

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota

August 14, 15, 16 and 17 2017

Parole Board meetings were held on August 14, 15, 16 and 17 2017 at various locations in the State of South Dakota. A Parole Board meeting was held on August 17, 2017 at the South Dakota State Penitentiary commencing at 8:01 AM with the following present:

Mark Smith, Chair
Ken Albers, Vice Chair
Paige Bock, Member
Greg Erlandson, Auxiliary Member - Telephonically
Don Holloway, Member
Dave Nelson, Auxiliary Member
Myron Rau, Member
Shannon Riter Osborn, Member
Chuck Schroyer, Member
Doug Clark, Director of Parole
Brad Lewandowski, Director of Field Services
Kathleen Bongers, Program Assistant
Stacy Cole, Senior Secretary
Traci Fredrikson, Corrections Specialist
Savannah Murray, SD Board of Pardons and Paroles Intern
Catherine Schlimgen, Staff Attorney
Val McGovern, Corrections Analyst
Kayla Stucky, Corrections Specialist
Mike Vonsik, Board Office Manager

Quorum Present? Yes

Members who are absent today: Kevin Krull, Member and Rev. Patricia White Horse-Carda, Member

REPRESENTATIONS: Ashley McDonald, Department Of Corrections Legal Counsel representative was unavailable. Catherine Schlimgen, Staff Attorney was present and available for any questions.

SPECIAL GUESTS: Dusti Werner, Risk Reduction manager. Kayla LaBrie, Behavioral Health. Tonya Honomichl, Behavioral Health. Kelsey Veurink, Parole Agent. Catherine Schlimgen, Staff Attorney.

MINUTES: Board Member Rau made motion to approve the minutes from the July, 2017 meeting of the Board. Board Member Bock seconded the motion. All members voting aye; the motion carried.

HEARING PANELS: There were 4 rooms run in Springfield in August 2017. There will be 5 rooms run in Springfield in September 2017. Board Members Krull and White Horse - Carda were unavailable in August 2017. Auxiliary Member Nelson worked in August 2017. Auxiliary Member Erlandson worked in August 2017. Board Member Rau will be unavailable Tuesday, Wednesday and Thursday in September 2017. Board Member Schroyer will be unavailable in the afternoon on Thursday in September 2017. Board Member Ritter Osborn will be unavailable in November 2017.

REVIEWED BY THE FULL BOARD:

NONE

APPEARANCES BEFORE THE FULL BOARD (NINE MEMBERS) IN SPRINGFIELD TUESDAY AUGUST 15, 2017:

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

Jeremy Zephier

The following inmate appeared before the full board. Vice Chair Albers made motion to grant parole to The Arch. Motion died for lack of a second. Vice Chair Albers made a second motion to deny parole and continue to expiration. Board Member Holloway seconded the motion. All members voting aye; the motion carried.

Terrence Stinson

The following inmate appeared before the full board. Vice Chair Albers made motion to grant parole and be required to use scram at the parole agent discretion. Board Member Rau seconded the motion. All members voting aye, the motion carried

Eric Frenier

The following inmate appeared before the full board. Board Member Schroyer made motion to grant parole. Motion died for lack of second. Board Member Holloway made a second motion to deny parole and set out to his suspended sentence release date. Board Member Ritter Osborn seconded the motion. Board Member Schroyer voting nay, all other members voting aye, the motion carried

Lawrence Marshall

APPEARANCES BEFORE THE FULL BOARD (NINE MEMBERS) IN SIOUX FALLS AUGUST 17, 2017:

The following inmate appeared before the full board. Auxiliary Member Nelson made motion to grant parole to CTP in Rapid City. Board Member Rau seconded the motion. All members voting aye, the motion carried

Duran American Horse

The following inmate appeared before the full board. Board Member Holloway made motion to grant parole. Board Member Riter Osborn seconded the motion. Auxiliary Member Nelson voting nay, all other members voting aye, the motion carried

Caleb Summers

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

Elliot Bird

The following inmate was reviewed by the full board. Board Member Schroyer made motion to rescind parole to be released in October 2017 and hold a new hearing in September 2017. Board Member Rau seconded the motion. All members voting aye, the motion carried

Cornelius Milk

EARNED DISCHARGES:

NONE

RECESS: 09:26 am – 9:35am

AGENDA ITEMS:

Director's Report: Director Clark reported on parole hearing numbers and non-compliance numbers. Work continues on the NIC and the implementation of the structured decision making framework (SDMF), with 100% of discretionary hearings now using the process. Utah Parole Board members have reached out in July asking for assistance as the start the SDMF process. Board Member Riter Osborn is finishing up new board member training. Auxiliary board member continue to assist with conducting hearings, providing much needed relief to the board when full time members are unavailable. Savannah Murray has been hired for the fall internship and is doing great. We received 13 pardon applications in the month of July. BIT has resolved the SAVIN issues and the triggers are now activated and seem to be working well. The pardon website went live in May and people are using it. We are being provided very positive feedback and seem to have very few issues/problems with the website. Director Clark also announced the birth of our Legal Counsel, Ashley McDonald, had her baby on August 4, 2017. Congratulations!

Director of Field Services Report: Brad Lewandowski was available and updated the board on parole population numbers, community booking closures and the average caseload size per agent. Agent Scott Day returned from his Active Duty deployment with the Guard. Agents Schlosser, Korth and McQuiston are all in phase 3 of training. JCA's are helping the parole agents in Yankton so that the Yankton Parole agents have more time to supervise higher risk cases. Each proficient agent has an average caseload of 78.07. Our new agent in Watertown has a current case load of 30. West region has a new parole agent starting this month. Smart on Crime update: We had 85 offenders receive an early discharge from parole in the month of July.

Legal Issues Review: Ashley McDonald was unavailable. Catherine Schlimgen was available for any questions and had no updates for the board.

Behavioral Health Review: Tonya Honomichl and Kayla LaBrie were available and updated the board on several SMI cases that will be discharging their sentences or going out into the community.

Policy Review: 8.1.A.7 Policy Early Discharge was reviewed in July and approved in August. Vice Chair Albers made motion to approve the changes to policy 8.1.A.7. Board Member Rau seconded the motion. All members voting aye, the motion carried.

Board Training and COMS Updates: Traci Fredrikson handed out the new version of the Parole Board grant/deny slip that we would like to implement starting in September 2017. We will have some job duty shifts in the future. We will need to get some board training set up for the next few months in order to keep everyone current and compliant with their training hours. A training session will be set up for September 2017.

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 2017 or later.

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

Recusals:

NONE

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 Rau made motion to adjourn the August 17, 2017 meeting of the Board. Board Member Riter Osborn seconded the motion. All members voting aye; the motion carried. The meeting adjourned at 10:45 am on Thursday August 17, 2017. The next board meeting is scheduled for September 14, 2017 at 8:00 a.m.

SD BOARD OF PARDONS AND PAROLES

Mark Smith, Board Chair

Doug Clark, Director

Submitted by:
Stacy Cole
Senior Secretary