

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota

July 15, 16, 17 and 18 2019

Parole Board meetings were held on July 15, 16, 17 and 18 2019 at various locations in the State of South Dakota. A Parole Board meeting was held on July 18, 2019 at the South Dakota State Penitentiary- Jameson Annex commencing at 8:05 AM with the following present:

Ken Albers, Vice Chair
Gregg Gass, Member
Kevin Krull, Member
Ed Ligtenberg, Member
Myron Rau, Member
Shannon Riter – Osborn, Member
Chuck Schroyer, Member
Rev. Patricia White Horse - Carda
Doug Clark, Director of Parole
Stacy Cole, Senior Secretary
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. Tom Lais, Senior Case Manager. Dusti Werner, Risk Reduction Manager. Riley DeGroot, Case Manager. Brenna Carlson, SOMP Manager. Kayla Stucky, Corrections Specialist. Tim Schneider, Case Manager. Hannah Paauw, Risk Reduction Intern.

MINUTES: Board Member Schroyer made motion to approve the minutes from the June 2019 meeting of the Board. Board Member Rau seconded the motion. All members voting aye; the motion carried.

HEARING PANELS: Waiver hearings were signed on Wednesday July 17, 2019. Board Chair Smith was unavailable in July 2019. Board Member Krull will be unavailable in August 2019. Board Member White Horse – Carda will be unavailable in August 2019. Auxiliary Member Nelson will be available on Wednesday and Thursday in August 2019.

RECESS: - 09:16 AM – 09:25 AM

AGENDA ITEMS:

APPEARED/REVIEWED BEFORE THE FULL BOARD (SEVEN MEMBERS) IN SIOUX FALLS THURSDAY JULY 18, 2019:

The following inmate appeared before the full board. Board Member Krull made a motion to grant parole ordering that the recommendations and conditions included in the psychosexual report (Including GPS, 3-month polygraphs, etc.) be included. Offender must comply with the containment plan the entire time on supervision and any modifications to the conditions must be approved by the board. Board Member Gass seconded the motion. All members voting aye, the motion carried.

Alan Kilber

The following inmate appeared before the full board. Board Member Rau made a motion to deny parole and set out 6 months. Board Member Ligtenberg seconded the motion. All members voting aye, the motion carried.

Richard Dubois

The following inmate was a paper review before the full board. Board Member Schroyer made a motion to grant parole. Board Member Gass seconded the motion. Board Member Ligtenberg, Board Member Rau and Vice Chair Albers voting nay, all other members voting aye, the motion carried.

Travis Peneaux

Director's Report: Director Clark updated the board on the following: Board Members Riter-Osborn, Ligtenberg, and Gass are registered for NIC Orientation for Parole Board Members in September. 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 6 pardon applications in June and hearings are being scheduled 3 months out. Governor Noem acted on pardons recommended in April and May 2018; 9 of 15 were granted. A Parole Board training session will be scheduled for September 12/13. A board office staff person is on extended medical leave and two board office positions remain open. The preliminary hearing numbers for August appear to be moderate which will allow for dispositional waivers, early final discharge reviews, and commutation paper reviews to be conducted on Monday by designated hearing panel members prior to the hearings in Yankton. Preparations are beginning for the FY21 budget, with the initial internal budget hearings scheduled for August 20. Budget requests will most likely focus primarily on staffing in the field as well as potentially transitioning firearms. Director Clark prompted a discussion with the board regarding review processes for those offenders who waive parole but have sentences to serve for other jurisdictions. The

annual ICAOS audit for 2019 began July 1. The audit involves warrants, examining processes and ensuring warrants are compliant with compact standards and retaking processes are completed within rules. Director Clark is working with UJS to supply the information necessary for the audit.

Director of Field Services Report: Brad Lewandowski was unavailable. Corrections Specialist Kayla Stucky updated the board on the following information:

Southeast Region Staff Update:

Kim Vyhldal started in the Sioux Falls office 9/24/18. She returned from leave on 5/24/2019 and is completing firearms training. Mitchell JCA Grosdidier is assisting with the supervision of approximately 30 minimum/medium cases for the Sioux Falls office. Yankton JCA Boese is assisting with the supervision 29 CTP cases. An agent began extended leave 3/18/2019 and is expected to be out for 5 months. This agent will begin assisting the Sioux Falls Office on Mondays while on extended leave. An agent began extended leave 5/31/2019 and is expected to return 6/24/2019. Agent Buitter resigned effective 5/10/2019. Amanda Schaefer started 5/10/2019 and Kaylea Ahrens started 5/24/2019. Both are going through new agent training and are in Phase I. The Parole case manager position closed 5/24/19 and interviews will be conducted June 11th and June 14th. Board Office Intern Autumn Ramsdell was hired as the senior secretary in the Sioux Falls Office (position was vacated due to Amanda Schaefer's promotion to agent). Autumn's first day was 5/24/2019. BIT updated the firewall hardware/software in the Sioux Falls Field Office 5/16/2019. The Southeast Region supervised 23 extended confinement cases this month. Proficient agents (not including agents in training or supervisor) have an average caseload of 85.56.

Northeast Region Staff Update:

Darnell Hart was hired as the SWO agent and is going through training. The tribal caseload was transferred to SWO Hart on February 1 and she is supervising 48 offenders under the guidance of FTO Hofland and Watertown Agent Beyl. She received EPICS training in May. Agent Kollars (Brookings) is assisting the Flandreau Santee Sioux Tribe Support Team with supervision of 8 cases. JCA Kelsey Thilmony continues to assist the Aberdeen office in the supervision of 36 parole cases (6 are absconders and 11 are indirect). JCA Hannah Carda continues to assist in the supervision of 44 cases in Pierre. Mitchell JCA Ryan Van Genderen continues to assist in supervision responsibilities of 9 parolees at Stepping Stones and 17 cases in the community. The NE Region supervised 30 extended confinement cases this month. Proficient agents (agents out of training, not including supervisor) have an average caseload of 74.90.

West Region Staff Update:

The West Region supervised 19 extended confinement cases this month. Agent Salazar has assumed supervision over the CTP cases and JCA Jenn Leighty is assisting with supervision of cases from the Spearfish Field Office. Spearfish Agent Jenn Rupp was selected as the West Region Supervisor, which will be vacated by Tim Gross's retirement 6/7/2019. Supervisor Rupp began her duties May 24. Agent Gray submitted his retirement effective 4/8/2019. The vacant agent position has been listed and closed April 8th. Alexa Dandridge and Brielle Schrock were hired and started agent training on May 24. Secretary Chris Wolcott submitted her retirement effective 6/7/2019. Interviews occurred May 20th and 22nd. Agent Jesse Mutschelknaus was appointed the West

Region's FTO effective 5/24/2019. Proficient agents (agents out of training, not including supervisor) have an average caseload of 82.78.

Legal Issues: Catherine Schlingen was available and updated the board on the following items:

Supreme Court: No new cases filed. One case dismissed for failure to timely file brief. Reminder that the new statutory provisions for clemency procedures took effect on July 1, 2019. The process regarding withholding parole eligibility was discussed as a case has now been referred to 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. Ed Ligtenberg, Shannon Riter – Osborn 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.

RECUSALLS:

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

Casey Thomas
Marlow Quilt

Decisions: Board Member Ligtenberg made a motion to ratify and affirm all decisions: Board Member Rau 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 Schroyer made motion to adjourn the July 18, 2019 meeting of the Board. Board Member Krull seconded the motion. All members voting aye; the motion carried. The meeting adjourned at 10:33 AM on Thursday July 18, 2019. The next board meeting is scheduled for August 15, 2019 at 8:00 a.m.

SD BOARD OF PARDONS AND PAROLES

Ken Albers, Vice Chair

Doug Clark, Director

Submitted by:
Stacy Cole
Program Assistant