

# STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota

June 10, 11, 12, and 13 2019

Parole Board meetings were held on June 10, 11, 12, and 13 2019 at various locations in the State of South Dakota. A Parole Board meeting was held on June 13, 2019 at the South Dakota State Penitentiary- Jameson Annex commencing at 8:16 AM with the following present:

Mark Smith, Board Chair  
Ken Albers, Vice Chair  
Gregg Gass, Member  
Ed Ligtenberg, Member  
Dave Nelson, Auxiliary 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

Quorum Present? Yes

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

SPECIAL GUESTS: Liz Effling, Case Manager. Tom Lais, Senior Case Manager. Hannah Paauw, Risk Reduction Intern. Dusti Werner, Risk Reduction Manager. Riley DeGroot, Case Manager.

MINUTES: Board Member Ligtenberg made motion to approve the minutes from the May 2019 meeting of the Board. Board Member White Horse - Carda seconded the motion. All members voting aye; the motion carried.

HEARING PANELS: Board Member Riter – Osborn was unavailable in June. Board Member Krull was unavailable June 13, 2019. Auxiliary Member Nelson worked on Wednesday June 12, 2019 and Thursday June 13, 2019. Board Member Rau was unavailable on Wednesday June 12 and Thursday June 13, 2019. Board Member White Horse – Carda was unavailable on Wednesday June 12, 2019. Board Chair Smith will be 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: - 09:39 AM – 09:45 AM

AGENDA ITEMS:

APPEARED/REVIEWED BEFORE THE FULL BOARD (SEVEN MEMBERS) IN SIOUX FALLS THURSDAY JUNE 13, 2019:

The following inmate appeared before the full board. Board Member Gass made a motion to grant parole to his new number. Board Member Schroyer seconded the motion. Vice Chair Albers, Board Member White Horse Carda, Board Member Ligtenberg and Board Chair Smith voting nay. The motion died. Board Member Ligtenberg made a motion to deny parole and set out one year. Vice Chair Albers seconded the motion. All Members voting aye, the motion carried.

Donald Wise

The following inmate appeared before the full board. Board Member White Horse – Carda made a motion to grant parole to the Corner Stone Mission in Rapid City. Auxiliary Member Nelson seconded the motion. Board Chair Smith and Board Member Ligtenberg voting nay, all other members voting aye, the motion carried.

Jonathon Holden

The following inmate appeared before the full board. Board Chair Smith made a motion to grant parole. Board Member Ligtenberg seconded the motion. All members voting aye, the motion carried.

Melvin Moreno

The following inmate was a paper review before the full board. Vice Chair Albers made a motion to grant parole to his new number 33136. Board Member Schroyer seconded the motion. Board Member Ligtenberg, Board Member Gass and Auxiliary Nelson voting nay, all other members voting aye, the motion carried.

Troy Chase

The following Parolee was reviewed by the full board for an early final discharge. Board Member Schroyer made a motion to grant an early final discharge. Board Member Ligtenberg seconded the motion. All members voting aye, the motion carried.

Kyle Jacobs

Director's Report: Director Clark updated the board on the following:

Hearing numbers for May were consistent with previous months. The Board was trained in May on electronic monitoring. Board Members Riter-Osborn, Ligtenberg, and Gass are registered for the NIC's Orientation for Parole Board Members in September. Secretary Leidholt, Deputy Secretary Feiler and Director Clark attended parole office visits and criminal justice meetings around the state in May. 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. The office received 14 pardon applications in April and hearings are being scheduled 2-3 months out. Inmate Nicole Thode was recommended for a commutation personal appearance hearing in July. Board staff continue to dispositional hearings for suspended sentence violation hearings. DOC senior staff attended training in Fort Pierre April 30-May 2 which focused on employee engagement, LEAN projects, and generational differences. Program Assistant Rex Squyres celebrated 24 years with the state on May 8.

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. The Parole case manager position closed 5/24/19 and interviews will be conducted June 11<sup>th</sup> and June 14<sup>th</sup>. 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:

Agent Kollars (Brookings) is assisting the Flandreau Santee Sioux Tribe Support Team with supervision of 8 cases. 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 was 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 8<sup>th</sup>. 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 to fill

the vacated position occurred May 20<sup>th</sup> and 22<sup>nd</sup>. 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 Schlimgen was available and updated the board on the following items:

No new Supreme Court opinions this month. There is an uptick on appeals being filed in circuit court from offenders who took their dispositional offer and waived their revocation hearing appeared before the Board. Presently, there are 5 pending cases of this nature.

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.

RECUSALS:

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

Jacob Truman

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

Donald Wise

Decisions: Board Member Schroyer made a motion to ratify and affirm all decisions: Board Member Ligtenberg 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 June 13, 2019 meeting of the Board. Auxiliary Member Nelson seconded the motion. All members voting aye; the motion carried. The meeting adjourned at 10:49 AM on Thursday June 13, 2019. The next board meeting is scheduled for July 18, 2019 at 8:00 a.m.

SD BOARD OF PARDONS AND PAROLES

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Ken Albers, Vice Chair

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Doug Clark, Director

Submitted by:  
Stacy Cole  
Program Assistant