

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota

July 13, 14, 15 and 16, 2015

Parole Board meetings were held on July 13, 14, 15 and 16, 2015 at various locations in the State of South Dakota. A Parole Board meeting was held on July 16, 2015 at the South Dakota State Penitentiary commencing at 8:00 AM with the following present:

Kay Nikolas, Chair  
Mark Smith, Vice Chair  
Ken Albers, Member  
Debra Flute – Auxiliary Member  
Kevin Krull, Member  
Dave Nelson, Member  
Rev. Patricia White Horse – Carda, Member  
Jim Smith – Auxiliary Member  
Doug Clark, Director  
Ashley McDonald, Department of Corrections Legal Counsel  
Mike Vonsik, Board Office Manager  
Traci Fredrikson, Corrections Specialist  
Kathleen Bongers, Program Assistant  
Stacy Cole, Senior Secretary  
Kayla Steckelberg, Corrections Specialist  
Tyson Moodie, Intern  
Jullie Weiland, Intern

Quorum Present? Yes

Members who are absent today are: Greg Erlandson, Member, Don Holloway, Member, Myron Rau, Member, Val McGovern, Corrections Analyst, Brad Lewandowski, Director of Parole Services.

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

SPECIAL GUESTS: McKenzie Grim and Tonya Honomichl of Behavioral Health appeared and were available for any questions.

MINUTES: Board Member Albers made motion to approve the minutes from the June 2015 meeting of the Board. Vice Chair Smith seconded the motion. All members voting aye; the motion carried.

HEARING PANELS: Board Member Rau was unavailable in July, 2015. Board Member Erlandson was unavailable in July 2015. Vice Chair Smith was unavailable on Wednesday July 15, 2015. Auxiliary Member Debra Flute worked on Wednesday July 15 and Thursday July 16, 2015. Board Member Holloway was unavailable for July and will be unavailable in August, 2015. Board Member Krull will be unavailable in August, 2015. Vice Chair Smith will be unavailable in August, 2015. Auxiliary Member Keith Bonenberger, and Auxiliary Member Jim Smith will work in August, 2015. Vice Chair Smith will work in Pierre in September 2015. Board Member Nelson and Board Member Albers will work at SDSP on Monday of board week in September 2015.

REVIEWED BY THE FULL BOARD:

The following inmate was considered for earned discharge by the full board. Board Member Krull made motion to grant an early discharge. Board member Albers seconded the motion; all other members voting aye; the motion carried

David Gingras

APPEARANCES BEFORE THE FULL BOARD:

The following inmate appeared before the full board. Board Member Nelson made a motion to deny parole and set NRD in 6 months. Board Member Albers seconded the motion; all other members voting aye; the motion carried

Dustin Emery

The following inmate appeared before the full board. Board Member Krull made motion to grant parole to CTP. Board Member Albers seconded the motion; Board Member Krull amended his motion to include granting parole but needs to finish MRT before release. Board Member Albers seconded the motion; all other members voting aye; the motion carried

Walter Grant

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

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

Jay Nagel

Board Chair Nikolas called a recess from 9:48 AM to 10:00 AM

AGENDA ITEMS:

Director's Report: Director Clark updated us on statistical numbers. Director Clark introduced Ashley McDonald, Department of Corrections Legal counsel. No significant changes to report.

Director of Field Services Report: Brad Lewandowski was unavailable; Kayla Steckelberg appeared on his behalf. Kayla discussed revocation numbers and case closures. Kayla updated the board on the case load study. No other significant changes to report.

Legal Issues Review: Ashley McDonald was available for questions. No significant changes to report.

Behavioral Health Review: Tonya Honomichl and McKenzie Grim appeared on behalf of behavioral health. Tonya updated us on 2 SMI cases that discharged their sentences or have been released back to the community.

Policy Review: 8.1.A.15 was approved. Vice Chair Smith made motion to approve the policy review. Board Member Krull seconded the motion. All other members voting aye, the motion carried.

Board Training Review and COMS Update: Traci Fredrikson updated us on training sessions for Auxiliary Board Members.

July 13, 14, 15 and 16, 2015

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

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

Recusals:

Board Member Krull recused himself from the following hearings:

Randall Birdwell  
Chad Martin  
Lee Messerly

Board Chair Nikolas recused herself from the following hearing:

Elijah Hardheart

Board Member Nelson recused himself from the following hearing:

Phillip His Law

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.

Adjournment: Board Member Nelson made motion to adjourn the July 16, 2015 meeting of the Board. Board member Krull seconded the motion. All members voting aye; the motion carried.

The meeting adjourned at 10:39 AM on Thursday, July 16, 2015. The next board meeting is scheduled for August 13, 2015 at 8:00 a.m.

SD BOARD OF PARDONS AND PAROLES

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Kay Nikolas, Chair

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Doug Clark, Director

Submitted by:  
Stacy Cole  
Senior Secretary