

SD Board of Pardons and Paroles
1600 N. Drive, Sioux Falls, SD 57104



MINUTES

Meeting of the
Board of Pardons and Paroles
July 2024

The Board of Pardons and Paroles hearing panels held meetings on June 27th, 2024 and July 8th and 9th, 2024 at the following facilities in the State of South Dakota:

- South Dakota State Penitentiary
- Jameson Annex
- Mike Durfee State Prison
- South Dakota Women's Prison
- Rapid City Minimum Center
- Board of Pardons and Paroles Office

A Full Board meeting was held at Jameson Annex on July 10th, commencing at 8:30 a.m.

I. Call to Order

The meeting was called to order by Chair Rau. A quorum was present. Present were the following board members:

- Myron Rau, Board Chair
- Kirsten Aasen, Vice Chair
- Peter Lieberman, Member
- Jan Steele, Member
- Patricia Meyers, Member
- Vaughn Beck, Member
- Ken Albers, Member
- Kurt Hall, Member
- John Brown, Member

Support staff in attendance: Shelli Gust – Board Administration Manager; Stacy Cole – Board Corrections Specialist; Karena Cassidy – Board Senior Secretary; Kennedy Goblirsch – Board Intern

Special guests in attendance in person: Cory Ambrose – Case Manager; Ian Miller – Senior Case Manager

Special guests in attendance on Teams: Lizzie Riggin – Parole Agent; Tom Gilchrist - ; Olivia Larson – Parole Agent; Julie Stevens – Case Manager; Gabrielle Warwick – Parole Agent; Zach Koopman – Parole Agent; Shay Potter – Parole Agent; Lillie Tacke – Senior Parole Agent; Jeff Neill – SOMP; Korey Ware - Senior Parole Agent; Riley DeGroot – Senior Case Manager; Austin Goss – Media

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II. Call for Public Input

No public input.

III. Parole Hearings

A. *Smalley, James*

Board Members proceeded with the scheduled hearing of *James Smalley*. The hearing was a paper review, and the offender was not present.

Chair Rau turned the proceedings over to Board Member Hall for summarization. Testimony was provided by staff: Jeff Neill, SOMP. Following summarization, testimony, evidence review, questions and discussion, the following action was taken:

Motion:	Motion to deny parole and set out to expiration.
Made:	Aasen
Seconded by:	Hall
Votes in Favor:	Rau, Aasen, Albers, Beck, Brown, Hall, Lieberman, Meyers, Steele
Votes Opposed:	None
Results:	Motion carried.

B. *Krause, Justin*

Board Members proceeded with the scheduled hearing of *Krause, Justin*. The hearing was a paper review, and the offender was not present.

Chair Rau turned the proceedings over to himself and Board Member Steele for summarization. Testimony was provided by staff: Jeff Neill, SOMP. Following summarization, testimony, evidence review, questions and discussion, the following action was taken:

Motion:	Motion to deny parole and set out 24 months to July 2026.
Made:	Beck
Seconded by:	Lieberman
Votes in Favor:	Rau, Aasen, Albers, Beck, Brown, Hall, Lieberman, Meyers, Steele
Votes Opposed:	None
Results:	Motion carried.

C. *Wittrock, Troy*

Board Members proceeded with the scheduled hearing of *Troy Wittrock*. The offender was present.

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Chair Rau turned the proceedings over to Board Member Aasen for summarization. Testimony was provided by the offender. Following summarization, testimony, evidence review, questions and discussion, the following action was taken:

Motion:	Motion to grant parole and board order the offender to Kingdom Boundaries.
Made:	Aasen
Seconded by:	Meyers
Votes in Favor:	Aasen, Meyers
Votes Opposed:	Rau, Albers, Beck, Brown, Hall, Lieberman, Steele,
Results:	Motion failed.

The above motion having failed, the following action was taken:

Motion:	Motion to deny parole and set out 8 months to March 2025.
Made:	Beck
Seconded by:	Lieberman
Votes in Favor:	Rau, Albers, Beck, Brown, Hall, Lieberman, Steele,
Votes Opposed:	Aasen, Meyers
Results:	Motion carried.

D. *Ramos, Joaquin*

Board Members proceeded with the scheduled hearing of *Joaquin Ramos*. The offender was present. Guests on Teams: Jason Glodt; Angela Hanson; Charles Keith; Jessica Cruz; Patty Starkey; Jessie Koons; Mary Jo Farrington; Tonya Keith; Wesley Koons. Guests in person: Denny Davis.

Chair Rau turned the proceedings over to Board Member Aasen for summarization. Testimony was provided by the offender. Testimony was provided by guests:

Opponents: Jason Glodt; Angela Hanson

Proponents: Patty Starkey; Jessica Cruz; Tonya Keith; Charles Keith; Jessie Koons; Mary Jo Farrington; Denny Davis.

Following summarization, testimony, evidence review, questions and discussion, the following action was taken:

Motion:	Motion to deny parole and set out 8 months to March 2025.
Made:	Beck
Seconded by:	Lieberman
Votes in Favor:	Albers, Beck, Brown, Hall, Lieberman, Steele
Votes Opposed:	Rau, Aasen, Meyers
Results:	Motion carried.

IV. **Adjourn**

The Full Board adjourned from parole matters at 10:35 a.m.

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Meeting of the
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July 2024

A Full Board meeting was held at Jameson Annex on July 11th, commencing at 8:30 a.m.

I. Call to Order

The meeting was called to order by Chair Rau. A quorum was present. Present were the following board members:

- Myron Rau, Board Chair
- Kirsten Aasen, Vice Chair
- Peter Lieberman, Member
- Jan Steele, Member
- Patricia Meyers, Member
- Vaughn Beck, Member
- Ken Albers, Member
- Kurt Hall, Member
- John Brown, Member

Support staff in attendance: Shelli Gust – Board Administration Manager; Stacy Cole – Board Corrections Specialist; Karena Cassidy – Board Senior Secretary; Kennedy Goblirsch – Board Intern

Special guests in attendance in person: None.

Special guests in attendance on Teams: Nicole Dolan – Parole Agent; Olivia Larson – Parole Agent; Shay Potter – Parole Agent

II. Call for Public Input

No public input.

III. Minutes

Board Members reviewed the minutes for the June 2024 meetings of the Board. Motion by Steele, second by Beck to approve the June 2024 minutes. All members voted aye. Motion carried.

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IV. July Hearing Panels

Board Members Meyers and Aasen conducted hearing panels in RCC on Teams due to an unexpected issue resulting in room unavailability. There were no other significant changes from the published agenda.

V. August Proposed Schedule

Board Members reviewed the proposed schedule for August. Board Member Meyers will not be available on August 14, 2024. Auxiliary Member Chuck Schroyer will be sitting in on a commutation hearing on August 15, 2024. Board Members had no further changes to the proposed schedule.

VI. Board Report / Field Services Report

Board Members reviewed the board report, monthly metrics, and annual metrics. There was a Special Session held on June 27, 2024; there were early discharges, waivers (parole/non-compliance), a suspended sentence revocation hearing, a rescindment hearing, and paper review commutation hearings. Governor Noem acted upon 22 clemency cases in the month of June. There were 15 pardon applications received in June and the current set-out period is to August 2024. Parole Board Administration Manager Shelli Gust attended the DOC Basic Training Program and graduated on June 10, 2024.

There was no Field Services Report submitted to the Board.

VII. Items for Discussion

Board Members discussed including questions about pending, unresolved major write-ups in their interviews with offenders.

Chair Rau advised that former board member Gordy Swanson would like to sit as an auxiliary board member and is eligible to do so for four years following his service on the board. Service as an auxiliary member does not require appointment.

Board Members discussed potential upcoming changes to how System Risk 3 offenders are classified and how that may impact the number of full board cases going forward.

VIII. Training

Board Members engaged in a general Q&A with DOC Attorney Addyson Aguirre.

Board Members participated in refresher training offered by Parole Board Admin Mgr. Shelli Gust on SDCL 1-25 – Meetings of Public Agencies and SDCL 1-27 – Public Records and Files.

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Board Members participated in training on DOC Tablets and educational programs offered by Parole Board Corrections Specialist Stacy Cole. Two offenders gave presentations on the benefits of the programs offered on the tablets, and their interest in expanding AVP and other programs to offenders going through the A&O Process. Board Members expressed an interest in receiving a demonstration of the tablet and more information about the specific programs offered. Board Members expressed an interest in encouraging offenders to complete programming on the tablets prior to being seen by the Board and possibly posting an open letter on the Tablets. Staff will work on those items.

IX. Policy Review

Board Members reviewed Policy 8.1.A.5: Parole Decisions and Setting of Next Review Date. Motion by Albers, second by Brown to direct staff to revise language on the recusal section and bring it back before the Board in August. All members voted aye. Motion carried.

Board Members reviewed Policy 8.1.A.1: News Media and Cameras at Board Hearings. Staff recommended revisions to the policy so that the language was consistent with the DOC institutional policies. Motion by Meyers, second by Albers to adopt Policy 8.1.A.1: News Media and Cameras at Board Hearings as amended. All members voted aye. Motion carried.

X. Full Board Cases / Potential Upcoming Paper Review Cases

Parole Board Admin Mgr. Shelli Gust advised the Board of two paper review parole hearings and three in-person parole hearings that are scheduled for August. Parole Board Corrections Specialist Stacy Cole advised the Board of a paper review commutation hearing in August, a commutation hearing in September, and a commutation hearing in October.

XI. Special Session Decisions

Motion by Beck, second by Meyers to ratify the special session clemency decisions. All members voted aye. Motion carried.

XII. Attachments – Decisions

Incorporated by reference is 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.

XIII. Adjourn

The Full Board meeting adjourned at 11:59 a.m. The next full board meeting is scheduled for August 14, 2024.

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BOARD OF PARDONS AND PAROLES

A handwritten signature in blue ink, appearing to read "Myron Rau", is written over a horizontal line.

Myron Rau, Board Chair or Kirsten Aasen, Vice Chair

Submitted by:
Shelli Gust
Parole Board Administration Manager
Board of Pardons and Paroles