

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota

February 8, 11, 12, 13, 14 and 14, 2019

Parole Board meetings were held on February 8, 11, 12, 13, 14 and 14, 2019 at various locations in the State of South Dakota. A Parole Board meeting was held on February 14, 2019 at the South Dakota State Penitentiary- Jameson Annex commencing at 8:01 AM with the following present:

Mark Smith, Board Chair
Ken Albers, Vice Chair
Greg Erlandson, Auxiliary Member
Gregg Gass, Member
Kevin Krull, Member
Ed Ligtenberg, Member
Shannon Riter – Osborn, Member
Chuck Schroyer, Member
Doug Clark, Director of Parole
Brad Lewandowski, Director of Parole Services
Kathleen Bongers, Program Assistant
Stacy Cole, Senior Secretary
Traci Fredrikson, Corrections Specialist
April Maeschen, Board office Intern
Autumn Ramsdell, Board office Intern
Kayla Stucky, Corrections Specialist

Quorum Present? Yes

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

SPECIAL GUESTS: Dusti Werner, Risk Reduction Manager. Brandon LaBrie, Case Manager. Aileen Winters, Parole Agent. Kim Vyhlidal, Parole Agent. Ashley Ruppert, DSS

MINUTES: Vice Chair Albers made motion to approve the minutes from the January 2019 meeting of the Board. Board Member Riter - Osborn seconded the motion. All members voting aye; the motion carried.

HEARING PANELS: Rev. Patricia White Horse – Carda was unavailable in February 2019. Auxiliary Member Erlandson worked in Sioux Falls on Wednesday and Thursday of February 2019. A special hearing session was held in Pierre on Friday February 8, 2019. Board Member Rau was unavailable Tuesday through Thursday in February and

will be unavailable on Tuesday and Wednesday in March 2019. Board Member Ligtenberg will be unavailable in March 2019.

RECESS: - 9:06 AM – 9:20 AM

AGENDA ITEMS:

APPEARANCES BEFORE THE FULL BOARD (EIGHT MEMBERS) IN SIOUX FALLS THURSDAY FEBRUARY 14, 2019:

The following inmate appeared before the full board. Board Member Schroyer made a motion to grant parole. Board Member Riter - Osborn seconded the motion with a scram bracelet at agents' discretion. Board Member Krull voting nay, Board Chair Smith recusing. All other members voting aye, the motion carried

Jennifer Ladd

The following inmate appeared before the full board. Board Member Ligtenberg made a motion to deny parole for one month and give additional time to contact the victim. Board Member Gass seconded the motion. Vice Chair Albers voting nay. All other members voting aye, the motion carried

Candace Cobretti

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

Eric Blue Bird

Director's Report: Director Clark updated the board on the following: Board training for January training included Risk Reduction and changes to the institutional individual program directive policy. Board Member Shannon Riter Osborn expressed interest in attending the APAI conference in Baltimore, MD in April 2019. Shannon and fellow Board Member Ed Ligtenberg have tentative plans to attend the NIC Orientation for Parole Board Members in Aurora, CO in September 2019. The board/board staff held their first dispositional hearings on noncompliance and suspended sentence violators. Gregg Gass, Kingsbury County State's Attorney, was appointed to the Board of Pardons and Paroles by the Attorney General to fill the position created by Anne Hajek's resignation. Upcoming training includes the LSS Young Mothers Reentry Program. Corrections Specialist Mike Vonsik retired on January 8, 2019, after 35 years of service. The office received 15 pardon applications in January and hearings are being scheduled 3 months out. The Board held 8 pardon hearings in January and 5 were recommended to the Governor. The Board held a full board commutation hearing in January for David Lemberg; the case was not recommended to the Governor. Inmate Jesse Oliver was

recommended for an upcoming commutation personal appearance hearing. HB 1005, an act to authorize a hearing panel of the Board of Pardons and Paroles to make clemency recommendations, reached the Governor's desk on January 29. The DOC has signed off on a BIT project estimate to update the pardon website to include a victim section on expedited applications and board staff are assisting in the gubernatorial transition regarding accounts in the online pardon website.

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

Southeast Region Staff Update:

Katie Howard started in the Sioux Falls office 9/10/18. She is in Phase 3 of training and supervising 50 cases. Kim Vyhldal started in the Sioux Falls office 9/24/18. She is in Phase 3 of training and supervising 47 cases. Mitchell JCA Grosdidier is assisting in the supervision of approximately 23 minimum/medium cases in the Sioux Falls office. Yankton JCA Boese is assisting in the supervision of all CTP cases and approximately 9 other cases. Supervisor Smith and the Yankton agents are finalizing details for the new office space. The Southeast Region supervised 39 extended confinement cases. Proficient agents (not including agents in training or supervisor) have an average caseload of 72.61.

Northeast Region Staff Update:

Darnell Hart has been hired as the new SWO Agent and has begun initial Parole Agent Training. The Tribal Caseload, currently supervised by Agent Beyl, will transition to Agent Hart February 1. Agent Beyl and FTO Hofland will assist Agent Hart as she begins to accumulate the SWO caseload. Agent Kollars (Brookings) is assisting the Flandreau Santee Sioux Tribe Support Team with supervision of 11 cases. Daniel Garland completed new agent training 1/25/19. JCA Kelsey Thilmony continues to assist with Aberdeen Parole cases in the supervision of 48 parole cases (6 are absconders and 19 are indirect). JCA Hannah Carda continues to assist in the supervision of 41 cases in the Pierre community. Mitchell JCA Ryan Van Genderen continues to assist in supervision responsibilities of 9 parolees at Stepping Stones and 11 additional cases in the community. The NE Region supervised 38 Extended Confinement cases. Proficient Agents (agents out of training, not including supervisor) have an average caseload of 76.

West Region Staff Update:

The West Region supervised 31 extended confinement cases. JCA Jen Leighty is assisting with supervision of 30+ cases in Rapid City, including all CTP cases. Josh Buntain and Kelly Leyden started 9/10/18 and are in phase 3 of training; each are supervising approximately 60 cases. Their 5-month probationary period will end February 10th. Proficient agents (agents out of training, not including supervisor) have an average caseload of 78.88.Legal Issues Review: Catherine Schlimgen was available for any questions and provided updates to the board on SDCL 24-15A-32.1 The House and Senate passed both DOC bills relating to the Board. The Governor has signed both bills. Several individuals are working on the logistics of how 24-15A-32.1 might be implemented.

- This statute allows for the Board to withhold parole eligibility for certain sex offenders.
- We are working on processes to best identify the inmates who should be presented to the Board for this consideration.
- Very early stages in this process.

Legal Issues: Catherine Schlimgen updated the board on the following:

The House and Senate passed both DOC bills relating to the Board. The Governor has signed both bills. Several individuals are working on the logistics of how 24-15A-32.1 might be implemented.

- This statute allows for the Board to withhold parole eligibility for certain sex offenders.
- We are working on processes to best identify the inmates who should be presented to the Board for this consideration.
- Very early stages in this process.

Behavioral Health Review: Behavioral Health staff were unavailable and provided no updates for the board.

Board Training and COMS Updates: Traci Fredrikson was available and updated the board on some training opportunities that will be happening in 2019. Upcoming training will be held with LSS on their Young Mothers Program.

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

Recusals:

Board Member Krull recused himself from the following case(s):

Tony Stuen
James DeWild
William Andrews

Board Member Gass recused himself from the following case(s):

Joseph Carpenter

Board Chair Smith recused himself from the following case(s):

Jennifer Ladd

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 February 14, 2019 meeting of the Board. Board Member Ligtenberg seconded the motion. All members voting aye; the motion carried. The meeting adjourned at 10:36 AM on Thursday February 14, 2019. The next board meeting is scheduled for March 14, 2019 at 8:00 a.m.

SD BOARD OF PARDONS AND PAROLES

Mark Smith, Board Chair

Doug Clark, Director

Submitted by:
Stacy Cole
Senior Secretary