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| <p style="text-align: center;">SOUTH DAKOTA</p>  <p style="text-align: center;">DEPARTMENT OF CORRECTIONS<br/>POLICY AND PROCEDURE</p> |  | POLICY NUMBER  | PAGE NUMBER                                |
|   |  | 300-12   | 1 OF 4                                     |
|   |  | DISTRIBUTION:  | Public                                     |
|   |  | SUBJECT:   | Offender Transfers<br>Between Institutions |
| RELATED STANDARDS:  | ACA: 5-ACI-6D-06<br>PREA: 115.33, 115.41, 115.42 | EFFECTIVE DATE:  | February 15, 2024                          |
|   |  | SUPERSESSION:  | 09/01/2021                                 |
| DESCRIPTION:<br>Facilities - Security &<br>Management   | REVIEW MONTH:<br>January                         | <br><b>KELLIE WASKO</b><br><b>SECRETARY OF CORRECTIONS</b> |  |

## I. POLICY

It is the policy of the South Dakota Department of Corrections (DOC) to promote safe, secure, and appropriate housing of offenders. The DOC will establish standard procedures for the transfer of offenders between correctional facilities.

## II. PURPOSE

The purpose of this policy is to manage offender populations amongst DOC institutions. Offender populations will be managed according to established and approved population capacities, with emphasis on the preservation of staff, offender, and public safety and in accordance with sound correctional practices.

## III. DEFINITIONS

None.

## IV. PROCEDURES

### 1. Overview:

- A. DOC requires that all offenders transferring within the system receive a health screening and orientation to clinical services by a qualified healthcare DOC employee and/or contract worker immediately upon arrival at the facility.
- B. No offender has any right to specific facility housing, participation in any specific program, or to receive any specific service. Offenders are subject to transfer from any facility, program, or service at the discretion of the DOC.
- C. All offender transfers within a facility will be approved by the warden or designee. The *agency shall use information from the risk screening required by § 115.41 to inform housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive. The agency shall make individualized determinations about how to ensure the safety of each inmate [PREA 115.42 (a) & (b)].*
- D. Non-emergency transportation arrangements will be organized and approved by the associate director of offender services or designee.

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- E. The associate director of offender services is responsible for all inter-facility transfers of offenders between facilities.
- F. The associate director of offender services or designee will review an offender's transfer information in the Movements Module of comprehensive offender management system (COMS) and set the transfer date.
- G. Immediate transfers due to emergencies may be completed with approval of the facility's officer in charge (OIC) or other authorized staff person by the end of the shift.
  - 1. All authorized emergency transfers will be reviewed by offender services by the end of next business day.
  - 2. Transfer information will be entered in the Movement Module of COMS by designated staff.
  - 3. The offender services office staff will activate an alert in COMS "Classification office hold" pending the outcome of the emergency.

## 2. Transport Order Process:

- A. A Transport Order will be completed to document transfers between institutions (see attachment in DOC policy 300-08 – *Offender Transport and Escort*).
- B. Transport Orders will be processed by the Office of Offender Services for all inter-facility transfers.
  - 1. Transport Orders for inter-facility transfers will be coordinated and completed by offender services, case management staff, and clinical services.
- C. A transport order is not required for transfers within individual facilities (intra-facility).

## 3. Initial Assignment/Transfer:

- A. The initial facility assignment of offenders in the admission and orientation (A&O) unit will be documented on the initial classification assessment in the Comprehensive Offender Management System (COMS) and approved by authorized case management staff. Offenders scheduled to transfer from the A&O units will be entered in the Movements Module of COMS by offender services staff.

## 4. Transfer Information:

- A. Each offender identified for initial transfer from an A&O unit or inter-facility transfer will be screened, assessed, and appropriately cleared by case management staff prior to the transfer.
- B. All inter-facility non-emergency offender transfers require the following information (contained in COMS) when preparing a transfer order:
  - 1. Separation requirements.
  - 2. Medical needs. ADA accommodations.
  - 3. Assaultive history.
  - 4. Escape risk.
  - 5. Awareness list.
  - 6. Demographic information.
  - 7. Custody status.
  - 8. Program involvement.
  - 9. PREA code.
  - 10. Psychological code.
  - 11. Sexual behavior code.

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- C. The offender's required programming needs will be reviewed by the Office of Offender Services prior to transfer of an offender.
  1. Offenders with an "AT" (attending) in any program status field will be reviewed.
  2. Transfers will be delayed to allow the offender to complete a program he/she is currently attending, provided the delay does not compromise safety, security, or legitimate penological interests of the institution.

## 5. Transfer Inventory and Receipt of Transfer:

- A. Authorized medications for the offender will be packed by clinical services staff in a sealed container. The container will only be opened by clinical services staff.
  1. Clinical services staff will place the sealed container on the transfer vehicle or deliver the container to a pick-up point where DOC security staff will secure the container on the transport vehicle.
  2. The security of the container is the responsibility of the transporting staff until received by clinical services staff at the receiving facility.
  3. ***Non-emergency offender transfers require the following [ACA 5-ACI-6D-06]:***
    - a. ***Health record confidentiality to be maintained.***
    - b. ***Summaries, originals, or copies of the health record accompany the offender to the receiving facility. Health conditions, treatments, and allergies should be included in the record.***
    - c. ***Determination of suitability for travel based on medical evaluation, with particular attention given to communicable disease clearance.***
    - d. ***Written instructions regarding medication or health interventions required enroute should be provided to transporting officers separate from the medical record.***
    - e. ***Specific precautions (including standards) to be taken by transportation officers (for example, masks and gloves).***
  4. ***A medical summary sheet is required for all inter- and intra-system transfers to maintain the provision of continuity of care. Information included does not require a release-of-information form.***
  5. ***Offenders confined within a correctional complex with consolidated medical services do not require health screening for intra-system transfers.***
- B. Offender property will be inspected, documented, inventoried, and packed by the sending facility in accordance with DOC policy. Offender property to accompany the offender will be delivered to the designated pick-up point. Staff will ensure that the property goes with the offenders on the shuttle. Any property not permitted must be sent out or destroyed. The receiving facility will ensure compliance with all property allowances and provide the offender the opportunity to send out unapproved property or have it disposed of according to policy.
  1. Self-administered medications issued to the offender by clinical services and any other medical equipment issued to the offender that is included in the offender's property shall remain with the offender.
- C. Upon receipt of a transferred offender, staff at the receiving facility will complete the transfer order information in the COMS Movement Module acknowledging receipt/admission of the offender.
  1. The offender's property and medication will be inspected and inventoried by facility staff.
  2. The staff member will contact clinical services or the property office regarding any offender property items not accounted for on the offender's current property list.

## 6. Orientation:

- A. ***During the intake process, inmates shall receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment [PREA 115.33].*** Offenders transferred from other facilities will receive facility specific information within seventy-two (72) hours to include, but not be limited to:
  1. Procedures.
  2. Rules.

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3. Programs.
4. Services.
5. Schedules.

## V. RESPONSIBILITY

The director of Prisons is responsible for the annual review and revision as needed 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

February 2024  
August 2021  
January 2021  
August 2019  
August 2018  
September 2017  
August 2016  
August 2015  
August 21014  
August 2013

## ATTACHMENTS *(\*Indicates document opens externally)*

1. DOC Policy Implementation / Adjustments