SOUTH DAKOTA
DEPARTMENT OF CORRECTIONS

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SOUTH DAKOTA
CORRECTIONS

OFFENDER LIVING GUIDE

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MISSION STATEMENT

Support service with purpose in a culture of respect through integrity, humility, and character.

VISION

Safer South Dakota communities for the next generation.

VALUES

- We value our staff as our greatest asset.
- We value a safe environment for staff and offenders.
- We value community support and collaboration.
- We value public trust in the operation of our department.
- We value the use of evidence-based practices to maximize offender rehabilitation.
- We value diversity and the respect for all individuals.
- We value professionalism, teamwork, and the highest standard of ethics.
- We value investment in our staff through training in sound correctional practice and through the provision of opportunities for development and career advancement.

INTRODUCTION

The content and information contained within this handbook apply to all offenders in the custody of the South Dakota Department of Corrections (DOC). This handbook contains general information to help you with the normal routine of prison life and is not intended to be a complete list of all DOC rules, regulations, programs, or procedures.

Read this handbook carefully. Beginning immediately upon your admission to a DOC institution, you are accountable for following all rules and regulations in place at the institution. If you have questions regarding the information provided in this handbook, it is your responsibility to contact a staff person. Additional information about topics described in this handbook may also be obtained by reading the related DOC policy. Information about prison life is posted in the unit plans on your tablets and the kiosks.

AN IMPORTANT MESSAGE

The DOC treats offenders fairly and humanely. While in custody, you will be afforded opportunities for self-improvement and positive change. You will have access to staff who are responsive to your needs. Staff will help ensure you are in a safe, secure, and sanitary environment, and will provide clear and accurate information about decisions affecting you.

Most offenders in prison want to do their time in the best possible way and be released as soon as possible. Some offenders, however, have the mistaken impression the rules and regulations do not apply to them. They attempt to establish their own methods of operation by creating unrest and causing trouble.

If a situation such as a disturbance, escape attempt, assault, or fight occurs, go immediately to your housing area or other area as directed by staff, and remain there for further instructions from staff. Offenders who participate in such activity face disciplinary action and possible criminal prosecution. Avoid any actions or behaviors that will connect you to such activity.

It is the policy of the DOC to house offenders who choose not to abide by the rules separate from general population offenders. This helps provide a safe environment for all offenders to serve their time. See DOC policy 300-19 *Restrictive Housing* for more information.

If, at any time, you believe you are in danger of being physically assaulted or abused (including sexual abuse), you must immediately report your concerns to a staff member so appropriate action can be taken. If you believe you are the victim of excessive use of force by a staff member, you must immediately report this through the Offender Hotline or by contacting a member of your housing staff. Your room/cell may be equipped with an emergency call button. Staff will respond promptly to emergency calls. Emergency call buttons may only be used to report an emergency, such as a medical emergency, self-harm, assault, fight, etc.

Any decision to violate the rules or refuse required programming may result in a denial of release to parole supervision, loss of certain privileges, imposition of disciplinary sanctions, and/or placement in a restricted housing unit.

HARASSMENT

The DOC is committed to maintaining an environment free of harassing, discriminatory, and offensive behavior based on race, color, religion, national origin, sex (including pregnancy), age, genetic information, disability, or any other legally protected status or characteristic. The DOC will investigate all complaints involving harassing, discriminatory, or offensive behavior.

PRISON RAPE ELIMINATION ACT (PREA)

Sexual assault/rape is any unwanted sexual contact from another offender, or any sexual contact involving a staff member, even if it is consensual. Consensual sexual activity between offenders is against the rules. Sexual activity involving offenders and staff is a violation of DOC policy and state law.

Sexual assault/rape does not have to be a violent act. If the victim feels they would be harmed or retaliated against if they refused, then it is sexual assault/rape.

Sexual harassment is repeated comments or gestures that are sexual in nature, unwelcome sexual advances, or requests for sexual acts from another.

The DOC has a zero-tolerance policy relating to all forms of sexual assault/rape and sexual harassment, retaliation by offenders or staff for reporting sexual assault/rape and harassment, or staff neglect or violation of responsibilities that may have contributed to such abuse or harassment. The DOC will cooperate in the investigation and prosecution of anyone involved in committing or

attempting to commit sexual assault/rape or sexual harassment. If you believe you are the victim of sexual assault/rape or sexual harassment, please report this information to any staff member as soon as possible. If you become aware another offender may be the victim of sexual assault/rape or harassment or may be at risk of victimization, it is your obligation to notify a staff member immediately.

If you are not comfortable reporting sexual assault/rape or sexual harassment directly to a staff member, either in writing, verbally, or through an anonymous kite, you may report the abuse or harassment through the institutional telephone "hotline", or by contacting the South Dakota Division of Criminal Investigation (DCI), 1302 East Hwy 14, Suite 5, Pierre, SD 57501-8505. If you choose to report the sexual assault/rape or harassment to a friend or family member, they may report this information directly to the DOC or DCI. The DOC will respond to all reports of sexual assault/rape or harassment and take steps to protect the victim. Offenders who are victims of sexual assault/rape or sexual harassment have access to community victim advocate services.

Offenders who identify as transgender or intersex may contact housing staff or behavioral health staff to request certain accommodations permitted by policy.

For more information, please refer to the "An Offender's Guide: Sexual assault/rape and Sexual Harassment Awareness" brochure available through your housing staff. DOC policy 1100-01 *Prison Rape Elimination Act (PREA)* includes information about the department's commitment to comply with the Federal PREA standards.

AMERICANS WITH DISABILITIES ACT (ADA)

In accordance with the requirements of Title II of the Americans with Disabilities Act (ADA), the DOC will not discriminate against offenders with disabilities and will make reasonable accommodations to ensure offenders with disabilities have equal opportunity to participate in programs, services, and activities.

To ensure effective communication with offenders who are deaf, hard of hearing, or have a speech disability, the DOC will provide appropriate auxiliary aids and services, free of charge. . See DOC policy 1500-01 *Americans with Disabilities Act* for more information.

If you require accommodation because of a disability, please contact the facility ADA Coordinator. If you wish to file a grievance relating to an ADA-related issue, including discrimination on the basis of a disability or denial of reasonable accommodation, you may do so through the administrative grievance process. See DOC policy 500-04 *Grievance Procedure*.

DOC INSTITUTIONS

The following South Dakota DOC institutions house male offenders: South Dakota State Penitentiary, Jameson Prison, Rapid City Correctional Facility, Sioux Falls Minimum Center, Mike Durfee State Prison, Yankton Minimum Center, and Rapid City Minimum Center.

The following South Dakota DOC institutions house female offenders: South Dakota Women's Prison, including E-Unit, and the Pierre Minimum Center.

In some instances, offenders sentenced to the DOC may be housed in a contract facility or other approved placement, or in another state's correctional facility.

HOUSING STAFF

Upon admission to a DOC institution, you will be assigned housing staff which normally consists of a housing captain, case manager, housing sergeant, and in some instances, a transitional case manager and parole agent. You may address questions and concerns regarding your assigned programming, employment options, classification, housing placement, Individual Program Directive (IPD), parole/release planning, financial accounts, etc. to a member of your housing staff. You may contact your housing staff by submitting a written request slip (kite) stating your question, need, or concern. Please familiarize yourself with the unit plan for your assigned housing unit. The unit plan contains information about the day-to-day operations, activities, and schedules for the unit. You may view the unit plan by contacting your housing staff. Unit plans are also posted on your tablet, and available at the various kiosks.

If you transfer to another DOC institution or a different housing unit within the institution, you may be assigned a new housing staff. Your new housing staff will be provided with the necessary information concerning your programming, history, parole plan, etc.

CLASSIFICATION, SCREENING AND ASSESSMENT

The South Dakota Department of Corrections uses a standardized, objective system of classification, assessment, and screening to identify appropriate housing, programming, treatment, care, and custody for all offenders. The classification system, applied as a whole and in conjunction with assessments, screening and other information gathered helps ensure you are appropriately and correctly housed, supervised, and offered necessary programming and treatment. Classification is essential to the safety and security of the institution, staff, offenders, and the public.

You will be notified of all scheduled reviews of your classification and any changes in your classification.

IDENTIFICATION

You will be issued a DOC identification card (ID). Your ID includes a recent facial photograph of you and your ten-digit DOC identification number. You are required to appropriately wear your ID except when sleeping or showering. You may be charged a replacement fee if you lose, alter, or destroy your ID. IDs will be updated periodically or as deemed necessary by staff. See DOC policy 400-01 *Offender Identification Procedures* for more information.

Your case manager can assist you in applying for a replacement Social Security card, replacement birth certificate, or applying for or renewing a state driver's license or state identification card. A valid form of identification is required for employment and operating motor vehicles on public

roadways. If you will be released from DOC custody but do not have access to these documents, you are encouraged to obtain replacements while incarcerated. If you have a valid state-issued ID or driver's license, you may be eligible to renew this while incarcerated. Having a valid ID or driver license and access to your Social Security card and birth certification is very helpful when transitioning back into the community. See DOC policy 400-01 *Offender Identification Procedures* and policy 500-01 *Offender Reentry Services and Transitional Planning* for more information.

INDIVIDUAL PROGRAM DIRECTIVE (IPD)

All offenders are assigned an Individual Program Directive. This document outlines the standards of compliance and expectations specific to you and your sentence(s). You are expected to maintain a good disciplinary record and work diligently and to the best of your ability when assigned a job, vocational training, or employment and while participating in programming, treatment, or education classes.

Your IPD establishes expectations for you to maintain your eligibility for release to parole supervision. Failure to abide by the standards of compliance and expectations contained in your IPD may result in a finding of non-compliance, which may prevent or delay your release to parole. If you are found non-compliant with your IPD at your initial parole hearing, you may have to wait up to two (2) years for another opportunity for parole. Any parole hearing you are scheduled for after a finding of non-compliance is discretionary. The Board of Pardons and Paroles has the authority to require you to serve your entire sentence. See DOC policy 1000-02 *Individual Program Directives (IPD)* for more information.

RELEASE PLANNING

You will be offered programming and services to assist you with your transition from prison to the community. If you are within five (5) years of your possible release date, you must participate in release planning and develop an appropriate release plan, which must be approved by your parole agent. Your release plan will be reviewed at least annually by you and your case manager. Changes to your release plan will normally be completed at your classification review and at least sixty (60) days prior to your initial parole date. Transition case managers and parole staff will work with you to assist you with your release. See DOC policy 500-10 *Parole Releases and Supervision Agreement* for more information.

HOUSING ASSIGNMENT

Your housing assignment will be determined by your housing staff. You do not have any implied right or expectation to be housed in any particular institution or location. While in the custody of the DOC, you are subject to transfer to or from any institution, unit, or program. Your housing is affected by many different factors.

LIVING QUARTERS

You are responsible for cleaning and caring for your living quarters, which includes sanitizing frequently touched surfaces. Living quarters shall be kept neat and organized. Cleaning supplies

will be provided. Designated days and times for cleaning are posted in the unit plan. Refer to the unit plan for additional information about your living quarters.

Any structural problem, such as leaking faucets or toilets, defective light fixtures or broken or damaged state property, must be promptly reported to a staff member. All property in your living quarters which is not your personal property is state property. Defacing, damaging, altering, destroying, wasting, or otherwise misusing state property is strictly prohibited. You may be held financially liable for any state property lost or intentionally damaged as a direct or indirect result of your actions and subject to disciplinary action.

Keep your property picked up and stored in its rightful space within your living quarters. Respect other's property. Stealing, damaging, destroying, or possessing another's property is against the rules. Each offender is responsible for keeping their living quarters free of contraband.

PERSONAL PROPERTY

You are allowed to access, obtain, and possess certain items of personal property through approved means. Property may be purchased through commissary or approved outside sources. Property is issued to you. Lists of allowable property, methods of obtaining property, and the amount of property you have in your possession, are available in DOC policy 500-02 *Offender Personal Property*. The property you are allowed to possess will vary, depending on your assigned institution, housing unit, classification, and status. Your privilege to possess personal property is subject to the rules and requirements of the DOC. Certain items of personal property must be recorded on your property list.

You are not entitled to reimbursement or compensation for personal property that is lost, stolen, confiscated, damaged, destroyed, or discarded. Access to certain personal property items may be temporarily forfeited as a consequence of your actions or based on your housing or program assignment. You may not transfer, trade, barter, loan, or sell property to another offender. Altered or damaged property must be sent out or properly destroyed. Property found in your possession that is not yours or for which you are not authorized to possess will be confiscated. See DOC policy 500-02 *Offender Personal Property* for more information.

CONTRABAND

Contraband is any item you are not authorized to possess. Approved items may be contraband if they are altered, possessed in higher quantity than authorized, used in unintended ways, obtained through an unapproved means or source, or stored in an unapproved manner or location.

You are responsible for contraband found on you, in your living quarters, in a storage space assigned to you, at your work site, or otherwise in your possession or control. Contraband found in your possession will be confiscated and you will be subject to disciplinary action.

Possession, or attempts to introduce or receive items such as weapons, alcohol, marijuana, prescription, or non-prescription drugs not issued to you by an approved medical authority, controlled substances, or other articles of indulgence, is a felony.

SEARCHES

Searches prevent the introduction, use, or concealing of contraband, and help detect unauthorized or inappropriate activity. You, your possessions, living quarters, assigned storage areas, and work sites are subject to search at any time. Personal communication, including telephone calls, written correspondence, and messaging, unless deemed privileged, is subject to search at any time. All offenders are subject to pat search, visual search, and strip search. Searches may be random or targeted.

COUNTS

A count is an official tally of all offenders. Count is conducted by staff to ensure all offenders are in their proper location. Offender counts will be conducted multiple times each day. Count may be conducted at any time. If you are not present at your assigned and approved location, or you fail to report as required when count is conducted, you may be placed on escape status and subject to disciplinary action. There is no talking or playing radios, or TVs, or using tablets or telephones during count. During "standing count" each offender shall be standing until counted (except for those with a medical restriction or ADA accommodation). There is no offender movement until count is cleared.

PERSONAL CLEANLINESS

You will be issued enough clothing to maintain a neat and clean appearance. You are expected to take a shower and use deodorant. You are responsible for exchanging your clothes for clean clothes and obtaining clean bedding, regularly, as scheduled. Intentional alteration of clothing, footwear, bedding, towels, etc. is not permitted. Worn, torn, soiled, stained, or otherwise damaged clothing, footwear, and bedding shall be turned in for exchange or proper disposal. Specific offender dress and grooming requirements and schedules apply at each institution and may vary based on your housing assignment.

Hair, including facial hair, must be kept clean and neat in appearance and cannot pose a threat to the safety, security, or sanitation of the institution. Offender barbers are available. Clothing, laundry, and hygiene requirements and schedules are included in the unit plan or posted directives.

Offenders are expected to practice personal cleanliness, which includes washing their hands with soap and water (for at least 20 seconds). Cover your nose and mouth with a tissue when coughing or sneezing, and promptly dispose of used tissues in appropriate waste receptacles. Do not share cups, utensils, washcloths, towels, etc. with others.

DNA COLLECTION

You are required by law to provide a DNA sample, if you have not previously done so, or if your information is not registered and on file with the state's DNA database. You will not be released from custody until you have provided the required DNA sample. Offenders who refuse to provide

the required DNA sample may be subject to criminal prosecution. See DOC policy 1100-02 *Offender DNA Collection* for more information.

MEALS

You are allowed a minimum of three (3) nutritional meals each day. Meals are served at designated times. Medical orders for special medical or dental diets are handled by clinical services. Requests for a religious tray must be directed to the cultural activities coordinator (CAC). You are responsible for all rules and procedures that apply to meals, including medical or religious meals, and the responsibilities and obligations that apply. See DOC policy 700-31 *Medical and Religious Diets* for more information.

You are expected to wash your hands before meals and have clean hygiene. Dress and behaviors while eating meals shall be appropriate and consistent with the expectations set by the institution. Clothing worn in the dining area shall not be torn, soiled, odorous, or wet. Appropriate footwear is required. Food may not be removed from the dining area. Some institutions have assigned seating in the dining area. Your status may dictate you eat your meals in your cell. In such cases, meals will be delivered to you.

BANKING SYSTEM

An account will be established in your name upon admission to the DOC. The DOC is authorized to cash checks and deposit accepted funds while you are in the custody of the DOC. This process is explained during admission. Personal checks, cash, or checks received from unauthorized sources will be rejected and returned to the sender at your expense.

Wages earned through employment in institutional support jobs and employment with outside employers, such as work release, will be deposited into your account. Most funds received while in the custody of the DOC are subject to the institutional banking formula, with some exceptions. The DOC maintains the authority to disperse your funds as deemed appropriate, based on your obligations. You are responsible for keeping track of your spending and account balances.

Fixed obligations, such as debts related to your crime, court-ordered fines, costs, fees, sanctions, and restitution will be listed on your financial plan. For more information refer to DOC policy 600-02 *Offender Accounts & Financial Responsibility*.

COMMISSARY

You may be allowed access to commissary to purchase approved items, such as snack food, toiletries/hygiene supplies, correspondence supplies, clothing, and personal property. The maximum amount you may spend each week on commissary and the accounts you may access for commissary spending are controlled by the DOC. See DOC policy 800-06 *Offender Commissary* for more information.

If you do not have funds to purchase certain commissary items, such as hygiene supplies or legal materials, you may request indigent commissary. Indigent commissary allows you to receive a

"loan" from the DOC to purchase approved indigent commissary items. You are required to repay the loan.

Family members and friends may purchase care packages on your behalf from the commissary vendor, subject to your housing location, disciplinary status, and rules and procedures set forth by the DOC.

Your commissary privileges may be temporarily suspended or restricted based on your status, housing location, or through disciplinary sanctions for committing behaviors that violate the DOC rules.

CORRESPONDENCE

All general correspondence items are subject to reading, inspection, approval, and copying by staff. Printed matter such as books, magazines, newspapers, and periodicals must be sent directly from an approved source. All incoming and outgoing general correspondence is subject to approval by mailroom staff. Correspondence cannot be passed through the control room, staff, volunteers, or during visits. Correspondence that violates the rules or policies may be withheld, excluded, confiscated, and/or rejected.

Legal correspondence must be sent to, or received from, a recognized, approved legal source and clearly marked as being sent to or from an approved legal source. Correspondence that is clearly identified by the sender as "privileged/legal" and verified as originating from an official legal source will be handled as legal correspondence and only opened/copied in your presence. It is your responsibility to notify the sender of these requirements. Correspondence that cannot be clearly identified as privileged/legal may be opened and handled as general correspondence. Privileged/legal correspondence will not be read by staff but remains subject to inspection by staff. Privileged/legal mail is generally only processed Monday through Friday, not including recognized state or federal holidays.

If you transfer to a different facility or are released from DOC custody, it is your responsibility to notify others of your new address. See DOC policy 500-06 *Offender Correspondence* for more information.

TELEPHONE & TABLET PRIVILEGES

Telephones and tablets are a supplemental means of maintaining community and family ties. Use of telephones and tablets shall be voluntary and for lawful purposes only. Wall-mounted telephones and kiosks are available in designated areas of your unit. You may be issued a tablet to use while at the institution. You are responsible for taking care of the tablet. You will be issued a Personal Identification Number (PIN) and a tablet access code. You will be provided information about how to access the telephone and tablet system and how to create an account. You may not share your PIN or tablet access code with other offenders. All telephone numbers you wish to contact must be on your approved contact list.

Access to tablets and telephone services is a privilege. All telephone calls, with the exception of calls known to be to or from your attorney or other privileged calls, may be monitored and recorded. Violations of the rules may result in restricted access to the telephone and/or tablet system.

You may request a special telephone call by sending a kite to your housing staff. You must contact your housing staff to arrange an attorney call. Approved and arranged privileged telephone calls (including calls to your attorney) are not monitored or recorded.

Issues with the telephone or tablet service, accounts, or rates/fees must be directed to the service provider. See DOC policy 500-05 *Offender Access to Telephones and Tablets* for more information.

VISITING

All DOC institutions have established visit days and times. Family and friends must apply to access the institution during visits. Visitors should go to the DOC website or contact the institution for more information about the visit requirements. Approved visitors will be added to your visit list. Minor children (under the age of 18) must be accompanied and supervised during visits by a responsible adult.

You will be allowed visits with your attorney and clergy. A private visit area is available for attorney and clergy visits. Attorneys are encouraged to visit during regular visit hours. However, visits from an attorney may be arranged at other times based on the circumstances of each case and the availability of DOC staff to arrange and supervise the visit. Attorney visits are subject to visual monitoring by staff but not audio monitoring.

You may request a "special visit" with an approved person(s) not on your regular approved visit list, or an approved visitor who is unable to visit during normal visit days and times by contacting your housing staff.

There are three types of visits:

- Class I visits are contact visits in a designated area of the institution.
- Class II visits are non-contact visits.
- Class III visits are video call visits using kiosks located in a designated area of the institution.

A non-contact visit means you will be separated from your visitor by a physical barrier, or the visit will be conducted using the video visitation system. Non-contact visits must be scheduled in advance. Class II visits may be required as a consequence of you or your visitor violating institutional rules, committing certain behaviors, or because of the crime you committed.

All institutions offer Class III video visits. Certain fees and conditions apply. Class III video visiting allows you to visit with approved family or friends remotely, through the use of technology and hardware provided by the institution. You may contact your housing staff or a representative of the service provider for more information about Class III visiting.

Participation in visits is strictly voluntary. You, your visitor(s), and any belongings permitted at the visit are subject to search before, during, and after a visit. All visitors eighteen (18) years of age and older are required to present a valid and accepted form of photo identification prior to admittance to the institution.

Violation of visiting rules by you or your visitor may result in any or all of the following:

- Immediate termination of your visit.
- Loss of visiting privileges.
- Removal of your visitor from your approved visit list.
- Placement on Class II visits.
- Disciplinary action and sanction.

Law enforcement will be contacted if a visitor is found in possession of a controlled substance, illegal contraband, or suspected of being under the influence of drugs or alcohol. It is a class 6 felony for a visitor to deliver, or attempt to deliver to an offender, any article which is unlawful for an offender to possess. Any offender suspected of receiving contraband through visits is subject to disciplinary action and restricted visits.

Visiting hours are posted in your housing unit. Certain limitations or changes to the visit schedule may be imposed by the warden or designee, as deemed necessary. It is your responsibility to notify your visitors if you are unable to participate in visits due to disciplinary action, work, programming, treatment, transfer, illness, etc. See DOC policy 300-23 *Offender Visiting* for more information.

RELIGIOUS AND CULTURAL ACTIVITIES AND PROGRAMS

Religious and cultural programs and activities are offered at all institutions. Participation in these programs and activities is voluntary. You are expected to conduct yourself in an appropriate manner while attending or participating in these activities. Spiritual counseling and access to clergy or religious volunteers may be arranged by contacting the cultural activities coordinator. All institutions have a Chapel or designated area for services, prayer, and religious study groups. You may contact the cultural activities coordinator for more information about religious and cultural activities available at the institution. Offenders shall have access to certain religious property, as approved. See DOC policy 500-07 *Offender Religious and Cultural Activities* for more information.

ALCOHOL AND DRUGS

Drug testing, searches, and other security measures are used to detect the use or possession of drugs, alcohol, and unauthorized substances. Offenders using, distributing, or possessing illegal substances are subject to disciplinary action and criminal prosecution. You may be asked to give a urine or breathalyzer sample at any time. Refusal to comply with drug testing as ordered will be treated as an admission of usage and a positive result.

Chemical dependency treatment and services are available based on available resources and assessed needs. You will be evaluated upon admission to determine if you require chemical dependency treatment or programming. See DOC policy 400-05 *Offender Drug Testing, Sanctions & Treatment* for more information.

CORRECTIONS SERVICE CANINES

Trained corrections service canines are used by the DOC to detect the odor of articles that are unlawful or not approved for offenders to possess. Canines are used during visits at the institution to search offenders and visitors. Canines are under the control of the canine handler. Corrections service canines are officers of the DOC. Offenders who assault, harm, injure, harass, or interfere with a corrections canine are subject to disciplinary action. Do not approach or pet the canine unless authorized to do so by the handler. When a canine is used to search an area, you are required to follow the instructions of the canine handler.

ACCESS TO THE COURTS

The DOC affords all offenders reasonable opportunities to access the courts and legal reference materials. Legal reference materials and legal documents are available electronically through your tablet or the kiosks. You may conduct legal research from the database and legal service which contains the latest updates on case law from each federal district and circuit court in the United States and is available on the tablets or kiosks. You may contact staff to request assistance obtaining copies of legal documents and forms and legal mailing. You will be charged a fee for copies. If you require assistance accessing the electronic law library, for any reason, please kite your housing staff. A Notary Public is available at most institutions.

Private practice attorneys and court-appointed attorneys, or their authorized representatives, may meet with you in the institution. Meetings with your attorney may be scheduled during regular visiting hours, or at other times by contacting your housing staff. Telephone or video court appearances may be arranged by the court.

You may correspond with your attorney, privileged sources, the courts, and legal aid offices through legal/privileged correspondence. See DOC policy 1500-02 *Offender Access to the Courts* for more information. You may arrange to use the telephone system to make confidential legal or privileged telephone calls by contacting housing staff.

Offenders may assist other offenders with legal matters, such as legal research or preparing legal materials. Any assistance provided shall be voluntary and not subject to any form of compensation. Offenders providing legal assistance to other offenders shall do so within the confines of all applicable rules and conduct. The DOC shall not take any affirmative action to assist offenders in providing or seeking offender legal assistance.

EDUCATION OPPORTUNITIES

The DOC recognizes the value of education. You may be required to participate in educational programming, assessments, and testing. These requirements will be included in your Individual Program Directive (IPD). If you are eligible for parole, your release to parole supervision may be dependent on your successful completion of specified education requirements.

The availability of specific coursework and classes varies by institution, classification level, and housing assignment.

ACADEMIC, EVIDENCE-BASED PROGRAMMING, VOCATIONAL PROGRAMMING, AND EMPLOYMENT OPPORTUNITIES

You may be required to participate in, and complete programming offered at the institution. If you are eligible for parole, your release to parole supervision may be impacted by your successful completion of all required programming and/or participation in training and/or employment.

You may be offered opportunities to participate in academic, evidence-based, and vocational programming. Opportunities vary depending on your classification/risk, crime and sentence, housing location, and other factors. If you complete an academic, evidence-based, or certain vocational programs, you may be eligible for earned discharge credits. See DOC policy 500-13 *Earned Discharge Credits* for more information.

You may be assigned employment in institutional support, community service, natural disaster response, or traditional prison industry, depending on your classification/risk, housing location, disciplinary record, job skills, and other factors. You may be paid a wage and/or earn earned discharge credits, depending on the job assignment. See DOC policy 400-10 *Offender Work Assignments and Pay* for more information.

You may be eligible to apply for a job in Private Sector Prison Industries or participate in work release while incarcerated. Eligibility is dependent on your classification/risk, disciplinary record, housing location, job skills, and other factors. Jobs in Private Sector Prison Industries and employment obtained through participation in work release pay regular wages, as set by the employer and in accordance with state and federal law. See DOC policy 1000-01 *Work Release* and DOC policy 800-03 *Prison Industry Enhancement Certification Program* for more information.

OFFENDER GRIEVANCE

The DOC encourages informal resolution of grievances and complaints. If you are unable to resolve a complaint through informal resolution, a formal process exists that requires staff to review and respond to your complaint. Certain time constraints apply. Only certain issues may be addressed through the offender grievance process. Only a single complaint may be included in a grievance. Emergency issues, such as those affecting your safety, emergency medical issues, sexual assault/rape or harassment, need for protective custody, or reporting of excessive use of force by staff, must be reported immediately to staff and are not subject to the offender grievance process.

Forms for filing complaints are available by contacting your housing staff. Some issues may be appealed to the secretary of corrections after being reviewed and responded to by the warden. See DOC policy 500-04 *Grievance Procedure* for more information.

OFFENDER HOTLINE

The offender hotline is a confidential line of communication between you and security staff. You may remain anonymous when reporting information on the hotline. Examples of information that can be reported include threats to the safety and security of the institution, assaults or fights, gang activity, major rule violations, activities involving drugs, alcohol, cell phones, weapons, or other

contraband, sexual assault/rape or harassment, excessive use of force by a staff member, escape attempts, etc. Directions for use of the hotline are posted near the telephones.

If you are experiencing thoughts of self-harm or suicidal ideations, or you have information that makes you fear for your safety or the safety of others, you must immediately report this to a staff member.

DISCIPLINARY

Rule violations or offenses in custody are divided into four categories. Level H (high) is the most severe. Offenders who commit rule violations are subject to disciplinary action. If you are found guilty of committing a rule violation, you are subject to the disciplinary process. If found guilty or you enter a plea of guilty, you may be issued a sanction. Sanctions include restitution, forfeiture of personal property, loss of privileges, and extra work duties. See DOC policy 300-17 *Offender Discipline System* for more information.

Other consequences for committing rule violations may be assignment to a higher classification level, loss of employment, or placement in restrictive housing.

Committing certain rule violations or frequent rule violations may cause you to be non-compliant with your Individual Program Directive and may negatively impact your opportunity for participation in certain programs. Your disciplinary history also affects your eligibility for release to parole supervision or suspended sentence status.

The sanctions outlined below may be adjusted at the discretion of the DHO with warden or designee's approval.

Attempting or conspiracy to attempt any infraction is inferred as included in the definition of the rules below.

OFFENSES IN CUSTODY

Rule #	Rule Definition	Loss of Privileges	Restrictive / Disciplinary* Housing *Disciplinary with female offenders only
MAJOR INFRACTIONS H = High Level, M = Medium Level, L = Low Level			
H2	Murder; Killing anyone.	Up to 360 days	Up to 90 days
H3	Assault resulting in serious bodily injury requiring immediate medical attention, emergency treatment, or hospitalization.	Up to 360 days	Up to 90 days

Rule #	Rule Definition	Loss of Privileges	Restrictive / Disciplinary* Housing *Disciplinary with female offenders only
H7	Inciting a riot, work stoppage.	Up to 360 days	Up to 90 days
H8	Escape from secure custody or a secure facility, or planning, attempting, or assisting an escape from secure custody or a secure facility.	Up to 360 days	Up to 90 days
H9	Sexual assault.	Up to 360 days	Up to 90 days
H11	Throwing or spitting any bodily fluids at or upon any staff.	Up to 360 days	Up to 90 days
H12	Possession of dangerous contraband. A communication device, firearm, knife, bludgeon, or other weapon, device, instrument, material, or substance whether animate or inanimate, which is readily capable of causing or inducing fear of death or physical injury.	Up to 360 days	Up to 90 days
M2	Wearing or possession of a disguise or mask; manufacturing or possession of a mannequin or dummy.	Up to 180 days	Up to 60 days
M5	Unsolicited contact with or in reference to, any non-offender (notes, letters, messages, suggestive remarks or gestures, inappropriate touching, or seeking out personal information).	Up to 180 days	Up to 60 days
M6	Conduct which disrupts or interferes with the security or good order of the institution and interferes with a staff member during performance of his/her duties which could potentially pose a threat to the safety of staff or other offenders. Major Incident Report is required as soon as possible.	Up to 180 days	Up to 60 days
M7	Purposely exposing genitals to a nonoffender for the purpose of annoying, offending, or alarming.	Up to 180 days	Up to 60 days
M8	Throwing any substance at or upon any person; intentionally smearing any substance which could potentially come into contact with any person.	Up to 180 days	Up to 60 days
M9	Extortion, blackmail, or demanding or receiving money or anything of value.	Up to 180 days	Up to 60 days
M10	Manufacturing, possessing instructions to manufacture, or buying or selling narcotics, paraphernalia, syringes, drugs, medicine, or intoxicants.	Up to 180 days	Up to 60 days
M12	Tampering with locks or security devices.	Up to 180 days	Up to 60 days

Rule #	Rule Definition	Loss of Privileges	Restrictive / Disciplinary* Housing *Disciplinary with female offenders only
M13	Setting/attempt to set a fire.	Up to 180 days	Up to 60 days
M14	Non-offender assault/battery without serious injury.	Up to 180 days	Up to 60 days
M15	Receiving, giving, or attempting to receive any unauthorized article to or from a visitor or member of the public.	Up to 180 days	Up to 60 days
L3	Use or possession of an illicit substance, including any narcotic, drug, medicine, or intoxicant. Misuse of prescribed or authorized medicine, including saving or accumulation of authorized medicine contrary to medical orders; failure to turn in medications on or before the expiration date; using authorized medications for an unauthorized purpose, such as giving, trading, or selling authorized medicine to another offender.	Up to 60 days	Up to 30 days
L7	Insolence, conduct, acts, or gestures, harassment, verbal or nonverbal behavior, showing disrespect toward any non-offender or in reference to any non-offender.	Up to 60 days	Up to 30 days
L9	Sexual misconduct.	Up to 60 days	Up to 30 days
L10	Assaulting another without serious bodily injury.	Up to 60 days	Up to 30 days
L11	Fighting with another offender.	Up to 60 days	Up to 30 days
L14	Refusing, or failing to produce a urine, saliva, or breath sample, refusing to participate in a urine, saliva, or breath test, attempting to circumvent a urine, saliva, or breath test, or altering the results of the test.	Up to 60 days	Up to 30 days
L17	Being in an unauthorized area or in an area that offenders are not allowed in without staff escort.	Up to 60 days	Up to 30 days
L20	Failure to be present for count; interfering with the taking of count.	Up to 60 days	Up to 30 days
L22	Refusal to work.	Up to 60 days	Up to 30 days

Rule #	Rule Definition	Loss of Privileges	Restrictive / Disciplinary* Housing *Disciplinary with female offenders only
L23	Failure to abide by rules, regulations, or verbal orders.		Up to 30 days
L26	Having in your possession, quarters, storage area, or work site, any article not issued to you, not purchased through the commissary, or for which you do not have special authorization; or having articles in excess of established limits, or articles which are used for unauthorized purposes, or are in an altered state.	Up to 60 days	Up to 30 days
L32	Counterfeiting, forging, or other unauthorized reproduction of any official document or form, article of identification, or currency.	Up to 60 days	Up to 30 days
L33	Misappropriation of tools, materials, or supplies of any kind from shops or other places.	Up to 60 days	Up to 30 days
L38	Threatening any person with bodily harm or with any offense against his/her person, his/her family, or his/her property.	Up to 60 days	Up to 30 days
L40	Following 5 violations of any minor rule within a three (3) month period, all future violations may constitute a major violation.	Up to 60 days	Up to 30 days
L41	Conduct which disrupts or interferes with the security or good order of the institution; interfering with a staff member in the performance of his/her duties, including circumventing or attempting to circumvent any rule, regulation or procedure contained in DOC policies.	Up to 60 days	Up to 30 days
L45	Engaging in gang organization, recruitment, or blatant displays of gang activity or materials related to security threat groups.	Up to 60 days	Up to 30 days
L50	Sexual Harassment.	Up to 60 days	Up to 30 days
L55	Intentionally damaging, altering, destroying, or wasting state property. The value of property, substantiated by written documentation, determines the restitution/reimbursement to be charged to the offender. If evidence is insufficient to sustain a conviction on a charge of L55, the hearing officer has the discretion to modify the charge to the lesser violation of V38 if such conviction is justified by the evidence presented.	Up to 60 days	Up to 30 days

Rule #	Rule Definition	Loss of Privileges	Restrictive / Disciplinary* Housing *Disciplinary with female offenders only
L56	Actively caught tattooing, whether by administering or receiving a new tattoo or adding to an existing tattoo.	Up to 60 days	Up to 30 days
MINOR INFRACTIONS / INFORMAL RESOLUTIONS V = Minor Infraction			
V1	Failure to abide by a lawful directive posted, or written regulations/standards.	Up to 15 days	N/A
V4	Failure to perform work as instructed. Or unexcused absence from work or assignment in the institution; tardiness in reporting to work or an assignment. Unexcused absence from vocational and/or program assignments in the institution; tardiness in reporting to work or an assignment within the institution.	Up to 15 days	N/A
V5	Unauthorized use of communication device.	Up to 15 days	N/A
V6	Placing any article over cell bars, cell front, window, or draping articles over bunks or obstructing, altering, or darkening light fixtures or bulbs.	Up to 15 days	N/A
V7	Using any equipment or machinery contrary to its intended purpose; failure to follow staff instructions or written safety standards which apply to any equipment or machinery; operating/controlling equipment or machinery without required training; failure to use the proper safety equipment provided.	Up to 15 days	N/A
V13	Being in an unauthorized area.	Up to 15 days	N/A
V15	Having in your possession, living quarters, storage area, or work site any article or clothing not issued to you, not purchased through commissary, or for which you do not have special authorization; or having articles or clothing in excess of established limits, or articles or clothing which are used for unauthorized purposes or are in an altered state.	Up to 15 days	N/A

Rule #	Rule Definition	Loss of Privileges	Restrictive / Disciplinary* Housing *Disciplinary with female offenders only
V17	Possession of pornographic material includes books, articles, pamphlets, magazines, periodicals, publications, or materials that feature nudity or "sexually explicit" conduct. May include books, pamphlets, magazines, periodicals, or other publications or materials that feature or include photographs, drawings, etchings, paintings, or other graphic depictions of nudity or sexually explicit material.	Up to 15 days	N/A
V18	Engaging in gang activity; possession of material depicting gang symbols or specific gang colors; any act, gesture or display that references any gang or security threat group.	Up to 15 days	N/A
V20	Transferring money or property to, or accepting money or property from, another offender, member of his/her family, representative, or friend(s).	Up to 15 days	N/A
V21	Violating visit rules or failure to terminate a visit upon notification.	Up to 15 days	N/A
V37	Loitering.	Up to 15 days	N/A
V38	Intentionally damaging, altering, destroying, or wasting state property.	Up to 15 days	N/A
V50	Stealing (theft) of property.	Up to 15 days	N/A
V60	Possession of unauthorized or altered clothing or property.	Up to 15 days	N/A
V61	Possession of unauthorized tobacco and/or tobacco products.	Up to 15 days	N/A
V62	Having possession of materials used for tattooing; or having a new tattoo; or adding to an existing tattoo.	Up to 15 days	N/A

FINES AND RESTITUTION

Fines can be applied to major rule infractions which do not pose a significant threat to facility security or safety. For more details on fines and sanctions review DOC policy 300-17 *Offender Discipline System*.

PAROLE AND PAROLE ELIGIBILITY

If you are serving a sentence for a crime committed prior to July 1, 1996, parole eligibility is based on the number of felony convictions on your record after the deduction of good time. A first-time felony offender is eligible for parole after serving one-fourth of the sentence; a second-time offender is eligible for parole after serving three-eighths of the sentence; a three-time or more offender is eligible for parole after serving one-half of the sentence.

If you are serving a sentence for a crime committed on or after July 1, 1996, an initial parole date will be established. The minimum sentence for a Class A or Class B felony is life. A Class C felony carries a maximum sentence of life. Offenders serving life sentences are not eligible for parole.

Each offender sentenced to a penitentiary term, except those under a sentence of life or death, or determined to be ineligible for parole as authorized in § 24-15A-32.1, shall have an initial parole date set by the DOC. This date shall be calculated by applying the percentage indicated in the following grid to the full term of the sentence pursuant to § 22-6-1.

Felony Convictions							
Nonviolent				***Violent***			
Felony Class	First	Second	Third	Felony Class	First	Second	Third
Class 6	.25	.30	.40	Class 6	.35	.45	.55
Class 5	.25	.35	.40	Class 5	.40	.50	.60
Class 4	.25	.35	.40	Class 4	.40	.50	.65
Class 3	.30	.40	.50	Class 3	.50	.60	.70
Class 2	.30	.40	.50	Class 2	.50	.65	.75
Class 1	.35	.40	.50	Class 1	.50	.65	.75
Class C	.35	.40	.50	Class C	.50	.65	.75
				Class B	1.0	1.0	1.0
				Class A	1.0	1.0	1.0

Please note, that SDCL § 24-15A-16 provides that any felony conviction in this state, any other state, or the United States, shall be considered to determine an initial parole date under SDCL §§ 24-15-4 and 24-15A-32.

GOOD TIME

If you are serving a sentence for a crime you committed prior to July 1, 1996, good time was credited to you upon your admission to a DOC facility. Good time may only be taken away or restored as provided by South Dakota law. Offenders serving a life sentence are not eligible for good time.

Eligible offenders may submit a written request for the return of good time to their case manager. If you are unsure about your eligibility for the return of good time, please contact your case manager. See DOC policy 400-03 *Date Computation* for more information.

The following table shows the amount of good time you receive based on the length of your sentence:

Sentence (in years)	Good Time (days/month)	Total Good Time Reduction
less than 1 year	10	Pro-rata
1	10	4 months
2	10	8 months
3	10	1 year
4	10	1 year, 4 months
5	10	1 year, 8 months
6	10	2 years
7	10	2 years, 4 months
8	10	2 years, 8 months
9	10	3 years
10	15	3 years, 6 months

For each additional year after ten (10) years, your total good time reduction is six (6) months per year. If you are serving a sentence for a crime committed on or after July 1, 1996, you do not receive good time.

CLINICAL SERVICES

All new admission offenders will be assessed by clinical services staff at the time of admission to a DOC institution. The DOC will ensure you are provided medically necessary care. If you have questions about how to access health services or questions about health services available at the institution, contact clinical services. See DOC policy 700-02 *Medical Scope of Service* – and/or 700-07 – *Offender Health Examinations* for more information.

Rights and Responsibilities: Clinical services and DOC support your right to medically necessary care, your right to provide informed consent prior to the initiation of a clinical procedure, your right to refuse medical treatment, and your right to be provided confidential care. You also have the responsibility to play an active role in your healthcare and follow the guidance outlined by clinical services.

Clinical services that are available include medical, behavioral health, dental, optometry, and emergency care. Services are provided by qualified healthcare professionals and practitioners. Clinical services ensure you have access to services that will maintain your healthcare needs and will encourage measures to prevent your health deterioration. All offenders are assessed and assigned a medical, behavioral health, and dental code at intake. This code ensures that you are housed at a facility that can accommodate your healthcare needs. Clinical services and DOC reserve the right to provide necessary emergent care to you according to your level of need despite the ability

to provide consent (i.e. unconscious), to house you according to your need or potential need for medical attention (including requiring twenty-four (24) hour medical access for uncontrolled and non-compliant medical conditions), to refer you for disciplinary action for misuse of clinical services, including suspected medication abuse or diversion of prescription or non-prescription medications, for illegal drug possession, or for any other infractions outlined by clinical services.

Preventative care that is available includes a health screening upon admission, immunizations that are provided based on qualification, supportive self-care, and education on health-related topics. Additional physical exams are offered every three (3) years if you are under the age of forty (40) and every two (2) years if you are over the age of forty (40) or if you have a qualifying chronic care condition. If you are identified as having symptoms of an infectious disease, please know that you may be separated from other offenders or may be required to follow specific medical orders to help prevent the spread of diseases.

Emergency services are provided for those who experience medical distress or have a medical emergency. In the event of a medical emergency, you are encouraged to contact the closest DOC staff member. If you work in food services, clinical services, or non-essential work assignments, you should not report to work when sick. If you feel ill and would like to be excused from attending work, you must fill out a kite request for 'sick call' and notify a DOC staff member prior to the start of your shift. You will then be assessed by a healthcare professional. If you are medically excused from work, you will be placed on a medical lay-in. For the duration of the lay-in, you are required to remain in your room/cell unless otherwise directed by staff.

Sick Call is a time when nursing staff complete assessments or provide education on your specific healthcare requests/needs that are non-emergent or not life-threatening. To request or initiate an appointment you must submit a sick call kite to the specific clinical services department (i.e. medical, behavioral health, dental, or optometry) with the details explaining your request. You will be charged a co-payment fee for clinical services that you initiate. However, there is NOT a co-pay fee for behavioral health services related to counseling, maternity services, care provided to a sexual assault victim, chronic care appointments, or other (follow-up) appointments that are initiated or scheduled by a healthcare professional. You will not be refused medically necessary care because of a lack of available funds or your inability to pay for the service. Clinical services kite requests are picked up and reviewed daily by a qualified healthcare professional. Appointments for sick call are scheduled based on the priority determined by the healthcare professional. Non-urgent sick call kites received on the weekend may be scheduled for an appointment on the next weekday. You will be assigned a no-show co-pay fee for not attending a clinical services appointment or sick call. Attendance to all clinical services appointments is required within fifteen (15) minutes of the scheduled appointment time or of being called for a second time. For more information contact your housing captain.

Durable medical equipment is provided by clinical services such as eyeglasses, hearing aids, dentures, inhalers, wheelchairs, or prosthetic devices when medically necessary and ordered by a healthcare practitioner. You will be responsible for the care and maintenance of any medical equipment issued to you. Any willful or negligent damage, destruction, or loss of the item will result in a co-payment fee for the cost or replacement of the item.

Prescription medications are provided when approved by a health care practitioner. Generic equivalents may be used according to the DOC clinical services formulary. Over-the-counter medications are available in the commissary. Medications that are not being taken, not being taken according to the practitioner's instructions, or are suspected of diversion will be discontinued. Medication pass times occur twice daily. The times a medication will be available are determined by the healthcare practitioner. ID is required at that time to receive medications.

Behavioral health services are available upon kite request. Services include screening, assessment, individual or group counseling, psycho-educational services, self-help, and supportive services. There is no co-payment fee for accessing behavioral health counseling services. If you are experiencing suicidal ideations, depression, anxiety, thoughts of self-harm, or other issues that may be related to mental illness, you must contact behavioral health services or another staff member. If you observe another person engaging in self-harm or suicide or become aware of another's plan to commit such behavior, you are obligated to notify a staff member immediately.

Dental care includes tooth repair, extractions, and dentures for qualifying offenders only. Dental care is provided upon medical necessity, cosmetic care is not provided.

Optometry or **eye care** is provided at intake then based on the offender's request and medical need.

Admission to the medical housing unit or hospitalization is determined by a healthcare practitioner based on the severity of illness or level of service needed. Clinic procedures will be performed onsite unless otherwise determined by a healthcare practitioner. Medically necessary, non-emergent, community care must be pre-approved by the healthcare practitioner and by the chief medical officer.

Refund/Grievance. If you believe you have been charged incorrectly for a clinical services encounter, you may request a refund of the co-pay charge within thirty (30) days of the charge. To request a refund, you must submit a kite request to the health services administrator (HSA) at the site you received the copay charge. The HSA will process your request within five (5) business days and provide a decision to you in writing within seven (7) business days. If you do not agree with the decision of the HSA, you may file a grievance as described in DOC policy 500-04 *Grievance Procedure*.

Continued care services that are offered prior to and upon your release include prescription medications provided, assistance with coordinating follow-up healthcare at a community clinic, and assistance with determining eligibility for Medicare/Medicaid benefits.

For more information about sick call or copayments see your housing location unit plan or contact your housing captain.

REVISION INDEX

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Amber Pirraglia	8/15/2026
Amber Pirraglia, Director of Prison Operations	Date