

## 1.4.A.1 Inmate Photo Identification

### I Policy Index:



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### II Policy:

The Department of Corrections (DOC) will maintain a reasonably current photo, measurements, impressions and physical description of each inmate in the custody of the DOC. All photographs, measurements and descriptions obtained for the purpose of identifying an inmate shall be filed and preserved by the DOC. Any criminal booking photograph for a crime classified as a felony pursuant to SDCL § 22-6-1 is a public record pursuant to chapter 1-27. Inmate photos may be released pursuant to SDCL § 24-2-20 (18) and SDCL § 23-5-7.

### III Definitions:

#### **Photograph:**

Any photographic image or its equivalent stored in any form.

#### **Scheduled Release to the Community:**

For the purposes of this policy, scheduled release to the community will include final discharge of sentence, release to parole or suspended sentence, transfer to the work release program or transfer to the Community Transition Program (CTP) or move to extended confinement.

#### **Senior Security Officer:**

The Deputy Warden at the South Dakota State Penitentiary (SDSP), Mike Durfee State Prison (MDSP) and South Dakota Women's Prison (SDWP). The Senior Security Officer is responsible for the same duties at ancillary units that fall within the supervision of the main facility.

### IV Procedures:

#### **1. Categories of Inmate ID Cards:**

- A. DOC issued identification (ID) cards for inmates twenty-one (21) years of age or older will be printed with a white background and contain a photo of the inmate, name and ten digit DOC ID number assigned to the inmate during initial admission to the DOC.

- B. The ID card for inmates under twenty-one (21) years of age will be printed with a red background and contain a photo of the inmate, name and ten digit DOC ID number assigned to the inmate during initial admission to the DOC.

## **2. Inmate Photographs Upon Admission:**

- A. The Warden shall gather identification information for each inmate housed at the institution for the purpose of identifying inmates accused of a crime or preventing the escape or facilitating the recapture, of the inmate. The Warden shall order staff to take such photographs, impressions, measurements, descriptions and records as may be necessary for each inmate (See SDCL § 23-5-6).
- B. The DOC will not provide or reproduce any inmate photograph older than six months from the date the photograph was taken without authorization from the Secretary of Corrections. The DOC is entitled to recover costs of retrieval or reproduction of an inmate photograph pursuant to § 1-27-35 (See SDCL § 23-5-7).
- C. The Senior Security Officer at the SDSP and SDWP will assign a staff member to photograph new admission inmates during the Admission and Orientation (A&O) process.
1. If an inmate wears glasses and/or has a beard, separate front facial photographs will be taken with and without glasses and with and without a beard. All headgear, including religious headgear, must be removed prior to the photograph.
  2. Each inmate will be photographed in a left profile, right profile and front face shot, with and without glasses and/or beard.
  3. Photographs will be taken of any distinguishing scars, marks and/or tattoos.
  4. The staff member assigned to take the photographs is responsible for documenting the photographs in the adult Comprehensive Offender Management System (COMS).
  5. All inmates will be issued a DOC photo ID at the time of admission.
    - a. Inmates are responsible for their ID card. If an inmate tampers with, alters, loses or destroys his/her ID card, a new card will be issued. The inmate may be charged a replacement fee for the replacement card.
    - b. Inmates are required to have their ID in their possession at all times, except when showering or sleeping.
    - c. Inmates will affix their ID card in the upper left torso area outside their clothing. The picture will be visible from the front.

## **3. Updated Information Required For Inmates Scheduled for Transport:**

- A. The Senior Security Officer at each facility will assign staff to take new photographs and update other pertinent descriptive information (i.e. weight) of all inmates scheduled for transfer from a higher custody unit to a minimum unit. Inmates transferring directly from Admissions and Orientations (A&O) to a minimum unit do not require updated information or photos.

- B. Inmates scheduled for transport outside the secure perimeter of a secure facility (See DOC policy 1.3.A.7 *Inmate Transport & Escort*) will have new photographs and an updated measurement of weight documented if this information is more than one (1) year old.
1. If an inmate wears glasses, separate front facial photographs will be taken of the inmate with and without glasses. All headgear, including religious headgear must be removed.
  2. Each inmate will be photographed in a front, left profile and right profile.
  3. At the time the inmate is photographed, he/she will also be checked for any new scars, marks or tattoos. Photographs will be taken of any new scars, marks or tattoos.
  4. Staff is responsible for updating the identifying information in COMS and issuing the inmate the updated DOC photo ID. The previously issued ID will be properly destroyed by staff. The inmate will not be charged for the ID.

#### **4. Updated Inmate Information Required During Incarceration at Secure Facilities:**

- A. All inmates will be re-photographed at least once every five (5) years, beginning from the date of admission. An inmate's weight will also be updated at the time the photo is updated. This information will be documented in COMS. The inmate will be issued a new ID card and the previously issued ID will be properly destroyed by staff.
1. If an inmate wears glasses, separate front facial photographs will be taken of the inmate with and without glasses. All headgear, include religious headgear must be removed.
  2. Each inmate will be photographed in a front, left profile and right profile.
  3. At the time the inmate is photographed, he/she will also be checked for any new scars, marks or tattoos. Photographs will be taken of any new scars, marks or tattoos.
  4. Staff is responsible for updating the identifying information in COMS and issuing the inmate an updated DOC photo ID. The previously issued ID will be properly destroyed by staff. Th inmate will not be charged for the ID.
- B. At the direction of the OIC, Senior Security officer or other designated DOC staff, an inmate whose appearance has changed significantly since their photo ID was issued, may be required to report to staff for an updated photograph.
- C. Inmates may be charged for the updated/replacement photo ID under the following circumstances:
1. The inmate intentionally changed his/her appearance;
  2. There is evidence of intentional damage or alteration of the ID;
  3. The inmate lost his/her ID;
  4. The inmate legally changed his/her name;
  5. Other reasons as determined by the OIC, Senior Security officer or other designated DOC staff which are supported by the willful and deliberate action by the inmate.

- D. The Warden his/her designee or the Senior Security officer or may require staff to update the identifying information of any inmate at any time.
- E. DOC staff are responsible for ensuring inmate ID cards are accurate and promptly reporting Lost, inaccurate, damaged or destroyed inmate IDs to the OIC, who shall require the inmate to report for a new ID.

#### **5. Updated Inmate Information Required During Placement in Non-Secure Facilities:**

- A. The Senior Security Officer at each non-secure facility will assign staff to update inmate photographs and weight for all inmates housed at a non-secure facility for a period exceeding one (1) year, and annually thereafter.
  - 1. If an inmate wears glasses, separate front facial photographs will be taken with and without glasses. All headgear, including religious headgear will be removed.
  - 2. Each inmate will be photographed in a front, left profile and right profile.
  - 3. At the time the inmate is photographed, he/she will also be checked for new scars, marks or tattoos. Photographs will be taken of any new scars, marks or tattoos.
  - 4. Staff is responsible for updating the identifying information in COMS and issuing the inmate an updated DOC photo ID.
- B. Updated photographs and body weights may also be taken any time staff determines an inmate's appearance has changed significantly.

#### **6. Updated Inmate Information Required Prior to Scheduled Release to the Community:**

- A. The Senior Security Officer will assign staff to update photographs and weights for each inmate within one (1) calendar week of his/her scheduled release to the community, except as noted below.
  - 1. An inmate transferring to the work release program does not require an updated photo if the inmate was photographed within the last year and the inmate's appearance has not changed significantly.
  - 2. Inmates releasing from DOC will be issued a new photo ID. Includes discharge, release to supervision or suspended sentence and move to extended confinement. The photo included on the ID will not include the DOC ID place card or inmate's ID number(s). The ID photo will be a full front facial showing the top of the inmate's head to the inmate's collarbone. The inmate may wear their glasses.
- B. If an inmate wears glasses, separate front facial photographs will be taken of the inmate with and without glasses. All headgear, including religious headgear will be removed.
- C. Each inmate will be photographed in a left profile, right profile.

- D. Staff assigned to photograph inmates is responsible for updating COMS with the updated information and issuing the inmate a DOC photo ID prior to his/her scheduled release to the community.

## V Related Directives:

SDCL §§ [1-27-35](#), [22-6-1](#), [23-5-7](#) and [24-2-20 \(18\)](#) and

DOC policy 1.3.A.7 -- [Transport & Escort of Inmates](#)

## VI Revision Log:

**March 2005:** New policy.

**May 2006:** **Revised** the sentence number requirements for inmate photographs to include the primary number rather than the longest running sentence. **Included** provisions for single sentence inmates who pick up a subsequent sentence while incarcerated. **Deleted** the requirement that an inmate shave his beard for an updated photograph or release photograph.

**March 2007:** **Revised** the definition of Senior Security Officer.

**March 2008:** **Deleted** the spelling of South Dakota State Penitentiary with the abbreviation of SDSP and the South Dakota Women's Prison with the abbreviation of SDWP in the Procedure section.

**Revised** "with/without" to "with and without" as it relates to being photographed regarding glasses and beards. Revised some grammatical and sentence structure throughout policy.

**February 2009:** **Revised** formatting of policy in accordance with DOC policy 1.1.A.2. **Added** definition of "scheduled release into the community", which was formerly located in Updated Inmate Photograph Pending Release to the Community section. **Added** ss (6 of Inmate Photograph Upon Admission/Readmission). **Added** Updated Inmate Photograph When Transferring From a Secure to Non-Secure Facility section. **Added** For Secure Facilities within former section title of Updated Inmate Photograph During Incarceration, added for secure facilities within ss (A) and **added** ss (7) all within same section. **Added** Updated Inmate Photograph During Incarceration For Non-Secure Facilities section. Clarified 1 calendar week in ss (A) deleted reference to CTP in ss (A1) and added ss (C1) of Updated Inmate Photograph Pending Release to the Community. **Added** DOC policy 1.1.D.3 to ss (V). Revised formatting of bulleting as required throughout policy.

**February 2010:** **Revised** formatting of Section I. **Added** exception to A&O in ss (A of Updated Inmate Photograph When Transferring From A Secure To Non-Secure Facility).

**February 2011:** **Added** to Sections 1-5 "each time a new inmate ID photograph is taken" pertaining to updating Adult Photos in Citrix. **Added** categories of Inmate ID Cards, A. & B. to Section 1 within Procedures. **Added** to ss 4 A. "and at the discretion of the Warden or designee prior to an inmate being transported outside of the secure perimeter"

**February 2012:** **Added** "front facial" and "without glasses or beard" to Section 2 A. 2. **Added** "front facial" and "without glasses" to Sections 3-6.

**March 2013:** **Added** "ten digit DOC ID number assigned to the inmate during their initial admission to DOC" **Deleted** "sentence number" in Section 2 A. 2, Section 3 A. 2., Section 4 A. 3. Section 5 A. 3. and Section 6 C. **Deleted** 3. "If an inmate has more than one sentence, the inmate photographs will include the sentence number based on the following criteria" in Section 2 A. 3. **Deleted** a. "If an inmate is admitted with one sentence and later receives additional sentences, only the original sentence number needs to appear in the inmate photographs" in Section 2. A. 3. **Deleted** "3. "If an inmate has more than one sentence, the inmate photographs will only include the primary sentence number" in Section 3 A. **Deleted** b. "If an inmate is admitted with multiple sentences, the number of the primary sentence will appear in the inmate photograph" in Section 2 A. 3. **Deleted** "the Citrix database each time a new inmate ID is taken" and **Replaced** with "documenting the photographs in COMS" in Section 2 A. 5. Section 3 A. 4. Section 4 A. 6. Section 5 A. 6. and Section 6 E. **Deleted** "If an inmate has more than one sentence, the inmate photographs will only include the primary sentence number" in Section 4 A. 4. and Section 5. A. 4. and Section 6 D. **Added** "at each non-secure facility" and **Deleted** "at least annual of any inmate currently incarcerated in a non-secure

facility” and **Replaced** with “of all inmates housed at a non-secure facility for a period exceeding one (1) year and annually thereafter” in Section 5. A.

**January 2014:** **Added** “reasonably” and **Deleted** “record of inmate photographs” and **Replaced** with “physical description of each inmate under the custody of the DOC” in policy statement. **Added** “marks” in Section 2 A. 3. and sections that follow. **Added** a. b. c. to Section 2 A. 5. **Deleted** “Inmate Photographs Required Prior to Transport” and **Replaced** with “Information Required for Inmates Scheduled for Transport” in title of Section 3. **Added** “and update other pertinent demographic information (i.e. an inmate’s weight) prior to any” in Section 3 A. **Deleted** “member assigned to photograph the inmate” and **Deleted** “photographs” and **Replaced** with “information” in Section 3 A. 4. **Added** “and a current measurement of weight taken if this information is 5 years old or older” and **Deleted** “if they have not had photos taken within 5 years of the date they are scheduled for transport” in Section 3 B. **Added** “regardless of whether his/her appearance changed” and **Added** “Staff will also physically weigh the inmate. This information will be documented and entered into COMS” and **Added** “The inmate will be issued a new ID card” in Section 4 A. **Deleted** “to the point the inmate would be difficult to recognize from his/her existing photograph” and **Replaced** with “significantly” in Section 4 A. 1. **Added** “weights” and **Deleted** “to the point the inmate would be difficult to recognize from his/her existing photograph” and **Replaced** with “significantly” in Section 5 A. **Added** “and measurement of weight” in Section 6 A. **Added** 2. to Section 6 A. **Deleted** 1. from Section 6 A. must be removed” in all sections. **Added** “The previously issued ID will be properly destroyed by staff” in all sections.

**January 2015:** **Revised** policy statement. **Added** B, C. and D. to Section 4. **Added** “photo and” to the policy statement. **Deleted** “5 years” and **Replaced** with “1 year” in Section 3 B. **Added** “All headgear, including religious headgear” throughout policy.

**January 2016:** **Reviewed** with no changes.

**April 2017:** **Reviewed** with no changes.

**February 2018:** **Added** definition of “Photograph”. **Added** “or move to extended confinement” to definition of “Scheduled Release”. **Added** A. and B. to Section 2. **Added** “Includes discharge, release to supervision or suspended sentence and move to extended confinement” in Section 6 A. 2.

*Denny Kaemingk (original signature on file)*

Denny Kaemingk, Secretary of Corrections

03/01/2018

Date