

1.3.C.1 Offender Living Guide Policy

I Policy Index:



Date Signed: 04/08/2020
Distribution: Public
Replaces Policy: 4.A.5
Supersedes Policy Dated: 03/18/2019
Affected Units: All Institutions & Division of Juvenile Services
Effective Date: 04/08/2020
Scheduled Revision Date: March 2021
Revision Number: 18
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. Contents:

- A. Living Guides will contain relevant information regarding the DOC and its respective unit(s), as it pertains to offenders and 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), Americans with Disabilities Act (ADA), 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. Receipt and Access:

- A. Each offender admitted to a DOC institution or committed to the DOC will be provided access to the respective 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 issued a tablet.
 1. Each offender will sign a form acknowledging initial receipt of the Living Guide.

2. Acknowledgment receipts will be documented in the Comprehensive Offender Management System (COMS) or placed in the offender's file.
 3. Revisions to the Living Guide will be made available to offenders through publication and distribution of a revised edition 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. The change must be forwarded to the Policy and Compliance Manager.
 - a. All changes or directives issued by the Director of Prison Operations must be 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.
- B. Juvenile offenders and their parents or guardians will receive a juvenile Living Guide.
- C. To the extent reasonably possible, a qualified staff member or translator will assist any offender in DOC custody 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 and reasonable by the DOC, given the inherent limitations of available 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 must be familiar with the contents of the guide, included the rules of offender conduct.
- D. Offender Living Guides are available for public inspection on the DOC website.

3. Annual Review of the Living Guide:

- A. Living Guides 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 printed Living Guides.
 2. 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 may be charged a replacement fee, as determined appropriate by staff.

V Related Directives:

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

VI Revision Log:

Removed revisions from October 2002 to March 2009.

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.

April 2020: Reviewed with no changes.

Mike Leidholt (original signature on file)

Mike Leidholt, Secretary of Corrections

04/08/2020

Date