

SOUTH DAKOTA  DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE		POLICY NUMBER 100-03	PAGE NUMBER 1 OF 6
		DISTRIBUTION: Public	
		SUBJECT: Staff Reporting Information to DOC Administration and Office of Risk Management	
RELATED STANDARDS:	ACA 5-ACI-1A-15	EFFECTIVE DATE: August 15, 2024	
		SUPERSESSION: 09/15/2023	
DESCRIPTION: General Administration	REVIEW MONTH: July	 KELLIE WASKO SECRETARY OF CORRECTIONS	

I. POLICY

It is the policy of the South Dakota Department of Corrections (DOC) that information will be reported to the DOC Administration Office and other officials as described in this policy.

II. PURPOSE

The purpose of this policy is to outline the timely and thorough communication to senior staff members for purposes of situational awareness and action during non-routine events.

III. DEFINITIONS

Absence Without Leave (AWOL):

The failure of a juvenile to return to their assigned facility while on an approved leave. Any juvenile placed at a facility that is unaccounted for a one (1) hour time period (or longer), while on an approved leave, is considered to be AWOL.

Office of Risk Management:

An office of the South Dakota Bureau of Human Resources and Administration (SDBHRA) responsible for protecting the assets of the state of South Dakota while conducting governmental activity, managing risk through insurance programs, and application of safety and loss control techniques. Risk Management has the primary responsibility of implementing the risk management objectives of the state to ensure its operations are not impaired by loss.

Runaway:

The unauthorized departure of a juvenile committed to the DOC from a private facility, or from a custodian, includes during transport. Any juvenile placed in a private facility who is unaccounted for a one (1) hour time period or longer is considered to be on runaway status.

IV. PROCEDURES

1. **Monthly Reports:**

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A. The following DOC staff will electronically submit monthly activity reports to the deputy secretary of corrections (DSOC) by the fifth (5th) of each month. The DSOC will compile the information and submit a comprehensive monthly report to the secretary of corrections (SOC) and public information officer (PIO). The report will include information designated within the *Monthly Report to the Secretary of Corrections* form (see attachment #1).

1. ***Written policy, procedure, and practice provide for regular meetings between the warden and all department heads and between department heads and their key staff members [ACA 5-ACI-1A-15].*** All division directors will be responsible for submitting monthly reports outlining division performance, activities, incidents of consequence, staffing concerns, and all other information necessary to communicate alignment of their division with established protocols. Division directors include:
 - a. Juvenile Services.
 - b. Parole Services.
 - c. Prison Operations.
 - d. Finance and Administration.
 - e. Clinical and Correctional Services.

2. Daily/Weekly Reports:

- A. Daily reports and incidents will be obtained from the comprehensive offender management system (COMS) by designated Parole Services staff (the Parole Services secretary) and distributed to the director of Parole and designated DOC Administration staff by way of an email sent to the administration email distribution group.
- B. Designated duty officers (DOs) from each institution will submit a Weekly Duty Officer Observation Form (see DOC policy 200-03 - *Duty Officer*) to designated DOC staff by way of an email sent to the facility administration email distribution group.

3. Notification and Follow Up Reporting of Major Incidents:

- A. Major incidents are incidents that are outside the normal, routine business of the unit or division that may cause public concern or notoriety. Major incidents affect the health, safety, security, custody, control, and management of offenders. Major incidents that require **immediate** notification include:
 1. Offender escapes or serious escape attempts.
 2. Death of an in-custody offender or juvenile. Death or serious injury of staff while on duty, including physical assault of a staff member, either with or without a weapon, instrument, or device, which requires immediate medical attention, or emergency treatment that is more extensive than basic first aid.
 3. Serious facility disruption in an institution, building, office, or property owned or leased by the DOC including but not limited to:
 - a. Hostage or riot situation.
 - b. Facility disruption involving five (5) or more offenders.
 - c. Bomb threat.
 - d. Major physical plant damage caused by fire, flood/water, wind, tornado, hail, snow, or ice, etc. that results in significant damage.
 - e. Prior to closing any DOC office located within the community during regular business hours due to adverse weather, bomb threat, staffing/illness, disruption in utilities or services, damage, etc. Does not include statewide office closures ordered by the governor.
 - f. Receipt of a natural disaster deployment order by the governor or request for deployment or assistance by the Office of Emergency Management.
 4. Any incident involving a staff member or offender who has been or will be referred to the Division of Criminal Investigation (DCI) or outside law enforcement for investigation.
 5. Any use of force resulting in serious injury or death to a staff member, offender, parolee, or juvenile. Any other incident that, at the discretion of the warden or director, with consideration given to the

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severity and extent of the incident, danger to the community, security of public, & possibility of media contact must be immediately reported.

- B. Major incidents must be directly reported at the first available opportunity to the director of Prisons or designee, day or night, seven (7) days a week. The director of Prisons, or designee, will facilitate notification to the SOC **and** the DSOC, as appropriate, based upon circumstances of the incident.
- C. Initial notification will include, at a minimum, a brief description of incident, names of offenders, and staff involved, relevant dates, times, and locations, and a brief explanation of immediate responses to the incident.
1. After contact has been completed, the reporting staff person (typically the DO) will send an email to the major incident reporting group (doc.adminincident@state.sd.us) no later than the **end of the shift**. The email will include at a minimum the following information:
 - a. The date, time, and location the incident occurred.
 - b. A narrative of the major incident which includes all relevant information and facts known at the time.
 - c. A list of significant physical plant damages as a result of the major incident.
 - d. A list of significant injuries to staff and/or offenders received as a result of the major incident.
 - e. A list of all offenders/juveniles/parolees involved including name and custody level.
 - f. A Booking Summary for all offenders directly involved.
 - g. All other relevant documentation completed as a result of the major incident, i.e., *OIC Incident Guide and Duty Officer Notification* (see attachment #3), checklists, informational reports, etc., available at the time.
 - h. The reporting staff's telephone number where they can be reached if there are questions.
 2. The informational email and booking summary will only be sent **after** direct contact has been made and shall not be accepted in place of direct notification. The email being sent to the major incident reporting group will contain the pertinent facts of the offender and incident **in the body of the email** in addition to being included in the attachments.
- D. A completed *Major Incident Report* (see attachment #2) with all **relevant facts and information** will be forwarded to the major incident reporting group (at DOC.ADMININCIDENT@state.sd.us) by the **end of the shift** on which the incident was reported.
1. Existing informational report(s) will be included as an attachment to the Major Incident Report.
 2. If a status report is generated or required, this will be communicated to the major incident reporting group, unless otherwise exempted by the SOC.
 3. All Major Incident Reports will be saved to the "Incident" folder on the M-drive by the DOC Administration executive secretary.
- E. Requests received by DOC staff from the public or media for information related to a major incident will be directed to the PIO.
- F. The SOC may redact or withhold any information that, if released, may unreasonably invade personal privacy, diminish or threaten safety and/or security, discloses proprietary information, or is or may be part of an official investigation or may disrupt the normal and disciplined operations of the department. The DOC attorney may be consulted.
- G. At his/her discretion, the SOC or designee will notify the governor's office of major incidents.

4. Notification and Reporting of Other Significant Incidents:

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- A. All notifications will be made to the division directors by telephone. If no answer by telephone, staff may leave a voicemail briefly describing the incident and providing a telephone number where they may be reached. Division directors will make notifications as required to the SOC and DSOC. Notifications to the PIO can be made electronically.
- B. An email will be sent following the notification, and a booking summary and related documentation must be included with the e-mail when the significant incident involves an offender(s).
- C. Significant incidents that require notification and a Major Incident Report by the **end of shift** on which the incident occurred include:
1. Any discharge of a DOC issued firearm by a staff member.
 2. Any incident or condition that significantly threatens the safety and security of a DOC institution, building, office, or property owned or leased by the DOC, such as major mechanical breakdown of equipment or services.
 3. The capture (placement in custody (DOC or non-DOC custody) and return of an escaped offender to DOC custody.
 4. Arrest of an offender in the community for a serious offense involving multiple victims, negative impact to the public (significant property damage, endangerment of human life), serious assault of another, adverse contact with law enforcement, or when the arrest is likely to generate a high level of media attention.
 5. Any incident (alleged or substantiated) of sexual abuse by a staff member towards an offender.
 6. A high-risk parolee, as noted by their inclusion on the Absconder Direct Notification List, absconds supervision.
 7. A juvenile runaway, or when a juvenile is placed on AWOL status, and return of a juvenile runaway to DOC custody.
 8. Fluid assault of a staff member, as defined within SDCL.
 9. Staff reporting for duty while intoxicated; and/or in possession of dangerous contraband.
 10. Death of a parolee.
- D. A completed Major Incident Report will be forwarded to the major incident reporting group and will contain the following:
1. Any informational report(s) relating to a reportable incident will be included with the Major Incident Report.
 2. A booking summary will be included for any offender directly involved in the incident.
 3. All received reports will be saved to the "Incident" folder on the M-drive by the DOC Administration Office executive secretary.
 4. The email being sent to the major incident reporting group will contain the pertinent facts of the offender and incident *in the body of the email* in addition to being included in the attachments.
- E. The SOC or his/her designee will notify the PIO of reported incidents which may necessitate a press release or generate media contact.
1. In the case of a juvenile runaway, the SOC may release the name of the juvenile to law enforcement, media, and the public if it is determined that doing so is in the best interest of the juvenile.
- F. The SOC, or his/her designee, will notify the Office of the Governor of reported incidents at his/her discretion.

5. Reporting Incidents to the Office of Risk Management:

- A. The following incidents must be reported to the Office of Risk Management by calling (605) 773-6300 during normal business hours or by sending a report electronically.
1. Death of an in-custody offender.

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- a. If the death involves suspected foul play or is self-inflicted (suicide), Risk Management should be notified immediately. During normal business hours: (605) 773-6300, after hours contact State Radio at (605) 773-3536 (they have protocol in place to contact Risk Management).
 - b. All other deaths (natural causes or accidental) will be reported to Risk Management within twenty-four (24) hours of becoming aware of the death of the offender.
2. Death of staff member while on duty.
 3. Any incident (alleged or substantiated) of sexual abuse of an offender by staff or the sexual abuse of a DOC juvenile in placement will be reported within twenty-four (24) hours of staff becoming aware of the incident.
 4. State insured building or contents/property losses over one thousand dollars (\$1000).
 5. Serious adverse public contact, such as but not limited to:
 - a. Serious injury to a visitor or a member of the public on DOC grounds.
 - 1) If the incident involved a fatality, serious bodily injury, or significant property damage, this shall be reported immediately to Claims Associates, Inc. at their twenty-four (24) hour telephone number: 1-888-430-2249.
 - b. Any significant damage to private property resulting from adverse public contact through the actions of DOC staff or an offender.
 6. Any time a staff member serving in his/her official capacity is named as a defendant in a claim or lawsuit or is served legal documents making the staff member party to a lawsuit.
- B. Staff will complete a State Vehicle Accident Report form for all accidents involving a state vehicle. Forms are available at: <https://boa.sd.gov/risk-management/forms.aspx>.
- C. All accidents involving a DOC staff member or offender and a non-state vehicle, or injuries sustained by a staff member as a result of an accident, or assault upon a staff member by an offender that occur during while a staff member is on duty, must be immediately reported to the staff member's supervisor. A Report of Accident, Incident or Unsafe Condition form must be completed. The form is available at: <https://boa.sd.gov/risk-management/forms.aspx>.

6. Format of Major Incident Reports:

- A. All major incident reports will be documented utilizing the Major Incident Report.

V. RESPONSIBILITY

The deputy secretary of corrections is responsible for the annual review and revision of this policy.

VI. AUTHORITY

- A. SDCL [Chapter 1-27 – Public Records and Files](#)
- B. SDCL § [22-11A-1](#) Definition of terms.
- C. SDCL § [22-18-1](#) Simple assault--Violation as misdemeanor--Third or subsequent offense a felony--Violation in other states.
- D. SDCL § [22-18-1.1](#) Aggravated assault--Felony.
- E. SDCL § [22-18-26](#) Assault by convicted or incarcerated person under Department of Corrections jurisdiction--Intentionally causing contact with bodily fluids or human waste--Felony.
- F. SDCL § [22-18-29.1](#) Assault by juvenile confined in detention facility or juvenile corrections facility--Intentionally causing contact with bodily fluids or human waste--Felony.
- G. SDCL § [23A-35B-1](#) Definitions.
- H. SDCL § [23A-48-16](#) Definitions pertaining to earned discharge credits.
- I. SDCL § [24-15-26](#) Arrest of parolee--Notification to executive director.
- J. ARSD [17:60:01:00\(6\) – Definitions.](#)

VII. HISTORY

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August 2024
July 2023
April 2022
December 2019
February 2018
January 2017
June 2016
May 2016
December 2015
May 2015
January 2015
February 2014
August 2013

ATTACHMENTS (**Indicates document opens externally*)

1. Monthly Report to the Secretary of Corrections*
2. Major Incident Report*
3. OIC Incident Guide and Duty Officer Notification*
4. DOC Policy Implementation / Adjustments

MONTHLY REPORT TO THE SECRETARY OF CORRECTIONS

REPORTING MONTH: _____ **DATE SUBMITTED (To Below Recipients):** _____

TO: Dep. Sec. of
Corrections

FROM: _____

- | | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-----------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| SDSP | MDSP | SDWP | SOMP &
Classification | Parole | Juvenile Services &
DOC Foster |

1. STATUS OF ON-GOING PRIORITY PROJECTS:

(This should be a short, concise, narrative briefing).

2. ACTION NEEDED FROM DOC ADMINISTRATION:

(Specify what action is needed from the secretary of corrections (SOC) and when it is needed)

3. ALERTS:

(Inform the SOC of a current or impending problem, issue, or incident)

4. OVERTIME REPORT:

Inform the SOC of the number of hours of overtime approved and the purpose of the overtime.

Reasons	Hours	Amount
Transports Medical		
Transports General		
Transports Court		
Staff Coverage FMLA		
Staff Coverage - Sick		
Staff Coverage Annual		
Staff Coverage Military		
Staff Coverage General		
Staff Coverage Hospital		
Daily Operational Issues		
Community Service		
Youth Issues		
Weather Coverage		
Parole Issues		
Training		
Disaster Response		
Major Incident		
Other		

Total	0.0	0.0
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5. OUTSIDE CONTACT:

(Inform the SOC of contacts outside of the DOC. This includes VIP tours, media contacts, legislator contacts, and government agencies concerning significant issues)

6. AWARDS/HONORS:

(Inform the SOC of honors, recognition of awards received by employees or volunteers)

MAJOR INCIDENT REPORT

TO: Major Incident Group **FROM:** _____

NAME OF OFFENDER(S): _____

Last – First Offender # DOB Crime or Adjudication

TYPE OF INCIDENT: _____

DATE OF INCIDENT: _____ **TIME OF INCIDENT:** _____ AM PM

LOCATION OF INCIDENT: _____

NARRATIVE SUMMARY:

OFFENDERS INVOLVED?

STAFF INVOLVED?

(Include the names and titles of all staff involved)

IF POLICY AND PROCEDURES WERE NOT FOLLOWED, PLEASE EXPLAIN HOW AND WHY?

RESPONSE: (list whether and when law enforcement, media and others were contacted)

Media Contacted: Yes No Date/Time Contacted: _____ AM PM

Law Enforcement Contacted: Yes No Date/Time Contacted: _____ AM PM

Risk Management Contacted: Yes No Who? _____
Date/Time Contacted: _____ AM PM

Others Contacted? Yes No Who? _____
Date/Time Contacted: _____ AM PM

RESPONSE AND RESOLUTION: (Briefly state any action or response to the incident)

OIC INCIDENT GUIDE & DUTY OFFICER NOTIFICATION

In the event of an incident, the OIC will fill out this guide and follow the instructions below.

Date of Incident: _____ Time of Incident: _____

Date of Report: _____ Location of Incident: _____

REPORTING OFFICER INFORMATION

Reporting Officer Name/Rank: _____

OIC on Duty: _____

Nature of the Incident: _____

Offender(s) Involved #1 #2 #3

Name/Number _____

Custody Level _____

Staff Member(s) Involved #1 #2 #3

Name _____

Title _____

DATE	TIME	PERSON	CELL #
		Duty Officer:	

*****The OIC will contact the duty officer (DO) once the incident is under control.*****

The OIC will gather details to pass on to the DO: the Who, What, When, Where, Why, and How of the incident.

*****After notifying the DO the OIC will continue to manage the incident and the DO will make all applicable notifications.*****

THE DUTY OFFICER WILL MAKE ALL APPLICABLE NOTIFICATIONS

Date & time of notification			
DATE	TIME	PERSON	CELL #
		Warden	
		SIU On Call:	
		HSA When Indicated:	
		BH On Call When Indicated:	
Persons below will be notified by, or at the direction of, the Warden			
DATE	TIME	PERSON	CELL #
		Deputy Director of Prisons	
		Inspector General	
In the event of an offender suicide or suspicious death the Warden will notify Risk Management pursuant to DOC policy 1.1.A.03 – Staff Reporting Information to DOC Administration and Office of Risk Management			

This completed guide is to be attached to the official incident report.