

April 2023



SOUTH DAKOTA BOARD OF PARDONS AND PAROLES
MINUTES

Jameson Annex
1600 N Drive
Sioux Falls, SD 57104

Parole Board meetings were held on March 28th, and April 11th, 12th, 13th, and 14th, 2023 in various locations in the State of South Dakota. A Full Board meeting was held on Thursday, April 13th, 2023, commencing at 12:34P.M. with the following present:

Present:

Myron Rau, Board Chair
Kirsten Aasen, Vice Chair
Ken Albers, Member
Peter Lieberman, Member
Jan Steele, Member
Patricia Meyers, Member
Vaughn Beck, Member
Charles Schroyer, Member
Val McGovern, Executive Director of Board of Pardons and Paroles
Brad Lewandowski, Director of Parole
Stacy Cole, Corrections Specialist
Eilish O'Toole, Corrections Analyst
Karena Cassidy, Senior Secretary
Jayden Clark, Parole Admin Intern
Georgia Will, Parole Admin Intern

Quorum Present? Yes

Absent: Board Member Kurt Hall

SPECIAL GUESTS: Tom Lais-Corrections Specialist, Riley DeGroot-Senior Case Manager, Travis Donelan-Transitional Case Manager, Liz Effling-Corrections Specialist, Teresa Cummings- Program Assistant I, Travis Ripperda-Risk Reduction, Sam Yost- Case Manager, John Hult-Spotlight, KELO

AGENDA ITEMS:

APPEARED/REVIEWED BEFORE THE FULL BOARD IN SIOUX FALLS THURSDAY, April 13th, 2023:

The following offender appeared before the full board for a Parole hearing, legal counsel Angel Runnels also appeared on behalf of the offender. Board Member Beck made a motion to deny



parole and set out 8 months, Board Member Lieberman seconded the motion, all other board members voted aye, except Board Vice Chair Aasen. The motion carried.

Jensen, Paul

Proponents: *Angel Runnels, Kara Dunca, Sherilyn Jensen, Frank Boster, Marty Spencer, Denny Davis, Mary Montoya, Eve Fisher, Ward, Mitchell, Teresa P., Lee H., Angie Roth, David Sinkroven, Larry Brendts*

Opponents: *Danita Forell, James Hare, Liz Hare, Tom Maher, Curt Mortenson, Robert Mayer*

The following offender appeared before the full board for a Parole hearing. Board Member Steele made a motion to grant parole, Board Member Meyers seconded the motion. All other board members supported the motion and voted aye, except Board Member Albers, the motion carried.

Fox, Erick

The following offender's case was continued to May 2023.

Shaw, John

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Parole Board meetings were held on March 28th, and April 11th, 12th, 13th, and 14th, 2023 in various locations in the State of South Dakota. A Full Board meeting was held on Friday, April 14th, 2023, commencing at 8:38 A.M. with the following present:

Present:

Myron Rau, Board Chair
Kirsten Aasen, Vice Chair
Peter Lieberman, Member
Jan Steele, Member
Patricia Meyers, Member
Vaughn Beck, Member
Charles Schroyer, Member
Val McGovern, Executive Director of Board of Pardons and Paroles
Brad Lewandowski, Director of Parole
Kayla Stucky- Associate Director of Field Services
Stacy Cole, Corrections Specialist
Eilish O'Toole, Corrections Analyst
Karena Cassidy, Senior Secretary
Jayden Clark, Parole Admin Intern
Georgia Will, Parole Admin Intern

Quorum Present? Yes

Absent: Board Member Kurt Hall, Board Member Albers

COUNSEL PRESENT:

N/A

SPECIAL GUESTS: Riley DeGroot- Senior Case Manager, Terry Cummings- Program Assistant I, Travis Donelan- Transitional Case Manager, Sonja Alquist- Secretary, Brenna Carlson-SOMP, Eric Timmerman- Case Manager, Travis Ripperda- Risk Reduction, John Hult-Spotlight, KELO



AGENDA ITEMS:

APPEARED/REVIEWED BEFORE THE FULL BOARD IN SIOUX FALLS Friday, April 14th, 2023:

The following offender appeared before the full board for a Parole Review. Board Chair Rau, discussed with Ferguson his progress on parole. It was determined that his next review would occur in 12 months.

Ferguson, Toby

Guests: Mr. & Mrs. Ferguson

Break: 9:14 A.M.- 9:25 A.M.

The following offender appeared before the full board for a Parole hearing. Board Member Aasen made a motion to grant parole, Board Member Steele seconded the motion. All other board members voted aye, the motion carried.

Huntimer, Timothy

Guests: Kim (mother) appeared via MS Teams

The following offender appeared before the full board for a Parole hearing. Board Member Beck made a motion to deny parole with the stipulation that a history polygraph be completed prior to his next hearing in 8 months. Board Member Lieberman seconded the motion. All other board members voted aye; the motion carried.

Flute, Levi

Proponents: *Ellen Flute, Leonard Langdean, Jeremy Langdean*

Opponents: *Dawn Aspass, Mrs. Gaspar, Mark Aspaas, Lynn L.*

HEARING PANELS: Board Chair Rau attended DSP hearing on 4/12/23 virtually. Board Member Hall was not present during board week. Board Member Albers was absent on Friday 4/14/23. No other significant changes.

BOARD TRAINING: Travis Ripperda- Risk Reduction Manager, presented information to the parole board pertaining to risk assessment tools and the population that it impacts in the South Dakota State Penitentiary.



MINUTES: Board Member Schroyer made a motion to approve the minutes for the March 2023 meeting of the Board. Board Member Beck seconded the motion. All members voted aye; the motion carried.

BOARD REPORT: Director McGovern was available and updated the board on the following:

An extra days of parole board hearings were scheduled and conducted on March 1st, 2023. Chair Rau and Board Member Lieberman reviewed approximately 47 parole violation waivers as well as early discharge, commutation cases. Board Member Vaughn Beck was confirmed on March 2nd by the Senate Judiciary Committee. The revised SDMF coding sheets are in the process of being used by the board. There were 22 pardon applications received in the month of March and the current set out period is to September 2023. There are currently 46 pending clemency cases pending a decision by Governor Noem. Director McGovern has continued to complete validation inquiries submitted by the Department of Public Safety to ensure fidelity in NCIC entries/clears. There has also been follow up regarding renewal/updating certifications with Criminal Justice Information Services (CJIS), there is now an annual requirement of certification, parole admin staff and board members will need to remain in compliance with this expectation. Director McGovern continues to audit the Top 50 absconder warrants in NCIC to assure they are active. Legal Counsel Addyson Aguirre is now sending monthly updates to the board regarding pending/resolved litigations that directly involve the parole board.

The board was informed that the board information and field information will now be reported on one report. Staff are open to input as to what should be added/removed to the report to hone in on the information most important to the board.

FIELD SERVICES REPORT: Assistant Director Kayla Stucky was available and updated the board on the following:

Field Services Staffing Update

Open positions: 10 agent positions (5 SF, 1 RC, 1 Watertown, 1 Spearfish, 1 Pierre; 1 SWO); 1 secretary position (SF); 1 Parole Administrative Supervisor position (SF). A Conditional Offer have been accepted for the Pierre position. Agents in training: 8 (4 in Sioux Falls, 3 in Rapid City, 1 Mitchell) Extended Leaves: 1 (Sioux Falls) , upcoming Extended Leaves: 1 agent (Sioux Falls). Resignations: 2 Amanda Schaefer (3/10/2023), Justin Korth (03/23/2023), Traci Fredrikson (3/6/2023). Upcoming Resignations: Katie Howard (4/10/2023). Amber Torres (Agent Specialist in Rapid City) and Gabby Warwick (Agent in Mitchell) started employment. Supervisor Carrels is covering Watertown cases and some SWO cases due to Agent Miller covering the SWO caseload due to the SWO open position. Interviews occurred for Sioux Falls, Pierre, Rapid City/Spearfish, and Mitchell. In-State offenders minus absconders: 2620. In-State absconders: 412, statewide caseload average: 70.51, statewide workload average: 94.38%.

POLICY REVIEW: N/A

April 2023



RECUSALS: N/A

DECISIONS: Board Member Schroyer made a motion to ratify and affirm all decisions: Board Member Lieberman seconded the motion. All members voting aye; the motion carried.

ATTACHMENTS – DECISIONS: Please refer to the attached listing entitled Parole Board Actions for all parole violations, suspended sentence violations, non-compliance, discretionary parole, earned discharge, and rescission decisions made by the Board this month.

ADJOURNMENT: The meeting adjourned at 11:59 A.M. The next full board meeting is scheduled for May 10th, 2023

BOARD OF PARDONS AND PAROLES

Myron Rau, Board Chair or Kirsten Aasen, Vice Chair

Val McGovern, Executive Director

Submitted by:
Val McGovern
Executive Director of
Board of Pardons and Paroles