

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota

January 11, 12, 13 and 14, 2016

Parole Board meetings were held on January 11, 12, 13 and 14, 2016 at various locations in the State of South Dakota. A Parole Board meeting was held on January 14, 2016 at the South Dakota State Penitentiary commencing at 8:06 AM with the following present:

Kay Nikolas, Chair
Mark Smith, Vice Chair
Ken Albers, Member
Don Holloway, Member
Kevin Krull, Member
Dave Nelson, Member
Myron Rau, Member
Rev. Patricia White Horse-Carda, Member
Doug Clark, Director of Parole
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, Kathleen Bongers, Program Assistant, Kayla Steckelberg, Correction's Specialist

ELECTION OF OFFICERS: Board Member Albers made a motion to re- elect Kay Nikolas as Chair of the South Dakota Board of Pardons and Paroles. Board Member Rau seconded the motion; Board Member Rau made a motion to cast the vote unanimous; Board Member Albers seconded the motion. All members voting aye; the motion carried. Board Member Rau made motion to elect Board Member Smith for Vice Chair. Board Member Holloway seconded the motion. Board Members Rau made a motion to cast the vote unanimous; Board Member Albers seconded the motion; all members voting aye; the motion carried.

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

SPECIAL GUESTS: Parole Agents Kyle Smith and Kayla Swanson attended the January 2016 meeting for their training. Case Manager Mirada Ward, Case Manager Riley DeGroot and Case Manager Krista Bast were in attendance due to the full board cases. McKenzie Grimm and Tonya Honomichl were also in attendance. Rick Leslie, Director of Classification and Transfers was in attendance.

MINUTES: Board Member Nelson made motion to approve the minutes from the December 2015 meeting of the Board. Board Member Krull seconded the motion. All members voting aye; the motion carried.

HEARING PANELS: Board Member Krull was unavailable on Monday January 11, 2016. Board Member White Horse – Carda was unavailable on Monday January 11, 2016. Board Member Nelson worked in Sioux Falls for January, 2016 board week. Board Member Nelson will be unavailable until after May 2016. Board Member Erlandson will be unavailable in February 2016. Board Member Rau will possibly be available on February 8, 2016, but then unavailable the rest of the week. Board Member White Horse – Carda will be unavailable on Wednesday February 10, 2016. Board Member Holloway will be unavailable Monday February 8, 2016. Auxiliary Member Bonenberger will work 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 Erlandson will be unavailable in April 2016.

REVIEWED BY THE FULL BOARD:

The following inmate was considered for earned discharge by the full board. Board Member Nelson made motion to deny an early discharge. Board Member Holloway seconded the motion. Board Members Smith, Albers, Rau, Nikolas dissenting. Motion failed. Board Member Albers made a motion to grant early discharge. Board member White Horse – Carda seconded the motion. Board Member Nelson, Krull and Holloway dissenting. All other members voting aye; the motion carried.

Robert Galambos

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

Ricky Hamling

The following inmate was considered for earned discharge by the full board. Board Member Holloway made motion to deny earned discharge. Board Member Krull seconded the motion. Board Members Nikolas, Albers, Nelson and Smith dissenting. Board Members Holloway, Krull, White Horse – Carda and Rau voting nay; motion failed for lack of majority vote. Application denied due to failed motion to grant.

Jeremy Hook

The following inmate was considered for earned discharge by the full board. Board Member Nelson made motion to grant earned discharge. Board Member Albers seconded the motion. All members voting aye; the motion carried.

Thomas Murphy

APPEARANCES BEFORE THE FULL BOARD: Thursday January 14, 2016.

The following inmate appeared before the full board. Board Member Rau made motion to grant parole. Board Member White Horse - Carda seconded the motion. Vice Chair Smith and Board Member Holloway dissenting. All other members voting aye; the motion carried.

Rodger Reuer

The following inmate appeared before the full board. Board Member Nelson made motion to grant parole. Board Member Krull seconded the motion. Board Members Albers and Holloway dissenting; all other members voting aye; the motion carried.

Reed Anderson

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

Ferrell Thunder hawk

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

The following inmate appeared before the full board. Board Member Albers made motion to rescind parole and continue to expiration at inmate's request. Board Member Erlandson seconded the motion. All members voting aye; the motion carried.

Kenneth Birdwell

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

Ronald Rall

The following inmate appeared before the full board. Board Member Holloway made motion to deny parole and set out 12 months. Board Member Krull seconded the motion. All members voting aye; the motion carried.

Alex Prendez

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

Noah Hero

Board Chair Nikolas called a recess from 9:45 AM to 9:50 AM.

AGENDA ITEMS:

Director's Report: Director Clark reported on statistical numbers in reference to Parole hearings and Paroles that are granted. 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 will be at full staff by the end of January. A pilot program is possibly 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.

Legal Issues Review: Ashley McDonald gave us an update on automatic expungement or for a low level offense being automatically pardoned after a certain period of time. This is not possible because this would be a violation of the Constitution. Mrs. McDonald passed out a copy of Senate Bill 31, which addresses the revision of certain provisions regarding the sentencing and supervision of prison inmates and paroles with supervision.

Behavioral Health Review: Tonya Honomichl and McKenzie Grim were available and updated us on several SMI cases that have released into the community but they did not have any cases within the last month.

Policy Review: The *Dispos 8.1.A.3*. The board members will review and approve in February 2016.

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. We will hold training for the board members in March 2016. Richard Stroker will return back to SDSP in April, 2016.

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

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

Recusals:

Board Member Nelson recused himself from the following hearing:

Roger Reuer

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 Nelson made motion to adjourn the January 14, 2016 meeting of the Board. Board Member Albers seconded the motion. All members voting aye; the motion carried. The meeting adjourned at 11:39 AM on Thursday January 14, 2016. The next board meeting is scheduled for February 11, 2016 at 8:00 AM.

SD BOARD OF PARDONS AND PAROLES

Kay Nikolas, Chair

Doug Clark, Director

Submitted by:
Stacy Cole
Senior Secretary