

# **SOUTH DAKOTA DEPARTMENT OF CORRECTIONS**

Revised: July 31, 2014



## **JUVENILE OFFENDER LIVING GUIDE**

## RECEIPT OF JUVENILE OFFENDER LIVING GUIDE

### *(JUVENILE RECEIPT)*

Juvenile's Name: \_\_\_\_\_  
(Please Print Clearly)

I acknowledge receiving a copy of the South Dakota Department of Corrections Juvenile Offender Living Guide.

I understand that it is my responsibility to read and follow the rules and regulations of the Juvenile Offender Living Guide.

I also understand that the Juvenile Offender Living Guide must remain in my possession throughout the period of commitment with the South Dakota Department of Corrections, and I am subject to paying the replacement cost for a new Juvenile Offender Living Guide.

\_\_\_\_\_  
Juvenile's Signature

\_\_\_\_\_  
Date

- Send the completed form to the juvenile's central file located with the JCA.

**RECEIPT OF JUVENILE OFFENDER LIVING GUIDE**  
*(PARENTAL/GUARDIAN RECEIPT)*

Juvenile's Name: \_\_\_\_\_

I acknowledge receiving a copy of the South Dakota Department of Corrections Juvenile Offender Living Guide. I understand it is my responsibility to read this document. I further understand I have an opportunity to discuss any information contained within this document with my child's juvenile corrections agent or program personnel.

I understand I may have been ordered by the Unified Judicial System to pay for costs associated with my child's placement within the Department of Corrections. These costs could include parental support, medical, dental, optometric and mental health services. I understand it is in my best interest to provide the Department of Corrections copies (front and back) of all insurance and Medicaid information. I also understand youth placed at the STAR Academy and county operated facilities are not eligible for Medicaid coverage. Medicaid may provide coverage for youth placed at private group care and residential treatment facilities if eligibility requirements are met. Parents who are court ordered to pay for health care costs will be responsible for those expenses if the youth is not covered under private insurance or Medicaid.

I understand if my child is receiving Social Security or Supplemental Security Income payments from the Social Security Administration I am not eligible to receive those monies during the time my child is in the Department of Corrections' custody. I understand the Department of Corrections may become the payee of those monies during that time.

DOC public policies and operational memorandums (OMs) are available for review by juveniles committed to the DOC upon request.

A list of the DOC's policies is available for public access on its website at <http://doc.sd.gov/>. If you have a question regarding a policy or wish to receive a copy of an attachment located within a particular policy, please contact the DOC Policy and Compliance Manager by telephone at 605-773-3478. If you wish to review an institutional OM, please contact staff assigned to your child.

\_\_\_\_\_  
Parent's Signature

\_\_\_\_\_  
Date

- Retain the completed form in the juvenile's central file located with the JCA.
- Provide a copy of the signed form to the parent/guardian.

## TABLE OF CONTENTS

Receipt of Juvenile Offender Living Guide (Juvenile Receipt).....	2
Receipt of Juvenile Offender Living Guide (Parental/Guardian Receipt).....	3
Table of Contents .....	4-5

### SECTION I: INTRODUCTION

Mission Statement .....	6
Vision.....	6
Values.....	6
Introduction.....	6
Period of Commitment.....	6
Parental Responsibility.....	6
Secretary of Corrections as Guardian .....	7
DNA Testing.....	7
Prison Rape Elimination Act (PREA).....	7
Reporting of Abuse.....	7
Juvenile Corrections Monitor.....	7
Issues/Complaints and Request for Remedy .....	8
Use of Force.....	9

### SECTION II: INTAKE, ASSESSMENT, & INITIAL PLACEMENT

Juvenile Corrections Agent (JCA) .....	9
The Intake Process .....	9
Assessment – Levels of Care.....	9

### SECTION III: CORRECTIONAL FACILITIES & PRIVATE PLACEMENT

State Placement.....	10
Private Placement.....	10
In-State Private Group Care Placement.....	10
In-State Psychiatric Residential Treatment Facilities.....	11
In-State Intensive Residential Treatment Facilities.....	11
Out of State Placements.....	11
Secondary Placement.....	12
Personal Property.....	12
Tobacco Products.....	13
Financial Accounts.....	13
Funeral Trips/Bedside Visits.....	13

### SECTION IV: AFTERCARE

Aftercare Contract .....	13
Services.....	14
Supervision.....	14
Reassessment of Risk Level .....	14
Restitution .....	14
Violations.....	14
Revocation.....	14

**TABLE OF CONTENTS CONTINUED**

**SECTION V: JUVENILE CORRECTION OFFICES**

Juvenile Correction Offices..... 15

**SECTION VI: JUVENILE OFFENDER LIVING GUIDE**

Revision Index & Signature ..... 16

## **SECTION I: INTRODUCTION**

### **MISSION STATEMENT**

The mission of the Department of Corrections is to protect the citizens of South Dakota by providing safe and secure facilities for juvenile and adult offenders committed to our custody by the courts, to provide effective community supervision to offenders upon their release and to utilize evidence-based practices to maximize opportunities for rehabilitation.

### **VISION**

A national leader in corrections that enhances public safety by employing evidence based practices to maximize the rehabilitation of offenders.

### **VALUES**

- We value our staff as our greatest asset.
- We value a safe environment for staff and offenders.
- We value community support and collaboration.
- We value public trust in the operation of our department.
- We value the use of evidence based practices to maximize offender rehabilitation.
- We value diversity and the respect for all individuals.
- We value professionalism, teamwork and the highest standard of ethics.
- We value investment in our staff through training in sound correctional practice and through the provision of opportunities for development and career advancement.

### **INTRODUCTION**

This handbook is designed for juveniles committed to the South Dakota Department of Corrections (SDDOC) juvenile system and their families. On the following pages you will find information about the programs available to you and your rights and responsibilities while committed to the Department of Corrections.

### **PERIOD OF COMMITMENT**

You have been committed to the DOC until age twenty-one or until discharge as provided in South Dakota Codified Law (SDCL) § [26-11A-5](#) and § [26-11A-7](#). The actual length of stay in a placement and under the guardianship of the department depends on several factors including your history of offenses, behavior while in institutions and successful completion of an aftercare program.

### **PARENTAL RESPONSIBILITY**

The parents, guardians or custodians of a juvenile who has been committed to the DOC will maintain financial responsibility of the juvenile according to SDCL § [26-7A-42](#). The committing judge determines the amount of parental support to be paid to the DOC for the care, custody and control of the juvenile. Parents or guardians remain responsible for medical and dental costs while their child is in a state or private facility in accordance with

the court order. It is in your best interest to report any health and dental insurance coverage to the juvenile corrections agent as soon as possible.

### **SECRETARY OF CORRECTIONS AS GUARDIAN**

The Secretary of Corrections is your guardian during your commitment to the DOC. The Secretary of Corrections can appoint the person in charge of a public or private institution or program in which you are placed as your custodian in accordance with SDCL.

### **DNA TESTING**

Every juvenile that is an adjudicated delinquent for a qualifying felony offense, and committed to the DOC, will provide a DNA sample pursuant to SDCL § 23-5A and according to DOC policy 1.3.C.10 *DNA Testing*.

DNA collection simply requires collection of fingerprints and saliva from qualifying juveniles. This data is then sent to the state laboratory in Pierre for recording.

### **PRISON RAPE ELIMINATION ACT (PREA)**

The SDDOC has a zero-tolerance policy relating to sexual abuse or sexual harassment of an offender. The SDDOC will cooperate in the investigation and prosecution of anyone involved in a sexual abuse of an offender. If you believe you are the victim of a sexual abuse or sexual harassment, report this information to any staff member as soon as possible.

Sexual abuse is any unwanted sexual contact from another juvenile or staff.

Sexual harassment is repeated comments or gestures of a sexual nature, unwelcome sexual advances or requests from either another juvenile or staff.

If you are not comfortable reporting this directly to staff, report the abuse to the Juvenile Corrections Monitor, the chaplain (through a yellow ribbon card), a volunteer you feel comfortable with or a friend or family member so they can report this to the DOC. The DOC will respond to all reports and steps will be taken to protect the victim.

### **REPORTING OF ABUSE**

It is your right to be free of abuse while in a facility. If you believe you are in danger or have been abused, report your concern to a staff member so action can be taken to ensure your safety. IF ANOTHER JUVENILE OR A STAFF MEMBER HAS PHYSICALLY OR SEXUALLY ASSAULTED YOU, REPORT THIS TO A STAFF PERSON AS SOON AS POSSIBLE. You are provided access to the Juvenile Corrections Monitor while at STAR Academy. The Monitor is frequently on each campus and has provided each program with lock boxes where individuals can report any allegations or instances of abuse. If you are in private facility, outside of STAR Academy, you may contact your Juvenile Corrections Agent or other staff member for assistance.

### **JUVENILE CORRECTIONS MONITOR**

The role of the Department of Human Services' Juvenile Corrections Monitor:

- To investigate allegations of abuse or neglect in state-run juvenile corrections facilities.
- Protect the legal rights of those in the custody or care of a juvenile corrections facility.
- Provide training to DOC employees.
- Provide a semi-annual report to: the Governor, the Legislature, the Corrections Commission, the Secretary of Human Services and the Secretary of Corrections.

How do I report possible abuse or neglect to the Juvenile Corrections Monitor?

1. Make a phone call to: (605) 773-5990 or 1 (800) 265-9684 and ask for the DHS Juvenile Corrections Monitor;
2. Write a letter to: DHS Juvenile Corrections Monitor, Department of Human Services, Hillsvieview Plaza, E. Hwy. 34, c/o 500 E. Capitol, Pierre, SD 57501;
3. Send an email to: [Infodhs@state.sd.us](mailto:Infodhs@state.sd.us); or
4. Use the lock box at each facility.

What happens if a report of abuse or neglect is made?

An evaluation of the report will be made and if appropriate:

- The people involved will be interviewed.
- Records will be reviewed.
- Corrective action may be recommended.
- A report will be made to the Secretary of Corrections, the Secretary of Human Services, the Legislative Government Operations & Audit Committee and the Governor.

If I make a report of abuse or neglect will my identity be disclosed?

No. The identity of the person making a referral of abuse or neglect will be kept confidential.

***Issues/Complaints and Requests for Remedy***

All juveniles, regardless of classification or placement, have the right to share and discuss issues and/or complaints with staff. Juveniles at STAR Academy should use the Administrative Remedy process.

Juveniles in the community who have complaints involving a DOC policy, program, rule, procedure or a decision involving disciplinary actions or classification should first discuss their complaint with their Juvenile Corrections Agent (JCA). JCAs will respond to all complaints and take action to try and resolve the complaint in a prompt, fair and thorough manner.

If you are not satisfied with the response you receive from your JCA, you may contact the Director of Juvenile Community Services and request a remedy to your complaint.

You will not be retaliated against for exercising your right to seek remedy to a complaint.

### **USE OF FORCE**

The DOC follows strict guidelines on the use of force against juveniles in custody. Staff can employ force that is reasonable and necessary to accomplish lawful objectives. The use of force and restraints will never be used as punishment.

## **SECTION II: INTAKE, CLASSIFICATION, AND INITIAL PLACEMENT**

### **JUVENILE CORRECTIONS AGENT (JCA)**

When you are committed to the Department of Corrections, you are assigned a Juvenile Corrections Agent (JCA). The JCA will maintain regular contact with you, your family and service providers in the community. The JCA is your single point of contact throughout your commitment. The JCA can advocate on your behalf and will work closely with you and your family to help you be successful. The JCA may also make recommendations to the Chief Executive Officer of an institution, the Director of Juvenile Community Corrections or the Secretary of Corrections regarding changes in your placement. The JCA will monitor your progress while in placement and is responsible to work with your family or aftercare placement resource to establish community based services as part of your aftercare case plan. Your JCA will also provide services directly to you based on your needs.

### **THE INTAKE PROCESS**

Intake involves the initial collection of data and information about you, from a variety of sources, which will be used to guide the decision making process regarding your placement. The information gathered in the intake process may also assist the JCA in developing a case plan with you for your residential care and aftercare stages of commitment to the Department of Corrections.

Intake also involves providing information to you and your family about the juvenile corrections system. The goal of the intake process is to provide you and your family with information about what it means to be committed to the DOC. Input from the juvenile, parents and guardians is valued and necessary during the intake process. We understand that you know your child best and our goal is to work with you as a family to help you meet your goals for the future.

Intake also involves assessments, which may be conducted at state facilities, detention centers, private placements or while you are at home. The DOC will determine the location of the assessment part of the intake process.

The assessment process involves identifying the areas of concerns/risk factors and needs. You may receive a physical, be assessed for special medical needs, chemical dependency issues, sexual abuse or offender needs, mental health concerns and educational needs. The assessments that are utilized help drive the treatment process by targeting the areas that need to be addressed in order for you to be successful in your community.

Through the standardized risk assessment inventory, (YLS/CMI 2.0), your risks, needs and responsivity factors are assessed and directly linked to decisions regarding placement, case planning, aftercare supervision levels and treatment progress. This assists with maintaining the security of each facility, the safety of staff, other juveniles and the public.

The factors considered in determining risk levels include prior and current offenses, family circumstances, parenting, education/employment, peer relations, substance abuse, leisure/recreation, personality/behavior and attitudes/orientation. The higher your risk, the higher the level of supervision you will receive. Risk factors along with any current psychiatric diagnostic impressions and behavioral concerns are the initial criteria for determining an appropriate level of care and your particular placement. It is important to note that youth who are referred to a higher level of care, Psychiatric Residential Treatment Facilities (PRTF) & Intensive Residential Treatment Facilities (IRT) must meet additional requirements of a medical necessity review by an outside agency in order to qualify for admission. Admission to this type of facility is not determined solely by the Department of Corrections.

You are subject to transfer from any facility, program, or service at the discretion of the Chief Executive Officer of the facility, the Secretary of Corrections or the Director of Juvenile Community Corrections.

### **SECTION III: CORRECTIONAL FACILITIES & PRIVATE PLACEMENT**

#### **STATE PLACEMENT**

The following are the state juvenile facilities and the location of the facilities as a reference for you and your family.

- **STAR Academy Campus**, 12279 Brady Drive, Custer, SD 57730

#### **Boy's Programs**

- **Brady Academy**, 12279 Brady Drive, Custer, SD 57730; phone: 605-673-2521
- **YCC 1 & 2**, 12279 Brady Drive, Custer, SD 57730; phone: 605-673-2521

#### **Girl's Programs**

- **Q.U.E.S.T.**, 25298 Badger Clark Road, Custer, SD 57730; phone: 605-255-4935

#### **PRIVATE PLACEMENT**

Juveniles scoring higher on the (YLS/CMI 2.0) or having special psychiatric or other identified needs may be placed in a private placement while in the custody of the DOC. If you are placed in a private facility, you are required to follow the rules and regulations of the DOC in addition to the rules of the private facility.

#### **IN-STATE PRIVATE GROUP CARE PLACEMENTS**

- **McCrossan Boy's Ranch (male only)**: 47135 260<sup>th</sup> Street, Sioux Falls, SD 57107, phone: 605-339-1203

- **New Beginnings Center (LSS):** 1601 Milwaukee Avenue NE, Aberdeen, SD 57401, phone: 605-229-1239
- **Volunteers of America (VOA):** 908 N. West Ave., Sioux Falls, SD 57104, phone: 605-367-4293
- **Volunteers of America (VOA) New Start (female only):** 1713 W. 51<sup>st</sup> St. #4, Sioux Falls, SD 57105, phone: 605-357-0990
- **Wellspring:** 1205 E. Saint James St., Rapid City, SD 57709, phone: 605-342-0345

**IN-STATE PSYCHIATRIC RESIDENTIAL TREATMENT FACILITIES (PRTF)**

- **Abbott House (female only):** 909 Court Merrill, Mitchell, SD 57301, phone: 605-996-2486
- **Black Hills Children's Home Society:** 24100 S. Rockerville Rd., Rapid City, SD 57702, phone: 605-343-5422
- **Sioux Falls Children's Home Society:** 801 N. Sycamore Ave., Sioux Falls, SD 57110, phone: 605-334-6004
- **Canyon Hills:** 2519 Windmill Drive, Spearfish, SD 57583, phone: 605-559-3501
- **Our Home-Parkston:** 103 W. Maple St., Parkston, SD 57336, phone: 605-928-7907
- **Our Home ASAP-Adolescent Sexual Adjustment Program (male only):** 40354 210<sup>th</sup> St., Huron, SD 57350, phone: 605-352-9098
- **Summit Oaks I:** 621 East Presentation St., Sioux Falls, SD 57104, phone: 605-221-2346

**IN-STATE INTENSIVE RESIDENTIAL TREATMENT FACILITIES (IRT's)**

- **Aurora Plains:** 1400 E. 10<sup>th</sup> Street, Plankinton, SD 57368, phone: 605-942-5437
- **Summit Oaks II (female only):** 621 East Presentation St., Sioux Falls, SD 57104, phone: 605-221-2346

**OUT OF STATE PLACEMENTS**

- **Benchmark:** 592 West 1350 South, Woods Cross, UT 84087, phone: 801-299-5319
- **Clarinda Academy:** 1820 N. 16<sup>th</sup> St., Clarinda, IA 51632, phone: 712-542-6128
- **Coastal Harbor Treatment Center:** 1150 Cornell Ave., Savannah, GA 31406, phone: 912-354-3911

- **Copper Hills Youth Center:** 5899 W. Rivendell Rd., West Jordan, UT 84081, phone: 800-776-7116
- **Lakeview Specialty Hospital:** 1701 Sharp Rd., Waterford, WI 53185, phone: 800-611-2063
- **Mesabi Academy:** PO Box 726, Buhl, MN 55713, phone: 888-270-5013
- **Mille Lacs Academy:** 100 Crosier Drive North, Ste 1, Onamia, MN 56359, phone: 320-532-4005
- **Natchez Trace Youth Academy:** 415 Seven Hawks Lane, Waverly, TN 37185, phone: 931-296-5415
- **Southwestern Youth Services:** 401 W. Luverne, Magnolia, MN 56158, phone: 507-283-4425
- **Woodward Academy:** 1251 334<sup>th</sup> St., Woodward, IA 50276, phone: 515-438-3481

### **SECONDARY PLACEMENT**

As part of the release planning process, a determination will be made concerning your residence during your period of aftercare supervision. A suitable family situation is the ideal release plan for every juvenile in the DOC. We will do everything possible, including providing assistance to your family through the Targeted Intensive Family Services Referral process or other family based services. If your family is unable to care for you, you may be placed in a secondary placement facility or foster care. Secondary placement facilities include: foster care, independent living programs operated by Volunteers of America, Stepping Stones, McCrossan's, and Sequel Transitional Academy. These opportunities are intended to provide a positive living environment for juveniles who are ready to succeed in a community setting.

### **PERSONAL PROPERTY**

In some programs you may be allowed to have certain items of personal property. Lists of allowable personal property and approved ways of obtaining these items are available through staff at each facility. Each juvenile facility will have different allowable and restricted personal property items.

Program staff cannot ensure the safety of personal property from loss, theft, or damage resulting from negligent acts or omissions by you or other juvenile offenders.

Items of personal property that are not allowed at the facility are considered contraband and will be disposed of in accordance with the facility's established operational memorandum (OM).

### **TOBACCO PRODUCTS**

All DOC juvenile facilities are tobacco and smoke free as described in DOC policy 1.3.C.7 *Use and Possession of Tobacco*. You are not allowed to use or possess tobacco products. Juveniles on aftercare are expected to adhere to state law (SDCL § 34-46-2 and § 26-10-20) prohibiting the use or possession of tobacco products for youth under the age of eighteen (18). Those that chose to violate this rule/statute are subject to court action and/or other penalties as outlined in their aftercare contract.

### **FINANCIAL ACCOUNTS**

The DOC will manage the money you receive while in custody. The Juvenile Banking System will maintain these funds for you. In some private facilities, you may have a general account set up in your name to pay for court ordered sanctions, restitution, child support and any other expenses that you incur during your commitment in accordance with DOC policy 1.3.C.11 *Offender Obligations*. You may request a statement of your account through your JCA. A request for disbursement of funds may be made through your JCA or program manager.

### **FUNERAL/BEDSIDE VISITS**

You may be allowed to leave an institution for funeral trips/bedside visits for immediate family members with the necessary approvals in place. Your JCA should be your first point of contact to discuss a funeral/bedside visit request.

## **SECTION IV: AFTERCARE**

### **AFTERCARE CONTRACT**

Your release on aftercare is contingent on an acceptable aftercare plan, which will be developed by you, your family, your JCA and program staff, based on your individual needs. The plan will include legal conditions that outline the expectations for you while on aftercare in the community. The terms of the contract may include but are not limited to:

- Indicating the location of residence.
- Agreeing to get approval from the JCA prior to leaving the city, county or state.
- Abiding by all federal and state laws.
- Attending school daily with no unexcused absences.
- Not using or possessing controlled substances, marijuana or alcohol.
- Submitting to drug testing when directed.
- Employment.
- Maintaining satisfactory work performance in all programs.
- Complying with all instructions in matters affecting supervision.
- Curfew.
- Community Service.
- Agreeing to a warrantless search of your person, residence, locker, vehicle, or any personal property.
- Establishing a restitution payment plan, if applicable.

## **SERVICES**

In addition to the legal requirements outlined as conditions and terms in your aftercare contract, your JCA will work with you and your family to identify your goals while on aftercare. All youth with a YLS 2.0 score of moderate or above are required to have a case plan developed. The case plan is an individualized services plan that you will prepare with input from your JCA. The case plan should define your areas of risk and need as identified through the YLS 2.0. This plan will help prepare you for progressively increased responsibility in the community. Aftercare services may include counseling and monitoring by the JCA, individual, family, and cognitive behavioral group counseling, chemical dependency continuing care, mental health treatment, self-help programs and mentors.

## **SUPERVISION**

The JCA will supervise your aftercare. The JCA will monitor and document contacts made with you, your family and other programs involved in aftercare services. The JCA will document and respond to any aftercare incidents involving noncompliance of the conditions of aftercare. The JCA will assist you and help your family to hold you accountable in maintaining positive behavior while on aftercare.

## **REASSESSMENT OF RISK LEVEL**

Your JCA will conduct a reassessment of your risk level using the YLS/CMI 2.0, three (3) months following your release from a facility and every six (6) months thereafter. A reassessment will also be completed in the event you commit a new delinquent offense or in the event of an aftercare revocation.

## **RESTITUTION**

You will be required to pay restitution related to your offenses or damages to property as required by court order, DOC policy or facility OM.

## **VIOLATIONS**

Any violation of the aftercare contract is subject to adverse consequences including, but not limited to:

- Community service;
- Verbal reprimand;
- House arrest;
- Electronic monitoring;
- Increased level of supervision,
- Urinalysis testing/breath analysis;
- Aftercare revocation; and/or
- Return to placement.

## **REVOCAION**

It is our goal to help you succeed. However, if you violate the conditions of your aftercare contract, any JCA may initiate revocation of your aftercare. As part of the revocation proceedings, you will be taken into custody and transported to a detention facility or shelter facility by law enforcement, the JCA or other authorized person. You will be afforded due

process with a probable cause hearing within twenty-four (24) hours of placement in the detention/shelter facility. Revocation of aftercare may result in the return to the physical custody of a DOC facility or an alternative community-based program.

## SECTION V: JUVENILE CORRECTION OFFICES

Aberdeen Office  
1234 4<sup>th</sup> Avenue SW Ste 1  
Aberdeen, SD 57401  
(605) 626-2268

Rapid City Office  
1600 Sedivy Lane  
Rapid City, SD 57703  
(605) 394-1617

Brookings Office  
1310 Main Ave. S, Ste 104  
Brookings, SD 57006  
(605) 688-6780

Sioux Falls Office  
4001 W Valhalla Blvd, Suite  
103 Sioux Falls, SD 57106  
(605) 362-3580

Chamberlain Office  
300 S. Courtland Street Ste 201  
Chamberlain, SD 57325  
(605) 734-4540

Spearfish Office  
735 North 12<sup>th</sup> Street  
Spearfish, SD 57783  
(605) 642-6853

Custer Office  
12279 Brady Drive  
Custer, SD 57730  
(605) 673-2521 Ext. 143

Watertown Office  
2001 9<sup>th</sup> Ave. SW Ste 400  
Watertown, SD 57201-4029  
(605) 882-5002

Huron Office  
79 3<sup>rd</sup> Street, SE  
Huron, SD 57350  
(605) 353-7366

White River Office  
PO Box 202  
White River, SD 57579  
(605) 259-3382

Mitchell Office  
116 E 11<sup>th</sup> Ave  
Mitchell, SD 57301  
(605) 995-8155

Winner Office  
313 Main Street  
Winner, SD 57580-0408  
(605) 842-3910

Mobridge Office  
415 14<sup>th</sup> Ave. E, Ste A  
Mobridge, SD 57601  
(605) 845-3130

Yankton Office  
1719 Broadway Ste C  
Yankton, SD 57078  
(605) 668-3200

Pierre Office  
2510 E. Irwin St.  
c/o 500 E. Capitol Ave.  
Pierre, SD 57501-5070  
(605) 773-2156

**SECTION VI: JUVENILE OFFENDER LIVING GUIDE**

*REVISION INDEX & SIGNATURE*

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<i><b>Denny Kaemingk</b></i> <small>(original signature on file)</small>	<i><b>10/22/2014</b></i>
Denny Kaemingk, Secretary of Corrections	Date