

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota

April 9, 10, 11 and 12, 2018

Parole Board meetings were held on April 9, 10, 11 and 12, 2018 at various locations in the State of South Dakota. A Parole Board meeting was held on April 12, 2018 at the South Dakota State Penitentiary - Jameson Annex commencing at 8:08 AM with the following present:

Mark Smith, Chair
Ken Albers, Vice Chair
Paige Bock, Member
Anne Hajek, Member
Kevin Krull, Member
Myron Rau, Member
Shannon Riter – Osborn, Member
Chuck Schroyer, Member
Rev. Patricia White Horse-Carda, Member
Doug Clark, Director of Parole
Kathleen Bongers, Program Assistant
Stacy Cole, Senior Secretary
Traci Fredrikson, Corrections Specialist
Ashley McDonald, DOC Legal Counsel
Valerie McGovern, Corrections Analyst
Savannah Murray, Board Intern
Kayla Stucky, Corrections Specialist
Mike Vonsik, Board Office Manager

Quorum Present? Yes

Members who are absent today: Brad Lewandowski, Director of Field Services

REPRESENTATIONS: Ashley McDonald, Department Of Corrections Legal Counsel representative, was available for questions.

SPECIAL GUESTS: Director of Classification and Transfer, Rick Leslie. Case Manager, Riley DeGroot. Case Manager, Liz Effling. Corrections Specialist, Kayla Stucky. Senior Case Manager, Troy Ellis. SOMP support staff, Jeff Neill. Resource Coordinator, Hilary Onnen. Resource Coordinator Program Manager, Tonya Honomichl. Parole Agent, Justin Korth. Risk Reduction Manager, Dusti Werner.

MINUTES: Vice Chair Albers made motion to approve the minutes from the March, 2018 meeting of the Board. Board Member Schroyer seconded the motion. All members voting aye; the motion carried.

HEARING PANELS: Board Member Rau was unavailable on Monday, April 9, 2018. Board Chair Smith was unavailable on Wednesday, April 11, 2018. Board Member Rau will be unavailable on Wednesday and Thursday in June, 2018. Board Chair Smith will be unavailable on Monday and Tuesday in June, 2018.

REVIEWED BY THE FULL BOARD:

The following inmate was reviewed by the full board. Board Member Krull made a motion to return enough good time to make his release effective May 1, 2018. Board Member Riter –Osborn seconded the motion. All members voting aye, the motion carried.

Anthony Red Cloud

APPEARANCES BEFORE THE FULL BOARD (EIGHT MEMBERS) IN SPRINGFIELD ON TUESDAY APRIL 10, 2018:

The following inmate appeared before the full board. Board Member White Horse - Carda made motion to grant parole. Board Member Krull seconded the motion. Board Chair Smith voting nay, all other members voting aye; the motion carried.

Joshua Max

The following inmate appeared before the full board. Vice Chair Albers made motion to grant parole to interstate compact to Minnesota. Board Member White Horse- Carda seconded the motion. Board Member Rau voting nay, all other members voting aye; the motion carried.

Willie Ratliff

APPEARANCES BEFORE THE FULL BOARD (NINE MEMBERS) IN SIOUX FALLS ON THURSDAY APRIL 12, 2018:

The following inmate appeared before the full board. Board Member Schroyer made motion to grant parole. Board Member White Horse - Carda seconded the motion. Board Chair Smith, Board Member Hajek, Board Member Rau and Board Member Riter – Osborn and Board Member Bock voting nay, Board Member Schroyer, Board Member White Horse – Carda and Vice Chair Albers voting aye; the motion died for lack of enough votes. Board Member Riter – Osborn made a substitute motion to set out 6 months and requests offender work on her education/GED. Board Member Hajek seconded the motion. Vice Chair Albers voting nay, all other members voting aye, the motion carried.

Dawn Around Him

The following inmate appeared before the full board. Board Member Riter - Osborn made a motion to grant parole with GPS, complete a 60 day polygraph and then complete a polygraph every 6 months. Mr. Johnson will also need to complete treatment. Board Member Rau seconded the motion. Board Member Krull and Board Member Bock voting nay, all other members voting aye; the motion carried.

Basil Johnson

The following inmate appeared before the full board. Vice Chair Albers made motion to grant parole with GPS monitoring. Board Member Hajek seconded the motion. All members voting aye, the motion carried.

Christopher Mousseau

The following inmate appeared before the full board. Board Member Riter -Osborn made motion to grant parole. Board Member Rau seconded the motion. All members voting aye; the motion carried.

Dillan Anderson

The following inmate appeared before the full board. Vice Chair Albers made motion to grant parole. Board Member Krull seconded the motion. Board Member Bock voting nay, all other members voting aye; the motion carried.

Jeremiah Hilston

BREAK: 10:25 AM – 10:40 AM

EARNED DISCHARGES:

NONE

AGENDA ITEMS:

Director's Report: Director Clark reported on parole hearing numbers, extended detainment, and parole violations and non-compliance numbers. All hearing sessions normally held in the SDSP 3rd floor visit room were moved to the JPA visit room beginning in March in order to improve security. The transition went well and we plan to continue holding full board sessions in Jameson. We will continue to make adjustments as necessary to improve operations as we continue this transition. As a result of a scheduling oversight, DSS visits were scheduled in the visit room at MDSP at the same time as hearings, creating noise issues. This scheduling issue has been corrected and should not pose issues in the future. Director Clark attended the ICAOS Executive Committee Meeting in Louisville, KY March 12-13. Myron Rau and Chuck Schroyer are registered for the APAI conference in April in Incline Village, NV. They will be bringing license plates and SDSP T-shirts for the silent auction. Shannon Riter Osborn, Paige Bock and Anne Hajek are making plans to attend the NIC Orientation for Parole Board Members in Aurora, CO in July. California, Arizona and Washington are on the docket for structured decision making for 2018. Washington is planning on doing a site-visit to South Dakota as part of their implementation in order to watch the tool being used during hearings, possibly in May or June. This date has been moved back due to federal funding/budget delays. The office received 15 pardon applications in March and hearings are being scheduled 2-3 months out. The pardon application, website, and board office OM were updated to be in compliance with Marsy's Law and the constitutional definition of victim. Staff with the Pennsylvania and Connecticut Boards of Pardons and Paroles contacted the board office regarding our clemency applications and processes. They are looking to improve their process and were very interested in our online application. Director Clark reported that Parole Services Annual Training was held the previous week in Sioux Falls. He thanked Board Chair Smith for attending and making himself available for discussions with staff. Work will continue to ensure the completed Parole Success Plans for discretionary cases granted parole are made available to the supervising parole agent. DOC Senior Staff Conference will be held the week of April 16 in Brandon, SD. Director Clark provided the PSIA Annual Report for 2017 to the Board Members. The links to the electronic versions of the full report will be disseminated to the Board members as well.

Director of Field Services Report: Brad Lewandowski was unavailable. Kayla Stucky updated the board on behalf of Mr. Lewandowski. Kayla updated the board on Parole population numbers, community booking closures and average case load numbers. We have two new agents in Sioux Falls who are completing training and will soon be assigned cases. The agents had spring training the first week of April, 2018.

Legal Issues Review: Ashley McDonald addressed and updated the board on the following: Companionate Release policy. We will be drafting a Board policy that addresses the specifics of how these hearings will be handled.

Behavioral Health Review: Tonya Honomichl was available and updated the Board on several cases that have released or will be releasing to the community.

Policy Review: Policies 8.1.A.6 – Code of Ethics, 8.1.A.4 – Parole Date Review, 8.1.A.3 – Disposition hearings and 8.1.A.10 – Commutations will be reviewed and approved in May, 2018.

Board Training and COMS Updates: Traci Fredrikson spoke with the Board about proposed training in the near future. Board Members Schroyer and Rau will go to Nevada in April, 2018 to attend the Annual APAI conference. Board Member, Riter – Osborn was approved to attend NIC - New Board Member training in Colorado. Board Members Hajek and Bock have applied to go to Colorado and attend NIC in July 2018. We are in the process of identifying and informing the board of any cases that may be an ICE cases. We will have representation, Cody Casey, from ICE here today to train the board on their process.

Review of Full Board Appearances for May: Board members reviewed a number of parole applicants who have been recommended for a personal appearance before the full board in May 2018 or later.

Decisions: Board Member Rau made a motion to ratify and affirm all decisions; Board Member Bock seconded the motion. All members voting aye; the motion carried.

Recusals:

Board Member Kevin Krull recused himself from the following hearing (s):

Dawn Around Him

ATTACHMENTS – DECISIONS: Please refer to the attached listing entitled Board Decisions for all parole violations, suspended sentence violations, non compliance, discretionary parole, earned discharge, and rescission decisions made by the Board this month.

Adjournment: Board Member Hajek made motion to adjourn the April 12, 2018 meeting of the Board. Board Member Krull seconded the motion. All members voting aye; the motion carried. The meeting adjourned at 11:55 AM on Thursday April 12, 2018. The next board meeting is scheduled for May 17, 2018 at 8:00 a.m.

SD BOARD OF PARDONS AND PAROLES

Mark Smith, Chair

Doug Clark, Director

Submitted by:
Stacy Cole
Senior Secretary