

1.3.C.1 Living Guide

I Policy Index:



Date Signed: 05/21/2014
Distribution: Public
Replaces Policy: 4.A.5
Supersedes Policy Dated: 05/12/2013
Affected Units: All Institutions & Juvenile
Community Corrections
Effective Date: 05/28/2014
Scheduled Revision Date: March 2015
Revision Number: 12
Office of Primary Responsibility: DOC Administration

II Policy:

The Department of Corrections (DOC) will provide each inmate an [Inmate Living Guide](#) and each juvenile a [Juvenile Offender Living Guide](#) upon admission/commitment to DOC. The Living Guide explains available services, institutional operations, rules and regulations.

III Definitions:

Offender:

For the purposes of this policy, an offender is an inmate (in custody of the DOC institutional system) or a parolee (under parole or suspended sentence supervision by South Dakota Parole Services) or a juvenile under DOC supervision.

IV Procedures:

1. Living Guide Contents:

- A. Each respective living guide will contain relevant information regarding the DOC and its units.
- B. Information contained in the Living Guide will include the mission and values of the DOC, Prison Rape Elimination Act (PREA), a brief description of offender programs available in the institution or contracted juvenile facility, procedures to access staff and services and general information regarding day-to-day offender routines within a DOC institution or contracted juvenile facility. The adult offender Living Guide includes a list of the Offenses in Custody.

2. Signed Receipt of Living Guide:

- A. Each offender admitted/committed to the DOC will be furnished with a copy of the applicable [Inmate Living Guide](#) or [Juvenile Offender Living Guide](#).
 1. Each offender committed to DOC will sign a form acknowledging receipt of the applicable Living Guide.
 2. The form acknowledging receipt will be forwarded to the respective unit or Juvenile Community Corrections staff to be included in the offender's file.

3. Copies of the Living Guide will be made available to offenders following any revision and subsequent re-publication of the Living Guide.
 4. It is not necessary for current offenders to sign an acknowledging receipt for a revised Living Guide.
- B. The parent(s) or guardian(s) of a juvenile offender, if available, will also sign a form acknowledging receipt of the [Juvenile Offender Living Guide](#). The completed form(s) will be placed in the juvenile's central file located with the JCA.
- C. To the extent reasonably possible, a qualified staff member or translator will attempt to assist an offender who has a language or literacy barrier in interpreting the Living Guide.
1. Spanish Living Guides are available for those offenders who have an established need for written materials to be translated from English to Spanish.

3. Annual Review of the Living Guide:

- A. The Living Guides will be reviewed annually by designated DOC staff.
1. If the Secretary of Corrections approves revisions to the Living Guide, arrangements will be made with Prison Industries to produce a sufficient supply of the revised Living Guide for distribution to staff, offenders and others.

4. Offender Responsibility:

- A. Each offender is responsible for reading and understanding the Living Guide.
- B. If an offender does not understand a particular subject within the Living Guide, it is the offender's responsibility to obtain clarification from staff.
- C. An offender may be charged a replacement cost for lost or damaged Living Guides, as set by the Warden, Superintendent or designee.

V Related Directives:

[Inmate Living Guide](#)
[Juvenile Offender Living Guide](#)

VI Revision Log:

October 2002: Revised Central File to Unit File in Signed Receipt of Guide section.

April 2004: Changed the name of the policy from Inmate Living Guide to Living Guide. Added references to the *Juvenile Offender Living Guide*.

May 2005: No changes made.

April 2006: Added PREA as a mandatory living guide topic. Added a statement that current offenders will get a copy of any new living guide published and a note on how to track the receipt of the new living guide. Added a section on Offender Responsibility.

May 2007: Minor style/format changes made. Clarified that the Policy & Compliance Manager is responsible for the annual revision of the Living Guides.

April 2008: Revised policy to be in accordance with new format as set forth in DOC policy 1.1.A.2 Policy and Operational Memorandum Management. Changed "admission" to "commitment to DOC" in the Policy statement section. Revised subsection (A and A 1 of Signed Receipt of Living Guide section) to indicate each new offender committed to DOC will receive a Living Guide vs. admitted to a DOC facility. Changed literacy "problem" to "barrier" in helping an offender understand the rules on offender discipline. Replaced "imprisoned" to "committed" in subsection (A of Signed Receipt of Living Guide section).

March 2009: Revised ss (A3 of Signed Receipt of Living Guide) to read “as revised” vs. “subsequently”.
Replaced “obligation” with “responsibility” in ss (B of Offender Responsibility).

March 2010: Revised formatting of Section 1. **Deleted** “new” from ss (A) when referencing offenders and **deleted** PV, SSV or aftercare violator in ss (A1) when referencing offenders both within Signed Receipt of Living Guide. **Added** hyperlinks.

March 2011: Added in section 2, C. 1. referencing living guides are available in Spanish.

April 2012: Reviewed with no changes.

March 2013: Added “Juvenile Community Corrections” to affected units. **Added** definition of “Offender”. **Added** “or contracted juvenile facilities” in Section 1 B. **Deleted** “obtain an understanding of the contents” and **Replaced** with in interpreting” in Section 2 C. **Added** 1. to Section 3 A. **Deleted** “due to loss of intentional damage” and **Replaced** with “all cases except when a revised Living Guide is published and distributed by staff to offenders” in Section 4 C.

March 2014: Deleted :list of Offenses in Custody” and **Added** “The adult offender Living Guide includes a list of Offenses in Custody” in Section 1 A. **Added** “or guardian(s)” in Section 2 B. **Added** “Secretary of Corrections approved revisions to the” in Section 3 A. 1. **Deleted** “is” and **Replaced** with “may be” and **Added** “as set by the Warden, Superintendent or designee” and **Deleted** “in all cases except when a revised Living Guide is published and distributed by staff to offenders” in Section 4. C.

Denny Kaemingk (original signature on file)

05/21/2014

Denny Kaemingk, Secretary of Corrections

Date