

1.4.G.7 Extension of Confinement

I Policy Index:



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II Policy:

Inmates may be placed in the community under "extension of confinement", as provided in SDCL §§ 24-15-14, 24-2-25 and 24-2-27. Inmates may be placed in a residential facility (for example, a halfway house or nursing home) or in a private residence (home-based). Inmates who meet the set criteria may be released to extension of confinement as a services release or pre-release.

III Definitions:

Escape:

An inmate's departure without lawful authority; or failure to return to designated residential facility or private residence, as required.

Global Position System (GPS):

A world-wide radio-navigation system that uses satellites and ground stations as reference points to calculate positions accurate to a matter of meters. Service and equipment is provided to the DOC through a private contractor.

Home- Based:

A private residence within the community.

Parole Agent:

For the purposes of this policy, a staff member of the DOC who is responsible for providing proper supervision of inmates released to extension of confinement (See SDCL § 24-15-14).

Pre-Release:

An extension of confinement release that allows inmates to serve a portion of their sentence in the community. Inmates may be placed at an approved private residence (home-based) or an approved residential facility.

Residential Facility:

A structured facility that provides services and supervision of its residents, such as a halfway house or nursing home. Such facilities may be operated by a unit of local government, private individual, partnership, corporation or an association.

Services Release:

An extension of confinement release that allows inmates to serve a portion of their sentence in the community to accommodate the inmate's treatment and service needs resulting from a diagnosed medical and/or mental health condition. Inmates may be placed at an approved private residence (home-based) or a residential facility equipped to provide necessary treatment and services.

IV Procedures:**1. Authority:**

- A. The Warden may recommend to the Secretary of Corrections an inmate be released from custody and placed in the community to serve a portion of his/her sentence (See SDCL §§ [24-2-25](#) and [24-2-27](#)).
- B. Inmates may be considered for extension of confinement upon meeting pre-established criteria and requirements for pre-release or services release.
- C. Pre-release and services releases are decided on an individual, case by case basis.
- D. Inmates released to extension of confinement shall reside at either a private residence (home-based) or an approved residential facility.
- E. 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. Inmates are subject to transfer from one facility, program or service at the discretion of the Warden (See SDCL § [24-2-27](#)).
- F. Neither this policy nor its application may be the basis for establishing a constitutionally protected liberty, property, or due process interest in any inmate.

2. Eligibility Requirements for Pre-Release:

- A. Inmates must meet the following requirements and criteria to be considered for pre-release:
 1. Minimum custody.
 2. Within six (6) months of Initial Parole Date and compliant.
 3. Currently serving time for non-violent offense.
 4. Not currently serving time for Hit and Run with Injury, Vehicular Homicide or Vehicular Battery.
 5. Must have an approved release plan (plan must be to release to South Dakota).
 6. Must agree to program participation and conditions and sign the Extended Confinement and GPS agreements.
 7. Agree to the terms of the Escape Acknowledgment form.
 8. No more than 3 felonies.
 9. Must have a current NCIC III search verifying they have no unresolved holds, detainers or warrants.
- B. Inmates will be identified for possible pre-release extension of confinement through the following processes:
 1. Generation of a list of inmates each month identified as meeting the criteria; or
 2. By the Admission and Orientation (A&O) case manager, after Central Records staff has completed the initial date calculation worksheets (See DOC policy 1.1.E.2 [Date Computation](#)) and the case manager has determined the inmate meets the criteria.

- C. Central Records will verify there are no pending charges or holds and contact SAVIN.
- D. The Secretary of Corrections will review the Booking Summaries and other information provided. A list of approved inmates will be forwarded to the respective Deputy or Associate Warden for review.
 - 1. If the Secretary denies the release of an inmate to extension of confinement, designated unit staff will be notified of the denial and generate a case note.
- E. The case manager will be notified of the list of approved inmates and ensure the approved inmates are compliant and review all relevant information for accuracy.
- F. Upon confirmation the inmate is compliant and the information provided is accurate, the inmate will be contacted by unit staff. The inmate must indicate whether they wish to be considered for release to extension of confinement and agree to all the required conditions of the release. The case manager will review the inmate's release plan and explain the program responsibilities i.e. actions that constitute escape, medical expenses, GPS requirements and all required agreements. Inmate participation in extension of confinement is strictly voluntary. Only inmates who provide DOC staff reasonable cause supporting they will abide by all required conditions while on extension of confinement may be considered or approved for release to extension of confinement (SDCL § [24-2-25](#)).
- G. Health Services and Behavioral Health Services staff will be notified of inmates approved for release to extension of confinement.
- H. Health Services and Behavioral Health Services staff will review the inmate's current and projected medical and treatment needs; including substance abuse, MRT and community mental health services. Health Services and Behavioral Health Services staff will develop treatment plans for referral to appropriate and necessary services, provision of services, arrangements to obtain medication(s) and/or medication management, access to providers, etc. (See DOH policy PE-13 [Discharge Planning](#)).
 - 1. Inmates released to pre-release extension of confinement are responsible for all costs of healthcare, such as treatment, medications, medical co-pays, etc.
- I. New system compliance reports or initial compliance reports will be completed by the institutional case manager and forwarded to the supervising parole agent for review with the inmate.
 - 1. Female inmates released to pre-release extension of confinement will be placed on the Pierre Community Work Center case manager's workload.
- J. The parole agent will review the inmate's release plan, including the inmate's travel/transport plan upon release. If the plan is approved, the case manager will forward the information to the AW or Deputy Warden, Warden, EBP Manager and Deputy Secretary.
 - 1. If the inmate's plan is denied by the Warden, the AW or Deputy Warden, EBP Manager and Deputy Secretary will be notified of the denial. The case manager will notify the inmate of the denial. The denial will be documented in COMS as an EC denial.
 - 2. If the inmate's plan approved by the Warden, staff will follow the same processes that apply to releases from custody to parole supervision (See DOC policy 1.4.G.1 [Inmate Release Plan and Transition Programming](#)).
 - 3. Case managers will contact the facility or individuals/family members (home-based placement) where the inmate is approved to reside to explain the conditions, criteria and requirements of the inmate's release to extension of confinement and answer any questions.

3. Supervision:

- A. All inmates releasing to extension of confinement will be supervised by a parole agent (SDCL § 24-15-14). Inmates agreeing to the provisions and requirements of release to extension of confinement also agree to be supervised by parole services staff. All inmates are subject to established and approved agreement of violation and sanctions.
- B. Inmates released to extension of confinement on pre-release will be supervised at the intensive supervision level for a minimum of thirty (30) days following release to extension of confinement (See DOC policy 1.5.G.4 [Parole Services-Community Risk Assessment and Supervision of Inmates](#)).
 1. Inmates released to extension of confinement will not be required to pay parole supervision fees (See DOC policy 1.5.G.1 [Parole Services Supervision Fees](#)).
- C. Following completion of the mandatory intensive supervision period, the inmate will be assigned a supervision level based on their medical and behavioral health needs, mobility, service setting and other factors relevant to the inmate and circumstances of the release. Inmates will not be assigned a supervision level less than maximum supervision. Supervision levels shall be assigned on a case-by-case basis. Typically, the inmate's supervision level will be adjusted upon recommendation by the parole agent and approval from the agent's supervisor.
 1. Maximum supervision requires a minimum of two personal contacts and one collateral contact each thirty day period. However, the number of contacts may vary, based on individual cases.
- D. Inmates released to extension of confinement on pre-release are required to submit a parole monthly report to their parole agent.
- E. The inmate's case manager will require the inmate to sign the *Extended Confinement Agreement* (See [Attachment 1](#)) prior to release to extension of confinement. The parole agent will review the agreement with the inmate at the initial office visit. All inmates released to extension of confinement must agree to abide by the conditions set forth in their agreement.
 1. All inmates released to extension of confinement are required to submit to a minimum of one urinalysis (UA) test per month.
 2. Parole agents will conduct the UA in accordance with DOC policy 1.3.A.8. [Inmate Drug Testing, Sanctions & Treatment](#).
 3. Inmates testing positive will receive a sanction/response.
- F. Inmates placed on extension of confinement who have not received a formal sanction for a violation(s) of their *Extended Confinement Supervision Agreement* (See [Attachment 1](#)) in the 30 days of Intensive Supervision, may be eligible for movement to maximum supervision, with approval from the supervising parole agent.
- G. The supervising parole agent will complete a monthly *Extended Confinement Monthly Report*, which is an IWP within the Comprehensive Offender Management System (COMS), for each inmate included in their caseload.
 1. Reports are due by the last day of the reporting month.
 2. The IWP will be forwarded to the agent's supervisor, who will combine all reports received into one report and email this to the Deputy Secretary, Executive Director of the Board of Pardons

and Paroles, Director of Parole Services, the inmate's case manager and other designated staff as deemed appropriate.

3. The information contained within the report will be used to determine inmate compliance with the established conditions, criteria and requirements of their release to extension of confinement.
- H. The supervising parole agent shall have authority to issue a violation report for any inmate who fails to abide by their Extended Confinement Agreement. The parole agent may order the detainment or return of the inmate to DOC custody, consistent with the Extended Confinement Violation Severity Scale (See [Attachment 3](#)).
- I. Inmates released to extension of confinement who will discharge their sentence while on extension of confinement, will be added to the Release Schedule the month they are scheduled to discharge their sentence and are subject to existing pre-release procedures and requirements, i.e. current warrants check, re-calculation of release date, etc. (See DOC Policy 1.4.G.2 [Inmate Release Procedure](#)).
- J. Inmates released to extension of confinement are not eligible for earned discharge credits. The inmate's release date shall be determined in accordance with the procedures contained within DOC policy 1.1.E.2 [Date Computation](#).

4. Placement on GPS:

- A. Pre-release inmates placed at a private residence (home-based) must be on Global Position System (GPS) monitoring. Parole agents are responsible for ensuring all of the inmate's information is inputted into Veritracks prior to release to extension of confinement.
- B. The inmate is required to review and sign the *Extended Confinement GPS Blue Agreement* before releasing to extension of confinement (See [Attachment 4](#)). The case manager will explain the contents of the agreement and expectations to the inmate.
 1. The conditions of release to extension of confinement include the establishment of a curfew i.e. when the inmate is expected to be at their residence and when they may be in the community for approved and legitimate activities such as employment, job search, treatment, programming, medical appointments.
 - a. Curfew will be 10pm – 6am for all inmates, unless an exception is approved by the parole agent.
 - b. Inmates may not travel more than 150 miles from their residence, stay overnight at a place other than their approved residence. Inmates intending to travel out of state for more than 24 hours must request a travel permit. The state of South Dakota is the pre-established exclusion zone set by the GPS provider. Agents will receive alerts when an inmate leaves or enters the state. Travel outside of the state by an inmate shall be for legitimate reasons.
 3. Inmates are expected to know, understand and comply with the conditions and limitations of their GPS agreement. Inmates who violate the agreement are subject to sanctions.
- C. Inmates will have the GPS ankle bracelet attached and activated by parole staff or institutional staff trained to attach and activate the GPS unit prior to release from custody. The supervising parole agent is responsible for activating the EC alert in COMS.
- D. The inmate is responsible for all corresponding GPS fees (See DOC policy 1.5.G.10 [Parole Services GPS and Electronic Monitoring](#)), unless an exemption is approved by the parole agent's supervisor

and stated in the *Extended Confinement Agreement* ([Attachment 1](#) and *Extended Confinement GPS Blue Agreement* ([Attachment 4](#)).

1. Inmates will pay the GPS fee with a money order, which shall be processed by DOC Administration Office staff. Inmates returned to custody for violations are not eligible for return of any GPS fees which have been paid.
- E. Parole agents are responsible to ensuring all inmates on their caseload submit the required GPS fees. Inmates who fail to submit payment for required fees are subject to sanction. Inmates remain responsible for unpaid fees (See DOC policy 1.1.B.2 *Inmate Accounts and Financial Responsibility*).
- F. The GPS provider will promptly contact the Jameson Prison Annex (JPA) control room by telephone and email the supervising parole agent when there is a Master Tamper alert. Parole agents receive regular emails from the GPS provider noting general alerts involving inmates.
- G. JPA staff will contact the agent by telephone when a Master Tamper alert is received. If control room staff fails to make contact with the agent, control room staff will contact the parole agent's supervisor. If neither the agent nor supervisor can be contacted, control room staff will leave a voice mail (and email if possible) for both with information about the Master Tamper alert.
- H. The inmate's parole agent will respond to general GPS alerts (low battery, curfew or inclusion zone violations) and Master Tamper alerts (cut strap or no response from the unit) received from the GPS provider or JPA control room during regular work hours or the next work day if the alert is received during non-work hours or a holiday or weekend.
- I. Agent's response to a Master Tamper alert:
 1. Attempt to contact the inmate by telephone, personal contact or dispatch of law enforcement to the inmate's residence to resolve the alert and/or verify the inmate's location;
 2. Proceed to the inmate's residence to determine the cause of the alert, if necessary;
 3. Alert authorities, supervisors, if the alert is confirmed as a possible escape; and
 4. Review the violations with their supervisor as necessary and write a violation or determine a response/sanction, as appropriate.
- J. The parole agent may remove the GPS unit when the inmate transitions to parole supervision (INPD) and their supervision agreement does not require GPS, or when the inmate is discharged.
- K. Parole agents will review the GPS tracking report during personal contact meetings with the inmate, or if there are alerts/reports indicating possible issues. The reviews will be documented in COMS as a case note.

5. Procedures to Determine Escape:

- A. Whenever it is suspected an inmate released to extension of confinement may have escaped, the supervising parole agent will attempt to establish contact with the inmate and/or verify the location of the inmate. Any of the following methods may be used to contact the inmate or verify the inmate's location:
 1. Telephone;
 2. Field contact at last known residence;

3. GPS website verification of last unit contact; and/or
4. Collateral contacts, to include:
 - a. Parents and/or other family members.
 - b. Last known employer.
 - c. Local law enforcement.
 - d. Community resource providers.
- B. When the supervising parole agent's attempts to contact and/or verify the location of the inmate fail, or it is clear the inmate has escaped, the agent will contact their supervisor. The agent and supervisor will confirm at least two (2) of the following criteria are met before declaring an inmate escaped:
 1. Not responding to phone calls or contact attempts made by the agent or not contacting the agent or reporting to the agent as instructed.
 2. Moved out of the last known or reported residence.
 3. Quit, left, or otherwise been terminated from last known/reported employment.
 4. Discontinued contact with family and friends.
 5. No longer attending treatment, aftercare or other required programming/sanctioned activity (24/7).
 6. Missed a confirmed appointment with the supervising Parole Agent.
 7. Or **one** of the following:
 - a. It has been confirmed the inmate has removed his/her GPS unit without authorization or the inmate's location cannot be verified or the GPS alert indicates the inmate outside the inclusion zone without authorization; or
 - b. The agent has received a reliable/verified/confirmed report the inmate failed to return to his/her residence/residential facility as specified (date and time).

6. Response to Confirmed Escape:

- A. Upon determination by the parole agent the inmate has escaped, the agent will contact the Northeast Regional Supervisor and Parole Senior staff.
- B. The Director of Parole or designee will authorize the issuance of a warrant and initiate the process of placing the warrant on NCIC (See SDCL § [24-15-14](#)).
- C. The supervisor/Parole Senior staff will notify Jameson Prison Annex (JPA) of the confirmed escape.
 1. During normal business hours, the Director will contact Parole Board office staff and authorize a warrant of escape be placed on NCIC.

2. Outside normal business hours, the Director will contact JPA control room authorizing a warrant of escape be placed on NCIC (by means of AM message to State radio following the designated format/process).
- D. The agent will update and add related information to the Extended Confinement Escape poster and distribute (fax, email or scan) the updated poster and detainer to the following:
1. Local law enforcement/police departments (if applicable):
 2. South Dakota Highway Patrol,
 3. Sheriff's office where the escape occurred,
 4. Sheriff's office(s) in the county where the inmate was convicted for the crimes they are currently serving, and
 5. Jameson Prison Annex Control Room.
- E. JPA control room staff will initiate all steps and procedures to complete the processes contained within the *JPA Extended Confinement Escape Checklist* (See [Attachment 5](#)). JPA staff will notify DOC senior staff and distribute the booking summary.
- F. The agent will complete the Extension of Confinement Violation report the next business day following the escape and distribute the report to the Warden and Deputy Warden.
1. The agent will gather/create the EC documents (signed escape acknowledgement, signed GPS Agreement, EC Violation Report, Detainer and Escape Poster and send these to Kim Edson.
 2. The agent will close the booking summary in COMS and notify the Corrections Specialist to open an escape booking in COMS.
 3. The Agent will complete a Major Incident Report within three business days of the inmate's escape.
- G. If an inmate is apprehended outside of the state of South Dakota and refuses to waive extradition back to South Dakota, it is the responsibility DOC to request a Governor's Warrant.
1. The DOC will arrange transport of apprehended inmates not returned to the DOC by the arresting authority.
- I. Inmates may be charged with escape, as described in the Extended Confinement Escape Acknowledgement (See [Attachment 2](#)).

7. Violation Sanction Scale:

- A. The supervising parole agent will address violations and/or prohibited behaviors as contained within the *Extension of Confinement Agreement* through application of the *Extended Confinement Violation Sanction Scale* (See [Attachment 3](#)). If the parole agent intends to issue a sanction that is different than the recommended sanction or the behavior committed is not listed on the violation severity scale, the agent will contact the supervisor.
1. The supervising parole agent will document violations committed by the inmate and the corresponding sanctions in the Comprehensive Offender Management System (COMS) (See [Attachment 7](#)).

- B. The supervising parole agent has authority to issue a violation report for an inmate's failure to abide by certain conditions of extension of confinement, including all applicable agreements to abide by the conditions of the release (See SDCL § [24-15-20](#) and [24-15A-27](#)). A violation report will be initiated upon determining the inmate's behavior(s) may constitute a threat or danger to the inmate or public (those with a response range of "R" return to Prison).
1. The parole agent will contact the parole supervisor, the inmate's case manager, Warden, Deputy Warden and Director of Classification to conduct an "Institutional Review" of sanctions that require an "IR" response.
 2. The above named staff will review the impact the sanction or return to custody will have on the inmate, including but not limited to, parole compliance (release to parole supervision), community programming or requirement the inmate complete programming (CD, MRT) upon return to custody, employment (loss of job), residential placement (lease agreement, placement spot at halfway house), etc. The decision will be documented in a case note in COMS.
 3. In the event a violation results in the inmate being returned to DOC custody, the parole agent will submit a violation report to the Warden. The parole agent will notify the control room prior to returning the inmate to DOC custody.
 4. Male violators are not required to be transported to the JPA for Admission and Orientation (A&O). Inmates will be returned to the institution identified by the Warden.
 5. The inmate's classification will be reviewed upon return to custody, taking into account the violation/reason for return. When the offender has returned to DOC custody, the parole agent will close the Extended Confinement community booking in COMS.
 6. Upon return of the inmate to the institution for a violation, institutional staff will write the inmate for a disciplinary violation (See Inmate Living Guide), based on information documented in the violation report submitted by the supervising parole agent.
- C. The supervising agent may issue an extension of confinement hold/release detainer to detain the inmate. Extended confinement holds and release detainers are located in COMS.

8. Accounts, Financial Accountability and Gate Money:

- A. Inmates approved for release to extension of confinement will be provided suitable clothing, if not already available to the inmate, not to exceed one hundred dollars in actual cost. The inmate will be issued travel money, not to exceed fifty dollars, if not already provided, in accordance with SDCL § [24-5-3](#) and DOC policy 1.4.G.3 [Inmate Release Procedure](#). Transportation arrangements shall be approved by the inmate's unit staff.
- B. Inmates released to pre-release extension of confinement will have all sub accounts within the DOC Inmate Banking System (IBS) closed (See DOC policy 1.1.B.2 [Inmate Accounts and Financial Responsibility](#)). Inmates are responsible for managing their own finances.
- C. Inmates remain responsible for all fixed obligations, court-ordered costs and any assessed fees when released to extension of confinement.

9. Count:

- A. Inmates released on extension of confinement will be placed on TAP/Off Count (See DOC policy 1.3.A.2 [Inmate Counts](#)).

- B. Upon transfer to extension of confinement, the community booking will be opened as an "Extended Confinement Release". The inmate will be assigned to a parole agent's caseload and included in the parole count.
- C. Upon return of an inmate to custody for violation, the inmate will be placed back on the institutional count.

V Related Directives:

SDCL §§ 22-11A-2.1, 24-2-25, 24-2-27, 24-5-3 and 24-15-14.

ARSD § 17:61:02:18 and 17:61:02:08.

DOC policy 1.5.G.10 -- *Parole Services GPS and Electronic Monitoring*

DOC policy 1.1.A.3 -- *Staff Reporting Information to DOC Administration*

DOC policy 1.1.A.4 -- *Relationship with News Media, Public and Other Agencies*

DOC policy 1.1.B.2 -- *Inmate Accounts and Financial Responsibility*

DOC policy 1.1.E.2 -- *Date Computation*

DOC policy 1.3.A.8. -- *Inmate Drug Testing, Sanctions & Treatment*

DOC policy 1.3.C.2 -- *Inmate Discipline System*

DOC policy 1.4.G.1 -- *Inmate Release Plan and Transition Programming*

DOC Policy 1.4.G.2 -- *Inmate Release Procedure*

DOC policy 1.5.G.1 -- *Parole Services Supervision Fees*

DOC policy 1.5.G.4 -- *Parole Services-Community Risk Assessment and Supervision of Inmates*

DOH policy PE-13 -- *Discharge Planning*

VI Revision Log:

May 2017: New Policy

June 2018: Numerous revisions to language, structure of the policy and attachments and added new section to the policy and Attachments 6 and 7.

Denny Kaemingk (original signature on file)

Denny Kaemingk, Secretary of Corrections

07/02/2018

Date

Attachment 1: Extended Confinement Agreement

The **Extended Confinement Agreement** form is located on the state's WAN.

A copy may be printed using **Microsoft Word 97** as follows:

1. Click [here](#) to access the **Extended Confinement Agreement** by:
 - a. Placing mouse on the word "here" above
 - b. Press and hold the "Ctrl" key on the keyboard
 - c. Click the left button of mouse.
2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **Extended Confinement Agreement**.

The gray areas indicate the information that is to be entered.

The image shows two pages of a document titled "EXTENDED CONFINEMENT AGREEMENT".

Page 1: Contains a header with the South Dakota Department of Corrections logo. Below the header are several fields for personal information: NAME, DOC ID, and BOOKING ID. There are also checkboxes for "EXTENDED CONFINEMENT RELEASE TYPE" (Pre-Release, Services) and "PLACEMENT TYPE" (Home Based, Residential Facility). A section titled "Reason if placed as a Services Extended Confinement:" is followed by a paragraph of text: "In Consideration of Extended Confinement being granted me, I agree to the following: (Staff will have offender initial next to conditions that apply)". Below this are eleven numbered conditions (EA1-EA11) starting with "I will...". At the bottom left, it says "Revised: 05/24/2016" and "1".

Page 2: Continues with conditions EA12-EA23. EA12-EA20 are numbered conditions starting with "I will...". EA21 and EA22 are longer paragraphs of text starting with "I understand that...". EA23 is "Additional Conditions:". Below the conditions is a paragraph: "I have read or have had read to me, fully understand, and agree to abide by the conditions of this agreement. I understand and agree that my supervising agent and/or the DOC has the authority to place me in custody at any time and return me to the State Penitentiary." At the bottom, there are three lines for "Offender Signature", "Witness", and "Date". At the bottom left, it says "Revised: 05/24/2016" and "2".

Attachment 2: Extended Confinement Escape Acknowledgement

The **Extended Confinement Escape Acknowledgement** form is located on the state's WAN.

A copy may be printed using **Microsoft Word 97** as follows:

1. Click [here](#) to access the **Extended Confinement Escape Acknowledgement** by:
 - a. Placing mouse on the word "here" above
 - b. Press and hold the "Ctrl" key on the keyboard
 - c. Click the left button of mouse.
2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **Extended Confinement Escape Acknowledgement**.

The gray areas indicate the information that is to be entered.



EXTENDED CONFINEMENT ESCAPE ACKNOWLEDGEMENT

NAME:

DOC ID:

BOOKING ID:

In Consideration of Extended Confinement being granted me, by signing this document, I understand that I remain an inmate under the jurisdiction of the SD Department of Corrections during my placement on Extended Confinement. I understand I have no implied right or expectation to be housed in any particular facility, participate in any specific program, or receive any specific service, and I understand I am subject to transfer from any facility, program, or service at the discretion of the DOC.

I understand that any escape from a facility, program, or service maintained outside the penitentiary is violation of 22-11A-2.1 or 22-11A-2. I understand that any unauthorized absence from my extended confinement placement is an escape, a felony punishable by an additional prison sentence.

22-11A-2. First degree escape—Felony. Any escape by a prisoner constitutes first degree escape if the prisoner effects the escape:

- (1) By means of the use or threat of violence;
- (2) From a secure correctional facility; or
- (3) From the immediate custody of a law enforcement officer or Department of Corrections employee.

First degree escape is a Class 4 felony.

22-11A-2.1. Second degree escape—Felony. Any escape by a prisoner constitutes second degree escape if the prisoner effects the escape by means of failure to return to custody following an assignment or temporary leave granted for a specific purpose or limited period or leaves a nonsecure correctional facility without authorization. Second degree escape is a Class 5 felony.

During your period of Extended Confinement, the following violations constitute escape:

- Failure to report to your supervising agent as directed
- Failure to report to a law enforcement agency as directed by your supervising agent
- Leaving your residence or facility of residence without the authorization of your supervising agent
- Failure to return, as directed by your supervising agent, to your residence or facility of residence following an assignment or approved leave.
- Failure to be present at a program or service as directed by your supervising agent.

I have read or have had read to me, fully understand, and agree to abide by the conditions of this agreement. I understand and agree that my supervising agent and/or the DOC has the authority to place me in custody at any time and returned to the custody of the DOC.

X _____

Offender Signature *Witness* *Date*

Revised 02/08/2017

Attachment 3: Extended Confinement Violation Severity Scale

The **Extended Confinement Violation Severity Scale** form is located on the state's WAN.

A copy may be printed using **Microsoft Word 97** as follows:

1. Click [here](#) to access the **Extended Confinement Violation Severity Scale** by:
 - a. Placing mouse on the word "here" above
 - b. Press and hold the "Ctrl" key on the keyboard
 - c. Click the left button of mouse.
2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **Extended Confinement Violation Severity Scale**.

The gray areas indicate the information that is to be entered.

3-043

Extended Confinement VIOLATION SEVERITY SCALE

If the violation item included in this table, the case should be handled by the case manager and not contact to determine the appropriate Severity Level.

AGREEMENT CONDITION	BEHAVIOR	Severity Level	
		Prison	Community
1-1-1-1	Violating parole	X	
1-1-1-2	Violating parole terms	X	
1-1-1-3	Violating parole terms	X	
1-1-1-4	Violating parole terms	X	
1-1-1-5	Violating parole terms	X	
1-1-1-6	Violating parole terms	X	
1-1-1-7	Violating parole terms	X	
1-1-1-8	Violating parole terms	X	
1-1-1-9	Violating parole terms	X	
1-1-1-10	Violating parole terms	X	
1-1-1-11	Violating parole terms	X	
1-1-1-12	Violating parole terms	X	
1-1-1-13	Violating parole terms	X	
1-1-1-14	Violating parole terms	X	
1-1-1-15	Violating parole terms	X	
1-1-1-16	Violating parole terms	X	
1-1-1-17	Violating parole terms	X	
1-1-1-18	Violating parole terms	X	
1-1-1-19	Violating parole terms	X	
1-1-1-20	Violating parole terms	X	
1-1-1-21	Violating parole terms	X	
1-1-1-22	Violating parole terms	X	
1-1-1-23	Violating parole terms	X	
1-1-1-24	Violating parole terms	X	
1-1-1-25	Violating parole terms	X	
1-1-1-26	Violating parole terms	X	
1-1-1-27	Violating parole terms	X	
1-1-1-28	Violating parole terms	X	
1-1-1-29	Violating parole terms	X	
1-1-1-30	Violating parole terms	X	
1-1-1-31	Violating parole terms	X	
1-1-1-32	Violating parole terms	X	
1-1-1-33	Violating parole terms	X	
1-1-1-34	Violating parole terms	X	
1-1-1-35	Violating parole terms	X	
1-1-1-36	Violating parole terms	X	
1-1-1-37	Violating parole terms	X	
1-1-1-38	Violating parole terms	X	
1-1-1-39	Violating parole terms	X	
1-1-1-40	Violating parole terms	X	
1-1-1-41	Violating parole terms	X	
1-1-1-42	Violating parole terms	X	
1-1-1-43	Violating parole terms	X	
1-1-1-44	Violating parole terms	X	
1-1-1-45	Violating parole terms	X	
1-1-1-46	Violating parole terms	X	
1-1-1-47	Violating parole terms	X	
1-1-1-48	Violating parole terms	X	
1-1-1-49	Violating parole terms	X	
1-1-1-50	Violating parole terms	X	
1-1-1-51	Violating parole terms	X	
1-1-1-52	Violating parole terms	X	
1-1-1-53	Violating parole terms	X	
1-1-1-54	Violating parole terms	X	
1-1-1-55	Violating parole terms	X	
1-1-1-56	Violating parole terms	X	
1-1-1-57	Violating parole terms	X	
1-1-1-58	Violating parole terms	X	
1-1-1-59	Violating parole terms	X	
1-1-1-60	Violating parole terms	X	
1-1-1-61	Violating parole terms	X	
1-1-1-62	Violating parole terms	X	
1-1-1-63	Violating parole terms	X	
1-1-1-64	Violating parole terms	X	
1-1-1-65	Violating parole terms	X	
1-1-1-66	Violating parole terms	X	
1-1-1-67	Violating parole terms	X	
1-1-1-68	Violating parole terms	X	
1-1-1-69	Violating parole terms	X	
1-1-1-70	Violating parole terms	X	
1-1-1-71	Violating parole terms	X	
1-1-1-72	Violating parole terms	X	
1-1-1-73	Violating parole terms	X	
1-1-1-74	Violating parole terms	X	
1-1-1-75	Violating parole terms	X	
1-1-1-76	Violating parole terms	X	
1-1-1-77	Violating parole terms	X	
1-1-1-78	Violating parole terms	X	
1-1-1-79	Violating parole terms	X	
1-1-1-80	Violating parole terms	X	
1-1-1-81	Violating parole terms	X	
1-1-1-82	Violating parole terms	X	
1-1-1-83	Violating parole terms	X	
1-1-1-84	Violating parole terms	X	
1-1-1-85	Violating parole terms	X	
1-1-1-86	Violating parole terms	X	
1-1-1-87	Violating parole terms	X	
1-1-1-88	Violating parole terms	X	
1-1-1-89	Violating parole terms	X	
1-1-1-90	Violating parole terms	X	
1-1-1-91	Violating parole terms	X	
1-1-1-92	Violating parole terms	X	
1-1-1-93	Violating parole terms	X	
1-1-1-94	Violating parole terms	X	
1-1-1-95	Violating parole terms	X	
1-1-1-96	Violating parole terms	X	
1-1-1-97	Violating parole terms	X	
1-1-1-98	Violating parole terms	X	
1-1-1-99	Violating parole terms	X	
1-1-1-100	Violating parole terms	X	

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AGREEMENT CONDITION	BEHAVIOR	Severity Level	
		Prison	Community
1-1-1-1	Violating parole	X	
1-1-1-2	Violating parole terms	X	
1-1-1-3	Violating parole terms	X	
1-1-1-4	Violating parole terms	X	
1-1-1-5	Violating parole terms	X	
1-1-1-6	Violating parole terms	X	
1-1-1-7	Violating parole terms	X	
1-1-1-8	Violating parole terms	X	
1-1-1-9	Violating parole terms	X	
1-1-1-10	Violating parole terms	X	
1-1-1-11	Violating parole terms	X	
1-1-1-12	Violating parole terms	X	
1-1-1-13	Violating parole terms	X	
1-1-1-14	Violating parole terms	X	
1-1-1-15	Violating parole terms	X	
1-1-1-16	Violating parole terms	X	
1-1-1-17	Violating parole terms	X	
1-1-1-18	Violating parole terms	X	
1-1-1-19	Violating parole terms	X	
1-1-1-20	Violating parole terms	X	
1-1-1-21	Violating parole terms	X	
1-1-1-22	Violating parole terms	X	
1-1-1-23	Violating parole terms	X	
1-1-1-24	Violating parole terms	X	
1-1-1-25	Violating parole terms	X	
1-1-1-26	Violating parole terms	X	
1-1-1-27	Violating parole terms	X	
1-1-1-28	Violating parole terms	X	
1-1-1-29	Violating parole terms	X	
1-1-1-30	Violating parole terms	X	
1-1-1-31	Violating parole terms	X	
1-1-1-32	Violating parole terms	X	
1-1-1-33	Violating parole terms	X	
1-1-1-34	Violating parole terms	X	
1-1-1-35	Violating parole terms	X	
1-1-1-36	Violating parole terms	X	
1-1-1-37	Violating parole terms	X	
1-1-1-38	Violating parole terms	X	
1-1-1-39	Violating parole terms	X	
1-1-1-40	Violating parole terms	X	
1-1-1-41	Violating parole terms	X	
1-1-1-42	Violating parole terms	X	
1-1-1-43	Violating parole terms	X	
1-1-1-44	Violating parole terms	X	
1-1-1-45	Violating parole terms	X	
1-1-1-46	Violating parole terms	X	
1-1-1-47	Violating parole terms	X	
1-1-1-48	Violating parole terms	X	
1-1-1-49	Violating parole terms	X	
1-1-1-50	Violating parole terms	X	
1-1-1-51	Violating parole terms	X	
1-1-1-52	Violating parole terms	X	
1-1-1-53	Violating parole terms	X	
1-1-1-54	Violating parole terms	X	
1-1-1-55	Violating parole terms	X	
1-1-1-56	Violating parole terms	X	
1-1-1-57	Violating parole terms	X	
1-1-1-58	Violating parole terms	X	
1-1-1-59	Violating parole terms	X	
1-1-1-60	Violating parole terms	X	
1-1-1-61	Violating parole terms	X	
1-1-1-62	Violating parole terms	X	
1-1-1-63	Violating parole terms	X	
1-1-1-64	Violating parole terms	X	
1-1-1-65	Violating parole terms	X	
1-1-1-66	Violating parole terms	X	
1-1-1-67	Violating parole terms	X	
1-1-1-68	Violating parole terms	X	
1-1-1-69	Violating parole terms	X	
1-1-1-70	Violating parole terms	X	
1-1-1-71	Violating parole terms	X	
1-1-1-72	Violating parole terms	X	
1-1-1-73	Violating parole terms	X	
1-1-1-74	Violating parole terms	X	
1-1-1-75	Violating parole terms	X	
1-1-1-76	Violating parole terms	X	
1-1-1-77	Violating parole terms	X	
1-1-1-78	Violating parole terms	X	
1-1-1-79	Violating parole terms	X	
1-1-1-80	Violating parole terms	X	
1-1-1-81	Violating parole terms	X	
1-1-1-82	Violating parole terms	X	
1-1-1-83	Violating parole terms	X	
1-1-1-84	Violating parole terms	X	
1-1-1-85	Violating parole terms	X	
1-1-1-86	Violating parole terms	X	
1-1-1-87	Violating parole terms	X	
1-1-1-88	Violating parole terms	X	
1-1-1-89	Violating parole terms	X	
1-1-1-90	Violating parole terms	X	
1-1-1-91	Violating parole terms	X	
1-1-1-92	Violating parole terms	X	
1-1-1-93	Violating parole terms	X	
1-1-1-94	Violating parole terms	X	
1-1-1-95	Violating parole terms	X	
1-1-1-96	Violating parole terms	X	
1-1-1-97	Violating parole terms	X	
1-1-1-98	Violating parole terms	X	
1-1-1-99	Violating parole terms	X	
1-1-1-100	Violating parole terms	X	

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Extended Confinement Violation Sanction Scale

Agree to additional restrictions as outlined in the Extended Confinement Violation Severity Scale.

If response is different than the Extended Confinement Violation Severity Scale, the case will be handled with the regional supervisor who will approve the response.

If the violation item included in the Extended Confinement Violation Severity Scale, the case should be handled by the regional supervisor and not contact to determine the appropriate Severity Level.

Behavioral Response is determined in COIS.

Response	Sanctions
Low	<ul style="list-style-type: none"> Verbal reprimand Apology letter Book request Daily logbook writing Written response to logbook Confine - 24 hours Increase AA/VA sanctions Travel sanctions - 20 day office Loss of driving privileges Loss of computer gaming devices Case meeting Increase home visit logbook
Medium	<ul style="list-style-type: none"> Community bonding class Increase AA/VA sanctions (verbal) Additional CA training Aggression response class Community service work (CAF) Adjustment in contacts Consulting with a community agency Drug testing Travel sanctions - over 30 days Verbal reprimand by regional supervisor Confine - over 20 days Classical logbook Home care - 20 days or less Eliminate monitoring - 20 days or less Drug/alcohol assessment/defense 20% daily PWT's - Random Search 20 days but 1 mandatory in home case
High	<ul style="list-style-type: none"> Drug/alcohol treatment Intervention Extended detention Travel sanctions (specific areas in city, county, etc.) Daily "Classroom" Case meeting AD/VA home placement Home care - over 20 days Eliminate Monitoring - over 20 days 20% daily PWT's - RCA/All Home Search over 20 days 1 Mandatory (in home case) Administrative hearing with the Director of Risk or Victim
Revoke to Prison	<ul style="list-style-type: none"> Return to Prison

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Attachment 4: Extended Confinement GPS Blue Agreement

The **Extended Confinement GPS Blue Agreement** form is located on the state's WAN.

A copy may be printed using **Microsoft Word 97** as follows:

1. Click [here](#) to access the **Extended Confinement GPS Blue Agreement** by:
 - a. Placing mouse on the word "here" above
 - b. Press and hold the "Ctrl" key on the keyboard
 - c. Click the left button of mouse.
2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **Extended Confinement GPS Blue Agreement**.

	<p>DEPARTMENT OF CORRECTIONS <i>Parole Services</i> 408 S 2nd Ave, Suite 104 Sioux Falls, SD 57104-6919 Phone: (605) 367-5780 Fax: (605) 367-5785</p>
<p align="center">GPS ELECTRONIC MONITORING AGREEMENT</p> <p align="center"><i>GPS – BLU SUPERVISION AGREEMENT</i></p>	
<p>I understand and agree to abide by the conditions of this agreement and to GPS electronic monitoring as a condition of my placement on Extended Confinement.</p> <p>I agree to wear a Global Position Satellite (GPS) monitoring device to continuously track my whereabouts in the community. I understand that I will be financially responsible for all or part of the cost associated with GPS monitoring (up to \$3.00 per day).</p> <p>I agree to properly maintain all the equipment, keeping it charged, in good working order, and to report any issues regarding the equipment to my supervising agent immediately.</p> <p>I understand and agree that if any of the equipment is damaged, lost, or not returned, I am liable for any and all costs associated with the repair, recovery, or replacement of such equipment.</p>	
<p>Start Date: _____ End Date: _____ _____ days X \$ _____ = \$\$ (total)</p>	
<p>_____</p> <p>Parolee Name (Printed)</p>	
<p>_____</p> <p>Parolee Signature</p>	<p>_____</p> <p>Date</p>
<p>_____</p> <p>Agent Name (Printed)</p>	
<p>_____</p> <p>Agent Signature</p>	<p>_____</p> <p>Date</p>

Attachment 6: Extended Confinement Inmate Escape

The **Extended Confinement Inmate Escape** form is located on the state's WAN.

A copy may be printed using **Microsoft Word 97** as follows:

1. Click [here](#) to access the **Extended Confinement Inmate Escape** by:
 - a. Placing mouse on the word "here" above
 - b. Press and hold the "Ctrl" key on the keyboard
 - c. Click the left button of mouse.
2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **Extended Confinement Inmate Escape**

Attachment 6: Extended Confinement Inmate Escape

Immediate/Initial Agent Response:

1. Agent will confirm the offender is on Extended Confinement and confirm the escape and notify the Northeast Regional Supervisor/Parole Senior Staff.
 - a. the Director of Parole/Director of Parole Services will authorize the issuance of a warrant and initiate the process of placing a warrant on NCIC.
2. The Supervisor/Parole Senior Staff will notify Jameson Control room of the confirmed escape.
 - a. During normal business hours, the Director will contact Board Office Staff authorizing a warrant of escape be placed on NCIC.
 - b. Outside of normal business hours, Director of Parole will contact the Control room authorizing a warrant of escape be placed on NCIC (by means of AM message to State Radio following designated format/process).
3. The Agent will gather and distribute the Extended Confinement Escape poster and a detainer to local law enforcement and CC: JPA Control Room.
 - a. Parole agent will add pertinent information to the poster and body of an email (recent and supervision related information that may assist LE in locating subject).
4. The control room will complete the EC Escape Checklist and distribute a [booking](#) summary and other related information to DOC Senior Staff.
5. At the next office opportunity, the Agent will complete the EC Violation report and distribute to appropriate institution staff.

Follow-up Response from Parole Agent:

1. The Agent will gather/create the EC documents (signed escape acknowledgment, signed GPS Agreement, EC Violation Report, Detainer and Escape poster) and send to Kim Edson.
2. The Agent will close the community booking in COMS and notify the Corrections Specialist to open the escape booking in COMS.
3. Agent will complete the Major Incident Report within three working days.

Follow-up Response from Institution

1. The institution will complete DOC Notifications as outlined in the Extended Confinement Escape Checklist

****Note – When out of the office/after normal business hours, Agents can access COMS to create the necessary reports utilizing VAS ("Virtual Access Service") without having to report to the office. The agent can also ask the SDSP Control Room to generate the reports and send to the Agent.**

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