SOUTH DAKOTA DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE		POLICY NUMBER 1200-18	PAGE NUMBER 1 OF 4
		DISTRIBUTION:	Public
		SUBJECT:	Juvenile Drug Testing, Sanctions, & Treatment
RELATED STANDARDS:	**ACA 5-ACI: 3A-42**	EFFECTIVE DATE:	August 15, 2026
		SUPERSESSION:	01/15/2026
DESCRIPTION: Juvenile Services	REVIEW MONTH: August	**NICK LAMB** **SECRETARY OF CORRECTIONS**	

I. POLICY

It is the policy of the South Dakota Department of Corrections (DOC) to utilize drug testing to reduce the likelihood of substance use with our juvenile population.

II. PURPOSE

The purpose of this policy is to establish procedures for staff to follow to obtain specimens and detect the use of drugs and alcohol by our juvenile population.

III. DEFINITIONS

None.

IV. PROCEDURES

1. Overview:

A. Juveniles under the guardianship of the DOC, shall not take into their body, any substance prohibited or controlled by any law of the State of South Dakota and shall avoid injurious actions, such as intoxication, caused by ingestion of drugs.

1. Directors, or their designee, will assign staff to ensure the provisions of this policy are implemented, including but not limited to:
   a. Random testing of juveniles.
   b. Testing when there is a reasonable suspicion of drug use.
   c. Complete and accurate collection of specimens and documentation of test results.
   d. Staff training, and
   e. Implementation of appropriate responses/sanctions for positive results to deter juveniles from using drugs and support of rehabilitation.
2. A portable breath test (PBT) is sufficient to confirm the presence of alcohol. A juvenile may be found to have ingested alcohol within their body based solely on the results of a PBT. Staff conducting a PBT shall adhere to all instructions pertaining to the proper use and operation of the testing equipment.

B. Drug testing kits and materials administered and utilized by DOC staff must be issued and approved by the DOC.

C. A portion of the juvenile population will be drug tested each month, as determined by random selection. Juveniles will not be tested solely on the basis of sexual orientation, race, color, religion, gender, age, or national origin.
   1. Division of Juvenile Services will use the random selection report in OnDemand which pulls names from the offender management system (OMS) to select juveniles for random drug testing.

2. Drug Testing:

A. Drug testing of juveniles.
   1. Drug testing will be used in the following situations:
      a. There is reason to believe, or some evidence/information to support, a juvenile has used or is in possession of drugs.
      b. A juvenile is found in possession of suspected drugs.
      c. Information is received that suggests a juvenile is under the influence, or has recently used, possessed, or attempted to possess suspected drugs.
      d. When staff observe any of the following symptoms: the odor of alcohol or drugs on the juvenile's breath, clothing, or in the proximity of the juvenile; erratic behavior; incoherent, staggering, or disoriented demeanor; fresh needle marks; slurred speech; glassy eyes or dilated pupils or other potential signs of drug use.
      e. A juvenile admits to using drugs while in custody or on DOC supervision (tests shall be administered to confirm use, type, amount, etc.).
      f. A juvenile fails to attend a meeting with juvenile corrections agent.
      g. Juveniles with a history of substance abuse/testing positive.
      h. As part of a random selection process as a means of deterring the use of illicit substances.

B. Juveniles who test positive shall be subject to approved sanctions, required treatment or assessment, the director, or designee may order off-site lab screening and confirmation testing of any collected specimen.

3. Urinalysis (UA) Testing:

A. Juveniles will not be informed in advance when urine specimen collections are scheduled. Inability or refusal by a juvenile to provide an adequate urine specimen, as directed by staff, may be treated as an admission of usage and a positive result.

B. Juveniles are required to produce an adequate urine specimen for a urinalysis test within two (2) hours of being directed to produce the specimen.
   1. The juvenile will be kept under direct constant supervision during the two (2) hour period
   2. A juvenile who is unable to produce an adequate urine specimen when directed, will be given liquids to drink. If a juvenile fails to produce the minimum amount of specimen required within two (2) hours, the juvenile's actions may be considered a positive result.

C. Juveniles are responsible for fully disclosing to staff any prescription or over-the-counter medications they are taking prior to the test. If a positive result is obtained from a juvenile who has disclosed, they are taking medications, and the juvenile alleges such medication may affect the result, a health care provider or a pharmacist may be consulted to determine if the medication may affect the results of a drug test.
   1. Staff collecting a UA specimen from a juvenile will be of the same biological sex as the juvenile and will maintain direct, visual contact of the juvenile during the entire collection process. As an alternative, mouth swabs can be utilized when staff of the same gender are not available.

D. Staff must directly observe the juvenile urinating into the collection container. If staff do not observe the juvenile urinating into the collection container, the specimen will not be accepted, and the juvenile will be required to produce another specimen. The minimum amount of specimen required to complete testing is approximately twenty-five milliliters (25 ml), or .85 fluid ounce. A standard issue UA test container that is one-third (1/3) to one-half (1/2) full will contain a sufficient sample for testing.

E. If the specimen is negative, the specimen will be promptly disposed of in the toilet (may be in the presence of the juvenile). The container used to collect the sample will be properly disposed of in the trash.

F. If a specimen is sent to the public health laboratory for confirmation testing, staff will typically request the lab conduct a screen to detect the presence of marijuana (THC), opiates, cocaine, and amphetamines/methamphetamines. Additional drug screening may be requested in situations where the presence of other substances is suspected.

G. Juveniles may request a confirmation test of the sample only if the result is positive, and the substance that was detected can be tested. Synthetic marijuana and controlled substance analogues may be excluded from confirmation testing. The results of the field test supporting the presence of such substances shall be sufficient to initiate a response/sanction by staff.

1. Juveniles are not responsible for any expenses related to confirmation testing.
    a. A copy of a statement of the methods and findings of any examination or analysis conducted by an employee of the testing facility may be introduced as evidence by the DOC during hearings, responses, reviews, etc. involving the juvenile. The result of confirmation drug test shall have the same force and effect as if the person who performed the analysis or examination testified in person.

4. Staff Training:

A. All Juvenile Services staff assigned the duty of obtaining and testing specimens from juveniles will receive training in the administration of all substance testing methods during basic training. Staff that have successfully completed training have authority to collect, process, and appropriately dispose of specimens obtained, administer drug tests, and interpret/determine the results of any test administered.

B. All staff involved in administering and processing drug tests will receive instruction and training on proper chain of custody.

5. Sanctions and Responses:

A. Positive results, juvenile admission of use, disclosure of evidence supporting a finding the juvenile has used or possessed drugs or alcohol, shall result in a sanction and response.

B. Juvenile sanctions and responses are defined in DOC policy 1200-17 – *Aftercare Supervision and Sanctioning Guidelines*.

6. Testing Procedures:

A. ***Written policy, procedure, and practice provide for the preservation, control, and disposition of all physical evidence obtained in connection with a violation of law and/or institutional regulation*** **[ACA 5-ACI-3A-42]**. Staff shall be knowledgeable in the following processes and procedures:

1. How to properly obtain a specimen from a juvenile, including proper use of approved testing equipment.

2. Maintaining chain of custody. The process shall ensure the specimen is not altered or tampered with from the point of collection through final disposition. Proper processing of a specimen includes the procedures and timelines for sending the specimen to the Public Health Lab for confirmation testing.
3. Proper disposal of specimens and related testing materials.
4. Safely conducting a PBT or a UA test (utilization of DOC approved protective gloves throughout the collection process and during the disposal of the sample is required).

B. Procedures and training curriculum will be reviewed by the director or designee on an annual basis. Training processes, information presented, and the topic curriculum shall be revised as needed, based on changes in policy, standards, accepted practices, and protocols.

7. Report on Drug Test Results:

A. Division of Juvenile Services staff will document all drug tests administered to an offender in the OMS, Substance Testing screen. All positive test results will be recorded in the Tested section of the Substance Testing screen in the OMS.

B. When counting the number of tests administered, each panel/test is not included as a separate test. If a panel tests for four (4) different drugs, this is counted as one (1) test.

C. Tests initially found to be positive but later found to be negative through the results of a confirmation test or medical reason are not to be counted as positive.

V. RESPONSIBILITY

The director of Juvenile Services is responsible for the annual review and maintenance of this policy.

VI. AUTHORITY

A. SDCL § 23-3-19.3 **Copy of statement of laboratory's or certified chemist's findings as prima facie evidence of facts therein--Force and effect--Personal testimony at accused's request.**
B. SDCL § 24-2-9 **Disciplinary sanctions authorized--Corporal punishment prohibited.**
C. SDCL § 34-20B-1 **Definitions.**
D. SDCL § 34-20B-14 **Hallucinogenic substances included in Schedule I.**

VII. HISTORY

August 2026
January 2026 – New policy

ATTACHMENTS

None.