

June 2023



SOUTH DAKOTA BOARD OF PARDONS AND PAROLES
MINUTES

Jameson Annex
1600 N Drive
Sioux Falls, SD 57104

Parole Board meetings were held on June 28th, and July 10th, 11th, 12th and 13th, 2023 in various locations in the State of South Dakota. A Full Board meeting was held on Wednesday, July 12th, commencing at 11:47 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
Val McGovern, Executive Director of Board of Pardons and Paroles
Brad Lewandowski, Director of Parole
Kati Albers, Parole Admin Supervisor
Stacy Cole, Corrections Specialist
Eilish O'Toole, Corrections Analyst
Karena Cassidy, Senior Secretary
Georgia Will, Parole Admin Intern

Quorum Present? Yes

Absent: Board Member Kurt Hall

SPECIAL GUESTS: Ryan Howey- Case Manager, Jessica Luke-Case Manager, Brittany Shelburg- Case Manager, Tom Gilchrist- SOMP, Meridith Jones- Case Manager, Riley DeGroot- Senior Case Manager, Tyler Tycz- Case Manager, Brenna Carlson- Program Manager, Travis Donelan- Case Manager

AGENDA ITEMS:

APPEARED/REVIEWED BEFORE THE FULL BOARD IN SIOUX FALLS WEDNESDAY, July 12th, 2023:

The following offender appeared virtually before the full board for a Parole hearing. Board Member Beck made a motion to **deny parole**, and set a next review in 8 months, in front of a



two-panel board, Board Member Albers seconded the motion. Board Member Steele, Board Member Lieberman, and Board Member Schroyer all supported the motion. Board Member Meyers, Vice Chair Aasen, and Board Chair Rau voted nay, the motion carried.

Ramos, Joaquin

Proponents:

Elizabeth Starkey

Opponents:

Kyle Chase, Dottie Aberle, Angela Hanson, Jason Glodt

The following offender appeared before the full board for a Parole hearing. Board Member Aasen made a motion to **grant parole**, conditional on the successful completion and passing of a sexual history polygraph. Board Member Lieberman seconded the motion. All other board members voted aye; the motion carried.

Barney, Patrick

The following offender appeared before the full board for a Parole hearing. Board Member Beck made a motion to **deny parole** and continue to expiration. Board Vice Chair Assen seconded the motion. All board members voted aye, except Board Chair Rau, the motion carried.

Cutgrass, Milbert

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Parole Board meetings were held on June 28th, and July 10th, 11th, 12th and 13th, 2023 in various locations in the State of South Dakota. A Full Board meeting was held on Wednesday, July 12th, commencing at 08:28 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
Val McGovern, Executive Director of Board of Pardons and Paroles
Brad Lewandowski, Director of Parole
Kayla Stucky, Associate Director of Parole Services
Kati Albers, Parole Admin Supervisor
Stacy Cole, Corrections Specialist
Eilish O'Toole, Corrections Analyst
Karena Cassidy, Senior Secretary
Georgia Will, Parole Admin Intern

Quorum Present? Yes

Absent: Board Member Kurt Hall

COUNSEL PRESENT: The following representations were made.

N/A

SPECIAL GUESTS: Jeff Neill- SOMP, Ryan Howey- Case Manager, Meredith Jones-Case Manager, Becca Hill- Parole Agent, Riley DeGroot- Case Manager, Brittany Shelburg- Case Manager, Tyler Tycz- Case Manager, Travis Ripperda- Risk Reduction, Liz Effling- Corrections Specialist, John Hult- Spotlight News, David Kauffman



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

The following offender appeared before the full board for a **case review hearing**. Haas was instructed to continue with individual counseling in the community if he is not doing so already, he will no longer be on parole GPS but will be on Glory House GPS. The board decided that Haas would have a 1-month review, therefore he will be seen in August 2023.

Haas, Troy

The following offender was reviewed as a paper review, as he had his hearing on July 12th, 2023, but is a full board case. Board Member Meyers made a motion to **grant parole** with a board order to transitional housing. Board Member Beck seconded the motion. All other Board Members voted aye except Board Member Lieberman as he was absent from the vote, the motion carried.

Pagan, Dennis

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

Hairy Bird, Tyler

The following offender appeared before the full board for a Parole hearing. Board Member Lieberman made a motion to **deny parole** and continue to expiration. Board Member Beck seconded the motion. Board Member Lieberman Board Member, Albers, and Board Member Beck voted aye, all others voted nay, the motion failed. Board Member Schroyer made a motion to **grant parole**, Board Member Steele seconded the motion. All board members voted aye, except Board Member Lieberman, Board Member Albers, and Board Member Beck, the motion carried.

Thunder Hawk, Lester

HEARING PANELS: Board Member Hall was present for hearings on Monday July 10th, but was absent the remainder of parole board week. Board Member Lieberman assisted with parole hearings on Tuesday July 11th at SDSP. Board Member Steel changed hearing location to SDSP-Upper on Wednesday, July 12th. No other significant changes.

BOARD TRAINING: N/A



MINUTES: Board Member Steele made a motion to approve the minutes for the June 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:

- An extra days of parole board hearings were scheduled and conducted on June 28th by Board Chair Rau and Chair Rau they reviewed approximately 60 parole violation waivers.
- There were 20 pardon applications received in the month of June and the current set-out period is to March 2024. There are currently 45 pending clemency cases pending a decision by Governor Noem.
- Governor Noem fully approved 7 pardon applications on June 24th, 2023, and denied two applications.
- 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.
- Rescindment hearing requests will no longer be directed to Val McGovern they will not go through Kati Albers in the Parole Admin Office.
- Sr. Case Managers have been advised that board decisions are considered final upon completion of a two-panel board hearing. They have been informed to move forward with the release process unless informed otherwise, this is in hopes to facilitate a quicker release for everyone involved.
- The fiscal numbers pertaining to board decisions were presented to the parole board.

FIELD SERVICES REPORT: Assistant Director Kayla Stucky was unavailable for the field report, Director Lewandowski was present and updated the board on the following:

Open positions: 8 agent positions: 2 Sioux Falls (2 positions are posted; one conditional offer has been rescinded), 4 Rapid City (interviews have been conducted and we are working on 2 conditional offers and looking at two additional candidates; one of these positions has not yet been vacated but resignation is forthcoming), 1 Watertown (this position has been closed and will be re-listed with a new wage), 1 Pierre (an Agent is currently in this position but will be resigning; position has been closed and will be re-listed with a new wage); 1.5 secretary positions: Rapid City (conditional offer has been accepted and start date confirmed), Part-time Spearfish (not listed at this time). Supervisor position (West Region; currently updating the posting with BHR); 1 Program Assistant 1 position (Pierre Parole Admin Office).

West Region staff are currently reporting to Associate Director Stucky.

Agents in training: 5 (3 Agent Kerr (3 months), Agent Behrens (2 month), Agent Kittelson (1.5 months), 1 in SWO (Agent Jimenez (1.5 months), 2 in Rapid City (Agent Goodall (5 months), Agent Specialist Torres (3.5 months), 1 Mitchell (Agent Warwick (3 months), 1 Pierre (Agent



Inglis (3 months). Support Staff in training: 1 (Apgar (1.5 months). Extended Leaves: 1 Sioux Falls (returning late July). Upcoming Extended Leaves: 1 Sioux Falls (July); 1 Mitchell (July). Resignations: Terry Cummings (Retirement June 8). Upcoming Resignations: Jess Inglis (Pierre) has submitted her resignation due to her spouse accepting a position out of state effective July 7. Kaylee Grueb (Rapid City) has submitted her resignation effective July 21. Supervisor Carrels is covering Watertown cases and some SWO cases due to Agent Miller covering the SWO caseload while SWO Agent Jimenez completes training. Interviews occurred for Sioux Falls agent positions, Rapid City Secretary positions, Rapid City, Watertown, and Pierre positions.

POLICY REVIEW: Director McGovern discussed with the board the policies up for review. The restitution policy will be merged with other similar policies, so that will be reviewed in August.

Board Member Aasen made a motion to approve policy **8.1.A.4 Parole Date Review**, Board Member Meyers seconded the motion, all other board members voted aye, and the motion carried.

Board Member Aasen made a motion to approve policy **8.1.A.15 Suspended Sentence Status Report**, Board Member Myers seconded the motion, all other board members voted aye, and the motion carried.

Discussion:

The new 2024 board schedule was also reviewed and re-approved by the parole board, due to a change made to April 2024. Board Member Meyers made a motion to approve and Board Vice Chair Aasen seconded the motion, all others voted aye, and 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.

ADJOURNMENT: The meeting adjourned at 11:15 A.M. The next full board meeting is scheduled for August 16th, 2023.

June 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