

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota

August 13, 14, 15 and 16, 2018

Parole Board meetings were held on August 13, 14, 15 and 16, 2018 at various locations in the State of South Dakota. A Parole Board meeting was held on August 16, 2018 at the South Dakota State Penitentiary- Jameson Annex commencing at 8:13 AM with the following present:

Mark Smith, Chair  
Ken Albers, Vice Chair  
Dave Nelson, Auxiliary Member  
Myron Rau, Member  
Shannon Riter – Osborn, Member  
Chuck Schroyer, Member  
Rev. Patricia White Horse-Carda, Member  
Doug Clark, Director of Parole  
Kathleen Bongers, Program Assistant  
Stacy Cole, Senior Secretary  
Traci Fredrikson, Corrections Specialist  
Valerie McGovern, Corrections Analyst  
April Maeschen, Board office Intern  
Autumn Ramsdell, Board office Intern  
Kayla Stucky, Corrections Specialist  
Mike Vonsik, Board Office Manager

Quorum Present? Yes

REPRESENTATIONS: Catherine Schlimgen, Staff Attorney representative, was available for questions.

SPECIAL GUESTS: Washington Parole Board Chair, Kecia Rongen, Board Member, Lori Ramsdell-Gilkey and Board Member, Elyse Balmert. Case Manager, Tim Schneider. Parole Agent, BJ Schmidt. Parole Agent McKenzie Huska. Case Manager, Katie Olsen. Case Manager, Brandon LaBrie. Senior Case Manager, Tom Lais. Behavioral Health Resource Coordinator, Ashley Ruppert. Rick Reduction Manager, Dusti Werner. SOMP Manager, Brenna Carlson. DOC Attorney, Catherine Schlimgen. Case Manager, Riley DeGroot.

MINUTES: Board Member Schroyer made motion to approve the minutes from the July 2018 meeting of the Board. Board Member Riter - Osborn seconded the motion. All members voting aye; the motion carried.

HEARING PANELS: Board Member Krull was unavailable in August 2018. Board Member Hajek was unavailable Thursday August 16, 2018 and will be unavailable in October 2018. Board Member White Horse – Carda will be unavailable in September 2018.

REVIEWED BY THE FULL BOARD:

The following Parolee was reviewed before the full board. Mr. Mills is appealing SOMPS decision to enforce him taking polygraph tests while on parole. Board Chair Smith made a motion that we put this case out to November 2018 in order to allow the parolee to appear in person.

Weston Mills

APPEARANCES BEFORE THE FULL BOARD (SEVEN MEMBERS) IN SPRINGFIELD ON TUESDAY AUGUST 14, 2018:

The following inmate appeared before the full board. Board Member Schroyer made a motion to grant parole. Board Member Hajek seconded the motion. All members voting aye; the motion carried.

Todd Malone

The following inmate appeared before the full board. Vice Chair Albers made a motion to grant parole. Board Member Hajek seconded the motion. Board Member Rau and Board Chair Smith voting nay, all other members voting aye; the motion carried.

Christopher Campbell

The following inmate appeared before the full board. Vice Chair Albers made a motion to grant parole. Board Member Riter - Osborn seconded the motion. All members voting aye; the motion carried.

Skyler Bordeaux

The following inmate appeared before the full board. Board Member Schroyer made a motion to grant parole. Board Member Hajek seconded the motion. All members voting aye; the motion carried.

Clyde Banta

APPEARANCES BEFORE THE FULL BOARD (SEVEN MEMBERS) IN SIOUX FALLS ON THURSDAY AUGUST 16, 2018:

The following Parolee appeared before the full board for his semiannual review. Board Member Krull made a motion in July 2018 to have Mr. Ferguson submit to further testing

prior to the board considering making any change in his supervision. Board Member Hajek seconded the motion. Thursday August 16, 2018 Mr. Ferguson appeared as requested in July with further assessments complete. Vice Chair Albers made a motion to follow the recommendations made by SOMP staff and community treatment provider. which included removing GPS monitoring from Mr. Ferguson. Board Member White Horse – Carda seconded the motion. Board Chair Smith and Auxiliary Member Nelson voting nay, all other members voting aye. The motion carried.

Toby Ferguson

The following inmate appeared before the full board. Vice Chair Albers made a motion to deny parole and set out one year. Board Member Rau seconded the motion. Auxiliary Member Nelson abstained, all others voting aye, the motion carried.

Dustyn Taylor

The following inmate appeared before the full board. Board Member White Horse - Carda made a motion to grant parole and is requiring him to attend SOMP with a six-month polygraph. Auxiliary Board Member Nelson seconded the motion. Board Members Riter – Osborn, Rau, Shroyer, Vice Chair Albers and Board Chair Smith voting nay. The motion died. Vice Chair Albers made a subsequent motion to deny parole and set out one year. Board Member Riter – Osborn seconded the motion. All members voting aye; the motion carried.

Joey Charron

The following inmate appeared before the full board. Board Member Schroyer made a motion to grant parole. Board Member Rau seconded the motion. All members voting aye; the motion carried.

Waylon Christensen

The following inmate appeared before the full board. Board Member Schroyer made a motion to grant parole. Vice Chair Albers seconded the motion. All members voting aye, the motion carried.

Dustin Hockett

The following inmate appeared before the full board. Board Chair Smith made a motion to grant parole. Board. Member Rau seconded the motion. Vice Chair Albers and Board Member Riter – Osborn voting nay, all other members voting aye; the motion carried.

Michael Hillmer

The following inmate appeared before the full board. Board Member Riter – Osborn made a motion to grant parole. Board Member Rau seconded the motion. All members voting aye; the motion carried.

Jeremy Smith

The following inmate appeared before the full board. Auxiliary Board Member Nelson made a motion to deny parole. Motion died for lack of a second. Board Member Schroyer made a motion to grant parole to CTP Sioux Falls. Board Member Riter – Osborn seconded the motion. Board Member Rau, Nelson and Vice Chair Albers voting nay, all other members voting aye, the motion carried.

Phillip His Law

RECESS: - 09:40 AM –09:50 AM

EARNED DISCHARGES:

The following earned discharge was reviewed before the full board for a partial early discharge. Vice Chair Albers made motion to grant a partial early discharge of 7 years. Board Member White Horse - Card seconded the motion. All members voting aye, the motion carried.

Joseph Reinhardt

The following earned discharge was reviewed before the full board for a partial early discharge. Vice Chair Albers made motion to grant a partial early discharge of one year. Board Member Riter - Osborn seconded the motion. All members voting aye, the motion carried.

Chad Bettin

The following earned discharge was reviewed before the full board for a partial early discharge. Vice Chair Albers made motion to grant a partial early discharge. Board Member Riter - Osborn seconded the motion. All members voting aye, the motion carried.

Ryan Klave

AGENDA ITEMS:

Director's Report: Director Clark reported on parole hearing numbers, extended detainment, and parole violations and non-compliance numbers. He publicly recognized Board Corrections specialist, Mike Vonsik, for 30 years of service, presenting Mike with a longevity pen. Board Member Paige Bock resigned in June 2018. She remains active as

an auxiliary member. DOC/Parole Board Counsel Ashley McDonald announced her resignation; her last day was on August 8. DOC Attorney Catherine Schlinggen will serve as the interim board counsel. Washington did a site-visit to South Dakota in August as part of their SDMF implementation to watch the tool being used during hearings. Three board members were in Sioux Falls/Springfield on August 15 and 16. The office received 16 pardon applications in July and hearings are being scheduled 3-4 months out. Autumn Ramsdell and April Maeschen began their internships in the Parole Board Office and are doing well. Corrections Analyst Valerie McGovern was selected as a DOC representative for the Governor's Leadership Program and will soon complete her master's degree as a result. On July 30, 2018, Directors Clark and Leslie, Corrections Specialist Albers and Compassionate Parole Case Manager Ripperda attended the Annual St. Francis House Dinner & Auction at the Sioux Falls Convention Center. Dir. Clark reported to the board that the FY20 budget requests had been submitted for review. There was a discussion regarding the "full Board" tags including additional information to identify the specific criteria met making the case a "full Board" Case.

ISC Update:

SD Parole remained at 100% compliance in all areas in June 2018. Parole had 10 total incoming case investigations and 29 outgoing case investigations active in June. One SD parolee was retaken in July. Dir. Clark reported to the board that he will be attending the Annual Business Meeting for ICAOS in October. The information requested for the FY19 Annual ICAOS audit, covering ICOTS privacy policy and procedure and user administration and training, is being finalized and will be submitted to the National Office prior to the September 1, 2018 deadline.

Director of Field Services Report: Brad Lewandowski was unavailable. Kayla Stuckey was available and updated the board on Brad's behalf. Kayla reported on the Southeast Region Staff Update:

FTO Albers (SF) accepted a Corrections Specialist position and began her new duties 7/25/18. She will continue to supervise her intensive cases (7), and the rest of the caseload was distributed to Agents Mwele and Chavie. Corrections Specialist Stucky is covering Albers' administrative duties. The open agent position has been listed and closed with 98 applications submitted. Supervisor Smith and Corrections Specialist Stucky have done an initial review of the applications and hope to schedule interviews for the week of 8/6/18. Agents Mwele and Chavie have completed 5 months of their probationary period. They are supervising cases of 61 and 72, respectively. Both agents have been recommended for successful completion of their probationary period. Mitchell JCA Grosdidier is supervising approximately 45 cases. Yankton JCA Boese has assumed supervision of the CTP cases in Yankton (approximately 20 cases). Agent Jackson's (Yankton) last day was 7/19/18. Agent Hansen (RC) will be transferring to this position in about 6-9 weeks (after Pierre and Rapid City positions are covered). Twenty medium/minimum cases from Yankton have been transferred to Agent Hansen. Supervisor Smith and Corrections Specialist Stucky are making regular trips to Yankton to help with case coverage/field work. A Sioux Falls agent started extended leave 6/29/18. A Sioux Falls agent started extended leave 7/25/18 until 8/24/18. The West

Region has assumed phone supervision of 60 medium/minimum cases from the Sioux Falls Office. Sioux Falls Secretary Kylie Schroer submitted her resignation effective 8/14/18. Sulyn Jones was hired and began on 7/24/18. The Southeast Region supervised 18 extended confinement cases. Supervisor Smith conducted office meetings in both the Sioux Falls and Yankton offices during July to discuss ongoing issues and strategic planning. Proficient agents (not including agents in training or supervisor) numbers are not available at this time.

**Northeast Region Staff Update:**

SWO Agent Lohr resigned May 4. Agent Beyl (Watertown) is covering the SWO cases and Supervisor Carrels is covering Beyl's Watertown cases. Agent Stolley (Pierre) submitted his early retirement effective June 8, 2018. Agents Hansen (RC), Rupp (Spearfish), Harrison (Huron), Bruns and Sanderson (Mitchell) are covering Stolley's former cases. Sgt. Daniel Garland has been offered this position and begins 8/9/18. JCA Kelsey Thilmony continues to assist in Aberdeen in the supervision of 50 low risk cases. JCA Hannah Carda continues to assist in the supervision of 18 CTP cases in Pierre as well as 5 medium/low risk offenders. Mitchell JCA Ryan Van Genderen continues to assist in supervision responsibilities of 11 parolees at Stepping Stones and 12 additional cases in the community. The NE Region supervised 47 extended confinement cases. Proficient agents (agents out of training, not including supervisor) numbers are not available at this time.

**West Region Staff Update:**

The West Region supervised 38 extended confinement cases. JCA Jen Leighty is assisting with supervision of 64 cases in Rapid City, 50 of which are CTP. Agent Miklos submitted her resignation effective July 6. Agent Salazar has assumed supervision responsibility for the Southern Hills caseload. Agent Hansen is transferring to the open position in Yankton. This position and the position vacated by Agent Miklos' resignation have both been listed and interviews were conducted. Supervisor Gross has extended conditional offers to Joshua Buntain and Kelly Leydon.

Legal Issues Review: Catherine Schlimgen was available for any question and had no updates for the board.

Behavioral Health Review: Behavioral Health staff were unavailable.

Policy Review:

8.1. A.10 – Commutation of sentence – Board Member Rau made a motion to approve the policy. Vice Chair Albers seconded the motion. All members voting aye, the motion carried.

8.1. A.7 – Early Discharge, Partial Early Discharge, Return of Street time for offenders on community supervision - Board Member Rau made a motion to approve the policy. Vice Chair Albers seconded the motion. All members voting aye, the motion carried.

8.1. A.16 – Compassionate Parole - Board Member Rau made a motion to approve the policy. Vice Chair Albers seconded the motion. All members voting aye, the motion carried.

Board Training and COMS Updates: Traci Fredrikson spoke with the board about Board training which is scheduled for September 13 and 14. Topics will include gender responsiveness, date calculations, SAVIN, justice reinvestment, correctional behavioral health, and offender population statistics.

Decisions: Board Member White Horse - Carda made a motion to ratify and affirm all decisions; Board Member Rau seconded the motion. All members voting aye; the motion carried.

Recusals:

NONE

ATTACHMENTS – DECISIONS: Please refer to the attached listing entitled Board Decisions for all parole violations, suspended sentence violations, non-compliance, discretionary parole, earned discharge, and rescission decisions made by the Board this month.

Adjournment: Vice Chair Albers made motion to adjourn the August 16, 2018 meeting of the Board. Board Member Riter - Osborn seconded the motion. All members voting aye; the motion carried. The meeting adjourned at 1:09 PM on Thursday August 16, 2018. The next board meeting is scheduled for September 13, 2018 at 8:00 a.m.

SD BOARD OF PARDONS AND PAROLES

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Mark Smith, Board Chair

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Doug Clark, Director

Submitted by:  
Stacy Cole  
Senior Secretary

August 13, 14, 15 and 16, 2018