

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota

September 14, 15, 16 and 17, 2015

Parole Board meetings were held on September 14, 15, 16 and 17, 2015 at various locations in the State of South Dakota. A Parole Board meeting was held on September 17, 2015 at the South Dakota State Penitentiary commencing at 8:01 AM with the following present:

Kay Nikolas, Chair  
Mark Smith, Vice Chair  
Ken Albers, Member  
Greg Erlandson, Member  
Don Holloway, Member  
Dave Nelson, Member  
Myron Rau, Member  
Rev. Patricia White Horse – Carda, Member  
Kathleen Bongers, Program Assistant  
Stacy Cole, Senior Secretary  
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, Kevin Krull, Member

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

SPECIAL GUESTS: Secretary Kaemingk spoke to the Board about the Expedited Pardon process in response to some questions and concerns the Board members had.

MINUTES: Board Member Erlandson made motion to approve the minutes from the August 2015 meeting of the Board. Board Member Nelson seconded the motion. All members voting aye; the motion carried.

HEARING PANELS: Yankton Parole Hearings will begin at 1: 00 PM in the future instead of 2:00 PM. Board Member Erlandson will be unavailable Tuesday through Thursday in October, 2015. Board Member Rau will be unavailable October 8, 2015. Board Member Nelson will be unavailable on Monday October 5, 2015. We will be contacting Auxiliary members to fill in Tuesday through Thursday in October, 2015.

REVIEWED BY THE FULL BOARD:

The following inmate was reviewed by the full board. Board Member Erlandson made motion to deny the return of street time. Board Member Holloway seconded the motion; all other members voting aye; the motion carried

Brent Vostad

The following inmate was reviewed by the full board. Board Member Albers made motion to grant parole to BMS only. Board Member White Horse - Cara seconded the motion; all other members voting aye; the motion carried

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Stephen Thompson

APPEARANCES BEFORE THE FULL BOARD:

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

Andrew Williams

The following parolee appeared before the full board for his case review per his board ordered release to parole. Board Member Nelson made motion to keep Toby's GPS on for another 6 months and review him then. Board Member Erlandson seconded the motion; all other members voting aye; the motion carried

Toby Ferguson

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. Vice Chair Smith seconded the motion. Board Members Nelson, Holloway, Smith and Rau all voted nay, Board Members Albers and Rev. White Horse - Carda voting aye. Board Member Holloway made a second motion to deny parole and set out for 8 months. Board Member Albers seconded the motion; all other members voting nay, the motion carried

Brandon Ashford

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

Marvin Blaine

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

Mickey Locklear

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

Edward Morris

The following inmate appeared before the full board. Board Member Albers made motion to grant parole for interstate compact to Minnesota only. Board Member Nelson seconded the motion; all other members voting aye; the motion carried

Brian Reilly

Board Chair Nikolas called a recess from 9:28AM to 9:38 AM

AGENDA ITEMS:

Director's Report: Director Clark was unavailable. Mike Vonsik spoke about our training and the upcoming agenda. He updated us on the budget and warrants issued. No significant changes to report.

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Director of Field Services Report: Brad Lewandowski was available for any questions. He updated us on Parole numbers and the work load study. He also announced that Sioux Falls field office will be adding a parole agent position. No significant changes to report.

Legal Issues Review: Ashley McDonald was available for questions. She updated us on a legislative fix that will involve how the Parole board's authority to impose suspended sentences. No other significant changes to report.

Behavioral Health Review: Tonya Honomichl and McKenzie Grim were unavailable.

Policy Review: 8.1.A.14 Board Member Nelson made motion to approve the policy. Vice Chair Smith seconded the motion. All other voting aye, the motion carried

Board Training Review and COMS Update: Traci Fredrikson updated us on the upcoming October training with Richard Stroker. Board Member Albers will be attending the training in Texas in the month of October, 2015.

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

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

Recusals:

Board Member Nelson recused himself from the following hearing:

Mickey Locklear

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: Vice Chair Smith made motion to adjourn the September 17, 2015 meeting of the Board. Board member Holloway seconded the motion. All members voting aye; the motion carried.

The meeting adjourned at 11:19AM on Thursday, September 17, 2015. The next board meeting is scheduled for October 8, 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