

August 2023



SOUTH DAKOTA BOARD OF PARDONS AND PAROLES  
MINUTES

Jameson Annex  
1600 N Drive  
Sioux Falls, SD 57104

Parole Board meetings were held on July 20<sup>th</sup>, July 28<sup>th</sup> and August 14<sup>th</sup>, 15<sup>th</sup>, 16<sup>th</sup> and 17<sup>th</sup>, 2023 in various locations in the State of South Dakota. A Full Board meeting was held on Wednesday, August 16<sup>th</sup>, commencing at 11:55 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  
Ken Albers, Member  
Kurt Hall, Member  
Val McGovern, Parole Board Corrections Specialist  
Brad Lewandowski, Director of Parole  
Kati Albers, Parole Admin Supervisor  
Stacy Cole, Parole Admin Corrections Specialist  
Eilish O'Toole, Corrections Analyst  
Karena Cassidy, Senior Secretary  
Georgia Will, Program Assistant  
Jayden Clark, Parole Admin Intern

Quorum Present? Yes

Absent: N/A

SPECIAL GUESTS: Britney Shelburg- Case manager, Riley DeGroot- Senior CM, Kim Lippencott- Senior CM, Brenna Carlson-SOMP, Travis Ripperda- Risk Reduction, Eric Timmerman- CM, Travis Donelan-Transitional CM, Sam Yost- CM

AGENDA ITEMS:

APPEARED/REVIEWED BEFORE THE FULL BOARD IN SIOUX FALLS WEDNESDAY,  
August 16th, 2023:



The following offender appeared before the full board for a Parole hearing. Board Member Schroyer made a motion to **grant parole**, the motion was seconded by Board Member Steele. Board Members Steele, Lieberman, Schroyer, and Meyers voted aye, Board Members Albers, Beck, Hall, Vice Chair Aasen and Chair Rau, voted nay, and the motion failed. Board Vice Chair Assen made a motion to **deny parole** and set out his next review for 1 year, motion was seconded by Board Member Albers, all board members voted aye, the motion carried.

*Smith, Donavin*

The following offender appeared virtually before the full board for a Parole hearing. Board Member Lieberman made a motion to **deny parole** and to set the next discretionary hearing for 8 months, Board Member Beck seconded the motion. All board members voted aye, except Board Member Steele and Board Member Meyers, motion carried.

*Brakeall, Winston*

The following offender appeared before the full board for a Parole hearing. Board Member Beck made a motion to **deny parole** and to set the next discretionary hearing for 8 months, Board Member Lieberman seconded the motion. All board members voted aye, except Board Member Steele and Board Member Meyers, motion carried.

*Huls, Chad*

*Opponent: Andrea Klink*

The following offender appeared before the full board for a Parole hearing. Board Member Beck made a motion to **deny parole** and set out his next review to 2 years. Board Member Schroyer made a substitute motion to **grant parole**, Board Member Myers seconded the motion. Vice Chair Aasen made a comment to amend the motion to state transitional housing with GPS, Board Member Schroyer and Meyers concurred. Board Members Steele, Albers, Schroyer, Meyers and Vice Chair Aasen voted aye. Board Members Lieberman, Beck, Hall, and Chair Rau voted nay. Motion carried.

*Milk, Cornelius*

*Proponent: Michelle Blevins (fiancé)*



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Present:

Myron Rau, Board Chair  
Kirsten Aasen, Vice Chair  
Peter Lieberman, Member  
Jan Steele, Member  
Patricia Meyers, Member  
Vaughn Beck, Member  
Charles Schroyer, Member  
Ken Albers, Member  
Kurt Hall, Member  
Val McGovern, Parole Board Corrections Specialist  
Brad Lewandowski, Director of Parole  
Kayla Stucky, Associate Director of Field Services  
Kati Albers, Parole Admin Supervisor  
Stacy Cole, Parole Admin Corrections Specialist  
Eilish O'Toole, Corrections Analyst  
Karena Cassidy, Senior Secretary  
Georgia Will, Program Assistant  
Jayden Clark, Parole Admin Intern

Quorum Present? Yes

Absent: N/A

SPECIAL GUESTS: Brenna Carlson- SOMP, Ryan Howey- Case Manager, Sam Yost- Case Manager, Riley DeGroot- Senior CM, John Hult- Searchlight, Meridith Jones- CM, Travis Donelan- Case Manager, Britany Shelburg-CM

APPEARED/REVIEWED BEFORE THE FULL BOARD IN SIOUX FALLS THURSDAY, August 17<sup>th</sup>, 2023:



The following offender appeared before the full board for a **case review hearing**. After discussion with the parole board, a motion was made by Board Vice Chair Aasen to send Mr. Haase on a 3-day detainer with a **review in 30 days**, the motion was seconded by Board Member Albers, all board members voted aye, and the motion carried. Board Vice Chair Aasen amended her motion to state that the detainer be a 5-day detainer so that he remains in custody through the weekend, the amendment was supported by all board members. The original motion stands with amendment.

*Haase, Troy*

*Proponent: Kay Marrow*

The following offender appeared before the full board for a parole hearing. Board Member Lieberman made a motion to **grant parole** with a board order to the Glory house and a history polygraph within 60 days, Board Member Steel seconded the motion. All board members voted aye, and the motion carried.

*Smalley, James*

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

*Andrews, Michael*

The following offender appeared before the full board for a Parole hearing. Board Member Albers made a motion to **grant parole**, Board Vice Chair Aasen seconded the motion, all board members voted aye, and the motion carried.

*Gregor, Waylon*

The following offender was reviewed as a paper review, as he had his hearing on August 14<sup>th</sup>, 2023, but is a full board case. Board Member Meyers made a motion to **grant parole**, Board Member Aasen seconded the motion, all board members voted aye, except Board Member Hall, the motion carried.

*Buell, Benjamin*

The following offender was reviewed as a paper review, as he had his hearing on August 16<sup>th</sup>, 2023, but is a full board case. Board Member Schroyer made a motion to **grant parole** to new number, Board Member Meyers seconded the motion, all board members voted aye, the motion carried.

*Bawdon, Miles*



HEARING PANELS: Board Vice Chair Aasen assisted with singing of waivers with Board Chair Rau on Tuesday, August 15<sup>th</sup> instead of Board Member Lieberman. The JPA A101 panel is now being held in A131. No other significant changes.

BOARD TRAINING: N/A

MINUTES: Board Member Hall made a motion to approve the minutes for the July 2023 meeting of the Board. Board Member Meyers seconded the motion. All members voted aye; the motion carried.

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

- A special session was conducted on July 20<sup>th</sup>, parole hearings and PV/SSV hearings were held, and the total number of hearings held was 67.
- A special session was conducted on July 28<sup>th</sup>, these hearings consisted of PV/SSV waivers, commutation, and early discharge hearings. The number of hearings held was 59.
- There were 17 pardon applications received in the month of July and the current set out period is to April 2024. There are currently 45 pending clemency cases pending a decision by Governor Noem.
- Governor Noem fully approved 1 pardon application on July 22<sup>nd</sup>, 2023, and denied two applications.
- Val 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, and parole admin staff and board members will need to remain in compliance with this expectation.
- Val McGovern continues to audit the Top 50 absconder warrants in NCIC to ensure they are active.
- There has been preliminary testing completed by Val McGovern in regard to the COMS 19C update that is forthcoming.
- Parole Admin/Board Staff have been testing the File Director system as we transition to numerous processes being paperless.
- We would like to welcome Georgia Will (Program Assistant I) as a full-time employee with DOC, she will be charged with the tasks mainly tied to female violators (dispo prep, dates, rights, serving etc.) and duties as assigned, welcome aboard Georgia!

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

Open positions: 8 agent positions: 2 Sioux Falls (2 positions are posted), 4 Rapid City (2 conditional offers made and accepted with start dates of 8/9/2023 and 9/4/2023; 1 rescinded conditional offer; position is not currently listed) 1 Watertown (this position has been closed and



will be re-listed with a new wage), 1 Pierre (interviews conducted; 2 applicants undergoing the background process pulled their application before a conditional offer could be made; working on a third candidate background in preparation for conditional offer); .5 secretary positions: Part-time Spearfish (not listing at this time). 1 Parole Agent Supervisor position (West Region; Interviews conducted); 1 Program Assistant 1 position (Pierre Parole Admin Office – conditional offer has been made).

- West Region staff are currently reporting to Associate Director Stucky.
- Agents in training: 5: 3 Sioux Falls: Agent Kerr (4 months), Agent Behrens (3 month), Agent Kittelson (2.5 months)), 1 in SWO (Agent Jimenez (2.5 months), 2 in Rapid City (Agent Goodall (6 months), Agent Specialist Torres (4.5 months)), 1 Mitchell (Agent Warwick (4 month))
- Support Staff in training: 1 (Apgar (2.5 months)); Lanna Zimmerman returned to the Rapid City Support Staff.
- Extended Leaves: 1 Sioux Falls (returning late October)
- Upcoming Extended Leaves: 1 Mitchell (August)
- Resignations: Kaylee Grueb (July 21); Jess Inglis (July 8)
- Upcoming Resignations: 0
- Supervisor Carrels is covering Watertown cases and some SWO cases due to Agent Miller covering the SWO caseload while SWO Agent Jimenez completes training. Supervisor Carrels has begun to transition his caseload to Agent Miller as SWO Agent Jimenez continues to accumulate more SWO cases.
- Interviews occurred for Sioux Falls agent positions, Rapid City Supervisor, Pierre agent position, and Pierre program specialist position.

POLICY REVIEW: Director McGovern discussed with the board the policies up for review.

- 8.1.A.8 Withholding Parole, Restitution Hearing, Compassionate Parole
- 8.1.A.7 Early Discharge
- 8.1.A.1 News Media and Cameras at Board Hearings

Board Member Meyers made a motion to approve all the policies and Board Member Beck seconded the motion, all board member voted aye, the motion carried.

Discussion:

Board Members voted on a revised non-compliance matrix. Board Member Albers made a motion to approve the proposed matrix, Board Member Schroyer seconded the motion, all board members voted aye, the motion carried.

RECUSALS: N/A

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.

August 2023



ADJOURNMENT: The meeting adjourned at 11:40 A.M. The next full board meeting is scheduled for September 13<sup>th</sup>, 2023.

## BOARD OF PARDONS AND PAROLES

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Myron Rau, Board Chair or Kirsten Aasen, Vice Chair

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Val McGovern, Corrections Specialist

Submitted by:  
Val McGovern  
Corrections Specialist  
Board of Pardons and Paroles