



SOUTH DAKOTA BOARD OF PARDONS AND PAROLES
MINUTES

Jameson Annex
1600 N Drive
Sioux Falls, SD 57104

Parole Board meetings were held on September 12th, 13th, 14th and 15th, 2022 in various locations in the State of South Dakota, there was an extra session held on August 26th, 2022.

A Full Board meeting was held on Wednesday, September 14th, 2022, commencing at 1:03 P.M. with the following present;

Present:

Myron Rau, Board Chair
Gordy Swanson, Vice Chair
Ken Albers, Member
Gregg Gass, Member
Kurt Hall, Member
Chuck Schroyer, Member
Peter Lieberman, Member (MS Teams)
Kirsten Aasen, Member
Jan Steele, Member
Val McGovern, Executive Director of Board of Pardons and Paroles
Brad Lewandowski, Director of Parole
Traci Fredrikson, Operations Supervisor
Stacy Cole, Corrections Specialist
Eilish O'Toole, Program Assistant II
Karena Cassidy, Senior Secretary
Jaden Clark, Parole Administration Intern
Georgia Will, Parole Administration Intern
Liz Effling, Corrections Specialist
Loranda Kenyon, Attorney

Quorum Present? Yes

Absent: N/A

COUNSEL PRESENT: The following representations were made.

N/A

SPECIAL GUESTS:

Tom Lais (senior case manager), Cory Nelson (DMH-DOC), Travis Ripperda (risk reduction), Riley DeGroot (case manager), Nick Nyreen (case manager), Jeff Neill (SOMP), Travis Donelan



(case manager), Terry Liggins (guest), Linda Halliburton (guest), citizen (guest), David Kauffman (clinical psychologist).

AGENDA ITEMS:

APPEARED/REVIEWED BEFORE THE FULL BOARD IN SIOUX FALLS WEDNESDAY, September 14th, 2022 :

The following full board cases were reviewed.

Hammer, Kohl

Vice Chair Swanson made a motion to parole to new number, Board Member Aasen seconded the motion. All board members voted aye, the motion carried.

The following offender appeared before the full board for consideration of parole.

Trimble, Albert

Board Member Gass made a motion to grant parole, on the basis that Mr. Trimble follow risk reduction expectation, reveal relationship information to his parole agent. Board Member Aasen seconded the motion with an subsequent motion that Mr. Trimble disclose to new partners the circumstances regarding prior partner relationships. Board Members Gass, Aasen, Schroyer and Vice Chair Swanson voted aye, Board Members Steel, Lieberman, Albers, Hall and Chair Rau voted nay, the motion failed.

Board Member Albers made a motion to deny parole and set out twelve months, Board Member Lieberman seconded the motion. Board Members Steele, Liberman, Albers, Aasen, Schroyer, Hall and Chair Rau voted aye, Board Members Gass and Vice Chair Swanson voted nay, the motion carried.

The following offenders appeared before the board for consideration of parole:

Burrage, James

Board Member Swanson made a motion to grant parole, Board Member Aasen seconded the motion, all board members voted aye, except Board Member Hall, the motion carried.



Paulson, James

Board Member Aasen made a motion to grant parole, with the condition that he release to transitional housing and follow the recommendations made in the SOMP summary. Board Member Liberman seconded the motion, all board members voted aye the motion carried.

Wren, David

Board Member Swanson made a motion to deny parole, with a next review of 1 year, Board Member Hall seconded the motion. All board members voted aye, the motion carried.

Meeting concluded at 4:47P.M. and will reconvene September 15th, 2022 at 8:30 A.M.

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STATE BOARD OF PARDONS AND PAROLES
MINUTES

Jameson Annex
1600 N Drive
Sioux Falls, SD 57104

A Full Board meeting was held on Thursday, September 15th, 2022, commencing at 8:31 A.M. with the following present.

Myron Rau, Board Chair
Gordy Swanson, Vice Chair
Ken Albers, Member
Gregg Gass, Member
Kurt Hall, Member
Chuck Schroyer, Member
Peter Lieberman, Member (MS Teams)
Kirsten Aasen, Member
Jan Steele, Member
Val McGovern, Executive Director of Board of Pardons and Paroles
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Stacy Cole, Corrections Specialist
Eilish O'Toole, Program Assistant II
Karena Cassidy, Senior Secretary
Jaden Clark, Parole Administration Intern
Liz Effling, Corrections Specialist
Loranda Kenyon, Attorney
Quorum Present? Yes

COUNSEL PRESENT:

N/A

SPECIAL GUESTS:

Miranda Ward (case manager), Terry Cummings (program assistant I), Jeff Neill (SOMP), Sonja Alquist (secretary), Jake Anderson (parole agent), Hailey Piper (unit manager intern), Travis Donelan (case manager), Nick Nyreen (case manager). Ian Miller (case manager) Nick Anderson (case manager) and Jerad Timmerman (case manager).

HEARING PANELS: Panels went as planned with the exception of Board Member Aasen participating in contested hearing and non-compliance hearings virtually on Monday, September 12th. Board Member Lieberman was informed that due to the merging of contested/non-compliance his presence was no longer needed on Monday, September 12th. Board Chair Rau appeared via Team on Tuesday, September 13th. No other significant changes.



MINUTES: Board Member Schroyer made a motion to approve August 2022 Minutes, Vice Chair Swanson approved, all voted aye, the motion carried.

AGENDA ITEMS:

APPEARED/REVIEWED BEFORE THE FULL BOARD IN SIOUX FALLS THURSDAY, September 15th, 2022:

N/A

BOARD REPORT: Director McGovern was available and updated the board on the following:

Board/Parole Admin staff are helping the prisons with security screenings 2-4 shifts a month (5 hours shifts) to help alleviate the burden to the institution and free up security staff to assist with other duties. An extra day of parole board hearings was scheduled and conducted on August 26th and Board Chair Rau and Vice Chair Swanson reviewed and approved approximately 50 parole violation waivers and reviewed early discharge applications. The juvenile office assisted Parole Admin staff in getting “caught up” on warrant clears in NCIC, approx. 193 warrant clears.

All board members participated in the SDMF Booster Session, September 6th and 7th through NIC. APAI membership has been renewed for the board office to also include Operations Supervisor Fredrikson, Director Lewandowski and Assistant Director Stucky. The Board Members will be experiencing change with the contested hearing process. Director McGovern is taking on the administrative role and will contact witnesses and have attorney communication moving forward instead of DOC counsel. Director McGovern along with Board Chair Rau and Vice-Chair Swanson are working on revisions to policy 8.1.A.2 Parole and Suspended Sentence Revocation Proceedings to reflect these changes/updates. A recent update was made to the Early Discharge forms to reflect transaction specific decisions made by the parole board. Parole Board and Parole Admin staff are now uploading necessary documentation on the Board of Commissions Portal, this used to be a task completed by Michael Winder.



DIRECTOR OF FIELD SERVICES REPORT: Director Stucky was available and updated the board on the following personnel updates:

Southeast Region Staff Update:

Agents utilized in the SE have a caseload average of 63.05; this is a workload average of 94.12%. Current staffing: 3 agents in training (SF); 1 secretary in training (SF); 1 agent on extended leave, 3 open positions. Agent Terrance Davis began in the Downtown Office 8/24/2022. A conditional offer was rescinded due to the applicant not satisfactorily passing the background polygraph. Interviews have been completed for the 3 open positions (2 agent, 1 specialist (Day, Rausch, Thrun). All Sioux Falls parole staff continue to cover the screening stations as part of their parole shift. Yankton agents continue to assist the Yankton Minimum unit as part of their parole shift.

Northeast Region Staff Update:

Agents utilized in the NE Region have an average caseload of 61.95; this is an average workload of 90.54%. Current staffing: 3 agents in training (Watertown, Mitchell, SWO), 1 support staff in training (Pierre). Meagan Lively began as the Tribal Agent August 1. Catrina Anderson began as the part-time support staff in Pierre 8/29/2022. She resigned 8/31/2022. Pierre agents continue to complete one parole shift per week working in the Women's Prison. Juvenile Corrections Agent Thury assists with supervision of 20 cases in the Watertown office. Juvenile Corrections Agent Shawn Davis is assisting with the supervision of 6 cases in the Mitchell office.

West Region Staff Update:

Agents utilized in the West Region have an average caseload of 61.24; this is an average workload of 89.05%. Current staffing: 1 open position (Rapid City). Interviews are occurring for the open position. A conditional offer was rescinded due to the applicant not passing the required background processes. Parole agent specialists continue conducting the Moving On class.

Break 9:55-10:13 A.M.

LEGAL ISSUES: Loranda Kenyon was available and provided the following updates for the board:

Freeman Mesteth Parole Appeal

- Briefs are submitted – waiting on judge to make her decision.

Hughbanks Lawsuit

- No significant updates

Legal Opinion

- Katie Hruska with governor's office is working on this.



POLICY REVIEW:

The policy 8.1.A.3 Dispositional Meetings was discussed, Director McGovern discussed that part of the disposition policy has been merged into the board revocation policy, 8.1.A.2, Parole and Suspended Sentence Revocation Hearings, therefore there is the option to repeal this as a board policy and possibly let the parole administration implement it and use it. Director McGovern pointed out that the revocation matrix is part of the policy, so the board should review this to see if they want to make any changes to it. This discussion was tabled and will continue during October's full board meeting.

BOARD TRAINING:

N/A

RECUSALS:

Board Member Steele recused herself from Ronnie Moore's parole hearing in Springfield, SD.

ITEMS FOR DISCUSSION:

Board Member Albers made a motion to approve the 2023 Parole Board Calendar, Board Member Hall seconded the motion, all board members voted aye, the motion carried.

FULL BOARD:

The following full board early discharge cases were reviewed.

Brown, Marden

Board Member Gass made a motion to **grant** partial discharge of 10 years for, Board Member Aasen seconded the motion, all board members voted aye, the motion carried.

Hahn, Brenden

Board Member Albers made a motion to **grant** partial discharge of 4 years, Board Member Schroyer seconded the motion, all board members voted aye, the motion carried.

Waltz, Scott

Board Member Aasen made a motion to **deny** early final discharge, Board Member Aasen seconded the motion, all board members voted aye, the motion carried.

DECISIONS: Board Member Schroyer made a motion to ratify and affirm all decisions: Board Member Steele seconded the motion. All members voting aye; the motion carried.



ATTACHMENTS – DECISIONS: Please refer to the attached listing entitled Parole Board Actions 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 11:29 A.M., Thursday, September 15th, 2022. The next full board meeting is scheduled for October 19th, 2022, at 8:30 a.m.

BOARD OF PARDONS AND PAROLES

Myron Rau, Board Chair or Gordon Swanson, Vice Chair

Val McGovern, Executive Director

Submitted by:
Val McGovern
Executive Director of
Board of Pardons and Paroles

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