

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota

August 15, 16, 17 and 18, 2016

Parole Board meetings were held on August 15, 16, 17 and 18, 2016, at various locations in the State of South Dakota. A Parole Board meeting was held on August 18, 2016 at the South Dakota State Penitentiary commencing at 8:01 AM with the following present:

Kay Nikolas, Chair
Ken Albers, Member
Don Holloway, Member
Myron Rau, Member
Chuck Schroyer, Member
Rev. Patricia White Horse – Carda, Member
Doug Clark, Director
Kathleen Bongers, Program Assistant
Stacy Cole, Senior Secretary
Traci Fredrikson, Corrections Specialist
Brad Lewandowski, Director of Field Services
Valerie McGovern, Corrections Analyst
Mike Vonsik, Board Office Manager

Quorum Present? Yes

Members who are absent today are: Mark Smith, Vice Chair, Kevin Krull, Member.

REPRESENTATIONS: Ashley McDonald, Department Of Corrections Legal Counsel representative, was available for questions. Ashley updated us on an appeal that is in progress.

SPECIAL GUESTS: Tonya Honomichl and McKenzie Grim of Behavioral Health appeared and were available for any questions. Case Manager Riley DeGroot. Intern Paige Venard. Jay Marchand, Director LSS. Leland Anderson, Program Manager. Kim Edson, Evidence based practice manager

MINUTES: Board Member Schroyer made motion to approve the minutes from the July, 2016 meeting of the Board. Board Member Albers seconded the motion. All members voting aye; the motion carried.

HEARING PANELS: Board Member Krull was unavailable in August, 2016. Vice Chair Smith was unavailable in August, 2016. Board Member Schroyer worked in Sioux Falls in August and will work in Sioux Falls all week in September.

REVIEWED BY THE FULL BOARD:

August 18, 2016

The following inmate was considered for an earned final discharge by the board. Board Chair Nikolas made motion to approve the earned discharge. Board Member Albers seconded the motion. All members voting aye, the motion carried.

John Winters

The following inmate was considered for an earned final discharge by the board. Board Member Albers made motion to approve the earned discharge. Board Chair Nikolas seconded the motion. All members voting aye, the motion carried.

Rex Burtis

The following inmate was considered for the return of 180 days good time by the full board. Board Member Holloway made motion to return the 180 days. Board Member Albers seconded the motion. All other members voting aye; the motion carried

Daniel Hanic

The following inmate was considered for parole by the full board. Board member Rau made motion to deny parole on # 17312 and continue to expiration. Board Member White Horse - Carda seconded the motion. All members voting aye; the motion carried

Charles Chambers

APPEARANCES BEFORE THE FULL BOARD (SIX MEMBERS) IN SPRINGFIELD:

The following inmate appeared before the full board. Board Member Schroyer made motion to grant parole with GPS monitoring. Motion died for a lack of a second. Board Member Holloway made a 2nd motion to deny parole, set out for 1 year and he needs to pass a history polygraph. Board Member Rau seconded the motion; all members voting aye; the motion carried

James Summers

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

Lowell Big Crow

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

Michael Zephier

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

Clay Stubbs

August 15, 16, 17 and 18, 2016

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 Members Holloway and Rau voting nay. All other members voting aye; the motion carried

Marlon Little Bald Eagle

The following inmate appeared before the full board. Board Member Albers made motion to grant parole, with a board order to complete MRT and CD treatment. Board Member Rau seconded the motion; Board Member Holloway made a substitute motion to deny and complete MRT and CD level 1 before going on parole. Substitute motion failed for lack of a second. The original motion by Board Member Albers carried Board Member Holloway voting nay. All other members voting aye; the motion carried

Ramon Estes

The following inmate appeared before the full board. Board Member Albers made motion to deny parole and continue to expiration, Board Member Rau seconded the motion; all members voting aye; the motion carried

Barry Bult

APPEARANCES BEFORE THE FULL BOARD (SIX MEMBERS) SIOUX FALLS:

The following inmate appeared before the full board. Board Member Albers made motion to grant parole. Board Member White Horse - Carda seconded the motion; Board Member Holloway and Board Member Rau voting nay; all other members voting aye; the motion carried.

Aaron Andrews

The following inmate appeared before the full board. Board Member Schroyer made motion to grant parole. Board Member Rau seconded the motion; all members voting aye; the motion carried.

Michael Twiford

The following inmate appeared before the full board. Board Member Schroyer made motion to grant parole. Board Member White Horse - Carda seconded the motion; all members voting aye; the motion carried.

Dustin Two Bulls

The following inmate appeared before the full board. Board Member Schroyer made motion to grant parole to plan. Board Chair Nikolas seconded the motion; all other members voting aye; the motion carried.

Dustin Seegrist

Board Chair Nikolas called a recess from 9:44 am to 9:55 am

AGENDA ITEMS:

Director's Report: Director Clark updated us on statistical numbers. This is the first month of our new fiscal year. Warrants and violations are going up compared to the last two years. Doug updated the board on how the structured decision making framework may impact the information being presented to the parole board in the future for parole hearings. Doug will be checking into if there has been any movement on appointing a new board member. No other significant changes to report.

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Director of Field Services Report: Brad Lewandowski was present and available for any questions. He talked about Senate Bill 70 and the positive things that are happening with it. Last week he and several other people from the field sat down and had a meeting with Beadle County States Attorney and discussed putting together a re-entry plan/team – in general, how counties could become more a part of the effective transition process and assist parolees. Brad talked about the success that Parolees are having with paying back their obligations. The field is fully staffed now and our newest Agent is almost done with his training. We are 99.1% compliant with our contacts. Meth use has dropped about 25% since June. GPS is still being used to keep track of and stay in contact with parolees.

Legal Issues Review: Ashley McDonald was available for any questions.

Behavioral Health Review: Tonya Honomichl and McKenzie Grim appeared on behalf of behavioral health. Tonya updated us on 4 SMI cases that have discharged their sentences or have been released back to the community.

Policy Review: 8.1. A.15 – Suspended Sentence policy and 8.1. A.11- Withholding Parole. Will be looked at and approved in September.

Board Training Review and COMS Update: Traci Fredrikson updated us on some upcoming training sessions. Traci updated the board on the new Decision making tool that the board will begin to use to help make a more informed decision on when to parole someone or if they are ready for parole now. The Parole Board along with the Parole Board staff will attend training in Pierre in September, Wednesday September 28th through Friday September 30th. SAVIN is live now for the last month and victims are now getting instant notifications on offenders and their parole hearings and the outcomes.

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

Decisions: Board Member Rau made motion to ratify and affirm all decisions; Board Member White Horse - Carda seconded the motion. All members voting aye; the motion carried.

Recusals:

Board Chair Nikolas recused herself from the following:

Brandy Genia

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

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Adjournment: Board Member Holloway made motion to adjourn the August, 2016 meeting of the Board. Board Member Rau seconded the motion. All members voting aye; the motion carried.

The meeting adjourned at 12:38 PM on Thursday, August 18, 2016. The next board meeting is scheduled for September 15, 2016 at 8:00 a.m.

SD BOARD OF PARDONS AND PAROLES

Kay Nikolas, Chair

Doug Clark, Director

Submitted by:
Stacy Cole
Senior Secretary