

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota

June 15, 16, 17 and 18, 2015

Parole Board meetings were held on June 15, 16, 17 and 18, 2015 at various locations in the State of South Dakota. A Parole Board meeting was held on June 18, 2015 at the South Dakota State Penitentiary commencing at 8:02 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
Doug Clark, Director
Brad Lewandowski, Director of Parole Services
Mike Vonsik, Board Office Manager
Traci Fredrikson, Corrections Specialist
Kathleen Bongers, Program Assistant
Stacy Cole, Senior Secretary
Tyson Moodie, Intern

Quorum Present? Yes

Members who are absent today are: Greg Erlandson, Member, Rev. Patricia White Horse – Carda, Member, Ashley McDonald, Department of Corrections Legal Counsel representative and Val McGovern, Corrections Analyst

REPRESENTATIONS: Ashley McDonald, Department Of Corrections Legal Counsel representative, was unavailable for questions at the Thursday full board meeting, however, was available on Monday June 15, 2015 for non – compliance hearings.

SPECIAL GUESTS: McKenzie Grim and Tonya Honomichl of Behavioral Health appeared and were available for any questions. Joan White, Director of the Tribal Pilot project, head of the Wellness Team and is the Director of SOMP for Sisseton Wahpeton Oyate. Richard Bird, Director of Dakota Pride and is also from the Wellness Team. Director of Classification, Rick Leslie.

MINUTES: Board Member Rau made motion to approve the minutes from the May 2015 meeting of the Board. Board Member Albers seconded the motion. All members voting aye; the motion carried.

HEARING PANELS: Board Member Patricia White Horse – Carda was unavailable for June 2015. Board Member Erlandson was unavailable June, 2015. Board Member Rau will be unavailable in July, 2015. Board Member Erlandson will be unavailable in July 2015. Board Member Krull will be unavailable in August, 2015. Vice Chair Smith will be unavailable on Wednesday July 15, 2015. Vice Chair Smith will be unavailable in August, 2015. Board Member Holloway will be unavailable in July and August, 2015. Keith Bonenberger, Jim Smith will work in August, 2015. Board Member Deb Flute will be working with us on Wednesday and Thursday July 15 and 16, 2015.

REVIEWED BY THE FULL BOARD:

The following inmate was considered for parole by the full board. Board Member Nelson made motion to deny parole and set him out 8 months. Board member Holloway seconded the motion; all other members voting aye; the motion carried

Lyle Johnson

APPEARANCES BEFORE THE FULL BOARD:

The following inmate appeared before the full board. Board Member Rau made a motion to deny parole. Board Member Holloway seconded the motion; all other members voting aye; the motion carried

Wayne Dumarce

The following inmate appeared before the full board. Board member Smith made motion to grant parole with the condition he be on the 24/7 program or scram for at least 6 months after he releases from CTP, and maybe longer at the discretion of his Parole Agent. Board Chair Nikolas seconded the motion; Board Member Krull and Board Member Albers opposed, all other members voting aye; the motion carried

Tyler Good Kill

The following inmate appeared before the full board. Board member Nelson made motion to grant parole to CTP and continue MRT treatment and level 1 aftercare treatment. Board member Rau seconded the motion; all other members voting aye; the motion carried

Joshua Ortley

The following inmate appeared before the full board. Board Member Albers made motion to grant parole under the condition that Mr. Yellow Eagle not be allowed to enter Minnehaha County, Lincoln County or cross the East River. Board Member Rau seconded the motion; Board Chair Smith, Krull and Holloway opposed, all other members voting aye; the motion failed. Board Chair Smith made motion to deny parole and set out 8 months, Board Member Krull seconded the motion; all other voting aye, the motion carried

Thomas Yellow Eagle

The following inmate appeared before the full board. Board member Nelson made motion to grant parole to the Link Halfway and recovery house under the condition that he remain in the SOMP treatment and his CD treatment program. Board Member Krull seconded the motion; Board Member Holloway opposed; all other members voting aye; the motion carried

Christopher Stocking

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

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

Eric Smith

Board Chair Nikolas called a recess from 9:55 am to 10:06 am

AGENDA ITEMS:

Director's Report: Director Clark updated us on statistical numbers. Director Clark passed out the Parole Violation Matrix for the Board Members to review. Parole revocations are stable. No significant changes to report.

Director of Field Services Report: Brad Lewandowski appeared on behalf of Parole Services. Mr. Lewandowski introduced Joan White, Director of Sex offender registry for Tribal jurisdictions and Richard Bird, Director of Dakota Pride. We were updated on the progress of the Tribal Pilot and the success it has had so far. No other significant changes to report.

Legal Issues Review: Ashley McDonald was unavailable.

Behavioral Health Review: Tonya Honomichl and McKenzie Grim appeared on behalf of behavioral health. Tonya updated us on 3 SMI cases that have discharged their sentences or have been released back to the community.

Policy Review: 8.1. A.14 and 8.1.A.15 will be reviewed in June 2015 and approved in July 2015.

Board Training Review and COMS Update: Traci Fredrikson updated us on some training sessions. Richard Stroker will be here October 8th and 9th, 2015. Board Chair Nikolas briefed us on the APAI (Association of Paroling Authorities international) conference where they addressed issues such as High risk, High needs and High profiles which she attended in May, 2015. Vice Chair Smith briefed us on the oversight committee meeting he attended in May, 2015.

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

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

Recusals:

Board Member Krull recused himself from the following hearings:

Donald Nequette
James Bailey
Lyle Johnson

Board Chair Nikolas recused herself from the following hearing:

Wayne Dumarce

Board Member Nelson recused himself from the following hearing:

Thomas Yellow Eagle

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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 Krull made motion to adjourn the June 2015 meeting of the Board. Board member Rau seconded the motion. All members voting aye; the motion carried.

The meeting adjourned at 12:05 PM on Thursday, June 18, 2015. The next board meeting is scheduled for July 16, 2015 at 8:00 a.m.

SD BOARD OF PARDONS AND PAROLES

Kay Nikolas, Chair

Doug Clark, Director

Submitted by:
Stacy Cole
Senior Secretary