



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

DECISION AND REASONS

NAME: PAXTON, Ronald
DOC #: 272380
FACILITY: Monroe Correctional Complex - TRU
TYPE OF HEARING: .100 Hearing
HEARING DATE: May 3, 2017
PANEL MEMBERS: KR, EB & LRG
FINAL DECISION DATE: May 15, 2017

This matter came before Kecia Rongen 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. Paxton refused to appear in person and the hearing was held in absentia. Testimony was provided by Department of Corrections (DOC) Classification Counselor (CC) Tamara Mac Avoy.

*The Board notes that Mr. Paxton is past his PERD. This is due to the notification requirements in 9.95.422 as well as a request for a continuance by Mr. Paxton at the December hearing.

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. Paxton is not parolable and adds 90 months to his minimum term.

NEXT ACTION:

Schedule a .100 Hearing 120 days prior to his next PERD. A new psychological evaluation is required for the next hearing.

JURISDICTION:

Ronald Paxton is under the jurisdiction of the Board on a May 20, 1983 conviction in King County Cause #83-1-0335-7 for Rape in the First Degree, Counts I and II and Burglary in the Second Degree, Count III. Count III ran concurrent with Count I and II and reached its maximum expiration date of August 25, 1993. The time start is August 26, 1983. The minimum term was set at 240 months on Counts I and II from a Sentencing Reform Act (SRA) range of 72 to 96 months. The Judge recommended 20 years on Count I and II to run consecutive, for a total of 40 years. The Prosecutor recommended 30 years. The maximum term is Life. Mr. Paxton has served 404 months on this cause.

NATURE OF INDEX OFFENSE(S):

While on furlough from a Work Release Facility and after consuming a large quantity of alcohol, Mr. Paxton broke into a home occupied by two sisters, who were spending the weekend together. After entering the home, Mr. Paxton went into their bedroom and immediately started beating them. For over a period of an hour and a half, he brutally raped, terrorized, and assaulted both of them. One of the women, in an attempt to escape, severely injured her hand breaking out a window. File materials indicate that she needed corrective surgery on her hand and that both women were extremely traumatized by these assaults and rapes.

PRIOR CRIMINAL CONDUCT:

Mr. Paxton was arrested in 1972 for Assault to Rape and Burglary in San Diego, California. The charges were reduced to Battery (a misdemeanor). Mr. Paxton reported that this offense involved a female who lived in the same apartment complex as him. About a month prior to the offense, he had asked her out on a date. However, she declined because she was already in a

relationship. Mr. Paxton ruminated about being rejected, and after drinking for several hours one night, he went to her apartment and began watching her through her sliding glass door. He then entered her apartment without her knowledge and grabbed her around the neck and stomach, with the intent to rape her. The victim screamed, and almost immediately a man came into the apartment and stopped Mr. Paxton.

He served 90 days in jail in September, 1975 for convictions Prowling, Grand Theft, AWOL, & Speeding. In 1977, he was convicted of Burglary in the Second Degree. In 1979 he was convicted of Alien Smuggling. He was also convicted in 1979 of Burglary, Possession of Stolen Property and Felon in Possession of a Firearm. These convictions occurred in California.

In 1980, Mr. Paxton broke into an unoccupied residence and put \$500 to \$600 worth of jewelry in his pockets. He then fell asleep in the victim's bed, where he was found when the victim returned home. He was convicted of Burglary in the Second Degree in King County Cause #80-1-03187-9. He was sentenced to 10 years. He was serving his sentence on this offense when he committed the index offenses.

HISTORY/COMMENTS:

Mr. Paxton was scheduled for a hearing in December of 2016, however he and his attorney asked for a continuance in order to review the psychological evaluation and due to a medical issue he did not feel he could sit through an entire hearing. Prior to that the Board saw him in May of 2013 and added 60 months to his minimum term. The Board advised they would see him earlier if he completed the Sex Offender Treatment and Assessment Program (SOTAP).

CC Tamara Mac Avoy testified that Mr. Paxton refused to attend his hearing as he doesn't feel the need to come to the hearing just so the Board can add more time to his minimum term. She also indicated that Mr. Paxton does continue to program. He has completed Non-Violent Communication, Alternatives to Violence, Bridges to Life and MRT. He has not had any infractions since 1996.

INFORMATION CONSIDERED:

In preparation for Mr. Paxton's 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 Dr. Deborah Wentworth. The Board also considered the testimony of the witnesses listed above.

The original recommendation from the Judge was 20 years on count I and II to run consecutive. The Prosecutor recommended 30 years. There was no updated recommendation received.

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. Paxton not parolable.

Mr. Paxton refused to show up for his hearing after asking for a continuance in December. The Board has no way of assessing his rehabilitation if he does not appear in front of the Board. Dr. Wentworth notes in her psychological report that Mr. Paxton "appears to lack awareness in his offense cycle and triggers." If Mr. Paxton or his attorney has "new information" for the Board to consider prior to the next hearing, an earlier hearing may be considered.

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However, since Mr. Paxton was afforded two opportunities to have a hearing, this request should be screened carefully.

KR: ts

(May 14, 2017)

May 16, 2017

cc: MCC-TRU
Ronald PAXTON
File
Attorney



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

DATE: *May 15, 2017*

TO: Full Board

FROM: KR (*Teresa*)

RE: PAXTON, Ronald 272380

Panel recommends: Not parolable, Add 90 months to MT.

Next action: Schedule .100 120 days prior to PERD

Agree	Disagree
Lori Ramsdell-Gilkey 5-15-2017 Jeff Patnode 5-15-2017 Elyse Balmert 5-15-2017 Kecia Rongen 5-15-17	