

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota

March 9, 12, 13, 14 and 15, 2018

Parole Board meetings were held on March 9, 12, 13, 14 and 15, 2018 at various locations in the State of South Dakota. A Parole Board meeting was held on March 15, 2018 at the South Dakota State Penitentiary - Jameson Annex commencing at 8:02 AM with the following present:

Mark Smith, Chair
Ken Albers, Vice Chair
Anne Hajek, Member
Kevin Krull, Member
Myron Rau, Member
Shannon Riter – Osborn, Member
Chuck Schroyer, Member
Doug Clark, Director of Parole
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: Paige Bock, Member, Rev. Patricia White Horse-Carda, Member, Brad Lewandowski, Director of Field Services

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

SPECIAL GUESTS: Senior Case Manager, Troy Ellis. Director of Classification and Transfer, Rick Leslie. Case Manager, Riley DeGroot. Case Manager, Cody Hanson. Case Manager, Tim Schneider. Parole Agent, Haley Adams. Resource Coordinator, Hilary Onnen. Resource Coordinator Program Manager, Tonya Honomichl. SOMP Program Manager, Brenna Carlson. SOMP Support staff, Jeff Neill. Corrections Specialist, Mandy Neilson.

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

HEARING PANELS: Board Member Schroyer was available all week in March 2018. Board Member Hajek was unavailable on Monday, March 12, 2018 and Tuesday, March 11, 2018 and worked in Sioux Falls on Wednesday, March 14 and Thursday, March 15, 2018. Board Member Rau will be unavailable on Monday, April 9, 2018. Board Chair Smith will be unavailable on Wednesday, April 11, 2018.

REVIEWED BY THE FULL BOARD:

The Parole Board determined that this offender will be seen by a two panel board in April 2018.

Matthew Kurtenbach

The following inmate was reviewed by the full board. Board Member Krull made a motion to grant parole to #27825 and make it retroactive to January 2018. Board Member Schroyer seconded the motion. All members voting aye, the motion carried.

Akaysha Reddest

The following inmate was reviewed by the full board. Board Member Krull made a motion to grant parole to #29243 and #29245 and make it retroactive to January 2018. Board Member Rau seconded the motion. All members voting aye, the motion carried.

Athanasia Comer

The following inmate was reviewed by the full board. Board Member Schroyer made a motion to grant parole. Board Member Hajek seconded the motion. All members voting aye, the motion carried.

Brian Reilly

APPEARANCES BEFORE THE FULL BOARD (SIX MEMBERS) IN SPRINGFIELD:

The following inmate appeared before the full board. Board Member Krull made motion to grant parole. Board Member Rau seconded the motion. All members voting aye; the motion carried.

Pigney Cisco Eagle Feather

The following inmate appeared before the full board. Vice Chair Albers made motion to grant parole to Stepping Stones. Board Member Krull seconded the motion. Board Members Rau and Riter – Osborn voting nay, all other members voting aye; the motion carried.

Narcisse Elk Nation

The following inmate appeared before the full board. Board Chair Albers made motion to grant parole to Kingdom Boundaries. Board Member Riter - Osborn seconded the motion. All members voting aye; the motion carried.

Kenneth Hermanson

The following inmate appeared before the full board. Vice Chair Albers made motion to grant parole. Board Member Schroyer seconded the motion. Board Members Krull, Rau and Riter – Osborn voting nay, the motion died. Vice Chair Albers made a subsequent motion to deny parole and set a next review date in November 2018. Board Member Riter – Osborn seconded the motion. All Members voting aye, the motion to deny parole carried.

Kongi His Gun

The following inmate appeared before the full board. Board Member Rau made motion to deny parole and set out 10 months. Board Member Riter - Osborn seconded the motion. All members voting aye; the motion carried.

Marc Jones

The following inmate appeared before the full board. Board Member Riter - Osborn made motion to grant parole to Kingdom Boundaries. Board Member Rau seconded the motion. All members voting aye; the motion carried.

Joseph Olson

The following inmate appeared before the full board. Board Member Schroyer made motion to grant parole. Board Member Rau seconded the motion. All members voting aye; the motion carried.

Karlos Perez

The following inmate appeared before the full board. Vice Chair Albers made motion to grant parole to Kingdom Boundaries. The motion died for lack of a second. Board Member Krull made a subsequent motion to deny parole and set out 8 months. Board Member Rau seconded the motion. All members voting aye; the motion carried.

Sheldon Price

APPEARANCES BEFORE THE FULL BOARD (SEVEN MEMBERS) IN SIOUX FALLS:

The following inmate appeared before the full board. Board Member Krull made motion to grant parole to CTP in Sioux Falls. Board Member Riter - Osborn seconded the motion. All members voting aye; the motion carried.

James Murphy

The following inmate appeared before the full board to request the return of good time. Board Chair Smith made motion to grant the return of enough good time to make his release April 1, 2018. The motion died for lack of a second. Vice Chair Albers made a subsequent motion to deny and set out to expiration. Board Member Riter - Osborn seconded the motion. All members voting aye; the motion carried.

David Unruh

The following inmate appeared before the full board. Vice Chair Albers made motion to deny parole due to new charges. Board Member Schroyer seconded the motion. This case was not a full board case; however the Board wanted to explain why parole would not be granted at this point.

Christian Witt

The following inmate appeared before the full board. Board Member Schroyer made motion to grant parole with Interstate Compact to Minnesota. Board Member Hajek seconded the motion. All members voting aye; the motion carried.

Salvador Pena

The following inmate appeared before the full board. Board Member Hajek made motion to grant parole. Board Member Krull seconded the motion. All members voting aye; the motion carried.

Talon LaClaire

The following inmate appeared before the full board. Vice Chair Albers made motion to grant parole. Board Member Rau seconded the motion. All members voting aye; the motion carried.

Joseph Johnson

BREAK: 09:29 AM – 09:45 AM

EARNED DISCHARGES:

The following inmate was reviewed for an earned discharge. Board Member Rau made a motion to grant a full final earned discharge. Board Member Krull seconded the motion. All members voting aye, the motion carried.

Ian Brandsgaard

The following inmate was reviewed for earned discharge. Board Member Rau made a motion to grant a partial earned discharge of 5 years. Board Member Riter - Osborn seconded the motion. All members voting aye, the motion carried.

Timothy Caffrey

The following inmate was reviewed for earned discharge. Board Member Rau made a motion to grant a partial earned discharge of 1 year. Board Member Hajek seconded the motion. Board Chair Smith and Board Member Krull voting nay, all other members voting aye, the motion carried.

Jason Cleveland

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

Michael Moulton

The following inmate was reviewed for earned discharge. Board Member Rau made a motion to grant a full final earned discharge. Vice Chair Albers seconded the motion. All members voting aye, the motion carried.

Dustin Oberg

The following inmate was reviewed for earned discharge. Board Member Rau made a motion to grant a full final earned discharge. Vice Chair Albers seconded the motion. All members voting aye, the motion carried.

Jesus Villagomez

AGENDA ITEMS:

Director's Report: Director Clark reported on parole hearing numbers, extended detainment, parole violations and non-compliance numbers. Special hearings sessions were held during February board week due to large numbers of hearings and absences, including Unit C and Yankton hearings being held Friday February 9, 2018. There was also a session run on Monday February 12, 2018 at DSP. Plans were implemented to relocate scheduled Full Board activities from the 3rd floor at SDSP to the Jameson Annex visit room to enhance safety and security. CA, AR and WA are on the docket for structured decision making for 2018. WA State is planning on doing a site visit to South Dakota as part of their implementation in order to watch the SDMF tool being used during hearings, possibly in April. Staff received 9 pardon applications in February and hearings are being scheduled 2 months out. PA and CT Parole Board staff contacted our office regarding our clemency applications and process. They are looking to improve their process and were very interested in our online pardon process. Traci Fredrikson, Corrections Specialist, celebrated 12 years with the State of South Dakota.

Director of Field Services Report: Director of Field Services, Brad Lewandowski was unavailable. Kayla Stucky updated the board on behalf of Director Lewandowski. Kayla updated the board on Parole population numbers, community booking closures and average case load numbers. She also informed the board that starting January 1, 2018 Parole no longer collects Supervision Fees if an offender owes restitution. Once Restitution is paid in full, the offender will be charged and responsible for Supervision Fees.

Southeast Region Staff Update:

- Yankton JCA Michelle Boese is assisting the Yankton agents in supervising approximately 27 medium and minimum supervision level cases. Michelle is conducting office visits (with agents nearby) and all collateral contacts.
- Mitchell JCA Jared Grosdidier has started assisting the Sioux Falls office by conducting personal/collateral/ administrative contacts on 50 medium cases.
- The Southeast Region supervised 24 extended confinement cases in December.
- Proficient agents (not including agents in training or supervisor) have an average caseload of 66.21.

Northeast Region Staff Update:

- SWO Agent Lohr is currently in phase 3 of training and has a caseload of 48.
- JCA Kelsey Thilmony continues to assist with Aberdeen cases, communicating regularly with 36 parolees.
- JCA Hannah Carda continues to assist in the supervision of 23 CTP cases in Pierre.
- Mitchell JCA Ryan Van Genderen will assume supervision responsibilities of 10-15 parolees at Stepping Stones beginning in January 2018. Agent Bruns is working closely with Ryan to ensure halfway house specific training is applied.
- The NE Region supervised 32 extended confinement cases in December.
- Proficient agents (agents out of training, not including supervisor) have an average caseload of 68.50.

West Region Staff Update:

- The West Region supervised 18 extended confinement cases in December.
- JCA Jen Leighty is assisting with supervision of approximately 55 cases in Rapid City.
- Agent Salazar completed initial parole agent training and has been assigned a caseload of 17.
- Proficient agents (agents out of training, not including supervisor) have an average caseload of 66.22.

ISC Update:

- SD's parole remained at 100% compliance in all areas in January 2018.
- Parole had 20 total incoming case investigations and 18 outgoing case investigations active in January 2018.
- Four SD parolees were retaken to SD in February 2018 for technical violations or absconding.
- On February 12th, Deputy Compact Administrator Sarah Ball attended an ICOTS enhancement training session via WebEx. ICOTS is the tracking system used by ICOAS to track offender movement and activities and several enhancements were successfully launched last month.
- Commissioner Doug Clark attended a Rules Committee meeting via WebEx on February 8, 2018.

Legal Issues Review: Ashley McDonald addressed and updated the board on the following legislative issues and bills:

HB 1109 An Act to provide for parole eligibility and early final discharge for certain inmates.

Bill seeks to provide for parole consideration for seriously ill/infirm and aged inmates through a vetting process, with the final decision being at the discretion of the Parole Board. The bill was amended passed and is awaiting the Governors approval.

Behavioral Health Review: Tonya Honomichl was available and updated the Board on several cases that have released or will be releasing to the community.

Policy Review: Board Member Rau made motion to approve the policy 8.1. A.14 – Evidence Based Practices and 8.1. A.1 – News Media and Cameras at board meetings. Board Member Krull seconded the motion. All members voting aye, the motion carried.

Board Training and COMS Updates: Traci Fredrikson spoke with the Board about proposed training in the near future. Board Members Schroyer and Rau have been approved to go to Nevada in April 2018 to attend the Annual APAI conference. Board Member, Riter – Osborn was approved to attend NIC - New Board Member training in Colorado. Board Members Hajek and Bock have applied to go to Colorado and attend NIC in July 2018. Booster training will start with the case managers to ensure that the supplemental investigation summaries are being completed correctly. We added a holds/warrants section to the investigation summaries. We are in the process of identifying and informing the board of any cases that may be an ICE case and will schedule a training session in April 2018.

Review of Full Board Appearances for April: Board members reviewed a number of parole applicants who have been recommended for a personal appearance before the full board in April 2018 or later.

Decisions: Board Member Riter - Osborn made a motion to ratify and affirm all decisions; Board Member Rau seconded the motion. All members voting aye; the motion carried.

Recusals:

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

Jay Erickson

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 Hajek made motion to adjourn the March 15, 2018 meeting of the Board. Vice Chair Albers seconded the motion. All members voting aye; the motion carried. The meeting adjourned at 10:49 AM on Thursday March 15, 2018. The next board meeting is scheduled for April 12, 2018 at 8:00 a.m.

SD BOARD OF PARDONS AND PAROLES

Mark Smith, Chair

Doug Clark, Director

Submitted by:
Stacy Cole
Senior Secretary