

## STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota  
June 8, 9, 10, and 11 2020

Parole Board meetings were held on June 8, 9, 10 and 11, 2020 at various locations in the State of South Dakota. A Parole Board meeting was held on June 11, 2020 at the South Dakota Board of Pardons and Paroles Office via Zoom commencing at 8:07 AM with the following present:

Myron Rau, Board Chair (Zoom)  
Ken Albers, Vice Chair (Zoom)  
Kirsten Aasen, Board Member (Zoom)  
Gregg Gass, Board Member (Zoom)  
Peter Lieberman, Board Member (Zoom)  
Ed Ligtenberg, Board Member (Zoom)  
Chuck Schroyer, Board Member (Zoom)  
Gordy Swanson, Board Member (Zoom)  
Rev Patricia White Horse – Carda, Board Member (Zoom)  
Brad Lewandowski, Director SD Board of Pardons and Paroles (Zoom)  
Karena Cassidy, Senior Secretary (Zoom)  
Stacy Cole, Corrections Analyst (Zoom)  
Traci Fredrikson, Office Manager (Zoom)  
April Maeschen, Program Assistant (Zoom)  
Val McGovern, Corrections Specialist (Zoom)

Quorum Present? Yes

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

SPECIAL GUESTS: Ian Miller, Case Manager, Liz Effling, Corrections Specialist, Riley DeGroot, Case Manager, Dusti Werner, Risk Reduction Manager, Brenna Carlson SOMP Program Manager, Diane Eilers, Case Manager, Kim Lippincott, Senior Case Manager, and Tom Lais Senior Case Manager.

MINUTES: Board Member Gass made a motion to approve the minutes from the May 2020 meeting of the Board. Board Member Ligtenberg seconded the motion. Board Members Aasen, Albers, Lieberman and White Horse – Carda abstaining, all other members voting aye; the motion carried.

HEARING PANELS: Gordon Swanson held parole hearings via Zoom for Mike Durfee State Prison on Monday, June 8, 2020. Myron Rau and Ken Albers held parole hearings via Zoom at the South Dakota State Prison on Monday, June 8, 2020. Gordon Swanson and Ken Albers held parole hearings via Zoom for Mike Durfee State Prison on Tuesday, June 9, 2020. Rev. Patricia White Horse – Carda and Gregg Gass held parole hearings via Zoom at the Jameson Annex Room A-101.

AGENDA ITEMS:

APPEARED/REVIEWED BEFORE THE FULL BOARD (NINE MEMBERS) IN SIOUX FALLS  
THURSDAY JUNE 11, 2020:

The following offender appeared through Zoom before the full board for a Parole hearing. Board Member Swanson made a motion to grant parole with a BOARD ORDER to the Glory House. Board Member Gass seconded the motion. Board Members Rau, Gass, Swanson, Schroyer and White Horse - Carda voting aye with Board Members Ligtenberg, Albers, Aasen, and Lieberman voting nay, the motion carried.

Kristopher Chalmers

The following offender appeared through Zoom before the full board for a Parole hearing. Vice Chair Albers made a motion to grant parole. Board Member Ligtenberg seconded the motion. Board Member White Horse – Carda voting nay, all other members voting aye, the motion carried.

Michael Ball

The following offender appeared through Zoom before the full board for a Parole hearing. Vice Chair Albers made a motion to grant parole. Board Member Lieberman seconded the motion. All members voting aye, the motion carried.

Donte Brown

Director's Report: Director Lewandowski was available and updated the board on the following: The Supreme Court appointed Attorney Kirsten Aasen, Rapid City, to the Parole Board on 5/20/20; she will begin training immediately and will observe hearings in June. Welcome, Kirsten!  
Peter Lieberman, retired judge from the Second Circuit, was appointed by the Governor as a Parole Board Member effective 2/6/2020. He has completed much of the training and will participate in hearings in June.  
The office received 13 pardon applications in May and hearings are being scheduled two months out. Pardon notices are being sent through email and expedited pardons reviewed by a panel.  
Staff and board members communicated regularly regarding changes to hearing processes due to COVID; Zoom accounts were purchased and all of May's hearings were conducted over video.  
Intern Eilish O'Toole accepted a position with DOC Juvenile Division and her last day in the board office was 5/22. Congrats, Eilish!  
Rex Squyres celebrated 25 years of service to the State of South Dakota on 5/8. Congrats Rex!  
Terry Cummings celebrated 8 years of service to the State of South Dakota on 5/24. Congrats Terry!  
Responsibilities were shuffled around in the Parole Board Staff. Some of those duties now include:  
Supervisor/Traci - Board/Staff training, metrics/director's report, policy, COMS, SIS/SSV review, board schedule/agenda/Full board  
Corrections Specialist/Val-Parole violations (dispos/contested), warrants, detainees  
Corrections Analyst/Stacy-Clemency (pardons/commutations), early discharges, non-compliance  
Program Assistant/April-Parole violations (dispos, warrant entry, SSV reports, attorney appointments)  
Senior Secretary/Karena-Minutes, board management (reservations, timesheets, vouchers), discretionary parole

Director of Field Services Report: Kayla Stuckey was unavailable, and Brad Lewandowski provided an update to the board.

**Safety and Training:**

Due to the COVID 19 pandemic, all Field Offices are still closed to the public. Agents are able to meet with offenders outside of the office, keeping in mind COVID precautions.

Agents are meeting with offenders in the parking lot, outside of residences and places of employment. Agents are still utilizing creative ways to complete other contacts such as picture messages, facetime, etc. Agents are also limiting detainments to assist in limiting exposure to jails and DOC institutions. Agents are working with offenders currently on detainment or in CTP to find community placements/residences as quick as possible.

DT Instructor Kayla Oelkers completed the PowerPoint and Test for Defensive Tactics and OC for all agents via Microsoft Teams.

New Agent Adam Couture (Rapid City) completed initial firearms training and qualified.

**Southeast Region Staff Update:**

Mitchell JCA Grosdidier is assisting with the supervision of 29 indirect/minimum/medium cases for the Sioux Falls office.

Yankton JCA Boese was assisting with the supervision of CTP cases in Yankton, however due to another JCA's retirement, JCA Boese is no longer able to assist parole. The CTP cases have been transferred to Parole Case Manager Novak as she has begun to develop relationships with employers in the Yankton area. Our goal is to focus on employment with CTP offenders, especially during their transition to a private residence as this seems to be the time when they lose employment and subsequently commit other violations of their supervision agreement.

One agent is still on extended leave effective 8/30/2019.

Brandon LaBrie started May 26, 2020 (agent position vacated by McQuiston's resignation). He has a caseload of 26.

Parole Services received 3 additional FTEs. One will be placed in Sioux Falls. A conditional offer was made; however, the applicant did not pass the background check to Parole's standards. This position has been re-listed, and interviews will occur June 2 and 3.

Agent Mark Schlosser submitted his resignation with his last day being May 29, 2020. This position has been listed and interviews will occur June 2 and 3.

The Southeast Region supervised 32 extended confinement cases this month.

Proficient agents (not including agents in training or supervisor) have an average caseload of 77.00

**Northeast Region Staff Update:**

The SWO Agent position remains open.

The NE Region supervised 52 extended confinement cases this month.

Watertown JCA Monty Thury is assisting in the supervision of 14 of indirect/minimum/medium cases.

The Huron position (vacated by Mike Harrison's retirement) was relocated to Brookings and closes June 11. Currently, Supervisor Carrels is supervising the caseload from Huron.

Parole Services received 3 additional FTEs. One will be placed in Aberdeen and Mitchell. A conditional offer has been made to an applicant for the Aberdeen position and the polygraph has been scheduled. Second round interviews for the Mitchell position are occurring 6/3/2020.

Proficient agents (agents out of training, not including supervisor) have an average caseload of 87.00.

**West Region Staff Update:**

The West Region supervised 27 extended confinement cases this month.

JCA Leighty is assisting with supervision of 52 cases from the Spearfish Field Office.

Adam Couture started May 11 and has assumed a small caseload.

Proficient agents (agents out of training, not including supervisor) have an average caseload 76.11.

Legal Issues: Catherine Schlingen was available via Zoom and provided the following updates for the board:

**Supreme Court Cases:**

- Kevin Hughbanks: briefing has been completed. Awaiting decision from Court.

**Federal Cases:**

- Clayton Creek: seeking habeas relief based on Board action. Motion to Dismiss has been filed. Awaiting decision from Court.

Board Training and COMS Updates: Traci Fredrikson was available. No updates available.

Policy Review: Policy 8,1,A.7 – Early/Partial Discharges, Return Street Time for Offenders on Community Supervision. The Board members will review the policy and approve at a later date.

RECUSALLS:

N/A

Decisions: Board Member Swanson made a motion to ratify and affirm all decisions: Board Member Ligtenberg 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: Vice Chair Albers made motion to adjourn the June 11, 2020 meeting of the Board. Board Member Rev. White Horse – Carda seconded the motion. All members voting aye; the motion carried. The meeting adjourned at 9:50AM Thursday, June 11, 2020. The next board meeting is scheduled for July 16, 2020 at 8:00 a.m.

SD BOARD OF PARDONS AND PAROLES

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Myron Rau, Board Chair or Ken Albers, Vice Chair

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Brad Lewandowski, Director

Submitted by:  
Karena Cassidy  
Senior Secretary

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