

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota

August 12, 13, 14 and 15, 2019

Parole Board meetings were held on August 12, 13, 14 and 15, 2019 at various locations in the State of South Dakota. A Parole Board meeting was held on August 15, 2019 at the South Dakota State Penitentiary- Jameson Annex commencing at 8:00 AM with the following present:

Mark Smith, Board Chair
Ken Albers, Vice Chair
Gregg Gass, Member
Ed Ligtenberg, Member
Dave Nelson, Auxiliary Member
Myron Rau, Member
Shannon Riter – Osborn, Member
Chuck Schroyer, Member
Doug Clark, Director of Parole
Stacy Cole, Program Assistant
Traci Fredrikson, Corrections Specialist
April Maeschen, Board office Intern
Val McGovern, Corrections Analyst

Quorum Present? Yes

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

SPECIAL GUESTS: Liz Effling, Case Manager. Riley DeGroot, Case Manager. Dusti Werner, Risk Reduction Manager. Kayla Stucky, Corrections Specialist. Hannah Paauw, Risk Reduction Intern. Andrea Fromelt, Parole Agent. Alexa Dandridge, Parole Agent. Brelle Schrock, Parole Agent. Kaylea Ahrens, Parole Agent. Amanda Schafers, Parole Agent.

MINUTES: Board Member Ligtenberg made a motion to approve the minutes from the July 2019 meeting of the Board. Vice Chair Albers seconded the motion. All members voting aye; the motion carried.

HEARING PANELS: Waiver hearings were signed on Monday August 12, 2019 by Board Members Ligtenberg and Rau. Board Member Krull was unavailable in August 2019. Board Member White Horse – Carda was unavailable in August 2019. Auxiliary Member Nelson was available and worked on Wednesday and Thursday August 14 and 15, 2019. Board Member Rau will go to Yankton in September 2019 and Board Chair Smith will stay in Sioux Falls in September 2019. Board Member Rau will be unavailable October 7, 8 and 9, 2019.

RECESS: - 08:55 AM – 09:00 AM

AGENDA ITEMS:

APPEARED/REVIEWED BEFORE THE FULL BOARD (EIGHT MEMBERS) IN SIOUX FALLS THURSDAY AUGUST 15, 2019:

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.

Paul Steele

Director's Report: Director Clark updated the board on the following:

Board Members Ligtenberg and Gass are registered for NIC Orientation for Parole Board Members in September 2019. The Attorney General's Office was included in the distribution list of monthly parole reports that are sent out of board decisions and upcoming hearings. In addition, hearing notification emails are being sent to state's attorneys, the attorney general, and judges ahead of all full board parole hearings. The office received 8 pardon applications in July and hearings are being scheduled 2 months out. The board slip was modified to include reasons for continuance and to update the language for a return of street time. Board Staff Stacy Cole, Valerie McGovern, Traci Fredrikson, April Maeschen and Parole Services Staff Autumn Ramsdell were trained/certified in NCIC Full Access 7/22-7/24. A Parole Board training session is being scheduled for September 12/13. Two board office positions remain open. Congratulations to Stacy Cole for 5 years of service with the DOC – Parole Division.

Director of Field Services Report: Brad Lewandowski was available and updated the board on the following information:

Mitchell JCA Grosdidier is assisting with the supervision of approximately 24 minimum/medium cases for the Sioux Falls office. Yankton JCA Boese is assisting with the supervision 20 CTP cases. Parole Case Manager Andrea Fromelt started 7/24/2109 in the Sioux Falls Field Office. A Parole Case Manager Position in Yankton has been approved. Supervisor Smith is working with HR to get this position posted for two weeks. Support Staff Julie Morrison started in the Sioux Falls Field Office 7/29/2019.

Agent Vyhlidal completed new agent training July 30, 2019 and is considered a proficient agent. Proficient agents (not including agents in training or supervisor) have an average caseload of 72.94.

Northeast Region Staff Update:

JCA Kelsey Thilmony continues to assist the Aberdeen office in the supervision of 30 parole cases (6 are absconders and 11 are indirect). SWO Agent Hart resigned 7/15/2019. All SWO cases have been transferred to Watertown agent Amy Beyl. The NE Region supervised 23 extended confinement cases this month. Proficient agents (agents out of training, not including supervisor) have an average caseload of 80.70.

West Region Staff Update:

The West Region supervised 19 extended confinement cases this month. JCA Jenn Leighty is assisting with supervision of cases from the Spearfish Field Office. Proficient agents (agents out of training, not including supervisor) have an average caseload 71.63.

Legal Issues: Catherine Schlimgen was available and updated the board on the following items: Joseph Flying Horse: Federal 1983 action

- August 1, Judge Schreier granted summary judgment in favor of all defendants. Unless Flying Horse appeals to the 8th Circuit, the case is done.
- 2 cases presently pending before the Supreme Court

Board Training and COMS Updates: Traci Fredrikson was available and updated the board on some training opportunities that will be happening in 2019. Ed Ligtenberg and Gregg Gass are going to attend NIC – orientation for Parole Board Members in September 2019. We will proceed

with Pardons as we have been until further discussions and decisions regarding modifying the process are completed. The Board will have a training session in September of Board week for Thursday afternoon and Friday morning. The Agenda will be Half Way houses, SIU, Deputy Secretary, Laurie Feiler will appear. In addition, Dr. Kaufmann, Sex Offender management and mental health staff will train the board.

RECUSALLS:

Board Member Gass recused himself from the following hearing(s):
Raylene Norgaard

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

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: Board Member Riter - Osborn made motion to adjourn the August 15, 2019 meeting of the Board. Auxiliary Board Member Nelson seconded the motion. All members voting aye; the motion carried. The meeting adjourned at 10:06 AM on Thursday August 15, 2019. The next board meeting is scheduled for September 12, 2019 8:00 a.m.

SD BOARD OF PARDONS AND PAROLES

Mark Smith, Board Chair

Doug Clark, Director

Submitted by:
Stacy Cole
Program Assistant