

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota

January 9, 10, 11 and 12, 2017

Parole Board meetings were held on January 9, 10, 11 and 12, 2017 at various locations in the State of South Dakota. A Parole Board meeting was held on January 12, 2017 at the South Dakota State Penitentiary commencing at 8:08 AM with the following present:

Mark Smith, Chair
Ken Albers, Vice Chair
Paige Bock, Member
Don Holloway, Member
Kevin Krull, Member
Myron Rau, Member
Rev. Patricia White Horse-Carda
Doug Clark, Director of Parole
Brad Lewandowski, Director of Field Services
Kathleen Bongers, Program Assistant
Stacy Cole, Senior Secretary
Traci Fredrikson, Corrections Specialist
Ashley McDonald, DOC Legal Counsel
Valerie McGovern, Corrections Analyst
Kayla Stucky, Corrections Specialist
Mike Vonsik, Board Office Manager

Quorum Present? Yes

Members who are absent today: Chuck Schroyer, Member

ELECTION OF OFFICERS: Board Member Rau made a motion to elect Mark Smith as chair of the South Dakota Board of Pardons and Paroles. Board Member Krull seconded the motion. All Members voting aye, the motion carried. Board Member Rau made motion to elect Board Member Ken Albers as Vice Chair of the South Dakota Board of Pardons and Paroles. Board Member Krull seconded the motion. All members voting aye, the motion carried.

DEPUTY JEN DREISKE: Deputy Dreiske and Justin Elkins were present and provided the parole board with training on Dialectical Behavior Therapy. Deputy Warden Dreiske answered questions the board members had as well as explained why DBT is going to become a program that we are going to be adding into our curriculum of classes we offer.

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

SPECIAL GUESTS: Parole Agent BJ Schmidt. Behavioral Health staff, Tonya Honomichl. SOMP Director, Brenna Carlson. Deputy Warden Jen Drieske. CBH, Justin Elkins.

MINUTES: Board Member Krull made motion to approve the minutes from the December 2016 meeting of the Board. Board Member Rau seconded the motion. All members voting aye; the motion carried.

HEARING PANELS: Board Member Rau worked in Pierre in January, 2017. Board Chair Smith worked in Sioux Falls in January, 2017. Board Member Bock went to JPA in January, 2017. Board Member Albers and Krull came to the Parole Board office for paper signing in January, 2017. Board Member Schroyer was unavailable on Thursday January, 2017. Board Member Rau will be unavailable Tuesday through Thursday in February, 2017. Auxiliary Member Nelson will work in February, 2017. Board Chair Smith will be

unavailable Tuesday through Thursday in February, 2017. Board Member Boch will work in Sioux Falls on Monday in February, 2017. Auxiliary Member Erlandson will work in March, 2017. Board Member Holloway will be unavailable March and April of 2017. Board Member Boch will be unavailable in March, 2017. Board Chair Smith will be unavailable in May 2017.

REVIEWED BY THE FULL BOARD:

The following inmate was reviewed by the full board. Vice Chair Albers made motion to remove GPS and continue with the 90 day polygraph monitoring as well as SOMP. Motion died for lack of a second. Board Member Holloway made a substitute motion to continue GPS for another 6 months as well as polygraph monitoring and treatment. Board Member Krull seconded the motion. Vice Chair Albers voting nay; all other members voting aye, the motion carried.

Toby Ferguson

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

The following inmate appeared before the full board. Vice Chair Albers made motion to grant parole to CTP in Rapid City. Board Member Rau seconded the motion. All members voting aye; the motion carried.

Robert White Plume - Janis

The following inmate appeared before the full board. Vice Chair Albers made motion to deny parole and set out one year. Board Member Holloway seconded the motion. Board Member Schroyer voting nay. All other members voting aye; the motion carried.

Joseph Olson

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

Gordan Hart

The following inmate appeared before the full board. Board Member Holloway made motion to deny parole and continue to expiration. Vice Chair Albers seconded the motion. All members voting aye; the motion carried.

Kenneth Harr

The following inmate appeared before the full board. Board Member Rau made motion to grant parole to CTP in Sioux Falls. Board Member Krull seconded the motion. All members voting aye; the motion carried.

Neil Erickson

The following inmate appeared before the full board. Board Member Schroyer made motion to grant parole to CTP in Yankton. Board Member Boch seconded the motion. All members voting aye; the motion carried.

Stacey Eilers

The following inmate appeared before the full board. Board Member Holloway made motion to deny parole and set out to September, 2017 to give him time to complete MRT. Board Member Rau seconded the motion. Vice Chair Albers made a substitute motion to grant parole upon completion of MRT. Board Member Schroyer seconded the motion. Board Members Rau, Holloway, Smith and Boch all voting nay. The substitute motion failed. All other members voting aye on Board Member Holloway's original motion; the motion carried.

Stryker Clemons

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

Artie Black Bear

The following inmate was reviewed by the full board for an early partial discharge. Board Member Krull made a motion to grant the partial discharge. Board Member Albers seconded the motion. All members voting aye, the motion carried.

Jesus Villagomez

The following inmate was reviewed by the full board for a full discharge. Board Member Krull made a motion to grant a full discharge. Board Member Albers seconded the motion. All members voting aye, the motion carried.

Matthew Starckenburg

The following inmate was reviewed by the full board for a full discharge. Board Member Holloway made a motion to deny the discharge. Board Member Albers seconded the motion. All members voting aye, the motion carried.

Jason Cleveland

Board Chair Smith called a recess from 9:20 AM to 9:30 AM

AGENDA ITEMS:

Director's Report: Director Clark reported on parole hearing numbers and non-compliance numbers that we are seeing each month. Mr. Clark spoke about changes that are happening within parole and the institution and how hearings are going to be prepared for. Transitional Case managers will be making some changes in their job description and duties. Tim Gross, West River Supervisor is celebrating 30 years of service. The Pardon applications are beginning to be done on line and this process seems to be going well. Our contested case hearing numbers are starting to rise. Warrants that are being issued are up. We are going to make some policy changes in the near future on who and what we classify as an absconder. Mr. Clark will send the board via email some of these proposed changes in the next few weeks.

Director of Field Services Report: Brad Lewandowski updated the board on agents who have been out for various situations. Parole Agent Hower is leaving parole. Parole Agent, Adrian Gray Buffalo, is doing an outstanding job with the tribal program. Watertown caseloads are down so we were able to move an agent to work out of the Brookings field office one day a week. Parole Agent Aileen Winters is doing a great job working with the CTP program out of Sioux Falls.

Legal Issues Review: Ashley McDonald addressed an appeal that is in progress in regards to a parole date calculation. Ashley also addressed the board about consecutive sentences and paroling people to their new number.

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

Policy Review: Code of ethics, news media and cameras and evidence based practice policies were sent home with the board members to read and will be approved in February, 2017.

Board Training and COMS Updates: Traci Fredrikson spoke with the Board about some training that will be coming up. We will begin to assign a board member to a pardon applicant each month so that each applicant can be reviewed in greater detail prior to the hearings. There is a training session being set up for March, 2017

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, 2017 or later.

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

Recusals:

Board Member Kevin Krull recused himself from the following hearing:

Aaron Jones

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 Krull made motion to adjourn the January 12, 2017 meeting of the Board. Board Member Rau seconded the motion. All members voting aye; the motion carried. The meeting adjourned at 10:26 AM on Thursday January 12, 2017. The next board meeting is scheduled for February 16, 2017 at 8:00 a.m.

SD BOARD OF PARDONS AND PAROLES

Mark Smith, Chair

Doug Clark, Director

Submitted by:
Stacy Cole
Senior Secretary