

## 1.4.B.2 Male Inmate Classification

### I Policy Index:



**Date Signed:** 01/04/2019  
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**Replaces Policy:** 4B-2  
**Supersedes Policy Dated:** 07/12/2017  
**Affected Units:** Adult Male Institutions  
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**Office of Primary Responsibility:** Classification and Transfer Manager and DOC Administration

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### II Policy:

The male 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 male classification system will consider an assessment of risk and efficient management of the male inmate population. Male inmates are assigned an appropriate level of supervision based in part on classification and shall 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.

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

Comprehensive Offender Management System. Computerized inmate records system used to maintain individual offender records, support DOC operations and provide a source for generation of aggregate and statistical data.

#### **Custody Level:**

Level of restriction of inmate movement within a DOC institution. Divided into Maximum, High Medium, Low Medium, Minimum. Assigned to each inmate housed in a DOC institution.

#### **Direct Supervision:**

A method of inmate management that ensures continuing direct contact between inmates and staff. Staff are not separated from inmates by a physical barrier. Staff provide frequent, nonscheduled observation of and personal interaction with inmates.

#### **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.

**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.

**P-SCAN:**

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

**Old System:**

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

**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 certain crimes of violence, as specified and determined by the Department of Corrections. Attempt, conspiracy, aiding and abetting are all counted the same as the principle felony.

**Classification of Violent Crimes:**

(See SDCL § [24-15A-32](#) and DOC Crime Codes and Classification document)

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

AGCS	Aggravated Assault-Baby	1V (Before 6/30/12)	22-18-1.1(7)
AGAC	Aggravated Assault – Baby Subsequent	2V	22-18-1.1(7)
AGBC	Aggravated Battery on Infant	2V (After 7/1/12)	22-18-1.4
AGBS	Aggravated Battery on Infant Subsequent	1V (After 7/1/12)	22-18-1.4
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
ECRT	Encouraging a Riot W/O Participating	5V	22-10-6.1
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
KDN2	Kidnapping 2 <sup>nd</sup> W/Serious Bodily Injury	1V	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
M1st	Murder 1 <sup>st</sup> With Sentence	CV	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 Male Inmate Classification policy and accompanying attachments is solely 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. Typically composed of unit managers, case managers and unit coordinators.

## **3. Classification:**

- A. Each inmate in the custody of the DOC shall be assigned a custody level/classification. The DOC uses a four (4) level system of custodial control. Inmates will be assigned to the least restrictive custody level necessary while ensuring the inmate receives appropriate supervision.
- B. An inmate's custody level/classification may affect housing, employment, transport and programming.
- C. Inmates housed in contract facilities or as an Interstate Compact (out-of-state facilities), are classified by unit staff assigned to gather and review information related to the inmate which is used to classify the inmate. This information is stored and located in the Comprehensive Offender Management System (COMS).
- D. Classification decisions placing an inmate on minimum custody status require a complete audit/review by designated classification staff within five (5) working days of the initial assignment to minimum custody.
- E. The audit/review will be conducted by classification staff not involved in the decision to assign the inmate to minimum custody.

## **4. Information:**

- A. Applicable information, history and needs, including but not limited to medical, behavioral health, chemical dependency, education, LSI-R, Risk Reduction programming, Sex Offender Management Programming (SOMP) and criminal history will be gathered, reviewed and considered by classification staff.
  - 1. Information is stored, documented and maintained within COMS.
  - 2. Program staff, Health Services staff and Behavioral Health Services staff are responsible for providing information to classification staff that may be pertinent to the classification process and documenting and maintaining the inmate's health record in the respective data systems.
  - 3. Information that may exist within 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 classification staff (ACA 4-4298).
- B. Any staff member may submit information to classification staff that may affect an inmate's classification level.
- 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 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 considered when assigning classification to 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 must be supported by verifying accuracy of information shared by the CI in the past.
- D. An inmate's classification status will be entered, updated and maintained in COMS.

## **5. DOC Juvenile System Information:**

- A. Admissions and orientation (A&O) unit staff will complete a name search in the Juvenile COMS system for each new admission inmate received who is 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, unit 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 initially 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 to what extent information pertaining to an inmate's juvenile record/history will be included in an inmate's criminal history and applied to the inmate's classification.
  3. Any juvenile record/history included 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 through the NCIC III during the initial classification of an inmate. Staff will review the results 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 for 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 the inmate being assigned to minimum custody, 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 is 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 outside of the state in a correctional facility will have their classification determined by classification staff *in absentia*.
- D. Inmates who cannot attend 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.
- 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/classification and recommend facility and program placement. 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 within factors used to assign classification which may potentially affect the inmate's final classification, including, but not limited to:
  - 1. Changes in sentence length;
  - 2. Commission of a major Offense in Custody;
  - 3. Actions on holds/detainers, felony warrants; or
  - 4. New 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) or an Administrative Decision, will have their classification 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 level. Example- Inmates will not automatically be placed in a higher level after committing a major Offense in Custody.
- F. Inmates requesting a classification review must specify changes in their status that may affect

their classification/custody status (See B. 1-4 above) which 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 classification or placement may be taken prior to the scheduled classification review when delay in action or waiting until the next scheduled classification hearing, could jeopardize the safety 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 decision has been appropriately reviewed and approved by designated staff. The inmate's classification 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.E.3 -- [Administrative Remedy for Inmates](#)  
DOC policy 1.4.B.9 -- [Sexual Behavior Issue Review](#)  
DOC policy 1.4.G.6 -- [System Risk Classification Inmate Living Guide](#)

## VI Revision Log:

**June 2002:** **Added** "re-entry programs" to Classification Information, subsection B. **Added** requirement of review when eligible for reduction to Classification Actions, subsection C. **Added** subsection E to Classification Actions – outlining provisions for low medium housing at minimum.

**September 2002:** **Combined** Classification Manual into policy. **Revised** date in policy. **Revised** who reviews and signs classification packet in Classification Decision and Appeals B. **Revised** Term Expires Date w/ End Date throughout policy.

**April 2003:** **Revised** dates in Policy. **Revised** 4-32 to include Institutional Risk Behavior.

**January 2004:** **Changed** the definition of Needs STOP Treatment. **Reworded** the definitions of Direct Supervision, Routine Supervision and Minimal Non-Direct Supervision. **Clarified** parts C and D under Classification Actions. **Changed** the reference from Inmate Classification Manual to Inmate Classification Policy. **Revised** the wording on handling administrative remedies.

**January 2005:** **Revised** approval requirements on unit classification board decisions that use Section A. **Revised** Attachment 1. **Removed** level 4 violations from scoring in institutional risk. **Changed** the length of time that institutional risk is scored from two years to one year. **Moved** assaulting (4-4) from moderate to low in the incidence of violence section. **Reduced** from 15% to 10% the percentage of time served in length of years an offender must remain free of major disciplinary for exceptional behavior criteria. **Combined** the instructions for initial classification and reclassification into one section. **Updated** crime codes/ changes in felonies. **Deleted** information on reclassification of inmates following a category four rule violation. **Changed** section heading from "Approval" to "Classification Approval".

**October 2005:** **Changed** Correctional Counselor to Unit Coordinator. **Deleted** completion of STOP treatment as a reason for a classification action. **Added** the barracks as a unit at MDSP. **Revised** STOP treatment requirements. **Changed** the classification form and placement form from the version on the WAN to the version used in the Citrix database.

**October 2006:** **Deleted** the definition of Needs Stop Treatment and **added** a definition for Sex Offender Behavior Issues. **Updated** criminal code lists. **Added** mental health staff assessments as part of the classification information. **Added** a four-letter unit team code for Jameson Unit D. **Revised**

the scoring guidelines for absconding behavior. **Deleted** information regarding STOP treatment and **added** information on Sex Offender Behavior Issues. **Added** clarification on housing inmates with separation requirements. **Deleted** the section on Sexual Behavior Exclusion. **Clarified** the Warden's authority at the bottom of Attachment C. **Added** housing restrictions for minimum custody inmates with a medical designation of "no activity".

**July 2007:** **Deleted** Burglary 2<sup>nd</sup> completely from the list of violent offenses. **Revised** the section name from Classification Packet Audit to Classification Packet Audit Review. **Added** a procedure under the section on Classification Packet Audit Review to include a unit staff review of an institutional file and classification packet when a new inmate transfers to the unit. **Added** a reference to the LSI-R. **Replaced** the term "other" with "Administrative Decision" for exceptions to the placement basis of an inmate and updated the info. **Added** a reference to DOC policy 1.4. B.12. **Revised** attachments 2, 3, C, D, E, 7 (now 6), 8 (now 7). **Deleted** the attachment on Request for STOP Evaluation. **Revised** the terms for determining the number(s) an inmate is serving on the current admission and previous crimes. **Added** scoring criteria for current offense seriousness, length of sentence remaining, incident of violence, institutional risk behavior and escape profile. **Revised** the method to determine the length of time under the Current Offense Seriousness category. **Updated** the crime codes. **Moved** Violation of a Protection Order to the category "Against Person-Moderate". **Revised** the definition of Non-Secure Custody on page 19. **Updated** the exceptional criteria for parole violators to four months following their revocation hearing. **Revised** the section on Additional Risk Information. **Moved** the Minimum Unit Exclusion from Administrative Factors to Administrative Risk Factors. **Revised** the section on Parole Violator Pending Hearing. **Updated** the Prohibited Acts to match the new *Inmate Living Guide*. **Revised** the definitions of Admission and Security Perimeter. **Added** reference to DOC policies 1.3.D.4, 1.4.B.9 and 1.5.A.5.

**August 2008:** **Revised** policy and attachments in accordance with DOC policy 1.1.A.2. **Replaced** STOP with SOMP in definition of Sex Offender Behavior Issues. **Replaced** page "39" with page "37" in the definition of Maximum, High Medium, Low Medium, Minimum. **Added** "she" when referencing inmates. **Replaced** STOP with SOMP in ss (B of Classification Information). **Added** "DOC policy" in ss (V). **Added** "PREB" and "PRHB" in the Unit Team graph, **added** "High" to ss (A of Current Offense Seriousness), **added** "One" in ss (D of Incidence of Violence) and **added** statement about inmates with sexual behavior are not eligible for minimum custody in Sex Offender Behavior Issues section, in Attachment 2. **Added** "PREB" and "PRHB" in the Unit Team graph, **added** statement about the removal of the Administrative decision in the definition of Administrative Decision in Attachment 3. **Revised** title of Attachment 4 to be consistent with policy, attachment and WAN. **Revised** Limited Activity section for Work/Housing Restrictions within Attachment D. **Added** Violent Offenses, End Date, Next Custody Date, Assessed Risk, Actual Risk Behavior, Exceptional, Not Applicable, Placement Form Instructions, PREA, Administrative Segregation, Out of State Placement, Needs Chemical Dependency, Ill Medical and **revised** page numbers to reflect pages in policy within Table of Contents.

**October 2008:** **Removed** "x" for staff discretion and placed an "x" for handcuffs and belly chains for MDSP in attachment C.

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

**August 2009:** **Revised** title of policy. **Replaced** Violent Crimes table with Classification of Violent Crimes table and referenced SDCL 24-15A-32. **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 it throughout policy and attachments. **Deleted** former ss (C) regarding separation requirements and **deleted** reference to separation requirements in former ss (C, now D) both within Classification Approval. **Added** reference to SDCL 24-15A-32, **revised** title of DOC policy 1.4.B.12 and **deleted** reference to DOC policy 1.4.B.15 PREA Institutional Female Assessment all within section V. **Added** reference to Male to titles within Attachments 1, 2 and 3. **Added** Pennington County within and **deleted** reference to Redfield, Pierre, females and applicable MCC and SDP within Attachment 1. **Updated** screen shot, **deleted** reference to Norg, Pier, PREB and PRHB within (Unit Team), **added** ss (C1, C2 and C3), **deleted** reference threatening to commit a sexual offense, **added** #35, **deleted** #45 and # 97 by an Inmate and **added** C4 all within (Codes), **added** reference to C1, C2

and C3 within (Low), **added** MN, LM, HM and MX within (Assessed Risk), **added** DOC juvenile aftercare within ss (E of Additional Risk Factors), **added** escape history to ss (B of Administrative Risk Factors) and **deleted** reference to sexual behavior problem in ss (G of Additional Risk Information) and **added** referenced Criminal History database within ss (Non-Secure Custody) all within Attachment 2. **Updated** screen shot **deleted** reference to Pier, Norg, PREB and PRHB within (Unit Team), **revised** Work Release section to include NO, EL, AP and CMQP form and **deleted** former ss (A4 and A5 of Parole Violator Pending Hearing) regarding females placement prior to revocation hearings and waiving their right to appearance and **added** currently within ss (Work Release Eligible) all within Attachment 3, **Revised** numbering of former Attachments (A, B, C, D, E, 5, 6 and 7) to Attachments (5 through 12). **Deleted** reference to comparison of seriousness to Category and **deleted** repealed prohibited act 4-31 from Attachment 5. **Deleted** PIR and RDF in Attachment 6. **Deleted** SDWP, E Unit, H Unit, RDF, CABH, City, County Rapid City, Glory House, Arch, Mitchell and **revised** custody levels both within Attachment 7). **Deleted** reference to PIR and HP Handicapped, **added** HC Handicapped in and **revised** facility placements, **added** "X\*\*" for CSW within PA Medical row and **added** "X\*\*" for CSW and RC within PA Mental Health row all within Attachment 8). **Deleted** PIR and RDF and **revised** facility placements from Attachment 9). **Revised** picture and **added** reference to Male to the title of Attachment 11. **Added** clarification to sections within (Sources) throughout attachments. **Updated** table of contents. **Added** hyperlinks throughout policy.

**August 2010:** **Revised** formatting and **revised** Affected Units to reflect Adult Male Institutions both within Section I. **Added** new ss (C) regarding separation requirements and **added** reference to separation requirements inconsistent with risk within ss (D) both within (Classification Approval). **Added** "Threatening to Commit a Sexual Offense and #45 within ss (Codes), **deleted** "one low" in ss (E of Incidence of Violence), **deleted** statement regarding whether parole board finds out of an offender absconding, **added** "Source" and "Note" all within ss (E of Additional Risk Information) and **clarified** the inmate must be in compliance in ss (C of Exceptional) all with Attachment 2 Instructions. **Added** CD Tx being offered at RCC in Attachment 9. **Updated** contact information within (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 Male Classification Custody Form Instructions (MCCF). **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) MCCF. **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 MCCF. **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 MCCF. **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 MCCF. **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 MCCF. **Deleted** “Four (4)” and **Replaced** with “three (3)” in Exceptional B. (pg. 23) of the MCCF. **Deleted** “Corrective Thinking” and **Replaced** with “Core Programs” in Exceptional C. (pg. 24) of the MCCF. **Added** “or attempting to escape” to Serving Escape Sentence/Escape History” (pg. 24) of MCCF. **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 MCCF. **Added** “Upon notification to the other jurisdiction DOC Central Records will notify unit staff” to Hold/Detainer Should be Noted 4. A. 2) (pg. 24) of MCCF. **Added** “Warrant” to Hold/Detainer Should be Noted section (pg. 24) of MCCF. **Deleted** “SD parole violation reports” from Sources for Escape Profile (pg 25) of MCCF. **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 MCCF. **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 MCCF. **Deleted** “SD violation reports” in Sources for Serving Escape Sentence/Escape History (pg 26) of MCCF. **Added** D. “Only scored if noted on the (QS) screen to Pending Felony Charges (pg 27) of MCCF. **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 MCCF. **Added** “Staff should contact Records Management staff if discrepancies are noted” to Source for Pending Felony Charges (pg 28) MCCF. **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 MCCF. **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 MCCF **Deleted** C. “Work Release Eligible” from I Administrative Factors C. on pg. 30 of the Male Placement Form (MPF). **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) MPF **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 MPF 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) MPF. **Deleted** “Inmates sentenced to Death” and **Replaced** with “Capital punishment inmates are also housed in this section” in Administrative Segregation, (pg. 33) MPF. **Deleted** “Male inmates serving a life sentence may be placed at DSP on high medium custody status provided they have served twenty (20) years of their sentence, meet exceptional criteria, and receive approval of the wardens at DSP and SDSP. The wardens must initiate the selection of the inmates serving a life sentence who are authorized to transfer to DSP” from Administrative Decision (pg. 35) MPF. **Deleted** “and approval by the Warden” on the bottom of Attachment 7 **Deleted** HA 24-hr. access code from Attachment 8 **Deleted** Attachment 10 “Male Notice of Unit Classification Hearing Results” **Deleted** Attachment 11 “Laws Governing Escape Sentencing” **Updated** contact information on Attachment 13. **Added** PA periodic access Medical Health and SPMI and Deleted \*\* for PA periodic access Mental Health in RCC column of attachment 8.

**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.

**January 2015:** **Deleted** definition of “MAPS”, “Civilians”, “Outside staff” and “Contractual staff”.

**Added** “Risk Reduction program” to Section 5 A. **Added** Section 10, “Temporary Emergency Actions”. Changes to Attachment 1.

**August 2015:** Deleted A-E in Section 11 and Replaced with new A & B. Changed Attachments 1, 5, 6 and 7.

**May 2016:** Added "within 5 working days" in Section 3 A. Added "that are for or related to violent crimes" in Section 7 B. Deleted "to receive notification of their custody classification status in Section 8 A. Added E. to Section 8. Added F. to Section 12. Updated Crime Codes/added new crimes pages 16-19. Deleted "2) "the other jurisdiction is notified of the inmate's placement on minimum" on page 27. Deleted "After the classification assessment has been approved, the unit staff who has completed the assessment will notify DOC Central Records office who will notify the other jurisdiction. Upon notification to the other jurisdiction DOC central records will notify unit staff" on page 27. Numerous revisions to Attachment 3. Updated Attachment 4. Changed 12 months to 6 months in Moderate in Attachment 4. Added explanations to Attachment 4. Minor updates to Attachment 5, and 6. Added "Violent" to Pending Charges in Attachment 7.

**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. 18-19 of attachments.

**September 2017:** Changes to language and structure. Changes to Attachment 2.

**September 2018:** Changes to pg. 26- Sexual Behaviors Added "unless they" and Added A. B. and C. Added SFC and RCC to Sex Offender placement on pg. 42. Specified H-2 or H-10 in table on pg. 38 and Added H-4 and H-5 table and H-3, H-6, H-7, H-8 and H-9 table on pg. 38.

*Denny Kaemingk (original signature on file)*

Denny Kaemingk, Secretary of Corrections

01/04/2019

Date

## Attachment 1: Adult DOC Male Inmate File and Property Placement

File and Property Placement								
Facility		Legal File		Institutional File		Med File		Extra Property
Jameson Annex		SDSP		JPA		JPA		JPA
South Dak. State Penitentiary		SDSP		SDSP		SDSP		SDSP
Mike Durfee State Prison		SDSP		DSP		DSP		DSP
Yankton Community Work Center		SDSP		YKT		YKT		YKT
Sioux Falls Community Work Center		SDSP		SFC		JPA		SFC
Rapid City Community Work Center		SDSP		RCC		RCC		RCC
Out of State - Male		SDSP		JPA		SDSP		SDSP

## 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 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 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 out of state or 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>d</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 the inmate is actually serving. 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 High-Level offenses in custody 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 High-Level offenses 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 low a level offense 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 other facility/agency reports concerning inmate conduct/behavior, select the SD DOC disciplinary category that best describes the inmate’s behavior (See Inmate Living Guide).

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 High, it should be scored as a Moderate; if the incident is Moderate is should be scored as Low; if the incident is a Low it should not be counted).

**Sources for Incidence of Violence:**

NCIC III, PSI, sentencing documents, institutional Incident Reports, Disciplinary Reports, adult and juvenile system information (COMS), official statements, parole reports, 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 offense 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 or was found to have committed the behavior through institutional disciplinary proceedings:

**Offenses:**

Rape 3<sup>rd</sup>  
Rape 4<sup>th</sup>  
Aggravated Incest  
Robbery 2<sup>nd</sup>  
Sexual Contact with a Child under 16 years of age  
Stalking  
Arson 3<sup>rd</sup>  
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 (3<sup>rd</sup>)  
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 High Level offenses in custody, as listed in Attachment 2: Offenses in custody or documented behavior submitted by a jail or other facility/agency which constitutes a High Level offense in custody in the SD DOC (See Inmate Living Guide). Juvenile information which is deemed applicable to an inmate's classification shall be included even when the 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 High-Level offense in custody is reduced to a Low Level, 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 2](#)).  
Select Category M and L Offenses in Custody.

**Escape Profile:**

Escape or absconding:

- 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 direct staff supervision of the offenders, including law enforcement escort/transport and being in the physical custody of law enforcement following an arrest.

**Minimum Custody (Non-Secure Custody):**

A facility for placement that does not rely primarily on the use of physical restriction (fence or physical barrier or locked doors and gates) to restrict offender movement. Mandatory staff escort

of offenders departing from the facility or accessing the community is not required. Includes minimum custody community work centers or community correctional facilities, placement on extension of confinement, 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/job search/school release to the community, furloughs, approved community passes, placement in the community while under parole supervision 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 deemed applicable shall be 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, SD DOC reports, parole reports (warrants issued), jail/facility reports or other prior incarceration information describing an escape or absconding behavior.

### **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 or Medium Offenses in Custody, (if reduced to minor -V do not score)).

- Low (L): Selected major infractions. ([Attachment 2](#))
- Moderate (M): Selected major infractions. ([Attachment 2](#))
- High (H): Selected major infractions. ([Attachment 2](#))



**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 his sentence, (figured from the received date) or ten (10) years of the 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, SOMP program, cognitive programs, etc.). Inmates serving a life sentence are not required to meet these criteria as the DOC does not require them to complete programming or assessments that determine programming need.
- 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 low actual risk 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 3](#)).

**II Administrative Risk Factors:**

In some cases, administrative risk factors create an additional risk 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 6](#) 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 issues, coded as something other than a 2N on the sexual behavior screen, are not eligible for minimum custody, unless they meet the following:

- A. MNSOST of 0, 1, or 2. (no 3 or R).
- B. Current offense 2V or lower, no Rape 1<sup>st</sup> or 2<sup>nd</sup>, kidnapping or Criminal Pedophilia.
- C. Completed SOMP treatment.

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, or escaped or attempted escape during their current admission, or escaped or attempted escape from secure custody or a secure facility in the last ten (10) years (including a juvenile detention facility), are not eligible for minimum custody.

Inmates whose most recent escape or attempted escape from secure custody or a secure facility was more than ten (10) years ago are eligible for minimum custody only with 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 attempted conspiracy to commit escape or aiding and abetting an escape during their current admission, 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 High Level 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/facility 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 for a felony hold or detainer and the hold or detainer is noted in COMS on the Legal Module screen.
- C. Questions concerning detainer or 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, pending sentencing documents for additional violent felony convictions or 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 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, probation or DOC juvenile aftercare for a period of 3 months following their return to a DOC facility or 6 months on low medium custody if they have absconded multiple times in the past 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.

- F. Place inmates on low medium custody status if they have a final risk level of minimum custody, and 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 Level](#)).
- 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 1st 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:**

Inmates that should not be house together is documented in the non-associations screen in COMS and indicates if it is for separation or monitoring. Monitoring status is a tool used by unit staff to help the identified inmates avoid confrontations with each other through physical separation. The inmate themselves maintains the responsibility to avoid adverse confrontations with others.

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, such as confrontation related to gang involvement, conflict with the other inmate's relatives, testimony as a witness in the other inmate's trial or co-defendants on the same crime.

Inmates on monitoring status can be housed in the same housing location or unit if other options are not available but may not be housed in the same room or cell. Whenever possible, the 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) shall be used to place one of the inmates in another housing location to minimize the opportunity for confrontation. 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 and will have limited access to one another (must be under direct staff supervision). Inmates 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, staff will document this in the non-associations screen in COMS (scanned email). The placement on or removal from monitoring status requires approval of the Associate Warden or Deputy Warden and Warden, or designee.

### III Placement

#### **Administrative Factors:**

In cases (outlined below) where administrative issues cannot be accommodated at a facility, consistent with the inmate's risk level, the administrative issues may take precedence over risk information. In these cases, "Administrative" is indicated as the basis for placement. [Attachment 6](#) 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:**

Inmates may be placed in a facility one custody level higher or one custody level lower than risk indicates to address separation needs. 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 removal from separation status, must be documented in the non-associations screen in COMS.

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

Information provided by unit staff or security staff.

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

- A. Inmates returned to the system through parole or suspended sentence violation will receive an updated classification assessment by admissions case managers.
  - 1. Inmates must remain at the Sioux Falls complex if they have pending violation proceedings.
  - 2. Inmates may be classified and transferred from the Sioux Falls complex once they have a final revocation hearing with the Board, receive a dispositional hearing that is accepted or agree to waive their appearance.
  - 3. Low medium inmates who waive their appearance before the Board may be classified and transferred to Mike Durfee State Prison. Minimum custody inmates who waive their appearance before the Board may be classified and transferred a minimum custody unit.
- 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. If the inmate's LSI-R score is ( $\geq 37$ ), additional risk "H" is used to elevate their custody to LM until they have a P-scan  $< 30$  or receive a comprehensive psychological review to determine if their custody level should be elevated.

### **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 pose a threat to the security of the institution. Placement in Restrictive Housing is not a disciplinary sanction or a punitive status (See DOC policy 1.3.D.4 [Restrictive Housing](#)). Capital punishment inmates are also housed in this section (See DOC policy 1.3.D.2 [Capital Punishment Housing](#)).

### **Out-of-State Placement:**

Inmates housed in out-of-state correctional facilities who are serving a current sentence issued by the South Dakota Unified Judicial System.

### **Minimum Unit Restriction:**

Minimum custody inmates serving a sentence 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 or 2Y may not be housed at the Yankton Community Work Center.

### **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 needs cannot be accommodated at a facility or unit that is consistent with the inmate's risk level, the inmate may be housed at a facility or unit consistent with the inmate's risk level. In these cases, medical/mental health must be indicated as the basis for placement. [Attachment 5](#) contains policy directives for placement decisions involving medical. Inmates with a medical issue that also meet the criteria for pre-release as outlined in DOC policy 1.4.G.7 [Extension of Confinement](#) may be released to a facility or placement in the community.

- 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 be considered in conjunction with risk to determine 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 6](#)).

**Medical/Mental Health:**

Medical/Mental Health will be the placement basis when an inmate's medical/mental health require placement somewhere other than where the inmate would be placed absent the medical/mental health need or condition, consistent with the inmate's risk level ([See Attachment 6](#)).

**Administrative Decision:**

Inmates that must be housed at a facility other than what is indicated will have "Administrative Decision" as the placement basis. Use of Administrative Decision as a placement basis requires written justification in the form of a narrative, which shall be documented in the 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 2: 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 non-inmate 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	L	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, (Extension of Confinement), 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.

Institutional Risk Behavior	Actual Risk Behavior	Offenses in Custody
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 3: 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			Positive
	Low Level (LL)	Moderate	High (H-2 or H-10)	Compliant
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
			<b>High H-4 or H5</b>	
Minimum			Maximum 1 yr	
Low Medium			Maximum 1 yr	
High Medium			Maximum 1 yr	
Maximum			Maximum 1 yr	
			<b>High H-3, H-6, H-7, H-8 or H-9</b>	
Minimum			Maximum 5 yr	
Low Medium			Maximum 5 yr	
High Medium			Maximum 5 yr	
Maximum			Maximum 5 yr	

\*\*Low level major 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 4: Facility Placement and Custody Provisions by Risk \*

	Custody Levels			
	MX	HM	LM	MN
<b>Facility</b>				
Jameson Annex (SMI unit/ Restrictive Housing)	X	X	X	X
Jameson Annex Unit D, Modified Housing and Unit B General Population (Admissions & Orientation)	X			
South Dakota State Penitentiary		X		
Mike Durfee State Prison			X	
Sioux Falls Community Work Center				X
Yankton Community Work Center				X
Rapid City Community Work Center				X
Contract				X
<b>Custody Provisions Within Facility</b>				
Direct correctional staff supervision	X			
Routine staff supervision		X	X	
Minimal non-direct staff supervision				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

\*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.

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



**Attachment 5: Administrative Factors for Inmate Program and Medical Distribution**

	Facilities							
	JPA	SDP	DSP	YKT	SFC	WRP	CSW	RCC
<b>Program Distribution</b>								
<b>Chemical Dependency</b>								
Treatment	X	X	X	X	X			X
Aftercare	X	X	X	X	X			X
AA or NA	X	X	X	X	X	X		X
<b>Sex Offender</b>								
Treatment	X	X	X					
<b>Academic Education</b>								
Literacy	X	X	X	X	X			X
Special Education IEP		X			X			
Special Education	X	X			X			
GED	X	X	X	X	X			X
Vocational Education			X					
Cognitive Programming	X	X	X	X	X			X
<b>Medical Distribution</b>								
<b>Medical Health</b>								
NR No restrictions	X	X	X	X	X	X	X	X
OA Occasional access	X	X	X	X	X	X	X*	X
PA periodic access	X	X	X	X	X	X	X**	X
HA 24-hour access	X	X	X		X	X		
NA No Activity	X	X	X	X	X	X**		
<b>Mental Health</b>								
NR No restrictions	X	X	X	X	X	X	X	X
SN Special Needs		X	X					
PA Periodic Access	X	X	X	X	X	X**	X**	X
SPI	X	X	X**	X	X	X**		X**
<b>Dental Health</b>								
NR No restrictions	X	X	X	X	X	X	X	X
SM Some treatment	X	X	X	X	X	X	X	X
EX Extensive treatment	X	X	X	X	X	X		X
EX Extensive treatment refused by inmate	X	X	X	X	X	X	X	X
EM Emergency treatment	X	X	X		X	X		
<b>Work/Housing Restriction</b>								
NR	X	X	X	X	X	X	X	X
NA – No Activity	X	X	X	X	X			X
LA - Limited Activity	X	X	X	X	X	X**		X
HC – Handicapped	X	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 6: Administrative Risk Factors for Inmate Custody and Placement Distribution**

	JPA	SDP	DSP	YKT	SFC	WRP	RCC
<b>Admin. Risk Factors</b>							
Sex Offender Behavior Issues w/2Y code	X	X	X		X		X
Serving Escape Sentence	X	X	X				
Pending Violent Charges/Holds	X	X	X				
Additional Risk Information	---	See Policy	---	---	---	---	---
Mitigating Risk Information	---	See Policy	---	---	---	---	---
<b>Admin. Factors</b>							
Separation Requirements	---	See Policy	---	---	---	---	---
Par. Viol. Pend. Hearing	X	X			X		
Needs CD Treatment	X	X	X	X	X		X
Medical Hold	---	See Policy	---	---	---	---	---
Health Restrictions	----	See Policy	----	----	----	----	----
Restrictive Housing	----	See Policy	----	----	----	----	----
Out of State Placement	----	See Policy	----	----	----	----	----

Minimum Unit Restrictions

## 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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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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