

October 2023



SOUTH DAKOTA BOARD OF PARDONS AND PAROLES
MINUTES

Westport Parole Field Office
4101 S Westport Ave
Sioux Falls, SD 57104

Parole Board meetings were held on September 29th and October 16th, 17th, 18th and 19th, 2023 in various locations in the State of South Dakota. A Full Board meeting was held on Wednesday, October 18th, commencing at 11:30 A.M. with the following present:

Present:

Myron Rau, Board Chair
Kirsten Aasen, Vice Chair (MS Teams)
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, Parole Admin Corrections Analyst
Karena Cassidy, Parole Admin Senior Secretary
Georgia Will, Parole Admin Program Assistant
Jayden Clark – Parole Admin Intern

Quorum Present? Yes

Absent: N/A

SPECIAL GUESTS: Brittany Shelburg- Case Manager, Lee Schroeder- Case Manager, Jessica Luke- Case Manager, Jordan Moose- Case Manager

AGENDA ITEMS:

APPEARED/REVIEWED BEFORE THE FULL BOARD IN SIOUX FALLS WEDNESDAY, October 18th, 2023:

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



Devore, Patrick (via MS Teams)

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

Stoff, Lance (via MS Teams)

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 12 months. Board Member Albers seconded the motion. All board members voted aye; except Board Chair Rau, the motion carried.

Williams, Alvin (via MS Teams)

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

Munce, Jason (via MS Teams)

The following offender appeared before the full board for a Parole hearing. Board Member Lieberman made a motion to **grant parole**, the motion was seconded by Board Member Steele. All board members except Board Vice Chair Aasen voted aye, and the motion carried.

Brucklacher, Gary (via MS Teams)

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

Haneklaus, William (via MS Teams)



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Parole Board meetings were held on September 29th and October 16th, 17th, 18th and 19th, 2023 in various locations in the State of South Dakota. A Full Board meeting was held on Thursday, October 19th, commencing at 8:30 A.M. with the following present:

Present:

Myron Rau, Board Chair
Kirsten Aasen, Vice Chair (MS Teams)
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, Parole Admin Corrections Analyst
Karena Cassidy, Parole Admin Senior Secretary
Georgia Will, Parole Admin Program Assistant

Quorum Present? Yes

Absent: N/A

SPECIAL GUESTS: Liz Effling- Field Services Corrections Specialist, John Hult- South Dakota Searchlight (media)

APPEARED/REVIEWED BEFORE THE FULL BOARD IN SIOUX FALLS THURSDAY, September 14th, 2023:

HEARING PANELS: On Wednesday, October 18th, all Jameson Annex hearings were conducted virtually. Waiver hearings were conducted at the Westport Parole Office in person.



BOARD TRAINING: N/A

MINUTES: Minutes were discussed and there was a discussion held regarding the case review of Troy Haase, it was recommended that there be certain verbiage taken out of the minutes, as the board did not reconvene to amend their decision regarding Haase. Chair Rau explained that due to further review with Haase's provider and the certified polygrapher, the specific issue polygraph will no longer be required. Moving forward, the parole agent of the applicable offender may bring a case to the attention of the parole board, and proper procedures will be followed. As a result of our Board discussion, the Board collectively agreed that we will no longer require Inmates Haase and Ferguson to appear before the Board for status reviews. To make this change official, Board Chair Rau asked for a motion ratifying this change. Board Member Albers moved to no longer have Inmates Haase and Ferguson appear before the Board for status reviews. That motion was seconded by Board Member Schroyer. All members voted aye; the motion carried. Board Member Albers made a motion to approve the *amended* minutes for the September meeting of the Board. Board Member Schroyer seconded the motion. All members voted aye; the motion carried.

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

A special session was conducted on September 29th, 2023, to review PV Waivers, NC Waivers, Commutation, and Early Discharge cases, the number of hearing decisions was 101.

- The revised non-compliance dispo/waiver process had 6 cases reviewed at the 9.29.23 Special Session.

-There were 17 pardon applications received in the month of February and the current set out period is to February 2023, but with the revised hearing process the set-out period will be December 2023. There are currently 37 clemency cases awaiting a decision by the Governor.

- In reviewing pardon-related statutes, Board Vice Chair Aasen has made a proposal, rather than bring all of the pardon applicants to full board with the exception of the automatic qualifiers for two-panel review (expedited cases), only certain cases will be brought in front of the full board and the rest can be a panel review, still approved by the full board. Some of the applicable statutes are; SDCL [24-15A-10](#) and [24-15A-11](#), [24-15A-11.1](#), [24-15A-11.2](#), [24-14-6](#), and AR **17:60:05:20** will revamp our current pardon process. As a result of this revision, rather than pardons having a set-out period of June/July 2023 it is now February 2023. Parole Admin Corrections Specialist Stacy Cole has identified 18 cases that will not have a full board hearing and will be a panel review. This process will be implemented in the month of November. The proposed matrix to determine which pardon applications will go before. the full board is below.

- Keep expedited as expedited with the two-panel review and then straight to Governor Noem.
- Exceptional applications with non-violent crimes would be a two-panel review.
- Standard applications that are non-violent would be a two-panel review.
- Any violent crimes would be full board.
- Any applications that are questionable, I will email Myron and Kirsten before scheduling.



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

Open positions: 6 agent positions: 2 Sioux Falls (2 conditional offers have been accepted), 2 Rapid City (position listed) 1 Watertown (position listed), 1 Pierre (1 conditional accepted); .5 secretary positions: Part-time Spearfish (not listing at this time). 1 Parole Agent Supervisor position (West Region – position has been relisted).

- West Region staff are currently reporting to Associate Director Stucky.
- Chris Martin began his agent duties in Rapid City on September 5.
- Agents in training: 5: 2 Sioux Falls: Agent Behrens (5 month), Agent Kittelson (4.5 months)), 1 in SWO (Agent Jimenez (4.5 months), 2 in Rapid City (Agent Sullivan (2 month), Agent Martin (1 month)).
- Support Staff in training: 1 (Sioux Falls - Apgar (4.5 months))
- Extended Leaves: 1 Sioux Falls (returning late October)
- Agents on light duty: 1 Mitchell
- Resignations: 0
- Upcoming Resignations: 2 (Senior Agent Becca Hill (Aberdeen); Parole Agent Specialist Alex Sopoci (Sioux Falls)

POLICY REVIEW: The board we reminded that 8.1.A.14 Evidence-Based Practice Training and 8.1.A.2 Parole and Suspended Revocation Hearings are up for review/approval next month. If there is anything that should be changed it should be addressed prior to the next full board meeting.

Discussion:

N/A

RECUSALS: Jan Steele recused herself from #64607 Monnens, Anthony who had a parole hearing on 10/17/23 at Durfee State Prison.

FULL BOARD CASES:

The following offender had a paper review. Board Member Schroyer made a motion to **grant parole** to new number. Board Member Albers seconded the motion. All board members voted aye; the motion carried.

Cournoyer, Laurie



The following offender had a paper review. Board Member Myers made a motion to **grant parole**. Board Member Beck seconded the motion. All board members voted aye; the motion carried.

Koch, Michael

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 11:52 A.M. The next full board meeting is scheduled for November 15th, 2023.

BOARD OF PARDONS AND PAROLES

Myron Rau, Board Chair or Kirsten Aasen, Vice Chair

Val McGovern, Corrections Specialist

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