



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

DECISION AND REASONS

NAME: Pandoah, Dewson
DOC #: 285746
FACILITY: Washington State Penitentiary (WSP)
DATE OF HEARING: March 16, 2021
TYPE OF HEARING: .100
PANEL MEMBERS: Elyse Balmert and TaTeasha Davis
FINAL DECISION DATE: March 29, 2021

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. In preparation for the hearing, the Board reviewed Mr. Pandoah's ISRB file. Mr. Pandoah appeared in person and was represented by Attorney George Marlton. Testimony was provided by Department of Corrections (DOC) Classification Counselor (CC) Sheena Bates. This Hearing was held via video conferencing with the Board Members located in Lacey, Washington while Mr. Pandoah and DOC staff were in Walla Walla, Washington.

Original recommendation according to the Probable Cause statement, the Court sentenced Mr. Pandoah to two consecutive Life sentences. Therefore, his minimum term on each count would be 20 years, less good time. However, it was further noted that Mr. Pandoah was, "an individual who should never be paroled."

LAST BOARD DECISION:

At the December 13, 2016 .100 Hearing, Mr. Pandoah was found not parolable and 90 months were added to his minimum term. The Board stated they were pleased that Mr. Pandoah choose

to attend his hearing however, little had changed in his case. He did not fully participate in his psychological evaluation, had engaged in little to no programming or employment, and continued to accrue infractions. Mr. Pandoah seemed to think he should be released solely on his age. The Board recommended that he remain infraction free and engage in Bridges to Life or programs related to reentry/other life skills. The Board also requested that he participate in a full psychological evaluation. The Board noted if he completed recommended programming and demonstrated positive behavior, they would be willing to meet with Mr. Pandoah early.

CURRENT 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. Pandoah is not parolable and adds 36 months to his minimum term.

NEXT ACTION:

Schedule a .100 hearing approximately 120 days prior to his PERD. If Mr. Pandoah is willing to participate, a new psychological evaluation should be obtained prior to his hearing.

REASONS FOR 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, 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, the Board finds Mr. Pandoah not parolable for the following reasons:

- **Mr. Pandoah is an End of Sentence Review Committee (ESRC) Level Two Moderate Risk sex offender and he has not mitigated his risk for sexual re-offense.**
- **He is has not participated in risk related programming (sex offender or substance abuse treatment) to address his offending.**

- **Dr. Robtoy's evaluation states; The actuarial risk assessment tools used during this evaluation estimate that Mr. Pandoah would be a high risk in terms of recidivism. She also states that he is an untreated sex offender with a significant history of untreated alcohol use who has presumably very little, if any insight into his criminogenic risk factors.**
- **He continues to incur Serious Infractions including some which are violent.**

RECOMMENDATIONS:

The Board would like to see Mr. Pandoah remain infraction free and to actively participate in programming such as sex offender treatment, substance abuse treatment, Bridges to Life, and reentry/life skills. Mr. Pandoah may benefit from participating in the White Bison program if available to him and any other programming that may make him a fit subject for release.

JURISDICTION:

Dewson Pandoah is under the jurisdiction of the Board on an August 6, 1982 conviction in Chelan County; Cause #6075 for Burglary in the First Degree, Count I and Rape in the First Degree, Count II. The time start is August 6, 1982. The minimum term was set at 41 months on Count I and 117 months on Count II from a Sentencing Reform Act (SRA) range of 31 to 41 months and 67 to 89 months. The maximum term is Life. Mr. Pandoah has served approximately 463 months in prison and 11 days of jail time to date.

OFFENSE DESCRIPTION:

Mr. Pandoah broke into the home of a 79-year-old woman who was suffering from uterine cancer. He beat and raped her and spent the night in the residence. The following day friends came to check on the welfare of the victim and found Mr. Pandoah in the home, partially dressed, and the victim lying on a bed in the living room covered in blood. She had a broken jaw and multiple bruises. Mr. Pandoah was arrested at the scene.

PRIOR CRIMINAL / RISK RELATED CONDUCT:

1/19/57 – Charged with Dyer Act. In Federal confinement at various locations until July 6, 1960.

11/14/60 – Driving While Drunk. Elko, Nevada. Sentenced to 125 days confinement and fined.

3/19/61 – It is noted that Mr. Pandoah had a parole violation this date however, it is unclear which cause he was serving probation on at the time.

3/29/61 – National Motor Vehicle Theft Act (NMVTA), Private Vehicle, Federal Correctional Institution. Lompoc, CA 7/15/62 – Disorderly Conduct. Department of Interior Bureau of Indian Affairs, Fort Hall, Idaho. Fined and sentenced to work.

7/15/62 – Disorderly Conduct. Pocatello, Idaho. 20 days confinement and fined.

The record is unclear on whether this is the same incident.

3/2/66 – Rape - Boise, Idaho. Crime on Indian Reservation. Five years federal confinement at McNeil Island. Mr. Pandoah has reported being confined between March 30, 1966 and October 3, 1969 on this offense. According to newspaper articles, Mr. Pandoah (age 29) sexually assaulted a 17-year-old female while on tribal lands in Idaho. It's unknown whether Mr. Pandoah knew the victim. However, Mr. Pandoah has denied having any stranger victims in prior evaluations.

6/26/70 – Driving While Intoxicated. Blackfoot, Idaho.

6/4/72 – Leaving Scene of Accident. Rawlins, Wyoming. 10 days jail and fined.

6/30/78 – Shoplifting. South Yakima, WA. 3 days jail and fined.

PROGRESS/BEHAVIOR:

CC Bates provided an overview of Mr. Pandoah's programming (vocation/education and offender change) since his last hearing. Mr. Pandoah has not completed any programming since his last hearing. He has incurred five new Serious Infractions, including an Assault of an Offender which is described as Mr. Pandoah conspiring to have his cellmate injured. CC Bates reports his overall behavior is that he stays to himself. He also has incurred Strongarming/Intimidation, Refuse to Proceed/Disperse, Refusing Search and Refusing UA Test infractions. His last Serious Infractions were in December 2019. Mr. Pandoah does have some medical issues. Ms. Bates said that the Unit Mr. Pandoah is on has a lot of programming available.

Mr. Pandoah testified that he doesn't remember details of his offense. He was argumentative when the Board asked him about his prior sex offense conviction and said we shouldn't be asking

him about it. Mr. Pandoah was asked about his Serious Infractions and he said that cellies act like little kids and “If someone gets in my face, I’ll get in theirs”. He spends his time doing bead work and reads. Mr. Pandoah had little to say and when asked if he wanted to get out of prison, he stated that he did. He has a daughter and Native Brothers as support. If released he would like to go back to his Reservation in Idaho. If that is not possible, he said he would rent a house. Mr. Pandoah said he has savings; he gets stipends from his tribe and he also has property in Idaho.

Attorney Marlton says that Mr. Pandoah wants to get out of prison. He has been in prison for many years and has paid his debt to society. He said Mr. Pandoah is trying to better himself and he is ashamed of the crimes he has committed. Attorney Marlton recommends Mr. Pandoah be released to a transition program or an adult family home.

Dr. Robtoy’s report states in-part; Mr. Pandoah summed up the findings of this evaluation when he stated, "Nothing has changed." He continues to refuse to participate in a psychological evaluation, has not completed recommended offender change programming, and continues to accrue infractions. He remains an untreated sex offender with a significant history of untreated alcohol use who has presumably very little, if any insight into his criminogenic risk factors. While he has increased in age, his overall behavior does not suggest that he is rehabilitated.

The actuarial risk assessment tools used during this evaluation estimate that Mr. Pandoah would be high risk in terms of recidivism.

EB: ch

March 29, 2021

cc: Institution
Attorney
File



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

TO: Full Board

FROM: Elyse Balmert (Christine Hunter)

RE: Pandoah, Dewson DOC #285746

Panel recommends: Not Parolable and adds 36 months to minimum term.

Next action: Schedule a .100 hearing approximately 120 days prior to his PERD.

Agree	Disagree
Elyse Balmert 3-29-2021 TaTeasha Davis 3-29-2021 Lori Ramsdell-Gilkey 3-29-2021 Jeff Patnode 3-29-2021 Kecia Rongen 3-29-2021	