

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota

March 8, 11, 12, 13, and 14 2019

Parole Board meetings were held on March 8, 11, 12, 13, and 14, 2019 at various locations in the State of South Dakota. A Parole Board meeting was held on March 14, 2019 at the South Dakota State Penitentiary- Jameson Annex commencing at 8:07 AM with the following present:

Mark Smith, Board Chair  
Ken Albers, Vice Chair  
Gregg Gass, Member  
Kevin Krull, Member  
Myron Rau, Member  
Shannon Riter – Osborn, Member, telephonically at 10:00 AM – 11:15 AM  
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  
Autumn Ramsdell, Board office Intern

Quorum Present? Yes

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

SPECIAL GUESTS: Dusti Werner, Risk Reduction Manager. Tom Lais, Senior Case Manager. Allison Pratt, LSS. Jay Marchand, LSS.

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

HEARING PANELS: A special hearing session was held in Pierre on Friday March 8, 2019. Board Member Rau was unavailable Tuesday and Wednesday in March 2019. Board Member Ligtenberg was unavailable in March 2019. Board Member Riter – Osborn was unavailable in person on Wednesday morning but was available by phone in the afternoon for pardons and Thursday morning by phone for pardons. Board Member Rau may not be available on Thursday in May 2019.

RECESS: - 9:15 AM – 9:20 AM

AGENDA ITEMS:

REVIEWED BEFORE THE FULL BOARD (SEVEN MEMBERS) IN SIOUX FALLS THURSDAY MARCH 14, 2019:

The following inmate was paper reviewed before the full board. Vice Chair Albers made a motion to continue the hearing one month. Board Member Rau seconded the motion. All members voting aye, the motion carried

Candace Cobretti

EARNED DISCHARGE CASES REVIEWED BEFORE THE FULL BOARD (SEVEN MEMBERS) IN SIOUX FALLS THURSDAY MARCH 14, 2019:

The following parolee was reviewed by the full board for an early final discharge. Board Member Schroyer made a motion to grant a full final discharge. Board Chair Smith seconded the motion. Board Member Krull voting nay. All other members voting aye, the motion carried.

Jody Hadley

The following parolee was reviewed by the full board for an early final discharge. Board Chair Smith made a motion to grant a 5-year partial discharge. Board Member Schroyer seconded the motion. Board Member White Horse - Carda voting nay. All other members voting aye, the motion carried.

Brady Lyons

The following parolee was reviewed by the full board for an early final discharge. Board Chair Smith made a motion to grant a 4 - year partial discharge. Board Member Schroyer seconded the motion. Board Member Krull voting nay. All other members voting aye, the motion carried.

Nathan Seidel

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

Brian Struck

The following parolee was reviewed by the full board for an early discharge. Board Member Schroyer made a motion to grant a 2 – year partial discharge. Board Chair Smith seconded the motion. Board Member Rau voting nay. All other members voting aye, the motion carried.

Charles Terrell

The following parolee was reviewed by the full board for an early discharge. Board Member Schroyer made a motion to grant a full final discharge. Board Chair Smith seconded the motion. Board Members Krull, White Horse – Carda and Gass voting nay. All other Members voting aye, , the motion carried.

Ryan Wingler

Director's Report: Director Clark updated the board on the following: Gregg Gass, Kingsbury County State's Attorney, was appointed to the Board of Pardons and Paroles by the Attorney General to fill the position created by Anne Hajek's resignation. He is nearing completion of new member training. Board training for March will include the LSS Young Mothers Reentry Program and Domestic Violence MRT. Board Members Riter Osborn and Ligtenberg have tentative plans to attend the NIC Orientation for Parole Board Members in Aurora, CO in September 2019. A corrections analyst returned from extended leave. A program assistant announced her retirement effective May 8, 2019. The office received 6 pardon applications in February and hearings are being scheduled 3 months out. Governor Noem reviewed all pardons recommended by the Board in December 2018 and January 2019; 14 of 16 were granted. Inmates Jesse Oliver and Nicole Thode were recommended for upcoming commutation personal appearance hearings. HB 1005, an act to authorize a hearing panel of the Board of Pardons and Paroles to make clemency recommendations, and HB 1004, a revision of parole date calculation provisions, were signed by the Governor on 1/31/19. The changes to HB 1005 will result in some potential changes to Board policies and scheduling operations, which will be discussed in the upcoming months. BIT is nearing completion of revisions to the pardon website which will upgrade the security and add a victim section to the expedited pardon application. Board staff have begun holding dispositional hearings for suspended sentence violation hearings. On February 14, 2019, South Dakota was nominated for a "Spirit of the Compact" award for its assistance in transferring and transporting a sex offender. Corrections Specialist Traci Fredrikson celebrated 13 years of service with the State of South Dakota. The Parole Board were provided with a Clemency overview for 2018. The DOC IPD policy recently revised with a copy being disseminated to the Board members. The changes will result in some adjustments to a few Board policies which will be addressed in the upcoming months.

Director of Field Services Report: Brad Lewandowski was unavailable. Director Clark updated the board on the following information:  
Southeast Region Staff Update:

Katie Howard started in the Sioux Falls office 9/10/18. She is set to complete training March 10<sup>th</sup>. Kim Vyhlidal started in the Sioux Falls office 9/24/18. She will complete training when she returns from leave. Mitchell JCA Grosdidier is supervising approximately 28 minimum/medium cases for the Sioux Falls office. Yankton JCA Boese is supervising all YKT CTP cases and approximately 9 other cases.

Supervisor Smith and the Yankton agents are finalizing details for a new office space. The Yankton office is tentatively set to move to the new property on April 1, 2019. An agent is currently out on a short-extended leave as of 2/22/2019 and is expected to return mid-March. An agent is currently on light duty due to a medical procedure. Agent Buiter has submitted her resignation effective 5/10/2019. This position has been listed. The Sioux Falls office is preparing for multiple extended leaves, a resignation, and new agent training in the coming months. The coverage plan includes caseload distribution and assistance from the Northeast Region. The Southeast Region supervised 31 extended confinement cases this month. Proficient agents (not including agents in training or supervisor) have an average caseload of 73.00.

**Northeast Region Staff Update:**

Darnell Hart has been hired as the new SWO Agent and has begun new agent 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. 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 42 parole cases (6 are absconders and 17 are indirect). JCA Hannah Carda continues to assist in the supervision of 42 cases in Pierre. Mitchell JCA Ryan Van Genderen continues to assist in supervision responsibilities of 10 parolees at Stepping Stones and 11 cases in the community. The NE Region supervised 33 extended confinement cases this month. Proficient agents (agents out of training, not including supervisor) have an average caseload of 73.10.

**West Region Staff Update:**

The West Region supervised 26 extended confinement cases this month. JCA Jen Leighty is assisting with the supervision of 30+ cases in Rapid City, including all CTP cases. Agents Buntain and Leyden have completed their new agent training and are now considered proficient agents. One agent began extended leave 2/28/2019 and is expected to return in 3 months. Proficient agents (agents out of training, not including supervisor) have an average caseload of 83.44.

**Legal Issues:** Catherine Schlimgen updated the board on the following:

Stricter guidelines for entering Canada with certain convictions are being established. This will have a potential impact on the number of pardon applications the Board receives.

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Board Training and COMS Updates: Traci Fredrikson was available and updated the board on some training opportunities that will be happening in 2019. Upcoming training was provided by Jay Merchand, LSS on their Young Mothers Program.

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

Recusals:

Mark Smith recused himself from the following hearing(s):

Debra Jenner

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

Brandon Reginger  
Mark Rasmussen

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 Krull made motion to adjourn the March 14, 2019 meeting of the Board. Board Member Rau seconded the motion. All members voting aye; the motion carried. The meeting adjourned at 11:20 AM on Thursday March 14, 2019. The next board meeting is scheduled for April 18, 2019 at 8:00 a.m.

SD BOARD OF PARDONS AND PAROLES

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Mark Smith, Board Chair

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Doug Clark, Director

Submitted by:  
Stacy Cole  
Senior Secretary

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