1.4.B.17 Inmate Earned Discharge Credits

I Policy Index:

Date Signed: 06/25/2018
Distribution: Public
Replaces Policy: None
Supersedes Policy Dated: None
Affected Units: All Institutions
Effective Date: 07/01/2018
Scheduled Revision Date: June 2019
Revision Number: 0
Office of Primary Responsibility: DOC Administration

II Policy:

The Department of Corrections (DOC) may award Earned Discharge Credits (EDC) to eligible inmates. Earned discharge credits may be granted if, in the judgement of the Warden and Secretary of Corrections, the inmate has met the criteria set forth in statute (HB 1053) and this policy. Inmates are not entitled to earned discharge credits or consideration for earned discharge credits.

III Definitions:

**Academic program:**
General Education Development test (GED).

**Vocational programs:**
Auto Body, Auto Mechanics, Welding and Construction Technology at Mike Durfee State Prison; Electrical Apprenticeship through SD Housing, Fire Fighting Training (excluding refresher training) and Chainsaw Training.

**Evidence Based Programs:**
Treatment and intervention programs that scientific research demonstrates reduce recidivism among individuals under correctional supervision.

**Booking:**
An offender’s continuous period of custody, and/or supervision on a set of transactions.

**Individual Program Directive:**
A directive which establishes standards and criteria for parole for each inmate sentenced to a term of years and committed to the DOC for a crime committed on or after July 1, 1996.

**Heroic Acts:**
Significant and courageous acts in life threatening situations, significant efforts in disaster response or providing exceptional assistance in maintaining the safety and security of a prison.

**COMS:**
Comprehensive Offender Management System. Computerized inmate records system used to maintain individual offender records, support DOC operations and provide a source for generation of aggregate and statistical data.
Work:
Institutional, prison industry, private sector prison industry, work release work and work on extended confinement.

IV Procedures:

1. Qualifying Behavior:
   A. Inmates may be awarded up to 90 days of EDC for completion of each 360 hours of work, not to exceed 180 days in a twelve (12) month period;
   B. Inmates may be awarded up to 90 days of EDC for each completion of academic, vocational; or evidence based programs
   C. Inmates may be awarded up to 365 days for a heroic act.

2. General Eligibility:
   A. Inmates are eligible for EDC consideration with the following exceptions:
      1. Sentences for crimes committed prior to July 1, 1996;
      2. Sentences of life or death;
      3. Individuals held in prison under a sentence of probation (Suspended Imposition of Sentence (SIS) or Suspended Execution of Sentence (SES));
      4. Parolees, regardless of whether held in a prison facility or in the community (CTP, detainee or extended detainee status) (does not include EDC awarded pursuant to SDCL § 24-15A-50);
      5. Sentences issued from jurisdictions other than the State of South Dakota;
      6. Inmates currently classified as level 3 system risk (See DOC policy 1.4.G.6 System Risk Level) are not eligible for work or heroic act EDC.
      7. Inmates who have refused to participate in or have been terminated from chemical dependency treatment, MRT, STOP, GED, or T4C during this booking on their most recent program record, are ineligible to earn work or heroic act EDC. Provided they are otherwise eligible, they may earn EDC for other academic, vocational and evidence based programs. Once they complete previously refused/terminated program(s), they are eligible for work and heroic act EDC.

3. Evidence based program requirements:
   A. To be considered an evidence based (EB) program:
      1. The program must meet the definition of an evidence based program;
      2. Program placement must be assessment based;
      3. The program must address criminogenic need(s);
      4. The program must have appropriately trained facilitators/teachers;
      5. The program must have written curriculum/manualized programming; and
      6. There must be a program fidelity plan and program evaluation plan.
B. To be designed as an EB program eligible as the basis for an award of EDC, Attachment 1-
Evidence Based Program Outline shall be completed and submitted to the DOC Evidence Based
Program Manager.

1. An EB Program Review Team made up of the EB Program Manager and at least two additional
DOC/Behavioral Health staff, shall review the outline and determine whether the program
meets the requires of an EDC eligible evidence based program.

2. If the program does not meet the requirements of an EB program, the review team may provide
assistance to the facilitator/teacher to establish the provisions needed to meet the definition of
an EB program.

1. The EB Program Review Team will conduct annual audits of approved EB programs to support
program fidelity and review evaluation outcomes.

4. Program Credits:

A. Upon completion of programs identified in Attachment 2 on or after July 1, 2018, the designated
number of days of EDC may be awarded to eligible inmates.

B. Enrollment in programs eligible for EDC will be determined by staff, through assessment
information, agency priorities and staff scheduling.

C. The program facilitator/teacher is required to enter program completion in Accredited Programs in
COMS (See Attachment 3).

D. An inmate is eligible for EDC for program completion once per booking for each program they are
assessed as needing, unless the assessment recommends the inmate for a repeat enrollment.

E. Inmates placed in the community under Extension of Confinement (EC) (See DOC policy 1.4.G.7
Extension of Confinement), are eligible for credits upon completion of community based academic,
vocational or evidence based programs. The inmate’s supervising parole agent will notify DOC
Central Records of EC inmate program completions in the community for application to the
inmate’s sentence(s).

5. Work Credits:

A. Upon completion of 360 hours of work after July 1, 2018, 90 days of EDC may be awarded to
eligible inmates. To be eligible for an award of work credits the work hours must occur on or after
July 1, 2018.

B. Inmates employed in eligible work, who do not earn a wage for work completed due to not having a
valid Social Security number, are eligible for EDC.

C. Work EDC is recorded through inmate payroll for institutional work, PSPI payroll via alerts in COMS
for inmates on extension of confinement (EC) or Work Release Module (See Attachment 3).

D. Hours from multiple jobs can be used to reach 360 hours.

E. EDC for work cannot exceed 180 days in a twelve month period.
6. Heroic Acts:
   A. Wardens can recommend an award of EDC for heroic acts to the Secretary of Corrections. The
      recommendation shall be documented by completing the EDC Heroic Act Recommendation form
      (see Attachment 4).
      1. The Director of Community Service may recommend an inmate for EDC for a heroic act to the
         Warden for heroic acts demonstrated by inmates assigned to Disaster Response (See DOC
         policy 1.3.B.5 Deployment to a Natural Disaster).
   B. The Secretary may (1) Concur with the recommendation and grant the inmate EDC not to exceed
      365 days (2) Deny the recommendation for EDC; or (3) Grant the inmate a modified number of
      days of EDC from the amount recommended.
   C. Approved Heroic Act EDC forms will be provided to DOC Central Records for application to the
      inmate’s sentence.

7. General Administrative Provisions:
   A. EDC for program completion or work and program completion combined, cannot exceed 270 days
      in a twelve (12) month period.
   B. When an inmate releases from a DOC institution (not including a release to EC), the inmate’s work
      hours for determining EDC eligibility return to zero. Inmates cannot carry over work hours from a
      prior admission.
   C. Inmates remain subject to the provisions of their IPD and Parole Board directives regarding
      programming and conduct. An award of EDC does not imply compliance or non-compliance on the
      inmate’s IPD or other conditions of the inmate’s sentence (See DOC policy 1.4.B.1 Individual
      Program Directives (IPD)).
   D. Eligible inmates serving SD prison sentences in another jurisdiction may be awarded EDC.
   E. Inmates who object to determinations regarding EDCs shall utilize the Administrative Remedy (AR)
      process (See DOC policy 1.3.E.2 Administrative Remedy for Inmates).
   F. The EDC Approval Timeline form (Attachment 5) serves a resource on the monthly schedule and
      deadlines for work and program credits.
   G. At least every six (6) months, inmates eligible for earned discharge credits shall be notified of their
      current initial parole date and sentence discharge date.

8. Application of Credits to Sentence:
   A. Inmate earned discharge credits are applied to the sentence prior to calculation of the initial parole
      date (See DOC policy 1.1.E.2 Date Computation).

V Related Directives:
   DOC policy 1.1.E.2 Date Computation
   DOC policy 1.3.B.5 Deployment to a Natural Disaster
   DOC policy 1.3.E.2 Administrative Remedy for Inmates
   DOC policy 1.4.B.1 Individual Program Directives (IPD)
VI Revision Log:

**June 2018:** New Policy

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<tbody>
<tr>
<td>Denny Kaemingk, Secretary of Corrections</td>
<td>Date</td>
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Attachment 1: Evidence Based Program Requirements

The Evidence Based Program Requirements form is located on the state’s WAN.

A copy may be printed using Microsoft Word as follows:

1. Click here to access the Evidence Based Program Requirements 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 Evidence Based Program Requirements.

   EDC PROGRAM REQUIREMENTS

   Program Goals/Problem(s) to be addressed/ Criminogenic Needs?

   Target Population/Assessment process/Placement process:

   Curriculum (must be written ideally a program manual):

   Facilitator/Teacher training:

   Interventions i.e. workbooks, lectures, journals, videos, etc.

   Time Frames/Dosage:

   Evaluation plan:

   Fidelity plan:

   Program Documentation (attach)
### Attachment 2: EDC Programs and Days

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<td>T4C</td>
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<td>Framing</td>
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<td>Finishing</td>
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<td>House Project - Electrical apprentice</td>
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<td>Fire Fighting Training</td>
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Attachment 3: EDC COMS Instructions

The *EDC COMS Instructions* form is located on the state’s WAN.

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

1. Click [here](#) to access the *EDC COMS Instructions* 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 *EDC COMS Instructions*. 
Attachment 4: EDC Heroic Act Recommendation

The *EDC Heroic Act Recommendation* form is located on the state’s WAN.

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

1. Click [here](#) to access the *EDC Heroic Act Recommendation* 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 *EDC Heroic Act Recommendation*.

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**RECOMMENDATION FOR EARNED DISCHARGE CREDITS**

**HEROIC ACTS**

I. The inmate(s) listed under section V. are being recommended for an award of earned discharge credits for meeting the below criteria.

   ___ Signiﬁcant and courageous act(s) in life threatening situations
   ___ Significant efforts in disaster response
   ___ Exceptional assistance in maintaining the safety and security of a prison

II. Date(s) of act: ________________________________

III. Description of act:

   [Description]

IV. Recommended award in days (not to exceed 366 days) __________________________

V. Eligible inmates for consideration (list below or attach list of inmates to include ID#):

   [List]

VI. Warden Signature __________________________ Date: __________________________

VII. Secretary of Corrections Decision

   [ ] Approved
   [ ] Denied

   Amount of award (in days): __________________________

   Signature __________________________ Date: __________________________

If approved this document shall be provided to Central Records within 5 days for EDC application.
Attachment 5: EDC Approval Timeline

The **EDC Approval Timeline** form is located on the state’s WAN.

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

1. Click [here](#) to access the **EDC Approval Timeline** by:
   - Placing mouse on the word “here” above
   - Press and hold the “Ctrl” key on the keyboard
   - Click the left button of mouse.

2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **EDC Approval Timeline**.

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[EDC Approval Timeline Diagram]

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