

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota

October 7, 8, 9 and 10, 2019

Parole Board meetings were held on October 7, 8, 9 and 10, 2019 at various locations in the State of South Dakota. A Parole Board meeting was held on October 10, 2019 at the South Dakota State Penitentiary- Jameson Annex commencing at 8:14 AM with the following present:

Mark Smith, Board Chair  
Gregg Gass, Member  
Ed Ligtenberg, Member  
Myron Rau, Member  
Shannon Riter – Osborn, Member  
Chuck Schroyer, Member  
Rev. Patricia White Horse – Carda, Member  
Brad Lewandowski, Director of Parole Services  
Stacy Cole, Program Assistant  
Traci Fredrikson, Corrections Specialist  
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. Brenna Carlson, SOMP Manager. Jeff Neil, SOMP Assistant. Tom Lais, Senior Case Manager. Kayla Oelkers, Parole Agent. BJ Schmidt, Parole Agent.

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

HEARING PANELS: Waiver hearings were signed on Monday October 7, 2019 by Board Members Gass and Board Chair Smith. Vice Chair Albers was unavailable in October 2019. Board Member Rau was unavailable October 7, 8 and 9, 2019. Board Member Riter – Osborn was a single panel parole hearing on Wednesday October 9, 2019. Board Member Ligtenberg was a single panel on Wednesday October 9, 2019. Board Chair Smith was a single panel on Tuesday October 8, 2019. The 2020 Schedule was disseminated to the board for review and they will confirm the schedule in November 2019.

RECESS: - 08:55 AM – 09:00 AM

AGENDA ITEMS:

APPEARED/REVIEWED BEFORE THE FULL BOARD (SEVEN MEMBERS) IN SIOUX FALLS THURSDAY OCTOBER 10, 2019:

The following inmate appeared before the full board. Board Member Rau made a motion to grant parole. Board Member Gass seconded the motion. All members voting aye, the motion carried.

William Lyons

The following parolee appeared before the full board for his 6 - month review. Board Member Rau made a motion to allow Mr. Ferguson to alter his attendance with SOMP and continue to follow any recommendations his treatment program recommends and then review Mr. Ferguson again in April 2020. Board Member Ligtenberg seconded the motion. All other members voting aye, the motion carried.

Toby Ferguson

FINAL EARLY DISCHARGE(S)/PARTIAL EARLY DISCHARGES BEFORE THE FULL BOARD (SEVEN MEMBERS) IN SIOUX FALLS THURSDAY OCTOBER 10, 2019:

The following parolee was reviewed before the full board for a partial early discharge. Board Member Gass made a motion to grant an early partial discharge of one year. Board Chair Smith seconded the motion. All members voting aye, the motion carried

Ronnie Wherry

The following parolee was reviewed before the full board for an early finale discharge. Board Chair Smith wants to table this hearing so we can notify victims. Board Member Ligtenberg seconded the motion. All members voting aye, the motion carried.

Gary Knetch

Director's Report: Director Clark was unavailable. Director Lewandowski 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 10 pardon applications in September and hearings are being scheduled 2 months out. The discretionary parole board slip was modified to include reasons for continuance and to update the language for a return of street time to accommodate IEDCs/moving TEDs.

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. Two board office positions remain open; the Senior Secretary position was listed on 9/27.

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

Mitchell JCA Grosdidier is assisting with the supervision of approximately 22 minimum/medium cases for the Sioux Falls office. Yankton JCA Boese is assisting with the supervision 22 CTP cases.

Parole was provided another FTE from the Juvenile Division. We were able to pull applicants from the previous Case Manager opening in Sioux Falls. Alecia Halverson began 9/30/2019 in the Sioux Falls Field office as a Parole Agent. Sioux Falls agent Rita Mwele has transferred to a Case Manager position. Autumn Ramsdell accepted the Yankton Parole Case Manager position. She began her duties 9/24/2019. One agent is still on extended leave effective 8/30/2019. The Southeast Region supervised 18 extended confinement cases this month. Robin Hosmer accepted the Senior Secretary position in the Sioux Falls Field Office. She will begin 10/2/2019. Proficient agents (not including agents in training or supervisor) have an average caseload of 74.39.

Northeast Region Staff Update:

SWO Agent Hart resigned 7/15/2019 and this position has been posted by the Tribe. Katianne Murphy accepted a conditional offer for the open Mitchell position. She has passed her poly and has a start date of 10/24/19. Mitchell secretary Nicole Maas has submitted her resignation effective 10/9/19. This position has been listed and closes 10/3/19. The NE Region supervised 30 extended confinement cases this month. Proficient agents (agents out of training, not including supervisor) have an average caseload of 87.67.

West Region Staff Update:

The West Region supervised 20 extended confinement cases this month. JCA Jenn Leighty is assisting with supervision of cases from the Spearfish Field Office. Proficient agents (agents out of training, not including supervisor) have an average caseload 65.38.

Legal Issues: Catherine Schlimgen was available and updated the board on the following items: One pending Supreme Court case. Hughbanks was recently affirmed by the circuit court-counsel has indicated he will appeal

Board Training and COMS Updates: Traci Fredrikson was available, Ed Ligtenberg and Gregg Gass attended NIC – orientation for Parole Board Members in September 2019. We will proceed with Pardons as we have been until further discussions and decisions regarding modifying the process are completed.

RECUSALLS:

N/A

Decisions: Board Member Rau 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 White Horse - Carda made motion to adjourn the October 10, 2019 meeting of the Board. Board Member Riter - Osborn seconded the motion. All members voting aye; the motion carried. The meeting adjourned at 10:24 AM on Thursday October 10, 2019. The next board meeting is scheduled for November 7, 2019 8:00 a.m.

SD BOARD OF PARDONS AND PAROLES

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Mark Smith, Board Chair

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Doug Clark, Director

Submitted by:  
Stacy Cole  
Program Assistant