

## 1.4.B.14 Female Inmate Classification

### I Policy Index:



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**Office of Primary Responsibility:** DOC Administration

### II Policy:

The female inmate classification system is based predominantly on prediction of risk, including risk of escape, violence, dangerousness and repeat criminal behavior. The Department of Corrections (DOC) will exercise response to risk commensurate with each inmate's assessed risk to the degree possible, consistent with this policy. The classification system will consider an assessment of risk and the efficient management of the inmate population. Inmates will be assigned an appropriate level of supervision based in part on classification and will not be kept in a more secure status than potential identified risk requires.

### III Definitions:

#### **Admission:**

Includes all offenses served by the inmate while under continuous supervision of the DOC including parole violations, suspended sentence violations and separate counts under one institutional number.

#### **Adult Comprehensive Offender Management System (COMS):**

A DOC database for staff use in the management, storage, and collection of informational and statistical data pertaining to adult corrections and parole agent caseloads.

#### **Direct Supervision:**

A staff supervisor is present and maintains direct visual observation of the inmate's activities.

#### **LSI-R:**

Level of Service Inventory-Revised. An assessment used to measure an inmate's risk to reoffend and define the inmate's programming needs.

#### **Maximum, High Medium, Low Medium, Minimum:**

Custody levels assigned to each inmate housed in a DOC institution. Each custody level is defined in policy.

#### **Minimal Non-Direct Supervision:**

Periodic checks on the inmate. Inmate activities may be independent of supervisor direction and

observation.

### **Mixed:**

Inmates sentenced to the South Dakota prison system as a result of a parole violation or a suspended sentence violation with an additional conviction and sentence to prison where at least one of the prison sentences is a new system offense. Inmates with mixed sentences may have multiple parole dates.

### **New System:**

Inmates sentenced to the South Dakota prison system as a result of an offense committed on or after July 1, 1996.

### **Old System:**

Inmates sentenced to the South Dakota prison system as a result of an offense committed prior to July 1, 1996.

### **P-SCAN:**

The HARE PSCAN is a tool that serves as a screen to rate the inmate's tendency toward psychopathic features.

### **Routine Supervision:**

Frequent observation of the inmate. Inmate activities are performed in the general location of staff.

### **Security Perimeter:**

Fences and/or walls (including the exterior wall of a building) that provide for the secure confinement of inmates within a facility. All entrances and exits of a security perimeter are under the control of facility staff.

### **Sex Offender Behavior Issues:**

Inmates who are identified by the SOMP (Sex Offender Management Program) staff as having a sexual behavior issue (SBI). Inmates with a SBI will receive a sexual behavior code of something other than a "1" (2,3 or 4).

### **Violent Offenders:**

Inmates serving a current sentence for a conviction of a crime of violence as defined in the following table. Attempt, conspiracy, aiding and abetting are all counted the same as the principle felony.

### **Classification of Violent Crimes (See SDCL § [24-15A-32](#)):**

UJS CODE	CRIME	CLASSIFICATION	SDCL
ABEL	Abuse or Neglect of Elder or Adult w/ disability	6V (After 7/1/07)	22-26-2
AWIF	Aggravated Assault	3V	22-18-1.1
AGLO	Aggravated Assault Against Law Enforcement	2V	22-18-1.05
AGAC	Aggravated Assault – Baby Subsequent	1V	22-18-1.1(7)
AGIN	Aggravated Incest- Foster Child	3V (After 7/1/12)	22-22A-3.1
AGIN	Aggravated Incest - Related Child	3V (After 7/1/12)	22-22A-3

ARS1	Arson 1 <sup>st</sup>	1V (Before 7/1/06)	22-33-9.1
ARN1	Arson 1 <sup>st</sup>	2V (After 7/1/06)	22-33-9.1
ARS2	Arson 2 <sup>nd</sup>	2V (Before 7/1/06)	22-33-9.2
ARN2	Arson 2 <sup>nd</sup>	4V(After 7/1/06)	22-33-9.2
ARS3	Arson 3 <sup>rd</sup>	4V (After 7/1/06 Rescind)	22-33-3 (Repealed 7/1/06)
BRG1	Burglary 1 <sup>st</sup>	2V	22-32-1
BRG2	Burglary 2 <sup>nd</sup>	3V (Before 7/1/06)	22-32-3
CABU	Child Abuse-Victim age 7 or older	4V (After 7/1/01)	26-10-1
CABU	Child Abuse-Victim under the age of 7	3V (After 7/1/01)	26-10-1
ARA1	Committing A Felony While Armed – 1 <sup>st</sup> Offense	2V	22-14-12
ARA2	Committing A Felony While Armed – 2 <sup>nd</sup> Offense	1V	22-14-12
CPED	Criminal Pedophile	1V (After 7/1/06 Rescind)	22-22-30.1
SHMV	Discharge of Firearm At Occupied Structure (With Bodily Injury)	4V (Before 7/1/06)	22-14-20
SHMV	Discharge of Firearm At Occupied Structure (With Bodily Injury)	3V (After 7/1/06)	22-14-20
SHMV	Discharge Firearm At Occupied Structure or Motor Vehicle	5V (Before 7/1/06)	22-14-20
SHMV	Discharge of Firearm At Occupied Structure or Motor Vehicle	3V (After 7/1/06)	22-14-20
DMMV	Discharge Firearm From Moving Vehicle	6V (After 7/1/01)	22-14-21
INCS	Incest	4V (Before 7/1/01)	22-22-19.1 Repealed 07/01/06
INCT	Incest	5V (After 7/1/06)	22-22-19.1 Repealed 07/01/06
KDNP	Kidnapping	1V (BEFORE 7/1/06)	22-19-1 (1)
KDN1	Kidnapping	CV (AFTER 7/1/06)	22-19-1 (1)
KDN2	Kidnapping 2 <sup>nd</sup>	3V (AFTER 7/1/2006)	22-19-1.1
KDNA	Kidnapping – With Gross Physical Injury	AV (BEFORE 7/1/01)	22-19-1 (2)
AKDN	Kidnapping – With Gross Physical Injury	BV(AFTER 7/1/01)	22-19-1 (3)
MAN1	Manslaughter 1 <sup>st</sup>	1V (BEFORE 7/1/06)	22-16-15
MNAS	Manslaughter 1 <sup>st</sup>	CV (AFTER 7/1/06)	22-16-15
MAN2	Manslaughter 2 <sup>nd</sup>	4V	22-16-20
MURD	Murder 1 <sup>st</sup>	AV	22-16-4
MUR2	Murder 2 <sup>nd</sup>	BV	22-16-7
MURF	Murder 2 <sup>nd</sup>	BV	22-16-9 (Repealed 7/1/06)
M2ST	Murder 2 <sup>nd</sup> with sentence	CV	22-16-7
PGMR	Photographing A Child In Obscene Act	4V (After 7/1/01)	22-22-23
RAP1	Rape 1 <sup>st</sup>	1V (BEFORE 7/1/06)	22-22-1(1)
RPF1	Rape 1 <sup>st</sup>	CV (AFTER 7/1/06)	22-22-1(1)

RPE1	Rape 2 <sup>nd</sup>	2V (BEFORE 7/1/06)	22-22-1(2)
RPF2	Rape 2 <sup>nd</sup>	1V (AFTER 7/1/06)	22-22-1(2)
RPE5	Rape 3 <sup>rd</sup>	3V (BEFORE 7/1/06)	22-22-1(5)
RAP6	Rape 3 <sup>rd</sup>	3V (BEFORE 7/1/06)	22-22-1(6)
RPIC	Rape 3 <sup>rd</sup>	2V(AFTER 7/1/06)	22-22-1(3)
RPDI	Rape 3 <sup>rd</sup>	2V (AFTER 7/1/06)	22-22-1(4)
RPF4	Rape 4 <sup>th</sup>	3V	22-22-1(5)
RIOT	Riot	4V	22-10-1
AGGR	Riot – Aggravated	3V	22-10-5
RBR1	Robbery 1 <sup>st</sup>	2V	22-30-7
RBR2	Robbery 2 <sup>nd</sup>	4V	22-30-7
MLC1	Sexual Contact With Child Under Age 16	3V	22-22-7
ADCS	Sexual Contact With Child Under Age 16 (Subsequent Offender)	2V	22-22-7
SXCN	Sexual Contact With Person Incapable Of Consenting	4V	22-22-7.2
ASLF	Simple Assault 3 <sup>rd</sup>	6V (After 7/1/01)	22-18-1
ASIN	Sliming/Assault By Inmate	6V (After 7/1/01)	22-18-26
STSC	Stalking Subsequent Offenses	5V	22-19A-3
	Threatening to Commit A Sexual Offense	4V	22-22-45
VROR	Violation of Restraining Order/Stalking	6V	22-19A-2

#### IV Procedures:

##### 1. Authority:

- A. The South Dakota DOC Female Inmate Classification policy and accompanying attachments is designed solely as a guide for staff.
- B. No inmate has any implied right or expectation to be housed in any particular facility, to participate in any specific program or to receive any specific service. Inmates are subject to transfer from any one facility, program or service at the discretion of a Warden or Secretary of Corrections (See SDCL § 24-2-27).
- 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. Inmate classification will normally be completed by a unit manager, case manager or unit coordinator.

##### 3. Classification:

- A. Each inmate in the custody of the DOC shall be assigned a custody level/classification. The DOC uses an four (4) level system of custodial control. Inmates will be assigned to the least restrictive custody level necessary to ensure they receive appropriate supervision.

- B. An inmate's custody level/classification may affect his/her housing, employment, transport and program placement.
- C. Inmates housed in contract facilities or on Interstate Compact (out-of-state facilities) will be classified by unit staff assigned to maintain the inmate's custody information in the Comprehensive Offender Management System (COMS).
- D. Classification decisions placing an inmate on minimum custody status require a complete institutional file audit/review within five (5) working days of the initial assignment to minimum custody.
- E. The audit/review will be conducted by a unit staff member(s) not involved in assigning the inmate to minimum custody.

#### **4. Information:**

- A. Applicable information, including but not limited to, medical, behavioral health, chemical dependency, education, LSI-R, Risk Reduction programming, Sex Offender Management Programming (SOMP) and the inmate's criminal history will be provided as needed and requested by staff determining the inmate's classification.
  - 1. This information is generally available within COMS.
  - 2. Program staff, Health Services staff and Behavioral Health Service staff are responsible for providing information that may be pertinent to the classification process and documenting and maintaining the inmate's health records in respective data systems.
  - 3. Information that may exist with other criminal justice systems or agencies pertaining to the inmate and/or the inmate's contact with the system or agency, may be solicited and considered by staff conducting the classification (ACA 4-4298).
- B. Any staff member may submit information regarding the inmate that is relevant to determining the inmate's classification.
- C. Unit classification staff may consider reliable confidential information. This information will be available to the inmate; however, the source of the confidential information will not be disclosed to the inmate if classification staff determines such disclosure may subject the informant/witness to risk or harm if their identity were disclosed to the inmate. A record will be generated for all confidential information used to classify an inmate. The record will include the following:
  - 1. The details of the information.
  - 2. The identity of the confidential informant (CI).
  - 3. Staff's familiarity with the informant's reliability.
    - a. Reliability may be supported by the accuracy of information shared by the CI in the past that was corroborated and verified by staff.
- D. An inmate's classification status will be entered and updated in COMS.

## 5. DOC Juvenile System Information:

- A. Admissions unit staff will complete a name search in the Juvenile COMS system for all new admission inmates who are less than age thirty-five (35) at time of admission.
  - 1. If staff verify a new admission inmate has a record in the Juvenile COMS system, staff will complete Section 1 of [Attachment 8](#) and forward this to the Director of Juvenile Services.
- B. Staff will complete and submit [Attachment 8](#) to the Director of Juvenile Services for all inmates eligible for placement on minimum custody status who are under the age of thirty-five (35) and have no previously identified record of DOC juvenile system placement included in their institutional file.
  - 1. Information identified in COMS pertaining to Section II-V of [Attachment 8](#) will be returned to the Classification and Transfer Manager.
  - 2. The Classification and Transfer Manager will determine the extent of the information received as it pertains to the inmate's juvenile record/history, to include in the inmate's criminal history and the potential impact the information has on the inmate's assigned classification.
  - 3. Any juvenile record/history that affects the inmate's classification will be included in the inmate's classification information.

## 6. Pending Felony Charges/Holds And Active Felony Warrants:

- A. Central Records staff will conduct a warrants check utilizing NCIC III during the initial classification of an inmate to determine if an inmate has active felony warrants, official felony holds or detainers applicable to South Dakota, pending felony charges, pending sentencing documents for additional felony convictions or Immigration and Naturalization Service (INS) holds (See DOC policy 1.1.E.5 [Inmate Criminal History](#)).
  - 1. An active felony warrant is defined as a felony charge which an inmate has not been sentenced and the jurisdiction issuing the warrant plans to take custody of the inmate.
- B. Unit staff will ensure a NCIC III is completed on any inmate identified for classification to minimum custody status.
- C. Inmates with any of the above cited pending actions (active felony warrants, holds, detainers) for or related to a violent crime, regardless of their classification as a minimum custody inmate, are not eligible for placement at a minimum custody facility.

## 7. Classification Review/Meeting:

- A. Upon initial classification, each inmate will be assigned a staff member or unit team who shall be responsible for ensuring the inmate is properly classified (ACA 4-4299).
- B. Inmates, with the exception of those housed at contract facilities or out-of-state correctional facilities or those precluded for security or other substantial reasons, will have an opportunity to be present when advised of their classification level by classification staff.

- C. Inmates housed in contract facilities or housed out of state will have their classification determined/assigned by classification staff *in absentia*.
- D. Inmates who cannot, or choose not to attend the classification review/meeting, will be notified in writing of their custody classification status by classification staff within five (5) business days of their classification being determined/assigned.
- E. Changes in placement factors separate from risk typically do not require a meeting or review with the inmate.

## **8. Classification Actions:**

- A. Classification staff will determine an inmate's custody level and recommend facility and program placement. Classification staff will set a date for the inmate's next classification review.
- B. An earlier than scheduled classification review may be completed if changes occur which may potentially affect the inmate's final custody level, including, but not limited to:
  - 1. Changes in sentence length; or
  - 2. Commission of a major Offense in Custody; or
  - 3. Actions on holds/detainers, felony warrants; or
  - 4. Additional sentencing by the court.
- C. Each inmate will have a scheduled classification review at the earliest possible date the inmate is eligible for a reduction in their custody level.
- D. Inmates assigned Additional Risk (A-only) and/or an Administrative Decision, will have their custody reviewed only if there are changes in the circumstances/reasons supporting the assignment of Additional Risk or Administrative Decision.
- E. Increases to an inmate's custody level require action from classification staff, i.e. review of the inmate's current classification. Example- Inmates will not automatically be placed in a higher classification level after committing a major Offense in Custody.
- F. Inmates requesting a classification review must specify the changes in their status that may affect their classification/custody status that have occurred since the inmate was last classified or reviewed (ACA 4-4303).

## **9. Temporary Emergency Actions:**

- A. Temporary emergency action affecting an inmate's custody or placement may be taken prior to the scheduled review of the inmate's classification when delay in action or waiting until the next scheduled classification hearing could jeopardize the safety and/or security of the institution, or poses significant threat of risk to the inmate, staff or others.
- B. The Classification and Transfer office will be notified immediately of any temporary emergency action that affects or may affect an inmate's classification or housing placement. Upon notification of the temporary emergency action, the inmate's alert screens in COMS will be

updated to include an alert type of "Hold Against Transfer" with an alert of "Classification Office Hold" to reflect the emergency action.

- C. Unit staff from the inmate's current facility and unit staff at the receiving facility/unit will review and determine the outcome/disposition of the emergency classification action.
- D. The Classification and Transfer office will be notified when the temporary emergency action is terminated and inactivate the "Classification Office Hold" alert in COMS.

## 10. Classification Approval:

- A. Classification staff has authority to assign maximum, high medium, or low medium custody status to an inmate.
- B. Any classification decision that classifies an inmate as minimum custody, must be approved by the Warden, Deputy Warden or designee.
- C. Classification decisions that include separation requirements for placement at a facility, consistent with the inmate's risk, or decisions that place an inmate on monitoring status, must be approved by the Warden, Deputy Warden or designee.
- D. Classification decisions using Section A of Additional Risk Information, mitigating risk information or separation requirements for placement at a facility inconsistent with the inmate's risk; placement basis of Administrative Decision, or placement inconsistent with this policy, must be approved by Deputy Warden or designee, Warden and the Classification and Transfer Manager.
- E. Inmates serving a life sentence identified as being eligible for classification to low medium (LM) custody status, must be approved by the Warden, Director of Classification and Transfer and Secretary of Corrections prior to being classified to LM custody status.
- F. Required levels of approval, as listed in B – E above, must be completed within ten (10) working days of the date of the classification action prompting the change in classification.

## 11. Classification Decisions and Appeals:

- A. Classification action requiring additional audit/review does not become effective until the classification action/decision has been appropriately reviewed and approved by designated staff. The classification decision shall be documented in COMS.
- B. Inmates may appeal their classification/custody level or transfer to another facility due to classification changes or program requirements due to classification changes through the Administrative Remedy process, in accordance with DOC policy 1.3.E.3 [Administrative Remedy for Inmates](#) (See ACA 4-4302).
  - 1. The Classification and Transfer Manager may review administrative remedy complaints involving classification actions.

## V Related Directives:

SDCL § [24-2-27](#) and [24-15A-32](#).



DOC policy 1.1.E.5 -- [Inmate Criminal History](#)  
 DOC policy 1.3.D.4 – [Restrictive Housing](#)  
 DOC policy 1.3.E.3 – [Administrative Remedy for Inmates](#)  
 DOC policy 1.4.B.9 – [Sexual Behavior Issue Review](#)  
 DOC policy 1.4.G.5 -- [System Risk Classification](#)  
[Inmate Living Guide](#)

## VI Revision Log:

**February 2009:** New policy.

**June 2009:** Revised SDCL 22-11A-2 and 22-11A-2.1 regarding escapes in Attachment 7.

**September 2009:** Revised Revision Date within Section I. **Replaced** Classification Violent Crimes chart with same as that used in DOC policy 1.4.B.2. **Added** within 5 working days and name date on transfer audit within ss (D of Classification Packet Audit Review). **Added** DOC Juvenile System Information section and referenced DOC Juvenile Information System throughout policy and attachments. **Deleted** “designated” within ss (B and C of Inmate Presence at Hearings). **Revised** Attachment 1 to include MCC, PRE and PRH. **Added** Criminal History database within ss (Non-Secure Custody) and **added** DOC juvenile aftercare within ss (E of Additional Risk Information) all within Attachment 2. **Added** Female when referencing Placement Form Instructions, **added** currently and reference to staff contacting central records to complete field on the MNCMQP within ss (Work Release Eligible) within Attachment 3. **Deleted** repealed prohibited act 4-31 within Attachment 5. **Added** “X” for LM-SDWP A Unit\*\*, **added** “X” for LM-Work Crew with direct supervision and **deleted** “X” from LM-Work Crew with routine supervision within Attachment 7. **Added** “X\*\*” for PA and CSW within Attachment 8. **Revised** Attachment numbering to (A, now 5, B now 6, C now 7, D now 8, 5 now 9, 6 now 10 and 7 now 11). **Added** clarification to the reference of Source throughout attachments.

**August 2010:** Revised formatting of Section 1. **Added** reference to Female in title of Attachment 2 and Attachment 2 Instructions, **added** C1, C2 and C3, **replaced** ?? with B8 and B9 and **added** C4 all within ss (Codes), **deleted** “one low” in ss (E of Incidence of Violence), **added** C2 and C3 within ss (Institutional Disciplinary), **added** A-D within ss (Assessed Risk), **deleted** statement regarding whether parole board finds out of an offender absconding, **added** “Source” and “Note” all within ss (E), **deleted** reference to sexual behavior problem in ss (G) all within (Additional Risk Information) and **clarified** the inmate must be in compliance in ss (C of Exceptional) all with (Attachment 2 Instructions). **Added** reference to Female in title and **replaced** screen shot to reference PREA both within (Attachment 3). **Added** reference to PREA Code within (Female Placement Form Instructions in Attachment 3). **Added** 4-7 to (Attachment 5). **Added** Attachment 9 and **revised** numbering of subsequent Attachments. **Revised** contact information on (Attachment 13).

**October 2011:** **Deleted** C3 Simple Assault on a Law Enforcement officer from Violent Crimes. **Added** Aggravated Incest to Violent Crimes. **Deleted** A. “all unit classification board decisions will be independently audited for adherence to policy and technical procedures through a mainframe inmate records system review and packet review” from Section 2. **Added** “minimum” to C. in Section 2. **Deleted** “When an inmate transfers to another facility, the unit staff at the receiving facility will review the inmate’s institutional file and classification packet for adherence to policy within five (5) working days and record the staff member’s name and date of transfer audit on packet.” from Section 3. **Deleted** “unit” and **Replaced** with “facility” in Section 4 D. **Added** “staff member’s” to Section 5 D. **Deleted** “Juvenile Offender Tracking System (JOTS) and **Replaced** with “Comprehensive Management System (COMS) in Section 6 A. **Deleted** “received” and **Replaced** with “contained in COMS relating to the inmate” and **Deleted** “requesting case manager and central records, if applicable” and **Replaced** with Adult System Director of Classification and Transfers, who will determine what juvenile history/information will be recorded in the criminal history database.” in Section 6 B. 2. **Deleted** “Any” **Deleted** “individuals” and **Replaced** with “inmate’s” **Added** “behavior, as determined by the Adult System Director of Classification and Transfers” in Section 6 B. 3. **Created** new Section 7. “Pending

Felony Charges/Holds and Active Felony Warrants”. **Added** A. and B. in Section 7. **Renumbered** sections to follow. **Deleted** “Hearings” in Section 8 and **Replaced** with “Reviews” **Deleted** “at the custody/risk classification hearing” and **Replaced** with “with the Classification Board to receive notification of their custody classification status.” in Section 8.A. **Deleted** “Inmates housed in contract facilities will normally be offered an opportunity to appear in person if the board is considering increasing the inmate’s custody level.” in Section 8. B. **Deleted** “may” and **Replaced** with “will” in Section 8 D. **Deleted** “hearing” and **Replaced** with “review” in Section 8 E. **Added** 3. “Actions on hold/detainers or felony warrants. (Additional sentencing)” in Section 9 B. **Deleted** “Each inmate’s custody level and placement will be reviewed at least annually and any reductions to an inmate’s custody level require the action of the unit classification board.” in Section 9 C. **Added** D. “Inmate’s assigned Additional Risk (A-only) and/or Administrative Decision will have their custody reviewed only if there are changes in the circumstances that prompted the Additional Risk or Administrative Decision to be assigned.” to Section 9. **Renumbered** D to E. **Deleted** “hearing” and **Replaced** with “review” in Section 10. **Deleted** “would” and **Replaced** with “in action or waiting until the scheduled classification review could” in Section 10 A. **Deleted** “hearing” and **Replaced** with “review” in Section 11 A. and D. **Added** 1. “When practical, information submitted in writing should include the date and signature of the informant.” to Section 11 B. **Added** a. “Written information received anonymously does not meet the necessary reliability standard. Such information may not be relied upon to classify an inmate.” to Section 10 B. 1. **Added** a. “Reliability may be supported by the accuracy of information shared by the informant in the past that was corroborated and verified by staff.” to Section 10 E. 3. **Added** 4. “Any documentation by staff indicating why the information and/or identity of the informant should be kept confidential.” to Section 11 E. **Deleted** “information” and **Replaced** with “confidential record” and **Added** “and identity of the informant” in Section F. **Deleted** “hearing” and **Replaced** with “review” in Section 13 A. **Added** “review of all” **Deleted** “process if the” in Section 13 C. a. **Added** “in response to an inmate’s formal request for Administrative Remedy” to Section 13 C. 2.

**Deleted** “annual” and **Replaced** with “scheduled” from Reason for Hearing: (pg. 15) of the Female Classification Custody Form Instructions (FCCF). **Deleted** C. “High or multiple moderate incidents in more than 10 years and up to 15 years- score 5 pts.” and **Deleted** E. “One moderate or multiple low incidents in more than 10 years and up to 15 years- score 3 pts.” from Incidence of Violence (pg. 20) FCCF. **Renumbered** “Incidence of Violence” criteria. **Deleted** “Multiple” from High or Multiple Incidents (pg 21) MCCF. **Deleted** “or has more than one occurrence of violence in the moderate level or one occurrence in the moderate level and one in the low level.” from High Incidents: (pg 21) of FCCF. **Deleted** “and for the past fifteen (15) years for items C and E. and **Deleted** “of fifteen (15) years” in Incidence of Violence (pg. 20-21) of FCCF. **Deleted** “parole and probation, release on bond” from Non-Secure Custody: (pg. 22) MCCF. **Deleted** “Multiple” from “Moderate Incidents” and **Deleted** “or has more than one (1) occurrence of violence in the low level.” from “Moderate Incidents” (pg. 22) of FCCF. **Added** “not” counted and **Deleted** “If the Parole Board finds an offender absconded, to include condition #8 on the parole agreement, the absconding behavior should be scored. Central Records will add the absconding information to the Citrix Criminal History Database (escape behavior). Absconding is only scored if it is listed in the Citrix Criminal History Database (escape behavior). A felony conviction is not required to count escape behavior, except to count failure to appear as an escape from a non-secure facility” and **Added** “The Adult System Director of Classification and Transfers will determine what information will be recorded in the criminal history database” in the Non Secure Custody, (pg. 22-23) of the FCCF. **Deleted** “Four (4)” and **Replaced** with “three (3)” in Exceptional B. (pg. 23) of the FCCF. **Deleted** “Corrective Thinking” and **Replaced** with “Core Programs” in Exceptional C. (pg. 24) of the FCCF. **Added** “or attempting to escape” to Serving Escape Sentence/Escape History” (pg. 24) of FCCF. **Added** “And Active Felony Warrants and A. “Staff must complete a felony warrants check prior to an inmate being classified as minimum custody status” **Renumbered** B. and C. all in Pending Felony Charges/Holds (pg. 25) of FCCF. **Added** “Upon notification to the other jurisdiction DOC Central Records will notify unit staff” to Hold/Detainer Should not be Noted 4. A. 2) (pg. 24) of FCCF. **Added** “Warrant” to Hold/Detainer Should be Noted section (pg. 24) of FCCF. **Deleted** “SD parole violation

reports" from Sources for Escape Profile (pg 25) of FCCF. **Deleted** "If their adjustment is adequate they can be scheduled for their next review in up to one year and Replaced with "Inmates assigned exceptional criteria will be reviewed if there are changes in the circumstances that prompted the exceptional criteria to be assigned in Exceptional (pg 25) of FCCF. **Deleted** 7 points and **Replaced** with 8 points in A. Minimum and **Deleted** 8 points and **Replaced** with 9 points in Low Medium in Assessed Risk (pg 25) of FCCF. Deleted "SD violation reports" in Sources for Serving Escape Sentence/Escape History (pg 26) of FCCF. **Added** D. "Only scored if noted on the (QS) screen to Pending Felony Charges (pg 27) of FCCF. **Deleted** "in the last 6 months" and **Replaced** with "For a period of three (3) months following their return to a DOC facility" in E. of Additional Risk Information (pg. 28) of the FCCF. **Added** "Staff should contact Records Management staff if discrepancies are noted" to Source for Pending Felony Charges (pg 28) FCCF. **Added** "Inmates assigned mitigating risk will be reviewed when/if there are changes in the circumstances that prompted the mitigating risk to be assigned" to Mitigating Risk Information (pg 29) of FCCF. **Deleted** "Inmates serving a life sentence can be placed at Mike Durfee State Prison (DSP) on high medium custody status provided they have served at least twenty (20) years of their sentence, meet exceptional criteria and their placement has been approved by both the wardens of the South Dakota State Penitentiary and DSP. Administrative Decision will be used as the placement basis for these placements." from Additional Risk Information (pg. 28) of FCCF. **Deleted** C. "Work Release Eligible" from I Administrative Factors C. on pg. 30 of the Female Placement Form (FPF). **Added** "Placement at a facility one level lower requires the approval of an Associate/Deputy Warden, Warden and Director of Classification and Transfers" in Separation Requirements: (pg. 30) FPF. **Deleted** all of Work Release Eligible section A. 1-3 B. & C in the MPF. **Deleted** "at their scheduled classification review" and **Deleted** "an annual classification and Replaced with "following the review" in "Monitoring" section of FPF (pg. 31). **Deleted** "If no change is made in separation requirements at an inmate's annual review signatures of the above are not necessary" and **Deleted** "If no change is made in separation requirements at an inmate's annual review, signatures of the above are not necessary" and **Added** in A. "Inmates with separation requirements will be reviewed if there are changes in the circumstances that prompted the separation requirement to be assigned" in Separation Requirements, (pg. 32) FPF. **Deleted** "Inmates sentenced to Death" and **Replaced** with "Capital punishment inmates are also housed in this section" in Administrative Segregation, (pg. 33) FPF. **Deleted** "and approval by the Warden" on the bottom of Attachment 7. **Deleted** HA 24-hr. access code from Attachment 8. **Deleted** Attachment 11 "Laws Governing Escape Sentencing" **Updated** contact information on Attachment 13.

**October 2012:** **Added** definition of "COMS", "MAPS", "P-Scan" and "LSI-R". **Added** "by admission staff" and "new admission" to Section 6 A. **Deleted** "a record exists" and **Replaced** with "admission staff verify a new admission inmate has a record" and **Added** "the staff person will complete Section 1 of Attachment 1 and forward the form to" and **Deleted** "will be contacted for information regarding the individual's history of violence and escape behavior" in Section 6 A. 1. **Added** "staff will complete and submit Attachment 1 to the Director for all" and **Deleted** "who become" and **Added** "previously identified" and **Deleted** "must have a search completed prior to placement on minimum custody" in Section 6 B. **Deleted** "would create a" and **Replaced** with "may threaten the safety and/or security of the institution, its staff or others" in Section 8 A. 3. **Deleted** "Sources" and **Replaced** with "Informant" in Section 11. **Deleted** "working" days in Section 13 A. **Added** "Escape from:" on pg. 22. **Added** H. 1-4 to pg. 27 under "Additional Risk Information".

**March 2013:** **Deleted** A. "Prior to an inmate's initial classification hearing and prior to each subsequent reclassification, unit staff will prepare a packet containing the classification, custody and/or placement forms" in Section 5 A. **Deleted** 1. "A placement form must be completed each time a custody form is completed" and **Deleted** 2. "A placement form can be completed independent of a custody form if an inmate's custody status will not be affected by the situation that created the need for placement review" in Section 5 A. **Deleted** "mainframe inmate records" and **Replaced** with "COMS" in Section 5 B. 1. **Deleted** "become part of the inmate's institutional file and" and **Deleted** "mainframe inmate records system" and **Replaced** with "entered/maintained in COMS" in Section 5 D. **Deleted** "conviction of a major prohibited Act" and **Replaced** with "a finding an inmate committed a major Offense in Custody" in

Section 10 B. **Deleted** “mainframe” and **Replaced** with “COMS” throughout the policy. **Deleted** “Pennington County” from Attachment 1. **Deleted** “confidential informant” and **Replaced** with “Cooperating Individual” in Section 11.

**April 2015:** **Deleted** definition of MAPS, Civilians, Outside Staff, Contractual Staff and Non-Correctional staff, Correctional staff, Unit Supervisor and Chief Executive Officer. **Added** C. to Section 1. **Added** “Risk Reduction Program” and “and/or requested to staff conducting” in Section 5. **Deleted** “and is available to the Board of Pardons and Paroles” in Section 5 D. **Added** “Admissions staff will complete” in Section 6 A. **Deleted** “designated” and **Replaced** with “Records Management” in Section 7 A. **Deleted** D. from Section 8. **Deleted** “custody classification” and **Replaced** with “alert” and **Added** “Include an alert type of “hold against transfer” with an alert of “classification office hold” to reflect the emergency action” in Section 10 B. **Added** “unit will review and determine the outcome/disposition” and **Deleted** “facility in the case of a transfer will be informed of a temporary emergency change in custody and the inmate will be scheduled to appear at a regularly scheduled unit classification board hearing for a review” in Section 10, C. **Added** D. to Section 10. **Deleted** “be based in part on information from a cooperating individual (CI), whose identity will not be disclosed to the inmate when disclosure may create a substantial risk to the safety of the informant” and **Replaced** with “consider reliable confidential information. This information will be available to the inmate; however, the source of the confidential information will not be disclosed to the inmate if the board determined that such disclosure may subject the informant/witness to risk or harm if their identity were disclosed.” in Section 11 A. **Deleted** B, C, D. and F. in Section 10. **Added** F. to Section 12. **Deleted** 2. in Section 13 C. Updates to Attachment 1.

**November 2015:** **Updated** Violent Crimes list. **Updates** to Attachment 1, 5, and 6 regarding removal of MCC and addition of St. Francis House.

**July 2016:** **Changed** title of Section 2. **Deleted** A. **Deleted** “The unit team normally consists of” and **Replaced** with “Inmate classification will normally be completed by” in Section 2. **Deleted** Section 3. Classification Packet Review. **Deleted** reference to “unit classification board” and **Replaced** with “Classification staff” **Deleted** “at a minimum security facility” and **Replaced** with “on minimum custody status” and **Added** “of the initial assignment to minimum custody” to Section 3 C. **Deleted** “completing or conducting the hearing” and **Replaced** with “assigning the inmate to minimum custody” in Section 4 D. **Added** C. to Section 4. **Deleted** “minimum custody placement” and **Replaced** with “placement on minimum custody status” in Section 5. A. 1. **Added** 3. to Section 5 B. **Added** “during the initial classification of the inmate” in Section 6 A. **Added** B. to Section 6. **Deleted** “Inmate Presence at Hearings” and **Replaced** with “Classification Review/meeting” in Section 7. **Deleted** 1-5 regarding inmate presence at a hearing. **Deleted** Section 11 “Confidential Information”. **Revised** Incidence of Violence on pg. 17-18 of the attachments.

**September 2017:** **Added** “The classification system will consider an assessment of risk and the efficient management of the inmate population. Inmates will be assigned an appropriate level of supervision based in part on classification and will not be kept in a more secure status than potential identified risk requires.” to the policy statement. **Added** A. to Section 3. **Added** 3. to Section 4 A. **Added** A. to Section 7. **Added** F. to Section 8.

*Denny Kaemingk (original signature on file)*

Denny Kaemingk, Secretary of Corrections

12/12/2017

Date

### Attachment 1: DOC Inmate File And Property Placement

<b>File and Property Placement</b>								
<b>Facility</b>		<b>Legal File</b>		<b>Institutional File</b>		<b>Medical File</b>		<b>Extra Property</b>
Pierre		SDP		PIR		PIR		PIR
PRE		SDP		PIR		PIR		PIR
PRH		SDP		PRH		PIR		PRH
Out of State		SDP		PIR		X		X

**I Risk**

Takes precedence and will normally be the basis for placement, except where indicated in other components.

**Current Offense Seriousness:**

- A. Against person – High in the last 5 years – score 5 points.
- B. Against person – High – score 4 points.
- C. Against person – Moderate in last 5 years – score 3 points.
- D. Against person – Moderate – score 2 points.
- E. Against property, public order, or drug offense – score 1 point.

List all offenses on the current admission. An inmate's current admission, for this purpose, includes all offenses served while under continuous supervision of the DOC, including parole violations, suspended sentence violations and separate counts under one institutional number.

Attempted, conspiracy, aiding and abetting are all counted the same as the principle felony. Accessory to a crime is scored as an Against Property, Public Order or Drug Offense. In situations where the inmate has been convicted of multiple offenses and/or multiple counts score the offense or the count within the offense that is the most serious.

The length of time is determined from the offense date, if this date is available on the COMS Legal Module. If an offense date is not listed, the earliest date between either the sentence date or the commence date will be used to determine length of time from the date of offense.

In the case of an out-of-state state or federal boarders or current active out-of-state sentence(s), Central Records staff will select the offense from the S.D. Crime Code that best describes the actual other state/federal offense(s) and place the information on the Criminal History within COMS.

**Source for Current Offense Seriousness:**

Sentencing documents for current crime(s) of conviction and sentence screen from COMS Legal Module.

**Codes:****Against Person – High**

Kidnapping (All)  
 Manslaughter 1<sup>st</sup>  
 Murder 1<sup>st</sup>  
 Murder 2<sup>nd</sup>  
 Rape 1<sup>st</sup>  
 Rape 2<sup>nd</sup>  
 Robbery 1<sup>st</sup>  
 Riot  
 Aggravated Riot (encouraging or soliciting violence in riot)  
 Arson 1<sup>st</sup>  
 Arson 2<sup>nd</sup>

Burglary 1<sup>st</sup>  
 Commission of a Felony While Armed with Firearm (all)  
 Possession of a Weapon by Inmate  
 Criminal Pedophilia  
 Possession of Weapon in Jail

### **Against Person – Moderate**

Aggravated Assault  
 Aggravated Assault – Baby (includes subsequent offense)  
 Aggravated Assault Against Law Enforcement  
 Child Abuse – Victim Age 7 or older  
 Child Abuse – Victim Under Age 7  
 Manslaughter 2<sup>nd</sup>  
 Rape 3<sup>rd</sup>/Incest  
 Rape 4<sup>th</sup>  
 Robbery 2<sup>nd</sup>  
 Sexual Contact (all)  
 Vehicular Homicide  
 Tampering with a Witness  
 Vehicular Battery  
 Removal of a Child from State  
 Stalking (includes 1<sup>st</sup> felony offense, subsequent offense and child 12 or younger)  
 Arson 3<sup>rd</sup>  
 Burglary 2<sup>nd</sup>  
 Discharging a Firearm at an Occupied Structure or Motor Vehicle (with bodily injury)  
 Photographing Child in Obscene Act  
 Possession of a Firearm by a Felon  
 Threatening Judicial Officer  
 Sliming (felony)  
 Indecent Exposure (all)  
 Intentional Exposure to HIV Virus  
 Simple Assault 3<sup>rd</sup> (felony)  
 Violation of a Protection Order  
 Possession of Child Pornography  
 Incest (All)  
 Discharging a Firearm from a Moving Vehicle  
 Sexual Exploitation of a Child (includes subsequent offense)  
 Threatening to Commit a Sexual Offense  
 Aggravated Incest (all)  
 Solicitation of a Minor (includes subsequent offense)  
 Simple Assault on Law Enforcement Officer  
 Assault by Juvenile Confined in Detention Facility  
 Assault by Prisoner in County Jail  
 Possession of Firearm with Altered Serial Number  
 Possession of Firearm by Convicted Drug Dealer  
 Reckless Burning  
 Sexual Penetration of Psychotherapist

### **Against Property, Public Order or Drug Offense:**

Enticing Away a Child  
 Burning to Defraud Insurer

Burglary 3<sup>rd</sup>  
Damage to Property  
Forgery  
Grand Theft (All)  
Aggravated Grand Theft  
No Account Check  
ISF Check/Aggravated ISF check  
Aggravated No Account Check  
Altering Corporate Records  
Aggravated Criminal Entry of a Vehicle  
Identity Theft  
Compounding A Felony  
Bigamy  
Bribery  
DWI (All)  
Escape – 1<sup>st</sup> Degree  
Escape – 2<sup>nd</sup> Degree  
Failure to Appear  
False Report of a Bomb  
Perjury (all)  
Possession of Burglary Tools  
Possession of Concealed Weapon  
Possession of Controlled Weapon  
Possession of Vehicle with Altered Serial Number  
Procuring Prostitution  
Falsification of Evidence  
Failure to pay Sales Tax  
Non-support of Child  
Hit and Run With Injury  
Possession of a Forged Instrument  
All felony Distribution of Controlled Substance or Marijuana  
All felony Possession of Controlled Substance or Marijuana  
Misrepresentation to Obtain Possession of Controlled Substance  
Violation of Drug Free Zone  
Felony Possession by an Inmate (Controlled Substance, Weapon, Alcohol or Marj.)  
Distribution of Flunitrazepam  
Failure to Register as Bondsman  
Illegal Importing of Livestock  
Eluding a Police Officer  
Possession with Intent to Distribute Contraband to an Inmate  
Failure to Register as a Sex Offender (all)  
Failure to Report Change of Enrollment or Employment  
Sex Offender Failure to Update Address  
File False or Forged Instrument  
Intentional Interruption of Communications, Transportation, or Utility Services  
Mishandling Anhydrous Ammonia  
Concealment of Escaped Prisoner  
Accessory to a Crime  
Receiving/Transferring Stolen Vehicle  
Violation of Community Safety Zones (1<sup>st</sup> or multiple offense)



Sex Offender Failure to Update Address  
Failure to Register Sex Offender-2<sup>nd</sup> Offense  
Threatening a Judicial Officer  
Abuse or Neglect of Elder or Adult with Disability  
Aggravated Damage to Property  
Burning with Structure With Person Lawfully Confined  
Cruelty to an Animal  
Deliver or Manufacture non-controlled substance as a controlled substance  
Intentional Damage to Property (all)  
Promoting Prostitution of a Minor  
Sale or Disposal of Encumbered Vehicle  
Unauthorized Ingestion of Controlled Substance  
Unauthorized Ingestion of Schedule III and IV  
Unlawful use of Computer

**Length of Sentence Remaining:**

- A. More than 25 years to life – score 5 points.
- B. More than 10 years up to 25 years – score 4 points.
- C. 10 years or less – score 0 points.

This category will be scored as time left to the end date on the sentence with the longest time to serve. Use the end date on sentences that the inmate is actually serving prison time for. When determining length of sentence remaining for inmates with partially suspended sentences, use the suspended sentence release date (SSRD). Do not use the end dates on sentences that are entirely suspended.

Out-of-state, concurrent, or consecutive sentences will be scored using the longest possible term. Federal and out-of-state sentences will be figured using total sentence. Any sentencing documents can be used to calculate federal and out-of-state sentences.

**Source for Length of Sentence Remaining:**

COMS Legal Module.

**Code:**

None, self-explanatory.

**Incidence of Violence:**

- A. High or multiple moderate incidents in the last 5 years – score 10 points.
- B. One moderate incident in the last 5 years and one low incident in the last 2 years – score 8 points.
- C. One Moderate in the last 5 years or multiple low incidents in last 2 years – score 5 points.
- D. One Low incident in last 2 years – score 3 points.

E. Not applicable – score 0 points.

This category will be scored based on history of violence including current and past felony offense(s), and specified major institutional disciplinary violations for the past five (5) years for items A, B, C and D.

Incidence of violence is scored from the actual date of the violence or the offense date. Criminal transactions will be scored separately. Felony convictions and major disciplinary reports resulting from the same incident are scored only once. Multiple counts within a transaction will be scored as one occurrence. Score the offense which is most serious. Juvenile data and Suspended Imposition of Sentence (SIS) data available in listed sources will be included, provided it occurred in the past five (5) years. Do not double count SIS/probation violation sentences. Disciplinary reports reduced to minors should not be scored in this area. Other state or federal conviction(s) should be scored based on the South Dakota crime code that best describes the actual other state or federal offense.

When using jail reports or official statements, select the DOC disciplinary category that best describes the inmate's behavior.

Attempt, conspiracy, aiding and abetting are all counted the same as the principle felony. Accessory to a crime is scored one (1) category lower than the principle felony (e.g. If the incident is a High, it should be scored as a Moderate; if the incident is a Moderate it should be scored as a Low; if the incident is a Low it should not be counted).

**Sources for Incidence of Violence:**

NCIC (criminal history), criminal history, PSI, sentencing documents, institutional Incident and Disciplinary Reports, adult and juvenile system information (COMS), official statements, parole and jail reports or other reports from prior incarcerations.

**Code:**

None, self-explanatory.

**High Incidents:**

A single incident of any of the following offenses where the inmate has been convicted of the offense or is found to have committed the behavior through institutional disciplinary proceedings.

<b>Offenses:</b>
Kidnapping (All) Manslaughter 1st Murder 1st Murder 2nd Rape 1st Rape 2nd Riot Arson 1st Sliming Sliming by an adult prisoner in a County Jail (22-18-29) Sliming by a juvenile in a County Jail (22-18-29.1) Criminal Pedophilia
<b>Institutional Disciplinary:</b>

H-2	Killing any non-inmate.
H-3	Assaulting any non-inmate resulting in serious injury requiring immediate medical attention, emergency treatment or hospitalization.
H-4	Assault on staff without serious injury.
H-5	Throwing or spitting any substance at or upon any non-inmate; or intentionally smearing any substance to come into contact with any non-inmate.
H-6	Assault on an inmate resulting in serious injury requiring immediate medical attention, emergency treatment or hospitalization.
H-7	Engaging in or encouraging a riot, work stoppage, group demonstration, group food or group hunger strike.
H-9	Inmate sexual abuse: if the victim does not consent, is coerced in such an act by overt or implied threats of violence, or is unable to consent or refuse (See Inmate Living Guide for list of acts).
H-10	Killing an inmate.

**Moderate Incidents:**

A single incident of any of the following offenses where the inmate has been convicted of the offense or was found to have committed the behavior through institutional disciplinary proceedings.

<b>Offenses:</b>	
	Aggravated Assault Aggravated Assault – Baby Child Abuse – Victim age 7 or older Child Abuse-Victim under age 7. Aggravated Assault Against Law Enforcement Manslaughter 2nd Robbery 1st Tampering with a Witness Arson 2nd Burglary 1st Commission of a Crime While Armed Possession of a Weapon by an Inmate Threatening a Judicial Officer Assault by Juvenile Confined in Detention Facility Assault by Prisoner in County Jail Possession of Weapon in Jail
<b>Institutional Disciplinary:</b>	
M-3	Possession, attempting to procure, or introduction of plans or drawings to manufacture, an explosive, ammunition, firearm, weapon, sharpened instrument, knife, hacksaw blade, wire cutter or unauthorized tool.
M-4	Threatening any non-inmate with bodily harm or with any offense against his/her person, his/her family or his/her property.

**Low:**

A single incident of any of the following offenses where the inmate has been convicted of the offense was found to have committed the behavior through institutional disciplinary proceedings:

**Offenses:**

Rape 3<sup>rd</sup>  
 Rape 4th  
 Aggravated Incest  
 Robbery 2nd  
 Sexual Contact with a Child under 16 years of age  
 Stalking  
 Arson 3rd  
 Discharging a Firearm at Occupied Structure or Motor Vehicle  
 Photographing a Child in an Obscene Act  
 Possession of a Firearm by a Felon  
 Indecent Exposure (Felony)  
 Intentional Exposure to HIV Virus  
 Simple Assault (3rd)  
 Violation of a Protection Order  
 Sexual Contact with a Person Incapable of Consenting  
 Incest  
 Solicitation of a Minor  
 Simple Assault on Law Enforcement  
 Discharging a Firearm from a Moving Vehicle.  
 Sexual Exploitation of a Child  
 Possession of Firearm with altered serial number  
 Possession of Firearm by Convicted Drug Dealer  
 Reckless Burning  
 Sexual Penetration by Psychotherapist

**Institutional Disciplinary:**

L-10 Assaulting another inmate without serious injury.  
 L-11 Fighting with another inmate.

**Institutional Risk Behavior:**

- A. Multiple incidents in last twelve (12) months – score 5 points.
- B. Single incident within last six (6) months – score 3 points.
- C. Single incident within last twelve (12) months – score 1 point.

D. Not applicable – score 0 points.

This category is scored for the past twelve (12) months based on penitentiary, jail, correctional, and detention facility behavior. This is scored based on major Offenses in Custody, as listed in Attachment 3: Offenses in Custody, or documented behavior submitted by a jail or detention facility which constitutes a major Offense in Custody in the SD DOC (See [Inmate Living Guide](#)). Juvenile information available from allowed sources may be included even when records have been sealed.

In cases where multiple counts are listed under a single offense or multiple elements are included in a single offense, only one (1) incident should be scored.

If a major Offense in Custody is reduced to a minor Offense in Custody, the offense is not scored.

### **Sources for Institutional Risk Behavior:**

Adult system COMS, Institutional Incident and Disciplinary Reports, official statements, PSI, jail reports prior incarceration reports, and previous penitentiary records.

### **Codes:**

All Category H Offenses in Custody ([Attachment 3](#)).

Select Category M and L Offenses in Custody ([Attachment 3](#)).

### **Escape Profile:**

Escape from:

- A. Secure facility/custody or multiple incidents in last five (5) years – score 7 points.
- B. Secure facility/custody in more than five (5) years and up to ten (10) years or multiple incidents in last one to ten (1-10) years – score 5 points.
- C. Non secure facility/custody in last five (5) years – score 3 points.
- D. Non secure facility/custody in more than five (5) years and up to ten (10) years score 1 point.
- E. Not applicable – score 0 points.

### **Secure Facility:**

A facility with a fence and/or physical barrier separating inmates from escape. This includes a penitentiary, jail and detention facilities.

### **Secure Custody:**

A supervision level that requires restraints and/or direct staff supervision, including law enforcement escort/transport and being in the physical custody of law enforcement following an arrest.

### **Non-secure Facility:**

A facility without a fence or physical barrier separating inmates from escape. This includes

minimum or community correctional facilities, halfway houses and other court or correctional ordered placements; e.g. a private community treatment provider, (Keystone, Human Services Center, etc.).

### **Non-secure Custody:**

A correctional supervision level that does not require restraints or direct staff supervision, including work/school release, furloughs, approved community passes, and being in the non-physical custody of law enforcement following an arrest.

Prior parole and probation absconding, bail or bond jumping on a felony charge, failure to turn self in for confinement, and/or a felony conviction for failure to appear are not counted as escapes from a non-secure facility/custody. Time from escape is counted starting on the date the inmate is taken into custody as a result of the escape or escape related behavior. Eluding police is not scored as escape behavior even when the eluding results in a felony conviction. In situations where inmates meet the criteria in more than one (1) section the inmate should be scored in the way that assigns the most escape points.

Juvenile information available from allowed sources is included even when DOC juvenile system information records have been sealed. If escape information is noted, the Classification and Transfer Manager will determine what information will be recorded in the criminal history. Central Records will add the escape information to COMS to include whether the escape was from a secure or non-secure custody/facility.

### **Sources for Escape Profile:**

NCIC (criminal history), adult and juvenile system information (COMS), PSI, official statements, sentencing documents, past SD DOC reports and jail reports or other prior incarceration reports.

### **Assessed Risk:**

From the Total Assessed Risk Score (the sum of items 1-5)

- |                     |              |
|---------------------|--------------|
| A. Minimum (MN)     | 1-8 points   |
| B. Low Medium (LM)  | 9-13 points  |
| C. High Medium (HM) | 14-21 points |
| D. Maximum (MX)     | 22-32 points |

### **Actual Risk Behavior:**

**Negative:** Score all actual risk behavior on inmates' current admission. (Source: High, Medium or Low Offenses in Custody, (if reduced to minor -V do not score)).

- A. Low: (L): Selected major infractions. ([Attachment 3](#))
- B. Moderate (M): Selected major infractions. ([Attachment 3](#))
- C. High (H): Selected major infractions. ([Attachment 3](#))

**Compliant:** A compliant criterion does not apply if the inmate is under any response for negative risk behaviors. An inmate's custody status can only move one level with compliant criteria. Classification

staff will review all inmates classified under this criteria within three (3) months to ensure they have adjusted adequately to their new custody status. An inmate assigned compliant criteria will be reviewed if there are changes in the circumstances that prompted the compliant criteria to be assigned. The additional risk information section of the classification manual should be used to increase an inmate's custody status in situations where additional risk information surpasses compliant behavior in determining risk.

- A. The inmate has completed ten percent (10%) of her sentence, (figured from the received date) or ten (10) years of his/her total sentence. The end date will be used from the sentence with the longest time to serve on current admission.
- B. The inmate has served at least three (3) months of his/her sentence in the DOC. Inmates who have returned as parole violators are eligible after their next parole review date.
- C. The inmate must be in compliance with programs assessed as needed (Education, Chemical Dependency, Medical/Mental Health, STOP Program, Cognitive Programs). Inmates who are serving a life sentence ("lifers") are not required to meet these criteria as the DOC does not require lifers to complete program assessments.
- D. The inmate must not score 5 or 7 points in the Escape Profile section of the custody form.
- E. The inmate has received no high actual risk behavior Disciplinary Reports in the last ten (10) years on this admission.
- F. The inmate has received no moderate actual risk behavior Disciplinary Reports in the last five (5) years on this admission.
- G. The inmate has received no category L Disciplinary Reports in the last two (2) years on this admission.

**Not Applicable:**

Self-explanatory.

Always note actual risk behavior, even when it cannot impact final risk level.

**Final Risk Level:**

Risk level based on assessed risk combined with actual risk behavior as outlined in the Actual Risk Behavior form ([Attachment 4](#)).

**II Administrative Risk Factors:**

In some cases (as outlined below), administrative risk factors create an additional risk that is 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. [Attachment 7](#) contains policy directives for placements involving administrative risk factors.

- A. Sex Offender Behavior Issues.
- B. Serving Escape Sentence.
- C. Pending Felony Charges/Holds.
- D. Additional Risk Information.

- E. Mitigating Risk Information.

**Sexual Behavior Issues:**

Inmates identified with sexual behavior problems, coded as something other than a 2N on the sexual behavior screen, are not eligible for minimum custody. Inmates with a sexual behavior code of 2N may be placed in a minimum custody facility. Source: Identified by COMS Offender Assessment screen.

**Serving Escape Sentence/Escape History:**

Inmates serving a current admission for a felony escape conviction, inmates who have escaped or attempted escape during their current admission, or inmates who have escaped or attempted escape from secure custody or a secure facility in the last ten (10) years (including a juvenile facility) are not eligible for minimum custody.

Inmates who have escaped or attempted escape from secure custody or a secure adult or juvenile facility greater than ten (10) years, are NOT eligible for minimum custody without approval by the Associate/Deputy Warden or other designated staff person, the Classification and Transfer Manager, and the Warden.

An inmate who is directly and/or substantially involved with an attempted conspiracy to commit or aiding and abetting an escape during their current admission or from secure custody or a secure facility should be scored the same as if they had actually completed the escape (may include but is not limited to the inmate being convicted of committing an Offense in Custody for escape).

**Sources for Escape Sentence/Escape History:**

Adult system COMS Legal Module, special security reports, NCIC (criminal history), PSI, official statements, sentencing documents, SD parole violation reports and past SD DOC reports, jail reports or other prior incarceration related reports.

**Pending Felony Charges/Holds:**

- A. Staff must ensure a felony warrants check is completed prior to an inmate being considered for placement in a minimum custody facility.
- B. An inmate has an official felony hold or detainer when the DOC Central Records office has received the proper information/paperwork on a felony hold or detainer and has noted it in COMS on the Legal Module screen.
- C. Questions concerning possible felony charges/holds will be referred to the DOC Central Records office.
- D. Only scored if noted within COMS.

**Hold/Detainer Should Not Be Noted:**

- A. If the inmate has offenses more than fifteen (15) years old on their criminal history without corresponding dispositions.
- B. Inmates with a final risk of minimum:
  1. With a felony conviction and active sentence from another jurisdiction (with or without



- an active hold or detainer); or
2. With confirmed felony holds or detainers for additional pending non-violent felony charges where the state has placed a hold or detainer valid only to specific states (not including South Dakota); or
  3. With a felony or escape offense on their criminal history in the last fifteen (15) years without a corresponding disposition where the jurisdiction has declined to confirm, place a hold or detainer or has failed to respond in thirty (30) days to the SD DOC inquiries regarding the charges(s); or
  4. Parole and probation violators from other jurisdictions.
  5. With confirmed felony holds, detainers, or possible pending charges that are for non-violent crimes.
    - a. May be placed on minimum status if:
      - 1) The conviction and length of sentence without good time would not affect their eligibility for a minimum status.

#### **Hold/Detainer Should Be Noted:**

- A. Inmates with official felony holds or detainers for violent crimes applicable to South Dakota for additional pending felony charges, with pending sentencing documents for additional violent felony convictions, with an Immigration and Customs Enforcement (ICE) hold, will have at least a low medium final custody status.
- B. Inmates with an active felony warrant(s) for violent crimes will be maintained on at least low medium custody status. An active felony warrant is defined as a felony charge on which an inmate has not been sentenced in which the jurisdiction with the warrant plans to take custody of the inmate.

#### **Sources for Pending Felony Charges/Holds:**

Criminal history cover sheet in the inmate's legal or institutional file and/or COMS Legal Module. Staff should contact Records Management if discrepancies are noted in the file and COMS.

#### **Additional Risk Information:**

The additional risk information section will be used to:

- A. Elevate an inmate's final custody level above what is indicated by the risk scale.
- B. Place all inmates who have received a capital punishment sentence on maximum custody status if they do not have a final risk level of maximum custody.
- C. Place inmates on low medium custody status if they have a final risk level of minimum custody and are more than five (5) years from their initial parole date. Inmates with no parole date must be five (5) years from their discharge date. On consecutive sentences where the initial parole date has not yet been calculated, contact the DOC Central Records office for assistance in determining the projected initial parole date. For inmates with mixed sentences, use the sentence with the longest time to the initial parole date.

- D. Place inmates serving a life sentence on high medium custody status if they have a final risk level of low medium or minimum. With the approval of the Warden, Director of Classification and Transfer and the Secretary of Corrections an inmate serving a life sentence with a final risk level of low medium or minimum may be classified to low medium status.
- E. Place inmates on low medium custody status if they have a final risk level of minimum and have absconded from parole or probation or DOC juvenile aftercare for a period of three (3) months following their return to a DOC facility, six (6) months on low medium custody if they have absconded multiple times in the past five (5) years and one (1) year on low medium custody if they have absconded multiple times in the past two (2) years' Time from absconding is calculated starting on the date the inmate is taken into custody as a result of the absconding behavior and not the date of the parole violation or the date of the parole violation hearing. (Source: Parole/Probation violation reports).

**Note:** Does not require a decision from the parole board to use this section.

- F. Place inmates on low medium custody status if they have a final risk level of minimum custody and they have a possible sexual behavior issue but have not been assessed by STOP staff (See DOC policy 1.4.B.9 [Sexual Behavior Issue Review](#)).
- G. Place inmates on low medium custody status if they have a final risk level of minimum, and;
1. Do not have an LSI-R assessment or are parole violators but have not received an updated or new LSI-R assessment; or
  2. Have an LSI-R score of  $\geq 37$  and have not had a P-Scan; or
  3. Have a P-Scan score of  $\geq 30$  and have not had a comprehensive psychological review; or
  4. Have a system risk level of 2 or 3 (See DOC policy 1.4.G.6 System Risk Classification).
- H. Place inmates on high medium custody if they have a final risk level of minimum or low medium and have a system risk level of 3 with a PCL- SV score of 18 or above and a VRAG of 14 or a VRAG-R of 19 or above

**Note:** In cases where the items listed above (A through I) are not applicable, 'N' for "no" will be marked.

- I. Place inmates on low medium custody status if they have a final risk level of minimum and are serving a sentence during their current admission for kidnapping, manslaughter 1<sup>st</sup>, or murder; including accessory, attempted, conspiracy to commit or aiding and abetting.

Additional risk information in Section A (above) 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. The placement on/or the removal from additional risk information (Section A) requires the approval of the Deputy/Associate Warden, Warden and Classification and Transfer Manager.

Aside from the provisions to classify an inmate serving a life sentence to low medium (Section D), when using sections B, C, D, E, F, G, H or I, approval by the Warden and Classification and Transfer Manager is not needed and a narrative is not required on the hearing log in COMS. If no additional risk information is applied, 'N' should be used.

### **Mitigating Risk Information:**

Mitigating risk information may be used to lower an inmate'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 COMS. The placement on or the removal from mitigating risk information requires the approval of the Deputy/Associate Warden, Warden and the Classification and Transfer Manager. Mitigating risk cannot be used in conjunction with additional risk information to change an inmate's custody status

### **Final Custody Status:**

Final risk level combined with applicable programming and/or administrative factors which impact final custody status. [Attachment 5](#) contains policy directives for facility placement and custody provisions by custody status.

### **Monitoring:**

All inmates Header Block on COMS will provide an alert reserved to document which inmates should not be housed together. Inmates that should not be housed together are identified by placing the other inmate's ID number and a (S) separation or a (M) monitoring. Monitoring status is a tool to be used by the unit staff to help the inmates avoid confrontations with each other. The inmates themselves maintain the responsibility to avoid problems with other inmates.

An inmate should not be placed on monitoring status unless the inmate has a potential for a violent confrontation or has had a violent confrontation in the past with another inmate related to gang involvement, conflict with the other inmate's relatives, testimony as a witness in the other inmate's trial or as co-defendants on the same crime, etc.

Inmates on monitoring status can be housed in the same housing location or unit but should not be housed in the same room or cell. Whenever possible, these inmates should be housed in different units. If the situation between the inmates is too critical to be housed in the same unit, separation requirements (see below) should be used to place one of the inmates in another housing location to minimize the opportunity for confrontations. Inmates with separation requirements may be housed in the same SHU or Restrictive Housing unit but will be kept in different sections of this unit; e.g. one inmate can be housed in the upper west section and one inmate housed in upper east section of the penitentiary SHU.

An inmate on monitoring or separation status will be reviewed only when there are changes in the circumstances that prompted the monitoring/separation status. If the monitoring or separation requirement status is no longer necessary, the Monitoring Status/Separation Requirements form ([Attachment 2](#)) should be completed indicating the reason the monitoring or separation requirements are no longer necessary. The placement on or removal from monitoring status requires the approval of the Associate Warden/Deputy Warden and Warden. If no changes are made following the review, the signatures of the Associate Warden/Deputy Warden and Warden are not needed on the [Monitoring Status/Separation Requirements \(Attachment 2\)](#) forms.

A separate form should be completed on each inmate requiring separation or monitoring from another inmate. A form should be sent to the staff of the unit in which the other inmate is housed. When inmates that need monitoring or separation requirement status are currently housed in separate facilities, the unit staff from each unit must agree and sign the form to place the inmates in their unit on the designated monitoring status or separation requirement status.

### III Placement

#### **Administrative Factors:**

In cases (outlined below) where administrative issues cannot be accommodated at a facility consistent with the inmate's risk level, administrative issues may take precedence over risk information as outlined. In these cases, "Administrative" is indicated as the basis for placement. [Attachment 7](#) contains policy directives for placements involving administrative factors.

- A. Separation Requirements
- B. Parole Violator/Pending Hearing
- C. Restrictive Housing
- D. Out-of-State Placement
- R. Minimum unit restrictions

#### **Separation Requirements:**

Related to gang affiliation, relatives, enemies, witnesses, co-defendants, etc. Inmates may be placed in a facility one level higher or one level lower than risk indicates to address separation requirements. Placement at a facility one level lower requires the approval of an Associate/Deputy Warden, Warden and Director of Classification and Transfers. A classification assessment must be completed when separation requirements are applied. The reason for the placement on or the removal of separation status must be documented on the case management notes in COMS.

#### **Source for Separation Requirements:**

Information provided by unit or security staff.

#### **Parole Violator Pending Hearing:**

- A. Inmates returned to the system through a parole or suspended sentence violation will receive an updated classification assessment by admissions case managers.
  - 1. Inmates must remain at the Pierre complex if they have pending violation proceedings.
  - 2. Inmates may be classified and transferred from the Pierre complex once they have a final revocation hearing with the Board, receive a dispositional hearing that is accepted, or they have agreed to waive their appearance.
  - 3. Minimum custody inmates who waive their appearance before the Board may be classified and transferred to a minimum custody facility.
- B. Inmates who have reached a disposition to their parole or suspended sentence violation will be reclassified and may be moved to a facility that matches the appropriate custody level.
- C. Inmates returned to the system who are eligible for minimum custody following their parole revocation must have received an updated LSI-R assessment that scores (<37) before placement at a minimum facility is allowed. If the inmate's LSI-R score is (=>37), then Additional Risk "H" is to be

used to elevate their custody to LM until they have a P-scan <30 or receive a comprehensive psychological review and are determined not to be psychopathic.

**Restrictive Housing:**

A status designated for inmates who have not responded to counseling or conventional disciplinary sanctions who are flagrantly or chronically disruptive to the good order and disciplined operation of the institution, or who pose a threat to the security of the institution. Placement on Restrictive Housing status is not a disciplinary sanction or a punitive status. Capital punishment inmates are also housed in this section (See DOC policy 1.3.D.2 [Capital Punishment Housing](#)).

**Out-of-State Placement:**

Inmates who are housed in out-of-state correctional facilities and are serving a current sentence for the State of South Dakota.

**Minimum Unit Restriction:** Minimum custody inmates serving a sentence during this admission for Robbery 1<sup>st</sup>, Arson 1<sup>st</sup> or Burglary 1<sup>st</sup> and minimum custody inmates with a sexual behavior issue of 2N may not be housed off the grounds of the Pierre complex. .

**Programming:**

Programming requirements are a guide for placement decisions and are a secondary placement influence. [Attachment 6](#) contains the policy directives for placements involving programming needs.

**Medical:**

In cases where an inmate's medical/mental health/dental needs cannot be accommodated at a facility/unit that is consistent with the inmate's risk level, the inmate may be housed at the facility/unit consistent with the inmate's risk level and capable of addressing the inmate's medical/mental/dental needs. In these cases, medical should be indicated as the basis for placement. [Attachment 6](#) contains policy directives for placement decisions involving medical.

A. Health Restrictions.

B. Health Hold.

**Health Restrictions:**

An inmate has been diagnosed by medical personnel with any type of medical, mental health, and/or dental health restriction that affects an inmate's placement. Source: COMS Offender Health Classification and Restriction Codes OIDHHCRC.

**Recommended Classification Placement:**

Facility placement that best meets the risk and other component responses.

**Placement Basis:**

Generally the primary basis for placement will be risk. However, as outlined under Administrative and Medical components, in select situations these factors may take precedence in placement. In these cases, the components other than risk will be indicated as the primary basis for placement.

A. Risk

B. Administrative Risk

- C. Administrative Placement
- D. Programming
- E. Medical/Mental Health
- F. Administrative Decision

**Risk:**

Risk will generally be the placement basis based upon Final Custody Status from the classification assessment.

**Administrative Risk:**

Administrative risk will be the placement basis in cases where administrative risk measures an additional risk that is not captured in the assessed risk score. Administrative risk issues take precedence over assessed risk. Administrative risk issues are: history of sex offender behavior issues, serving escape sentence/escape history, pending felony charges/holds, additional risk information, and mitigating risk information.

**Administrative Placement:**

Administrative placement will be the placement basis in cases where administrative issues cannot be accommodated at a facility consistent with the inmate's risk level. Administrative issues may take precedence over risk information. Administrative placement issues are separation requirements, parole violator pending hearing, Restrictive Housing and out-of-state placement ([See Attachment 7](#)).

**Medical/Mental Health:**

Medical will be the placement basis when an inmate's medical needs cannot be accommodated at a facility consistent with the inmate's risk level ([See Attachment 7](#)).

**Administrative Decision:**

Inmates that need to be housed at a facility other than what is indicated in the classification manual will use Administrative Decision as the placement basis. Use of the placement basis Administrative Decision requires written justification in the form of a narrative placed on comments section of the classification assessment screen in COMS. The use and removal of Administrative Decision requires the approval of the Deputy/Associate Warden, the Warden and the Classification and Transfer Manager.



**Attachment 3: Offenses In Custody**

Institutional Risk Behavior	Actual Risk Behavior	Offenses In Custody-Major
X	Score same as the primary rule infraction	<b>CATEGORY 5:</b> H-1 Any act or acts defined as felonies or misdemeanors by South Dakota Law or Federal Law. Inmates charged with a violation of this rule will be given a copy of the applicable law.
X	H	H-2 Killing any non-inmate.
X	H	H-3 Assaulting any non-inmate resulting in serious injury requiring immediate medical attention, emergency treatment or hospitalization.
X	H	H-4 Assault on staff without serious injury.
X	H	H-5 Throwing or spitting any substance at or upon any non-inmate; or intentionally smearing any substance to come into contact with any non-inmate.
X	H	H-6 Assault on an inmate resulting in serious injury requiring immediate medical attention, emergency treatment or hospitalization.
X	H	H-7 Engaging in, or encouraging a riot, work stoppage, group demonstration, group food or hunger strike.
X	H	H-8 Escape from a secure custody or secure facility, or planning, attempting or assisting in escape from secure custody or a secure facility.
X	H	H-9 Inmate sexual abuse-if the victim does not consent, is coerced into such an act by overt or implied threats of violence, or is unable to consent or refuse (See <a href="#">Inmate Living Guide</a> for list of acts).
X	H	H10 Killing an inmate.
X	M	M-2 Wearing or possession of a disguise or mask; manufacturing or possession of a mannequin or dummy.
X	M	M-3 Possession of, attempting to procure, or introduction of plans or drawings to manufacture an explosive, ammunition, firearm, weapon, sharpened instrument, knife, hacksaw blade, wire cutter or unauthorized tool.



Institutional Risk Behavior	Actual Risk Behavior	Offenses In Custody
X	M	M-4 Threatening any non-inmate with bodily harm or with any offense against his/her person, his/her family or his/her property.
X	M	M-5 Unsolicited contact with, or in reference to, any non-inmate (writing notes or letters, making suggestive remarks or gestures, in appropriate touching, or seeking out personal information).
X	M	M-6 Conduct that disrupts or interferes with the security or good order of the institution, or interferes with a staff member in the performance of his/her duties which clearly poses a threat to the safety of staff or other inmates.
X	M	M-7 Purposely exposing your genitals to a non-inmate for the purpose of annoying, offending or alarming a non-inmate.
X	M	M-8 Throwing or spitting any substance at or upon any inmate; intentionally smearing any substance to come into contact with any inmate.
X	M	M-9 Extortion, blackmail or demanding or receiving money or anything of value in return for protection or to avoid bodily harm by others.
X	LL	L-1 Tampering with or blocking any locking device, cell door, slider or secure door/window.
X	LL	L-2 Setting, or attempting to set a fire; tampering with fire detection equipment or firefighting equipment.
X	LL	L-3 Use, of an illicit substance, including any narcotics, drugs, medicine or intoxicants not prescribed by medical staff.
X	LL	L-4 Refusing or failing to produce a urine or breath sample, refusing to participate in a urine or breath test, attempting to circumvent a urine or breath test or altering the results of the test.
X	LL	L-6 Unauthorized use, possession, introduction or manufacture of hazardous material.
	LD	L-7 Insolence- any conduct, acts, or gestures, verbal or non-verbal, showing disrespect toward any non-inmate or in reference to any non-inmate.

Institutional Risk Behavior	Actual Risk Behavior	Offenses In Custody
X	LL	L-9 Inmate consensual sexual contact. Engaging in consensual

			sexual contact and/or unnatural acts with another inmate or non-staff member.
X	LL	L-10	Assaulting another inmate which does not result in serious injury.
X	LL	L-11	Fighting with another inmate.
	LD	L-14	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 their expiration date using authorized medicines for an unauthorized purpose, such as giving, trading or selling authorized medicine to another inmate.
	LR	L-17	Being in a posted unauthorized area or in an area inmates are not allowed without staff escort.
X	LL	L-20	Failure to be present for count; interfering with the taking of count.

Institutional Risk Behavior	Actual Risk Behavior	Offenses In Custody	
	LD	L-22	Refusing to work.
	LD	L-23	Failure to abide by rules or regulations governing programs, including work release, community service, furlough or private employment inside a DOC institution.
	LR	L-24	Receiving, giving or attempting to receive any unauthorized article to or from a visitor or the public.
	LD	L-25	Refusing to obey a verbal or written order issued by a staff member.
	LR	L-26	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 in an altered state.
	LD	L-27	Unauthorized contact with a member of the public or visitors, or violation of a protection order issued by the court.
X	LL	L-31	Unauthorized group activity or assembly; circulating or signing a petition.

	LR	L-32 Counterfeiting, forging or unauthorized reproduction of any official document or form, article of identification or currency.
X	LL	L-33 Misappropriation of tools or materials of any kind from shops or other places.
<b>Institutional Risk Behavior</b>	<b>Actual Risk Behavior</b>	<b>Offenses In Custody</b>
X	LL	L-38 Threatening any inmate with bodily harm or with any offense against his/her person, his/her family or his/her property.
	LD	L-39 Possession of unauthorized tobacco products at a secure facility.
	LD	L-40 Following 5 violations of any minor rule within a three-month period, all future violations may constitute a major violation.
	LD	L-41 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 or institutional operational memorandums.
	LR	L-42 Filing a false, frivolous or malicious action or claim with the court; bringing an action or claim with the court solely or primarily for delay or harassment; unreasonably expanding or delaying a judicial proceeding; testifying falsely or otherwise submitting false evidence or information to the court; attempting to create or obtain a false affidavit, testimony or evidence; or abusing the discovery process in any judicial action or proceeding.
	LD	L-44 Refusing to accept a living quarters assignment; refusing to accept a cellmate/roommate.
X	LL	L-45 Engaging in gang organization, recruitment or blatant displays of gang activity or materials related to security threat groups.
	LD	L-47 Possession of a cell phone in a secure facility.

X	LL	L-48 Possession of illicit substance, including any narcotic drug, medicine or intoxicants not prescribed to the inmate by medical staff.
<b>Institutional Risk Behavior</b>	<b>Actual Risk Behavior</b>	<b>Offenses In Custody</b>
X	LL	L-49 Manufacturing, possessing instructions to manufacture or buying or selling narcotics, paraphernalia, drugs, medicine or intoxicants.
X	LL	L-50 Sexual harassment, repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by an inmate directed toward any person.
X	LL	L-51 Escape, or planning, attempting, or assisting in escape from non-secure custody or a minimum custody facility.

## Attachment 4: Actual Risk Behavior

The following are the policy directives regarding possible DOC response to actual risk behavior. Actual risk behavior is considered at reclassification (either regularly scheduled or as a result of behavior).

Assessed Risk Level	Actual Behavior			
	Negative			Compliant
	Low Level (LL)	Moderate	High	
Minimum	Low Medium 3 months	High Medium 6 months	Maximum 10 years	Minimum
Low Medium	No Change	High Medium 6 months	Maximum 10 years	Minimum w/review in 3 months
High Medium	No Change	High Medium 6 months	Maximum 10 years	Low Medium W/review in 3 months
Maximum	No Change	Maximum 6 months	Maximum 10 years	High Medium W/review in 3 months

\*\*Low level majors identified with a LL code under actual risk behavior require a classification level of low medium LM for a period of three months.

\*\*Low level majors identified with a LD code under actual risk behavior require a thirty day detainment at a secure facility in general population but can remain at minimum (MN) custody level and does not require a reclassification assessment.

\*\*Low level majors identified with a LR code under actual risk behavior can remain at a minimum (MN) custody/facility with other sanctions applied.

**Attachment 5: Facility Placement And Custody Provisions By Risk \***

		<b>Custody Levels</b>			
		<b>MX</b>	<b>HM</b>	<b>LM</b>	<b>MN</b>
<b>Unit/Facility</b>					
South Dakota Women's Prison, E Unit				X	X
South Dakota Women's Prison, H Unit				X	X
South Dakota Women's Prison, A Unit **		X	X	X	X
South Dakota Women's Prison, B Unit		X	X		
South Dakota Women's Prison, C Unit ***		X	X		
South Dakota Women's Prison, D Unit				X	
Contract:	CABH, City/County Rapid City				X
	Glory House/Arch/Mitchell Steping Stones				X
	St. Francis House				X
<b>Custody Provisions Within Facility</b>					
Direct correctional staff supervision		X			
Routine staff supervision			X		
Minimal non-direct staff supervision				X	X
<b>Access To Community</b>					
None		X	X		
Work crew with direct supervision				X	
Work crew with routine supervision					X
<b>Minimum Transport/Escort Requirements</b>					
Two correctional officers for each inmate		X			
One correctional officer for each inmate			X		
One staff member (no civilians) for each 10 inmates				X	
One staff member for each 25 inmates					X
Staff discretion (CSW)					X
<b>Minimum Restraint Requirements Outside The Security Perimeter</b>					
Handcuffs		X	X	X	
Belly Chain		X	X	X	
Ankle cuffs		X	X		
Staff discretion				X	X

**KEY:**

- \* Subject to policy provisions and approval by the Warden, inmates can be housed at a facility other than what is designated by their custody level.
- \*\* Unit A = Mental Health, Restrictive Housing and Disciplinary Housing.
- \*\*\* Unit C = Admissions & Orientation and Pregnant Inmates.

Minimum Transport/Escort Requirements do not apply when inmates are transported on the shuttle system.

**Attachment 6: Administrative Factors For Inmate Program And Medical Distribution**

	PIR	WRP	CSW	PRH	PRE	IMT
<b>Program Distribution</b>						
<b>Chemical Dependency</b>						
Treatment	X			X	X	X
Aftercare	X			X	X	X
AA or NA	X	X		X	X	X
<b>Sex Offender</b>						
Treatment	X					
<b>Academic Education</b>						
Literacy	X			X	X	
Special Education IEP	X				X	
Special Education	X				X	
GED	X	X		X	X	
Vocational Education	X				X	
Core Programming	X			X	X	
<b>Medical Distribution</b>						
<b>Medical Health</b>						
NR No restrictions	X	X	X	X	X	X
OA Occasional access	X	X	X*	X	X	X
PA periodic access	X	X	X**	X	X	X
HA 24 hour access	X	X		X	X	X
NA No Activity	X	X**		X	X	X
<b>Mental Health</b>						
NR No restrictions	X	X	X	X	X	X
SN Special Needs	X					
PA Periodic Access	X	X**	X**	X	X	X**
SMI	X	X**		X*	X*	X**
<b>Dental Health</b>						
NR No restrictions	X	X	X	X	X	X
SM Some treatment	X	X	X	X	X	X
EX Extensive treatment	X	X		X	X	X
ER Extensive treatment refused by inmate	X	X	X	X	X	X
EM Emergency treatment	X	X		X	X	X
<b>Work/Housing Restrict</b>						
NR	X	X	X	X	X	X
NA – No Activity	X			X	X	
LA - Limited Activity	X	X**		X	X	X
HC- Handicapped	X	X		X	X	X

\* Requires medical approval and when other minimum custody inmates assigned to NR are not available.

\*\* Requires medical consult and/or mental health consult.

### Attachment 7: Possible Inmate Pending Charges/Holds/Detainers

Available as an IWP in COMS.

South Dakota Department of Corrections Policy Distribution: Public	Attachment: Possible Inmate Pending Charges/Holds/Detainers Please refer to DOC policy 1.4.B.2 and 1.4.B.14 Male Inmate Classification / Female Inmate Classification
<b>POSSIBLE INMATE PENDING CHARGES/HOLDS/DETAINERS</b>	
Date:	
To:	DOC Records Office Sioux Falls
From:	
RE:	POSSIBLE INMATE PENDING CHARGES/HOLDS/DETAINERS
Inmate:	Number:
has a possible pending felony charge, hold, or detainer from _____ County, in the State of _____. The crime of _____ was alleged to have been committed on or about the _____ day of _____ in the year of _____.	
Please contact this agency to determine if they desire to confirm this pending charge, hold, or detainer.	
<b>OTHER AGENCY RESPONSE</b>	
The _____ County, of the State of _____ has:	
<input type="checkbox"/> Confirmed the pending charge, hold or detainer	
<input type="checkbox"/> Declined to place a hold or detainer	
<input type="checkbox"/> Indicated that they will not place a hold or detainer on the inmate as long as he/she stays in the State of South Dakota.	
<input type="checkbox"/> Failed to respond in 30 days to place a hold or detainer on the inmate	
<input type="checkbox"/> Acknowledges charges, will not place hold	
DOC RECORDS OFFICE	
Revised: 9/3/2009	Page 1 of 1



## Attachment 8: DOC Juvenile System Information

Available as an IWP in COMS.

South Dakota Department of Corrections  
Policy  
Distribution: Public

Attachment: DOC Juvenile System Information  
Please refer to DOC policy 1.4.B.2 and 1.4.B.14  
Male Inmate Classification & Female Inmate Classification

### DOC JUVENILE SYSTEM INFORMATION

Please forward form to:  
**Kristi Bunkers**  
E-mail: [Kristi.bunkers@state.sd.us](mailto:Kristi.bunkers@state.sd.us)  
Fax: (605) 367-5625  
415 North Dakota Ave  
Sioux Falls, SD 57104

**Section I**

Inmate's Name: \_\_\_\_\_ Number: \_\_\_\_\_

Inmate has COMS Record: Yes  No  Verified by A&O Staff: Yes  No

Verification Completed By: \_\_\_\_\_ Date: \_\_\_\_\_

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**Section II**

Incidents of Violent Behavior: Yes  No

Records of Adjudication Provided: Yes  No

Institutional Major Reports Received: Yes  No

Institutional Risk Behavior: High  Medium  Low

Reason(s) Classified Above: \_\_\_\_\_

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**Section III**

Incidents of Escape Behavior: Yes  No

Records of Escape/Absconding Provided: Yes  No

Reason(s) Classified Above: \_\_\_\_\_

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**Section IV**

History of Mental Health Issues: Yes  No

Description of Mental Health Issues: \_\_\_\_\_

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**Section V**

History of Suicide Risk Issues: Yes  No

History of Suicide Attempts: Yes  No

Description of Suicide Risk Behaviors: \_\_\_\_\_

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Revised: 10/29/2012 Page 1 of 1

South Dakota Department of Corrections  
Policy  
Distribution: Public

Attachment: DOC Juvenile System Information  
Please refer to DOC policy 1.4.B.2 and 1.4.B.14  
Male Inmate Classification & Female Inmate Classification

DOC Juvenile Staff's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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Please return completed form within three working days to:

**Classification and Transfer Manager**  
**Rick Leslie**  
E-mail: [rick.leslie@state.sd.us](mailto:rick.leslie@state.sd.us)  
Tel. (605) 367-5020  
PO Box 5911  
Sioux Falls, SD 57117-5911

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Revised: 10/29/2012 Page 1 of 1