

STATE BOARD OF PARDONS AND PAROLES

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

Parole Board meetings were held on July 12, 13, 14, and 15, 2021 at various locations in the State of South Dakota. A Full Board meeting was held on Wednesday July 14, 2021 at the South Dakota State Penitentiary in Sioux Falls commencing 12:30 PM with the following present.

Gordy Swanson, Vice Chair
Kirstin Aasen, Member
Ken Albers, Member
Gregg Gass, Member
Peter Lieberman, Member (Zoom)
Ed Ligtenberg, Member
Chuck Schroyer, Member
Rev. Patricia White Horse – Carda, Member
Brad Lewandowski, Director SD Board of Pardons and Paroles
Karena Cassidy, Senior Secretary
Stacy Cole, Corrections Analyst
Traci Fredrikson, Operations Supervisor
Val McGovern, Corrections Specialist
Jessica Beeck, Corrections Analyst Intern
Alexis Hanson, Corrections Analyst Intern

Quorum Present? Yes

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

SPECIAL GUESTS: Tom Lais, Senior Case Manager and Julie Stevens, Case Manager (via Zoom), Dusti Werner Risk Reduction Manager, Brenna Carlson, SOMP Manager, Jeff Neill, SOMP Case Manager, Charity Britain A/O intern, Riley DeGroot, Case Manager, Nick Nyreen, Case Manager, Katie Olson, Case Manager.

HEARING PANELS: None

AGENDA ITEMS:

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

The following offender appeared before the full board for a Parole hearing. Board Member Gass made a motion to deny parole with a next review of November 2021. Board Member White Horse - Carda seconded the motion. All board members voting aye, the motion carried.

Cory Yellow Boy

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

Daurice Schoefield

The following offender appeared before the full board for a Parole hearing. Board Member Albers made a motion to grant parole. Board Member White Horse - Carda seconded the motion. All board members voting aye, the motion carried.

Alvin Williams

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

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

Gordy Swanson, Vice Chair
Kirstin Aasen, Member
Ken Albers, Member
Gregg Gass, Member
Peter Lieberman, Member (Zoom)
Ed Ligtenberg, Member
Chuck Schroyer, Member
Rev. Patricia White Horse – Carda, Member
Brad Lewandowski, Director SD Board of Pardons and Paroles
Karena Cassidy, Senior Secretary
Stacy Cole, Corrections Analyst
Traci Fredrikson, Operations Supervisor
April Maeschen, Program Assistant I
Val McGovern, Corrections Specialist
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 Ligtenberg made a motion to approve the minutes from the June 2021 meeting of the Board. Board Member White Horse - Carda seconded the motion. All members voting aye; the motion carried.

SPECIAL GUESTS: Tom Lais, Senior Case Manager, Dusti Werner Risk Reduction Manager, Liz Effling, Corrections Specialist, Brenna Carlson, SOMP Manager, Jeff Neill, SOMP Case Manager, Terry Cummings, Senior Secretary (Pierre)(Zoom), Charity Britain A/O intern, Riley DeGroot, Case Manager, Nick Nyreen, Case Manager.

AGENDA ITEMS:

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

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

Patrick Glover

The following offender appeared before the full board for a Parole hearing. Board Member Schroyer made a motion to grant parole with board order to transitional housing. Board Member Ligtenberg seconded the motion. All board members voting aye, the motion carried.

Michael Davis

The following offender appeared for a paper review by the full board for a parole hearing. Board Member Ligtenberg made a motion to grant to new number. Board Member White Horse - Carda seconded the motion. All board members voting aye, the motion carried.

Jared Hallstrom

The following offender appeared for a paper review by the full board for an partial discharge. Board Member Gass made a motion to grant partial discharge of 6 months. Board Member Albers seconded the motion. All board members voting aye, the motion carried.

Beau Merrival

DIRECTOR'S REPORT: Director Lewandowski was available and updated the board on the following: Parole Board Office •June hearings were held in person apart from one Springfield session and those that required staff intensive transports. Guests were given the option to attend hearings either on Zoom or in person. •All of July's hearings will be held in person but guests will again be on Zoom due to institutional security staffing issues. •Four Zoom accounts were renewed for FY22. Zoom is used for parole board hearings and parole services meetings with outside agencies. •Two DOC bills are now in effect as of 7/1/21 (Senate Bills 15 & 16) - one removed the requirement to recalculate sentences upon the imposition of suspended time and one clarifies language regarding majority voting requirements for the parole board. Policy updates are underway to incorporate the statutory changes. •Director Lewandowski signed off on two board office OMs in June - 9.1.A.4 – Warrants and 9.1.A. 2 Dispositional Meetings were updated with minor process changes including references to the use of Teams, an updated script and sanctioning matrix, etc. •The board participated in a training session on domestic violence with Michelle Trent, Director of the Compass Center. •Board Chair Rau, Board Vice-Chair Swanson, and board staff attended/presented at annual Parole Agent Training June 7-9. •Board Member Aasen is registered for the virtual NIC Orientation for Parole Board Members at the end of July. •Traci Fredrikson attended the annual APAI conference in Arlington, TX June 13-16, presenting briefly at the Executive Director's

session on stakeholder involvement. The SD dispositional sanctioning matrix and response to violation matrix were shared with staff from the Colorado DOC due to conversations held during the conference.

- New office furniture was purchased for the SF board office and should arrive in August.
- The board is once again holding suspended sentence violation hearings on offenders who received in-system crimes.
- The office received 14 pardon applications in June and hearings are being scheduled four months out.

The governor acted on no pardons or commutations in June. There are 30 pardons and 3 commutations recommended by the board pending a final decision.

- Changes are being discussed and implemented to enhance the parole violation process, including a new date calculation worksheet, waiting to sign legal findings until after Central Records has calculated the imposition of the suspended sentence, and only taking street time/imposing suspended time on the lengthiest transaction, amongst other improvements.

Starting in July, the board will no longer have to resuspend while imposing suspended time.

DIRECTOR OF FIELD SERVICES REPORT Kayla Stucky was unavailable so Director Lewandowski updated the board on the following Southeast Region Staff Update: Agents utilized in the SE have a caseload average of 66.95. Agents utilized in the SE have a workload average of 107.73%. Current Staffing: 3 vacant positions (SF: 2 Case Manager, 2 Agent (interviews occurred for all 4 positions, and conditional offers have been made to three applicants. 2 applicants have passed polygraphs and have a start date of 7/26/2021. 1 applicant is pending a polygraph. 1 applicant is pending background/reference checks and a poly); 3 agent in training (SF), 1 agent case manager in training; 1 support staff in training (SF), 1 vacant support staff position (SF – closes 6/10/2021)). Secretary Tory Arbach is working half days at the Southeast and Downtown field offices until the other Secretary position is filled. This position has been listed and interviews have occurred. Agent Kim Vyhldal submitted her resignation effective June 11. Case Manager Andrea Fromelt submitted her resignation effective July 23. We will use the current posting to fill this position. Parole Case Managers continue conducting the Moving On class. The Southeast Region supervised 10 extended confinement cases throughout the month of June. Mitchell JCA Grosdidier is assisting with the supervision of 16 indirect/minimum/medium cases for the Sioux Falls office. Northeast Region Staff Update: Agents utilized in the NE have an average caseload of 75.29. Agents utilized in the NE have an average workload of 119.08% Current Staffing: Three agents in training (1 SWO, 2 Watertown), two support staff in training (Mitchell, Brookings) 1 vacant position (1 Aberdeen). Lindsey Miller started in Watertown on 6/1/2021. Paula Tronvold started in Pierre 6/1/2021. The Northeast Region supervised 13 extended confinement cases throughout the month of June. Juvenile Corrections Agent Thury assists with supervision of 21 cases in the Watertown office. Juvenile Corrections Agent Shawn Davis is assisting with the supervision of 22 cases in the Mitchell office. Juvenile Corrections Agent Haley Duchsherer is assisting with the supervision of 7 cases. West Region Staff Update: Agents utilized in the West Region have an average caseload of 73.09. Agents utilized in the West Region have an average workload of 105.98%. Current Staffing: 3 agents in training, 2 case managers in training, 1 support staff in training (Spearfish). 2 vacant position (RC: new CM FTE; 1 Parole Agent position – these positions are listed and closed June 18). The West Region supervised 12 extended confinement cases throughout the month of June. Parole case managers continue conducting the Moving On Class.

Break 9:27 – 9:45

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

- New statutes went into effect July 1.
- Cases:
 - Supreme Court: McPeek
 - Federal: Abdulrazzak, Fassett, Johnson

Break 9:27 – 9:45

BOARD TRAINING: DOC Classification and Hearing Documents by Tom Lais, Senior Case Manager and Traci Fredrikson, Board Office Supervisor.

RECUSALLS:

N/A

DECISIONS: Board Member Aasen made a motion to ratify and affirm all decisions: Board Member Schroyer 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 11:42 Thursday, July 15, 2021. The next board meeting is scheduled for August 12, 2021 at 8:00 a.m.

SD BOARD OF PARDONS AND PAROLES

Myron Rau, Board Chair or Gordon Swanson, Vice Chair

Brad Lewandowski, Director

Submitted by:
Karena Cassidy
Senior Secretary