



2024 South Dakota Legislature

Senate Bill 74

Introduced by: **Senator Hoffman**

1 **An Act to establish reentry initiatives and programs in the Department of**
 2 **Corrections.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1. That chapter 24-5 be amended with a NEW SECTION:**

5 The Department of Corrections shall provide appropriate evidence-based health,
 6 educational, behavioral, and career-readiness programs to an inmate as soon as
 7 practicable after the inmate's initial parole date and release plan is established. The
 8 department shall provide programming to all inmates regardless of an inmate's
 9 classification status.

10 The department shall maintain records of the inmate's educational progress,
 11 including life skills obtained and certifications and credit- and non-credit-bearing courses
 12 completed while the inmate is incarcerated. The department shall provide reasonable
 13 access to resources for an inmate to apply for grants or other financial aid that may be
 14 available to pay for the inmate's program.

15 With due regard to safety and security requirements, the department shall utilize
 16 volunteer- and faith-based services to provide programming pursuant to this section.

17 The department may provide incentives to an inmate upon the inmate's completion
 18 and proper documentation of programming, including:

- 19 (1) Additional phone and visitation privileges;
 20 (2) Extended access to computer systems and email;
 21 (3) Increased commissary spending limits and product offerings; and
 22 (4) Other incentives requested by the inmate upon approval by the warden.

23 **Section 2. That chapter 24-5 be amended with a NEW SECTION:**

1 When an inmate is released from a term of imprisonment and the intended
2 residence designated by the inmate is within the state, the Department of Corrections
3 must provide the inmate with the following documentation:

- 4 (1) A nondriver identification card if the inmate does not have an active nondriver
5 identification card or driver license;
6 (2) A certified copy of the birth certificate of the inmate;
7 (3) A social security card or replacement social security card;
8 (4) A copy of the following work record documents, if applicable:
9 (a) A resume that includes any trade learned, life skill obtained, certification or
10 credit or non-credit bearing course completed, or any other applicable
11 program completed by the inmate while incarcerated, and the proficiency
12 or skill obtained by the inmate;
13 (b) Documentation that the inmate completed a practice job interview; and
14 (5) Notice that the inmate is eligible to apply for an occupational license or certification
15 in the state, if applicable.

16 **Section 3. That chapter 24-5 be amended with a NEW SECTION:**

17 Within ten months prior to an inmate's release from custody, the Department of
18 Corrections, in coordination with the Department of Public Safety, must determine if the
19 inmate has an active nondriver identification card or driver license, and if not, begin
20 gathering the documentation required for the issuance of a nondriver identification card
21 pursuant to § 32-12-17.2. The Department of Public Safety shall allow the use of a certified
22 copy of a birth certificate, together with a Department of Corrections record card, to serve
23 as a valid form of photo identification to obtain a nondriver identification card.

24 A nondriver identification card provided pursuant to section 2 of this Act is valid for
25 a period of four years from the date of issuance and is nonrenewable and nontransferable.
26 The inmate must pay any applicable fees.

27 **Section 4. That chapter 24-5 be amended with a NEW SECTION:**

28 For the purposes of section 2 of this Act, an inmate is not required to complete a
29 resume or a practice job interview prior to release from incarceration if the inmate:

- 30 (1) Is sixty-five or over;
31 (2) Is releasing on compassionate parole pursuant to § 24-15A-55 or discharging from
32 a prison infirmary setting;

- 1 (4) Has secured post-incarceration employment and provides an employment
2 verification letter from the employer or other proof of post-incarceration
3 employment;
4 (5) Is releasing to the custody of another jurisdiction on a warrant or detainer; or
5 (6) Is physically or mentally unable to return to the workforce upon release from
6 incarceration, as determined by the Department of Corrections.

7 **Section 5. That chapter 24-5 be amended with a NEW SECTION:**

- 8 The secretary of the Department of Corrections shall submit an annual report to
9 the Legislature on or before the first legislative day. In addition to statistical data on
10 inmate population, demographics, admissions, and releases, the report must include the
11 following information:
12 (1) A list of programs available to inmates pursuant to this Act, and the number and
13 percentage of inmates participating in each program; and
14 (2) An analysis of incarceration costs, recidivism rates, and any reduction in costs or
15 recidivism occurring as a result of this Act.