

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota

January 14, 15, 16 and 17, 2019

Parole Board meetings were held on January 14, 15, 16 and 17, 2019 at various locations in the State of South Dakota. A Parole Board meeting was held on January 17, 2019 at the South Dakota State Penitentiary- Jameson Annex commencing at 8:03 AM with the following present:

Mark Smith, Board Chair
Ken Albers, Vice Chair
Anne Hajek, Member
Kevin Krull, Member
Ed Ligtenberg, 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
April Maeschen, Board office Intern
Autumn Ramsdell, Board office Intern
Kayla Stucky, Corrections Specialist

Quorum Present? Yes

ELECTION OF OFFICERS: Board Member Schroyer made a motion to re- elect Mark Smith as Chair of the South Dakota Board of Pardons and Paroles. Board Member Krull seconded the motion, all members voting aye; the motion carried. Board Member Schroyer made motion to re-elect Kenneth Albers for Vice Chair of the South Dakota Board of Pardons and Paroles. Board Member Krull seconded the motion; all members voting aye; the motion carried

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

SPECIAL GUESTS: Dusti Werner, Risk Reduction Manager, Rick Leslie, Director of Transfer and Classification.

MINUTES: Board Member Ligtenberg made motion to approve the minutes from the December 2018 meeting of the Board. Board Member Krull seconded the motion. All members voting aye; the motion carried.

HEARING PANELS: Rev. Patricia White Horse – Carda will be unavailable in February 2019. Board Member Ligtenberg will be unavailable in March 2019. Board Member Rau will be unavailable Tuesday through Thursday in February and part of the week in March 2019.

RECESS: - 10:21 AM – 10:32 AM

AGENDA ITEMS:

Director's Report: Director Clark updated the board on the following: Board training for December included the Obligation Recovery Center with Scott Bollinger and Community Transition Housing with Kati Albers. January training included Risk Reduction and changes to the institutional individual program directive policy. All board members received at least 12 hours of training in 2018. Board Member Shannon Riter Osborn expressed interest in attending the APAI conference in Baltimore, MD in April 2019. Shannon and fellow Board Members Ed Ligtenberg and Anne Hajek have tentative plans to attend the NIC Orientation for Parole Board Members in Aurora, CO in September 2019. The board/board staff continue to move forward on proposed changes in regard to holding dispositional hearings on noncompliance and suspended sentence violators and introducing legislation to allow clemency recommendations be made by less than the majority of appointed members. Secretary Kaemingk spoke with the Board in December to say good-bye as he approaches retirement. Corrections Specialist Mike Vonsik announced his retirement effective January 8, 2019. Board Member Anne Hajek announced her resignation, effective upon a new member being appointed. The office received 17 pardon applications in December and hearings are being scheduled 3 months out. 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 unavailable, but Kayla Stucky 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 38 cases. Kim Vyhlidal started in the Sioux Falls office 9/24/18. She is in Phase 3 of training and supervising 38 cases. Mitchell JCA Grosdidier is supervising approximately 28 Min/Med cases in the Sioux Falls office. Yankton JCA Boese is supervising all CTP cases. Supervisor Smith and the Yankton Agents looked at a proposed new office space in Yankton, Sd. The Southeast Region supervised 36 Extended Confinement cases. Proficient Agents (not including agents in training or supervisor) have an average caseload of 71.00.

Northeast Region Staff Update:

SWO Agent Lohr resigned May 4. Agent Beyl (Watertown) continues to cover the 53 SWO cases. Supervisor Carrels is covering Beyl's Watertown cases. Darnell Hart has been hired as the new SWO Agent and has begun initial Parole Agent Training. She is

currently assigned 1 case. 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 8 cases. Daniel Garland began his agent duties in Pierre on 8/9/18. He is supervising 68 cases and remains in phase 3 of training. JCA Kelsey Thilmony continues to assist with Aberdeen Parole cases in the supervision of 38 lower risk cases (12 are absconders and 18 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 4 parolees at Stepping Stones and 13 additional cases in the community.

The NE Region supervised 36 Extended Confinement cases. Proficient Agents (agents out of training, not including supervisor) have an average caseload of 74.44.

West Region Staff Update:

The West Region supervised 23 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. Proficient Agents (agents out of training, not including supervisor) have an average caseload of 77.13

Legal Issues Review: Catherine Schlimgen was available for any questions and provided updates to the board on the DOC's 2 submitted bills that impact the Board to the Legislature. The first would authorize 2-member panels to take final action on clemency requests. The second changes SDCL 24-15A-32. There are two changes with this bill. The first clarifies the DOC calculates time to parole only on an inmate's actual incarceration time. The second reiterates an inmate's entire felonious history is considered when determining how many prior felonies he has, with no distinction being made as to whether the prior felonies are violent or non-violent.

Both bills were heard by the House Judiciary Committee this week, passed, sent to the House floor, and passed there as well. Both bills will be heard by the Senate Judiciary Committee, and hopefully the Senate, next week.

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. All board members completed required training for 2018. Upcoming training will be held with LSS on their Young Mothers Program and Custody Classification.

Rick Leslie trained the board on male inmate classification regarding possible DOC response to actual risk behavior. Actual risk behavior is considered at reclassification (either regularly scheduled or because of behavior)

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Dusti Werner trained the board on violence risk reduction and psychopathy, program overview, indicators of psychopathy, violence assessment, indicators of violence and system risk evaluation.

Decisions: Vice Chair Albers made a motion to ratify and affirm all decisions; Board Member Schroyer 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 Ligtenberg made motion to adjourn the January 17, 2019 meeting of the Board. Vice Chair Albers seconded the motion. All members voting aye; the motion carried. The meeting adjourned at 11:05 AM on Thursday January 17, 2019. The next board meeting is scheduled for February 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

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