



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

DECISION AND REASONS

NAME:	ERICKSON, Michael
DOC #:	261347
FACILITY:	CRCC
TYPE OF HEARING:	.100 Hearing
HEARING DATE:	March 22, 2017
PANEL MEMBERS:	TS & JP
FINAL DECISION DATE:	April 3, 2017

This matter came before Tom Sahlberg and Jeff Patnode 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. Testimony was provided by Department of Corrections (DOC) Classification Counselor (CC) Kelly Hodgson and Mr. Erickson, who refused counsel.

BOARD DECISION:

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. Erickson not parolable and adds 24 months to his minimum term.

NEXT ACTION:

Schedule a .100 hearing approximately 120 days prior to next PERD.

JURISDICTION:

Michael Erickson is under the jurisdiction of the Board on a 1981 conviction; Snohomish County Cause No. 80-1-01103-5 for Assault in the First Degree (Habitual Criminal). The duration of confinement was set at 180 months with a maximum of Life. The time start is February 27, 1996. At the time Mr. Erickson was found guilty of First Degree Assault, he was serving a life maximum sentence for Murder in the Second Degree; Benton County Cause No. 78-078 as well as a 10 year maximum sentence for Assault in the Second Degree; Benton County Cause No. 78-118. His time start on the Murder Second was August 23, 1978, and the Board set an initial minimum term of 264 months. His time start on the Assault Second was October 28, 1994, and the minimum term was set at 24 months. The Assault Second was to run consecutive to the Murder Second and the Assault First was to run consecutive to the Assault Second sentence.

Mr. Erickson was paroled and given a Final Discharge, however he incurred a new criminal conviction of Assault in the Third Degree and his parole was revoked, with 24 months were added to his minimum term. He has served approximately 406 months, including 12 months since his revocation.

NATURE OF INDEX OFFENSE(S):

While incarcerated at the Washington State Reformatory in Monroe for his prior convictions of Murder in the Second Degree and Assault in the Second Degree, Mr. Erickson and another inmate brutally attacked and stabbed a Corrections Officer (CO).

PRIOR CRIMINAL CONDUCT:

Mr. Erickson's juvenile history contains mostly runaway incidents. However, it should be noted that his adolescence was primarily spent in children's mental hospitals or reform schools in Louisiana and Texas. He self admits that he was arrested in Morgan City, Louisiana and in Victoria, Texas for auto theft, but that the charges were dismissed.

In 1978, while a 17 year old juvenile, Mr. Erickson and another man stabbed and beat to death a 23 year old male who they believed was a police informant. The juvenile court declined jurisdiction over Mr. Erickson, and he was charged in Benton County Superior Court with Murder in the Second Degree.

In August, 1978, while awaiting sentencing on the Murder Second charge, Mr. Erickson and another jail inmate badly beat an inmate, doing grievous bodily harm to him. Erickson was convicted of Assault Second Degree.

In 2015 Mr. Erickson was convicted of Assault in the Third Degree out of Pierce County; Cause #15-103052-5. Erickson brandished a knife and threatened at least two individuals.

HISTORY/COMMENTS:

Mr. Erickson was last seen by the Board on February 25, 2016. Due to the new Assault in the Third Degree, his Final Discharge was rescinded; parole reinstated and 24 months were added to his minimum term. Since then, he has had no new infractions (total of 35 serious) and is employed as a Custodian. He has completed Stress Anger Management, Victim Awareness, Moral Reconation Therapy and multiple vocational programs previously.

Mr. Erickson admitted that he was using drugs (including "steady" use of Meth) and left the State three times in the past. He reported that he refused to be a police informant. Regarding his new conviction, he said that he was not using drugs and "a guy talked smack and laughed at me ... I thought I was being video-taped ... maybe I was nuts, but am still not sure I wasn't set up". He said that he regularly attends Narcotics Anonymous (NA) and church groups and that he is committed to remaining clean, sober and healthy. He hopes to release to Tacoma and earn his CDL, then go to Oregon when his parole is completed.

Dr. Johnson completed a Psychological Evaluation on October 21, 2016 in which Mr. Erickson is assessed to be a Moderate-High risk to violent recidivism.

EVIDENCE CONSIDERED:

In preparation for Mr. Erickson's hearing and its decision in this case, the Board completed a review of his DOC and ISRB files. The Board considered all information contained in those files, 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 evaluations and the testimony of the witnesses.

REASONS:

The Board hoped that Mr. Erickson would provide more information and some insight into what caused him to commit a new crime. It is apparent from his history that his propensity to violence is somewhat mitigated in prison, but not in the community. It is recommended that he consider applying to Thinking for a Change and/or other cognitive behavioral program that may help him change his attitude and behavior and be better prepared for parole in the future. It is also unclear to what degree Mr. Erickson may have delusions, upon which he acted in the commission of his most recent assault. Mental Health treatment may also be advisable.

TS: ch

March 27, 2017

April 6, 2017

CC: Michael Erickson
Institution
File



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

DATE: 4-3-17

TO: Full Board

FROM: *TS/JP (Christine)*

RE: ERICKSON #261347

Panel recommends: Not releasable, add 24 months to MT

Next action: Schedule .100 hrg approx. 120 days prior to PERD.

Agree	Disagree
<p>Tom Sahlberg 4-3-2017 Jeff Patnode 4-3-2017 Kecia Rongen 4-3-2017</p> <p>This case falls under 6242, and the decision must be processed no later than 30 days from the hearing. Therefore, this decisions will be processed without Lori Ramsdell-Gilkey's vote as she is unavailable from March 31, 2017 through April 14, 2017.</p>	