



SOUTH DAKOTA  DEPARTMENT OF CORRECTIONS POLICIES AND PROCEDURES		POLICY NUMBER 1.4.G.1	PAGE NUMBER 1 OF 11
		DISTRIBUTION:	Public
		SUBJECT:	Offender Release Planning and Transition to Parole
RELATED STANDARDS:	None	EFFECTIVE DATE:	March 01, 2023
		SUPERSESSION:	02/07/2022
DESCRIPTION: Release	REVIEW MONTH: February	 <b>KELLIE WASKO</b> <b>SECRETARY OF CORRECTIONS</b>	

## I. POLICY

It is the policy of the South Dakota Department of Corrections (DOC) to provide programs and services to assist offenders with transition from prison custody to the community.

## II. PURPOSE

The purpose of this policy is to establish and define the procedures for DOC unit case managers, transition case managers, parole services, and program staff to assist offenders in release planning and define the release process through execution of the release.

## III. DEFINITIONS

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

A DOC data management system which stores pertinent offender information.

### **Discretionary Cases:**

Offenders who are scheduled for a discretionary parole hearing before the Board of Pardons and Paroles and must be granted parole by the Board in order to be eligible for release to parole supervision. This includes Old System offenders; offenders who have previously been found non-compliant with their IPD; offenders who previously violated parole, or suspended sentence.

### **Individual Program Directive (IPD):**

A directive which establishes standards and criteria for release to parole supervision for each offender sentenced to a term of years and committed to the DOC for a crime committed on or after July 1, 1996.

### **New System:**

Offender sentences to the South Dakota Prison System as a result of an offense committed on or after July 1, 1996.

### **Old System:**

Offenders sentenced to the South Dakota Prison System as a result of an offense committed prior to July 1, 1996.

### **Parole Services Staff:**

Employees of the Department of Corrections responsible for the supervision of offenders in the community pursuant to SDCL § 24-15-14.

SECTION	SUBJECT	DOC POLICY	Page 2 of 11
Release	Offender Release Planning and Transition to Parole	1.4.G.1	Effective: 03/01/2023

**Possible Release Date:**

An initial parole date, next parole date, suspended sentence release date, good time release date, or term expires date on which an offender is eligible for possible release from incarceration.

**Programmed Release Date:**

The initial parole date (INPD) for offenders compliant with their Individual Program Directive (IPD).

**Release Plan:**

An individualized and detailed plan provided by the offender to their Unit Case Manager. The plan will include information regarding proposed residence, employment, school, etc. Program staff will also make appropriate referrals for the offender for community placements and/or treatment programs to include chemical dependency treatment, sex offender treatment and mental health counseling, etc. Staff will also determine if there are holds/warrants for the offender. The completed plan will be entered into COMS for parole services staff to investigate.

**Scheduled Programs:**

Programs that are required as part of an offender’s IPD to address criminogenic needs. These programs typically include the following programs and needs to be addressed: Academic (GED, Basic Ed., and Literacy), Chemical Dependency Treatment, Sex Offender Treatment, Vocational Education, Moral Reconciliation Therapy (MRT), and Domestic Violence MRT.

**Successful Release:**

A release on parole at the time of an offender’s initial new system parole date with an acceptable release plan and the ability of the offender to avoid conditional release violation or recidivism.

**Supervision Agreement - Release:**

A written agreement of supervision conditions placed upon a parolee by the Director of Parole and/or the Board of Pardons and Paroles, pursuant to SDCL § 24-15A-37. The written agreement shall be exercised prior to release in all parole supervision cases, to include those from other states under Interstate Compact supervision and those releasing to Suspended Sentence, pursuant to SDCL § 23A-27-19, 24-15-14, 24-15-16, 23-27-18.44, 23-27-18.6 and ARSD 17:61:01:01.

**Suspended Execution of Sentence (SES):**

A sentence of probation, which as a condition, prescribes that the defendant be imprisoned for a specific period, not exceeding one-hundred and eighty (180) days.

**Suspended Imposition of Sentence (SIS):**

A sentence of probation resulting from a conviction after which the Court withholds the entering of the judgment of guilty. The term of imprisonment may not exceed a period of one-hundred and eighty (180) days.

**Suspended Sentence Release Date:**

Offenders sentenced to the South Dakota prison system with a split sentence, who have completed the required term of imprisonment and are eligible for release to Parole Services supervision for the remainder of their suspended sentence.

**Transition Case Manager (TCM):**

Staff members who coordinate parole and suspended sentence releases and set release dates for offenders releasing to supervision. Transition Case Managers are assigned to assist offenders with community transition who have been identified by Unit Case Managers or Parole Staff as needing additional assistance and case management services and additional release planning. The transition case manager provides a transition link between the Department of Corrections and the community through programming and case management assistance in developing community transition plans.

SECTION	SUBJECT	DOC POLICY	Page 3 of 11
Release	Offender Release Planning and Transition to Parole	1.4.G.1	Effective: 03/01/2023

### **Transitional Services:**

Programs and services that assist offenders in learning and developing the skills necessary for offenders to successfully transition from custody into the community, i.e., release planning programs, resolution of holds/detainers, etc.

### **Unit Case Manager (UCM):**

Staff member who manages a caseload of offenders in a prison setting. Such tasks or responsibilities include classifying offenders, tracking and updating offender compliance, participating in and preparing an offender for parole hearings, offender release planning, and completion of various offender assessments.

## **IV. PROCEDURES**

### **1. Release Planning:**

- A. Unit Case Managers will complete release planning with all offenders, including parole and suspended sentence violators, with a possible release date.
  1. Offenders are required to submit an initial release plan to the admissions case manager prior to transfer from the A&O unit. The admissions case manager will enter the information in the Release Plan module in the Comprehensive Offender Management System (COMS).
    - a. Information regarding transition planning will be provided to offenders in A&O.
    - b. The results of the offender's LSI-R for male offenders and the WRNA for female offenders, and community risk assessment and other data entry will be completed in A&O by the admissions case manager.
  2. Parole and suspended sentence violators will develop a release plan at their next classification review or during their initial contact interview with their respective case manager. The offender's release plan will be completed prior to their next appearance before the Board of Pardons and Paroles.
  3. Updates or changes in an offender's release plan will be processed through their assigned unit case manager.
    - a. Each offender's release plan will be reviewed at least annually by the offender and unit case manager.
    - b. Offenders are responsible for submitting any updates or changes to their release plan to their unit case manager.
  4. Program staff: i.e., Health Services staff and Sex Offender Management Program (SOMP) staff may update the offender's release programming requirements and referrals as necessary. The updates or changes will be entered in the Release Plan module in COMS.
    - a. SOMP, medical, behavioral health, chemical dependency, and other program staff may access an offender's release plan on COMS.
    - b. Staff who do not have authority to create or modify an offender's release plan may contact the unit case manager regarding release plan changes.
  5. Offenders within three (3) years of their possible release date, who are housed in a contract facility or out-of-state facility with a possible release date, who require a release plan, will develop their plan via teleconference or through written correspondence with their assigned unit case manager.
  6. Offenders who submit a release plan to an out-of-state residence will participate in the assessment, release planning, and programming as described in this policy.
    - a. Unit Case Managers will complete and submit the Interstate Compact Application (see DOC Policy 1.4.G.3 – *Offender Interstate Compact*) to the South Dakota Interstate Compact Office for all offenders who want to release to a residence in another state.
  7. Offenders with unique and challenging circumstances hindering placement in the community and offenders who have been identified as needing additional assistance with release planning will be assigned to a transition case manager for assistance (see section 3).
  8. Offenders serving a life sentence or capital punishment sentence, and U.S. Marshal/Federal offenders, are not required to develop a release plan.

SECTION	SUBJECT	DOC POLICY	Page 4 of 11
Release	Offender Release Planning and Transition to Parole	1.4.G.1	Effective: 03/01/2023

- B. Changes to an offender's release plan will normally be completed at the time of the offender's classification review or during contact interviews or prior to the final release plan review.
- C. Parole supervision levels, participation in electronic monitoring or GPS as applicable, will be determined through:
1. The completion of an initial Community Risk Assessment by an admissions case manager upon the offender's admission to the DOC.
  2. Follow-up Community Risk Assessments completed by an offender's unit case manager prior to the offender's release to parole or suspended sentence, or prior to any appearance by an offender at a discretionary parole hearing.
  3. This information will be used in discretionary decision making by the Board of Pardons and Paroles and for release planning by institutional staff.
  4. An offender who does not have an Initial Community Risk/Needs Assessment completed prior to being released to supervision; (e.g., a South Dakota offender housed in another state, an offender from another state paroling to South Dakota); will be maintained on a final supervision level of Maximum until the appropriate information is gathered and an initial Community Risk Assessment is completed.

## 2. Release Plan Content:

- A. An acceptable release plan will include at a minimum:
1. A residence.
  2. Any required CD treatment or aftercare services.
  3. Any required sex offender programming.
  4. Any required community mental health and/or health services.
  5. A means of financial support.
- B. Residence: The offender will provide detailed information regarding the proposed residence.
1. If the proposed plan is a private residence, the offender must include all information to include the address, the owner or landlord, all other occupants, and the directions from a major town if the residence is in a rural area. The unit case manager will make the initial contact with the occupant/landlord, etc., to verify that this is a valid residence, and that the occupant/landlord is agreeable to the offender living there.
  2. In cases where the parole plan is to a halfway house, transitional housing, and shelters, Behavioral Health staff will make the referral when required. In most cases DOC staff will already have the contact information for these facilities on file.
- C. Employment Information: If the offender has a pending job upon release, this information will be documented and the Unit Case Manager will confirm with the employer.
1. Only employment that can be confirmed by staff will be entered in this section.
    - a. Offenders will be provided information regarding employment in the area or community they are releasing to. This will include Dept. of Labor (DLR), employment agencies and employers known to hire offenders. Case managers will discuss with the offender their employment history, job skills, and interests to help determine the employment potential of the offender.
    - b. Self-employment may be approved if the offender plans to return to an existing and pre-established business.
  2. An offender pending release on parole or suspended sentence who does not have a job secured will be referred to the SD Department of Labor and Regulation (DLR) for assistance in finding employment.
    - a. Offenders with documented medical or mental health disabilities with limited employment options may be referred to the SD Department of Human Services Office of Vocational Rehabilitation Service, Department of Social Services or Veterans Administration (VA) (if a veteran), or similar service provider.

SECTION	SUBJECT	DOC POLICY	Page 5 of 11
Release	Offender Release Planning and Transition to Parole	1.4.G.1	Effective: 03/01/2023

3. Offenders who anticipate receiving consistent income through sources other than employment, i.e., retirement, disability benefits, social security, VA checks, tribal income, must indicate the source and amount of the projected income in the employment section.
- D. School Information: If the offender plans on enrolling in education programs/classes (GED) college, vo-tech, or other employment skills/educational programming, this will be documented. Note: offenders who have not graduated from high school or completed their GED will be referred to a GED provider.
- E. Chemical Dependency (CD) Treatment Information: A parole release plan will not be approved for an offender identified as having chemical dependency issues until the offender is accepted in an approved community treatment program.
1. Offenders with chemical dependency issues are encouraged to participate in continuing care and AA/NA upon release.
  2. When an offender in DOC custody completes chemical dependency treatment or relapse programming, CD staff will review and update the offender's checklist in the Release Plan module in COMS.
- F. Medical/Mental Health Information: This information is based on medical and mental health records maintained by Health Services staff.
1. If the offender has been identified as needing community mental health services or medical care upon release or is releasing while on a prescribed medication(s), the offender's release plan will be updated accordingly.
  2. If an offender sentenced pursuant to SDCL § 23A-27-38, Guilty But Mentally Ill, becomes eligible for parole release, staff will consult with Behavioral Health Services staff regarding treatment recommendations. If community treatment is recommended, this shall be made a condition of parole (See SDCL § 24-15A-30).
- G. SOMP Information: Sex Offender Management Program (SOMP) staff will work with offenders identified as a sex offender through the assessment process to determine if additional programming/treatment is required upon the offender's release to the community (See DOC policy 1.4.B.9 - *Sexual Behavior Issue Review*). SOMP staff will make recommendations for community supervision in the Release Plan module in COMS. Offenders releasing to parole supervision or suspended sentence assessed as needing community sex offender treatment must be accepted by an approved community treatment provider prior to their release. The offender must make contact with the provider within five (5) working days of their release into the community in accordance with DOC policy.
1. SOMP staff must review and/or update the offender's release plan checklist prior to release.
- H. Holds and Detainers: All listed holds and detainers noted in the offender's legal file and on a recent NCIC background check will be confirmed with Central Records staff and must be resolved prior to the offender's release. Offenders with an active hold/detainer may be required to be released to the authority issuing the hold or detainer. Transition Case Managers will contact the agencies that have posted a hold/detainer to determine if that agency wants to take the offender into custody upon release from the DOC facility and will make the arrangements and set the date for the release and transfer of custody.
1. A warrants check utilizing the NCIC III will be conducted by Records staff the month prior to the offender's scheduled discharge, presumptive parole, or suspended sentence release.
  2. All offenders releasing by action of the Board of Pardons and Paroles will have a warrants check completed following the Board's decision to release the offender.
- I. Financial Information: Case managers will review the offender's financial information (IFR) in the ITAG module in COMS and ensure this information is current. All known costs of parole will be reviewed and documented, i.e., supervision fees, SCRAM, Remote Breath Tests, including a plan/means for payment.
1. The offender must have a plan to pay towards any restitution.



SECTION	SUBJECT	DOC POLICY	Page 6 of 11
Release	Offender Release Planning and Transition to Parole	1.4.G.1	Effective: 03/01/2023

2. Prior obligations of child support and restitution payments shall take precedence over collection of supervision fees (See SDCL § 24-15A-24).
- J. Family/Community Information: Case managers will review the offender's family and community status and document the following information in the Release Plan module within COMS.
1. Number of biological children.
    - a. Number of biological children under the age of eighteen (18).
  2. Domestic violence convictions.
  3. If they are a victim of domestic violence.
  4. If they have ever petitioned for a protection order.
  5. If they have been served a protection order.
  6. Any community involvement, i.e., church, charity group, public service.
- K. Identification and credentials
1. Unit Case Managers will verify if an offender has a birth certificate, Social Security Card, driver's license or state ID, or tribal enrollment card on file in central records, or if these credentials can be obtained from family/friends in the community or need to be obtained from or applied for from other state and federal agencies.

### 3. Transition Case Management:

- A. Unit Case Managers will notify the Senior Case Manager when an offender has been identified as needing additional assistance in the release planning process. Parole Agents will notify the Regional Supervisor when an offender has been identified as needing additional assistance in the release planning process.
- B. The Senior Case Manager or Regional Supervisor will review the case and approve the assignment to a Transition Case Manager.
- C. Once a case is assigned to a Transition Case Manager, the Transition Case Manager is the lead DOC staff member working with the offender to develop a release plan. The Transition Case Manager will ensure all transitional services are in place prior to the offender releasing.
- D. Examples of cases typically referred to a Transition Case Manager will include, but are not limited to:
1. Offenders with high mental health needs.
  2. Offenders with unique medical circumstances.
  3. Offenders with geriatric needs.
  4. Offenders identified as being High Risk.
  5. Offenders who have been incarcerated for a long period of time and may have difficulty adjusting to the community.
  6. Offenders identified as having a dual diagnosis.
- E. The Transition Case Manager will provide additional case management and release planning assistance and will work with the offender, the Unit Case Manager, parole services staff, and community resources to help identify and address the offender's needs and obstacles and secure the best possible release plan for each offender by:
1. Meeting with the unit case manager and the assigned parole agent to staff the release plan and offender needs.
  2. Meeting with the offender to discuss the offender's plan, giving the offender the opportunity to provide input into the release plan, and establish any areas of concern the offender may have.
  3. Coordinate all the resources that are needed, to include contacting community providers/resources, ensuring that the established release plan is in place prior to the offender's release.
  4. Arranging transportation for the offender upon release.

SECTION	SUBJECT	DOC POLICY	Page 7 of 11
Release	Offender Release Planning and Transition to Parole	1.4.G.1	Effective: 03/01/2023

- F. The Transition Case Manager will provide the Unit Case manager, Parole Agent, and Offender regular updates of progress made and/or any hurdles that are hindering the approval of the release plan.
- G. The Unit Case Manager and Parole Agent may assist the Transition Case Manager, for example, by providing community information for where the offender wishes to release.
- H. The offender's Unit Case Manager or Transition Case Manager will facilitate at least one pre-release meeting with the offender's assigned parole agent. This contact will be either in person, by telephone, or Teams.

#### 4. Institutional Release Plan Approval Process:

- A. For new system initial parole releases, the final release plan review is initiated six (6) months prior to the initial parole date.
  - 1. If the offender is serving ninety (90) days or less in prison, the final release plan review should be initiated forty-five (45) calendar days prior to the initial parole date.
  - 2. For releases on suspended sentence, the final release plan review is initiated six (6) months prior to the offender being released and referred to a Transition Case Manager.
  - 3. For releases on good time dates, term expires dates, or SIS/SES, the final release plan review is initiated six (6) months prior to the release date and referred to a Transition Case Manager.
  - 4. For discretionary cases, the final release plan review is conducted prior to the Board of Pardons and Paroles hearing, then reviewed and adjusted as needed following a decision to grant parole.
  - 5. Offenders granted a commutation of sentence from the Governor or an amended sentence from the court that results in the release of the offender are required to complete a release plan, which will be reviewed by the Unit Case Manager.
- B. The assigned unit case manager will conduct the final release plan review.
  - 1. Unit case managers will have new system initial plans reviewed/approved and notification sent to the transition case manager and field agent six (6) months prior to the initial parole release date and within seven (7) calendar days after a discretionary release decision.
  - 2. For SIS/SES cases, the unit case manager will notify the transition case manager and the assigned court services officer when the plan is finalized.
  - 3. For parole and suspended sentence releases, the Unit Case Manager will notify Transition Case Managers and request an agent assignment when the plan is finalized.
  - 4. The Unit Case Manager will e-mail the appropriate e-mail group/office based upon the county/region to which the offender is releasing. The assigned parole agent will review the offender's release plan.
    - a. Parole agents will review/approve placement investigations as soon as possible, but in all cases no later than five (5) working days after receipt of the e-mail from the unit case manager.
    - b. If the parole agent determines the plan does not support the offender's successful release, they will document this in the Agent's Recommendation field located in the plan details tab on the Release Plan screen in COMS and notify transition case managers and the Unit Case Manager.
    - c. The Unit Case Manager will notify the offender immediately that revisions are required to their release plan before it will be approved by the parole agent.
    - d. The offender will be instructed to resubmit a release plan to their Unit Case Manager so the Unit Case Manager can forward the revised release plan to the parole agent and notify Transition Case Managers within five (5) working days.
    - e. If the offender is unable to develop an acceptable transition release plan, they will be referred to the Senior Case Manager for possible assignment to a Transition Case Manager.
  - 5. When the parole agent approves the release plan, the agent will document this in the Agent's Recommendation field located in the plan details tab on the Release Plan screen in COMS and email the Unit Case Manager and Transition Case Manager.
  - 6. The parole agent will complete the Parole Supervision Agreement and Reporting Instructions (see DOC policy 1.5.G.6 – *Parole Services – Response to Violations*).
  - 7. Upon approval, the Transition Case Manager will notify the Unit Case Manager, the parole agent, and Central Records at least five (5) working days prior to the confirmed final release date.

SECTION	SUBJECT	DOC POLICY	Page 8 of 11
Release	Offender Release Planning and Transition to Parole	1.4.G.1	Effective: 03/01/2023

8. The Unit Case Manager will notify the offender and produce two (2) copies of the parole agreement, one provided to the offender, the other saved into COMS and emailed to the supervising parole agent and the Transition Case Manager.
9. In the event the Director of Parole or designee finds the plan unacceptable, the Director of Parole or designee will email the parole agent, Transition Case Managers, and Unit Case Manager, and the procedures outlined in this section will be repeated until an acceptable plan is established.

C. All established timeframes are included on the *Release Planning Deadlines* list (see Attachment #1).

## 5. Parole Services Timeframe for Release Plan Investigations:

- A. In-state parole plan investigations will be reviewed and approved/denied as soon as possible, but in most cases no later than five (5) business days after receipt of the notification email from the unit staff.
  1. If unique circumstances exist, a Regional Supervisor can approve additional time to approve the release plan.
- B. Parole plans for Interstate Compact transfers to South Dakota will be completed within thirty (30) business days after receipt of the notification/transfer application from the sending state, Deputy Interstate Compact Administrator, or Regional Supervisor by the assigned Parole Agent.

## 6. Residence Verification:

- A. Parole Agents shall complete the parole plan investigation process by way of an in-person home visit or by a telephonic interview. During such investigations, Parole Agents will ensure the following:
  1. Residence is clean and inhabitable.
  2. Residence is free of illegal substances and alcohol.
  3. Residence is free of firearms and other weapons considered dangerous.
  4. Residence will be a safe and secure place for the parolee to reside.
- B. When the Parole Agent is unable to verify a residence by an in-person or telephone interview, the Parole Agent will contact the Unit Case Manager to obtain additional information, which may include a new housing plan, from the offender.
- C. The investigation of parole plans to a halfway house or other transitional program/placement may not require an on-site visit unless the Parole Agent deems it necessary.
  1. Parole Agents will verify the availability of an open “bed” at the specific halfway house or other transitional program prior to approving or denying such a parole plan. This verification may be done via a telephonic interview.
- D. Residence verification for parole plans of offenders identified as having a Sexual Behavior Issue by the DOC require an on-site investigation/verification, and includes the following additional restrictions:
  1. The residence must be in compliance with all sex offender registry laws, to include community safety zone restrictions (see SDCL Chapter 22-24B).
  2. The residence will be located within reasonable distance of the supervising Parole Agent’s office and treatment providers or have the ability to accommodate telehealth programming. The Regional Supervisor may approve exceptions to this rule.
- E. For offenders identified as having a Sexual Behavior Issue by the DOC on community supervision to be eligible to have approved contact with children under the age of eighteen (18), the offender will need to meet the following criteria:
  1. Must have completed their sexual history polygraph to assess their risk to children.
  2. Must obtain prior approval from their Parole Agent and treatment provider for planned contact with children under the age of eighteen (18) years.
  3. The Parole Agent, treatment provider, and/or SOMP staff may place any restrictions on contact that are deemed necessary for the safety of the children.



SECTION	SUBJECT	DOC POLICY	Page 9 of 11
Release	Offender Release Planning and Transition to Parole	1.4.G.1	Effective: 03/01/2023

4. Any request for exceptions to the above listed criteria will normally be staffed with the Regional Supervisor, Supervising Parole Agent, and SOMP staff.

## 7. Employment Verification:

- A. Employment details listed within a parole plan will be verified by the Unit Case Manager or Transition Case Manager. This verification will be shared with the assigned Parole Agent. The assigned Parole Agent may also contact the proposed employer.
- B. Employment verification for sex offenders requires the supervising Parole Agent to visit the proposed employment site if they are unfamiliar with its location, management, and other potential concerns.
- C. Parolees who submit a parole plan without employment details will be granted thirty (30) days to find suitable employment. Parolees are required to actively seek employment, to the extent possible, until employment or adequate means of support is secured.
1. Although parolees are encouraged to maintain one (1) full-time position, a parolee may secure and maintain several part-time positions to adequately satisfy the “hours per week” employment requirement.
    - a. If a parolee fails to actively seek and/or maintain employment this will be considered a violation of the supervision agreement and the parole agent may issue a formal response, resulting in a sanction and loss of Earned Discharge Credit and Compliant Discharge eligibility.
    - b. A parolee may be required to complete community service until adequate employment is secured.
    - c. A parolee must show that employment or adequate means of support is possible in the respective community or consideration should be given to relocate to an area of the state where employment possibilities or adequate means of support are available and more favorable.
- D. Parolees may have adequate means of support other than employment.
1. A supervising Parole Agent may approve a parolee with other adequate means of support, to be employed less than full-time.
  2. A supervising Parole Agent may require a parolee, with other adequate means of support, to participate in productive activities (i.e., community service, volunteer work) during the work week, to the extent possible.
- E. Generally, parolees will not be allowed to maintain employment in the following industries or business types, unless an exception is approved by the Regional Supervisor and Associate Director of Field Operations:
1. Bars.
  2. Casinos.
  3. Tattoo and/or body piercing shops.
  4. Adult video and/or adult sexually oriented material shops.
  5. Other locations as restricted by the supervising Parole Agent, Regional Supervisor, Associate Director of Field Operations, Director of Parole, or the Board of Pardons and Paroles.
    - a. Further restrictions may be applied based upon a parolee’s current crime and/or criminal history.

## 8. School Verification:

- A. Parolees attending secondary education or continuing education classes will need to show proof of enrollment.

## 9. Community Treatment Verification:

- A. Parolees assessed as needing Chemical Dependency treatment will have an aftercare appointment established for them by Transition Staff prior to their release to parole supervision.
1. Parole Agents will verify the aftercare appointment has been set.
    - a. This verification may occur following the approval of a parole release plan, as the appointment may not be established at the time of investigation.

SECTION	SUBJECT	DOC POLICY	Page 10 of 11
Release	Offender Release Planning and Transition to Parole	1.4.G.1	Effective: 03/01/2023

2. Parolees required to attend Sex Offender treatment in the community will have treatment services established for them by the Sex Offender Management Program (SOMP) staff as part of their parole plan.

## 10. Completed Parole Plan Investigations:

- A. Upon completion of a parole plan investigation, Parole Agents will complete the following:
  1. Enter the completed investigation information into the Release Plan Screen in COMS.
  2. Notify (via email) the assigned Institutional Case Manager, the assigned Transition Case Manager, and applicable program staff of the approved or denied parole plan, including the reasons for any denial of a plan.
  3. If approved, the Agent will inform the assigned Transition Case Manager to set a release date.

## 11. Initial Interview:

- A. The initial interview will take place prior to the offender release (pre-release interview). The assigned agent, Unit Case Manager, and offender will discuss the topics listed on the initial case plan and *Pre-Release Interview* form (see Attachment #2) and answer any questions the agent or offender have for one another. The purpose of this interview is to:
  1. Build rapport with the offender.
  2. Open communication between the assigned agent, offender, and case manager.
  3. Learn what the offender feels is important to his/her success on supervision and what is needed to contribute to this success.
  4. Emphasize the importance of supervision as part of the sentence.
  5. Clarify and establish the terms of supervision to include review of the Supervision agreement.
  6. Provide for immediate field agent assistance, as needed.
  7. Provide the offender with an immediate contact point in reference to his/her parole status.
  8. During the Pre-release Interview, a follow up meeting will be scheduled for after the offender's release. This meeting will include the following topics: Review and complete explanation of the conditions of supervision, including parole and suspended sentence supervision.
    - a. The suspended sentence can be imposed for violations of the conditions of the supervision agreement.
  9. Convey the importance of supervision as a condition of parole.
  10. Develop a plan of supervision, based on the needs identified in the initial case plan worksheet, to include DLR referral, community resources information, educational services, and financial information.
  11. Specify expectations and achievable goals for the period of supervision, including:
    - a. Those established by Parole Services staff.
    - b. Those established by individual offenders.
  12. Identifying ways and motivating offenders to establish and achieve prosocial changes while on supervision.
    - a. This includes reviewing eligibility for Earned Discharge Credits, Compliant Discharge, and Early/Partial final discharge.

## 12. Supervision Agreement:

- A. Department of Corrections Unit Staff will initially review the supervision agreement with each offender prior to their release from prison to parole supervision.
  1. Upon review of the supervision agreement with Unit Staff, the parolee will sign the supervision agreement, acknowledging their agreement to the conditions of supervision.
  2. Refusal to agree to and sign the supervision agreement is grounds for the rescindment or revocation of supervision.
  3. Following the signing of the supervision agreement, the offender will be furnished a copy of the signed supervision agreement.

SECTION	SUBJECT	DOC POLICY	Page 11 of 11
Release	Offender Release Planning and Transition to Parole	1.4.G.1	Effective: 03/01/2023

- B. The supervision agreement will include the following:
1. The standard conditions of supervision.
  2. Special conditions as assigned by the Board of Pardons and Paroles.
  3. Special conditions or exceptions to the conditions, as decided by Director of Parole, the Chair of the Board of Pardons and Paroles, and/or Parole Services staff.
- C. Parole Services staff may add special conditions, in writing, to the supervision agreement.
- D. The supervision agreement may also be reviewed at subsequent meetings after the offender's release, in addition to the Pre-Release Meeting.
1. The offender and agent may re-sign the completed supervision agreement, further acknowledging their agreement to the conditions of supervision.
  2. The offender will be furnished a copy of the re-signed supervision agreement.

### 13. Suspended Sentence Supervision:

- A. All offenders released under a Suspended Sentence will be supervised by Parole Services in accordance with ARSD 17:61:01:01.
1. Parolees released to a Suspended Sentence are obligated to comply with court ordered conditions as well as the standard supervision agreement and any other conditions assigned by the Board of Pardons and Paroles or the Parole Agent. Failure to do so may result in the revocation and imposition of the suspended sentence.

## V. RESPONSIBILITY

The Director of Prisons and Director of Parole are responsible for the annual review and revision of this policy.

## VI. AUTHORITY

SDCL §§ 23A-27-38, 24-15A-24, 24-15A-30

## VII. HISTORY

February 2023  
December 2021  
October 2017  
December 2016  
June 2015  
October 2013  
February 2013  
October 2011  
October 2010

## ATTACHMENTS (Published in PolicyTech unless otherwise noted) (\*Indicates document opens externally)

1. Release Planning Deadlines
2. Pre-Release Interview
3. DOC Policy Implementation / Adjustments (*not published in PolicyTech*)

## Release Planning Deadlines

Release Type	Duty	Staff Responsible	Timeline
All	Initial Release plan	Admissions case manager	5 years of possible release
All	Subsequent release plan	Unit staff	5 years of possible release
All	CD review	Behavioral Health staff	During/after treatment or upon referral from the unit staff
All	Medical/Mental review	Clinical Services staff	When the need for ongoing care in the community is discovered
All	Sex offender review	SOMP staff	Completion of STOP or upon referral from unit staff
All	Release plan review	Unit staff	As Scheduled
All	Poor release plan referral to Transition case manager	Unit staff	1 year of possible release
All	ID, social security card, birth certificate, driver license	Unit staff	A&O
Programmed	Final release plan review - Out of state transfers	Unit staff	120 days prior to possible release
Programmed	Final release plan review – in state releases	Unit staff	60 days prior to possible release
Suspended Sentence	Final release plan reviewed	Unit staff	60 days prior to release
Discretionary	Final plan review	Unit staff	7 calendar (5 working?) days after discretionary release decision
Programmed	Compliance report	Unit	45 days prior to initial parole date via IPD
Programmed	Final release plan out to the field	Unit staff	30 calendar days prior to the initial parole date
All	Investigate/approve plan in the field	Parole agent	5 working days after notification receipt from case manager
All	Change release plan based upon agent's investigation	Unit staff	5 working days after notification receipt from agent
All	Approval for release	Director	3 working days after notification receipt from agent
All	Release date established	Director	5 working days required between the establishment of a release date and the actual release date
Discretionary	CD Appointment	Behavioral Health staff	Upon the establishment of the release date by the director
Discretionary	STOP Appointment	SOMP staff	Upon establishment of the release date by the director
Programmed	Establish projected release date	Director	3 days working days after the receipt of the compliance report
Programmed	CD appointment	Behavioral Health staff	Upon the establishment of a projected release date by the director
Programmed	STOP appointment	SOMP staff	Upon the establishment of a projected release date by the director

## Pre-Release Interview

### Objectives:

\*Rapport building with new release / case manager.

\*Open communication with case manager.

\*Diminish potential for absconding/ violation.

1. What have you learned about yourself during this period of incarceration that will help you be successful on Parole Supervision?
2. What strengths do you have?
3. What are your weaknesses, and what have you done to address those issues?
4. Employment History - What kind of work do you enjoy doing? (Job Skill)  
Did you have a job while you have been incarcerated?
5. What hobbies do you have or enjoy doing?
6. Who is your closest family member or friend? Why is that person or persons important to you?
7. Have you ever absconded from Parole/Probation. If yes, why?
8. What is the potential you will abscond from Parole.
9. What questions or concerns do you have about being on Parole Supervision?

**Note:** Other things that could be talked about:

\*Eligibility for complaint discharge (agent needs to make sure they are familiar with what crimes are eligible and what the criteria is).

\*Sex offender is GPS necessary.

\*If plan is to halfway house, what placement, rules etc. (Points of contact...CSM).

\*If a female offender is assessed as needing Moving On, a Moving On facilitator will also be a part of the pre-release interview.

\*Programming Questions.