

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota

February 8,9,10 and 11, 2016

Parole Board meetings were held on February 8,9,10 and 11, 2016 at various locations in the State of South Dakota. A Parole Board meeting was held on February 11, 2016 at the South Dakota State Penitentiary commencing at 8:04 AM with the following present:

Kay Nikolas, Chair
Mark Smith, Vice Chair
Ken Albers, Member
Don Holloway, Member
Kevin Krull, Member
Chuck Schroyer, Member
Doug Clark, Director of Parole
Kathleen Bongers, Program Assistant
Stacy Cole, Senior Secretary
Traci Fredrikson, Corrections Specialist
Brad Lewandowski, Director of Parole Services
Ashley McDonald, DOC Legal Counsel
Valerie McGovern, Corrections Analyst
TJ North, Parole Board Intern
Mike Vonsik, Board Office Manager

Quorum Present? Yes

Members who are absent today are: Greg Erlandson, Member, Myron Rau, Member, Rev. Patricia White Horse-Carda, Member, Kayla Steckelberg, Correction's Specialist

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

SPECIAL GUESTS: McKenzie Grimm and Tonya Honomichl were in attendance. Carissa DeWeerd, Central Records Intern was in attendance. Brenna Carlson, Director of SOMP was in attendance. Riley DeGroot, Case Manager – SDSP. Brittany Lengkeek, Case Manager – SDWP. Travis Tjeerdsma, Case manager – DSP.

MINUTES: Board Member Krull made motion to approve the minutes from the January 2016 meeting of the Board. Vice Chair Smith seconded the motion. All members voting aye; the motion carried.

HEARING PANELS: Board Member Holloway was unavailable on Monday February 8, 2016. Board Member White Horse – Carda was unavailable on Wednesday and Thursday February 10 and 11, 2016. Board Member Erlandson was unavailable in February 2016. Board Member Rau was unavailable February 9, 10 and 11, 2016. Auxiliary Member Bonenberger worked on Monday February 8, 2016. Board Member Holloway will be unavailable in March 2016. Vice Chair Smith will be unavailable in March 2016. Board Member Chuck Schroyer will be unavailable in March 2016. Board Chair Nikolas will work in Springfield in March 2016. Board Member Albers and Board Member White Horse - Carda will work in Yankton in March, 2016. Board Member Erlandson and Auxiliary Member Bonenberger will work in Pierre in March 2016. Board Member Krull will work alone in Rapid City in March 2016. Board Member Erlandson will be unavailable in April 2016. Board Member Holloway is unavailable in April, 2016. Auxiliary Member Nelson will be unavailable until after May 2016.

REVIEWED BY THE FULL BOARD:

The following inmate was considered for earned discharge by the full board. Vice Chair Smith made motion to grant an early discharge. Board Member Schroyer seconded the motion. All other members voting aye; the motion carried.

Jamey Wuestewald

The following inmate was considered for earned discharge by the full board. Vice Chair Smith made motion to grant a partial discharge by two years. Board Member Krull seconded the motion. All members voting aye; the motion carried.

Jack Lane

The following inmate was considered for earned discharge by the full board. Vice Chair Smith made motion to grant a partial earned discharge by two years. Board Member Schroyer seconded the motion. All other members voting aye; the motion carried

Enrique Garcia

The following inmate was considered for earned discharge by the full board. Vice Chair Smith made motion to grant a partial earned discharge by two years. Board Member Schroyer seconded the motion. All members voting aye; the motion carried.

Jason Biggins

The following inmate was considered for earned discharge by the full board. Vice Chair Smith made motion to grant an earned discharge. Board Member Schroyer seconded the motion. Board Member Holloway made a substitute motion to deny early discharge. Board Member Krull seconded the motion; All members voting aye; the substitute motion carried.

Cedric Fox

APPEARANCES BEFORE THE FULL BOARD: Thursday February 11, 2016.

The following inmate appeared before the full board. Board Member Albers made motion to grant parole. Vice Chair Smith seconded the motion. All other members voting aye; the motion carried.

Troy Morrison

The following inmate appeared before the full board. Board Member Albers made motion to grant parole. Board Member Holloway seconded the motion. All other members voting aye; the motion carried.

Narcisse Elk Nation

The following inmate appeared before the full board. Board Member Albers made motion to grant parole to plan with restrictions including GPS for longer than 60 days. Scram and more frequent polygraphs. Board Member Holloway seconded the motion. Board Members Krull and Vice Chair Smith dissenting; Board Member Krull made a second motion to deny Parole and set out 8 months. Vice Chair Smith seconded the motion. All other members voting aye; the motion carried.

Jerald Hufford

The following inmate appeared before the full board. Vice Chair Smith made motion to deny parole and set out 8 months. Board Member Holloway seconded the motion. All other members voting aye; the motion carried.

Bradley Black

The following inmate appeared before the full board. Vice Chair Smith made motion to grant parole. Board Member Schroyer seconded the motion. Board Member Albers dissenting. All other members voting aye; the motion carried.

Jeffery Crandall

The following inmate appeared before the full board. Vice Chair Smith made motion to grant parole to plan. Board Member Krull seconded the motion. All other members voting aye; the motion carried.

Chari Miranda

Board Chair Nikolas called a recess from 9:55 AM to 10:05 AM.

AGENDA ITEMS:

Director's Report: Director Clark presented Traci Fredrikson with her 10 year longevity PIN. Supervisor JC Smith is also celebrating his 15 years with the South Dakota Department of Corrections. Director Clark reported on statistical numbers. Mr. Clark updated the board about training coming up in the next several months, specifically looking at March, 2016. Richard Stroker will be rejoining us at a later date to wrap up his training with the Parole Board members. All staff training for the Parole Agents will take place in April, 2016, and may include Richard Stroker from NPRC as a presenter.

Director of Field Services Report: Brad Lewandowski updated the Board on CTP numbers. Sioux Falls field office is now at full staff. A pilot program is in the works with a GPS/Voice recognition to have phone contact with parolee's and also get a reading on where the Parolee is located at the time of contact. Updates will be made on this progress. Agent training will be held April 18, 19 and 20, 2016, this training will be held in Sioux Falls. Mr. Lewandowski updated the Board on the success of the Tribal Pilot, report's only 3 absconders in the last year.

Legal Issues Review: Ashley McDonald gave us an update on Legislature bills being passed. She also updated us on the automatic sealing of class II misdemeanors, petty offenses and municipal ordinance violations. An update was given on legislation on the recording of public hearings. Senate Bill 97 was also discussed.

Behavioral Health Review: Tonya Honomichl and McKenzie Grim were available and updated us on several SMI cases that have released into the community. We had two SMI cases that completed parole within the last month.

Policy Review: The *Dispos 8.1.A.3*. Dispositional Policy – was reviewed. Board Member Krull made a motion to approve the policy. Board Member Albers seconded the motion. All other members voting aye, the motion carried

Board Training and COMS Updates: Traci Fredrikson updated the Board on training. Members of the Board and Parole Office staff will travel to Kansas in March 2016, for a site visit in connection with the NIC technical assistance with the structured decision making instrument. March 2016 training for the Parole Board members will be postponed to a later date. Richard Stroker will return back to SDSP in April, 2016. APAI meeting will be in May 2016 in Daytona Beach, FL. This year the conference will focus on Behavioral Health.

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

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

Recusals:

Board Member Krull recused himself from the following hearing:

Gabriel Stone
Brad Kirch

Board Member Albers recused himself from the following hearing:

Bradley Black

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 Albers made motion to adjourn the February 11, 2016 meeting of the Board. Board Member Krull seconded the motion. All members voting aye; the motion carried. The meeting adjourned at 12:04 PM on Thursday February 11, 2016. The next board meeting is scheduled for March 17, 2016 at 8:00 AM.

SD BOARD OF PARDONS AND PAROLES

Kay Nikolas, Chair

Doug Clark, Director

Submitted by:
Stacy Cole
Senior Secretary