



**Indeterminate Sentence Review Board  
Decision and Reasons Summary**

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Name: Braxton, Clarence	DOC#: 624421	Case Type: PAR	Date: 12/12/2024
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**Note: This is a summary of the Decision and Reasons dated 1/6/2025, and should not be substituted for the full document.**

**Mr. Braxton declined to attend the hearing. He also declined to attend the September 25, 2024, hearing. Per the ISRB procedure, Mr. Braxton’s current .100 hearing was held in absentia.**

**Decision:**

**Not Parolable. Add 60 months to Minimum Term**

**Next Action: Schedule a .100 Hearing approximately 120 days prior to PERD.** The Board may see Mr. Braxton earlier if he participates in an updated psychological evaluation and agrees to attend the hearing.

The Board requests an updated psychological evaluation be completed prior to the next hearing addressing his rehabilitation and risk for re-offense.

**Recommendations:**

- **Sex Offense Treatment and Assessment Program (SOTAP), if eligible**
- **Other Programs, if eligible. Such as: Thinking for a Change, Redemption, Bridges to Life, Alternatives to Violence, Domestic Violence Treatment**
- **Remain infraction free and have positive interactions with staff**
- **Participate in next Hearing**
- **Develop a release plan/community support**
- **Other: participate in next psychological evaluation**



## DECISION AND REASONS

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NAME:	BRAXTON, Clarence
DOC #:	624421
FACILITY:	Coyote Ridge Corrections Center
DATE OF HEARING:	December 12, 2024
TYPE OF HEARING:	.100
PANEL MEMBERS:	Corey McNally & Elyse Balmert
FINAL DECISION DATE:	January 6, 2025

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### **I. DECISION/LEGAL STANDARD**

This matter came before the above-named Board Members of the Indeterminate Sentence Review Board (ISRB or the Board) for a .100 hearing in accordance with RCW 9.95.100. This statute directs the Board to not release an individual unless in the Board’s opinion his or her rehabilitation has been completed and he or she is a fit subject for release. Consequently, the Board finds Clarence Braxton **not parolable** and adds 60 months to the minimum term.

The Prosecutor at the time of sentencing recommended 180 months while the judge did not make a recommendation.

**Mr. Braxton declined to attend the September 25, 2024, hearing and declined to attend the current hearing. Per the Board procedure, if the individual declines to attend the second hearing, it is to be held in absentia. The current hearing was held in absentia.**

**NEXT ACTION: Schedule a .100 Hearing approximately 120 days prior to PERD.** The Board may see Mr. Braxton earlier if he participates in an updated psychological evaluation and agrees to attend the hearing.

The Board requests an updated psychological evaluation be completed prior to the next hearing addressing his rehabilitation and risk for re-offense.

## **II. JURISDICTION**

Clarence Braxton is under the jurisdiction of the Board on an October 19, 1976, conviction in King County Cause #75321 for Robbery, Count I and Rape in the Second Degree, Count II (Habitual Criminal). The time start is December 20, 1976. The minimum term was set at 180 months from a Sentencing Reform Act (SRA) range of 77 to 102 months. The statutory maximum term is Life. Mr. Braxton has served approximately 130 months in prison and 0 days of jail time during the initial period of confinement.

Braxton was released on November 4, 1987, and revoked on January 14, 1988. The new minimum term was set at 12 months. The current time served on revocation is 442 months.

Cause #75321 was to be served CS to Cause #60346 - Robbery (maxed on 7-17-92) and #60642 - Burglary 2nd Degree (maxed on 7-17-87).

## **III. LAST BOARD DECISION**

The Board attempted to see Mr. Braxton at a .100 Hearing on September 25, 2024. He declined attendance. The Board's next action was to place him on the next available docket, if he were to change his mind.

Mr. Braxton had a .100 hearing on March 23, 2022. The ISRB determined he was not releasable and added 48 months to the minimum term. At the time, the Board recommended that Mr. Braxton be rescreened for and successfully participate in Sex Offense Treatment and Assessment Program (SOTAP). The ISRB stated Mr. Braxton should remain serious infraction free, work on a comprehensive release plan, and participate in his next psychological evaluation.

#### **IV. OFFENSE DESCRIPTION**

At the age of 26, while on escape status from work release, Mr. Braxton and a codefendant raped and robbed a known adult woman while at the codefendant's grandmother's house. The codefendant convinced the neighbor (victim) to come over. Upon entering the house, the codefendant proceeded to beat her. Mr. Braxton and the codefendant then dragged her to the bedroom and removed her clothes. Mr. Braxton then got on top of her, which she then offered them money not to rape her. Braxton got off her and went and got her purse and took the money. While he was out of the room, the codefendant raped the victim.

#### **V. OTHER RISK RELATED BEHAVIOR**

Mr. Braxton was released on parole in November 1987 and revoked in January of 1988 after approximately 60 days. His violations included being in possession of cocaine, having a firearm and associating with an individual on active supervision.

Mr. Braxton was first arrested at the age of 13 and was sent to juvenile detention at least three times. He has a history of escape and multiple other felonies. His felony history includes:

- April 5, 1972 Burglary 2<sup>nd</sup> Degree
- February 27, 1972 Robbery
- Grand Larceny June 17, 1968

Mr. Braxton was on supervision when he committed the Robbery and Burglaries. He has been under the jurisdiction of the ISRB, formerly "The Board of Prison Terms and Paroles" since 1968.

#### **EVIDENCE CONSIDERED**

The Board considered the evidence presented at the hearing and reviewed **Clarence Braxton's** ISRB file. The hearing was audio recorded and will be retained per retention schedules. Testimony was provided by the following individuals: **Classification Counselor Rolando Reyna.**

The file review included the following documents:

- End of Sentence Review Committee (ESRC) Reports: Dated
- Criminal case records: **Presentence Investigation 1968**

- Psychological Evaluations: **Psychological Evaluation by Dr. Robtoy 10-19-23**
- DOC Treatment and behavioral reports dated:
- Risk Assessments (Static, SOTIPS etc.):
  - *Static-99R is an actuarial risk prediction instrument designed to estimate the probability of sexual and violent recidivism. It is the most widely used sex offender risk assessment instrument in the world.*
  - *Hare Psychopathy Checklist-REVISED (PCL-R) indicates the extent to which the individual has psychopathic tendencies.*
  - *Violence Risk Assessment Guide-Revised (VRAG-R) is a 12-item actuarial scale designed to predict violent recidivism.*
- Prior Decision & Reasons (D&R): **9-27-24, 4-4-22**
- DOC OMNI Records
- Other: **Email from Darrel Lahtinen 8-22-24 declining to meet with him and stating he would not attend the hearing.**

## VI. FINDINGS

1. In preparation for this hearing, Mr. Clarence Braxton was advised of his hearing rights.
2. Clarence Braxton refused to appear because: He reported to his classification counselor that he didn't believe he would be found releasable and therefore didn't need to attend the hearing.
3. Clarence Braxton was not represented by an attorney. Attorney Darrell Lahtinen emailed the ISRB on August 22, 24 stating Mr. Braxton declined to meet with him.
4. The Board has considered all potential Conditions of Supervision it may lawfully impose, including all identified by the End of Sentence Review Committee (ESRC), DOC psychological evaluations, and RCW 9.94A.704. These conditions include, but are not limited to, the following:
  - DRUG / ALCOHOL RESTRICTIONS
  - ELECTRONIC MONITORING
  - PARTICIPATION IN DRUG/ALCOHOL TREATMENT
  - PARTICIPATION IN SEX OFFENSE TREATMENT
  - SEXUALLY EXPLICIT MATERIAL
  - SUBMIT TO POLYGRAPHS

- UNAPPROVED RELATIONSHIPS

5. The Board has considered the following evidence favorable to Clarence Braxton's release determination:

- Treatment/Programming.
- Protective factors. **Mr. Braxton has not received a serious infraction since 2007. DOC Staff report he is generally cooperative within the prison setting and he has positive work performance.**
- Risk Assessment Scores.
- Other evidence:

6. The Board has considered evidence against Clarence Braxton's conditional release (WAC 381-60-160), examples of adequate reasons for a finding of non-parolability include, but are not limited to:

- Active refusal to participate in available program or resources designed to assist and offender to reduce the risk of re-offense (e.g., anger management, substance abuse treatment). **The Board has recommended Mr. Braxton participate in SOTAP since approximately 2010 and he has not chosen to participate.**
- Serious and repetitive disciplinary infractions during incarceration.
- Evidence of an inmate's continuing intent or propensity to engage in illegal activity (e.g., victim harassment, criminal conduct while incarcerated, continued use of illegal substances).
- Statements or declarations by the inmate that he or she intends to re-offend or does not intend to comply with conditions of parole.
- Evidence that an inmate presents a substantial danger to the community if released.
  - **In the 2023 Psychological evaluation by Dr. Lisa Robtoy, she determined that he had not completed any programming to address criminogenic needs since approximately 2016. He is assessed as a moderate-high risk for reoffense and she concluded Mr. Braxton is a questionable candidate for release.**

7. The Conditions of Supervision, and any favorable evidence noted above considered by the Board would not sufficiently reduce the likelihood of Clarence Braxton committing new offenses because:

- **He has refused to participate in the current hearing and previous psychological evaluation. This limits the Board's ability to assess his current level of rehabilitation and fitness of release.**
- **The 2023 Psychological Evaluation by Dr. Robtoy concluded Mr. Braxton is a moderate-high risk for reoffense and he is a questionable candidate for release.**

- **His risk assessment scores rate him overall as a moderate/high risk to reoffend. The PCL-R rates him as Moderate and the VRAG-R rates him as high.**
- **He has not engaged in any change programming since approximately 2016.**
- **He is convicted of a sexual offense and and has refused to follow the recommendations of the Board to attend Sex Offense Treatment to aide in his rehabilitation.**
- **He does not have a current release plan, nor any community support.**

8. Based on the requirements of RCW 9.95.009(3) and RCW 9.95.100 and after weighing all of the totality of the evidence, including the community custody conditions and any favorable evidence noted above by the Board, the Board finds that Mr. Braxton is not parolable and adds 48 months to his minimum term.

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 9.95.100.

## **VII. RECOMMENDATIONS**

- **Sex Offense Treatment and Assessment Program (SOTAP), if eligible**
- **Other Programs, if eligible. Such as: Thinking for a Change, Redemption, Bridges to Life, Alternatives to Violence, Domestic Violence Treatment**
- **Remain infraction free and have positive interactions with staff**
- **Participate in next Hearing**
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CM: ch

12/12/2024

Braxton, Clarence – DOC # 624421

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cc: Facility: CRCC  
Clarence Braxton, Incarcerated Individual  
File





TO: Full Board

FROM: **CM** (ch)

RE: BRAXTON, Clarence DOC # 624421

Panel recommends: **Not Parolable** and adds 60 months to the minimum term.

Next Action: Schedule a .100 Hearing approximately 120 days prior to PERD. The Board may see Mr. Braxton earlier if he participates in an updated psychological evaluation and agrees to attend the hearing.

Agree	Disagree
Corey McNally, 1.6.2025 Jeff Patnode, 1.6.2025 Jill Getty, 1.6.2025 Elyse Balmert, Not Present Kecia Rongen 1.6.2025	