



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

DECISION AND REASONS

NAME: BUEGLER, Stephen
DOC #: 262706
FACILITY: Longview Work Release
TYPE OF HEARING: .100 Hearing
HEARING DATE: February 28, 2017
PANEL MEMBERS: JP & LRG
FINAL DECISION DATE: March 20, 2017

This matter came before Jeff Patnode 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. Buegler appeared in person and declined the services of an attorney. Testimony was provided by Department of Corrections (DOC) Classification Counselor (CC) Melody Carr and Mr. Buegler.

BOARD DECISION:

This was a Deferred 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 Mr. Buegler parolable and adds no additional time to his minimum term. The Board notes Mr. Buegler is past his PERD of January 6, 2017. However, the Board would like to see Mr. Buegler complete his programming in work release and submit an ORP for Board approval in April 2017.

NEXT ACTION:

Mr. Buegler should complete his programming in work release and submit an ORP for Board approval in April 2017.

JURISDICTION:

Stephen Buegler is under the jurisdiction of the Board on a July 6, 1979 conviction in Clark County Cause #79-1-00056-6 for Murder in the First Degree. The time start is July 6, 1979. The minimum term was set at 359 months from a Sentencing Reform Act (SRA) range of 266 to 359 months. The maximum term is Life. Mr. Buegler has served approximately 451 months in prison and 143 days of jail time.

NATURE OF INDEX OFFENSE(S):

According to file materials, in February 1979, Mr. Buegler, at age 30, entered the home of a former girlfriend and shot two males inside the residence. The first male was a 16 year old boy who was shot twice and died. The second male was also shot twice, but fought back. He took Mr. Buegler's handgun and shot him, with the bullet entering the neck and exiting from his right eye, leaving Mr. Buegler blind in that eye. It is unclear why the victims were shot, but Mr. Buegler had just been released from an alcohol treatment program and after drinking heavily, retrieved his handgun from a friend and told him that he was going to "make peace with" his prior girlfriend, who reportedly testified against him in a prior trial.

PRIOR CRIMINAL CONDUCT:

Mr. Buegler has an extensive criminal history that includes a concurrent 1979 conviction for Third Degree Assault on a Clark County jailer, a 1977 arrest for Burglary, a 1976 arrest for Carrying a Concealed Weapon, a 1972 conviction for Kidnapping and Attempted Murder, 1972 arrests for Carrying Firearm in Public and Assault with Deadly Weapon, 1970 arrests for Attempted Rape and Burglary, two arrests for Possession of Marijuana, and several DUIs.

HISTORY/COMMENTS:

The Board last met with Mr. Buegler in May of 2015, at which time the Board found him conditionally parolable to a Mutual Reentry Plan (MRP) and added 24 months to his minimum term in order for him to complete a MRP. The Board noted that a MRP component would likely

include the Thinking for a Change program, and that time in a work release facility would be beneficial to Mr. Buegler to help him transition back to the community. The Board also noted this is its second effort at transitioning Mr. Buegler back to the community, and he appeared to realize he must consistently demonstrate an ability to manage conflict in the prison environment, whether it involves staff or other offenders.

Mr. Buegler has not incurred any serious or general infractions since the Board last met with him. However, subsequent to the Board's last hearing with Mr. Buegler, in July of 2016 while housed at the Olympic Corrections Center (OCC), Mr. Buegler was placed in segregation pending an investigation he had access to a cellular telephone and was planning to escape based on a letter from a former inmate. An investigation was conducted, which found no wrongdoing by Mr. Buegler. No infraction was imposed, although this action did delay the MRP process from Mr. Buegler, which explains why he is currently past his PERD.

CCO Melody Carr provided a summary of programming, behavior and release plan information for Mr. Buegler. CC Carr stated that Mr. Buegler has been at the work release program for only a short period of time, but he has not been a management problem in any way since his arrival. She stated he has been participating in job search activities daily and appears very motivated to gain employment.

Mr. Buegler provided a disclosure of his index offense that was very different from the official version, which has been the case going back to his original arrest. Though his description paints a picture of someone that has been set up, he fully acknowledges that he placed himself through his lifestyle choice in the circumstance he was in and that he is 100 percent responsible for the death of one man, serious injury of another, and his own serious injury. Mr. Buegler also expressed appropriate remorse for the damage he has caused to his victims, survivors, and the course he allowed his life to take.

Mr. Buegler does have a few negative behavioral log interactions with a CO, which were discussed

and he acknowledged that there are times when he is having a bad day and has a low tolerance at times during those bad days. CCO Carr pointed out that he also has a positive behavioral log interactions, which was very favorable. Mr. Buegler stated that he is appreciating things in the community that he has not been around for years and he finds simple things very pleasant. Mr. Buegler acknowledged the role drugs and alcohol played in his life and in his index offense. He stated he plans on developing a clean and sober community upon his release. Mr. Buegler stated he believes he has something to offer to employers and that he does have a strong work history from prison based employment. Mr. Buegler stated he plans to access transitional housing upon his release and that he does have money that can assist him upon release.

INFORMATION CONSIDERED:

In preparation for Mr. Buegler's hearing and its decision in this case, the Board completed a review of Mr. Buegler's 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; and psychological evaluations. The Board also considered the testimony of the witnesses listed above.

At sentencing, no recommendation was received from the Judge and the Prosecutor recommended Life.

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. Buegler parolable.

Mr. Buegler has been in the DOC for the majority of his adult life. He appears to have found a different direction for which he would like to take his life. He expresses a strong desire to be gainfully employed, maintain a clean and sober lifestyle, and complete his parole period without incident.

The Board does not intend to add time to Mr. Buegler's PERD and would like him to finish the six months of work release and submit an ORP in April 2017.

JP:jas

March 1, 2017

cc: Institution
Stephen Buegler
File



STATE OF WASHINGTON

**DEPARTMENT OF CORRECTIONS
INDETERMINATE SENTENCE REVIEW BOARD**

P.O. BOX 40907, OLYMPIA, WA 98504-0907

DATE: March 1, 2017

TO: Full Board

FROM: JP & LRG (Jody)

RE: BUEGLER, Steven #262706

Panel recommends: Finding Mr. Buegler parolable and have him complete programming in work release.

Next action: Submit ORP in April 2017.

Agree	Disagree
Jeff Patnode 3-20-2017 Lori Ramsdell-Gilkey 3-20-2017 Tom Sahlberg 3-20-2017 Kecia Rongen 3-20-2017	