say these exclusions support other than – "... cannot say we are soft on crime."

Considering all of the above, it's clear that HB 4222 should be supported; however, the carved-out exceptions SHOULD be removed.

WVRSOL supports legislation that actually works to reduce abuse and sexual offenses, help children and families, and improve public safety. HB 4222 does this, and we **support** it; however, we **oppose** and respectfully urge the House, its members, and the House Jails & Prisons Committee to **remove the carved-out exceptions to HB 4222**.

Sincerely,

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WVRSOL does not in any way condone sexual activity between adults and children, nor does it condone any sexual activity that would break the laws of any state. We do not advocate lowering the age of consent, and we have no affiliation with any group that does condone such activities.

## Works Cited

Marshall, W. K. (2022). *FY 2022 Annual Report WV Division of Corrections and Rehabilitation* (p. 47)  
[Annual]. [https://dcr.wv.gov/resources/Documents/annual\\_reports/FY22%20ANNUAL%20REPORT%20WV  
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