



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

**DECISION AND REASONS**

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NAME:	WHEAT, Antonio
DOC #:	DOC
FACILITY:	MCC-WSR
TYPE OF HEARING:	.100 Hearing
HEARING DATE:	November 21, 2017
PANEL MEMBERS:	KR & LRG
FINAL DECISION DATE:	December 4, 2017

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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. Wheat appeared in person and was not represented by an attorney. Testimony was provided by Department of Corrections (DOC) Classification Counselor (CC) Andre Poirier and Mr. Wheat.

The Board was expecting Attorney John Henry Brown to represent Mr. Wheat at his hearing. He did not show up for the hearing and Mr. Wheat wanted the hearing to continue without representation.

**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. Wheat is not parolable but makes no adjustment to his minimum term.

**NEXT ACTION:**

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

**JURISDICTION:**

Antonio Wheat is under the jurisdiction of the Board on a October 29, 1965 conviction in King County Cause No. 42464 for Murder in the First Degree Counts I, II and III with each count having the death penalty. In 1968 the US Supreme Court stayed the execution. Mr. Wheat was brought back to Court and on November 29, 1971 was re-sentenced to life on each count with the sentences to run consecutively. The Board fixed the minimum terms as follows Count I: 240 months; Count II: 360 months; and Count III: 400 months. Previous Boards found Mr. Wheat parolable from Count I to Count II, and then to Count III. The time start on count III is August 23, 1998. As noted above the minimum term for Count III was set at 400 months from a Sentencing Reform Act (SRA) range of 240 to 320 months. The maximum term is life. Mr. Wheat has served approximately 231 months on Count III in prison and 0 days of jail time.

**NATURE OF INDEX OFFENSE(S):**

File materials indicate that on three different evenings between the dates of March and April of 1965, Mr. Wheat and his co-defendant entered into gas stations with lone attendants working. They robbed the stores and shot the three attendants to death execution-style.

**PRIOR CRIMINAL CONDUCT:**

There is no other known criminal history.

**HISTORY/COMMENTS:**

Mr. Wheat's last hearing was held in 1998. At that time, the Board paroled him from Murder in the First Degree, Count II to Murder in the First Degree, Count III. This hearing was scheduled approximately three years prior to his PERD to determine his eligibility for a Mutual Re-Entry Plan.

Mr. Wheat has been in prison for 52 years. During that time, he has received a number of certificates for programs. These include but are not limited to: Victim Awareness, Citizens Victims and Offenders Restoring Justice, WSR Youth Program, Toastmasters, S\*HIP Program, Recognition of Outstanding Contribution of Personal Time, Diligent Devotion and Professionalism, CI Proficiency Order Clerk, UBB Restorative Justice Behind Bars and Ethics and Decision Making, Career Bridge, Non-Violent Communication, Undoing Institutional Racism Workshop, Alternatives to Violence, Makin It Work, Safety Training PREA, Safety Training Facility Orientation, What is Water and Mending Traumatized Minds. He is also a facilitator for Alternatives for Violence. He has his AA and BA degree. Mr. Wheat's BA degree is in psychology. He has been an Office Clerk for over 6 years. He has been at WSR since 1978.

Mr. Wheat has been a model inmate in prison, he has received only four serious infractions in the 52 years that he has been incarcerated. He has been involved in the Concerned Lifers group and is seen as a stabilizing force in general population at WSR.

Mr. Wheat gave a disclosure of his offenses taking responsibility for them. Although file material indicates that Mr. Wheat was the shooter of one of the victims, today he admitted to shooting two of the three victims with his co-defendant shooting the third victim.

Mr. Wheat described what was going on with him at the time. He was stationed at Payne Field in Everett at the time. He felt let down and betrayed by a number of family members and then the Air Force. There was three significant events that occurred while he was at Payne Field. The first one was that he was going to receive training for electronics and be stationed within 500 miles of home. He was originally from Chicago and was stationed in Everett, WA which was much further away than 500 miles and he was also placed in a position as a cook. The second one was he was going to be transferred to Europe and his Sergeant called him into his office and told him his orders were "redlined." Mr. Wheat then applied to be part of the Blue Berets which was a search and rescue team for the Air Force. He passed all the tests and was ready to transfer when his orders were "redlined" again. He was told by the Sergeant that he was going to be kept under

his thumb as long as he was in the Air Force. At that point, Mr. Wheat gave up and did not care about anyone or anything.

Mr. Wheat describes himself as being against violence since being in prison. He realizes his rigid thinking back when the crimes were committed was not healthy. He is able to use insightful thinking since being in prison to avoid conflicts. He mentors younger inmates and tries to model pro-social behavior while in prison. Mr. Wheat believes he deserves “consideration” for release but indicated it was up to the Board on whether or not to release him. However, Mr. Wheat did request to be released earlier than 2020 if the Board did decide to release him. At his age, he doesn’t believe he would be able to work at a camp or work release.

Mr. Wheat did meet with one of the victim’s mothers in the 90’s. He apologized and told her what her son’s last words were. She indicated she forgave him and she became a volunteer for the Kairos program. They would meet on a monthly basis. He also had contact with her two other children.

Dr. Wentworth completed a psychological evaluation on Mr. Wheat and assessed him as a low-moderate on the risk assessment tools and high on the protective factor scale. His overall risk is assessed as low.

**INFORMATION CONSIDERED:**

In preparation for Mr. Wheat’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 dated July 21, 2017. The Board also considered the testimony of the witnesses listed above.

The original recommendation from the Judge and Prosecutor was Life in prison. No updated recommendation was 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. Wheat not parolable at this time.**

Mr. Wheat has worked diligently towards his rehabilitation in the last 52 years. However, Mr. Wheat was convicted of three murders on three different occasions over a one month period in 1965 of innocent men who were working at gas stations. At this time, Mr. Wheat is not seen as fully rehabilitated and a fit subject for release. The Board would recommend Mr. Wheat complete Bridges to Life, Thinking for a Change and any other programming to assist with re-entry skills.

KR: ts

(November 28, 2017)

December 19, 2017

December 19, 2017

cc: MCC-WSR  
Antonio WHEAT  
File  
Attorney



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

DATE: *December 19, 2017*

TO: Full Board

FROM: *KR & LRG (Teresa)*

RE: WHEAT, Antonio/*DOC# 029645*

Panel recommends: Not Parolable but adds no time to MT.

Next action: Schedule .100 Hearing 120 days prior to PERD.

<b>Agree</b>	<b>Disagree</b>
Kecia Rongen 12-4-2017 Jeff Patnode 12-4-2017 Elyse Balmert 12-4-2017 Lori Ramsdell-Gilkey 12-4-2017	