



SOUTH DAKOTA
DEPARTMENT OF CORRECTIONS

2022 Statistical Report

KRISTI NOEM
GOVERNOR

KELLIE WASKO
CABINET SECRETARY



MESSAGE FROM THE
SECRETARY OF CORRECTIONS



The South Dakota Department of Corrections is pleased to present the first Annual Statistical Report. Our Office of Planning and Analysis has undertaken efforts to create a reader-friendly summary of the SDDOC jurisdictional population including 3375 adult incarcerated offenders, 3270 parolees, and 182 juvenile offenders. Our goal is to provide a meaningful representation of the offender population using graphs, illustrations, and tables that are easy to understand. All data found in this report is for the period of July 1, 2021 to June 30, 2022 unless otherwise noted.

Over the past ten months, we have taken a deep and concentrated look at how we do business and how that affects the state of South Dakota and our citizens. We are evolving and in doing that, we have begun to incorporate sound and modern correctional practices to ensure our citizens and our state are safe and our offender population is successful.

We are truly committed to being a national leader in corrections that enhances public safety. My hope is that this report depicts the evolution of the SDDOC over coming years. I believe in transparency and am committed to providing updated information each year that highlights our successes and reveals areas of opportunity and improvement. I am also incredibly grateful to the staff at the SDDOC and thank them for their commitment to public safety.

Sincerely,

Kellie Wasko
Cabinet Secretary
South Dakota Department of Corrections

SOUTH DAKOTA DEPARTMENT OF CORRECTIONS
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ACRONYMS USED IN THIS REPORT

ACA	American Correctional Association
ADP	Average Daily Population
BJS	Bureau of Justice Statistics
CBISA	Cognitive Behavioral Interventions for Substance Abuse
CHINS	Child in Need of Supervision
CLA	Correctional Leaders Association
CRR	Community Risk/Needs Reassessment
CY	Calendar Year
DBT	Dialectical Behavioral Therapy
DOJ	Department of Justice
FBI	Federal Bureau of Investigation
FY	Fiscal Year
ICAOS	Interstate Compact for Adult Offender Supervision
IG	Inspector General
JCA	Juvenile Corrections Agent
JCC	Juvenile Community Corrections
LSI-R	Level of Supervision Inventory Revised
MCI	Mortality in Correctional Institutions
PREA	Prison Rape Elimination Act
SDCL	South Dakota Codified Law
SDDOC	South Dakota Department of Corrections
WRNA	Women's Risk and Needs Assessment

South Dakota Women's Prison
Pierre, SD

OVERVIEW

This South Dakota Department of Corrections (SDDOC) statistical report provides an analysis of South Dakota's corrections system. This overview describes growth trends, population projections, facilities, and costs. Subsequent sections focus on adult admissions, adult releases, offender and parolee characteristics, recidivism, and Juvenile Community Corrections (JCC).



POPULATION CHANGES

The average daily population (ADP) tracks trends in the SDDOC population. ADP is calculated by the sum of all offenders for each day of the period, divided by the number of days in the period.

Figure 1 shows ADP of adult offenders in correctional facilities (excluding those out of state), adults on parole (including absconders and interstate compact to SD) and juveniles committed to the SDDOC over the past five years. The SDDOC jurisdictional population from FY2018 to FY2022 has stayed within a total of 260 offenders with the most dynamic changes occurring with adult and parole offenders.

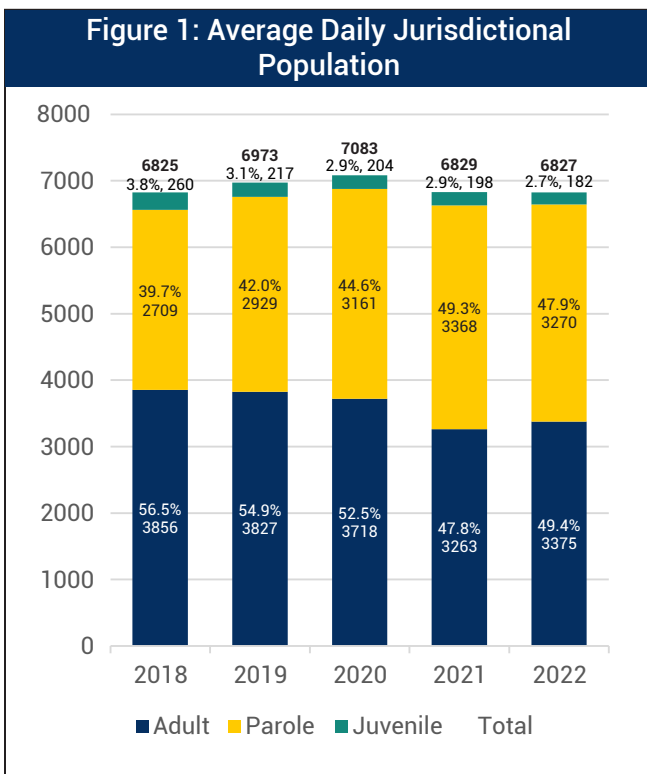


Figure 2: Average Daily Jurisdictional Population Percent Change

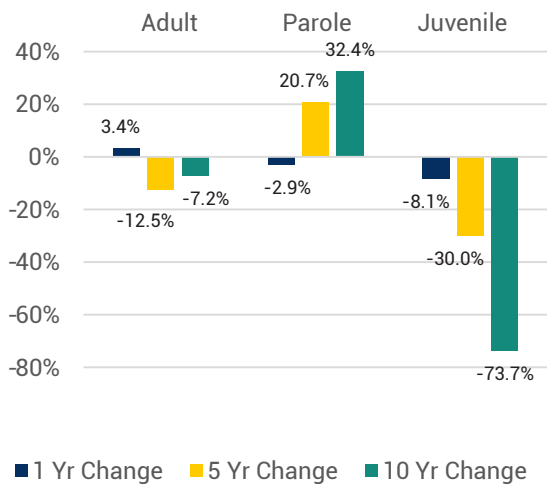


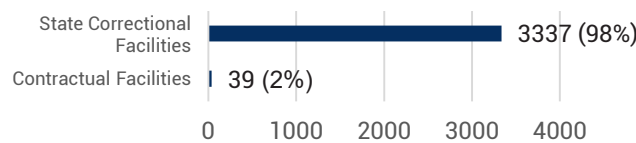
Figure 2 details the one-year, five-year and ten-year growth rates of the jurisdictional population. From FY2021 to FY2022, the adult prison population increased by 3.4% (from 3,263 to 3,375), the parole population decreased by 2.9% (from 3,368 to 3,270), and the juvenile population decreased by 8.1% (from 198 to 182).



Figure 3 conveys the ADP breakdown for state correctional facilities and contractual placements. Contractual placements in FY2022 included Cornerstone Women's Rescue Mission and the

St. Francis House. State correctional facilities housed 98% (3,337) of SDDOC offenders.

Figure 3: Average Offender Jurisdictional Population by Location



POPULATION PROJECTIONS

A forecast of the adult population of male and female offenders in the South Dakota prison system is shown in **Figure 4**. The DLR Group forecasted the population as a range, but for the purposes of this report, the average of the range was used. There are many factors that influence the forecast of the adult prison population, including population growth rates, crime rates, arrest trends, offender re-entry programming, and offender length of stay. Within the next 20 years, the total population is expected to increase by 26% (from 3,407 to 4,296).

Figure 5 shows the forecasted population change broken out by male and female. The forecasted population increases by 19.1% (from 503 to 599) for females and 15.1% (from 2,904 to 3,342) for males from 2022 to 2026. The forecast is shown at five-year planning increments and the farther the projection period goes into the future, the less confidence in degree of certainty there is in estimates. The forecasted population is reviewed annually for continued population management.

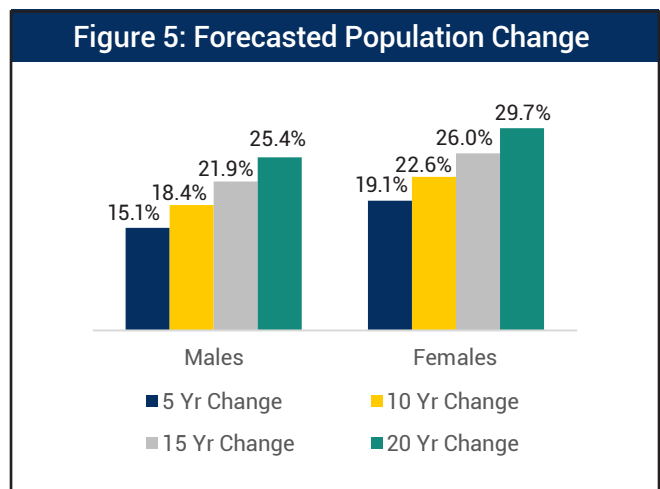
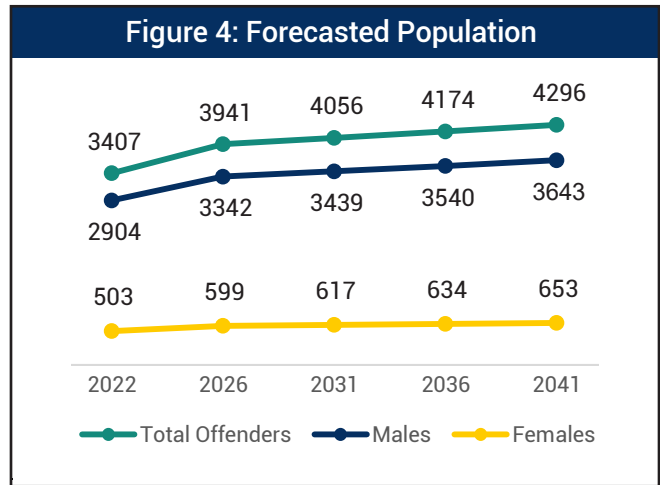
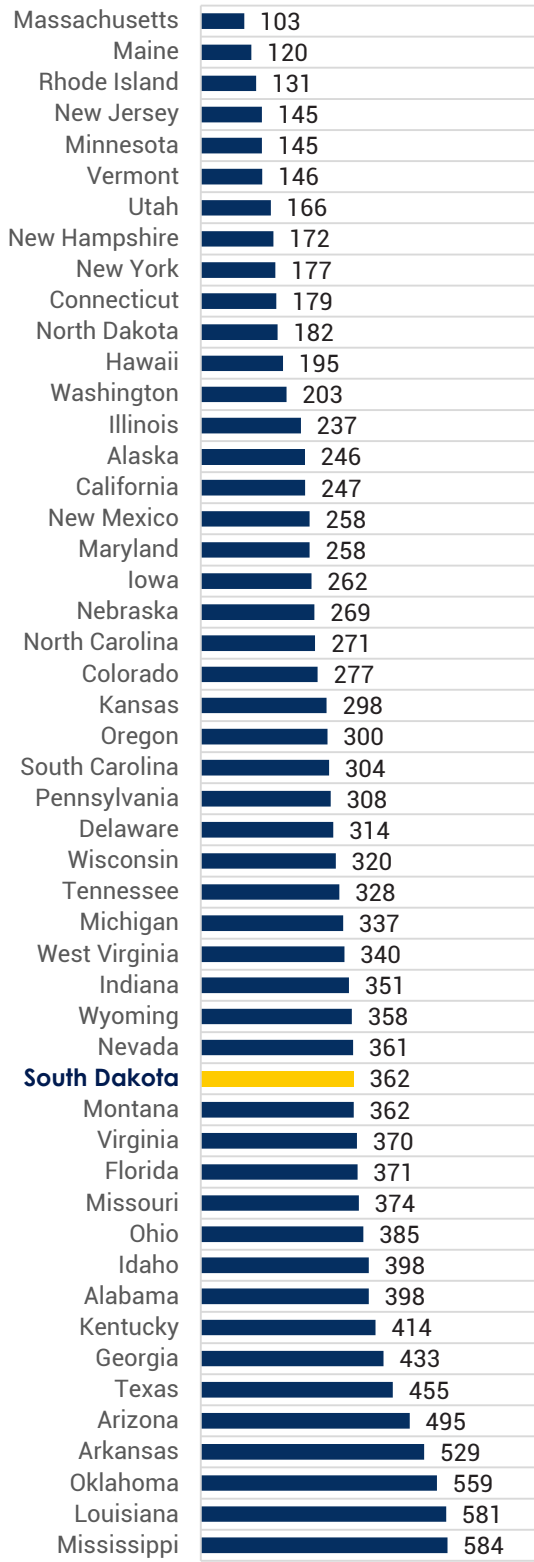


Figure 6: 2020 Incarceration Rates



SOUTH DAKOTA 10-YEAR RATES

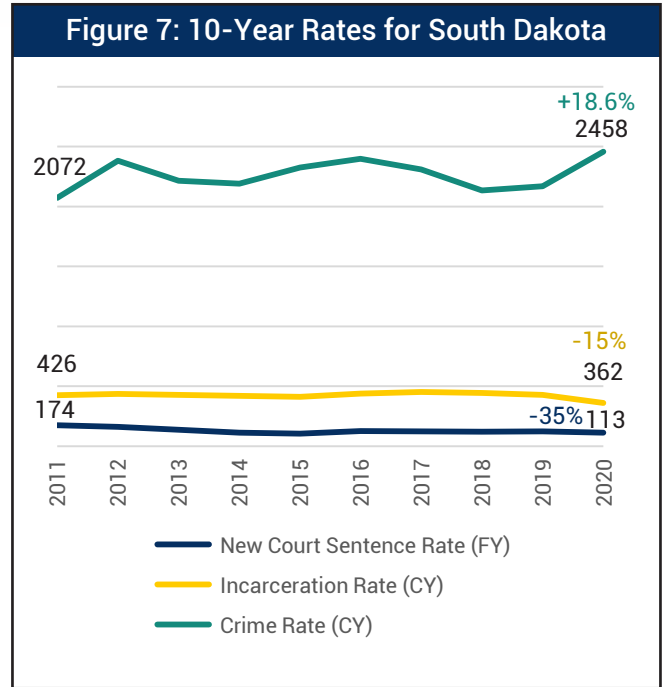
Figure 6 shows South Dakota's 2020 incarceration rate in comparison to states across the United States. Incarceration rates are calculated per 100,000 South Dakota residents during a calendar year. Further broken down, South Dakota had a male incarceration rate of 623 offenders per 100,000 male residents and 96 female offenders per 100,000 female residents in calendar year 2020. Nationally, South Dakota had the 16th highest incarceration rate (Prisoners in 2020 – Statistical Tables, bjs.ojp.gov).



Section 1 | OVERVIEW

Figure 7 displays sentence, incarceration, and crime rates for South Dakota since 2011. The Federal Bureau of Investigation (FBI) reports crime rates, which include offense and arrest data, on a calendar year (CY) and are available on a one-year delay. The U.S. Department of Justice (DOJ), Bureau of Justice Statistics (BJS), reports incarceration rates at the end of the calendar year and are also reported on a one-year delay.

These rates are calculated per 100,000 South Dakota residents during a calendar year. The crime rate has increased 18.6% (from 2,072 to 3,375) since 2011 with the crime rate being the highest in 2020 and the lowest in 2011 during this time-frame. The incarceration rate has decreased by 15% (from 426 to 362) since 2011, with the lowest rate in 2020. The new court sentence rate has decreased by 35% (from 174 to 113) since 2011, with 2015 having the lowest new sentence rate.



LEGISLATIVE CHANGES

Numerous pieces of legislation have been passed since the establishment of the SDDOC in 1989. The Appendix outlines historical bills that have impacted the operations of the SDDOC. During the 2022 Legislative Session, three major bills and one resolution were passed which will directly impact future SDDOC infrastructure and operations.

Senate Bill 33 appropriated \$5.7 million in federal fund expenditure authority to the SDDOC for the expansion of the medical services area at the South Dakota Women's Prison in Pierre.

Senate Bill 53 authorized the SDDOC to purchase land and to contract for the design of a female correctional facility in Rapid City. The appropriation was \$3.8 million in general funds.

Senate Bill 144 created an incarceration construction fund for the capital construction of facilities such as prisons and jails.

Senate Concurrent Resolution 608 approved conducting an interim study examining local jails and opportunities for collaboration with state correctional plans.



South Dakota State Senate
Pierre, SD

SDDOC SERVICE AREAS

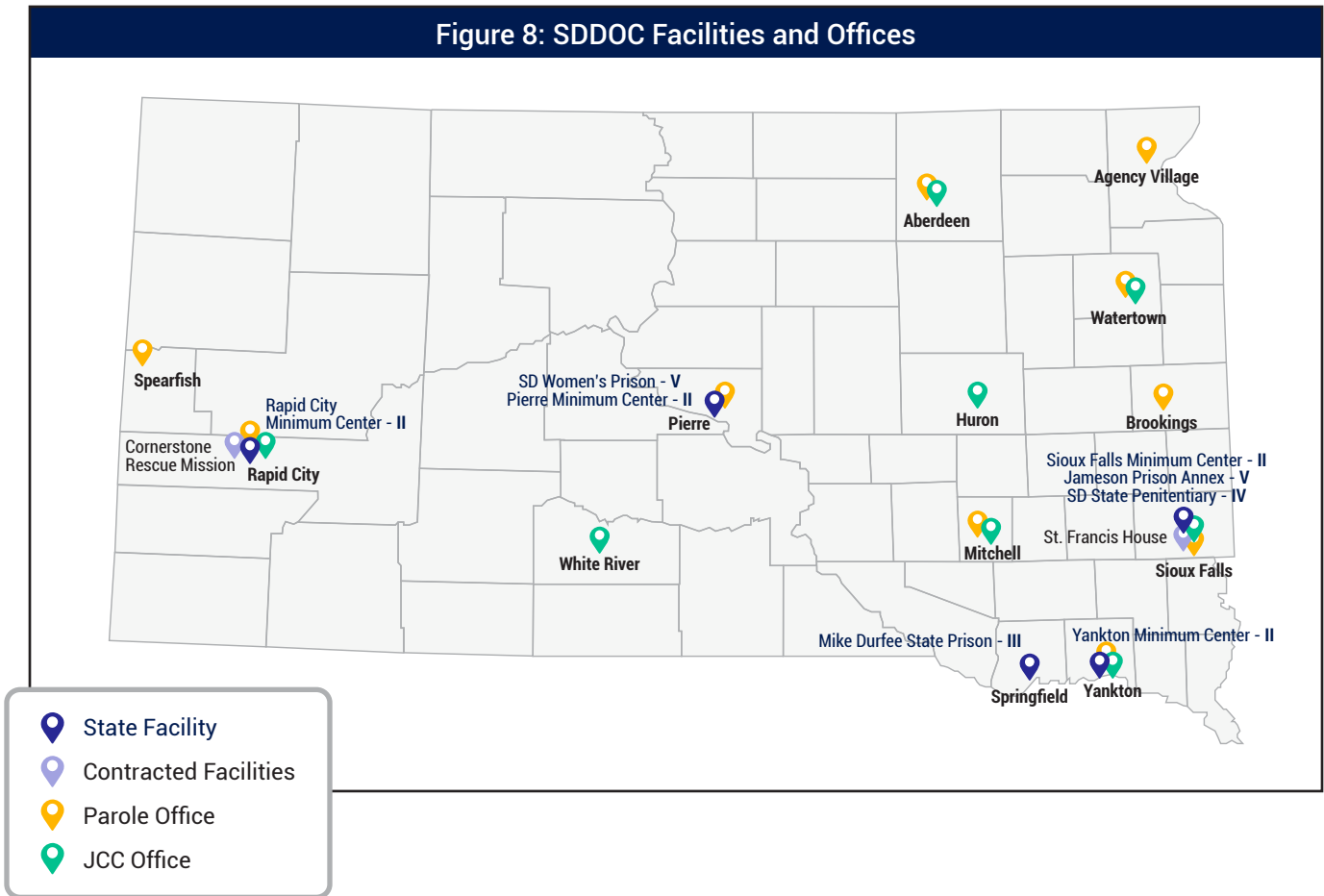
The SDDOC provides services throughout the state. SDDOC operates eight state facilities, ten parole office locations, eight JCC offices, and contracts with two local facilities. **Figure 8** maps the locations of the facilities and offices throughout South Dakota.

Staff at the parole offices provide case management services, conduct drug/alcohol tests, monitor and evaluate progress to ensure conditions of release are being met, and transition offenders to sentence discharge.

Staff at JCC offices work with offenders from commitment through discharge. JCC staff work with various in-state and out-of-state providers, as well as contractual foster care and juvenile aftercare services, to refer youth to the least restrictive placement that will best serve their needs while holding the juvenile accountable for their actions.

SDDOC is currently working to define each correctional facility according to five security levels. The working definitions are listed and designated in **Figure 8** for each correctional facility.

Figure 8: SDDOC Facilities and Offices



Level I facilities have designated boundaries, but need not have perimeter fencing. Offenders classified as minimum may be incarcerated in level I facilities, but generally offenders of higher classifications should not be incarcerated in level I facilities.

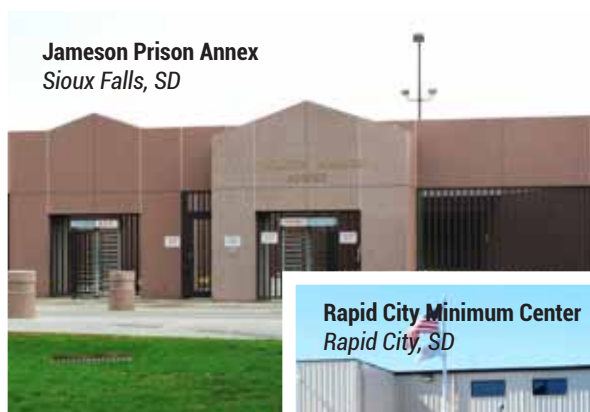
Level II facilities have designated boundaries with a single or double perimeter fencing. The perimeter of level II facilities should be patrolled periodically. Offenders classified as minimum restrictive and minimum may be incarcerated in level II facilities, but generally offenders of higher classifications shall not be incarcerated in level II facilities. Work release programs may only be established in level II facilities.

Level III facilities generally have a wall or double perimeter fencing with razor wire, and detection devices. These facilities use controlled sally ports. The perimeter of level III facilities should be continuously patrolled. Appropriately designated close classified offenders, medium classified offenders, and offenders

of lower classification levels may be incarcerated in level III facilities, but generally offenders of higher classifications should not be incarcerated in level III facilities.

Level IV facilities generally have a wall or double perimeter fencing with razor wire and detection devices. These facilities generally use controlled sally ports. The perimeter of level IV facilities should be continuously patrolled. Close classified offenders and offenders of lower classification levels may be incarcerated in level IV facilities, but generally offenders of higher classifications should not be incarcerated in level IV facilities on a long-term basis.

Level V facilities comprise the highest security level and are capable of incarcerating all classification levels. The facilities have double perimeter fencing with razor wire and detection devices or equivalent security architecture. These facilities generally should use controlled sally ports. The perimeter of level V facilities should be continuously patrolled.



FACILITY CAPACITIES

Capacity refers to the number of facility beds available to house offenders. Three capacity terms are used by the SDDOC to describe correctional facility bed space:

- **Design Capacity:** The number of beds for which a facility is constructed, or for which a facility is modified by remodeling, redesign, or expansion. (ACA recommendation)
- **Expanded Capacity:** The number of housing spaces above the facility design capacity.
- **Operational Capacity:** Design capacity plus expanded capacity.

Beds used by medical, intake, and special housing are included in the design capacity for all facilities.

The state facility capacities and on-grounds population on June 30, 2022 are shown in **Table 1**. The percent of capacity used, calculated as the on-grounds population divided by the design capacity, demonstrates that correctional facilities with percentages greater than 100% are housing in excess of the design capacity of the facility. Capacities of contract facilities vary based on need and availability and are not shown in the table. At the end of FY2022, the on grounds population of the SDDOC exceeded design capacity by 120% (562 offenders).

Table 1: Facility Populations & Capacities						
State Facilities	Facility Level	On Grounds Population	Design Capacity	Expanded Capacity	Operational Capacity	% Design Capacity
Mike Durfee State Prison	III	1026	963	80	1043	107%
Jameson Prison Annex	V	523	576	100	676	91%
SD Women's Prison	V	316	202	128	330	156%
Pierre Minimum Center	II	147	120	0	120	123%
Rapid City Minimum Center	II	293	216	204	420	136%
SD State Penitentiary	IV	683	426	411	837	160%
Sioux Falls Minimum Center	II	88	80	164	244	110%
Yankton Minimum Center	II	261	192	140	332	136%
TOTAL STATE		3,337	2,775	1,227	4,002	120%

ANNUAL OFFENDER COSTS

The annual and daily costs per offender by facility, parole, and JCC for FY2022 are shown in **Table 2**. Costs generally increase with the security level of the facility, although variations occur by facility due to construction, offender needs, and services available.

The average daily cost per adult offender increased 1.9% from \$77.26 in FY2021 to \$78.71 in FY2022, resulting in the average annual cost of incarceration increasing from \$28,200 to \$28,749. The FY2022 contract cost was \$49.77. The annual cost of \$2,842 to supervise parolees is significantly lower than the costs to house an offender in a correctional facility.

It should also be noted that JCC offenders are placed based on education and treatment needs in residential programs operated by private providers.

Table 2: FY2022 Cost Per Offender by Facility

<i>Adult Facilities</i>	<i>Annual</i>	<i>Daily</i>
Mike Durfee State Prison	\$26,594	\$72.81
Jameson Prison Annex	\$34,381	\$94.13
SD Women's Prison	\$33,245	\$91.02
Pierre Minimum Center	\$19,954	\$54.63
Rapid City Minimum Center	\$24,720	\$67.68
SD State Penitentiary	\$34,381	\$94.13
Sioux Falls Minimum Center	\$20,750	\$56.81
Yankton Minimum Center	\$22,908	\$62.72
<i>External Capacity</i>		
Contract (Adult)	\$18,179	\$49.77
<i>Parole</i>		
Parole	\$2,842	\$7.78
<i>JCC</i>		
Aftercare	\$12,703	\$34.78
Placement	\$86,276	\$236.21



Dental Exam Area of the Jameson Annex Health Services Building Expansion

ADMISSIONS

Offender admissions to SDDOC are predominately comprised of new court commitments and technical parole violation returns. This section further describes the demographics of new admissions and returning offenders, as well as statistics corresponding to the offenses committed.

Admissions to the SDDOC adult prison system increased from 2,377 in FY2021 to 3,129 in FY2022, which is a 31.6% increase (Figure 9), due to a rebound effect from the COVID pandemic. During the early period of the pandemic, the court system experienced a decrease in the number of cases that were processed due to in-person hearing restrictions, which resulted in fewer admissions during that time.

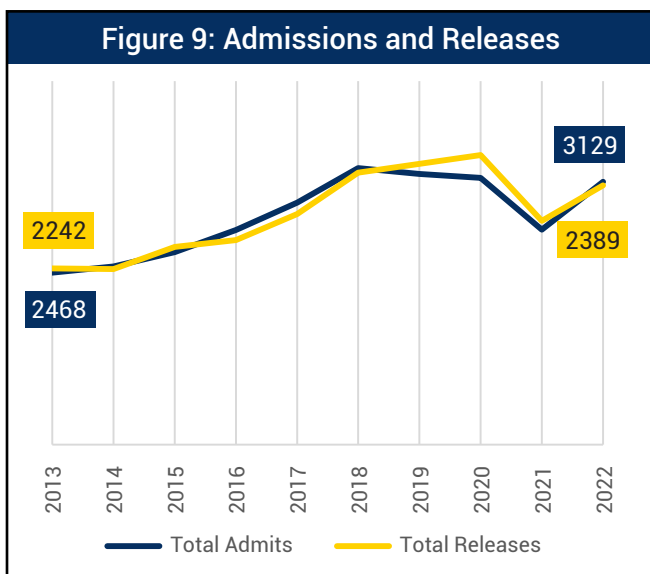


Table 3 shows totals by admission type for FY2022. Compared to FY2021, male admissions increased by 32.7% (from 1,864 to 2,474) and female admissions increased by 24.8% (from 513 to 640). Court commitments include individuals receiving new incarceration sentences. Technical parole violation returns include offenders who were previously incarcerated and released to parole then later returned on a revocation by the Board of Pardons and Paroles without a new felony conviction due to a violation of their parole agreement. Other admissions consist of transfers related to interstate compact agreements, bond returns, returns under the consecutive sentence audit, and dual commitments.

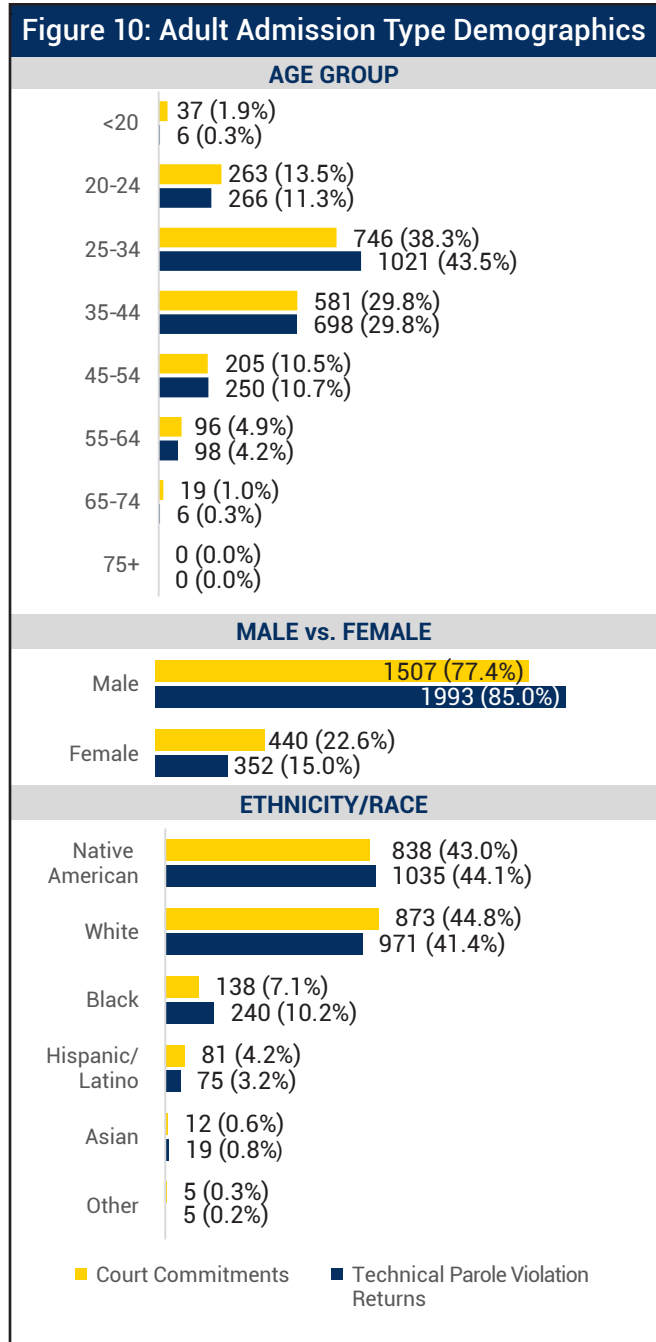
	Male	Female	TOTAL
Court Commitments/New Conviction			
New Commitment	1,039	205	1,244
New Probation Violator	295	189	484
Court Ordered Return	119	33	152
Parole Violation with New Conviction	54	13	67
SUBTOTAL	1,507	440	1,947
Technical Parole Violation Returns			
Parole Return	941	194	1,135
SUBTOTAL	1,993	352	2,345
Other			
Escape Recaptures	32	7	39
Other	7	1	8
SUBTOTAL	39	8	47
TOTAL ADMISSIONS	2,487	642	3,129

DEMOGRAPHIC CHARACTERISTICS

In FY2022, admissions included 1,947 court commitments and 2,345 technical parole violation returns.

To portray admission characteristics accurately, each offender was included using only their most serious offense for the fiscal year when more than one admission occurred. There were 667 offenders who had multiple admissions. The demographic characteristics of FY2022 offender admissions are provided in **Figure 10** by admission types.

Among FY2022 offender admissions, the largest age group represented were ages 25 to 34, and a majority were males. The White and Native American races were almost equally represented in offender admissions, which is disproportionate in comparison to the population of South Dakota. According to the U.S. Census Bureau, the 2021 population estimates for Native Americans were 9.0% and 84.2% for White. The admissions population of Black offenders was also a higher proportion in comparison to the census rate of 2.5% of total populations estimates.



* Values may not total 100% due to rounding.

OFFENSE DATA

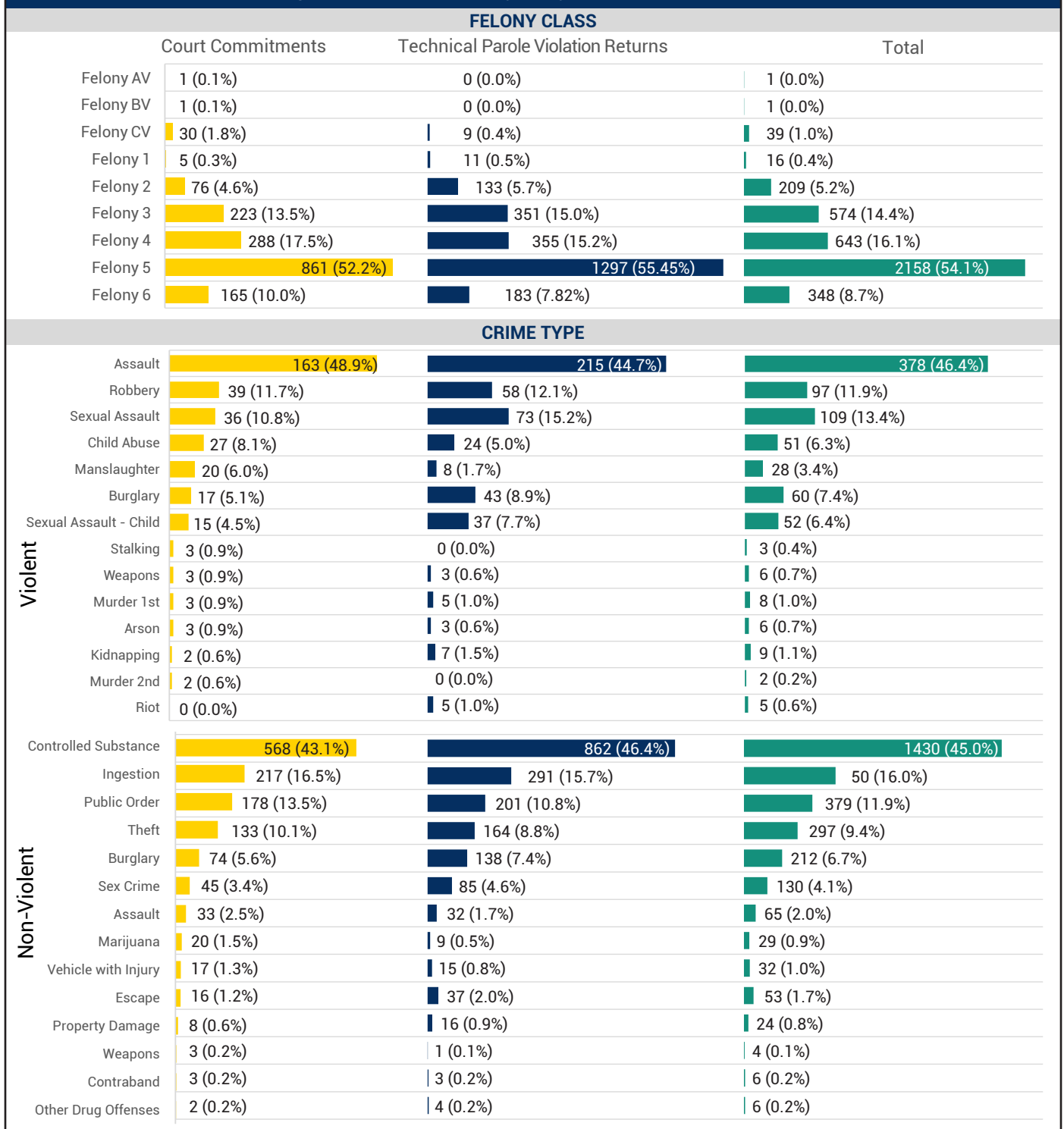
To assess the seriousness of offender sentences, the class of felony for the most serious offense conviction is used. Most serious offense is determined by several factors including sentence length, class of felony, enhancements (e.g., habitual, lifetime supervision), and type of crime. As with demographics, individuals with more than one admission in the same year were included only once. Felony-class distributions of both court commitments and technical returns show that Class 5N felonies were the most common, followed by Class 4N, and then Class 3V felonies.

Figure 11 on the next page shows the most serious offense by felony class, admission type, and violence category for FY2022 admissions. Violent offenses accounted for 20.3% (817) of admissions during FY2022 and 79.7% (3211) were for non-violent offenses. Class five felonies made up over 50% of admissions for both admissions types. Assaults were also the highest number and percent of violent admissions and controlled substance related offenses were the highest non-violent admissions for both admission types.

Felony classes according to South Dakota Codified Law (SDCL) are referenced throughout this report. Examples of each felony class, based on SDDOC admissions, are included in the Appendix to assist with applying actual crimes to felony classes. Offenses are categorized as violent or non-violent based on sentencing outcomes due to the nature and specifics of the offense.



Figure 11: Admission Type by Most Serious Offense



* Values may not total 100% due to rounding.

COUNTY OF COMMITMENT

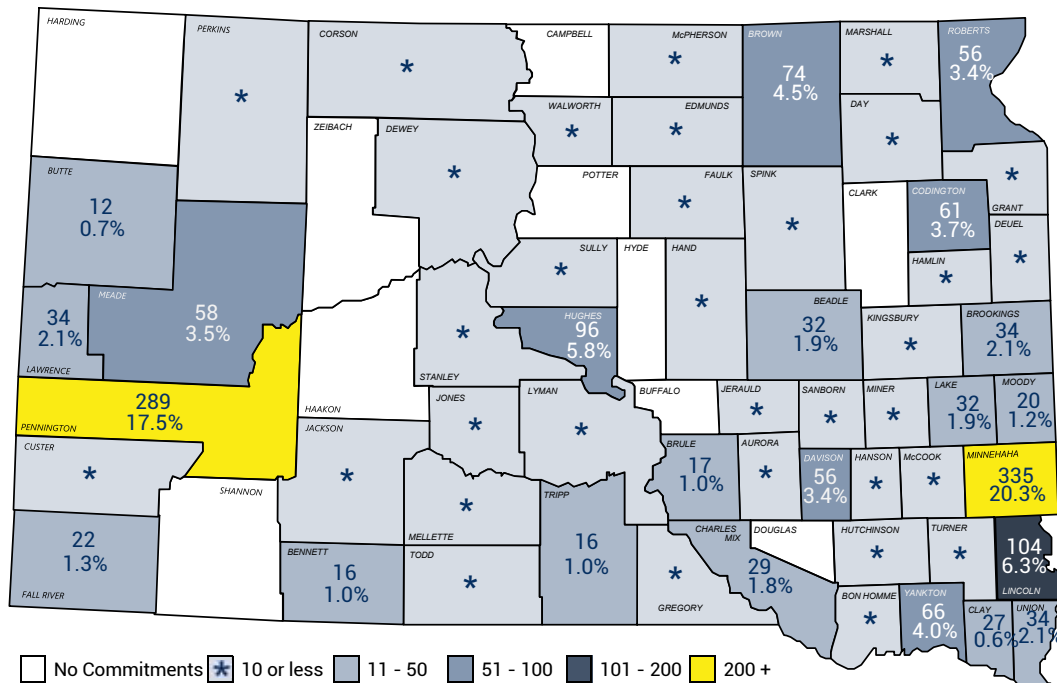
Figure 12 displays court commitments and **Figure 13** displays technical parole violation returns from each county in the state. Counties without a number associated with it means there were no commitments or technical parole violation returns from those counties in FY2022.

Counties that have the highest court commitment rates correlate with cities with the highest populations in the state, see the yellow counties shown in **Figure 12**. Minnehaha County represents the largest percentage (20.3%, 335) of new commitment admissions and is the most populated county in South Dakota.

Pennington County is the second most populated county and has the second highest number of new commitments (17.5%, 289).

Counties shown in **Figure 12** and **Figure 13** with an asterisk (*) have small commitment and technical returns. Cumulatively, the counties with an asterisk represent 6.7% (130) of the court commitments and 4.7% (109) of the technical parole violation returns.

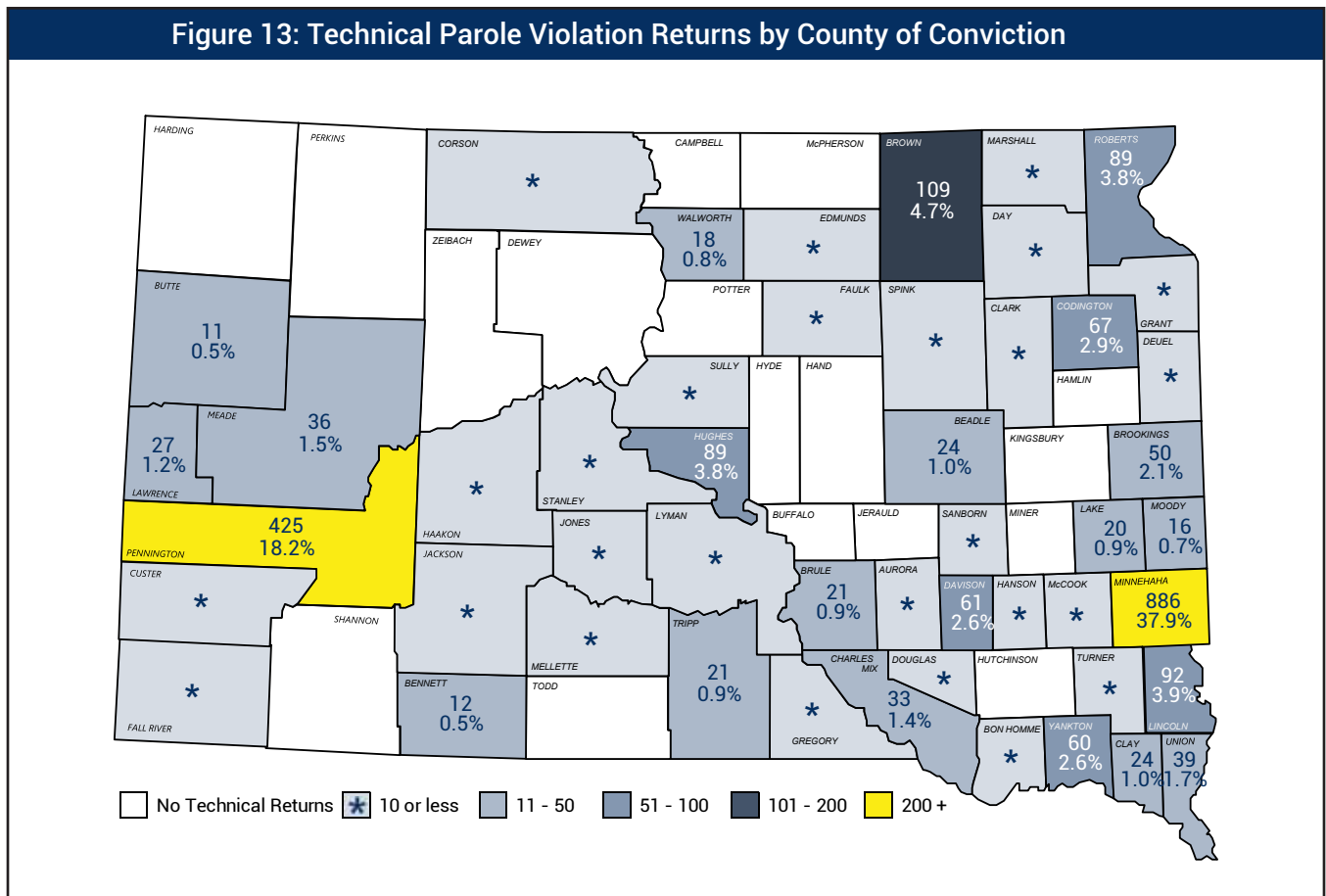
Figure 12: Court Commitments by County of Conviction



Similar to the court commitment rates, counties with the higher populations had higher technical parole violation return rates. Minnehaha County represents the largest percentage of technical parole violation return admissions at 37.9% (886) and Pennington County represents the second highest technical parole violation return admissions rate at 18.2% (425) as seen in **Figure 13**.

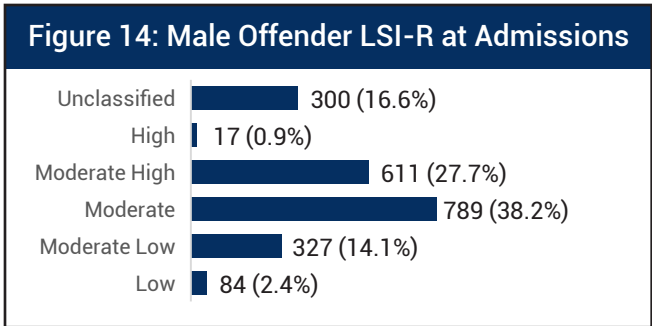


Figure 13: Technical Parole Violation Returns by County of Conviction

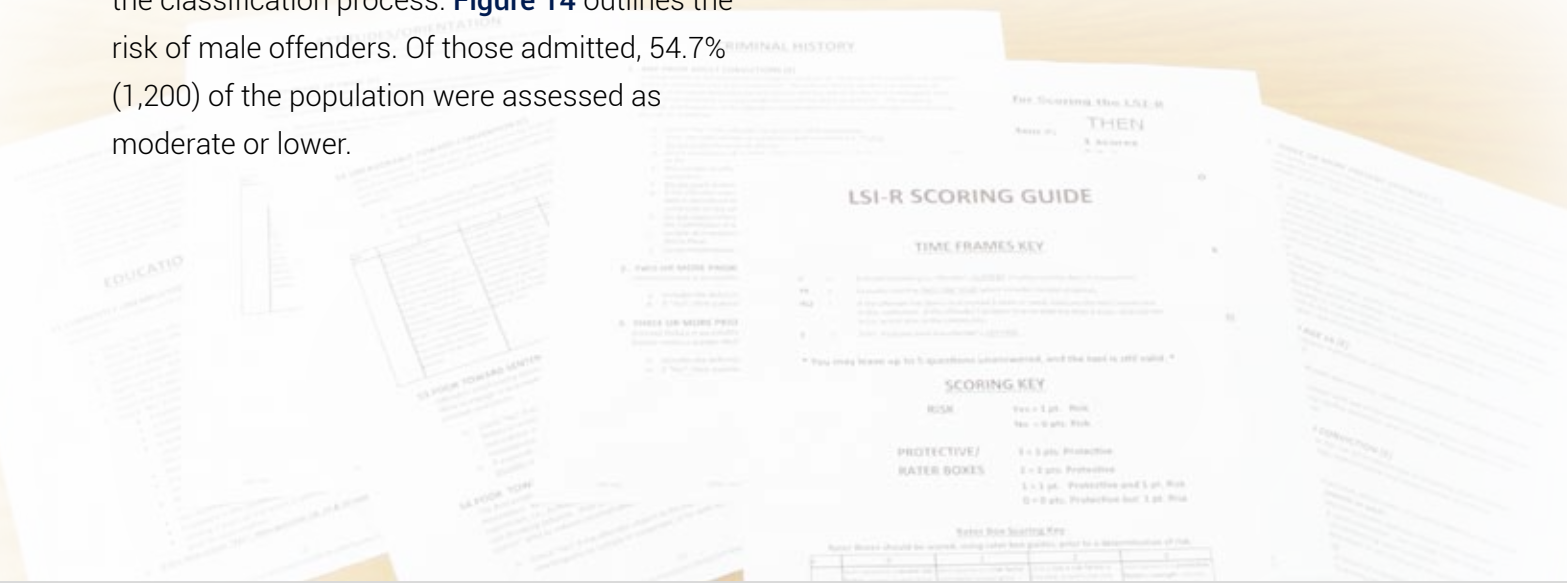


RISK AND NEEDS ASSESSMENT

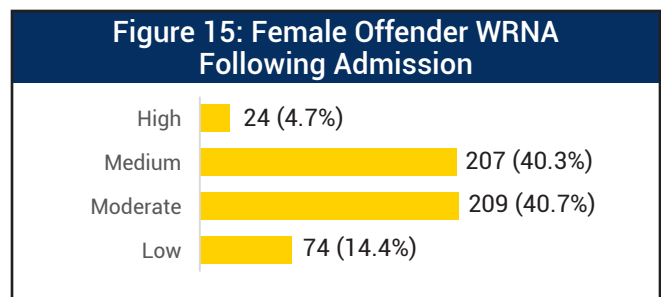
SDDOC employs the LSI-R as the risk and needs assessment for the male offender population. This assessment is used to determine the risk the offender poses to society, to assess criminogenic factors and risks of recidivism. Treatment programs are then developed based on the results of the LSI-R assessment. Offenders listed as unclassified include those that were in the classification process. **Figure 14** outlines the risk of male offenders. Of those admitted, 54.7% (1,200) of the population were assessed as moderate or lower.



* Values may not total 100% due to rounding.



In July 2021, SDDOC discontinued the use of the LSI-R assessment on female offenders and began using the Women's Risk Need Assessment (WRNA). This instrument is the only validated tool for risk assessment of females. **Figure 15** outlines the breakdown of assessments completed during the fiscal year.



* Values may not total 100% due to rounding.



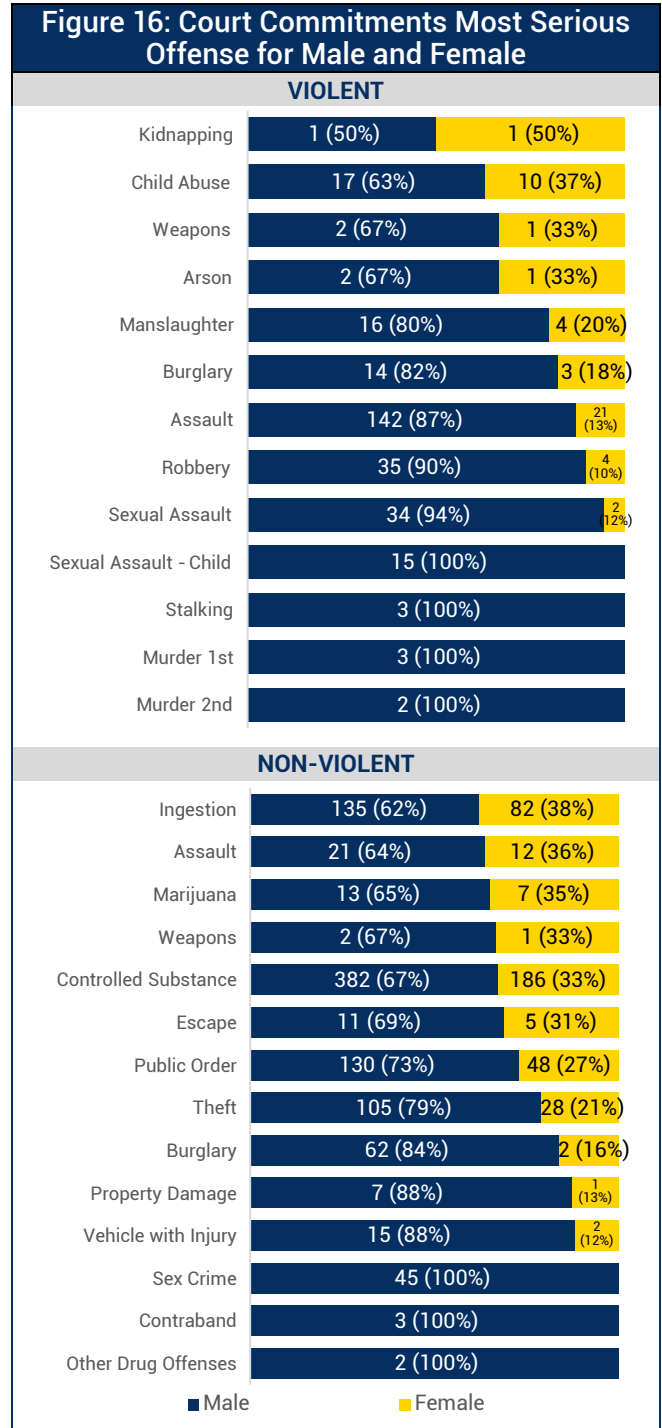
MALE AND FEMALE COMPARISON

Figure 16 divides each crime category between males and females. Consistent with prior years, female offenders primarily committed non-violent drug related offenses while violent offenses were primarily committed by male offenders.

LENGTH OF SENTENCE

Average lengths of sentence are estimates of actual time that new admissions are expected to serve in prison. Table 4 displays projected lengths of sentence in years based on the type of felony and type of admission.

Felony/Type	Court Commitments		Technical Parole Violation Returns	
	Male	Female	Male	Female
Felony AV	Life	0.00	0.00	0.00
Felony BV	Life	0.00	0.00	0.00
Felony CV	52.8	71.5	36.6	59.7
Felony 1V	24.8	9.7	36.6	0.00
Felony 1N	9.6	0.00	0.00	0.00
Felony 2V	20.6	17.2	18.6	11.8
Felony 2N	13.2	0.00	29.8	0.00
Felony 3V	13.0	10.0	12.6	11.2
Felony 3N	13.5	8.0	11.4	16.5
Felony 4V	9.0	6.9	10.3	0.00
Felony 4N	9.7	8.7	12.0	11.0
Felony 5V	10.7	0.00	6.7	0.00
Felony 5N	5.9	5.2	7.9	6.6
Felony 6V	2.4	1.8	6.1	1.7
Felony 6N	3.0	2.1	5.0	3.4
TOTAL AVG.	9.2	6.6	10.0	7.6



* Values may not total 100% due to rounding.

RELEASES

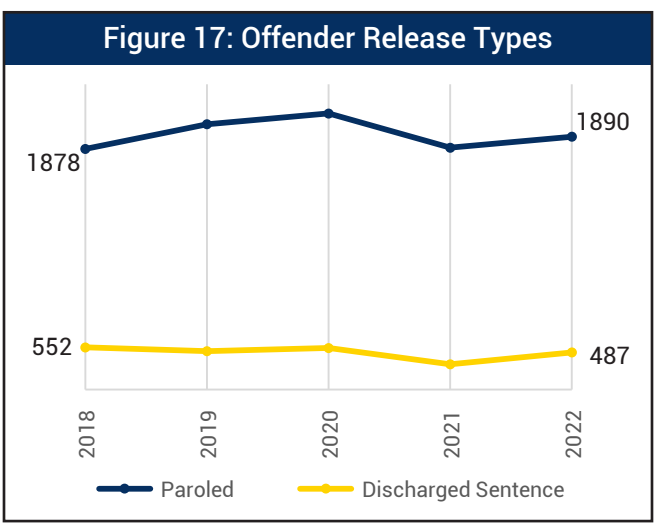
Two main release categories are used by the SDDOC: parole release and sentence discharge. Parole releases include offenders who are granted discretionary parole by the Board of Pardons and Paroles, offenders who are granted presumptive parole, and offenders who have a suspended sentence and are released. This section reflects actual releases in offender status, which include sentence discharges from correctional and contract facilities.

DEFINITION OF DISCHARGED SENTENCE RELEASES

Sentence discharges include offenders who have served their maximum sentence and release on their expiration of sentence date.

RELEASE BY TYPE

Offender releases decreased between FY2018 (2,430) to FY2022 (2,377) by -2.2%. **Figure 17** shows the differences by release types for parole and discharge between those same fiscal years.



TYPES OF PAROLE RELEASES

Discretionary parole is a system in which an offender is granted parole before the completion of their sentence and is subject to the outcome of a discretionary parole hearing.

Presumptive parole is a system in which incarcerated individuals are released upon first becoming eligible for parole unless there is a determination that they are not in compliance with their release plan.

Suspended sentence includes offenders who have been given a split sentence with time suspended contingent on outlined expectations as set by the courts.

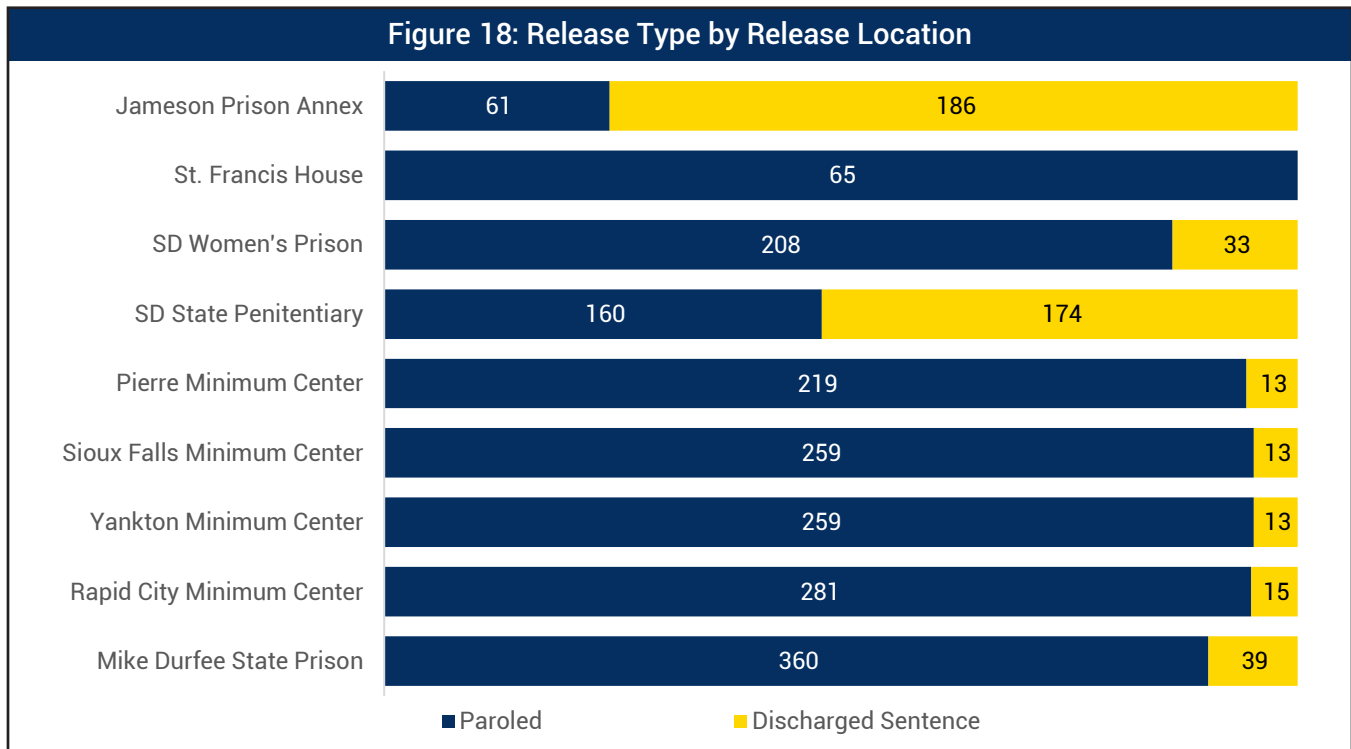


Figure 18 compares release type by facility for the FY2022 offender population. The majority of offenders were released to parole for each facility, except for Jameson and the SD State Penitentiary which had more offenders with discharged sentences. In addition to the releases shown in **Figure 18**, there was one paroled release from the Cornerstone Women's Program, and 18 releases (17 paroled and 1 discharged) from facilities where offenders were located outside of South Dakota.

Table 5 provides additional details of release type for male and female offenders for FY2022. Approximately 20.4% (487) of these annual releases were discharges while 79.1% (1,890) were parole releases. The largest type of paroled release was presumptive parole which was nearly three times higher than discretionary parole releases.

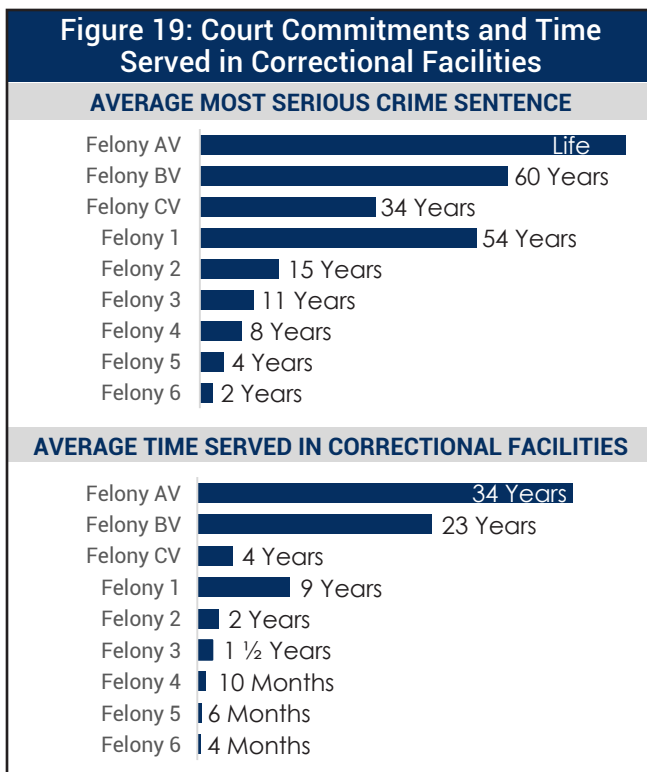
Table 5: Offender Release Types

	Male	Female	TOTAL
Paroled			
Discretionary Parole	348	120	468
Presumptive Parole	1,009	356	1,365
Suspended Sentence	50	7	57
SUBTOTAL	1,407	483	1,890
Discharged Sentences			
Discharge	440	47	487
SUBTOTAL	440	47	487
Death in Custody			
Deceased	11	0	11
SUBTOTAL	11	0	11
Other State			
Released to Other State	1	0	1
SUBTOTAL	1	0	1
TOTAL RELEASES	1,859	530	2,389

TIME SERVED IN CORRECTIONAL FACILITIES

Figure 19 outlines the average most serious crime sentence in months compared to actual time served by felony classification for FY2022 releases. Average most serious crime is a calculation of the average of the sentence term on the most serious crime. Average time served is a calculation of actual time spent by offenders in correctional facilities who were released during FY2022.

For this calculation, time served in correctional facilities does not include time served on previous incarcerations, however, it may reflect jail time credit adjustments and earned time off of the sentence.



Initial parole dates are calculated in statute based on the level of violence, felony class, and prior crimes as per SDCL 24-15A-32. An offender becomes eligible for presumptive parole if they are found to be in compliance with their plan and served the minimum length of their sentence as outlined in statute. As the offenses become more serious or habitual, the offender is expected to serve a greater portion of their sentence prior to becoming eligible for parole.

Table 6 shows the minimum sentence to be served prior to parole eligibility as outlined in SDCL 24-15A-32. Offenders that do not comply with their parole plan become part of the discretionary parole process until they reach their term expires date.

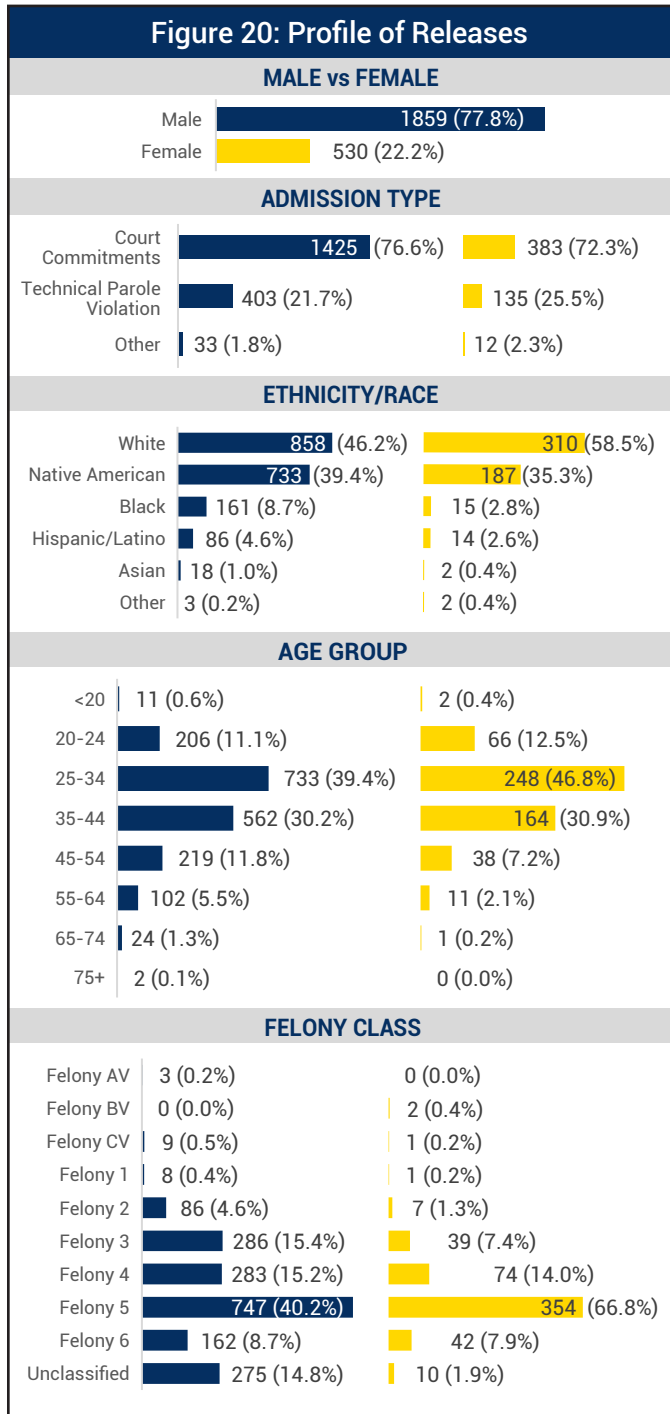
		1 st	2 nd	3 rd
Non-Violent	Class 6	.25	.30	.40
	Class 5	.25	.35	.40
	Class 4	.25	.35	.40
	Class 3	.30	.40	.50
	Class 2	.30	.40	.50
	Class 1	.35	.40	.50
	Class C	.35	.40	.50
Violent	Class 6	.35	.45	.55
	Class 5	.40	.50	.60
	Class 4	.40	.50	.65
	Class 3	.50	.60	.70
	Class 2	.50	.65	.75
	Class 1	.50	.65	.75
	Class C	.50	.65	.75
	Class B	1.0	1.0	1.0
	Class A	1.0	1.0	1.0

PROFILE OF OFFENDER RELEASES

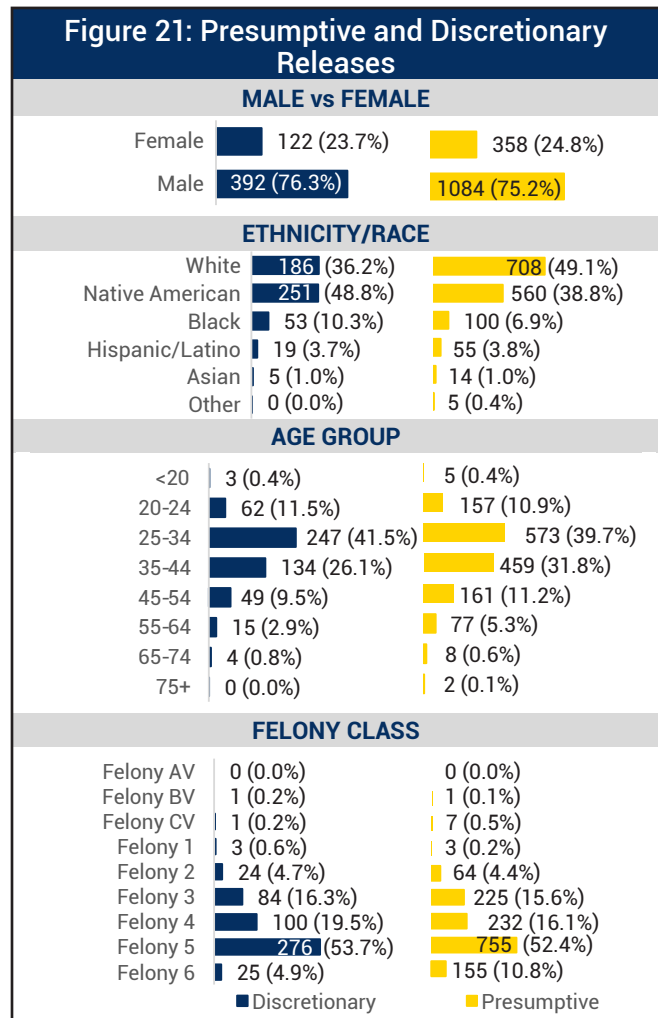
Demographic and sentencing data was examined for the FY2022 release cohort (Figure 20). Certain offenders may release more than once during a given year (particularly those who

violate the conditions of parole). To most accurately represent the characteristics of the individuals who release from offender status, each offender was included in the release profile only once. Consequently, the profile cohort included 1,859 (77.8%) males and 530 (22.2%) females, totaling 2,389 offenders.

Figure 21 compares the demographics of presumptive and discretionary release populations. There were 3,271 offenders included in this comparison and show similar demographics between presumptive and discretionary parole populations.



* Values may not total 100% due to rounding.



* Values may not total 100% due to rounding.

ADULT OFFENDER CHARACTERISTICS

This section includes an overview of the offender population at SDDOC and contract facilities, which made up almost half (49.4%) of the SDDOC's average daily jurisdictional population in FY2022. Characteristics such as demographics, offenses, classification, reportable incidents, and programming outline the various components associated with incarcerated offenders. These components aid in SDDOC's commitment to provide safe and secure facilities and maximize opportunities for rehabilitation through data-driven decision making.



The Mike Durfee State Prison (30.4%, 1,026) is located in Springfield and the warden also oversees the Yankton Minimum Center (7.7%, 261) and Rapid City Minimum Center (8.7%, 293).

The SD Women's Prison includes the main facility, and the Pierre Minimum Center. This campus housed 13.8% (463) of adult offenders at the close of FY2022 which included 95% of the female offenders under the adult jurisdictional offender population.

Figure 22 shows the number of offenders by location on the last day of the fiscal year (excluding offenders on escape status). Most offenders (98.7%, 3,337) were in state correctional facilities and 1.3% (41) were housed in contract facilities.

The SD State Penitentiary, Jameson Prison Annex and Sioux Falls Minimum Center are facilities located on the campus of the Penitentiary in Sioux Falls, which collectively housed 38.3% (1,294) of the adult population.

Figure 22: End of FY2022 Population by Location

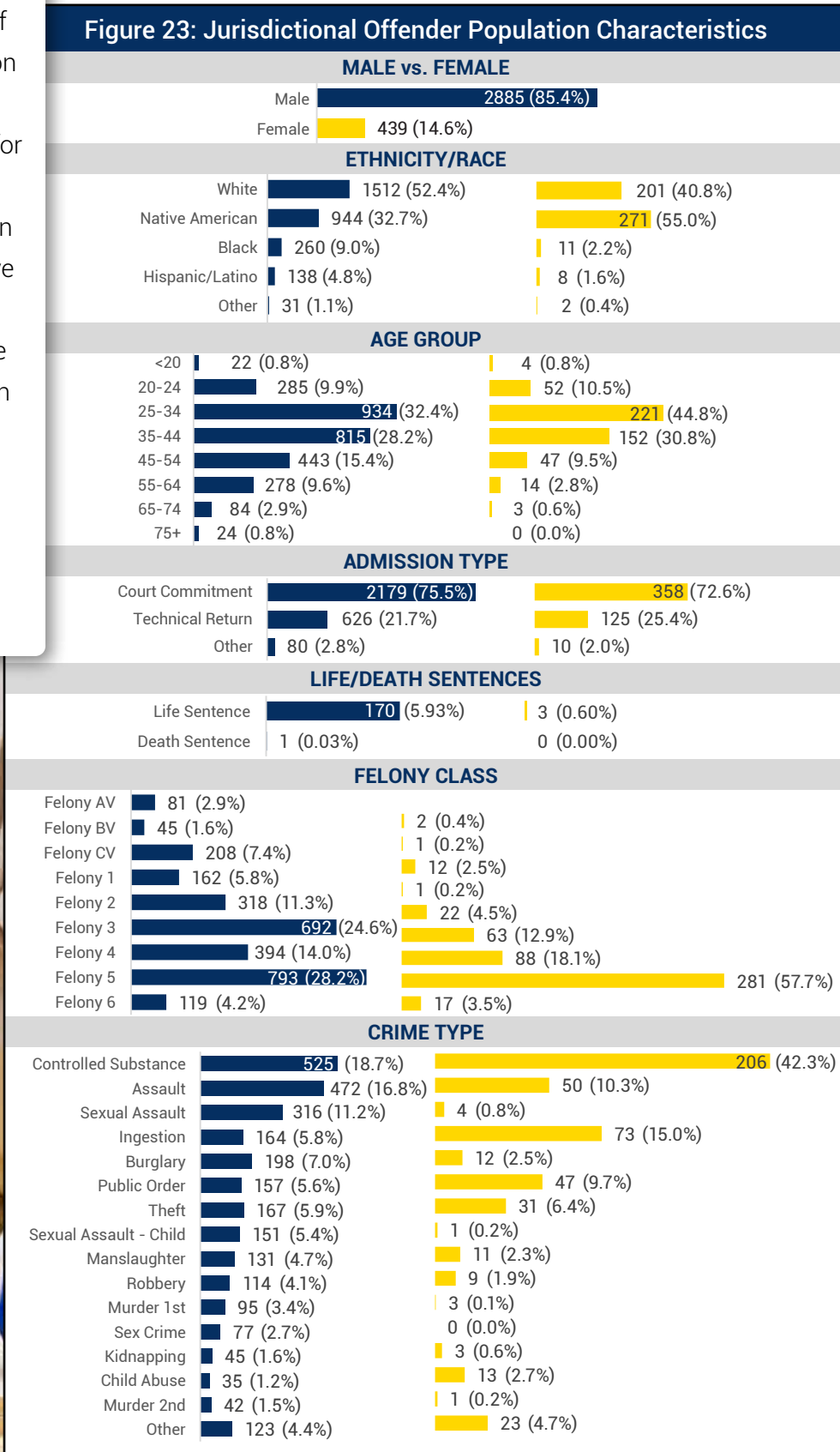
Mike Durfee State Prison	1026 (30.4%)
SD State Penitentiary	683 (20.2%)
Jameson Prison Annex	523 (15.5%)
Rapid City Minimum Center	293 (8.7%)
Yankton Minimum Center	261 (7.7%)
SD Women's Prison	316 (9.4%)
Pierre Minimum Center	147 (4.4%)
Sioux Falls Minimum Center	88 (2.6%)
St. Francis House	39 (1.2%)
Cornerstone Rescue Mission	2 (0.1%)

* Values may not total 100% due to rounding.

OFFENDER PROFILES

Figure 23 shows the basic profile of the offender jurisdictional population on June 30, 2022. The total jurisdictional population accounts for offenders in state correctional and contracted facilities. This population does not include offenders that have been placed on escape status. Offenders were predominantly male (85.4%), White (50.7%), and between the ages of 25-34 (34.2%). Of this population 5.1% were serving a sentence of life without parole and one offender was awaiting a death sentence.

Figure 23: Jurisdictional Offender Population Characteristics



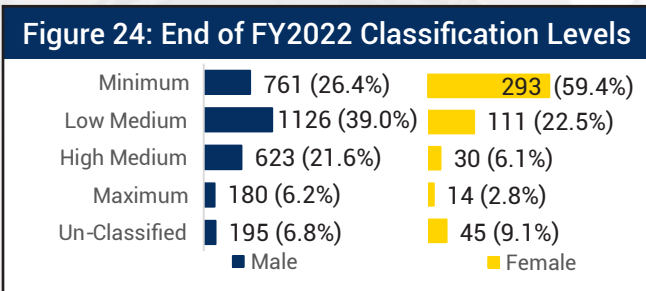
* Values may not total 100% due to rounding.

CUSTODY CLASSIFICATION

The SDDOC offender classification system is predominantly based on predictive risk of escape, violence, dangerousness and repeat criminal behavior. Offenders are assigned an appropriate level of supervision based in part on classification and identified risk. Offenders are confined in the least restrictive conditions allowed by their classification whenever possible. The current calcification process is under evaluation for validation.

The system of custodial control is comprised of four separate custody levels. Offenders are assigned to a custody level that is the least restrictive necessary to keep the offender detained in custody. An offender's assigned custody level also determines the level of staff supervision required for the offender. Offenders that are awaiting classification or in the process of reclassification appear as part of the unclassified population.

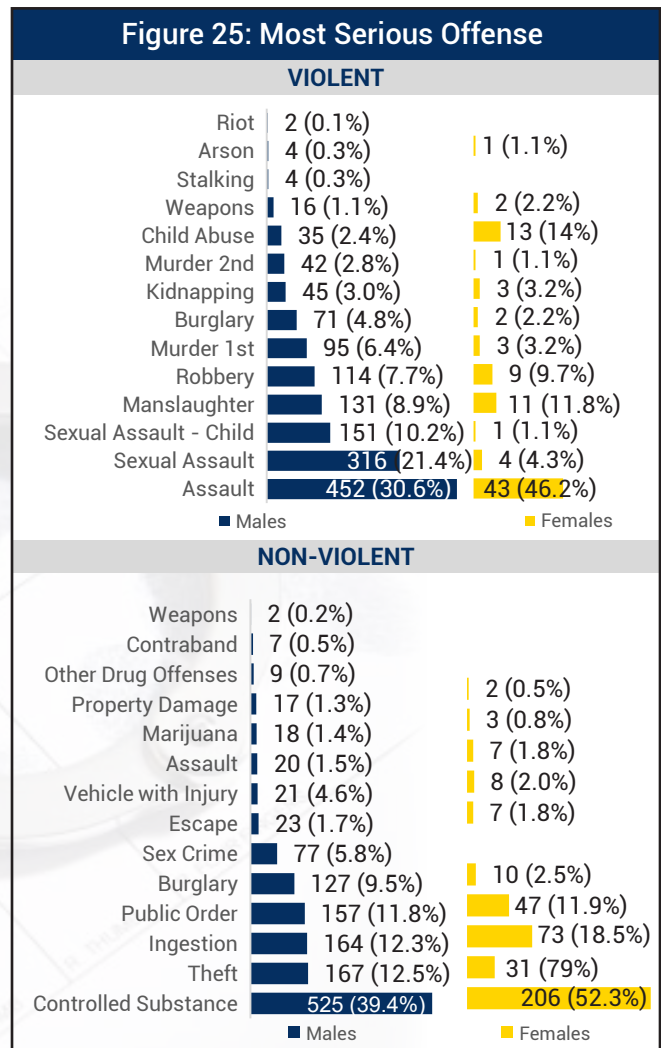
In **Figure 24**, the male population had the largest group of offenders classified as Low Medium (39.0%, 1,126) while the female population had the largest group of offenders classified as Minimum (59.4%, 293).



* Values may not total 100% due to rounding.

MOST SERIOUS OFFENSE

Offenders admitted during the fiscal year are shown in **Figure 25** by their most serious offense in the violent or non-violent category, and further broken down by males and females. In the violent category, assault was the crime with the highest number of offenses for both males and females. The second largest group for violent crimes was sexual assault for males and child abuse for females. In the non-violent category, crimes associated with controlled substances had the largest number of offenses for both males and females, followed by theft for males and ingestion for females.

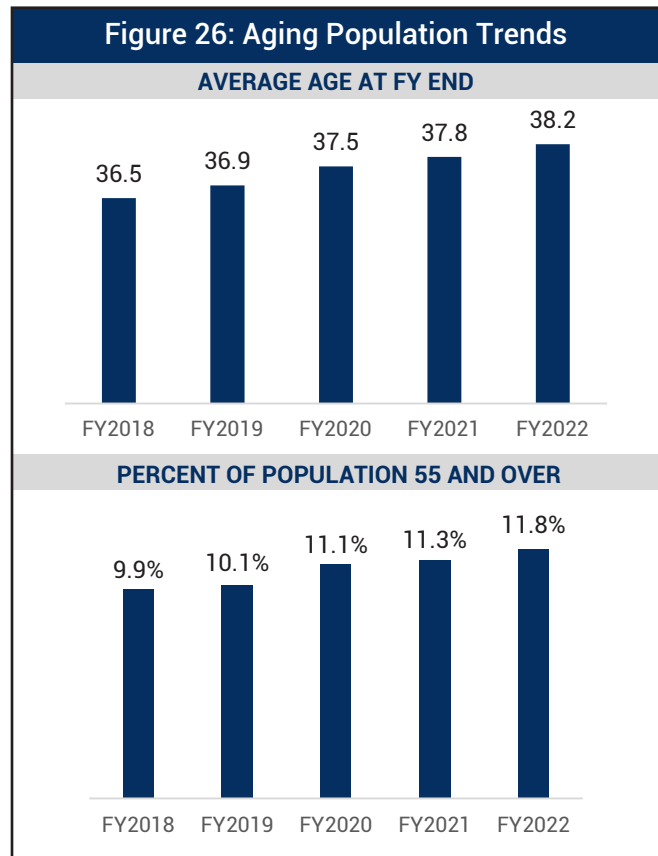


* Values may not total 100% due to rounding.

AGING PRISON POPULATION TRENDS

Offenders over the age of 55 are one of the fastest growing prison populations. However, those 55 and older have the lowest recidivism rates of any other incarcerated group even though they encounter some of the biggest challenges following their release. For example, it is more difficult to find gainful employment or access resources due to lack of employment history.

Figure 26 shows the percentage of offenders 55 and over continues to increase. The growth in the aging population causes increased medical costs, increased need for special housing and programming, and a higher risk of victimization. While the percentage of offenders 55 and older has stayed consistent with FY2021, there has been a significant increase between FY2018 and FY2022.



REPORTABLE INCIDENTS

The reportable incidents included in this section include PREA, assaults and fights, uses of force by staff, offender deaths in custody, and escapes.

PREA Incidents

The SDDOC also tracks incidents in accordance with the Prison Rape Elimination Act (PREA). This was signed into federal law in 2003 and was established to eliminate and prevent sexual assault and sexual harassment within correctional systems and detention facilities across the country. The Act applies to all correctional facilities, including prisons, jails, juvenile facilities, and community corrections residential facilities.

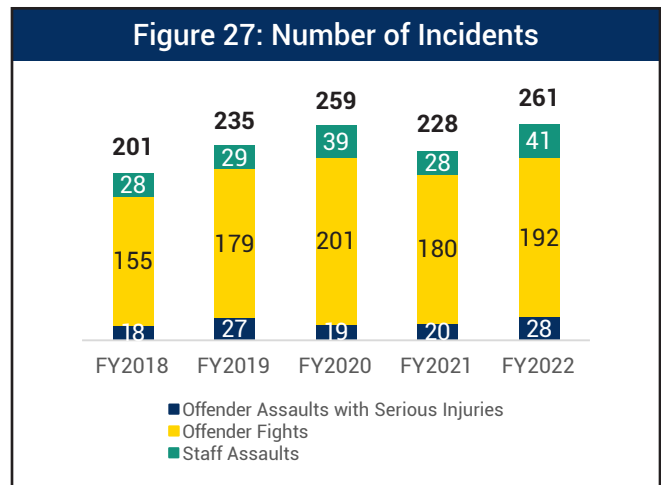
PREA incidents are investigated by the newly formed office of the Inspector General (IG) to determine whether a factual basis to the report exists and whether reports meet the PREA criteria. SDDOC is required to do annual reporting to the Bureau of Justice Statistics (BJS). More information is available on the SDDOC website but is not reported here.

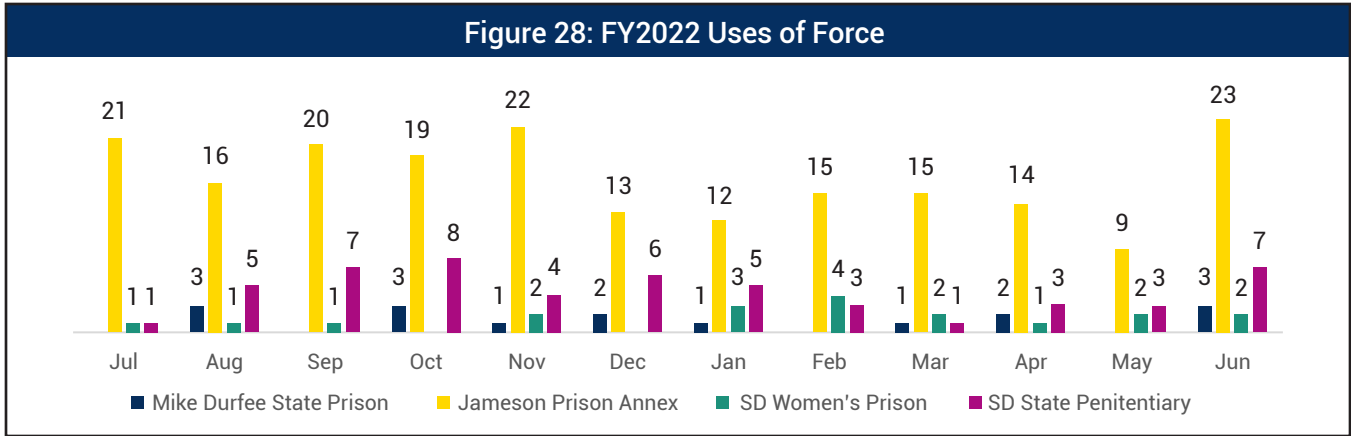


Assaults and Fights

Figure 27 shows a five-year history of staff assaults, offender fights, and offender assaults with serious injuries. Assaults against staff with bodily fluids are not included in the staff assault numbers to be consistent with measures agreed upon and reported to the legislative Government Operations and Audit Committee.

FY2022 incidents were comparable to FY2020 and recorded a five-year high in staff assaults and offender assaults with serious injuries.



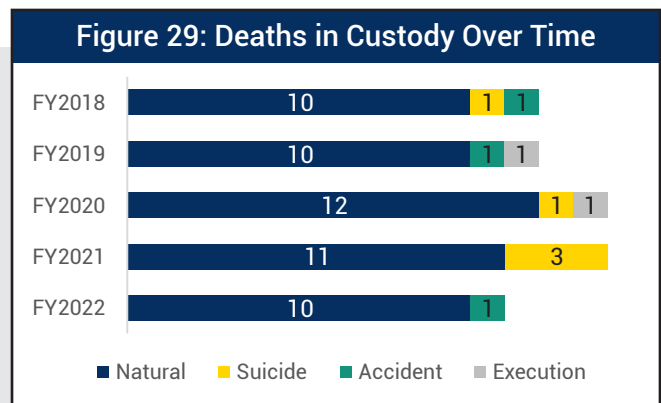


Uses of Force

Figure 28 outlines staff uses of force by facility by month for FY2022. The minimum units in Rapid City, Sioux Falls, and Yankton each had one use of force during the fiscal year and are not displayed in the figure. Uses of force at the Jameson Prison Annex accounted for 68.6% (199) of all uses of force during the fiscal year.

Deaths in Custody

Causes of death are determined by a medical examiner external to SDDOC. Of the deaths in FY2022, 91% (10) of the offenders died due to illness or natural causes (Figure 29). All of the deaths were male offenders and the average age at the time of death was 54.4 years.



Offender Escapes

Figure 30 outlines offender escapes from SDDOC facilities by fiscal year. An escape was counted each time an offender was placed on escape status for any amount of time. These numbers may differ from formal press releases as offenders may have been apprehended in less time than it would take to go through the notification process. FY2022 saw an increase in offender escapes by 13 escapes from FY2021.

Minimum Centers. Additionally, there were five escapes (12.2%) from the Pierre Minimum Center, two (4.9%) from St. Francis House, and one (2.4%) from the South Dakota Women's Prison. Of the FY2022 escapes, 27 (65.9%) were associated with work release or community service.

In FY2022, 13 (31.7%) of escapes were from the Rapid City Minimum Center followed by 10 (24.4%) at both the Yankton and Sioux Falls



PROGRAM PARTICIPATION

The South Dakota SDDOC offers various types of programming to offenders throughout all SDDOC facilities, including education, re-entry, and behavioral health. Efforts are underway to assess gaps in services and strengthen our existing program continuum.

Figure 31 outlines the program completers by month for male and female offenders.

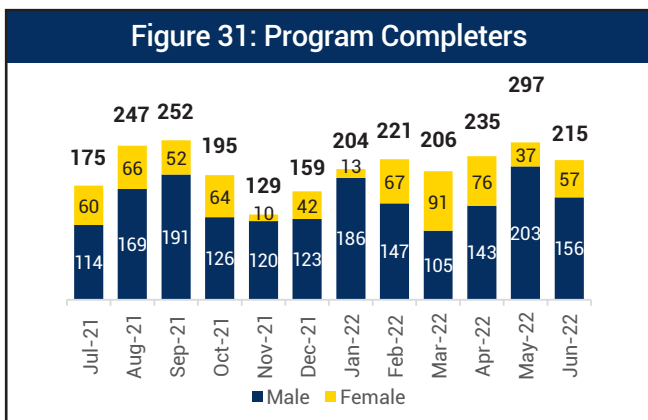


Figure 32 outlines the program attendees at the end of the month for male and female offenders for FY2022.

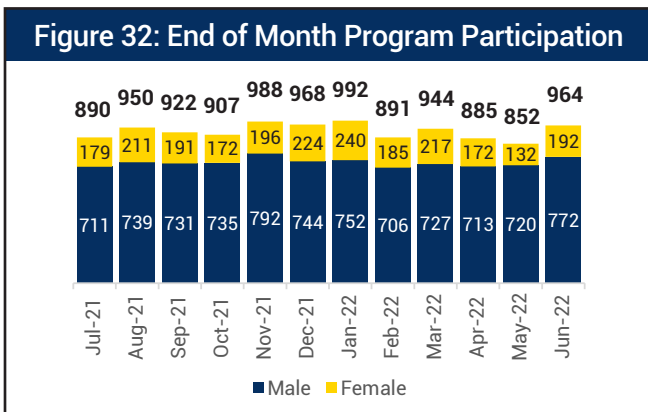
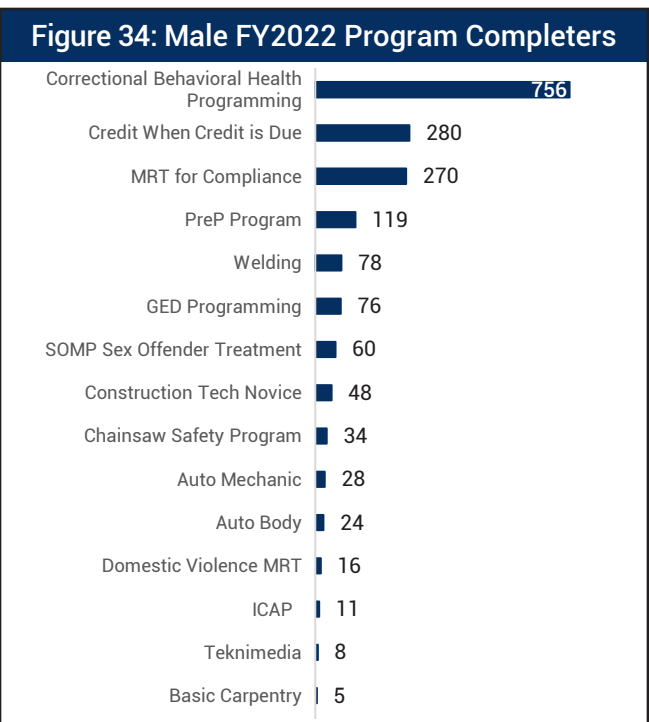
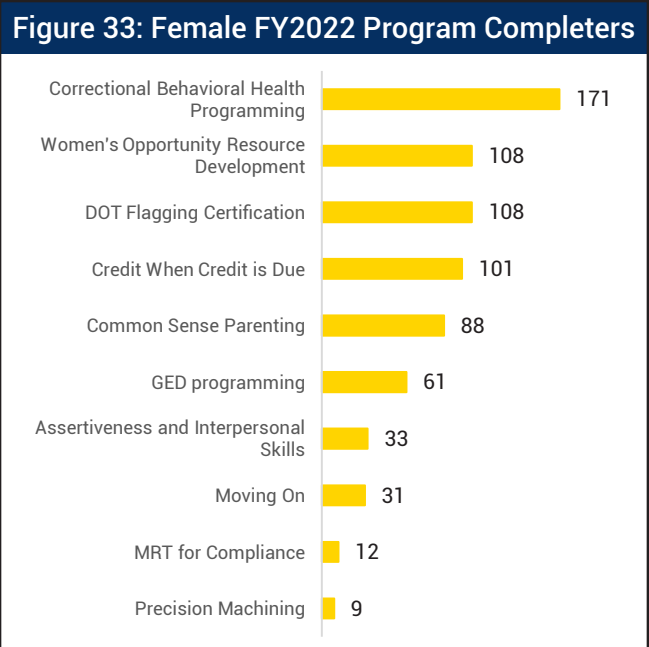


Figure 33 and **Figure 34** outline FY2022 program completers by program of completion. This is not a count of individual offenders as some offenders could have completed more than one program during the fiscal year.

Correctional behavioral health programming, including Cognitive Behavioral Interventions for Substance Abuse (CBISA) and Dialectical Behavioral Therapy (DBT), had the largest number of completers of any programming for both males and females.



PAROLE CHARACTERISTICS

A parolee is an offender who is conditionally released from the physical custody of a SDDOC facility before the expiration of the offender's term of imprisonment. The term "parolee" also applies to an offender who is released from the physical custody of a SDDOC facility on a suspended (split) sentence or an offender transferred to parole supervision from another state under interstate compact. A parolee remains under the legal custody of the SDDOC until the expiration of the term of imprisonment (See SDCL § 24-15-1.1, 24-15-13 and 24-15A-15). This section outlines the demographics of parolees under the jurisdiction of the SDDOC, as well as supervision and outcomes of the SDDOC Parole Division.



South Dakota has two avenues for parole release. As part of the sentence calculation process a presumptive parole date may be set, which is called an initial parole date. Offenders that are found in compliance with their release plan are granted parole at this initial parole date. Offenders that return to an institution or do not comply with their release plan may become eligible for discretionary parole by the Board of Pardons and Paroles.

Offenders granted parole will continue to serve the remainder of their sentence under supervision in the community. If the parole is revoked, the offender will serve the remainder of their sentence in prison and either become eligible for discretionary parole or discharge directly from the state correctional facility.

PAROLE CASELOAD

On June 30, 2022, the overall parole caseload for in-state supervision was 3,083 parolees. In addition to the in-state parole population, SDDOC also maintains the count of parolees supervised by other states, out-of-state parolees totaled 381 on June 30, 2022, giving a total adult supervision count of 3,464. **Figure 35** shows the overall end-of-year parole population, which has decreased since FY2020.

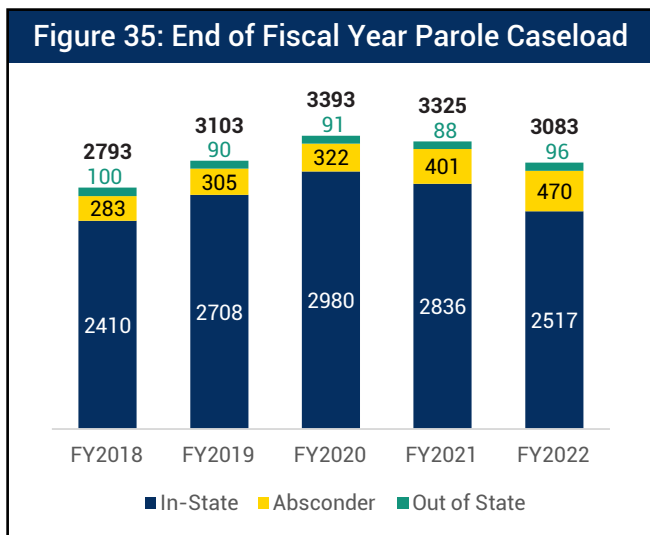


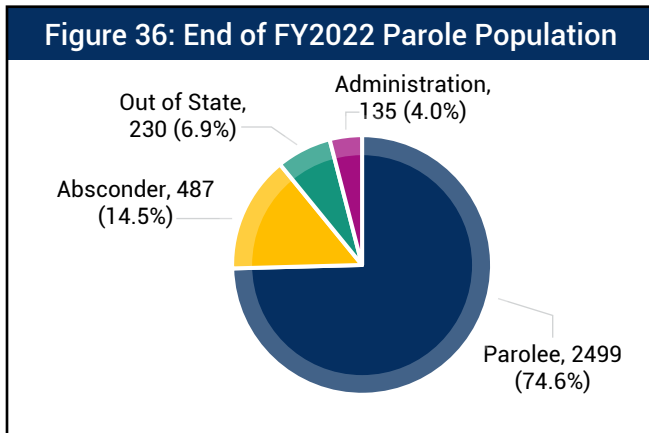
Table 7 outlines the caseloads of the 56 Parole Agents and two JCC agents who assisted with the supervision of low-risk offenders in FY2022, as well as a historical lookback to FY2018. These numbers are a breakdown of the population displayed in **Figure 35**, and include absconders and out-of-state offenders assigned to agent caseloads.

Table 7: Historical Parole Caseload by Region

	SOUTHEAST		NORTHEAST		WEST		JCC Assistance	
	Offenders	Agents	Offenders	Agents	Offenders	Agents	Offenders	Agents
FY18	1352	21	743	12	698	11	0	0
FY19	1517	23	813	12	773	11	0	0
FY20	1636	26	807	14	686	12	99	3
FY21	1651	28	853	15	755	12	66	4
FY22	1662	30	707	13	684	13	30	2

PAROLEE PROFILE

Figure 36 outlines the parole population by supervision type. Active in-state parolees represented 74.6% (2,499) of the population.



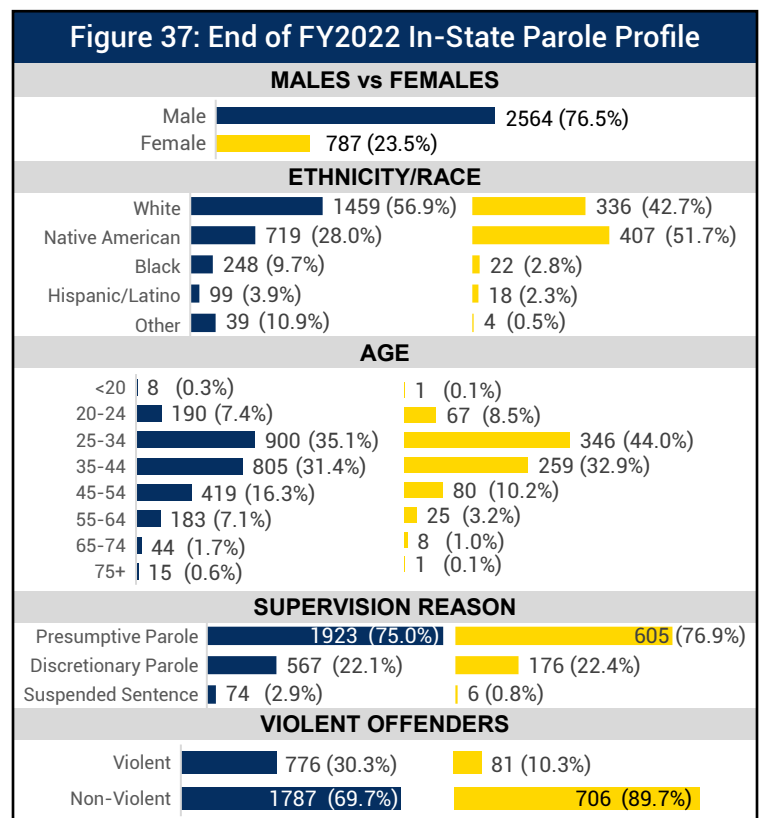
* Values may not total 100% due to rounding.

An absconder is any offender on parole or suspended sentence under the supervision of Parole Services whose whereabouts are unknown. An offender will be declared an absconder by the supervising Parole Agent or Regional Supervisor once initial efforts to locate the offender have been exhausted. Absconders represented 14.5% (487) of the parole population.

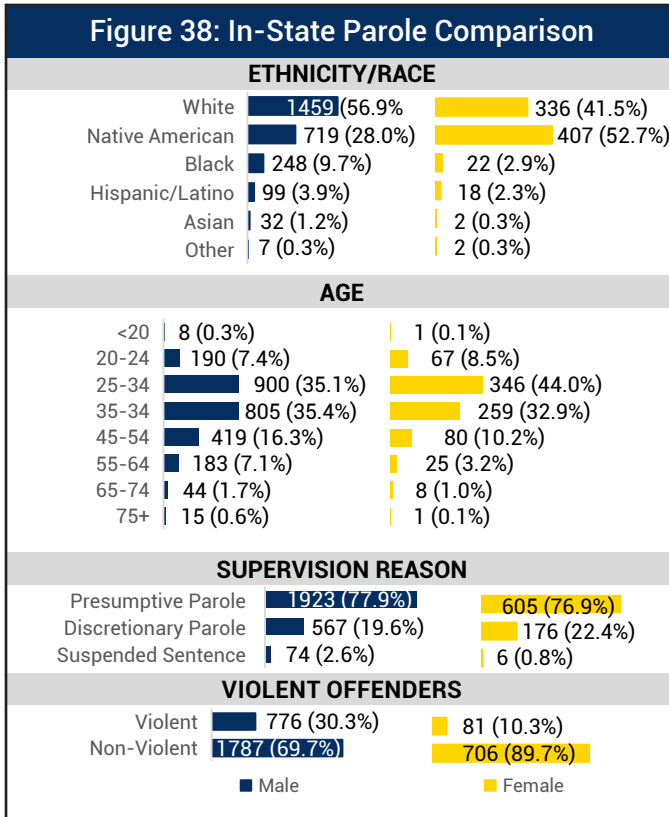
The Interstate Compact for Adult Offender Supervision (ICAOS) is an agreement among the 50 states, District of Columbia, Puerto Rico and the U.S. Virgin Islands that governs supervision authority across state lines. There are 6.9% (230) of parolees being supervised outside of South Dakota on interstate compact, while 4.0% (135) are supervised by the Board of Pardons and Paroles. Those supervised by the Board of Pardons and Paroles are included in the administration section of **Figure 36** and include pending parole violators that are also serving time in out of state jurisdictions.

Figure 37 shows the demographics of in-state parolees. These are similar to the jurisdictional offender population although a larger percentage of female offenders are on parole (23.5%, 787) than in prison (14.6%, 439). Parolees with non-violent most serious sentences comprise 74.4%, (2,493) of the caseload while the most serious crime on new in-state admissions for non-violent was 45.0% (1,430).

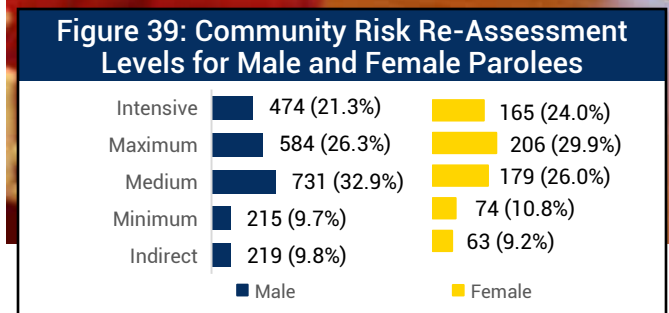
The majority of the parole population is male; White; under the age of 45; on presumptive parole supervision; a non-violent offender; and has a community risk level medium or higher. In comparison to the male population in **Figure 38** on the next page, the female population contained a higher percentage of Native American parolees, was non-violent, and received presumptive parole.



* Values may not total 100% due to rounding.



* Values may not total 100% due to rounding.



* Values may not total 100% due to rounding.

COMMUNITY RISK/NEEDS LEVELS

The Community Risk/Needs Assessment and Community Risk Re-Assessment combine the static factors of an offender's criminal history and behavior with their dynamic factors/needs. These factors help predict success on supervision, focus supervision resources, and provides a useful means of monitoring changes in an offender's behavior, attitudes and circumstances.

The main purpose of the Community Risk/Needs Assessment and Community Risk Re-Assessment is to assign an assessed risk score to offenders on supervision, which can be used to focus supervision resources. Offenders are assigned an assessed risk level in both the institution and are reassessed in the community. Parole Agents continue Subsequent Community Risk/Needs Reassessments (CRR) on every offender at least every three months.

The results of these assessments are used to assign a level of supervision to offenders. Offenders with a higher score (higher assessed risk level) are assigned to a higher level of supervision. Offenders with higher levels of supervision also have high levels of required contacts with their supervising agent.

Figure 39 outlines the supervision levels based on the active Community Risk Assessments. In FY2022, 47.6% (1,058) of male parolees were classified as maximum or intensive level supervision, while 53.9% (371) of females were classified as maximum or intensive level supervision.

PAROLE SUPERVISION OUTCOMES

As seen in **Figure 40**, 40.5% (537) of parolees leaving supervision complete their sentence with 6.0% (80) receiving an early discharge from the Board of Pardons and Paroles.

Figure 40: Parole Supervision Outcomes

MALE vs FEMALE	
Successful Completion	424 (40.7%) 113 (39.5%)
Early Discharge	69 (6.6%) 11 (3.8%)
Technical Parole Violation Return	418 (40.2%) 133 (46.5%)
Return New Crime	112 (10.8%) 26 (9.1%)
Death	18 (1.7%) 3 (1.0%)
	■ Male ■ Female
OVERALL	
Successful Completion	537 (40.5%)
Early Discharge	80 (6.0%)
Technical Parole Violation Return	551 (41.5%)
Return New Crime	138 (10.4%)
Death	21 (1.6%)

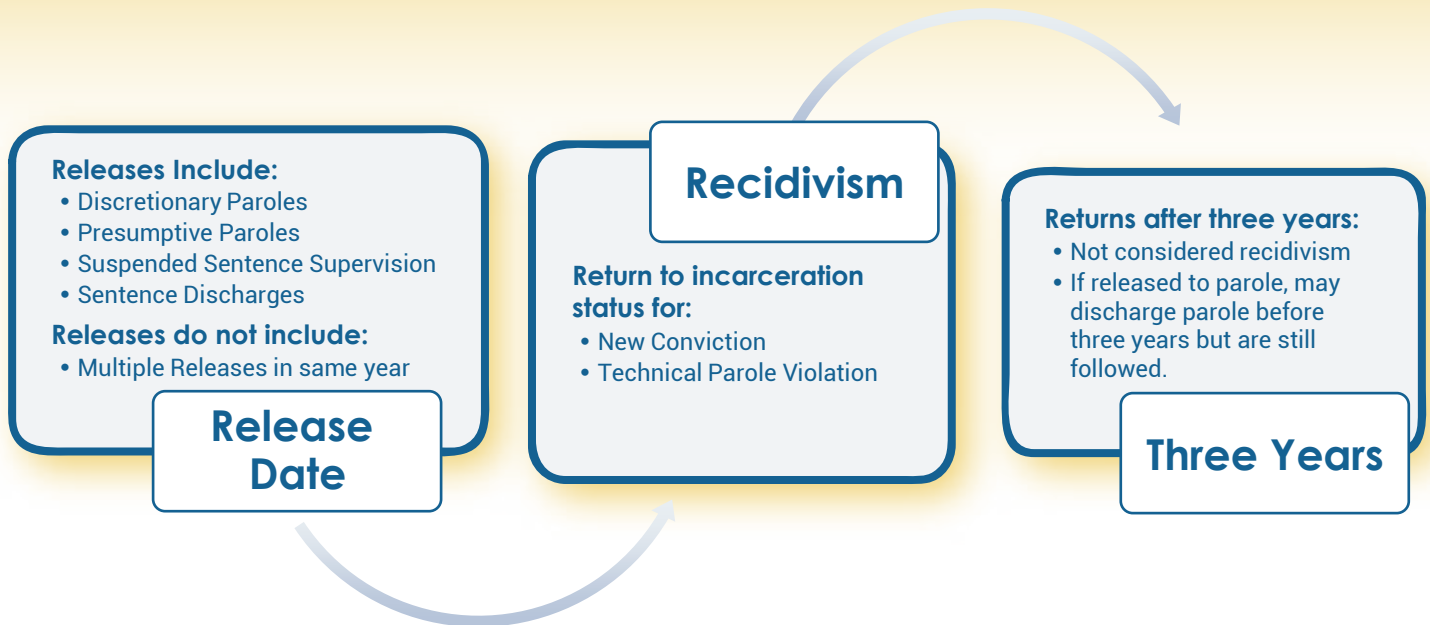
* Values may not total 100% due to rounding.



RECIDIVISM RATES

The SDDOC defines recidivism as a return to prison within three years of release for a new conviction or a technical parole violation which includes revocations by the Board of Pardons and Paroles.

SD adheres to current recidivism methodology consistent with performance-based measurement system outcome measures and count rules supported by the Correctional Leaders Association (CLA).



The following summarizes the methodology of counting recidivists:

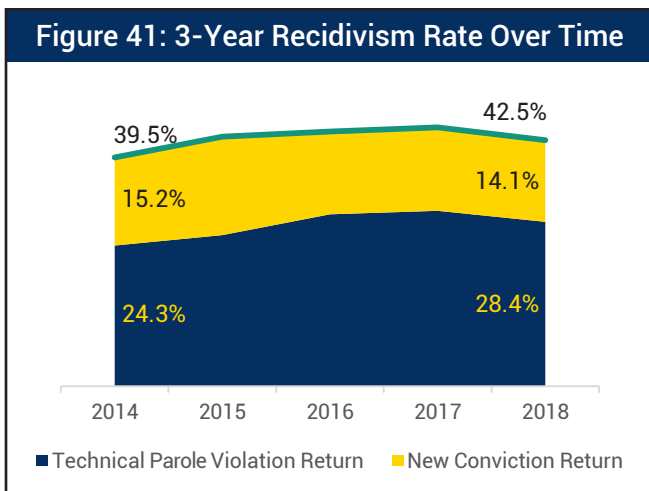
- **Recidivism:** Adult recidivism looks at the offender's status at the one-year, two-year, and three-year at-risk mark from their release from prison to supervision or discharge status. A return includes any admissions to prison for a new felony conviction or for a revocation of parole or suspended sentence supervision.
- **Cohort:** Includes the number of offenders released but does not count multiple releases per offender per year. Therefore, an offender can only fail once within any given cohort.
- **Release Types:** Includes South Dakota offenders who release to the community including parole, suspended sentence, and completion of sentence. In order to be counted, the offender must be released from offender status. Those who end their incarceration with a reason

of death, escape, or other end are not included in the release cohort.

- Calendar Year (CY): Although this statistical report is based on fiscal year data, recidivism is compiled on a calendar year basis to ensure it is consistent with national surveys.

Overall, the three-year recidivism rate (including returns for new convictions and technical parole violations) is 42.5% for the CY2018 release cohort.

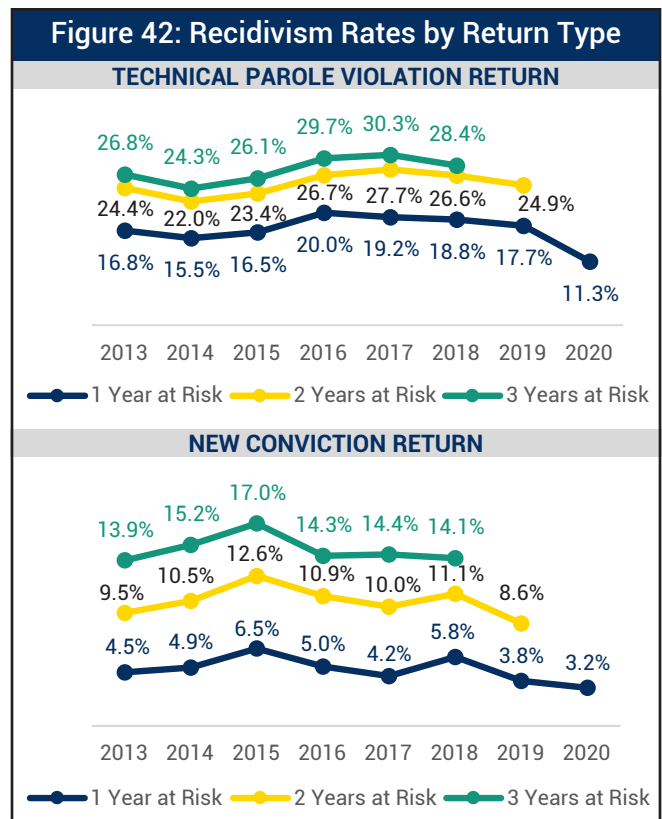
In **Figure 41** we can see that this breaks down into 28.4% for technical parole violations and 14.1% for returns with new convictions.



To further explore recidivism rates, **Figure 42** outlines the return to prison rate for each technical parole violation and new conviction return. Although the official definition of recidivism looks at the full three years at-risk for return, the one-year and two-year at-risk windows are included in this figure. For the full three years at risk, technical parole violation returns saw a peak in CY2017.

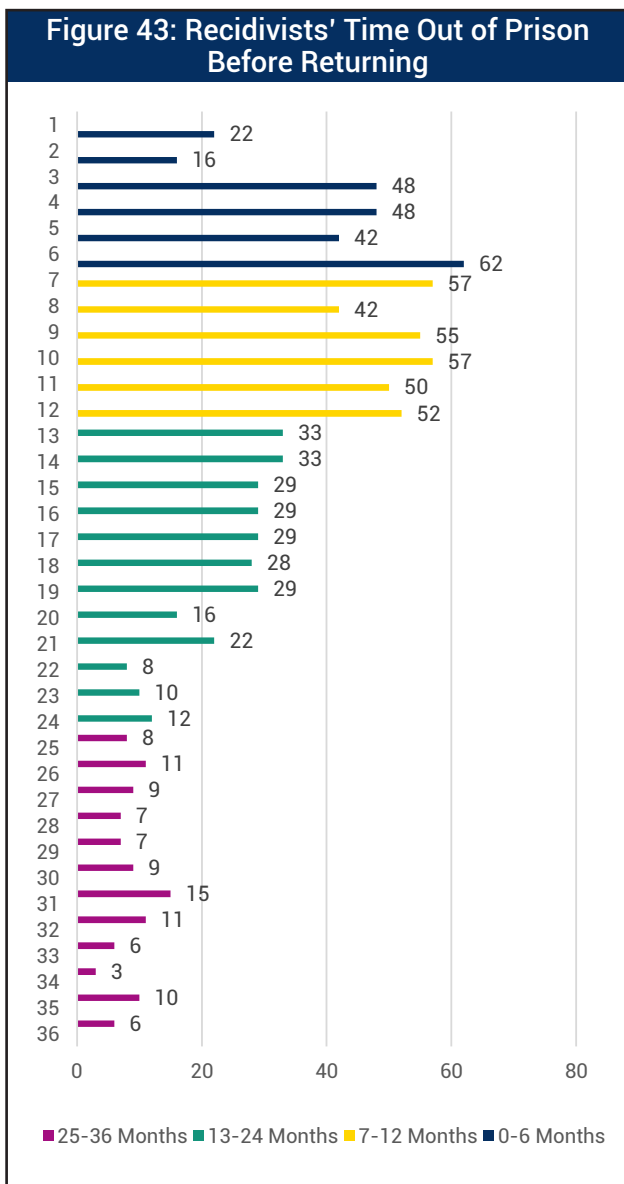
If the decreasing trend as seen in the one- and two-year at-risk windows remains, we would expect to continue to see a downward trend in technical parole violation returns.

For the full three years at-risk and new crime returns, we saw a peak in CY2015 and since have seen a slight downward trend. If the decreasing trend as seen in the one and two-year at-risk windows hold, we would expect to continue to see a downward trend in new conviction returns.

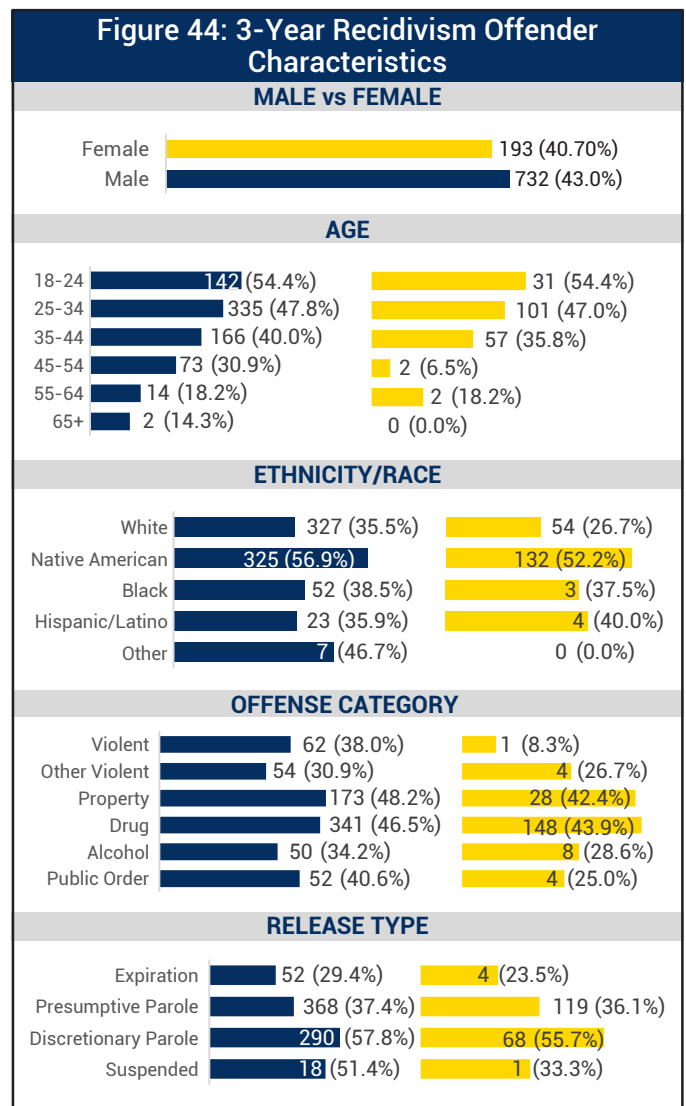


Section 6 | **RECIDIVISM RATES**

Figure 43 details the CY2018 release cohort to demonstrate the length of time an offender remained in the community before returning to the prison system. Of those returning, 26% (238) of the population did so in the first six months following release. An additional 34% (313) returned in the range of seven to 12 months. The average length of time for the CY2018 release cohort is 12.1 months from release to return to prison.



Recidivism rates vary by characteristics (**Figure 44**). Rates for males are typically higher than the rate for females. Younger offenders tend to have higher rates than older offenders. Native Americans tend to have a higher rate than any other category of race. Non-violent crimes tend to have a higher rate than violent. Discretionary parole releases tend to have a higher rate than other types of release.



* Values will not total 100% as each bar in the charts represent rates for a group of offenders in the corresponding category within the charts.

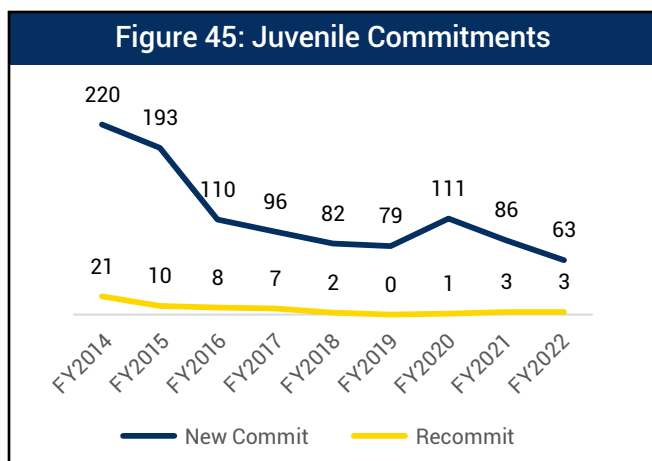
JUVENILE COMMUNITY CORRECTIONS

JCC offices within the Division of Juvenile Corrections provide intake, placement, case management, and aftercare services for juvenile offenders who have been committed to the SDDOC.

COMMITMENTS

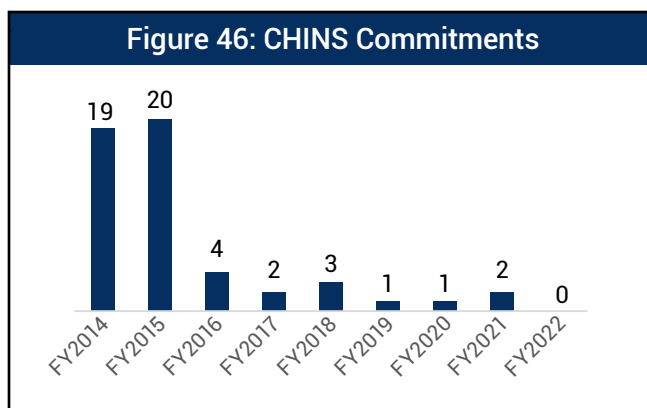
Juvenile offenders enter the SDDOC through the state's judicial system. A circuit court judge has the authority to commit or recommit a juvenile following discharge to SDDOC.

The SDDOC has the responsibility to provide the necessary custody, care, and supervision of the juvenile through the commitment period. **Figure 45** shows the commitment trends since FY2014.



CHINS COMMITMENTS

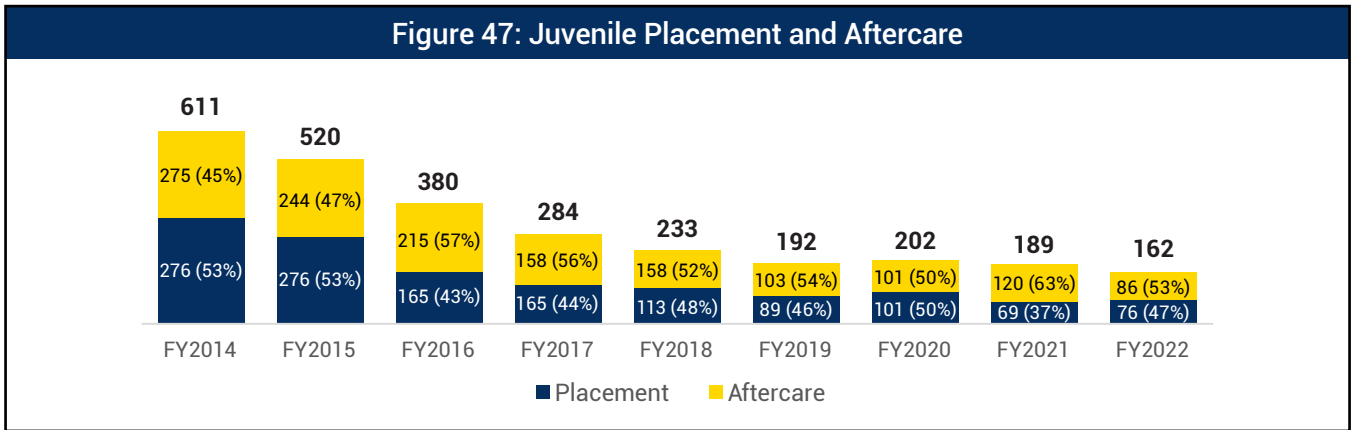
Children in Need of Supervision (CHINS) are low risk and high needs youth who historically were often committed to the SDDOC due to lack of appropriate alternatives. **Figure 46** shows that there has been a significant decrease in the commitment of CHINS following the implementation of statewide juvenile justice reform in FY2015. This decrease shows that in FY2022, all juveniles committed to the SDDOC were for delinquent offenses as zero commitments were for CHINS offenses such as truancy or running away.



POPULATION

Juvenile Community Corrections consists of placement with various in-state and out-of-state providers for youth who have specific needs, contractual foster care, and juvenile aftercare services. Youth may be placed in private placement programs and facilities, consistent with their risk, needs, and medical necessity status. Youth are required to follow the rules and regulations of the SDDOC in addition to the rules of the program/facility.

Throughout the placement period, the Juvenile Corrections Agent (JCA) works with the facility, youth, family and/or future caregivers to provide necessary case management services and aftercare planning services. Once released to aftercare, the JCA delivers interventions, provides supervision as well as referral to necessary community-based services. The JCA may initiate aftercare revocation proceedings if necessary. **Figure 47** outlines the breakdown between aftercare supervision and residential placement at FY end.

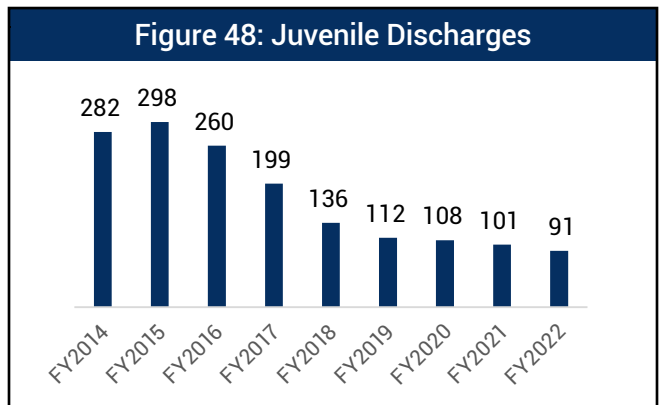


* Values may not total 100% due to rounding.

DISCHARGE

Juveniles are committed to the SDDOC until age twenty-one or they are discharged, as provided in SDCL 26-11A-5 and 26-11A-7. The actual length of commitment depends on several factors including history of offenses, behaviors while committed, willingness to follow the rules and engage in treatment services during commitment, and successful completion of the aftercare program and its requirements. **Figure 48** shows the decreasing number of discharges, consistent with the decreasing commitments, per year since FY2015.

In FY2022, the average number of months that a juvenile was committed to the SDDOC was 24.3 months.



RECIDIVISM

The SDDOC defines juvenile recidivism consistent with adult recidivism as a return to prison in South Dakota with three years of release for a new conviction or a technical violation of supervision.

The methodology of counting is similar to those as outlined in the previous section on adult recidivism. However, it should be noted that in cases where a revocation hearing and new court action happened around the same timeframe, the new court action took precedence, and the case was counted as a new conviction.

Overall, the three-year recidivism rate (including returns for new convictions and technical violations) was 25.2% for the CY2018 release cohort. **Figure 49** shows the rate over time for new convictions and technical violations. In CY2018, the three-year recidivism rate for juveniles was 7.2% for technical violation returns and 18.0% for returns with new convictions.

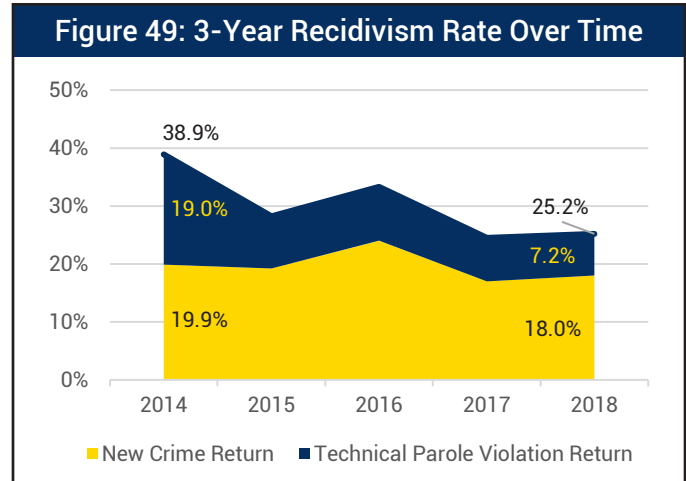
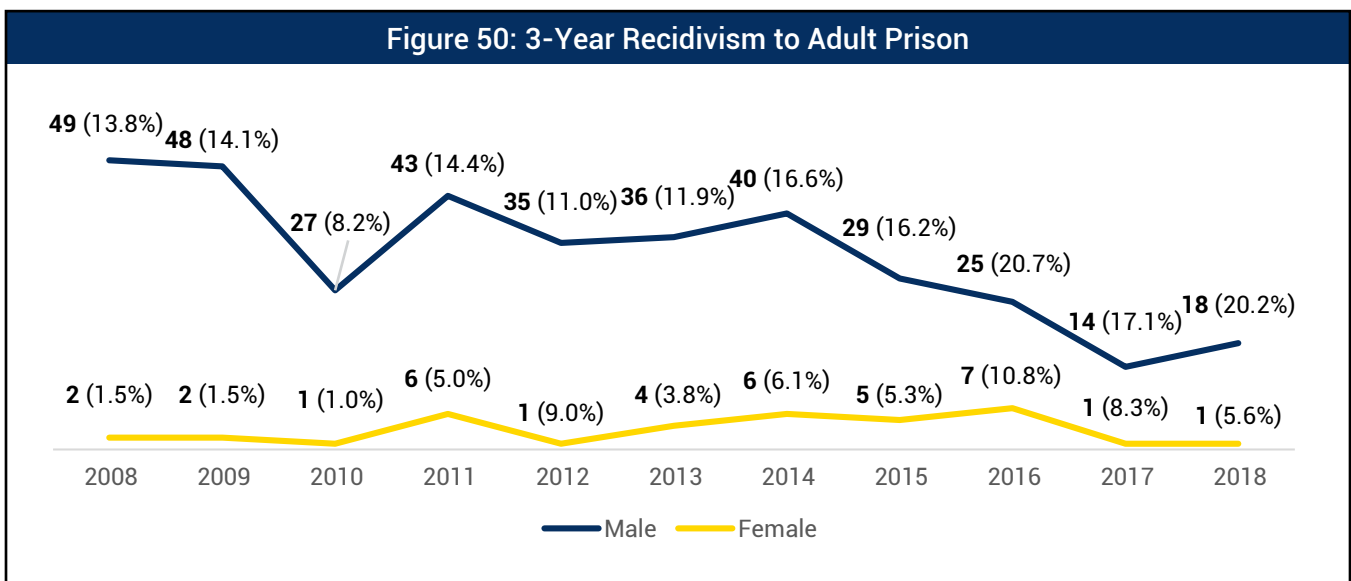


Figure 50 displays the three-year recidivism of juveniles to the adult prison system. The numbers have decreased by 31 male juveniles since 2008 but the recidivism percentage has increased by 6.4%. This is due to the lower number of commitments to the SDDOC JCC after reform implementation in CY2015. Fewer juveniles were committed to the SDDOC and those that were committed were for more serious offenses that were more likely to continue into the adult system. Female juvenile recidivists to the adult system have remained low and dynamic due to the low number of female commitments to the SDDOC.



APPENDIX

LEGISLATIVE LOOKBACK

2019

House Bill 1003 removes the option for a deferred imposition of sentence if the offender is on parole at the time of a felony possession of a controlled substance or felony possession of a controlled substance by ingestion.

House Bill 1004 clarifies that an initial parole date is calculated on the incarceration term of a partly suspended sentence and makes it clear that all felony criminal history must be applied to the parole date calculation grid in South Dakota Codified Law 24-15A-32.

2018

House Bill 1280 clarifies that the total sentence length for setting the sentence discharge date is the sum of imprisonment time and any suspended time or for a fully suspended sentence it is the term of imprisonment that has been suspended.

2017

Senate Bill 117 requires UJS and SDDOC to set up a minimum sanction period of incarceration for positive UA test, establishes a deferred imposition of sentence option, allows parolees who are eligible for earned discharge credits and serving a sentence subject to presumptive probation to be discharged from supervision upon completion of treatment programs if they have been on parole for 12 straight months and have not received sanction for violating supervision, not absconded, not had parole violation report submitted and completed all supervision conditions.

2016

Senate Bill 31 revised certain provisions regarding the sentencing and supervision of prison offenders and parolees with suspended sentences. The bill provided clarity in state law that the SDDOC and Parole Board have ability to impose supervision conditions beyond those ordered by the court, that an offender with a suspended sentence is subject to the same supervision and revocation procedures as a parolee and provides a mechanism to address low level felonies for people on parole in a manner consistent with the Public Safety Improvement Act.

Senate Bill 140 eliminated life sentences for defendants under the age of eighteen at the time of the crime.

2015

Senate Bill 73 was also known as the Juvenile Justice Reinvestment Initiative. The bill requires focusing placements on youth who pose a public safety risk and preventing deeper involvement in criminal justice system for youth with lower-level offenses and improving outcomes by expanding access to evidence-based interventions in the community.

2013

Senate Bill 70 was also known as the Public Safety Improvement Act. The bill was established to cut the state's prisons costs through treating more non-violent offenders through intensive probation, parole, and other community based programs.

APPENDIX

FELONY CLASS EXAMPLES

The following examples are based on convictions of SDDOC offenders. Additional information regarding felony classes and specific crimes can be found in SDCL Chapter 22.

Class A Violent	Murder 1st
Class B Violent	Murder 2nd, Murder 1st, Kidnapping-with Gross Physical Injury
Class C Violent	Manslaughter 1st, Rape 1st, Kidnapping
Class 1 Violent	Rape 1st, Rape 2nd, Manslaughter 1st, Criminal Pedophile, Kidnapping
Class 1 Non-Violent	Habitual Violent Offender Qualifier
Class 2 Violent	Robbery 1st, Aggravated Assault Against Law Enforcement, Burglary 1st, Rape 3rd, Rape 2nd
Class 2 Non-Violent	Possession of a Weapon in a Jail, Distribution of a Controlled Substance to Minor Schedule I & II, Possession of A Weapon by Inmate, Aggravated Grand Theft
Class 3 Violent	Aggravated Assault, Sex Contact with a Child < 16, Rape 4th, Child Abuse- Victim Under Age 7, Kidnapping 2nd
Class 3 Non-Violent	Burglary 2nd, Vehicular Homicide, Distribution/Possession of Meth, Distribution of Marijuana: > 1 Lb., Grand Theft > \$100,000.00
Class 4 Violent	Robbery 2nd, Child Abuse- Victim Age 7 or Older, Manslaughter 2nd, Sexual Contact with a Person Incapable Of Consenting, Simple Assault 5th
Class 4 Non-Violent	Possession of Prescription /Non-Prescription/Controlled Substance in Jail, Vehicular Battery, DWI 5th, Possession of Child Pornography, DWI 6th, Grand Theft > \$5,000.00, Distribution of Controlled Substance Schedule I & II
Class 5 Violent	Simple Assault 4th, Encouraging Riot without Participating, Stalking-Subsequent Offenses
Class 5 Non-Violent	DWI 4th, Escape 2nd, Grand Theft > \$2,500.00, Forgery, Burglary 3rd, Receiving/ Transferring Stolen Vehicle, Unauthorized Ingestion of Controlled Substance, Possession Controlled Substance (Scheduled I & II)
Class 6 Violent	Simple Assault 3rd, Assault by Prisoner in A County Jail, Violation of Restraining Order/ Stalking, Abuse or Neglect of Elder or Disabled Adult, Sliming/ Assault by Inmate
Class 6 Non-Violent	Grand Theft < \$2,500.00, Eluding A Police Officer, Failure to Appear, DWI 3rd, Simple Assault on Law Enforcement

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Prepared by the SDDOC | January 2023
Printed by Pheasantland Industries | 200 copies | \$5.47 per copy