

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota

June 11, 12, 13 and 14, 2018

Parole Board meetings were held on June 11, 12, 13 and 14, 2018 at various locations in the State of South Dakota. A Parole Board meeting was held on June 14, 2018 at the South Dakota State Penitentiary - Jameson Annex commencing at 8:11 AM with the following present:

Mark Smith, Chair
Ken Albers, Vice Chair
Paige Bock, Member
Anne Hajek, Member
Kevin Krull, Member
Shannon Riter – Osborn, Member
Chuck Schroyer, Member
Rev. Patricia White Horse-Carda, Member
Doug Clark, Director of Parole
Brad Lewandowski, Director of Parole Services
Kathleen Bongers, Program Assistant
Stacy Cole, Senior Secretary
Traci Fredrikson, Corrections Specialist
Ashley McDonald, DOC Legal Counsel
Valerie McGovern, Corrections Analyst
Savannah Murray, Board Intern
Kayla Stucky, Corrections Specialist
Mike Vonsik, Board Office Manager

Quorum Present? Yes

Members who are absent today: Myron Rau, Member

REPRESENTATIONS: Ashley McDonald, Department Of Corrections Legal Counsel representative, was available for questions.

SPECIAL GUESTS: Case Manager, Tim Schneider. Parole Agent, Kayla Oelkers. Case Manager, Katie Olsen. Case Manager, Liz Effling. Senior Case Manager, Tom Lais. Behavioral Health Resource Coordinator, Ashley Ruppert. Resource Coordinator Program Manager, Tonya Honomichl. Transitional Case Manager, Travis Ripperda. Acting Transitional Case Manager, Travis Donelan. Risk Reduction Intern, Hannah Paauw

MINUTES: Board Member Hajek made motion to approve the minutes from the May, 2018 meeting of the Board. Board Member Riter - Osborn seconded the motion. All members voting aye; the motion carried.

HEARING PANELS: Board Member Rau was unavailable on Wednesday and Thursday June 13 and 14, 2018. Board Chair Smith was unavailable on Monday and Tuesday June 11 and 12, 2018. Board Member White Horse – Carda worked in Pierre June 11, 2018. Board Chair Smith will be unavailable in July, 2018. Board Member Rau will work in Yankton in July, 2018. Board Member White Horse – Carda will work in Pierre July 9, 2018. Board Member Riter – Osborn may be unavailable on Wednesday and Thursday July 11 and 12, 2018.

REVIEWED BY THE FULL BOARD:

The following inmate was reviewed by the full board in Springfield on Tuesday June 12, 2018. Board Member Rau made a motion to deny parole and set out two years. Board Member Riter - Osborn seconded the motion. All members voting aye, the motion carried.

Ronnie Young

APPEARANCES BEFORE THE FULL BOARD (EIGHT MEMBERS) IN SPRINGFIELD ON TUESDAY JUNE 12, 2018:

The following inmate appeared before the full board. Board Member Krull made a motion to grant parole. Board Member Schroyer seconded the motion. Board Member Bock recusing herself. Board Members Riter – Osborn and Board Member Rau voting nay; all other members voting aye; the motion carried.

Wesley Benoit

The following inmate appeared before the full board. Board Member Hajek made a motion to grant parole. Board Member Riter - Osborn seconded the motion. Board Member Krull recusing himself. All other members voting aye; the motion carried.

James Richmond

APPEARANCES BEFORE THE FULL BOARD (EIGHT MEMBERS) IN SIOUX FALLS ON THURSDAY JUNE 14, 2018:

The following inmate appeared before the full board. Vice Chair Albers made a motion to grant parole. Board Member Krull seconded the motion. Board Member Bock voting nay, all other members voting aye, the motion carried.

Nathan Stokes

The following inmate appeared before the full board. Vice Chair Albers made a motion to grant parole to include transitional housing. Board Member Krull seconded the motion. Board Members Hajek and Board Member Bock voting nay; all other members voting aye; the motion carried.

Paul Mitchell

The following inmate appeared before the full board. Board Member Riter - Osborn made a motion to grant parole. Board Member Hajek seconded the motion. All members voting aye, the motion carried.

Ivan Gibbons

The following inmate appeared before the full board. Board Member Krull made a motion to grant parole to his new number. Board Member Riter - Osborn seconded the motion. Board Member Bock recusing herself; all other members voting aye, the motion carried.

Charles Ohman

BREAK: 10:09 AM – 10:15 AM

SPECIAL PRESENTATION:

Senior Agent Scott Day nominated the Parole Division for a Patriot Award through the Employer Support of the Guard and Reserve Committee (ESGR) to acknowledge the Division's support of him and the SD Guard and Reserves as a "Patriotic Employer." Don Kelpin from the ESGR Committee of SD and Senior Agent Day presented the award to Dir. Clark and the Parole Board.

EARNED DISCHARGES:

The following earned discharge was reviewed before the full board for an earned final discharge. Vice Chair Albers made motion to grant a full final discharge. Board Member Schroyer seconded the motion. Board Members Riter – Osborn, Krull, Hajek and Board Chair Smith voting nay; all others voting aye, the motion died for lack of enough votes. Board Chair Smith made a subsequent motion to grant a partial earned discharge of two years. Vice Chair Albers seconded the motion. All members voting aye, the motion carried.

Jody Hadley

The following earned discharge was reviewed before the full board for an earned final discharge. Board Member Schroyer made motion to grant a full final discharge. Board Member Hajek seconded the motion. All members voting aye, the motion carried.

William King

The following earned discharge was reviewed before the full board for a partial earned discharge. Board Member Schroyer made motion to grant a partial earned discharge. Vice Chair Albers seconded the motion. Board Member Hajek voting nay; all members voting aye, the motion carried.

Brady Lyons

The following earned discharge was reviewed before the full board for an earned final discharge. Board Member Schroyer made motion to grant a full final discharge. Vice Chair Albers seconded the motion. Board Chair Smith voting nay; all other members voting aye, the motion carried.

Ryan Sexton

AGENDA ITEMS:

Director's Report: Director Clark reported on parole hearing numbers, extended detainment, and parole violations and non-compliance numbers. The transition of hearings from SDSP 3rd floor to the JPA visit room, which began in March, 2018 continues to go well and we plan to continue to hold full board sessions in Jameson and make adjustments as necessary to improve operations as we continue this transition. Director Clark asked the Board for input and discussion regarding information included/available for the Board to review as part of the commutation process, specifically the initial, paper review. The Board members were open to requesting and receiving "any requested record, fact or opinion in the Warden's possession or knowledge" as required in SD statute, as part of the review process. Board staff will continue to work with the Warden to ensure that this information is made part of the commutation process. Board Member Schroyer made a motion that board office staff notify the warden of the respective institution of upcoming two-panel commutation hearings, requesting input, recommendations or opinions on the offender and the merit of the request. Board Member Hajek seconded the motion. All members voting aye, the motion carried.

The NIC Orientation for Parole Board Members training in Aurora, CO was pushed back from July to August. This date will no longer work for our staff to attend. The office received 11 pardon applications in May. We are now scheduling 2- 3 months out for a hearing in front of the Parole Board. Training was

provided to the new case managers, Brandon LaBrie and Jordan Wilcox. Board staff met with the institution staff to review hearing schedules, operations and expectations as a means to improve operations and coverage during board week.

Director of Field Services Report: Brad Lewandowski was available and updated the board on Parole population numbers, workload percentages, community booking closures and average case load numbers. He reviewed the current tribal projects, staffing vacancies, coverage plans and trends we are seeing regarding continuing shifts in supervision levels. Regarding Interstate Compact cases/caseloads, South Dakota remains 100% compliant in all areas since April, 2018. We had one interstate compact parolee returned to South Dakota in the last month for technical violations. DCA, Sarah Ball attended the Midwest DCA meeting in May, 2018 which largely focused on training for the upcoming Annual Business meeting in Florida which will be held in October. The South Dakota State Council for Interstate Compact for Adult Offender Supervision met on 5/22/2018. Doug Barthel was welcomed to the council and was appointed Chairperson. Topics discussed included, audit results, enhancements to the ICOS (data tracking) system and the role of the State Council.

Legal Issues Review: Ashley McDonald updated the board on the ongoing court proceedings related to a Supreme Court decision in a case the Board had previously discussed.

Behavioral Health Review: Tonya Honomichl was available but had no updates for the board.

Policy Review:

8.1. A.10 – Commutations will be reviewed and approved in July 2018.

Board Training and COMS Updates: Traci Fredrikson spoke with the Board about proposed training in the near future. Board Member, Riter – Osborn was approved to attend NIC - New Board Member training in Colorado. Board Members Hajek, Riter - Osborn and Bock have applied to go to Colorado and attend NIC in July 2018; however, the dates have changed from July 2018 to August 2018 and caused a problem for South Dakota staff to attend, so plans for 2019 are underway. California, Arizona and Washington are on the docket to attend our August, 2018 hearings. We are planning on extending parole week in September, 2018 in order to provide training hours as required to the board. The agenda is being worked on, but includes updates from CBH, date calculation information, gender responsivity and SAVIN.

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

Recusals:

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

James Richmond

Board Member Bock recused herself from the following hearing (s):

Wesley Benoit
Charles Ohman

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 Bock made motion to adjourn the June 14, 2018 meeting of the Board. Vice Chair Albers seconded the motion. All members voting aye; the motion carried. The meeting adjourned at 11:23 AM on Thursday June 14, 2018. The next board meeting is scheduled for July 12, 2018 at 8:00 a.m.

JUNE 11, 12, 13 AND 14, 2018

SD BOARD OF PARDONS AND PAROLES

Ken Albers, Vice Chair

Doug Clark, Director

Submitted by:
Stacy Cole
Senior Secretary