

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota
May 11, 12, and 13, 2020

Parole Board meetings were held on May 11, 12, and 13, 2020 at various locations in the State of South Dakota. A Parole Board meeting was held on May 13, 2020 at the South Dakota State Penitentiary- Jameson Annex via Zoom commencing at 1:06 PM with the following present:

Myron Rau, Board Chair (Zoom)
Gregg Gass, Board Member (Zoom)
Ed Ligtenberg, Board Member (Zoom)
Shannon Riter – Osborn, Auxiliary Board Member (Zoom)
Gordy Swanson, Board Member (Zoom)
Chuck Schroyer, 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)
Eilish O'Toole, Corrections Analyst Intern (Zoom)

Quorum Present? Yes

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

SPECIAL GUESTS: Brandon LaBrie, Case Manager and Liz Effling, Case Manager, Ian Miller, Case Manager, and Travis Donelon, Transitional Case Manager.

MINUTES: Board Member Ligtenberg made a motion to approve the minutes from the April 2020 meeting of the Board. Board Member Swanson seconded the motion. All members voting aye; the motion carried.

HEARING PANELS: Chuck Schroyer held parole hearings via Zoom at the South Dakota Women's Prison, Monday, May 11, 2020. Myron Rau held parole hearings via Zoom on Monday, May 11, 2020. Gordon Swanson held parole hearing via Zoom in Rapid City on Monday May 11, 2020. Gordon Swanson, Chuck Schroyer, and Ed Ligtenberg held parole hearings via Zoom at the Mike Durfee State Prison on May 12, 2020. Myron Rau held parole hearing via Zoom at the Mike Durfee State Prison on May 12, 2020. Myron Rau and Ed Ligtenberg held a signing and review of waivers and early/final discharges via Zoom on Tuesday afternoon, May 12, 2020. Myron Rau and Chuck Schroyer held a hearing panel at the South Dakota State Penitentiary via Zoom on Wednesday, May 13, 2020. Ed Ligtenberg and Auxiliary Board Member Shannon Riter - Osborn held a hearing panel at the Jameson Annex room A-101 via Zoom on Wednesday, May 13, 2020. Gordon Swanson and Gregg Gass held a hearing panel at the Jameson Annex visit room on Wednesday, May 13, 2020. The full board met on Wednesday, May 13, 2020 via Zoom.

AGENDA ITEMS:

APPEARED/REVIEWED BEFORE THE FULL BOARD (SIX MEMBERS) IN SIOUX FALLS
WEDNESDAY MAY 13, 2020:

The following offender appeared through Zoom before the full board for a Parole hearing. Board Member Gass made a motion to grant parole. Board Member Swanson seconded the motion. Board members Rau, Gass, Swanson, and Auxiliary Board Member Riter - Osborn voting aye with member Ligtenberg voting nay, the motion carried.

Traun Cook

The following offender was paper reviewed through Zoom before the full board for a Parole hearing. Board Member Schroyer made a motion to grant to number 39507 parole. Auxiliary Board Member Riter - Osborn seconded the motion. All members voting aye, the motion carried.

Ronald Davis

The following offender appeared through Zoom before the full board for a Parole hearing. Board Member Ligtenberg made a motion to deny parole. Auxiliary Board Member Riter - Osborn seconded the motion. All members voting aye, the motion carried.

David Kropuenske

The following offender was paper reviewed through Zoom by the full board for a non-compliance hearing. Board Member Schroyer made a motion to find the offender non-compliant and grant parole. Board Member Swanson seconded the motion. All members voting aye, the motion carried.

Nancy Akin

- Director's Report: Director Lewandowski was available and updated the board on the following: Board Member Shannon Riter Osborn submitted her resignation effective March 1, 2020 after serving since May 2017. Shannon was recognized for her years of service and thanked for her contributions to the Board and the State. She plans to stay active as an auxiliary member. Her replacement has not yet been appointed (Supreme Court). Peter Lieberman, retired judge from the Second Circuit, was appointed by the Governor as a Parole Board Member effective 2/6/2020. He has begun training from home. The office received 12 pardon applications in April and hearings are being scheduled two months out. Pardon notices are now being sent through email and expedited pardons will be 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 will be conducting with this video conferencing app. Upcoming training sessions (Senior Staff/Parole) have been canceled/delayed due to the pandemic. 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 an update was provided to the board electronically.

Safety and Training:

Due to the COVID-19 pandemic, all field offices are operating at Level 2 operations, which includes offices being closed to the public and limiting field work to include assisting LE in emergent situations. Agents are utilizing creative ways to complete 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.

Firearms instructors received three new Glock 19s and are preparing for new agent training and Spring training.

FTOs are spearheading training plans for the statewide new hires (3 upcoming in the NE, 2 upcoming in the SE, and 1 upcoming in the W) to include accommodations for the pandemic such as video/zoom trainings, social distancing, etc. The FTOs are referring to CDC guidelines and other LE training resources.

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 is assisting with the supervision of 14 CTP cases.

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

Agent McQuiston has submitted his resignation with his last working day being May 8. This position has closed and a conditional offer has been made to an applicant.

Parole Services received 3 additional FTEs and one was placed in Sioux Falls. A conditional offer has been made.

The Southeast Region supervised 34 extended confinement cases this month.

Proficient agents (not including agents in training or supervisor) have an average caseload of 69.09.

Northeast Region Staff Update:

The SWO Agent position remains open.

The NE Region supervised 43 extended confinement cases this month.

Watertown JCA Monty Thury is assisting in the supervision of 15 of indirect/minimum/medium cases.

Agent Harrison (Huron) submitted his retirement with his last working day being 4/29/2020. This position has been listed and closes May 4th.

Parole Services received 3 additional FTEs; one will be placed in Aberdeen and one in Mitchell. These listings close 5/6/2020.

Proficient agents (agents out of training, not including supervisor) have an average caseload of 85.33. West Region Staff Update: The West Region supervised 25 extended confinement cases this month.

JCA Leighty is assisting with supervision of 50 cases from the Spearfish Field Office.

Rapid City Case Manager Abbie Price resigned effective 3/23/2020. The selected applicant has passed the required polygraph and background information and is set to begin May 11, 2020.

Proficient agents (agents out of training, not including supervisor) have an average caseload 75.22

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

Legal Updates:

- Haider Abdulrazzak

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:

Board Member Schroyer recused himself from the following hearing(s):

Traun Cook

Decisions: Board Member Gass 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: Board Member Ligtenberg made motion to adjourn the May 13, 2020 meeting of the Board. Board Member Schroyer seconded the motion. All members voting aye; the motion carried. The meeting adjourned at 4:19 PM Wednesday, May 13, 2020. The next board meeting is scheduled for June 11, 2020 at 8:00 a.m.

SD BOARD OF PARDONS AND PAROLES

Myron Rau, Board Chair or Ken Albers, Vice Chair

Brad Lewandowski, Director

Submitted by:
Karena Cassidy
Senior Secretary

