

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota  
April 12, 13, 14, and 15, 2021

Parole Board meetings were held on April 12, 13, 14, and 15, 2021 at various locations in the State of South Dakota. A Full Board meeting was held on April 14, 2021 at the South Dakota State Penitentiary in Sioux Falls commencing at 1:04 PM with the following present and adjourning at 1:41 PM.

Myron Rau, Board Chair  
Gordy Swanson, Vice Chair  
Kirstin Aasen, Member  
Ken Albers, Member  
Gregg Gass, Member  
Peter Lieberman, Member (via Zoom)  
Ed Ligtenberg, Member  
Chuck Schroyer, Member  
Brad Lewandowski, Director SD Board of Pardons and Paroles  
Karena Cassidy, Senior Secretary (via Zoom)  
Stacy Cole, Corrections Analyst  
Traci Fredrikson, Operations Supervisor  
April Maeschen, Program Assistant (Zoom)  
Val McGovern, Corrections Specialist (Zoom)  
Jessica Beeck, Corrections Analyst Intern (Zoom)  
Alexis Hanson, Corrections Analyst Intern

Quorum Present? Yes

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

SPECIAL GUESTS: Riley DeGroot, Case Manager, Nick Nyreen, Case Manager, Ian Miller, Case Manager, Derek Ekeren, Unit Manager, Troy Ellis, Unit Manager, Brenna Carlson, SOMP Program Manager, Jeff Neill, Case Manager SOMP, all the previous in person. Travis Donelan, TCM, Tom Lais, Senior Case Manager, and Dusti Werner, Risk Reduction Manager via Zoom.

HEARING PANELS: Board Members Ligtenberg and Aasen held contested/noncompliance hearings via Zoom the morning of Monday, April 12, 2021. Board Member Gass and Auxiliary Board Member Bock held parole and noncompliance hearings via Zoom for the Durfee State Prison on Tuesday, April 13, 2021. Board Member Lieberman did not attend parole hearings on Monday April 12, 2021 and Tuesday, April 13, 2021. Board Member White Horse – Carda did not attend parole hearings Tuesday through Thursday, April 13-15, 2021.

AGENDA ITEMS:

APPEARED/REVIEWED BEFORE THE FULL BOARD (EIGHT MEMBERS) IN SIOUX FALLS  
WEDNESDAY, APRIL 14, 2021:

The following offender appeared before the full board for a Parole hearing. Vice Chair Swanson made a motion to grant parole following all SOMP recommendations. Board Member Aasen seconded the motion, all other board members voting nay, the motion died. Board Member Albers made a subsequent motion to deny parole and set out 8 months, Board Member Ligtenberg seconded the motion. Vice Chair Swanson and Board Member Aasen voted nay, all other members voting aye, the motion carried.

Danny Voudry

The following offender appeared before the full board for a Parole hearing. Board Member Albers made a motion to grant parole. Board Member Schroyer seconded the motion. Board Members Aasen voting nay, all other board members voting aye, the motion carried.

Bernard Merritt

The following offender appeared before the full board for a Parole hearing. Vice Chair Swanson made a motion to grant parole with the board order that all conditions for SOMP be followed and Mr. Haase return every 3 months for review. Board Member Lieberman seconded the motion. Board Member Albers voting nay, all other board members voting aye, the motion carried.

Troy Haase

The following offender appeared before the full board for a Parole hearing. Board Member Gass made a motion to grant parole with the board order that the offender go to a halfway house. Vice Chair Swanson seconded the motion. All board members voting aye, the motion carried.

Frank Fischer

The following offender was paper reviewed by the full board. Board Member Aasen made a motion to grant parole to his new number 45386. Vice Chair Swanson seconded the motion. All board members voting aye, the motion carried.

Lance Hein

Sioux Falls, South Dakota  
April 12,13, 14, and 15, 2021

Parole Board meetings were held on April 12,13, 14, and 15, 2021 at various locations in the State of South Dakota. A Full Board meeting was held on April 15, 2021 at the South Dakota State Penitentiary in Sioux Falls commencing at 8:05 AM with the following present:

Myron Rau, Board Chair  
Gordy Swanson, Vice Chair  
Kirstin Aasen, Member  
Ken Albers, Member  
Gregg Gass, Member  
Peter Lieberman, Member (Zoom)  
Ed Ligtenberg, Member  
Chuck Schroyer, Member  
Brad Lewandowski, Director SD Board of Pardons and Paroles  
Karena Cassidy, Senior Secretary  
Stacy Cole, Corrections Analyst  
April Maeschen, Program Assistant I  
Val McGovern, Corrections Specialist (Zoom)  
Jessica Beeck, Corrections Analyst Intern  
Alexis Hanson, Corrections Analyst Intern

Quorum Present? Yes

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

MINUTES: Board Member Schroyer made a motion to approve the minutes from the March 2021 meeting of the Board. Board Member Aasen seconded the motion. All members voting aye; the motion carried.

SPECIAL GUESTS: Tom Lais, Senior Case Manager, Dusti Werner Risk Reduction Manager, Tim Schneider, Case Manager, Jordan Wilcox, Case Manager, Brenna Carlson SOMP Program Manager, Liz Effling, Corrections Specialist, Kayla Stucky, Director Field Services. Rick Leslie, Classification Director all in person. Joining via Zoom Doug Clark, Deputy Secretary of Corrections, Jessica Campbell, Pierre Cas Manager, Chanli Philips, Program Assistant I, Travis Donelan, TCM,

AGENDA ITEMS:

APPEARED/REVIEWED BEFORE THE FULL BOARD (EIGHT MEMBERS) IN SIOUX FALLS  
THURSDAY, APRIL 15, 2021:

The following parolee appeared before the full board for his 1-year review. He will be reviewed again in April 2022 for his annual review.

Toby Ferguson

The following offender appeared before the full board for a Parole hearing. Board Member Gass made a motion to grant parole. Vice Chair Swanson seconded the motion. Board Members Ligtenberg voted nay, all other board members voting aye, the motion carried.

Wesley Steele

The following offender appeared for a paper review by the full board for an early/final discharge. Board Member Aasen made a motion to grant final discharge. Board Member Albers seconded the motion. Board Member Schroyer was unavailable. Board Member Ligtenberg abstained. All other board members voting aye, the motion carried.

Dale Schleder

The following offender appeared for a paper review by the full board for an early/final discharge. Board Member Gass made a motion to grant partial discharge of 5 years. Board Member Aasen seconded the motion. Board Member Schroyer was unavailable. Board Member Ligtenberg abstained. All other board members voting aye, the motion carried.

Joseph Freiberg

The following offender appeared for a paper review by the full board for an early/final discharge. Board Member Aasen made a motion to grant partial discharge of 2 years. Vice Chair Swanson seconded the motion. Board Member Schroyer was unavailable. Board Member Ligtenberg abstained. All other board members voting aye, the motion carried.

Justin Haggin

The following offender appeared for a paper review by the full board for an early/final discharge. Board Member Albers made a motion to grant partial discharge of 3 years. Board Member Aasen seconded the motion. Board Member Schroyer was unavailable. Board Member Ligtenberg abstained. All other board members voting aye, the motion carried.

Robbie Gill

DIRECTOR'S REPORT: Director Lewandowski was available and updated the board on the following: Parole Board Office: Monday/Tuesday of March board week were largely conducted over Zoom and Wednesday/Thursday in person. April board week will also have a mix of Zoom and in-person hearings, with Wednesday/Thursday hearings in person and full board cases transferred to Sioux Falls. •Two DOC bills were signed by the Governor in February, one that clarified language related to recalculating sentences upon the imposition of suspended time and one regarding majority voting requirements for the parole board. •The board participated in training on PreP with Leland Anderson and on community sex offender treatment with Josh Kaufman. •The board/board staff renewed their APAI membership and Board Chair Rau and Traci Fredrikson are making plans to attend the 2021 conference in Texas in June. •The office received 14 pardon applications in March and hearings are being scheduled four months out.

The Governor acted on no pardons in March. •Board staff were contacted by persons from The Innocence Project and Harvard regarding SD's clemency data and processes. •Badges were ordered for five board members through GALLS. •Changes are being discussed and implemented to enhance the parole violation process; this includes a new data calculation worksheet, waiting to sign legal findings until Central Records has calculated the imposition of the suspended sentence, and only taking street time/imposing SS on the longest transaction, amongst other improvements. Starting in July, the board will no longer have to resuspend during the imposition of suspended time. •Traci Fredrikson and Stacy Cole spoke to a Corrections class at USF on 3/24. •Traci Fredrikson and JC Smith spoke to a Social Problems class at USF on 3/30.

DIRECTOR OF FIELD SERVICES REPORT Kayla Stucky was available and updated the board on the following. Southeast Region Staff Update: Agents utilized in the SE have a caseload average of 69.42. Agents utilized in the SE have a regional workload total of 113.24% Current Staffing: 3 vacant position (SF: 2 New FTE (1 Case Manager and 1 Parole Agent), 1 Parole Agent), 1 agent in training (SF), 1 support staff in training (SF), 1 agent on extended leave. 2 conditional offers have been accepted (New FTE position and Agent Chavie's position); 2 more conditional are under review for the Case Manager position and a second new FTE that was recently approved. CMs Fromelt, Davis, and Rempfer all completed their probationary period. Mitchell JCA Grosdidier is assisting with the supervision of 18 indirect/minimum/medium cases for the Sioux Falls office. The Southeast Region supervised 11 EC cases throughout the month. Northeast Region Staff Update: Agents utilized in the NE have an average caseload of 74.93. Agents utilized in the NE have a regional workload total of 112.33%. Current Staffing: 2 agents in training (1 Mitchell, 1 SWO), 2 support staff in training (MIT, BRK) 3 vacant positions (2 Watertown (1 is a new FTE), 1 ABD). A Conditional offer was accepted by Willam Pieper for the Watertown position. He will begin in May. A second candidate is going through the background process in preparation for a conditional offer in the Watertown position. Interviews occurred for the Aberdeen position; however, no candidates were qualified. This position has since been listed in Pierre. Mitchell Parole Agent Grube completed his probationary period. Agent Kollars upervises 11 cases under the Flandreau Santee Sioux Tribal Program. Juvenile Corrections Agent Thury assists with supervision of 28 cases in the Watertown office. Juvenile Corrections Agent Shawn Davis is assisting with the supervision of 15 cases in the Mitchell office. Juvenile Corrections Agent Haley Duchsherer is assisting with the supervision of 11 cases. The Northeast Region supervised 22 EC cases throughout the month. West Region Staff Update: Agents utilized in the West Region have an average caseload of 59.31. Agents utilized in the West Region have a regional workload total of 90.77%. Current Staffing: 3 agents in training, 2 case managers in training, 1 support staff in training (Spearfish). Todd Larson began as an Agent 3/22/2021. Juvenile Corrections Agent Leighty is assisting the Spearfish office in the supervision of 93 offenders. The West Region supervised 12 EC cases throughout the month.

LEGAL ISSUES: Catherine Schlimgen was available via Zoom and provided the following updates for the board:

- Nothing to report

Break 10:02 – 10:24

BOARD TRAINING: Risk Reduction – Dusti Werner, Risk Reduction Manager.

RECUSALS:

N/A

DECISIONS: Board Member Ligtenberg made a motion to ratify and affirm all decisions: Board Member Gass 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: The meeting adjourned at 11:53 Thursday, April 15, 2021. The next board meeting is scheduled for May 13, 2021 at 8:00 a.m.

SD BOARD OF PARDONS AND PAROLES

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Myron Rau, Board Chair or Gordon Swanson, Vice Chair

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Brad Lewandowski, Director

Submitted by:  
Karena Cassidy  
Senior Secretary