

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota

November 4, 5, 6 and 7, 2019

Parole Board meetings were held on November 4, 5, 6 and 7, 2019 at various locations in the State of South Dakota. A Parole Board meeting was held on November 7, 2019 at the South Dakota State Penitentiary- Jameson Annex commencing at 8:03 AM with the following present:

Mark Smith, Board Chair
Ken Albers, Vice Chair
Paige Bock, Auxiliary Member
Gregg Gass, Member
Ed Ligtenberg, Member
Dave Nelson, Auxiliary Member
Myron Rau, Member
Shannon Riter – Osborn, Member - Telephonically
Chuck Schroyer, Member
Doug Clark, Director of the South Dakota Board of Pardons and Paroles
Brad Lewandowski, Director of Parole Services
Stacy Cole, Program Assistant
Val McGovern, Corrections Analyst

Quorum Present? Yes

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

SPECIAL GUESTS: Riley DeGroot, Case Manager. Dusti Werner, Risk Reduction Manager. Kayla Stucky, Corrections Specialist. Travis Ripperda, Corrections Specialist. Katie Olson, Case Manager. Liz Effling, Case Manager, Tim Greeke, DOH.

MINUTES: Board Member Rau made a motion to approve the minutes from the October 2019 meeting of the Board. Board Ligtenberg seconded the motion. All members voting aye; the motion carried.

HEARING PANELS: Board Member White Horse – Carda was unavailable on Thursday November 7, 2019. Auxiliary Board Members Nelson and Wilbur Bock worked Thursday, November 7, 2019. Board Chair Smith will work in Pierre in December 2019. Vice Chair Albers will work in Sioux Falls and Yankton in December 2019. Board Member Rau made a motion to approve the 2020 Calendar. Board Member Ligtenberg seconded the motion, all members voting aye, the motion carried.

RECESS: - 10:00 AM – 10:05 AM

AGENDA ITEMS:

APPEARED/REVIEWED BEFORE THE FULL BOARD (NINE MEMBERS) IN SIOUX FALLS THURSDAY NOVEMBER 7, 2019:

The following inmate appeared before the full board for a Compassionate Parole hearing. Board Member Ligtenberg made a motion to deny Compassionate Parole and set out one year. Board Member Gass seconded the motion. All members voting aye, the motion carried.

Jennis Hofer

The following inmate was reviewed before the full board for a paper review hearing. Board Member Albers made a motion to grant parole to new number. Board Member Rau seconded the motion. All members voting aye, the motion carried.

Jeremy Hoeft

FINAL EARLY DISCHARGE(S)/PARTIAL EARLY DISCHARGES BEFORE THE FULL BOARD (NINE MEMBERS) IN SIOUX FALLS THURSDAY NOVEMBER 7, 2019:

The following parolee was reviewed before the full board for an early finale discharge. Board Member Gass made a motion to grant an early finale discharge. Board Member Schroyer seconded the motion. Board Members Nelson, Ligtenberg, Wilbur – Bock, Rau, Board Chair Smith voting nay, Vice Chair Albers, Board Members Gass and Schroyer voting aye, the motion did not pass.

Gary Knecht

Director's Report: Director Clark was available AND updated the board on the following: Board Members Ligtenberg and Gass attended the NIC Orientation for Parole Board Members in Aurora, CO September 24-26. Board Member Riter Osborn is interested in attending the APAI Conference in Nashville in 2020. The office received 8 pardon applications in October and hearings are being scheduled 2-3 months out. Governor Noem approved 10 of the 11 pardons recommended to her in June/July. Offenders who receive an in-system crime and have suspended sentences are being brought in front of the board for a revocation hearing without holding a dispositional hearing as each case has very special circumstances. Offender David Anderson was recommended for a commutation personal appearance hearing. Offender Jennis Hofer is scheduled for his second compassionate parole hearing in November 2019. A Parole Board training session was held September 12/13 and included sessions on mental health/addictions, special investigations, halfway houses, and DOC populations and profiles. A training session will be held in December with Dr. Kauffman on SOMP and psychopathy assessments. Two board office positions remain open; the Senior Secretary position was listed on 9/27 and the Parole Board Operations Supervisor position was listed 10/9; interviews for the Operations Supervisor were conducted on 10/18 and Traci Fredrikson accepted the position. The Corrections Specialist position was listed on 10/29 and remained open for a

week. Director Clark attended the ICAOS 2019 Annual Business Meeting in San Diego October 7-9. On 10/28, Doug Clark was appointed Deputy Secretary of the Department of Corrections. Congratulations Doug! Eilish O'Toole began her duties as an intern in the Parole Board Office and is doing great work. Traci Fredrikson and Risk Reduction Manager Dusti Werner attended a career fair at the University of Sioux Falls October 24th. Corrections Analyst Valerie McGovern graduated from the Governor's Leadership Development Program the week of October 28th. Congratulations Valerie!

Director of Field Services Report: Brad Lewandowski was available and updated the board on the following information:

- EBP: The EBP agents continue to monitor EPICS compliance. August EPICS compliance was 86%, which is the highest compliance thus far. Agents continue to utilize incentives and the EBP agents continue to facilitate the electronic monitoring programs. The EBP Senior Agent position is still open and will be listed in the near future. Scott Prenger, with the Juvenile Department, has left the Department of Corrections. He was assisting with coding's for EPICS recordings. As JCA Ryan is on leave, Agent Hill and JCA Tvedt are currently conducting all coding's for both Parole and Juvenile Divisions. Tribal Pilots: SWO: Agent Hart resigned and Amy Beyl (Watertown) continues supervision of the 48 SWO cases. Agent Beyl, Supervisor Carrels, and Director Lewandowski attend the SWO wellness meetings. FSST. Agent Kollars continues to meet with the FSST Support Team. The Support Team meets every other week and the program seems to be running smoothly. There are currently 10 offenders participating in the program. Compliant discharge reviews were completed for September 2018 – September 2019 and 14 offenders were discharged on 10/21/2019 as a result. 1091 drug tests were recorded in September 2019. 205 tested positive for a controlled substance.

Legal Issues: Catherine Schlimgen was unavailable but provided the following update for the board:

Kevin Hughbanks filed his notice of appeal with the Supreme Court.
No new opinions impacting the Board issued by the Supreme Court.

Board Training and COMS Updates: Traci Fredrikson was unavailable. No updates at this time.

RECUSALLS:

N/A

Decisions: Board Member Albers 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: Board Member Schroyer made motion to adjourn the November 7, 2019 meeting of the Board. Board Member Rau seconded the motion. All members voting aye; the motion carried. The meeting adjourned at 10:24 AM on Thursday November 7, 2019. The next board meeting is scheduled for December 12, 2019 8:00 a.m.

SD BOARD OF PARDONS AND PAROLES

Mark Smith, Board Chair

Doug Clark, Director

Submitted by:
Stacy Cole
Program Assistant

Draft