

## **Jail Inmate Policy**

Approved by Mike Mattson on 04/13/2023

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# **Minnehaha County Sheriff's Office**

Revised March 20<sup>th</sup>, 2023



## **Jail Inmate Guidebook**

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# Jail Inmate Policy

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## **SECTION 1: INTRODUCTION**

### **MISSION STATEMENT**

The Minnehaha County Jail shall provide safe, secure housing of inmates and continued public safety. The Jail will:

- Operate in accordance with the US Constitution, Federal and State laws, under the direction of the Sheriff.
- Operate in a cost-effective manner, without compromising the safety and security of staff, inmates, and visitors.
- Not discriminate against staff, visitors, or inmates because of race, religion, sex, national origin, age, or disability while providing the ability to maintain family ties and community contacts.
- Provide inmates with necessary and legally required medical, mental health, and dental services consistent with the standards for health services established by the National Commission on Correctional Health Care.
- Maintain those in custody in a safe and humane manner until legally released.
- Provide a detailed explanation of the facility rules and hold all individuals accountable for their behavior.
- Provide a range of programs and services to reduce idleness and to encourage inmates to improve themselves to reduce further criminal activity.
- Provide staff with initial and ongoing training in order to provide professional development.

### **INTRODUCTION**

This handbook is designed to provide inmates housed in the Minnehaha County Jail with important information during their time at our facility. Information included pertains to Minnehaha County rules and regulations, living instructions, sanitary requirements, and general information to help you with the normal routine of being in custody.

You are responsible for understanding and abiding by all of the information contained in this Inmate Guidebook. If the information contained in the Inmate Guidebook is not completely understood or you have any questions, ask a staff member for an explanation.

Most inmates want to do their time in the best possible way and be released as soon as possible. Some inmates, however, have the mistaken impression that the rules and regulations do not apply to them. They attempt to establish their own methods of operation by creating unrest and causing trouble.

If a disturbance, mass assault, assault, or demonstration occurs, go immediately to your

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housing area or other area as directed by staff and remain there. Inmates who participate or encourage these actions and behaviors will face disciplinary action and criminal prosecution. Avoid any behavior that may connect you with the trouble in any way.

The safety and security of you (the inmate), the facility, and correctional staff is of the utmost importance. The rules and regulations that have been implemented in this facility support our goal of safety and security.

If at any time, you believe you are in danger of being physically assaulted or abused (including sexual assault or sexual abuse), you should report your concern to a staff member so action can be taken to ensure your safety.

Minnehaha County Jail Administration reserves the right to change/amend any practice set forth in this guidebook without notice at any time. Furthermore, any costs and fees specifically described in this guidebook are current as of the guidebook's last revision date. All cost and fee amounts within are subject to change with or without notice at any time.

## **PRISON RAPE ELIMINATION ACT (PREA)**

The Minnehaha County Jail has a zero-tolerance policy for any type of sexual contact, consensual or otherwise, between inmates, staff, contract workers, visitors, volunteers, and inmates housed in a Minnehaha County Jail facility. It is mandatory that you contact a staff member immediately if you become aware of any such situation. You may immediately speak with the Correctional Officer assigned to your unit or request to speak with a Supervisor, Jail Sergeant, Jail Lieutenant or Warden. You may also send request through the kiosk or a written letter to any staff member. You may also call (605)-339-0116 or write a letter to the Compass Center at 1704 S Cleveland Ave, Sioux Falls, SD 57103. Any reports of sexual activity will be fully investigated and persons involved may be subject to disciplinary action and criminal prosecution.

## **CORRECTIONAL STAFF**

When a staff member gives an order or directive, **IT IS EXPECTED TO BE FOLLOWED IMMEDIATELY AND WITHOUT QUESTION.** When an officer calls for lockdown, inmates will return to their cells and secure their cell doors immediately. In the dorms, inmates shall immediately return to their bunks.

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## SECTION 2: FACILITY ORIENTATION

### INTERCOM AND EMERGENCY CALL BUTTON

The Intercom / Emergency call button in your cell and throughout the facility can be used to call for assistance in case of an **EMERGENCY** only. Emergencies must consist of life or death medical problems, fights or disturbances, suicide attempts, fires, water flooding or sewer back-up. All other **NON-EMERGENCY** problems are to be handled through a request via the kiosk system or through direct staff contact.

Covering or interfering with an emergency call button may result in disciplinary action.

### INMATE IDENTIFICATION

You will be issued an inmate identification card that will need to be on you at all times. If your identification card is accidentally broken or illegible, report it immediately to an officer. Purposeful destruction or failing to have your identification card will result in disciplinary action.

### PERSONAL ATTIRE

Inmates are expected to be fully clothed when outside of their assigned cell or bunk, including a full uniform (stripe shirt and pants), underwear (including a bra for females), socks and sandals/shoes. All other clothing items are to be worn in the manner that they were intended to be worn. *IE: no towel or t-shirt shall be worn about your head, etc.* Inmates are restricted to utilizing a maximum of TWO hair ties in their hair at any given time.

### ENVIRONMENT

The Jail shall have adequate lighting, heating, and ventilation as prescribed by national Jail standards. If you have any questions regarding any of the aforementioned subjects contact the Correctional Officer on your unit/floor.

### HOUSING/CLASSIFICATION STATUS

Inmates being transferred to a housing unit will be housed appropriately based on the Jail Classification system. ALL inmates being transferred to housing will be required to view the Minnehaha County Jail Orientation Video. Once housed, you will be required to review and acknowledge you have read the Minnehaha County Jail Inmate Guidebook. If you would like to request a review of your housing classification status, you should submit a request/inquiry to the Programs Officer via the kiosk system.

You will be housed appropriately and your housing unit assignment is not debatable.

**Refusing to move to your housing assignment will result in immediate lockdown and disciplinary action.**

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## **LIVING QUARTERS**

The care and cleaning of your living area or cell is your responsibility. You are required to keep your cell neat and clean at all times and your bed must be neatly made anytime you are not in it. Items not in use are to be stored in the property bin, which will be stored under your bed at all times.

You are **not** allowed to affix any items to or draw/write on the cell walls, mirrors, doors, windows or fixtures in your cell or anywhere in the cell block. Writing on the walls is the responsibility of the current inmate assigned to remove.

Any structural problem (leaking faucets, toilets, defective light fixtures, etc.) must be reported to an officer.

## **CELL DOORS**

Any foreign objects such as any Jail issued clothing, books, magazines, rags, toilet paper etc. are not allowed to be used as a device to prop a door open, prevent the door from normal closing or to have the locking mechanisms blocked in any way.

Any window in a cell, on a cell door or cell lights may not be covered **at any time**. The food port doors must remain locked at all times, unless opened by staff. Any inmate caught tampering with any door, door lock, window, light fixture or food port will be subject to immediate Jail discipline

## **FORMAL COUNTS**

There will be four (4) formal counts per day. The times of the formal counts are subject to change. Ask an officer for formal count times. During formal count, inmates will be secured in their cells and will be required to be at their cell door and show their ID to the officer conducting formal count. Inmates in the dorms will be seated on their bunks. Inmates are to remain in their cell or bunk until Correctional staff authorizes them to resume activity.

## **PERSONAL CONDUCT**

You are expected to conduct yourself in an orderly, adult manner and be respectful of others. Noise levels shall be strictly enforced. Horseplay is prohibited. Feet are not allowed on the furniture. Lying on the furniture in the dayroom and sitting on the dayroom tables is prohibited.

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## OUT OF BOUNDS

The following areas are considered **out of bounds** for any inmate unless authorized by an officer:

- Another inmate's cell or bunk
- Within 5 feet of any glass windows (inside or outside windows)
- Behind the officer's work station
- Multi-purpose rooms
- Outside your assigned housing unit (unless permitted by staff)
- Bathrooms or shower areas when you are not using them.
- The upper level of a housing unit when you are not housed on the upper level.
- Loitering on the upper level or stairwells.

## PERSONAL HYGIENE

Each inmate is expected to maintain an acceptable level of personal hygiene. A hygiene kit will be issued to you when you are assigned to a housing unit. Feminine hygiene products are available from the Housing officer upon request. Female inmates are expected to dispose of used products in the appropriate sanitary disposal bin. Hygiene items are **NOT** to be flushed down the toilet. Sharing of razors, tooth brushes or other hygiene items is strictly prohibited. Hair extensions or hair styles that prohibit searching by staff will be handled on a case-by-case basis. *Hair styles may be altered to ensure proper hygiene and for Jail Security.*

If you or another inmate have lice, bed bugs, scabies, or any other easily spreadable condition, you must inform an officer immediately to help prevent the spread of it.

## FINGERNAIL CLIPPERS/RAZORS

**Fingernail clippers** will be available to inmates during razor pass. The inmate that receives the fingernail clippers will be responsible to return those fingernail clippers to the officer.

**Razors** will be issued one time only between 1900 and 1930 hours. Inmates must sign up for a razor and will have 30 minutes to use it. Razors must be returned to the officer when they are done. Any damaged razor must be reported immediately to the issuing officer. Intentionally damaging a razor will result in disciplinary action and/or loss of razor privileges.

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## **INMATE MOVEMENT**

Whether escorted or unescorted, all inmates are to move through the facility in an orderly fashion.

You may not possess any personal property during movement (unless you are being transferred to another housing unit, directed by staff, or being released from the facility) with the exception of the following: legal papers, library or program materials when applicable, or work assignment supplies (trustees). Items that are not allowed will be taken away; commissary will be disposed of.

## **PAT SEARCHES**

All inmates are subject to being pat searched at any time. When returning to your housing unit, you will be pat searched.

## **STRIP SEARCHES**

Inmate strip searches will be conducted in order to reduce the introduction of contraband to the Jail.

You will be strip searched upon returning to the Jail after you have left the secure perimeter of the facility. Strip searches are also authorized when there is reasonable suspicion circumstance.

## **BODY SCANNER**

The Minnehaha County Jail utilizes a body image scanning system to search a person's entire body. Officers that operate the machine will be of the same sex as the inmate to be scanned unless exigent circumstances exist. Everyone is required to get scanned before moving to housing. This device may be used at any time throughout your stay at the Minnehaha County Jail.

## **LAUNDRY/ LINEN EXCHANGE**

Laundry will include towels, blankets, mattress covers, sheets, and Jail clothing. Blankets, mattress covers, sheets and mattresses will not be allowed outside the cell.

Linen exchange is scheduled for each housing unit on a rotating basis. When exchanging linen, you must turn in your soiled linen in order to receive new linen.

Laundry exchange is also done on a rotating basis. Staff will collect your soiled laundry prior to issuing new laundry. If any laundry items are incorrect or missing, you must let an officer know at the time of issuing in order to receive a replacement.

Inmate in possession of or found destroying clothing or linen may be subject to disciplinary sanctions.



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## ALCOHOL

Any time you leave the facility for any reason, you will be required to blow into an alcohol sensing breath test machine upon returning. Any detection of alcohol will result in disciplinary action.

## DRUG TESTING

Any time you leave the facility, for any reason, you may be required to provide a urine specimen that will be tested for drugs. Refusal to submit a urine specimen OR a positive drug test, will result in disciplinary action.

## EM DRUG TESTING

Inmates starting EM must pass a UA test. The initial test costs \$15.00. Failing the initial test will keep you from going on the program until you pass. You may retest every 5 days until you pass. You must pay \$15.00 for each retest. During the waiting period, you will be charged \$10.00 per day for standard room and board while being housed in the Jail.

During your time on the EM Program you may be required to give a random drug test at any time. Failing a random drug test while on the EM program will result in disciplinary action and possible criminal charges. You may elect to have the test sent to the DCI laboratory in Pierre for confirmation of the test at your own expense (\$45.00). When the results are returned, the Disciplinary Board will convene to determine any action to be taken. Failure of a random UA is grounds for permanent loss of EM.

## SECTION 3: COMMUNICATION/MAIL

All **non-privileged** correspondence (inmate phone, inmate visitation, photos, inmate e-mail and inmate mail) **are subject at all times to interception, monitoring, review, and recording at any time by law enforcement or other authorized corrections personnel or a 3<sup>rd</sup> party vender.**

## TELEPHONE

The Jail has telephones in each housing unit that may be used at the inmate's expense. Improper usage may result in phone restriction or disciplinary action.

## ATTORNEY CALLS

Inmates may request staff place their name on a list to have their attorney contacted. The request list will be collected during or shortly after breakfast Monday through Friday, not including holidays. Your attorney will be contacted by staff soon thereafter via telephone

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or email. All other contacts should be made by mail, inmate phone, or via e-mail through the kiosk system in your housing unit.

Staff will not send your attorney any personal notes. If you want to tell your attorney something, you can e-mail your attorney, write a legal letter, or speak with them when they visit you.

## **VIDEO VISITATION**

The Minnehaha County Jail provides access to inmates to keep in contact with family and friends through electronic video visitation. You have the right to refuse any visit.

Inmates may receive visits daily

\*Please note there are no lobby visits on Mondays.

Details on visitation and visitation hours can be viewed at:

<https://jail.minnehahacounty.gov/dept/so/divisions/jail/visitation/jailvisitation.php>

Visitors are expected to be orderly and respectful to staff, inmates, and other visitors. Visitation can be denied if your visitor is not dressed appropriately. Please refrain from using obscene gestures and language. Lewd conduct is prohibited and may be prosecuted. Visitation privileges will be terminated if any of the rules are violated. Inappropriate behavior during visitation, damaging visitation equipment and abusing visitation equipment will result in disciplinary action of the inmate and termination of the visitor's privileges.

Inmates that are on lockdown status for disciplinary reasons will not have access to video visitation unless it is privileged (attorney) visitation.

**All non-privileged visitation will be monitored and recorded.**

## **U.S. MAIL**

All incoming mail will be scanned into the inmate communication system by a third-party vendor and available for inmates to view on the kiosk or tablets. No personal mail will be accepted at the Minnehaha County Jail and will be returned to sender.

**All non-privileged incoming mail should be sent to the following address and using the same format.**

Inmate Name  
Inmate File ID #  
Minnehaha County Jail  
Po Box 591  
Longview, TX 75606

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**Any mail sent to the above address will not be returned or released. Once the mail is processed and received electronically by the inmate it will be destroyed. This includes all mail and pictures.**

**All envelopes and mail must include the inmate's name and Jail/booking/file ID number as well as a return address. Only mail that is within 8.5 inches wide x 11 inches tall will be accepted.**

**Mail sent to inmates must contain NO MORE THAN 5 PAGES. Anything that is over 5 pages will NOT be scanned and sent to the inmate and will be returned to the sender.**

**All mail that is scanned into the system will be scanned front side only. Any mail with writing on the back will be returned to sender.**

**Inmates may receive a maximum of 1 photo per mailing. If more than 1 photo is mailed, the entire letter and all its contents will all be returned to sender and nothing will be scanned in or delivered.**

**No bulk mail will be accepted**

Incoming and outgoing correspondence or publications may be rejected at any time based on the safety and security of the correctional facility. It may be any of the listed below but is not limited to only these situations:

1. Includes any information regarding planning or promoting criminal activities, advocates violence or may cause violence or serious disruption of the security or operation of the jail.
2. Violates a policy, rule or directive governing the Minnehaha County Jail.
3. Contains instructions for the manufacture/construction or use of a weapon, ammunition, explosive, narcotic, narcotic paraphernalia, alcoholic beverages or other unlawful substances.
4. Contains any materials associated with fantasy sports leagues. These are considered gambling materials and may result in a disciplinary write-up.
5. Contains contraband;
6. Depicts pornographic material, sexually-explicit conduct and/or nudity. This includes books, articles, pamphlets, magazines,

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- periodicals, or any other publications or other materials.
7. Encourages sexual behavior that is criminal in nature. Included in this category are pictures, photographs, drawings, etchings, paintings, writings or illustrations depicting or describing child pornography, bestiality, or acts of sexual violence.
  8. Contains pictures of current or ex-staff members, contract staff members, volunteers or interns.
  9. Violates postal regulations; such as threats, blackmail, extortion or similar violations. These incidents will be reported to the proper postal authorities.
  10. Contains encoded material or is written in code. This does not automatically prohibit foreign language publications and letters written in a recognized foreign language.
  11. Advocates racial, religious, or national hatred in such a way so as to create a danger of violence in the facility.
  12. Any staff member may deny any item if it poses some security risk or concern in the corrections environment.
  13. All incoming inmate mail must have a return address or it will be denied and placed in the inmate's property bag.  
Inmates will be notified through a message on the tablet whenever any correspondence has been rejected and the reason for the rejection.
1. Whenever any form of correspondence addressed to a specific inmate is rejected, including written or email correspondence, newspapers, the sender and the inmate will both be notified of the rejection, the reason thereof, and their right to appeal the rejection decision, unless the correspondence includes plans for or discussion of commission of a crime or evidence of a crime.

All **outgoing mail** will be recorded and will not go out until the following business day. **All outgoing inmate mail must be unsealed before it is given to staff, this mail is subject to search, and it will be sealed by the Correctional staff.**

In-coming legal mail will only be opened and inspected in the presence of the inmate to whom that mail is addressed. Out-going legal mail, although not censored, will be searched in front of the inmate for contraband, before being sealed. The Minnehaha County Jail will provide envelopes and pay postage for privileged/legal mail.

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ENVELOPES WITHOUT PROPER ADDRESSES AND RETURN ADDRESSES WILL NOT BE MAILED. Outgoing mail should have the following return address on the outside of the envelope:

NAME OF INMATE  
MINNEHAHA COUNTY JAIL  
305 WEST 4<sup>th</sup> STREET  
SIOUX FALLS, SD 57104

Inmates are not permitted to write to other persons in custody of Minnehaha County Jail unless permission is granted.

## PRIVILEGED CORRESPONDENCE

- A. Incoming and outgoing correspondence from the following sources is normally considered privileged/legal:
1. Judge of any Court.
  2. Clerk of any Court.
  3. Private practice attorneys/lawyers or law firms.
  4. State's Attorneys.
  5. Public Defenders (State or Federal).
  6. Public Advocates Offices.
  7. South Dakota Advocacy Services (SDAS).
  8. South Dakota Attorney General or South Dakota Assistant Attorneys General.
  9. U.S. Attorney General, U.S. Attorney for South Dakota and Assistant U.S Attorneys for South Dakota.
  10. Organizations or entities which are known to provide legal services such as East/West River Legal Services, Dakota Plains Legal Services, etc.
- B. The following incoming correspondence will normally be treated as privileged/legal **only** if the envelope is clearly marked "personal", "legal" or "privileged".
1. U.S. and State Representatives and Senators.
  2. Law Enforcement agencies.
  3. Parole or Probation authorities.
  4. The State Bar Association of South Dakota and its committees.

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**C. The following outgoing correspondence is NOT considered privileged/legal; however, mail from these offices may be sent directly to the jail's address.**

1. U.S. and State Representatives and Senators.
2. Governors (other than the Governor of South Dakota).
3. The State Bar Association of South Dakota and its committees.
4. American Civil Liberties Union
5. Department of Social Services.
6. Governmental agencies or officials not listed above in Section A.
7. **Federal tribal offices**
8. **Other state offices not mentioned above that are not considered privileged**
9. **County offices that are not considered privileged**

**D. Cash, money orders, cashier's checks or payroll checks will not be accepted through the mail. Deposits can be made into an inmate account online or at the front desk.**

**E. Checks from government office can be mailed into the jail but must be addressed to Accounting. Staff will verify with the inmate if they want the funds deposited or if they want the check placed into their property.**

## **NEWSPAPERS, BOOKS, MAGAZINES AND PUZZLES**

Books (soft cover only), magazines and newspapers must be **ordered directly from a publisher** (Barns and Nobles or another reputable publisher) by an outside person (i.e. family member, friend etc.) and delivered through the US mail or UPS type of service. The only exception is the Argus Leader; the Argus Leader can be delivered by the Argus Leader agent through its normal delivery service.

Books and magazines from companies known to allow third-party sellers will not be accepted. Such companies include but are not limited to the following; Amazon, Walmart and Target.

The Minnehaha County Jail will not be responsible for the storage or forwarding of any mail ordered book, magazine or newspaper after the inmate is discharged from the Minnehaha County Jail. **Refer to the Authorized Items section for possession limits.**

Books, magazines or newspapers that are ordered

- Books must be of soft cover only, limit of 2, does not include religious material.
- The cost of the book, magazine or newspaper is the responsibility of the inmate
- Articles must be sent directly from the publisher (Argus Leader can use local delivery)
- They must not be obscene or inflammatory, and will be inspected by staff before delivery.

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- Can only possess newspapers for 1 day from the day of delivery.
- Can only possess magazines for 3 days from the day of delivery. Only subscribing inmates may possess magazines or newspapers.
- Hard covered books of any kind are not allowed.
- No personal journals will be accepted. However, journals that have been created and utilized at the direction of programming or Mental Health will not be deemed contraband.

Any item not matching the above will be confiscated by staff, (inmate may face disciplinary action) and placed in the inmate's property, if applicable. Inmates may submit a grievance to a Jail Sergeant or Jail Lieutenant to request the property be returned.

Once a book is placed in your property bag in intake, it will not be retrieved by staff.

## Puzzles

- Puzzle pieces will not exceed 1,000 pieces.
- No 3D puzzles will be accepted. Only standard or traditional flat, cardboard puzzles will be permitted.
- The puzzle must be new in an unopened box.

## **SECTION 4: HEALTH SERVICES**

### **ACCESS TO HEALTH SERVICES**

The Minnehaha County Jail shall provide information to access our health services during the admission/intake process. To initiate requests for health services, submit a Medical Request on the kiosk system. If you are pregnant or think you may be pregnant please advise the Medical staff. Infectious diseases, mental health care, acute and chronic illnesses will be treated by on-site medical and mental health personnel. Detoxification from alcohol and drugs is conducted under medical supervision. Dental care is provided on an emergency basis.

### **MENTAL HEALTH SERVICES**

Minnehaha County inmates will have access to Mental Health services. Inmates may be referred to Mental Health through a variety of avenues, including the Intake screening process, the mental health evaluation process, staff referral, or self-referral. Self-referral is done by submitting a Medical Request on the kiosk system. If you need assistance submitting such request, please ask a staff member. Qualified mental health staff will respond to all referrals in a timely manner and initiate appropriate treatment services as needed.

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## **HANDICAP SERVICES/TDD**

Inmates requiring handicap services may make the request to any officer. Handicapped-equipped cells are available to inmates who have physical challenges.

Telecommunication Devices for the Deaf (TDD) are available for use if needed. Inmates requesting this service will submit a request via the kiosk system or ask the housing officer.

## **OVER THE COUNTER MEDICATIONS**

Several over-the-counter (OTC) medications are available for purchase through commissary. OTC medications will be kept in the inmate's possession.

## **SECTION 5: POSSESSIONS**

### **CONTRABAND**

Any item not authorized for you to have is contraband. Approved items may be contraband if they have been altered, are possessed in higher quantity than authorized, used in ways for which they were not intended, or obtained through an unapproved source. Items purchased must remain in their original containers.

You will be held responsible for contraband found on you, in your living quarters, in a storage space assigned to you or at your work site. Contraband will be confiscated and you may be subject to disciplinary action.

### **SMUGGLING**

Smuggling is the deliberate bringing of contraband into or out of a secure place as to avoid detection. This can include, but not limited to, carrying items in your shirt pocket or hidden in your hand or on your person.

Smuggling or attempting to bring any contraband into the Jail or into your housing unit from another location inside the facility, will result in disciplinary action.

Depending on the item that is brought into the facility, you could be subject to prosecution under SDCL 24-11-47, Possession of certain unauthorized articles in Jail as a felony.



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## **K-9 OFFICER AND K-9 DOG**

When the K-9 officer is with the K-9, you do not approach, touch or antagonize them. A K-9 is considered an officer and you are subject to disciplinary action if you fail to follow the guidelines and you could be subject to prosecution under SDCL 22-11-36 any person who harasses, taunts, or provokes a law enforcement supporting animal while the animal is working; or interferes with the individual handling the animal as a misdemeanor. Each animal that is working will be marked with a K-9 vest.

## **AUTHORIZED INMATE POSSESSIONS**

**The Warden reserves the right to modify inmate authorized possessions.**

- Photos sent will be available on the kiosk or tablets and will not be printed for any reason.
- Legal papers - Reasonable amount to be determined by staff.
- Prescription eyeglasses, hearing aids and dentures.
- Medical Alert bracelets - If approved by medical staff).
- 1 Pair of contact lenses and case - not responsible if lost or damaged while incarcerated).
- 1 Religious Book, soft cover (IE: Bible, Koran, etc.)
- 2 Book, soft cover – This includes personal books purchased.
- Jail issued linen and clothing - Not to exceed Jail issued amount.
- 2 Bar soap
- 2 Tube toothpaste
- 2 Toothbrush
- 2 Comb
- 2 Deodorant
- 2 bottle Shampoo or 6 indigent packets
- 2 Hair ties
- 1 Roll of toilet paper per cell - In the dorms, the toilet paper will stay in the bathroom.
- 2 Notepads for writing paper
- 3 Pencils
- Consumable commissary items - Reasonable amount to be determined by staff (The maximum order allowed \$75.00 each commissary day, does not include phone cards or stamps. Empty soda bottles may not be kept and must be discarded).
- 1 radio and ear buds purchased from commissary.
- Batteries – A reasonable amount to be determined by staff.
- 10 food service juice packets
- 10 salt and pepper packets
- Any other item authorized by Jail staff
- Any combination of 2 magazines or newspapers - Newspaper not older than 1 day

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from the date received and magazines not older than 3 days from day received.  
\*\*Acceptability of content will be at the discretion of a Jail Sgt. Lt. or Warden

**All items other than hygiene items, must be stored in your storage bin or tote.** In the single or double housing units hygiene items may be stored neatly on your shelf. Storage bins must be stored under your bunk or along the wall out of the walking path, if you have a concrete bunk.

**Jail staff will not retrieve items from your property once you have been moved to a housing area.**

**Blankets and towels** are not to be hung from bunks in the cells. Towels may be hung on the side of the bunk in dorm A and B until dry.

**Routine and random searches of a housing unit, cell, and dayroom area and all contents to check for contraband as well as safety and security issues may be conducted by Jail staff at the direction of Jail Command Staff or Supervisor.**

## **ISSUED ITEMS**

Each inmate upon entry into general population shall receive the following:

1 Set of striped clothes	1 Mattress cover
4 T-shirts	1 Sheet
4 Pairs of underwear (Boxers for men, Panties for women)	1 Blanket
4 Bras (women)	1 Mattress
4 Pairs of socks	1 Inmate identification band
1 Pair of sandals	1 Drinking cup
1 Towel	1 Hygiene kit

## **PERSONAL PROPERTY**

Personal property will not be allowed into the cell blocks without being approved by the Jail Sergeant or Jail Lieutenant. If the property is approved, it will be noted on the inmate management system. You may choose to release your property you came to jail with but it will be an all or nothing release. All your property will be released except one set of clothes to wear upon release. Minnehaha County will not be responsible for any property being lost, stolen or destroyed once it has been removed from the Jail's control (Property Room). You are only allowed one property release per Jail stay unless another is approved by a sergeant.

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## **PERSONAL JEWELRY AND CLOTHING**

Inmates will not be allowed to wear jewelry other than medical alert bracelets. One (1) wedding band without stone(s) may be allowed with supervisor approval. **The inmate must sign a waiver releasing Minnehaha County of all responsibility if ring is lost, damaged, or stolen.**

## **TOBACCO / E-CIGARETTES/ CELL PHONES / OUTSIDE FOOD OR DRINK**

Possession or use of tobacco products or electronic cigarettes (e-cigarettes) while in the custody of the Minnehaha County Jail will result in disciplinary action as well as criminal prosecution if applicable.

Cell phones are also not allowed within the Minnehaha County Jail. If you come into the facility with a cell phone, it will be placed in your property.

Outside food and drink will not be stored in inmate property. If you enter the facility with outside food or drink it will be discarded.

## **SECTION 6: KIOSK/INMATE ACCOUNT KIOSK**

The Minnehaha County Jail has implemented a Kiosk system that serves several functions. The Kiosk system allows inmates to order commissary, send e-mails, request health services, take classes, watch movies, read or listen to books, make general requests and submit grievances. Questions concerning how to use the kiosk should be directed to correctional staff in your unit.

### **INMATE ACCOUNT (MONEY)**

**Every Inmate will have an inmate account created upon being booked into the Minnehaha County Jail. All inmates bringing in money and all established inmates receiving money from outside will have the money deposited in an individual inmate account. ALL CASH WILL BE DEPOSITED IN THE INMATE ACCOUNT. Cashier's check, money orders, personal checks and payroll checks will not be accepted at the jail. Friends and family can deposit cash at the front desk or make online deposits.**

Upon release, a debit card will be issued for the remaining balance on your account minus any expenditures or charges.

Within the kiosk program you will be able to view your account history, order commissary items if you have sufficient funds, or indigent items if you do not. You can purchase phone minutes from your account via the phone system.

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## **ROOM & BOARD**

Minnehaha County sentenced inmates will be charged a room and board fee. Room and board fees will be deducted from your inmate account daily. If you do not have funds in your account you will accrue a negative balance. The room and board fee will be \$10.00 per day.

Pending commissary orders are secondary to room and board fees. Meaning if you place a commissary order at night the money will not get pulled from your account until 1000 hours the day of delivery.

Only the sentencing judge can waive the fee. If you want to apply to have the fee waived, contact any staff member for the Room and Board Waiver form. You can only submit a waiver request for current sentences, not old ones.

Out of County sentenced Inmates and federal inmates will not be charged. Trustee inmates are also not charged room and board on the days that they work.

Inmates with a negative account balance at the time of their release will be responsible to pay Minnehaha County for their unpaid balance. Failure to pay may result in civil lien or forfeiture proceedings against the inmate. If before such civil process occurs the inmate is detained in the Minnehaha County Jail for a new charge, the inmate's account will begin with a negative balance consistent with the amount owed.

## **SPLIT DEPOSITS**

**If you owe money** (have a negative balance) for room and board costs or for purchased Indigent Supplies, any money deposited to your account will be split 50/50. Fifty percent of any deposit will be applied as payment towards your negative balance; the rest will be available for use to order commissary items. Again please note any pending commissary orders are secondary to room and board fees. Meaning if you place a commissary order at night the money will not get pulled from your account until 1000 hours on the day of delivery.

## **COMMISSARY**

Commissary is a privilege, not a right. Commissary items may be purchased through the inmate kiosk. Choice of items and prices are subject to change without notice. Returns, refunds, exchanges, or credit will not be permitted/given. If you contest your order, the entire order may be returned and your account credited. It is your responsibility to check over your commissary order prior to signing for receipt of the order. Once you have signed to accept the order, it will not be changed if there is a discrepancy. The commissary order limit is \$75.00 per order. This does not include stamps. You are allowed to order three times a week.

**Commissary orders will be delivered to your housing unit by a commissary representative.**

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## Tablets

Tablets are owned and operated by NCIC. You will be issued **ONE** free set of headphones to use with the tablets, replacement headphones will need to be purchased through commissary. The tablets will offer classes you may take to earn points to watch movies, play games and access music that are offered on the tablets. There are also books you may read that will be offered as well free of charge. . Any inmate found abusing the tablets will be subject to disciplinary action and/or criminal action.

## INDIGENT STATUS

Inmates without money available to purchase hygiene supplies, may be able to purchase indigent supplies through the kiosk. You are considered to be indigent when you have a **current balance at or below \$1.00, balance never exceeds \$1.00 in 3 days and no money deposits in the past 8 days.**

## GENERAL INMATE REQUESTS

Inmates may utilize the kiosk system to submit formal requests for needs that the available staff cannot immediately provide. You may have up to three (3) open requests at a time. It is your responsibility to close them once you have received a response. Prior to submitting a request on the kiosk, inmates should speak to officers present to see if the request can be handled without need to submit a request on the kiosk.

**Requests that contain abusive/ derogatory language will not be addressed.**

Inmates are encouraged to **immediately** notify an officer if a request concerns a **threat to the immediate health or welfare of an inmate, staff or the public.**

**Inmates that abuse the kiosks or damage the kiosks may be subject to disciplinary and/or criminal action.**

## INMATE GRIEVANCES

A grievance is a complaint filed by an inmate related to any aspect of institutional life or conditions of confinement which personally affects the inmate. The following examples are issues that *do not* fall within this Policy: Federal, State, or Local Statutes; court decisions, or decisions of an inmate's attorney; and sanctions as a result of a disciplinary action.

Procedure:

- a. Inmates are encouraged to resolve all complaints informally through the security staff or medical staff. One exception is a sexual abuse complaint, which must be submitted as a grievance through the kiosk system. If the inmate alleges sexual abuse that grievance will not be referred to the staff member that is the subject of the complaint.

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- b. If an inmate cannot resolve their complaint through the security staff or medical staff, he/she may submit a grievance through the kiosk system.
- c. The inmate must state the specific nature; including, but not limited to, specific dates, times, locations, individuals involved, and any other relevant information, and explain what efforts (if any) they have taken to resolve the problem.
- d. If the grievance concerns a threat to the immediate health or welfare of an inmate, contact a staff member immediately.
- e. Third parties, including fellow inmates, staff members, family members, attorneys and outside advocates, are permitted to assist inmates in filing request for administrative remedies relating to the allegations of sexual abuse, and will be permitted to file such request on behalf of inmates.
- f. Inmates may only file one grievance per issue (except sexual abuse).

## 2. Response:

- a. Grievances will be handled at the lowest possible level beginning with a shift Corporal.
- b. The shift supervisor will ensure that grievances are reviewed daily.

## 3. Appeals:

- a. If the complaining inmate is not satisfied with the Corporal's response they may submit an appeal on the kiosk.
- b. The inmate must submit their appeal within 3 days of receiving their response from a Corporal, indicating why he/she believes the response is not adequate.
- c. After receiving a response, the complaining inmate may appeal the decision to the next level in the chain of command. Appeals must follow the chain of command:
  - i. Sergeant;
  - ii. Lieutenant;
  - iii. Warden;
  - iv. Sheriff.
- d. Appeals submitted at the Lieutenant or Warden level must be submitted within 3 days from receipt of previous response.
- e. The Warden or designee will respond within 10 days from the date of appeal.
- f. Appeals to the Sheriff – An inmate wishing to appeal the Warden's response must write a letter to the Minnehaha County Sheriff. Paper will be provided to the inmate at their request. The inmate may ask for a legal envelope to send this communication. Staff will document the parcel of outgoing mail on the Jail Management System and send the letter through interoffice mail. Sheriff appeals must be submitted within 2 days of response from the Warden.
- g. The Sheriff or designee will respond within 15 days from the date of appeal.
- h. Once the Sheriff has responded, the inmate has exhausted his/her appeals within the department and cannot appeal any further.

## 4. Abuse of the Grievance Procedures

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- a. The grievance procedure is in place to protect inmates and allow for the settling of disputes and problems that cannot be settled informally with security or medical staff. Abuse of the grievance procedures will not be tolerated.
- b. If it is determined by the Warden that an inmate is abusing the grievance procedure, the inmate will be informed in writing that grievances are to be limited to legitimate complaints.
- c. Examples of abuse of this policy are set forth below, but are not all inclusive:
  - i. Grievances containing profanity, abusive language, sexual connotations or threats will not be addressed and the inmate may face disciplinary action.
- d. If it is determined by the Warden that an inmate has submitted more than three frivolous grievances, the inmate may be subject to disciplinary action.

## **SECTION 7: PROGRAMS**

### **ELECTRONIC MONITORING APPLICATION**

The Minnehaha County Sheriff's Office has established an Electronic Monitoring Program for participation by inmates who have been authorized by their sentencing Judge.

The EM Program provides sentenced inmates with an opportunity to maintain outside employment and stay at their residence.

Inmates requesting detailed information on EM program, should contact a staff member to view the EM information packet.

In order to fill out an EM application you must sit down with an available officer and they will walk you through the process.

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## **ELECTRONIC MONITORING REQUIREMENTS**

- EM inmates are required to have EM money paid a week in advance.
- Inmates must have a verified and approved job.
- Inmates must pass an initial drug test and continue to pass subsequent random drug tests.
- Inmates must have their schedule called in, Faxed or emailed to the EM supervisor or have a permanent schedule listed.
- If you're driving, we need a copy of your vehicle registration, insurance, and driver's license or work permit.
- Inmates must have an up to date Job Site Slip.
- Electronic Monitoring candidates must have a residence.

## **SENTENCE TO SERVE INMATE WORKERS (TRUSTEES)**

Due to a constant turnover in the inmate population, there will always be a need for inmate labor. To apply for a trustee position, inmates must fill out and submit an application. Work assignments will vary. Inmates classified as a Federal inmate, awaiting extradition or have a current behavioral problem will **not** be considered. Preference will be given to those inmates serving a sentence. Each inmate who participates in this program may be eligible for a sentence reduction. Un-sentenced and out-of-county inmates may apply for inside jobs but will not be eligible for sentence reductions unless authorized by their sentencing county or judge.

## **CHURCH AND RELIGIOUS SERVICES**

The Minnehaha County Jail has volunteers that come to the facility at various times to provide religious services. Services are offered to housing units on a rotating basis. The Minnehaha County Jail may restrict religious services as needed to maintain the security of the facility.

## **RECREATION**

Inmates will be offered recreation once daily. Dorm Units will have the recreation area available during non-lockdown times. Recreation may be restricted due to safety, security or medical reasons.

## **LIBRARY**

Books will be made available to you on the inmate tablets.

## **SECTION 8: MISCELLANEOUS**



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## TELEVISION

The television sets located in each unit **are a privilege and not a right** for the inmates. The televisions at the Jail are controlled by the Correctional Officers on/in the unit. The selection of the channel and the volume will be set at the discretion of the Jail staff.

**Inmates are not permitted to touch the TV.**

Any inmate arguments regarding the TV may result in immediate lock down of those inmates involved.

## LAW LIBRARY

A law library is available on the inmate tablets.

## FOOD SERVICE

Meals are served three (3) times daily. When you have finished eating, stack your tray and utensils in the appropriate manner. Remain seated in the day room area until trays and utensils have been accounted for and meal time has been cleared by the Housing Officer. **Do not throw cups, utensils, or trays in the garbage**; this behavior may result in disciplinary action. If utensils are missing, the entire unit may go on lock down status. Uneaten food may **NOT** be saved until later (this includes condiment packets, salt, pepper, sugar, etc.). Food shall not be taken back to the inmate's cell, or left in the day room area.

Special diets will be provided for those inmates with medical or genuine religious restrictions, but must be approved in advance by Medical Staff or Command Staff. Please note that special diets take some time to set up with kitchen staff, and may take 24-48 hours before you receive them.

If you require a religious diet, you must submit a request to Programs on the kiosk system. When your request form is addressed you will be provided a "Request for a Religious Diet" form. You must complete this form entirely. Once it is processed, you will be notified of the approval or denial of your request. This process does take time and your patience is appreciated.

Any inmate requesting to participate in a religious observance that requires a special diet will submit a kiosk request to Programs no less than twelve (12) days from the start of said observance. Consideration will be given to persons not in custody 12 days prior to said observance.

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## **COURT/COURTROOM BEHAVIOR**

If you have any questions regarding your court status, custody or release status, or accuracy of your release date or time, you should speak to a unit officer or submit a request with your specific question on the kiosk system.

While at court, physical contact, written or verbal communication will not be permitted between inmates and other persons except court officials and attorneys. During any Magistrate or Circuit Court appearances, all inmates are expected to behave and follow all instructions of the escorting officers. Any disruptive or disrespectful behavior will result in disciplinary action and may delay your court appearance.

## **COURT CLOTHES**

Inmates will normally wear their Jail issued uniform to court unless ordered otherwise by the court.

## **SECTION 9: INSTITUTIONAL RULES/ DISCIPLINE**

### **DISCIPLINE TYPES**

#### **Informal Discipline/Housing Unit Disciplinary Lockup**

Confinement of an inmate in an individual cell for up to 23 hours is determined by the Housing Officer. Housing unit disciplinary lock-up is used in lieu of a formal disciplinary write-up. Staff may use other means of disciplinary besides confinement when applicable including loss of any privileges that is awarded to an inmate. (Inmates may submit an appeal to the supervisor)

#### **Administrative Lockup**

Confinement of an inmate in an individual cell for up to 72 hours as determined by the Shift Supervisor, Jail Lieutenant and/or Warden. Administrative Lockup may be used in lieu of a formal write-up. (Inmates may submit an appeal to the supervisor.)

#### **Formal Discipline**

Inmates that are suspected of violating Jail rules will be written up for those violations by the witnessing officer. The Shift Supervisor may place the inmate in an individual cell on lockdown status, pending the outcome of a formal hearing.

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## **RULE INFRACTIONS**

The investigating officer or his/her designee, will serve notice of violation and a copy of the rule infraction report on the inmate offender upon completion of the investigation. If the inmate desires a hearing, a separate hearing board will determine the inmate's innocence or guilt and then decide upon appropriate disciplinary action. Any or all of the restrictions in each action may be appropriately applied for disciplinary reasons.

### POTENTIAL CRIMINAL CHARGES FOR PROHIBITED BEHAVIOR

Where applicable, **ANY PROHIBITED CONDUCT RESULTING IN DISCIPLINARY PROCEEDINGS OR DISCIPLINARY ACTION MAY ALSO BE REFERRED TO APPROPRIATE AUTHORITIES FOR CONSIDERATION OF CRIMINAL CHARGES.** Any sanction for those charges is a matter for the courts, separate and distinct from any authorized discipline imposed within the facility consistent with the provisions of this guidebook.

### **PROHIBITED ACTS CLASSIFIED AS MAJOR VIOLATIONS:**

Any violation of the following is punishable by up to 60 days in lock down.

Loss of work release or community service status may result for violating any major infraction.

1. Any act or acts defined as felonies or misdemeanors by South Dakota State Law or Federal Law not already defined as a prohibited act. Inmates charged with a violation of this rule will be given a copy of the particular law or laws allegedly violated.
2. Assaulting any person resulting in injury or risk of injury; including the throwing of any substance or object at any person.
3. Fighting with another person.
4. Engaging in or encouraging a riot, work stoppage, group demonstration, group food or group hunger strike.
5. Escape; planning, attempting, or assisting in escape; or possession of escape paraphernalia.
6. Tampering with or blocking any locking device or camera.
7. Setting a fire, attempting to set a fire, or tampering with fire detection equipment or firefighting equipment.

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8. Use of, possession of, introduction of, or manufacturing of plans or drawings to manufacture, or attempt to procure an explosive device, ammunition, firearm, weapon, sharpened instrument, knife, hacksaw blade, wire cutter, or unauthorized tool.
9. Use of, possession of, introduction of, manufacturing of plans or drawings to manufacture, buy or sell, or attempt to do the same of any narcotics, narcotic paraphernalia, drugs, medicine or intoxicants not prescribed by the medical staff. To include the manufacturing of homemade alcohol (hooch).
10. Refusing or failing to produce a urine or breath sample, refusing to participate in a urine or breathe test, or attempting to circumvent or alter a urine or breathe test.
11. Threatening any person (e.g. staff, volunteers, visitors, and inmate) with bodily harm or with any offense against his/her person, his/her family or his/her property.
12. Extorting, blackmailing - demanding or receiving money or anything of value in return for protecting someone.
13. Giving, offering or receiving money or anything of value as a bribe.
14. Making unsolicited contact with, or in reference to any person (writing notes or letters, making suggestive remarks or gestures, inappropriate touching or seeking out personal information).
15. Disorderly conduct as defined below:
  - a. Conduct which disrupts or interferes with the security or good order of the institution or interfering with a staff member in the performance of his/her duties.
  - b. Insolence (any conduct, acts, or gestures - verbal or non-verbal - showing disrespect) toward any non-inmate or in reference to any non-inmate.
  - c. Conduct which disrupts or interferes with the security or good order of the institution or interfering with a staff member in the performance of his/her duties including circumventing or attempting to circumvent any rule, regulation or procedure contained in County policies or institutional operational memorandums.
16. Engaging in consensual sexual contact and/or unnatural acts, propositioning sexual contact or sexual harassment with any person.
17. Damaging, altering or wasting county property resulting in Major damage.

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18. Misuse of prescribed or authorized medicine; including saving, cheeking or accumulating authorized medicine contrary to medical orders; failure to turn in medications on or before their expiration date; or using authorized medication for an unauthorized purpose, such as giving, trading or selling authorized medicine to another inmate.
19. Stealing (theft) or possession of stolen property.
20. Being in an area posted as unauthorized for inmates and/or areas inmates are not allowed to be without staff escort.
21. Having possession of materials used for tattooing, or administering/receiving tattoos.
22. Self-mutilation and/or deliberately injuring yourself or permitting others to harm you.
23. Failure to be present for count or interfering with the taking of count.
24. Failure to abide by rules or regulations governing special programs, including work release, trustee, community service or furloughs.
25. Refusing to obey a verbal or written order of a staff member.
26. Having in your possession, living quarters, storage area or work site any article not issued to you, not purchased through the commissary, or for which you do not have special authorization; or having articles in excess of established limits; or articles which are used for unauthorized purposes.
27. Unauthorized contact with outsiders or visitors, or violation of a protection order issued by any court or conditions set forth as conditions of bond.
28. Gambling or participating in games of chance (such as poker, black-jack, gambling pools, etc.) or having in your possession any paraphernalia used in gambling (such as dice, etc.). Inmates are permitted to have playing cards and dice for board games; the determination of paraphernalia is made if the item is utilized in a game of chance for gambling purposes.
29. Transferring money or property to, or accepting money or property from, another inmate, a member of his/her family or his/her friends.

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30. Counterfeiting, forging or unauthorized reproducing of any document, article of identification, money, pass, or official paper or form.
31. Refusing to eat for a period of seventy-two (72) hours or more, other than for a religious fast or prescribed medical reason.
32. Refusing to accept a program or living quarters assignment.
33. Engaging in gang activity, to include possession of material depicting gang symbols, specific gang colors, or any act or gesture that references gangs.
34. Following three (3) violations of any minor rules by an inmate within a two-month period, the Warden or designee may declare that all future violations of minor rules constitute a major violation. The Warden or designee must give prior notice to the inmate concerned that future violations of the minor rules will constitute a major violation.
35. Attempting to commit any of the offenses in this section, aiding another person to commit any of the offenses in this section, and/or making plans to commit any of the offenses in this section and/or threatening to commit any of the offenses in this section will be considered the same as commission of the offense.

**Past conduct may be used in determining any sanction you may receive for a major rule violation. You will be given notice of any disciplinary action being contemplated against you.**

**YOU MAY BE LOCKED UP PENDING A HEARING FOR VIOLATING ANY MAJOR VIOLATION. Violation of any major infraction may result in loss of work release or community service status. CERTAIN RULE VIOLATIONS MAY RESULT IN CRIMINAL CHARGES BEING BROUGHT AGAINST YOU.**

**Following three (3) convictions of major violations within a 6-month period, your file will be submitted to Jail Administration for review.**

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## **PROHIBITED ACTS CLASSIFIED AS MINOR VIOLATIONS:**

Any violation of the following is punishable by up to 30 days lock up. Loss of work release or community service status may result for violating any minor infractions.

1. Failure to abide by posted or written regulations/standards.
2. Lying or knowingly providing a false statement to a staff member.
3. Failure to perform work as instructed and/or failure to comply with sanitation standards; failure to make your bed as instructed or by the designated time.
4. Unauthorized use of telephone, intercom, visitation equipment or kiosk.
5. Placing any article over cell window, cell front or other windows.
6. Failure to comply with standards of hygiene, grooming or dress.
7. Failure to sleep with your head towards the door (with your head exposed) or positioning your mattress in an area other than on the bunk.
8. Being in a housing unit other than your own, or entering living quarters other than your own, or being on the wrong floor/tier of your housing area.
9. Having in your possession, living quarters, storage area or work site, any article not issued to you, not purchased through commissary, or for which you do not have special authorization; or having articles in excess of established limits, or articles which are used for unauthorized purposes.
10. Disorderly conduct:
  - a. Conduct which disrupts or interferes with the security or good order of the institution or interfering with a staff member in the performance of his/her duties.
  - b. Disrupting staff during count.
  - c. Inappropriate behavior during an authorized visit (e.g. flashing); or inappropriate conduct during an authorized visit (e.g. arguing, loud noises).
  - d. Making unnecessary or loud noises or unruly conduct.
11. Possession of pornographic material.
12. Transferring money or property to, or accepting money or property from another inmate, a member of his/her family or his/her friends

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13. Physical resistance or physical interference with an employee, contract service provider, volunteer or visitor at a level less than assault.
14. Gambling or participating in games of chance (such as poker, black-jack, gambling pools, etc.) or having in your possession any paraphernalia used in gambling (such as dice, etc.). Inmates are permitted to have playing cards and dice for board games; the determination of paraphernalia is made if the item is utilized in a game of chance for gambling purposes.
15. Failure to follow work release or special program rule.
16. Scratching or marking walls/doors or furnishings, taping or attaching pictures or other articles to walls or other furnishings.
17. Posting or passing personal notes without authorization.
18. Resisting Staff
19. Removing food from the dining room, day area or kitchen; keeping or storing food from the meal trays.
20. Failure to comply with a "Cell Clean-up Order" within a 24-hour period.
21. Failure to comply with medical orders and/or directives including the checking of medication.
22. Violating correspondence regulations.
23. Loitering.
24. Damaging, altering or wasting County property resulting in Minor damage.
25. Failure to follow a religious diet, medical diet or other special diet; or failure to pick up any meal that has been specifically prepared for you as an individual (e.g. diet tray, kosher tray, Halal tray, etc.).
26. Possession of unauthorized or altered personal clothing or property.
27. Obstructing, altering or darkening light fixtures or bulbs.
28. Accumulation of containers, newspapers, magazines and/or trash.



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29. Attempting to commit any of the offenses in this section, aiding another person to commit any of the offenses in this section, and/or making plans to commit any of the offenses in this section and/or threatening to commit any of the offenses in this section will be considered the same as commission of the offense.
30. Following five (5) informal violations of any rules by an inmate within a two-month period, the Warden or designee may declare that all future informal violations constitute a minor violation. The Warden or designee must give prior notice to the inmate concerned that future informal violations constitute a minor violation.

**Past Conduct may be used in determining any sanction you may receive for a minor rule violation. You will be given notice of any disciplinary action being contemplated against you.**

## **CERTAIN RULE VIOLATIONS MAY RESULT IN CRIMINAL CHARGES BEING BROUGHT AGAINST YOU.**

**Repeated violations of minor offenses may result in the loss of work release of community service status.**

### **YOUR RIGHTS AT DISCIPLINARY HEARING**

These rights apply when you have been charged with a rule infraction. A guilty plea or conviction by the disciplinary board may result in your placement in isolation, lockup and/or a loss of privileges.

1. You must receive a copy of the Rule Infraction report containing the reporting officer's charge against you.
2. You must receive two (2) copies of the Notice of Violation - a pink copy and a yellow copy. The pink copy is yours. The yellow copy is to be returned within 24 hours with a plea entered or changed from your original plea at time of service. You may also enter witnesses on the yellow copy. The officer serving the Notice of Violation will forward the original to the hearing officer.
  - a. Should you desire to plead GUILTY to the charge and waive your rights to a Due Process hearing, your penalty will be as described under Penalty Upon Guilty Plea. That penalty will be imposed as soon as possible. If no penalty is entered, an eligible hearing officer will render sentence.
  - b. If you plead NO CONTEST or NOT GUILTY, you will receive a Due Process hearing and if found guilty the disciplinary board will determine any penalty imposed upon you.

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3. The disciplinary board shall consist of two Jail staff, neither of which shall have participated as an investigator or as charging officer.
4. You may be eligible to be assisted at your hearing by a member of the Jail staff. Such assistance may be granted for foreign language speaking inmates or those who are not capable of understanding the process. Requests for staff assistance will be done on a case-by-case basis. (See Rule Violation Form)
5. You have **no** right to cross examine any witnesses who are presented against you at the hearing. You have the right to call witnesses in your own defense subject to a reasonable number which will be determined by the disciplinary board. You must indicate the name of any witnesses that you wish to be present at the hearing on the yellow copy of the Notice of Violation and return it within 24 hours to the hearing board.
6. You are entitled to remain in the general population pending your hearing unless it is determined that you present a threat to the security or discipline of the institution. A hearing will be held within 7 days after the Notice of Violation was served excluding weekends and holidays.

FAILURE TO RETURN THE YELLOW COPY OF THE NOTICE OF VIOLATION WITHIN 24 HOURS WILL RESULT IN AN AUTOMATIC WAIVER OF YOUR RIGHTS TO COUNSEL SUBSTITUTE AND TO CALL WITNESSES AT YOUR HEARING UNLESS YOU CAN SHOW GOOD CAUSE FOR NOT RETURNING IT.

## **DISCIPLINARY SANCTIONS**

**Verbal warning** may be given by a staff member to an inmate who is in violation of a Jail rule or policy. Ignoring a verbal warning may result in further disciplinary action. A verbal warning may be considered a form of probation.

## **MINOR INFRACTIONS:**

If you are pending a hearing or serving a disciplinary sanction for a minor rule infraction, the following may apply:

1. Lock up in cell except for daily showers, cell clean up and exercise.
2. Inmate will eat in locked cell.
3. Visitation restricted to professional visits only.
4. Commissary purchases restricted to personal hygiene items, legal pad, pencil and envelopes. Previously purchased commissary items not listed are prohibited and will be stored in the inmate's property bag or CCC locker.
5. Recreation restriction.
6. U.S. Mail will not be restricted.
7. **30 DAY LIMIT**

# **Jail Inmate Policy**

Approved by Mike Mattson on 04/13/2023

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## **MAJOR INFRACTIONS:**

If you are pending hearing or serving a disciplinary sanction for a major rule infraction, the following may apply:

1. Lock up in cell except for daily showers, cell clean up and exercise.
2. Inmate will eat in locked cell.
3. Visitation restricted to professional visits only.
4. Commissary purchases restricted to personal hygiene items, legal pad, pencil and envelopes. Previously purchased commissary items not listed are prohibited and will be stored in the inmate's property bag or CCC locker.
5. Recreation restriction
6. U.S. Mail will not be restricted.
7. **60 DAY LIMIT**

## **DISCIPLINARY APPEALS**

Formal appeals of disciplinary action will be reviewed by the Jail Lieutenant. You must keep your appeal copies for proof of status change.

Additional appeals should be in writing and submitted within 10 days of the disposition. The levels of appeals are:

1. Warden or his/her designee.
2. Sheriff or his/her designee.

Inmates may request for a reduction in sanction after half the disciplinary time has lapsed. Inmates requesting this should make the request on a Disciplinary Appeal form.

## **ICE DETAINEE RIGHTS**

You are being housed in a detention facility operated or contracted by the U.S. Immigration and Customs Enforcement's (ICE) Enforcement and Removal Operations (ERO).

You will probably stay at the facility until:

- Your immigration case is decided;
- You are ordered to be removed from the country; or,
- You are transferred to another facility.

It is your responsibility to read this handbook to learn about:

- Your responsibilities and rights as a detainee;
- Programs and services available to you;
- Rules you must follow;
- Procedures for common situations; and
- How to report problems and file complaints.

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This handbook provides only a summary of important information and does not cover all rights and requirements related to your stay at the facility.

You will also receive a handbook from your facility that explains its local rules. It is important that you understand and follow the rules in both handbooks. If you lose this handbook, you are entitled to one replacement. Copies will be available for reference at the law library and in the housing units, or may be requested from facility staff.

If you need help understanding this handbook, tell a staff member at your facility or an ICE officer. If you do not read or understand English, you have the right to receive important information in a language or format you understand or to have someone explain it to you in simpler terms. Tell an officer if you need assistance.

## YOUR RESPONSIBILITIES AND RIGHTS

While ICE's policy is to treat all detainees with dignity and respect and to keep the facility safe, secure, and clean, you also have responsibilities and rights.

### YOUR RESPONSIBILITIES

One of your main responsibilities is to learn and follow all the facility's rules, regulations, and instructions. If you do not follow the facility's rules, you may be subject to discipline. You also must respect the staff, other detainees, and all property and to keep yourself and your surroundings clean.

You are also responsible for:

- Cooperating with the staff;
- Using staff members' titles, as in, mister, miss, doctor, officer, and their last name;
- Being polite to other detainees; and
- Following laundry and shower schedules.

### YOUR RIGHTS

You have certain rights, and they are observed as long as they do not harm others or disrupt the order and security at the facility.

You have the right to maintain your personal well-being, hygiene, and health care.

While being detained at the facility, you have the right to nutritious balanced meals, clean clothes, regular opportunities to bathe and do laundry, and be given the supplies to do so. You have the right to take regular showers, live in areas with proper air circulation and heating, and have access to medical and mental health care if needed.

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You have rights if you are disabled.

If you have a disability, such as limited ability to move, speak, breathe, see, hear, or care for yourself, you have the right to reasonable access to all programs, activities, and services available to other detainees. You also have the right to be provided aids or services to help you communicate, see, or hear.

You also have the right to the following:

- Practice your religious faith;
- File a complaint about the living conditions with the facility or the Department of Homeland Security (DHS);
- Be free from being discriminated against for any reason, including your race, religion, national origin, sex, sexual orientation, gender identity, physical ability, mental ability or political beliefs;
- To be protected from mistreatment;
- To report any assault, including an incident of sexual abuse or assault, to facility staff or DHS; and
- To access law library resources and legal assistance. See your local facility handbook for information about legal aid programs and their presentations, rules, procedures, and hours.

The Minnehaha County Jail strives to keep its occupants free from harassment, personal abuse from other detainees and staff, and does not use corporal punishment.

Disciplinary action is not retaliatory or capricious.

Detainees needing to make an emergency call must talk to correctional staff who will forward the request to the shift supervisor to make determination on what action to take.