

1.3.C.1 Offender Living Guide Policy

I Policy Index:



Date Signed: 03/18/2019
Distribution: Public
Replaces Policy: 4.A.5
Supersedes Policy Dated: 05/23/2018
Affected Units: All Institutions & Division of Juvenile Services
Effective Date: 03/18/2019
Scheduled Revision Date: March 2020
Revision Number: 17
Office of Primary Responsibility: DOC Administration

II Policy:

The Department of Corrections (DOC) will provide each inmate access to an *Inmate Living Guide* upon admission to a DOC institution. Juvenile offenders committed to the DOC will receive a *Juvenile Offender Living Guide*, as provided by Division of Juvenile Services staff. Living Guides are not intended to be a specific guide to the detailed policies or procedures of the Department of Corrections.

III Definitions:

Offender:

For the purposes of this policy, an offender is an inmate (in custody of the DOC institutional system), a parolee (under parole or suspended sentence supervision by South Dakota Parole Services) or a juvenile under DOC supervision.

IV Procedures:

1. Living Guide Contents:

- A. Living Guides will contain relevant information regarding the DOC and its respective unit(s) as it pertains to offenders, their responsibilities, obligations and requirements while housed in a DOC institution or committed to the DOC.
- B. Living Guides will include general information about the mission and values of the DOC, Prison Rape Elimination (PREA), offender programs, procedures for offenders to access staff and services, rules and regulations and general information regarding day-to-day routines and expectations of offenders during confinement or commitment to the DOC.

2. Signed Receipt of Living Guide:

- A. Each offender admitted to a DOC institution or committed to the DOC will be provided access to the respective offender Living Guide. Adult offenders admitted to the DOC and housed in the Admission and Orientation (A&O) unit will be issued loaner, paper Living Guides until the offender is issued a tablet.
 1. Each offender will sign a form acknowledging initial receipt of the Living Guide.

2. The form acknowledging receipt of the Living Guide will be documented in the Comprehensive Offender Management System (COMS) or placed in the offender's file.
 3. Revisions to the Living Guides will be made available to offenders through publication of a revised edition of the Living Guide or through a memo or directive describing the change, which must be approved by the Director of Juvenile Services for juvenile offenders or the Director of Prison Operations for adult offenders and posted or otherwise made available in approved places where offenders may access the information.
 4. Living Guides for adult offenders will be posted to electronic tablets and kiosks, which are accessible to all adult offenders.
- B. The parent or guardian of a juvenile offender will receive a juvenile Living Guide.
- C. To the extent reasonably possible, a qualified staff member or translator will attempt to assist any offender with a language or literacy barrier who requests assistance in interpreting or accessing the Living Guide (ACA 4-4228).
1. Spanish Living Guides are available for offenders who have an established need for written materials to be translated from English to Spanish. Offenders must request the translated Guide from staff.
 2. Additional Living Guides may be translated and published in the primary/first language spoken by an offender, as deemed appropriate by the DOC, given the inherent limitations of resources.
 3. Audio translations of the Living Guide shall be available to those offenders who require such translation.
 4. Living Guides shall be accessible to all staff. All staff who supervise offenders shall be familiar with the rules of offender conduct and information contained within the Living Guide.

3. Annual Review of the Living Guide:

- A. The Living Guide will be reviewed annually.
1. When the Secretary of Corrections approves revisions to the Living Guides, arrangements will be made with Prison Industries to produce a sufficient supply of printed Living Guides for distribution to staff, offenders and others. Approved revisions will be promptly made to the electronic and audio versions of the Living Guide.

4. Offender Responsibility:

- A. Each offender is responsible for reading and understanding the Living Guide.
- B. If an offender does not understand a particular subject within the Living Guide, it is the offender's responsibility to obtain clarification from staff.
- C. Offenders who lose or intentionally damage a Living Guide issued to them may be charged a replacement fee, as determined appropriate.

V Related Directives:

- [Inmate Living Guide](#)
- [Juvenile Offender Living Guide](#)

VI Revision Log:

October 2002: Revised Central File to Unit File in Signed Receipt of Guide section.

April 2004: Changed the name of the policy from Inmate Living Guide to Living Guide. Added references to the *Juvenile Offender Living Guide*.

May 2005: No changes made.

April 2006: Added PREA as a mandatory living guide topic. Added a statement that current offenders will get a copy of any new living guide published and a note on how to track the receipt of the new living guide. Added a section on Offender Responsibility.

May 2007: Minor style/format changes made. Clarified that the Policy & Compliance Manager is responsible for the annual revision of the Living Guides.

April 2008: Revised policy to be in accordance with new format as set forth in DOC policy 1.1.A.2 Policy and Operational Memorandum Management. Changed "admission" to "commitment to DOC" in the Policy statement section. Revised subsection (A and A 1 of Signed Receipt of Living Guide section) to indicate each new offender committed to DOC will receive a Living Guide vs. admitted to a DOC facility. Changed literacy "problem" to "barrier" in helping an offender understand the rules on offender discipline. Replaced "imprisoned" to "committed" in subsection (A of Signed Receipt of Living Guide section).

March 2009: Revised ss (A3 of Signed Receipt of Living Guide) to read "as revised" vs. "subsequently". Replaced "obligation" with "responsibility" in ss (B of Offender Responsibility).

March 2010: Revised formatting of Section 1. Deleted "new" from ss (A) when referencing offenders and deleted PV, SSV or aftercare violator in ss (A1) when referencing offenders both within Signed Receipt of Living Guide. Added hyperlinks.

March 2011: Added in section 2, C. 1. referencing living guides are available in Spanish.

April 2012: Reviewed with no changes.

March 2013: Added "Juvenile Community Corrections" to affected units. Added definition of "Offender". Added "or contracted juvenile facilities" in Section 1 B. Deleted "obtain an understanding of the contents" and Replaced with "in interpreting" in Section 2 C. Added 1. to Section 3 A. Deleted "due to loss of intentional damage" and Replaced with "all cases except when a revised Living Guide is published and distributed by staff to offenders" in Section 4 C.

March 2014: Deleted: list of Offenses in Custody" and Added "The adult offender Living Guide includes a list of Offenses in Custody" in Section 1 A. Added "or guardian(s)" in Section 2 B. Added "Secretary of Corrections approved revisions to the" in Section 3 A. 1. Deleted "is" and Replaced with "may be" and Added "as set by the Warden, Superintendent or designee" and Deleted "in all cases except when a revised Living Guide is published and distributed by staff to offenders" in Section 4. C.

March 2015: Added 2, 3, & 4. in Section 2 A.

March 2016: Added "general information about the" and Deleted "a brief description" and Added "rules and regulations" and Added "inmates will encounter during confinement" in Section 1 B. Added "accuracy" in Section 2 A. Added "Director of Prison Operations or a Warden". Deleted "enact revisions to the Living Guide upon a printed notice being posted that informs the offenders of the revision(s)" in Section 2 A. 3. Added 2. and 3. to Section 2 B. Added C. to Section 2.

March 2017: Added 5. to Section 2 A. Added "Changes will also be made to any version posted to inmate tablets" in Section 3 A. 1.

March 2018: Reviewed with no changes.

February 2019: Added "Adult offenders admitted to the DOC and housed in the Admission and Orientation (A&O) unit will be issued loaner, paper Living Guides until the offender is issued a tablet" in Section 2 A. Added 3. to Section 2 C.

Mike Leidholt (original signature on file)

Mike Leidholt, Secretary of Corrections

03/18/2019

Date