

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota

October 5, 6, 7 and 8, 2015

Parole Board meetings were held on October 5, 6, 7 and 8, 2015 at various locations in the State of South Dakota. A Parole Board meeting was held on October 8, 2015 at the South Dakota State Penitentiary commencing at 8:02 AM with the following present:

Kay Nikolas, Chair
Mark Smith, Vice Chair
Keith Bonenberger, Auxiliary Member
Don Holloway, Member
Kevin Krull, Member
Rev. Patricia White Horse – Carda, Member
Stacy Cole, Senior Secretary
Terry Cummings, Senior Secretary, SDWP
Kathleen Bongers, Program Assistant
Traci Fredrikson, Corrections Specialist
Brad Lewandowski - Director of Parole Services
Ashley McDonald, Department of Corrections Legal Counsel
Val McGovern, Corrections Analyst
Kayla Steckelberg, Corrections Specialist
Mike Vonsik, Board Office Manager

Quorum Present? Yes

Members who are absent today are: Doug Clark, Director, Ken Albers, Member, Greg Erlandson, Member, Dave Nelson, Member, Myron Rau, Member

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

SPECIAL GUESTS: Sadie Stevens from the Governor's office joined us to observe the Parole process. Parole Agents Joey Lyle, Tammie Brodkorb, and Kaylee Grueb joined us to observe Parole Board hearings for the week of October 5-8. McKenzie Grim and Tonya Honomichl of Behavioral Health appeared and were available for any questions.

MINUTES: Board Member Smith made motion to approve the minutes from the September 2015 meeting of the Board. Board Member White Horse - Carda seconded the motion. All members voting aye; the motion carried.

HEARING PANELS: Board Member Nelson was unavailable on Monday October 5, 2015 and Thursday October 8, 2015. Board Member Rau was unavailable Thursday, October 8, 2015. Board Member Albers was unavailable on Thursday October, 8 2015. Auxiliary Member Bonenberger will be available in November 2015. Board Member Krull will be unavailable Tuesday, November 3 through Thursday November 5, 2015. Board Member Erlandson will be unavailable in November 2015. Two-person panel hearings on pardon applications in November, 2015 will be postponed until December, 2015. . The schedule for 2016 of the South Dakota board of Pardons and Paroles was reviewed. Board Member Krull made motion to approve the 2016 hearing schedule. Board Member White Horse – Carda seconded; all others voting aye; the motion carried.

REVIEWED BY THE FULL BOARD:

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

Michael Butne

APPEARANCES BEFORE THE FULL BOARD:

The following inmate appeared before the full board. Board Member Smith made motion to grant parole to his new number. Board Member Krull seconded the motion; Board Member Bonenberger and Board Member Holloway voted nay; all other members voting aye; the motion carried

Christopher Hashman

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

Justin Schaefer

The following inmate appeared before the full board. Board Member Bonenberger made motion to deny parole and set out to May 2016. Board Member Holloway seconded the motion; Board Chair Nikolas voted nay; all other members voting aye; the motion carried

Arlene Decory

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

Baunita Fleury

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. Board Member Rau seconded the motion; Board Member Smith and Board Member Holloway voted nay; all other members voting aye; the motion carried

Joshua Bass

The following inmate appeared before the full board. Board Member Holloway made motion to deny parole and set out to expiration. Board Member Smith seconded the motion. Board Member Albers made a substitute motion to grant parole with the Board Order to BMS in Rapid City. Board Member Rau seconded the motion; Board Member Smith and Board Member Holloway voted nay, all other members voting aye; the motion carried

Kenneth Birdwell

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

Donald Fast Horse

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

Todd Lambertz

The following inmate appeared before the full board. Board Member Holloway made motion to deny parole. Board Member Albers seconded the motion, Board Member Holloway made a substitute motion to deny parole and set out two years. Board Member Krull seconded the motion; all other members voting aye; the motion carried

Daniel Ulrich

Board Chair Nikolas called a recess from 9:05 AM to 9:12 AM

AGENDA ITEMS:

Director's Report: Director Clark was unavailable. Board Manager Vonsik updated us on statistical numbers. No significant changes to report.

Director of Field Services Report: Brad Lewandowski was available for any questions and updated the Board on personnel changes and status of on-going projects and initiatives. No significant changes to report.

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

Behavioral Health Review: Tonya Honomichl and McKenzie Grim appeared on behalf of behavioral health. Tonya updated us on 4 SMI cases that discharged their sentences or have been released back to the community.

Policy Review: NONE

Board Training Review and COMS Update: Traci Fredrikson updated us on the agenda for the training that was held this month with Richard Stroker. Traci will check with Lt. Summers about a short training in the next couple of months on gang monitoring in DOC facilities.

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

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

Recusals:

Board Member Krull recused himself from the following hearing:

Larry Cochrun

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Board Member Nelson recused himself from the following hearing:

Curtis Red Fox

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 White Horse – Carda made motion to adjourn the October 8, 2015 meeting of the Board. Board Member Krull seconded the motion. All members voting aye; the motion carried.

The meeting adjourned at 10:00 AM on Thursday, October 8, 2015. The next board meeting is scheduled for November 5, 2015 at 8:00 a.m.

SD BOARD OF PARDONS AND PAROLES

Kay Nikolas, Chair

Doug Clark, Director

Submitted by:
Stacy Cole
Senior Secretary