



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS
INDETERMINATE SENTENCE REVIEW BOARD
P.O. BOX 40907, OLYMPIA, WA 98504-0907

DECISION AND REASONS

NAME: DEMOS, John
DOC #: 287455
FACILITY: Washington State Penitentiary
TYPE OF HEARING: .100 Hearing
HEARING DATE: January 23, 2018
PANEL MEMBERS: EB & LRG
FINAL DECISION DATE: February 5, 2018

This matter came before Elyse Balmert and Lori Ramsdell-Gilkey, who are members of the Indeterminate Sentence Review Board (ISRB or the Board) on the above date for a release hearing in accordance with the provisions of RCW 9.95.100. Mr. Demos appeared in person and was represented by attorney George Marlton. Testimony was provided by Department of Corrections (DOC) Classification Counselor (CC) Travis Matson, Psychological Associate (PA) Bill Coleman and Mr. Demos.

BOARD DECISION:

Based on the requirements of RCW 9.95.009(3) and RCW 9.95.100 and the totality of evidence and information considered by the Board, the Board finds that Mr. Demos is not parolable and adds 36 months to his minimum term.

NEXT ACTION:

Schedule .100 hearing approximately 120 days prior to his PERD.

JURISDICTION:

John Demos is under the jurisdiction of the Board on a June 9, 1978 conviction in King County Cause # 84717 for Attempted Rape in the First Degree, Ct. I and Burglary in the First Degree, Ct. II. The time start is September 9, 1978. The minimum term was set at 72 months Ct. I and 48 months Ct. II from a Sentencing Reform Act (SRA) range of 36 to 48 months. The maximum term is 10 years Ct. I and Life Ct. II. Mr. Demos has served approximately 472 months in prison and 0 days of jail time.

Note: Other Causes/Counts: Willful Failure to Return from Work Release. 37 days confinement with credit for 37 days served.

NATURE OF INDEX OFFENSE(S):

File materials describe the underlying conviction as Mr. Demos entering the room of a female resident at a youth hostel where he was employed and sexually assaulting her. The victim was sleeping and woke when he entered the room. He fondled her vaginal area inside her underwear. She was able to free herself and flee the room. Witnesses saw Mr. Demos leaving the victim's room and zipping up his pants. He was chased by another employee and later arrested.

PRIOR CRIMINAL CONDUCT:

Mr. Demos has an extensive criminal history which includes arrests in 1970 for Larceny from Building, Aiding and Abetting a Juvenile in Curfew Violation, Breaking and Entering and Making Obscene Phone Calls. In 1972 he was convicted of Larceny from a Building. In 1974 he was convicted of Felonious Assault. All of these crimes were committed in the State of Michigan.

In 1974 Mr. Demos was convicted of Attempted Robbery and Second Degree Assault with Intent to Commit Rape under Yakima cause #18819. He was paroled on December 5, 1977, after which he was convicted of Menacing in Seattle and sentenced to 90 days in King County Jail. He was on parole when he committed the instant offenses.

HISTORY/COMMENTS:

Mr. Demos' last hearing was July 22, 2014 and he was found not releasable and 60 months was added to his minimum term. The Board recommended he demonstrate a desire to rehabilitate himself, complete offender change programming and treatment.

CC Matson testified to the following; Mr. Demos has had seven Serious Infractions since his last hearing; 2015 Sexual Harassment and Strong-arming/intimidation, Fraud (IRS), 2016 Fraud (Information of famous deceased people for sale), Staff Interference (too many Grievances filed), 2017 Fraud X2 (Estate fraud). Mr. Demos had acquired six negative Behavioral Observations since December 2015. He has maintained work as a custodian and completed chemical dependency treatment. He has also taken Stress/Anger Management (CBT conflict management).

In the 2017 Psychological evaluation by Dr. Zeisler the following risk assessments were completed; HCR–20 Moderate risk for future violence, low risk for serious physical harm, and low risk for imminent violence, SORAG–Medium– High, VRAG (16)–Risk category 7, medium to high range for re-offending. Dr. Zeisler recommended consideration for release for Mr. Demos.

Mr. Demos testified to the following; He denies committing his crime, says it was a case of mistaken identity regarding both the sex offense convictions. At his last hearing he said he wanted to stay in prison because he was ill and needed medical attention and that his medication, Naproxen, effects his mood and he continues to have severe pain in his stomach. He recently took some religious correspondence courses. He gets monthly visits from the Muslim Chaplin Rasheed and Chaplin Eric Muhammed and states he is also of the Jewish faith. He has a non-profit religious organization called the Society of Truth, (Teachers Responsible for the Upliftment of Total Humanity) whose Board currently includes former Governor Dixie Lee Ray, former Governor Christine Gregoire, and former Seattle Mayor Norm Rice, to name a few. He states that this organization is not currently active due to the fees that are required. The goals are to work with prisoners and the disadvantage. He has no community support other than his church members. He stated that he is in prison for something he didn't do, and would just as soon die

in prison as a martyr. He says he is a Muslim minister and would minister to the community or be a cook if he was released. He said he committed fraud to get “free funds” and learned about this because he had done “legal” work for years. He says he gets bored and he ventures into this area (fraud) to break the monotony. He has not worked on his release plan because he has not been found releasable. He says he wouldn’t agree to go to lower levels of custody and he is not interested in going to a camp setting. He has completed a Conflict Management class.

Approximately one week after Mr. Demos .100 hearing, the Board received a letter from him which states “I’m ready for parole”.

PA Coleman testified to the following; Mr. Demos has held both Secretary and Treasurer Positions for three years in the Veteran’s Support group. He refused medical help and was hospitalized where hospital Medical professionals found him unfit to make his own decisions, as he was denying medical assistance and they in turn performed surgery. He is not on any psychotropic medications, but does get a status check-in every 90 days. He says his behavior has improved as he has not submitted any PREA allegations in quite a while. He believes Mr. Demos is Malingering. He has been working with Mr. Demos on a release plan and trying to identify support which may include VA benefits, the Housing Voucher program, and medical benefits.

INFORMATION CONSIDERED:

In preparation for Mr. Demos’ hearing and its decision in this case, the Board completed a review of his ISRB file. The Board considered all information contained in that file, including but not limited to: the most recent DOC facility plan; information regarding institutional behavior and programming; any letters of support and/or concerns sent to the Board; the Pre-Sentence Investigation report; psychological evaluation prepared by Patricia Zeisler. The Board also considered the testimony of the witnesses listed above.

REASONS:

This was a deferred decision following a full Board discussion using a structured decision-making framework that takes into consideration; the statistical estimate of risk, criminal history, parole/release history, ability to control behavior, responsivity to programming, demonstrated offender change, release planning, discordant information, and other case specific factors. Based on the requirements of RCW 9.95.009 (3) and RCW 9.95.100 the Board finds Mr. Demos not Parolable.

A Psychological Evaluation dated September 7, 2017, completed by Patricia Zeisler states that Mr. Demos behavior is more likely consistent with “Personality Disorder Not otherwise specified”. Dr. Zeisler summarizes: “Based upon assessment of risk as evidenced by relatively low scores in recent assessments and advanced age coupled with poor health, Mr. Demos does not present as an immediate risk for harm to others.

To his credit, Mr. Demos has been able to sustain employment and is able to participate in many activities on the unit, especially religious ones. He successfully participate in chemical dependency treatment. During his hearing he denies a desire to release and says he would like to stay in prison as a martyr. Although Dr. Zeisler recommends Mr. Demos be considered for release, he has received multiple Serious Infractions and has shown that he cannot follow supervision requirements in prison. Mr. Demos should continue addressing his mental health needs and remain Serious Infraction free prior to his next hearing. The Board recommends Mr. Demos participate in the Moving Forward program if found eligible.

EB: ch

February 2, 2018

February 5, 2018

February 6, 2018

February 8, 2018

cc: Institution/WSP, John Demos, File, George Marlton, Attorney



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INDETERMINATE SENTENCE REVIEW BOARD
P.O. BOX 40907, OLYMPIA, WA 98504-0907

DATE: 2-2-18

TO: Full Board

FROM: EB & LRG (*Christine*)

RE: Demos, John/*DOC# 287455*

Panel recommends: Not Parolable; add 36 months to MT

Next action: Schedule .100 hearing approximately 120 days prior to next PERD.

Agree	Disagree
Elyse Balmert 2/5/18 Lori Ramsdell-Gilkey 2/5/18 Jeff Patnode 2/5/18 Kecia Rongen 2/5/18	