

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota

March 14, 15, 16 and 17, 2016

Parole Board meetings were held on March 14, 15, 16 and 17, 2016 at various locations in the State of South Dakota. A Parole Board meeting was held on March 17, 2016 at the South Dakota State Penitentiary commencing at 8:04 AM with the following present:

Kay Nikolas, Chair
Mark Smith, Vice Chair
Greg Erlandson, Member
Kevin Krull, Member
Myron Rau, Member
Rev. Patricia White Horse-Carda, 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
Mike Vonsik, Board Office Manager

Quorum Present? Yes

Members who are absent today are: Ken Albers, Member, Don Holloway, Member, Chuck Schroyer, Member, Kayla Steckelberg, Correction's Specialist

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

SPECIAL GUESTS: Secretary Denny Kaemingk was present and available for questions. Secretary Kaemingk addressed the board on the female prison population. Tonya Honomichl was in attendance. Brenna Carlson, Director of SOMP was in attendance. Riley DeGroot, Case Manager – SDSP. Miranda Ward, Case Manager – SDSP. Brittany Lengkeek, Case Manager – SDWP. BJ Schmidt – Sioux Falls Parole Agent, Naomi Rieland, LSS Fatherhood

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

HEARING PANELS: Board Member Holloway was unavailable in March 2016. Vice Chair Smith became available in March 2016 and worked in Pierre on Monday March 14, DSP on Tuesday March 15 and SDP Wednesday and Thursday March 16 and 17, 2016. Board Member Chuck Schroyer was unavailable in March 2016. Board Chair Nikolas worked in Springfield in March, 2016. Board Member Albers and Board Member White Horse - Carda worked in Yankton in March, 2016. Board Member Albers was unavailable Thursday March 17, 2016. Board Member Erlandson went to Rapid City in March, 2016. Board members Rau and White Horse – Carda will start parole hearings at DSP at 10 AM on Monday April 11, 2016 to assist in cutting the high volume of hearings that will need to be held on Tuesday April 12, 2016. They will then go to Yankton and do those hearings beginning at 2 PM. Two Panel pardons will be held on the third floor in April, 2016 at SDSP. Unit C hearings will be held at Jameson again in April, 2016. Board member Albers and Board Chair Nikolas will work in Springfield on Tuesday in April, 2016. Board Member Holloway is unavailable in April, 2016. Auxiliary Member Nelson will be unavailable until after May 2016. Board member Krull will be unavailable in May 2016, June 2016, July 2016 and August, 2016

REVIEWED BY THE FULL BOARD:

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

Phil Curnow

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

Jared Scwebach

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

Rhonda Hale

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

The following inmate appeared before the full Board. Board member Erlandson made motion to deny parole and continue to expiration. Vice Chair Smith seconded the motion. All members voting aye; the motion carried

Ryan Bush

The following inmate appeared before the full Board. Board member Albers made motion to grant parole. Board Member White Horse - Carda seconded the motion. Board members Rau, Erlandson and Vice Chair Smith voted nay. All other members voting aye; the motion was denied and set out for a review in November 2016

Lyle Johnson

APPEARANCES BEFORE THE FULL BOARD: Thursday March 17, 2016.

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

Thomas Lucero

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

Cruz O'Conner

The following inmate appeared before the full board. Vice Chair Smith made motion to grant parole for Interstate Compact to Minnesota only. Board Member Rau seconded the motion. All other members voting aye; the motion carried.

Edward Trost

The following inmate appeared before the full board. Board member Rau made motion to grant parole to CTP in Sioux Falls. 24/7 program upon release from CTP and the duration of the 24/7 program will be determined by parole agent. Board Member White Horse - Carda seconded the motion. All other members voting aye; the motion carried.

Waylon Greger

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

Logan Eagle Star

The following inmate appeared before the full board. Vice Chair Smith made motion to deny parole and set out 6 months. Board Member Krull seconded the motion. All other members voting aye; the motion carried.

Darrian Johnson

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

Ashley Haverhals

The following Parolee was reviewed by the full board. Mr. Ferguson requested to have his GPS removed. Board member Rau made a motion to remove the GPS and allow Mr. Ferguson to have the Pilot phone application on his phone. If the pilot fails, the GPS goes back on. Review again in June 2016. Board member White Horse – Carda seconded the motion. Board Member Krull and Board member Erlandson voting nay, All others voting aye; the motion carried

Toby Ferguson

Board Chair Nikolas called a recess from 10:47 AM to 11:00 AM.

AGENDA ITEMS:

Director's Report: Director Clark reported on statistical numbers. Compliance numbers and revocation numbers are steady. The extended detainment average is around 40 days. Updated the board on the Pilot program happening in Sioux Falls with the GPS application on the smart phones. Next week several members of the board along with Traci Fredrickson and Director Clark will travel to Kansas. Richard Stroker will be here April 20th to finish up his training. Spring training will be held at the Convention center in Sioux Falls in April.

Director of Field Services Report: Brad Lewandowski updated the board about the Pilot Programs that are happening around the state and costs that go along with these programs. Agents are responding well to these programs and they will allow them to be more efficient and effective in their daily functions with Parolee's.

Legal Issues Review: Ashley McDonald gave us an update on Legislature bills being passed. She addressed Senate Bill 30, which exempts correctional staff for a cancelled weapons permit while on duty. Senate Bill 31 was discussed as well as Senate Bill 96. She talked about detainer custody dates and the way street time is calculated.

Behavioral Health Review: Tonya Honomichl announced that Changes and Choices no longer open. Female inmates will go to The Arch – New Horizons addition in the future. There are several conferences for Behavioral Health staff next month in April.

Policy Review: Parole Date Review - 8.1.A.4. Restitution Hearings - 8.1.A.8. Early Discharges - 8.1.A.7. Parole Board Decisions – 8.1.A.5 were all sent with the Board Members to review and approve in April 2016.

Board Training and COMS Updates: Traci Fredrikson updated the Board on training. Several training sessions are scheduled for April. She updated the board on possible upcoming training sessions in the future and heading into the fall.

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

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

Recusals:

Board Member Krull recused himself from the following hearing:

Lyle Johnson

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: Vice Chair Smith made motion to adjourn the March 17, 2016 meeting of the Board. Board Member Rau seconded the motion. All members voting aye; the motion carried. The meeting adjourned at 12:04 PM on Thursday March 17, 2016. The next board meeting is scheduled for April 14, 2016 at 8:00 AM.

SD BOARD OF PARDONS AND PAROLES

Kay Nikolas, Chair

Doug Clark, Director

Submitted by:
Stacy Cole
Senior Secretary