SOUTH DAKOTA DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE		POLICY NUMBER 400-11	PAGE NUMBER 1 OF 6
		DISTRIBUTION:	Public
		SUBJECT:	Offender Classification
RELATED STANDARDS:	**ACA-5-ACI: 5B-02, 5B-03, 5B-04, 5B-05, 5B-06, 5B-09**	EFFECTIVE DATE:	August 15, 2026
		SUPERSESSION:	06/15/2026
DESCRIPTION: Offender Services	REVIEW MONTH: September	**NICK LAMB** **SECRETARY OF CORRECTIONS**	

I. POLICY

It is the policy of the South Dakota Department of Corrections (DOC) to exercise response to risk considering an assessment of risk and efficient management of offender population.

II. PURPOSE

The purpose of this policy is to provide:

1. Objective risk assessment/guidelines for offender custody level assignments.
2. Standards for monitoring and tracking each offender's custody and program accomplishments during confinement.
3. Criteria for staff and assigned case managers for objective risk management assessment, and
4. Direction to ensure offender programming needs and completion options are reviewed and taken into consideration as a major component of the offender (re)classification process.

III. DEFINITIONS

Close Custody:

Offenders who have a high risk of escape, misbehavior, or danger to the public and staff. They are housed in Level IV and V facilities with controlled movement.

Custody Level:

Level of restriction of offender movement within a DOC institution. This is divided into Close, Medium, Minimum-R, and Minimum. Each offender housed in a DOC institution is assigned a custody level.

Level I Facility:

Level I facilities have designated boundaries but need not have perimeter fencing. Offenders classified as minimum may be incarcerated in level I facilities, but generally offenders of higher classifications should not be incarcerated in level I facilities.

Level II Facility:

Level II facilities have designated boundaries with a single or double perimeter fencing. The perimeter of level II facilities should be patrolled periodically. Offenders classified as minimum restrictive and minimum may be incarcerated in level II facilities, but generally offenders of higher classifications shall not be incarcerated in level II facilities. Work release programs may only be established in level II facilities.

Level III Facility:

Level III facilities generally have a wall or double perimeter fencing with razor wire, and detection devices. These facilities use controlled sally ports. The perimeter of level III facilities should be continuously patrolled. Appropriately designated close classified offenders, medium classified offenders, and offenders of lower classification levels may be

incarcerated in level III facilities, but generally offenders of higher classifications should not be incarcerated in level III facilities.

Level IV Facility:
Level IV facilities generally have a wall or double perimeter fencing with razor wire and detection devices. These facilities generally use controlled sally ports. The perimeter of level IV facilities should be continuously patrolled. Close classified offenders and offenders of lower classification levels may be incarcerated in level IV facilities.

Level V Facility:
Level V facilities comprise the highest security level and are capable of incarcerating all classification levels. The facilities have double perimeter fencing with razor wire and detection devices or equivalent security architecture. These facilities generally should use controlled sally ports. The perimeter of level V facilities must be continuously patrolled.

Medium Custody:
Offenders who represent a moderate risk to public and staff. They shall not work outside the secure perimeter of a facility and require limited controlled movement within a facility.

Minimum Custody (Gate Pass Eligible):
Offenders who represent a low risk to the public and staff. These offenders may work outside the secure perimeter of a facility to include work crews, work release, and do not require controlled movement within the facility.

Minimum-Restricted (Minimum-R) Custody:
A custody level for offenders who are suitable for minimum custody supervision within secure confinement. They can be housed at a Level II minimum custody facility but not allowed outside the secure perimeter of the facility.

Secure Perimeter:
Fences and/or walls (including the exterior wall of a building) that provide for the confinement of offenders within a secure facility. All entrances and exits of a secure perimeter are under the control of facility staff, thereby preventing an offender from leaving the facility unsupervised or without permission.

Violent Offender:
An offender serving a current sentence for a conviction of certain identified crimes of violence, as specified and determined by the Department of Corrections. Attempt, conspiracy, aiding, and abetting are counted the same as the principal felony.

IV. PROCEDURES

1. Authority:

A. The South Dakota DOC Offender Classification policy is solely a guide for staff.

B. No offender has an implied right or expectation to be housed in any particular facility, to participate in any specific program or to receive any specific service. Offenders are subject to transfer from any one facility, program, or service at the discretion of or the secretary of corrections (SOC) or designee.

C. Neither this policy nor its application may be the basis for establishing a constitutionally protected liberty, property, or due process interest.

2. Classification Staff:

A. ***At initial classification, each offender is assigned to a staff member to ensure supervision and personal contact; a unit management team*** (case managers and senior case managers) ***may perform this function*** **[ACA 5-ACI 5B-05]**.

3. Classification:

A. ***The classification system specifies the level of custody required and provides for a regular review of each classification*** **[ACA 5-ACI-5B-02]**. Each offender in the custody of the DOC shall be assigned/classified to a custody level. The DOC uses a system of custodial control composed of four (4) separate custody levels. Offenders will be assigned to a custody level that is the least restrictive necessary to keep the offender detained in DOC custody. An offender's assigned custody level determines the level of supervision that must be applied. ***The classification plan provides for maximum involvement of representatives of relevant institutional programs and the offender concerned in classification reviews*** **[ACA 5-ACI-5B-03]**. Objective risk assessment scoring guidelines include the offender's current offense, history of violent felonies or institutional violence, institutional behavior, history of escape behavior, current age, program participation, and work status.

1. Offenders are assigned medical, dental, and behavioral health codes at intake.
2. Codes are updated with health status changes by a healthcare practitioner.

B. In some cases, administrative risk factors create an additional risk not captured in the assessed risk score. The administrative risk factors pertain to risk of dangerousness, violence, or escape. In these cases, "Administrative" is indicated as the basis for placement. The Administrative Risk Factors for Offender Custody and Placement Distribution contain policy directives for placements involving administrative risk factors. Examples include, but are not limited to:

1. Sex offenders.
2. Offenders serving an escape sentence.
3. Offenders pending violent felony charges/holds.

C. Additional Risk Information. Discretionary must pertain to perceived risk of dangerousness, Violence, or escape not captured in the risk scale. Justification of additional risk information must be documented on the case note hearing log screen.

D. Mitigating Risk Information. Discretionary information may be used to lower an offender's final custody level below what is indicated by the risk scale. Mitigating risk information must pertain to a perceived lower risk of dangerousness, violence or escape than that captured on the risk scale. Justification of mitigating risk information must be documented on the hearing log screen in the offender management system (OMS).

E. An offender's custody level/classification may affect his/her housing, employment, transport, programming, etc.

F. Offenders housed in contract facilities or out of state through the Interstate Compact program are classified by SD DOC staff. Each offender shall be assigned to a staff member who is responsible for gathering and reviewing information related to the offender, including assigning a classification level to the offender. This information is documented in the OMS.

G. Classification decisions placing an offender in minimum custody require a complete audit/review by designated classification staff.

4. Administrative Classification Factors:

A. Offenders identified as sex offenders, coded as something other than a S2N on the sexual behavior screen, are not eligible for minimum-restricted custody unless they meet the following:

1. MNSOST of 0, 1, or 2. (no 3 or R).
2. Current offense 2V or lower, no Rape 1st or 2nd, kidnapping or Criminal Pedophilia.
3. Completed sex offender management programming (SOMP) treatment.

B. Offenders with a sexual behavior code of S2N may be placed in a level II facility as minimum-restricted only.

C. Offenders who receive a Capital Punishment sentence will be close custody regardless of classification points.

D. Offenders who are more than five (5) years from their INPD or if they have no parole date and are more than five (5) years from their discharge date cannot be minimum custody.

E. Offenders who are serving a life sentence will not be lower than medium custody.

F. Place offenders on medium custody status if they have a final risk level of minimum or minimum-restricted, and:
   1. Have an LSI-R score of = >37 and have not had a comprehensive psychological review, or
   2. Have a system risk level of 2 or 3 (per DOC policy 400-13 *System Risk Level*).
   3. Place offenders on close custody if they are placed in special management or extended restrictive housing.
      a. Exceptions to placement on close custody status are offenders housed in a residential treatment unit (RTU).

G. Offenders with a system risk level of 3 with a PCL-SV score of 18 or above and a VRAG score of 14 or a VRAG-R score of 19 or above will not be below close custody.

H. Offenders serving a sentence on their current admission for kidnapping, manslaughter 1st, or murder including accessory attempted, conspiracy to commit, or aiding and abetting will not be below medium custody.

5. Information:

A. Applicable information/documentation, including history and needs, medical, behavioral health, chemical dependency, education, LSI-R score, Risk Reduction programming, SOMP needs, and criminal history will be gathered, reviewed, and documented by classification staff.
   1. Program staff and clinical services staff are responsible for documenting related information, which may be considered by classification staff during the classification process. Clinical services staff will document an offender's health record and related information within the electronic health record.
   2. Information that may exist within other criminal justice systems or agencies pertaining to the offender and/or the offender's contact with the system or agency, may be solicited and considered by classification staff. ***The institution solicits and uses pre-institutional assessment information regarding the offender's progress and adjustment*** **[ACA 5-ACI-5B-04].**

B. Any staff member may submit information to classification staff to assist in determining an offender's classification.

C. Classification staff may consider reliable confidential information only. Confidential information considered may be made available to the offender; however, the source of the confidential information will not be disclosed if disclosure may subject the informant/witness to risk or harm. A record will be generated for all confidential information considered during the classification process. The record must include the following:
   1. The details of the information considered.
   2. The identity of the confidential informant (CI).
   3. Staff's familiarity with the informant's reliability.
      a. Reliability includes verifying the accuracy of information shared by the CI in the past.

6. DOC Juvenile System Information:

A. Admissions and orientation (A&O) staff will complete a name search in the Juvenile OMS system for each new admission offender received who is under thirty-five (35) years of age.
   1. If staff verify the offender has a record in the Juvenile OMS system, Section 1 in the initial classification manuals will be completed and forwarded to the director of Juvenile Services.
   2. Any juvenile record that affects the offender's classification will be included in the offender's classification information.

7. Pending Felony Charges/Holds and Active Felony Warrants:

A. Central Records staff will conduct a warrant check through NCIC III during the initial classification of an offender. Staff will review the results to determine if an offender has any active felony warrants, official felony holds or detainers applicable to South Dakota. All pending felony charges, pending sentencing documents for additional felony convictions, or Immigration and Naturalization Service (INS) holds must be documented and considered during the classification process.

1. An active felony warrant is defined as a felony charge for which an offender has not been sentenced and the jurisdiction issuing the warrant intends on taking custody of the offender upon release/discharge from DOC custody.

B. Case management staff will ensure a NCIC III check is completed when an offender is identified for classification to minimum custody status.

8. Classification Review/Meeting:

A. The case manager shall be responsible for ensuring the offender remains properly classified and will regularly update the offender's classification based on changes in the offender's status that affect classification.

B. Offenders housed in contract facilities or outside of the state will generally not attend the classification review and shall have their classification determined by classification staff in absentia. The offender will be provided with written notice of the determination.

C. Offenders who cannot or choose not to attend their classification review will be notified in writing of their classification by staff within five (5) business days of their classification being determined.

D. Changes in placement factors, separate from risk, typically do not require a review with the offender.

9. Classification Actions:

A. Classification staff will recommend housing placement based on an offender's classification. Staff will set the date for the offender's next re-classification review for six (6) months following the initial classification assessment.

B. An earlier than scheduled classification review may be completed by classification staff if changes occur with any of the criteria considered during the offender's classification, including the following:

1. Commission of a major/high level offense in custody.
2. Actions on holds/detainers, felony warrants, or new hold/detainer, warrant; and
3. New sentencing by the court.

C. Each offender will have a reclassification review at least annually. ***The written plan for inmate classification specifies that each inmate's classification status is reviewed at least every 12 months*** **[ACA 5-ACI-5B-06]**.

D. Increases to an offender's custody level require action from classification staff, i.e., review of the offender's current level. Example: Offenders will not automatically be placed at a higher level after committing a major offense in custody.

E. Offenders received as new admits will be assigned close custody status until they receive their initial classification assessment.

10. Classification Approval:

A. Classification staff have authority to assign close, medium, or minimum-restricted custody status to an offender.

B. Any classification decision that classifies an offender as minimum custody must be approved by the associate director of offender services or designee.

C. Classification decisions that include separation requirements, consistent with the offender's risk; or decisions that place an offender on monitoring status, must be approved by the warden, associate warden, and associate director of offender services, or designees.

D. Classification decisions using or removal of additional risk information, mitigating risk information, separation requirements for placement at a facility inconsistent with the offender's risk, placement on the basis of administrative decision, or placement inconsistent with this policy, must be approved by an associate warden, warden, and associate director of offender services, or designees.

11. Classification Decisions and Appeals:

A. Classification action requiring additional review does not become effective until the classification action has been reviewed and approved by the designated staff with authority to approve the classification. The offender's approved classification shall be documented in the OMS.

B. ***Written policy, procedure, and practice specify the conditions under which an offender can initiate a review of progress and program status*** **[ACA 5-ACI-5B-09]**. Offenders may not appeal classification actions or decisions that affect the offender which are a result of the offender's classification.

V. RESPONSIBILITY

The director of Prisons is responsible for the annual review and revision of this policy.

VI. AUTHORITY

A. SDCL § 24-2-27 **Facilities, programs, or services outside correctional facilities--Contracts with other agencies for care of inmates--No right or court order for housing in particular facility or participation in specific program or services--Escape.**

VII. HISTORY

August 2026
June 2026
February 2026
October 2025
February 2025
October 2024
January 2024
September 2023 (Combined 1.4.B.2 & 1.4.B.14 into this policy)
July 2020

ATTACHMENTS

None.