

July 2022



SOUTH DAKOTA BOARD OF PARDONS AND PAROLES
MINUTES

Jameson Annex
1600 N Drive
Sioux Falls, SD 57104

Parole Board meetings were held on July 11,12,13 and 14th, 2022 in various locations in the State of South Dakota. A Full Board meeting was held on Wednesday, July 12th, 2022, commencing at 12:43 P.M. with the following present.

Present:

Myron Rau, Board Chair
Gordy Swanson, Vice Chair
Gregg Gass, Member
Kurt Hall, Member
Peter Lieberman, Member (MS Teams)
Kirsten Aasen, Member
Charles Schroyer, Member
Jan Steele, Member
Val McGovern- Executive Director of Board of Pardons and Paroles
Brad Lewandowski, Director of Parole
Traci Fredrikson- Operations Supervisor
Stacy Cole, Corrections Specialist
Eilish O'Toole, Program Assistant II
Karena Cassidy, Senior Secretary
Georgia Will, Parole Administration Intern
Liz Effling, Corrections Specialist
Loranda Kenyon, Attorney

Quorum Present? Yes

Absent: Ken Albers, Board Member

COUNSEL PRESENT: The following representations were made.

Attorney Aaron Salberg on behalf of *Deschepper, Brian*

SPECIAL GUESTS: Terry Cummings (MS Teams), Brenna Carlson-SOMP, Paige Storm-Case Manager, Riley DeGroot-Case Manager (MS Teams), Hailey Pieper-UM Staff Intern, Nick Nyreen-Case Manager, Tom Lais-Senior Case Manager (MS Teams), Miranda Ward-Case Manager, Katie Olson-Case Manager, Dusti Werner-Risk Reduction Manager, Brenna Kerr-Parole Secretary (MS Teams), Bruce Berke (MS Teams), Julie Stevens (MS Teams).

July 2022



AGENDA ITEMS:

APPEARED/REVIEWED BEFORE THE FULL BOARD (EIGHT MEMBERS) IN SIOUX FALLS WEDNESDAY, JULY 13th, 2022:

The following offender appeared before the full board for a Parole hearing. Board Vice Chair Swanson made a motion to grant parole. Board Member Aasen seconded the motion. Board Member Gass voted nay, all other board members voting aye, the motion carried.

Brian Deschepper

July 2022



STATE BOARD OF PARDONS AND PAROLES
MINUTES

Jameson Annex
1600 N Drive
Sioux Falls, SD 57104

Parole Board meetings were held on July 11th, 12th, 13th, and 14th, 2022 in various locations in the State of South Dakota. A Full Board meeting was held on Thursday, July 14th, 2022, commencing at 8:12 AM with the following present.

Myron Rau, Board Chair
Gordy Swanson, Vice Chair
Gregg Gass, Member
Kurt Hall, Member
Peter Lieberman, Member (MS Teams)
Kirsten Aasen, Member
Charles Schroyer, Member
Jan Steele, Member
Val McGovern, Executive Director of Board of Pardons and Paroles
Brad Lewandowski, Director of Parole
Kayla Stucky, Assistant Director of Field Operations
Traci Fredrikson, Operations Supervisor
Stacy Cole, Corrections Specialist
Karena Cassidy, Senior Secretary
Georgia Will, Parole Admin Intern (MS Teams)
Liz Effling, Corrections Specialist
Loranda Kenyon, Attorney

Quorum Present? Yes

Absent: Ken Albers, Board Member

COUNSEL PRESENT:

N/A

SPECIAL GUESTS: Terry Cummings-Senior Secretary, Jarod Hettich-Case Manager, Riley DeGroot-Case Manager, Jordan Wilcox-Case Manager, Paige Storm-Case Manager, Hailey Pieper-UM Staff Intern, Renae Kueter-Case Manger

HEARING PANELS: Panels went as planned except for Monday, Yankton hearings and Tuesday, Durfee hearings were held virtually.



MINUTES: Board Member Schroyer made a motion to approve the minutes from the June 2022 meeting of the Board. Board Member Gass seconded the motion. All members voting aye; the motion carried.

AGENDA ITEMS:

APPEARED/REVIEWED BEFORE THE FULL BOARD (EIGHT MEMBERS) IN SIOUX FALLS THURSDAY, July 14th:

The following offender appeared before the full board for a Parole hearing. Board Member Board Member Aasen voted to grant parole, board member Gass seconded the motion, all other board members voting nay, the motion failed. Board Member Hall made a motion to set out 8 months, Board Member Lieberman seconded the motion, the motion carried.

Ramos, Joaquin

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

Governor Noem has appointed Jan Steele to the Board of Pardons and Paroles. Jan is currently the Victim/Witness Specialist for the Codington County States' Attorney's Office. Mrs. Steele replaces Rev. Patricia White Horse Carda, who retired from the Board in January. Steele's appointment expires on January 20, 2024. The office received 12 pardon applications in June and hearings are being scheduled 3 months out. The governor took no clemency actions in June. There are currently 44 pardons and one commutation pending a final action from the Governor. Paige Wilber-Bock has fulfilled her commitment to be an auxiliary board member as of June 13th. An extra day of parole board hearings was scheduled and conducted on July 1st and Board Members Albers and Board Member Steele reviewed and approved approx. 50 parole violation waivers. Board Chair Rau, Board Member Kurt Hall and Director McGovern attended the Annual Parole Training on June 1st. Director McGovern presented board stats to the agents. Board Member Hall and Chair Rau had great conversation with the agents regarding policies, violation reports, early discharge applications among other things that impact our practices. The board approved the Early Discharge policy (8.1.A.7) in May, this has been distributed to the field

DIRECTOR OF FIELD SERVICES REPORT: Director Stucky was available and updated the board on the following personnel updates:

Southeast Region Staff Update:

Agents utilized in the SE have a caseload average of 58.32. Agents utilized in the SE have a workload average of 84.41%. Current staffing: 2 agents in training (SF); 2 secretaries in training (SF); 1 agent on light duty. Agent Jack Konop (Sioux Falls) accepted a position with the Women's Prison and his last day with Parole is July 1, 2022. This position has been listed. Parole agent specialists continue conducting the Moving On class.



Northeast Region Staff Update:

Agents utilized in the NE Region have an average caseload of 62.84. Agents utilized in the NE have an average workload of 99.58%. Current staffing: 2 agents in training (Watertown, Mitchell), 1 open part-time secretary position (Pierre). Firearms Instructor Doug Seim retired June 8. This agent position has already been filled. Support Staff Mary Bishop retired June 8. This position has been listed.

SWO Agent Cheyenne Iron Heart submitted her resignation effective 6/3/2022. SWO Director White has indicated a conditional offer of employment will be made shortly. Juvenile Corrections Agent Thury assists with supervision of 24 cases in the Watertown office. Juvenile Corrections Agent Shawn Davis is assisting with the supervision of 6 cases in the Mitchell office.

West Region Staff Update:

Agents utilized in the West Region have an average caseload of 60.80. Agents utilized have an average workload of 94.87%. Current staffing: 1 open position (Rapid City); 1 agent in training (Rapid City), 1 agent on extended leave. Interviews are occurring for the open position. Parole agent specialists continue conducting the Moving On class.

Break 9:41-9:51 A.M.

LEGAL ISSUES: Loranda Kenyon was available and provided the following updates for the board:

Freeman Mesteth - Counsel submitted a brief challenging the board's determination that there was sufficient evidence of a violation of parole. The board found Mesteth violated three conditions of his parole. I am currently working on my reply brief which is due within the next couple of weeks.

Kevin Hughbanks- AG's Office filed their Answer – no updates since that time.

POLICY REVIEW:

N/A

BOARD TRAINING:

N/A

RECUSALLS:

N/A

FULL BOARD:

The following individuals were discussed for a paper review in reference to an early discharge. These cases were previously recommended to full board by Chair Rau and Vice Chair Swanson.

July 2022



Board Member Aasen made a motion to grant early final discharge, Board Member Hall seconded the motion, all board member voted aye, the motion carried.

Mack, Nathan

Board Member Gass made a motion to deny the early final discharge, Board Member Schroyer seconded the motion, Board Members Aasen and Rau voted nay, all other board members voted aye, the motion carried.

Salamo, Jesus

DECISIONS: Board Vice Chair Swanson made a motion to ratify and affirm all decisions: Board Member Aasen 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 11:27 A.M., Thursday, July 14th, 2022. The next full board meeting is scheduled for August 11th, 2022, at 8 a.m.

BOARD OF PARDONS AND PAROLES

Myron Rau, Board Chair or Gordon Swanson, Vice Chair

Val McGovern, Executive Director

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