

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota
January 11, 12, 13, and 14, 2021

Parole Board meetings were held on January 11, 12, 13, and 14, 2021 at various locations in the State of South Dakota. A Full Board meeting was held on January 13, 2021 at the South Dakota State Penitentiary in Sioux Falls commencing at 1:02 with the following present and adjourning at 1:21 PM

Myron Rau, Board Chair
Ken Albers, Vice Chair
Kirstin Aasen, Member
Gregg Gass, Member (via Zoom)
Peter Lieberman, Member (via Zoom)
Ed Ligtenberg, Member (via Zoom)
Chuck Schroyer, Member
Gordy Swanson, Member
Rev. Patricia White Horse – Carda (via Zoom)
Brad Lewandowski, Director SD Board of Pardons and Paroles
Karena Cassidy, Senior Secretary
Stacy Cole, Corrections Analyst
Traci Fredrikson, Operations Supervisor
Alexis Hanson, Corrections Analyst Intern

Quorum Present? Yes

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

SPECIAL GUESTS: All via Zoom, Tammy Johnson DeJong, DSP Case Manager, Tom Lais, Senior Case Manager, Liz Effling Corrections Specialist.

HEARING PANELS:

N/A

AGENDA ITEMS:

APPEARED/REVIEWED BEFORE THE FULL BOARD (NINE MEMBERS) IN SIOUX FALLS
WEDNESDAY, JANUARY 13, 2021:

The following offender appeared via Zoom before the full board for a Parole hearing. Board Member Swanson made a motion to Grant parole. Board Member Aasen seconded the motion. All Board Members voting aye the motion carried.

Kenneth Edward

Sioux Falls, South Dakota
January 11, 12, 13, and 14, 2021

Parole Board meetings were held on January 11, 12, 13, and 14, 2021 at various locations in the State of South Dakota. A Full Board meeting was held on January 14, 2021 at the South Dakota State Penitentiary in Sioux Falls commencing at 8:07 AM with the following present:

Myron Rau, Board Chair
Ken Albers, Vice Chair
Kirstin Aasen, Member
Gregg Gass, Member (via Zoom)
Peter Lieberman, Member (via Zoom)
Ed Ligtenberg, Member (via Zoom)
Chuck Schroyer, Member
Gordy Swanson, Member
Rev. Patricia White Horse – Carda (via Zoom)
Brad Lewandowski, Director SD Board of Pardons and Paroles
Karena Cassidy, Senior Secretary
Stacy Cole, Corrections Analyst
April Maeschen, Program Assistant I
Val McGovern, Corrections Specialist
Jessica Beeck, Corrections Analyst Intern
Lexi Hanson, Corrections Analyst Intern

Quorum Present? Yes

ELECTION OF OFFICERS: Board Member Swanson nominated Myron Rau as Board Chair of the South Dakota Board of Pardons and paroles. Board Member Ligtenberg seconded the motion. All Members voting aye, the motion carried. Board Member Gass nominated Gordon Swanson as Vice Chair of the South Dakota Board of Pardons and Paroles. Board Member Ligtenberg seconded the motion. All Members voting aye, the motion carried.

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

MINUTES: Board Member Swanson made a motion to approve the minutes from the November 2020 meeting of the Board. Vice Chair Albers seconded the motion. All members voting aye; the motion carried.

SPECIAL GUESTS: Tom Lais, Senior Case Manager, Dusti Werner Risk Reduction Manager, Terry Cummings, Senior Secretary (Pierre) via Zoom Liz Effling, Corrections Specialist, Jermaine Robinson, Parole Agent, Brenna Carlson, SOMP Program Manager, Dr. Kauffman, Clinical Supervisor.

DIRECTOR'S REPORT: Director Lewandowski was available and updated the board on the following: Parole Board Office: The Board's structured decision-making framework (SDMF) coding data was sent to Carlton University/Dr. Serin for validation. • Hearing folders were created in Share Point to allow board members to conduct hearings electronically/from home. Chairman Rau, Valerie McGovern and Traci Fredrikson are working on creating a board slip/coding sheet that allows for easy electronic fill/signatures. • The office received 8 pardon applications in December and hearings are being scheduled three months out. • The Governor granted 13 pardons in December and denied one. All of December's hearings were held over Zoom due to the number of active COVID cases; Monday/Tuesday of January hearings will be over Zoom and Wednesday/Thursday will be in person, with the option to be present over Zoom due to each board member's comfort level. • Staff have begun discussions on proposed legislative changes for next year, including clarifying statutes related to recalculating sentences upon the imposition of suspended time and majority voting requirements for the parole board. • The board participated in several hours of training in the last few months including EBP courses through the NIC, policy review, observing dispositionals, and decision-making with Becki Ney of CEPP.

DIRECTOR OF FIELD SERVICES REPORT: Kayla Stuckey was available and provided an update to the board. Southeast Region Staff Update: Agents utilized in the SE have a caseload average of 76.49. Current Staffing: 1 agent on extended leave (SF), 2 vacant positions (SF), 4 case managers in training, 1 support staff in training. Mitchell JCA Grosdidier is assisting with the supervision of 19 indirect/minimum/medium cases for the Sioux Falls office. The Southeast Region supervised 14 extended confinement cases this month. Jermaine Robinson started as a case manager in the Sioux Falls office on 12/28/2020. A conditional offer of employment was accepted by a candidate for the agent position. This candidate later rescinded his acceptance. A conditional offer of employment was made to another candidate. This candidate has passed the polygraph and background and has a tentative start date of 1/18/2020. A conditional offer of employment was made to a candidate for an additional FTE case manager position. This offer was not accepted as the candidate felt obligated to remain with their current employer as she had just accepted a transfer position within that department. No other conditional offers will be made at this time. This position will be posted at a later date. The Sioux Falls office will assume the lease of a new office space on January 1, 2021. As we have outgrown the space available in the downtown office, 10 agents will transition to the new office space, leaving 10 agents in the current space. There are still 3 agents in the JCA office. Northeast Region Staff Update: Agents utilized in the NE have an average caseload of 77.54. Current Staffing: 1 agent on extended leave (Aberdeen); 2 agents in training (Mitchell), 3 vacant positions (2 Watertown, SWO), 1 support staff in training (Brookings). The Northeast Region supervised 34 extended confinement cases. A candidate for the SWO position is completing the background investigation and polygraph has been scheduled. Agent Kollars supervises 9 cases under the Flandreau Santee Sioux Tribal Program. Juvenile Corrections Agent Thury assists with supervision of 33 cases in the Watertown office. Juvenile Corrections Agent Shawn Davis is assisting with the supervision of 17 cases in the Mitchell office. Juvenile Corrections Agent Haley Duchsherer is assisting with the supervision of 14 cases. West Region Staff Update: Agents utilized in the West Region have an average caseload of 85.83. Current Staffing: 3 open positions (2 CMs and 1 agent), 1 agent on extended leave (RC), 1 agent in training (RC – resigning 1/8/2021), 1 support staff in training (Spearfish). Agent Schrock's last day was 12/18/2020. Case Manager Torres transitioned to the open Agent position. His Case Manager position was listed. Agent Buntain submitted his resignation effective 1/4/2021. An additional Case Manager will be hired from the already listed Case Manager position. Agent Torres submitted his resignation effective 1/8/2021. This agent position has been listed The West Region supervised 18 extended confinement cases this month. Juvenile Corrections Agent Leighty is assisting the Spearfish office in the supervision of 75 offenders. JCA Leighty is assisting with the caseload from the agent that is on leave.

LEGAL ISSUES: Catherine Schlimgen was available via Zoom and provided the following updates for the board:

Supreme Court dismissed Scheetz case.

BOARD TRAINING: Brenna Carlson Program Manager of SOMP and Dr. Kauffman, Clinical Supervisor presented a power point on “Sex Offender Management Program”

BREAK: 9:35 – 9:56

POLICY REVIEW:

Policy 8.1. A.3 Dispositional Meetings. Board Member Ligtenberg made a motion to approve this policy as is. Board Member Swanson seconded the motion. All members voting aye, the motion carried.

Policy 8.1.A.2 Parole and Suspended Sentence Revocation Hearings: Board Member Schroyer made a motion to approve this policy. Board Member Aasen seconded the motion. All members voting aye, the motion carried.

RECUSALLS:

None

DECISIONS: Board Member Schroyer made a motion to ratify and affirm all decisions: Board Member White Horse - Carda 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: The meeting adjourned at 10:26 Thursday, January 14, 2021. The next board meeting is scheduled for February 11, 2021 at 8:00 a.m.

SD BOARD OF PARDONS AND PAROLES

Myron Rau, Board Chair or Ken Albers, Vice Chair

Brad Lewandowski, Director

Submitted by:
Karena Cassidy
Senior Secretary