

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota

July 6, 9, 10, 11 and 12, 2018

Parole Board meetings were held on July 6, 9, 10, 11 and 12, 2018 at various locations in the State of South Dakota. A Parole Board meeting was held on July 12, 2018 at the South Dakota State Penitentiary - Jameson Annex commencing at 8:07 AM with the following present:

Ken Albers, Vice Chair
Anne Hajek, Member
Kevin Krull, Member
Shannon Riter – Osborn, Member – telephonically
Chuck Schroyer, Member
Rev. Patricia White Horse-Carda, 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
April Maeschen, Board office Intern
Autumn Ramsdell, Board office Intern
Mike Vonsik, Board Office Manager

Quorum Present? Yes

Members who are absent today: Mark Smith, Chair, Myron Rau, Member, Brad Lewandowski, Director of Parole Services, Kayla Stucky, Corrections Specialist

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

SPECIAL GUESTS: Case Manager, Tim Schneider. Parole Agent, BJ Schmidt. Parole Agent John McQuiston. Case Manager, Katie Olsen. Case Manager, Brandon LaBrie. Senior Case Manager, Tom Lais. Behavioral Health Resource Coordinator, Ashley Ruppert. Resource Coordinator Program Manager, Tonya Honomichl. Rick Reduction Manager, Dusti Werner. SOMP Manager, Brenna Carlson. DOC Attorney, Catherine Schlimgen. Unit Staff Intern, Aaron Licht

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

HEARING PANELS: Vice Chair Albers and Board Member Schroyer (Telephonically) worked in Yankton on Friday June 6, 2018. Board Member Rau and Vice Chair Albers worked in Springfield Monday July 9, 2018. Board Member White Horse – Carda worked in Pierre July 9, 2018. Board Member Hajek and Auxiliary Member Nelson worked in Sioux Falls on July 9, 2018. Board Member Krull and Vice Chair Albers worked together in Springfield. Board Member White Horse – Carda and Board Member Rau worked together in Springfield. Board Member Hajek and Board Member Schroyer worked together in Springfield. Board Member Rau was unavailable on Wednesday and Thursday July 11 and 12, 2018. Board Chair Smith was unavailable in July 2018. Board Member Krull will be unavailable in August 2018 but will be available telephonically on Thursday morning August 16, 2018. Board Member Hajek will be unavailable in October 2018.

REVIEWED BY THE FULL BOARD:

NONE

APPEARANCES BEFORE THE FULL BOARD (SIX MEMBERS) IN SPRINGFIELD ON TUESDAY JULY 10, 2018:

The following inmate appeared before the full board. Board Member White Horse - Carda made a motion to grant parole. Board Member Rau seconded the motion. Board Member Schroyer voting nay; all other members voting aye; the motion carried.

Jeremiah Rederth

The following inmate appeared before the full board. Board Member Hajek made a motion to deny parole and set out one year. Board Member Rau seconded the motion. All members voting aye; the motion carried.

Robert White Plume – Janis

The following inmate appeared before the full board. Board Member Schroyer made a motion to grant parole to his new number 32996. Board Member White Horse - Carda seconded the motion. All members voting aye; the motion carried.

Robert White Plume – Janis

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

Ernest Foos

The following inmate appeared before the full board. Board Member White Horse - Carda made a motion to grant parole. Board Member Rau seconded the motion. Board Member Krull voting nay; all other members voting aye; the motion carried.

William Dasch

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

John Braistad

APPEARANCES BEFORE THE FULL BOARD (SIX MEMBERS) IN SIOUX FALLS ON THURSDAY JULY 12, 2018:

The following Parolee appeared before the full board for his bi yearly review. Board Member Krull made a motion to have Mr. Ferguson submit to further testing prior to the board considering making any change in his supervision. Board Member Hajek seconded the motion. Vice Chair Albers, Board Member Hajek, Board Member Schroyer, Board Member Krull, Board Member Riter Osborn and Board Member White Horse – Carda voting aye. Board Member Schroyer made a motion to review Mr. Ferguson in August 2018. Vice Chair Albers, Board Member Hajek, Board Member Schroyer, Board Member Krull, Board Member Riter Osborn and Board Member White Horse – Carda voting aye. The motion carried.

Toby Ferguson

The following inmate appeared before the full board. Board Member Krull made a motion to grant parole with a requirement that he take CBISA in the community. Board Member Hajek seconded the motion Vice Chair Albers, Board Member Hajek, Board Member Schroyer, Board Member Krull, Board Member Riter Osborn and Board Member White Horse – Carda voting aye, the motion carried.

Justin Erickson

The following inmate appeared before the full board. Board Member Schroyer made motion to grant parole with a board order to Serenity Hills. Board Member Krull seconded the motion. Vice Chair Albers, Board Member Hajek, Board Member Schroyer, Board Member Krull, Board Member Riter Osborn and Board Member White Horse – Carda voting aye; the motion carried.

Shane Archer

The following inmate appeared before the full board. Board Member White Horse - Carda made a motion to grant parole. Board Member Hajek seconded the motion. Vice Chair Albers, Board Member Hajek, Board Member Schroyer, Board Member Krull, Board Member Riter Osborn and Board Member White Horse – Carda voting aye; the motion carried.

Nathan Lecocq

The following inmate appeared before the full board. Board Member Schroyer made a motion to deny parole. Board Member Krull seconded the motion. Vice Chair Albers, Board Member Hajek, Board Member Schroyer, Board Member Krull, Board Member Riter Osborn and Board Member White Horse – Carda voting aye; the motion carried.

Randy Rindahl

EARNED DISCHARGES:

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

Brenda Ebright

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. Board Member Paige Bock resigned in June 2018. She will remain active as an auxiliary member. The office received 14 pardon applications in June and hearings are being scheduled 2-3 months out. Parole Board Office Intern Savannah Murray completed her internship in June 2018. Autumn Ramsdell and April Maeschen were selected to cover the open internship and upcoming maternity leave. Corrections Analyst Valerie McGovern was selected as a DOC representative for the Governor's Leadership Program and will soon complete her master's degree as a result. Director reported that the Boards discharge policy was up for review and, based on previous discussions regarding potential confusion with some language and the agents' requirements to submit applications, included an update draft of the policy for the Boards review and consideration. The policy will be reviewed in August 2018.

Director of Field Services Report: Brad Lewandowski was unavailable and no updates were given. Director Clark did update the board on some field staffing and movements that are happening.

Legal Issues Review: Ashley McDonald updated the board on an upcoming case that the board will hear in August 2018 for an appeal of a parole condition placed upon him via SOMP. The board has jurisdiction over cases such as this. Ms. McDonald announced that she will be resigning from her position to pursue other opportunities effective August 2018.

Behavioral Health Review: Tonya Honomichl was available and updated the board on several SMI cases that have released to the community or are getting close to releasing to the community.

Policy Review:

- 8.1. A.10 – Commutations will be reviewed and approved in August 2018.
- 8.1. A.7 – Early Discharge will be reviewed and approved in August 2018

Board Training and COMS Updates: Traci Fredrikson spoke with the Board about board training which is being scheduled for September 13 and 14. Topics may include gender responsivity, date calculations, SAVIN, justice reinvestment, correctional behavioral health, and offender population statistics. Board Chair Smith, Director Clark and Corrections Specialist Fredrikson had a conference call with Alexis Watts of the Robina Institute to finalize the information they will be publishing for South Dakota's Parole Release and Revocation Profile. The NIC Orientation for Parole Board Members training in Aurora, CO was pushed back from July to August. This no longer worked for the board members interested in attending in 2018 so they will make plans for 2019. Washington is planning on doing a site-visit to South Dakota in August as part of their SDMF implementation in order to watch the tool being used during hearings. This date has been moved back due to federal funding/budget delays (NIC budget was cut by 40%).

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

Recusals:

NONE

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.

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Adjournment: Board Member Hajek made motion to adjourn the July 12, 2018 meeting of the Board. Board Member Schroyer seconded the motion. All members voting aye; the motion carried. The meeting adjourned at 11:49 AM on Thursday July 12, 2018. The next board meeting is scheduled for August 16, 2018 at 8:00 a.m.

SD BOARD OF PARDONS AND PAROLES

Ken Albers, Vice Chair

Doug Clark, Director

Submitted by:
Stacy Cole
Senior Secretary