



DEPARTMENT OF CORRECTIONS

ADMINISTRATION

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Extension of Confinement Program:

The Extension of Confinement (EC) program allows inmates to be housed in the community under the provisions of South Dakota Codified Laws 24-2-25 and 24-2-27. The program is used to provide inmates access to specialized medical care, it serves as a means of compassionate release for terminally ill inmates and the program provides reentry and community based housing options for inmates near the end of their sentence.

Inmates in the EC program live in a residential facility such as a halfway house or nursing home or in a private residence. They are supervised by parole staff and subject to parole supervision standards. If an individual in the EC program violates program rules they are sanctioned and can be returned to prison.

Reference Information:

Statutes:

24-2-25. Extension of confinement limits to permit visits to designated places. The warden of the state penitentiary may extend the limits of the place of confinement of an inmate, if the warden has reasonable cause to believe that the inmate will honor the warden's prescribed conditions to visit or be housed in specifically designated places within the state.

24-2-27. Facilities, programs, or services outside penitentiary--Contracts with other agencies for care of inmates--No right or court order for housing in particular facility or participation in specific program or services--Escape. The Department of Corrections may establish and maintain facilities, programs, or services outside the precincts of the penitentiary proper and contract with other governmental entities for the care and maintenance of inmates committed to the penitentiary. However, the court may not order that an inmate be housed in any particular facility nor may the court order that an inmate be placed in a specific program or receive specific services. No inmate has any implied right or expectation to be housed in any particular facility, participate in any specific program, or receive any specific service. Each inmate is subject to transfer from any one facility, program, or service at the discretion of the warden of the penitentiary. Any escape from the penitentiary or from a facility, program, or service maintained outside the penitentiary is a violation of § 22-11A-2 or 22-11A-2.1. Venue for a prosecution for an escape from any facility is the county where the acts constituting the escape take place.

Eligibility:

DOC's current eligibility guidelines for placement on EC on pre-release status:

- minimum custody;
- within 6 months of their initial parole date and compliant with their Individual Program Directive (on track for release to parole) or within 6 months of their term expires;
- serving time for a non-violent offense;
- no registered sex offenders;
- approved release plan;
- agree to program participation and rules.

Potential pre-release inmates are identified by DOC administrative staff and must be approved for placement in EC by the warden and Secretary of Corrections.

Supervision:

Pre-release participants are supervised at the maximum or intensive community risk level (parole supervision standards) and get random monthly UAs. Inmates on pre-release in a home based placement are on GPS. The supervision provisions for inmates placed on EC for medical or compassionate release purposes are determined on an individual basis. In the event of a violation requiring a return to prison, the supervising agent submits a violation report for use by the institution.

Unauthorized absence from an extended confinement placement is an escape, a felony punishable by an additional prison sentence.

Program Documentation:

Program documentation includes a program description and agency forms, participation agreements, a sanctioning grid and participant report template.

Administrative Issues:

Inmates on EC don't receive earned discharge credits. They aren't required to pay parole supervision fees, but are responsible for the cost of the GPS monitoring (approximately \$3 per day). Inmates on EC as a pre-release program are responsible for the costs of their own health care, including prescriptions.